

**REPORT TO:** Climate and Environment Advisory Committee 19 November 2019

**LEAD CABINET MEMBER:** Councillor Tumi Hawkins

**LEAD OFFICER:** Emma Davies, Principal Sustainability Consultant, Greater Cambridge Shared Planning Service

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## Greater Cambridge Sustainable Design and Construction Supplementary Planning Document

### Executive Summary

1. The Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (SPD) has been prepared to provide guidance on the implementation of policies related to climate change and sustainable design and construction within the adopted South Cambridgeshire and Cambridge Local Plans in order to support the Greater Cambridge growth agenda and delivery of sustainable development.
2. The draft SPD was made available for public consultation between the 15 July and the 23 September 2019. During the consultation a total of 257 representations were received, 253 of which were to the SPD and 4 of which were to the Habitats Regulations Assessment and Sustainability Appraisal Screening Reports. Of the representations received to the SPD, 48 were in support of the provisions in the SPD, 113 were in objection and 92 were comments on the SPD. Officers are now in the process of responding to these representations and, where necessary, recommending amendments to the SPD. This report provides a summary of the representations received and initial proposals for possible amendments to the SPD in light of some of these comments.

### Recommendations

3. The Climate and Advisory Committee is invited to:
  - (a) Note and comment on the summary of representations received to the SPD and initial proposed responses to these representations.

### Reasons for Recommendations

4. The above recommendation is required to ensure that the Climate and Environment Advisory Committee is updated on progress with the preparation of the Greater Cambridge Sustainable Design and Construction SPD. It also provides an opportunity for the Climate and Advisory Committee to comment on the proposals for the SPD as part of the wider process towards approval for adoption.

### Details

5. The draft Greater Cambridge Sustainable Design and Construction SPD was made available for public consultation from the 15<sup>th</sup> July to the 23<sup>rd</sup> September 2019.

During the consultation a total of 257 representations were received, 253 of which were to the SPD and 4 of which were to the Habitats Regulations Assessment and Sustainability Appraisal Screening Reports. Of the representations received to the SPD, 48 were in support of the provisions in the SPD, 113 were in objection and 92 were comments on the SPD. Officers are now in the process of responding to these representations and, where necessary, recommending amendments to the SPD

6. The table below provide a summary of the representations received to each section of the SPD. All of the representations are available to be read in full on our online consultation system at: <https://cambridge.jdi-consult.net/localplan/>

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| <p><b>Section 1: Introduction</b></p> <ul style="list-style-type: none"> <li>• General support for the SPD but with comments that the document should go further, specifically with regards to net zero carbon development;</li> <li>• Comments regarding the need for flexibility in how the requirements of policy and the guidance in the SPD are applied to specific developments, giving consideration to viability, advances in technology and future national policy (for example changes to Building Regulations)</li> <li>• Objections to the level of detail contained within the SPD with recommendations that the focus should be on the Sustainability Checklist, with developers pointed to guidance contained in the Planning Practice Guidance and other relevant documents.</li> <li>• Comments regarding the role of neighbourhood plans, with the SPD needing to make reference to Neighbourhood Planning;</li> <li>• Exemplar role of local authorities in delivering their own projects should be addressed in the SPD.</li> </ul> |
| <p><b>Section 2: The importance of urban design</b></p> <ul style="list-style-type: none"> <li>• General support, particularly for the principles of walkable neighbourhoods and adaptable buildings;</li> <li>• Objections to the level of detail contained within the SPD with recommendations that the focus should be on the Sustainability Checklist, with developers pointed to guidance contained in the Planning Practice Guidance and other relevant documents;</li> <li>• Concerns over how applicable some elements of the guidance are to villages in South Cambridgeshire;</li> <li>• Support for the transition to low and zero emissions transport and reducing the reliance on private vehicles;</li> <li>• Exemplar role of local authorities should be addressed in the SPD;</li> <li>• Clarification sought on references to 'off gauge bikes'</li> </ul>  |
| <p><b>Section 3: Implementation</b></p> <p><b>Introduction</b></p> <ul style="list-style-type: none"> <li>• Support for the recognition of the need for early and effective engagement to agree alternative approaches where feasibility or viability are a concern;</li> <li>• General support for the topics and guidance in this section;</li> <li>• Concern over lack of reference to communications connections to properties;</li> <li>• Some support for the inclusion of aspirational targets that go beyond policy requirements particularly related to energy, water and biodiversity</li> </ul> <p><b>Energy and carbon reduction</b></p> <ul style="list-style-type: none"> <li>• Guidance is too complicated and requirements overlaps with information required to meet Building Regulations;</li> <li>• Query the support for gas fired Combined Heat and Power as it is not a true low</li> </ul>   |

carbon technology and can in many cases lead to an increase in carbon emissions compared to a standard gas boiler;

- Support for the requirement for 10% of carbon reduction to come from on-site renewable energy;
- Support for submission of Carbon Reduction Statements and the energy hierarchy;
- Request for additional guidance related to retrofit to be referenced in the section on energy efficiency in existing homes;
- The SPD should be more ambitious (i.e. net zero carbon);
- Objection to the inclusion of on-site requirements as part of the 10% renewable energy requirement;
- Need to reference future changes to Building Regulations and the Future Homes Standard which will have implications for policy implementation;
- Request that the 19% requirement should be applied on a site wide basis and not on a building by building basis;
- Energy requirements are considered to only apply to typical non-residential developments and not developments such as hospitals which may require a different approach;
- Concern that policies to maximise biodiversity and space for pv arrays at roof level may compromise the positioning of certain technologies;
- Viability should not be used to bypass the policy requirements related to energy and carbon reduction.

#### **Water efficiency**

- Adopted policies do not require the submission of a Water Conservation Strategy;
- Support for policy requirements related to water efficiency;
- Water efficiency requirements do not go far enough;
- Cambridge requirements for non-residential development do not take account of the feasibility and viability constraints of achieving this requirement in all forms of non-residential development;
- Some of the water efficiency requirement may not be achievable in certain types of development (e.g. restrictions on water re-use in acute hospital environments);
- Rainwater harvesting works best in isolation of green/brown roofs.

#### **Climate Change Adaptation**

- Sufficient guidance on climate change adaptation and the role of trees exists elsewhere so further guidance in the SPD is not required;
- Policy CC/8 should not be read as requirement for all flat roofs to be green or brown roofs;
- Support for the approach to climate change adaptation – should be inherent part of masterplanning;
- Strong support for the cooling hierarchy;
- Support for the encouragement of green and brown roofs and the recognition of the role of green infrastructure;
- Support for the role of trees although the SPD should encourage the use of native species of local provenance;

#### **Biodiversity**

- Adequate local guidance on biodiversity already exists and as such further guidance is not required in this SPD;
- The SPD should not include a requirement for biodiversity net gain as this is not included in local plan policies;
- The list of priority habitats should include chalk streams;

- Support for guidance on biodiversity and the role of new development in enhancing biodiversity;
- Emphasis should be placed on encouraging the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations;
- Reference should be made to the Doubling Nature Vision;
- Welcome reference to the application of the mitigation hierarchy – the document would benefit from an explanation of the ecological mitigation hierarchy;
- Comments were made as to the type of assessment that should be submitted as part of the planning process;
- Reference to the need for developments likely to affect a European site to be accompanied by sufficient information to assess likely significant effect and the need for an Appropriate Assessment to be undertaken where necessary.

#### **Pollution**

- Section needs substantial editing to simplify advice for applicants, making reference to relevant national guidance and other advice;
- Sensible to plan for the provision of electric vehicles but the planning for the infrastructure demands associated with this needs to happen at an early stage and can require a substantial infrastructure burden to be accommodated. Further clarity should be provided to define the type/specification/energy demands of ev charging require for specific uses;
- Need to make it illegal for people to idle their engines while stationary;
- With regards to the requirement for a Low Emission Strategy and the requirements of Table 3.20, there is insufficient flexibility in relation to the scale of development proposed. Allowance should be made for the LES to be included in the Design and Access Statement or Sustainability Statement depending on the scale of development;
- EV charging requirements need to be consistent with national policy (i.e. Building Regulations). Some of the requirements are too high and could have cost implications for developments;
- Some elements of this section may be difficult to apply in a hospital setting;
- Need to include reference to the need to mitigate impacts on sensitive ecological receptors including protected species;
- Need to include reference to the impacts that noise and vibration and lighting schemes can have on heritage assets;
- Support for the SPD from the Environment Agency in respect of groundwater and contaminated land;
- Requirements related to ev charging have not been tested at local plan examination;
- Clarification sought on acoustic standards in relation to ventilation;
- The SPD should include a definition of slow, fast and rapid for electric vehicle charging;

#### **Sustainable Drainage and Flood Risk**

- Adequate guidance is contained in the Flood and Water SPD;
- Support for the requirements in relation to sustainable drainage systems, particularly multi-functional approaches;
- Include reference to the need to consider archaeology in the design and layout of sustainable drainage systems;
- Need to include guidance on foul drainage;
- Include option to re-use water on site as part of this section;
- Include reference to adoption of sustainable drainage systems by sewerage

undertaker or other bodies;

- Section should also apply to South Cambridgeshire.

#### **Construction standards (BREEAM)**

- Further guidance on BREEAM not required;
- BREEAM excellent is often not feasible for schemes under 1,000m<sup>2</sup>, and in these cases the SPD could more strongly encourage the development of bespoke approaches;
- The SPD could usefully establish thresholds and non-residential project criteria defining where BREEAM 'excellent' is realistically achievable;
- This requirement should also apply to development in South Cambridgeshire.

#### **Sustainable Show Homes**

- The requirements of policy CC/5 and its associated supporting text are sufficient – no further guidance in the SPD is required;

#### **Works to a heritage asset to address climate change**

- Historic England, English Heritage and the Chartered Institution of Building Services Engineers provide advice on environmental improvements in heritage assets, and as such it is considered that no additional guidance is required or necessary;
- Need to stress the importance of putting buildings into good repair;
- Works to heritage assets should be sensitive but also with purpose;
- Broad support for this section of the SPD. Reference to additional guidance prepared by Historic England and other organisations recommended.
- More guidance for homeowners required.

#### **Construction waste and recycling and waste facilities:**

- Sufficient guidance is already included in the RECAP Waste Management Guide and Toolkit;
- Support for this section of the SPD
- More reference to embodied carbon and the recycling and re-use of materials required;
- Needs to include advice for non-typical non-residential development (e.g. hospitals);
- Change should be designed to reduce construction waste to must be designed to reduce construction waste;
- Refer to the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites;
- Needs to be a better solution to charging/disposing of waste.

#### **Section 4: Further approaches**

- Topics are not related to planning policies and cannot be addressed through the planning system. The SPD is not the appropriate document to set out such aspirations;
- Figures 13 and 14 do not take into account the historic environment;
- The South Cambridgeshire Health Impact Assessment SPD considers matters related to health and wellbeing and it is not necessary to duplicate this within the Sustainable Design and Construction SPD;
- Support for the section, particularly elements related to food growing;
- CUH pleased to see the recognition in the SPD of the role of the built environment in the health and wellbeing of residents;
- Developers should seek advice from Cambridgeshire Police Designing out Crime Officers at an early stage to ensure the principles of Secured by Design are met;
- Policies related to modern methods of construction need to be flexible to

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| <p>accommodate change;</p> <ul style="list-style-type: none"> <li>• Encourage the inclusion of explicit support for the use of natural building materials;</li> <li>• Include guidance on increasing the use of wood products in construction and wherever possible the use of UK sourced timber;</li> <li>• Need to include reference to the embodied energy of existing buildings and the assessment of proposals in line with whole life cycle in accordance with BS EN 15978;</li> </ul> <p>Needs to be a measurable standard for embodied energy included in the SPD – reference to Oxford City Council requiring a Natural resource Impact Assessment.</p>  |
| Appendix 1: Sustainability Checklists   |
| <ul style="list-style-type: none"> <li>• Need for Ha.1 – Ha.4 to cross reference Governments retrofit guidance PAS 2035:2019 and the special considerations under Part L1B and L2B;</li> <li>• The checklist should be the main focus of the document with a single checklist prepared for both Cambridge and South Cambridgeshire;</li> <li>• En.2 for South Cambridgeshire should not make reference to other onsite energy use;</li> <li>• Wt.2 – the Cambridge requirement for 5 BREEAM credits should be reduced in recognition that this requirement will not be technically feasible for smaller developments;</li> <li>• En.1 for Cambridge should be updated to read 19% improvement on Part L 2013;</li> <li>• Include reference to Habitats Directive requirements in the checklist;</li> <li>• Checklist should be more aspirational in relation to energy targets;</li> <li>• SuSH.1 – can you give benchmarking standards for the Show Home?;</li> <li>• Welcome the historic environment questions.</li> </ul> |
| Appendix 2: Carbon reduction template for inclusion in Carbon reduction Statement for residential development – Cambridge developments  |
| <ul style="list-style-type: none"> <li>• Too Cambridge specific</li> </ul>  |
| Appendix 3: Gas Fired Combined Heat and Power Advice Note   |
| <ul style="list-style-type: none"> <li>• Needs to take account of the latest Climate Change Committee advice;</li> <li>• Possibly irrelevant to SCDC as the A14 work should eliminate the AQMA.</li> </ul>  |
| Appendix 4: Home Energy Questionnaire   |
| <ul style="list-style-type: none"> <li>• Needs to cross reference PAS 2035:2019;</li> <li>• Too Cambridge specific.</li> </ul>  |
| Appendix 5: Carbon reduction proformas for applications in South Cambridgeshire   |
| <ul style="list-style-type: none"> <li>• SCDC report carbon reduction form</li> </ul>   |
| Appendix 6: Requirements for specific lighting schemes  |
| <ul style="list-style-type: none"> <li>• For all-night lighting at low brightness use a compact fluorescent porch light of 9W (600 lumen); This is probably taken from an old existing document. Should be LED low power lighting that is not mercury based as per a compact fluorescent lamp.</li> <li>• Is more guidance on lighting needed?</li> </ul>   |
| Appendix 7: Contaminated land guidance  |
| <ul style="list-style-type: none"> <li>• Noddy's guide to development process for contaminated areas.</li> </ul>  |
| Appendix 8: Noise Pollution   |
| <ul style="list-style-type: none"> <li>• Is more guidance on noise pollution needed?</li> </ul>   |
| Acronyms  |
| No comments   |
| Glossary  |

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| <ul style="list-style-type: none"> <li>• Include a definition of setting and significance in relation to heritage assets</li> </ul>   |
| Representations to Sustainability Appraisal and Habitats Regulations Assessment Screening Reports   |
| <ul style="list-style-type: none"> <li>• Natural England is satisfied with the conclusions of the Draft Habitats Regulations Assessment Screening (June 2019) report that the draft Greater Cambridge Sustainable Design and Construction SPD is unlikely to have any significant impacts on the conservation objectives of Natura 2000 and Ramsar sites. We agree that it is not necessary to proceed to the next stage of the Habitats Regulations Assessment process i.e. Appropriate Assessment.</li> <li>• Historic England would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within a Adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD.</li> <li>• Natural England agree with the conclusions of the Sustainability Appraisal Screening (June 2019) report that the SPD will not give rise to significant environmental effects beyond those already identified as part of the appraisal of the parent policies and site allocation contained within the adopted 2018 Cambridge and South Cambridgeshire Local Plans. The Plan can therefore be screened out of the requirement for a separate Sustainability Appraisal.</li> <li>• Objection to the accompanying HRA, which is deficient as it presumes mitigation of water abstraction by "increased efficiency" will allow sufficient water to be available without impacts on European sites. As indicated, there is finite water available, so this is a nonsensical approach. The accompanying Habitat Regulations Assessment cannot reach its conclusion of no impact based on present evidence and furthermore should be aware of "People over wind/Sweetman" C 323/17 decision</li> </ul> |

### ***Responding to representations***

7. Officers from across the Shared Planning Service and other sections are now working through all of the representations received with a view to responding to comments and, where appropriate, recommending amendments to the wording of the SPD. Where respondents have requested reference be made to further guidance, this will be added to the SPD.
8. A common theme across many of the representations received from local community and interest groups, residents and architects was that the SPD should be more ambitious in the targets required related to energy, water and biodiversity, in light of recently declared climate and biodiversity emergencies and increasing concerns about water abstraction. While this support for greater ambition is welcomed, it is important to note that SPDs cannot be used to set new policy requirements and can only provide guidance on the implementation of existing policies. As such the Greater Cambridge Sustainable Design and Construction SPD must focus on providing guidance on the implementation of existing policy, which was developed prior to announcements on net zero carbon. Further work on Net Zero Carbon will be carried out as part of the development of the Greater Cambridge Local Plan, and the Councils have committed to introducing policies related to net zero carbon as part of this document. Further work is being commissioned to provide the evidence base for these policies, building on work on carbon footprinting and carbon budgets already carried out for the area.

9. Nevertheless, it is recognised that the Greater Cambridge Sustainable Design and Construction SPD is being prepared at a time of changing national policy, and some additional wording will be added to the introduction of the SPD to reflect this. This will encourage developers to consider ways in which go further than the requirements set out in the adopted Local Plans, giving consideration to emerging national requirements such as the Future Homes Standard and changes to Building Regulations.
10. Others respondents called for a degree of flexibility in how the requirements of policy and the guidance in the SPD is applied on a case by case basis, giving consideration to issues around technical feasibility and viability but also recognising that policy in this area, particularly around net zero carbon is a rapidly evolving area. Paragraphs 3.1.3 and 3.1.4 of the SPD already allow for some flexibility in the implementation of policies in light of feasibility and viability considerations, subject to early engagement with the planning service as part of the pre-application process. However, given that the policies in the adopted Local Plans were written back in 2011/12, it is inevitable that elements of adopted policy will become overtaken by changes to national policy. As such it is proposed that additional wording be added to section 3 of the SPD to allow for updates to national requirements such as Building Regulations to be taken into account. This is most likely to apply to the topic of energy and carbon reduction, with the current consultation on changes to Part L of the Building Regulations to support the transition to net zero carbon buildings likely to have implications for the implementation of existing local plan policies. The most notable impact will be on the implementation of the Cambridge carbon reduction requirement for new homes, which is measured as a percentage improvement on 2013 Part L. But there may also be implications for the South Cambridgeshire policy given the Government's preferred approach stipulates the use of on-site renewable energy in order to reduce carbon emissions. A response to the Part L consultation is being developed by officers from across both South Cambridgeshire District Council and Cambridge City Council and will be subject to Member endorsement in due course.
11. It is also important to ensure that the implementation of current policy does not lead to unintended consequences, for example the SPD as currently drafted allows for gas Combined Heat and Power to be used in meeting the requirements of policy CC/3 of the South Cambridgeshire Local Plan (renewable and low carbon energy in new developments). However, with the continued decarbonisation of the electricity grid, and Governments proposal to ban gas heating for new homes from 2025, some respondents to the SPD have called for the support for CHP to be removed from the SPD. Officers are currently considering revising the wording of this section of the SPD (paragraphs 3.2.28 – 3.2.32) to ensure that developments are not locked into higher carbon emissions in the future through the selection of inappropriate technologies.
12. With regards to the representations suggesting that the SPD is contains too much detail, it is recognised that there is a wide variety of guidance on topics available, and where possible, the SPD has referenced this material. However, in developing the SPD, officers have been mindful of the quality of information submitted with planning applications, as well as how up to date some of the guidance available is, including the Planning Practice Guidance. There are cases where applications are submitted with little or no information to enable officers to fully determine the extent to which



they comply with adopted policy and mitigate their impact on the environment, despite the presence of national guidance. This leads to technical officers having to either request the submission of further information, which leads to delays in determining applications or recommend refusal of applications. As such, it is considered that the level of information included in the SPD is necessary to ensure that appropriate detail is included within applications to enable officers to make an informed decision on how the proposals respond to policy requirements.

### ***Next steps***

13. Detailed responses to all of the representations received are currently being worked up by officers, and these will be reported to Cabinet along with any recommended changes to the wording of the SPD. The table below highlights the process towards adoption of the SPD.

| <b>South Cambridgeshire Committees</b>    |                  |
|---|------------------|
| EMT                                       | 20 November 2019 |
| Scrutiny & Overview Committee             | 17 December 2019 |
| Cabinet                                   | 8 January 2020   |
| <b>Cambridge Committees</b>               |                  |
| Planning and Transport Scrutiny Committee | 14 January 2020  |

14. At their meeting on the 8 January 2020, cabinet will be asked consider the main issues raised in consultation, agree responses to the representations received and any consequential amendments to the SPD, and to approve adoption of the SPD as amended. Following on from adoption of the SPD, the document will become a material consideration in the determination of planning applications.

### **Implications**

15. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

#### ***Financial***

16. The preparation of the Greater Cambridge Sustainable Design and Construction SPD has been included in planned budgets.

#### ***Legal***

17. The legal implications of preparing these documents has been considered in the writing of this report.

#### ***Staffing***

18. There are no significant staffing implications, with development of the SPD being dealt with using existing staff resources.

#### ***Risk***

19. There are no significant risk management implications.

### ***Equality and Diversity***

20. An Equalities Impact Assessment has been undertaken as part of the development of the SPD. This notes that given the aim of the SPD to enhance the environmental performance of new homes, including their energy efficiency, there could be positive impacts from a fuel poverty perspective amongst the following protected characteristics:
- (a) Age;
  - (b) Disability;
  - (c) Pregnancy and maternity;
  - (d) Race; and
  - (e) Rurality.

### ***Climate Change***

21. These plans will play an important role in planning for climate compatible development, helping to support the implementation of relevant policies in the adopted South Cambridgeshire Local Plan.

### **Consultation responses**

22. Consultation took place for 8 weeks between mid-July and mid-September.

### **Effect on Council Priority Areas**

- **Growing local businesses and economies**

23. Not directly relevant.

- **Housing that is truly affordable for everyone to live in**

24. By ensuring that new homes are built to the highest possible sustainability standards, and incorporate renewable energy technologies and water saving devices, this can help to ensure that homes remain affordable not just to buy but to also live in by reducing energy and water bills.

- **Being green to our core**

25. The SPD will provide guidance on the implementation of policies related to climate change and sustainable construction, helping to ensure that all new development plays a role in responding to our changing climate and meeting national targets for carbon reduction.

- **A modern and caring Council**

26. Not directly relevant.

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