



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Strategic Director of Growth & Development
DATE:	Thursday, 8 February 2024

PORTFOLIO/S AFFECTED:	Growth and Development
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Adoption of the Climate Impacts Framework (CIF) Supplementary Planning Document (SPD)

EXECUTIVE SUMMARY

The Council have declared a Climate Emergency, and the Council's Corporate Plan includes a mission to 'deliver our climate emergency action plan' (CEAP). The CEAP includes an action to ensure that plans and strategies address climate change objectives, and that 'sound decisions' are made, ensuring that the Council will account for emissions in all decision making.

The Local Plan (2021-2037), adopted by the Council on 25 January 2024, is a key plan for the future of the Borough, containing a series of planning policies which seek to achieve sustainable development. The Local Plan includes a specific policy, Policy CP5: Climate Change, which sets out an expectation for new development to contribute to mitigating and adapting to climate change. To demonstrate the extent to which the design of new development addresses climatic (and other environmental) considerations, Policy CP5 confirms a commitment to introduce a 'Climate Impacts Framework' (CIF) assessment tool which will act as both i) a design tool and ii) an assessment tool.

The CIF assessment tool will ensure that:

1. The climate change impacts of development, mitigation of those impacts, and adaptation, are fully considered by applicants at the design stage of developments;
2. The climate emergency is fully, clearly and transparently embedded into all key planning application decisions, made by the Council, giving decision makers a much clearer overview and ability to assess the following aspects of development: locational and transport access issues; natural environment issues; water, flooding and drainage issues; and energy efficiency issues; and
3. The Council delivers on its Climate Emergency Action Plan commitment to account for emissions in decision making.

The CIF is bespoke to Blackburn with Darwen Borough Council, in terms of its format and structure, as it relates directly back to policies set out in the new Local Plan, and the National Planning Policy Framework, and the Council's ambitions for carbon neutrality. It does not set significant new burdens on applicants but is a means of demonstrating greater transparency of the application of planning policy.

As required by national legislation, and the Council's Statement of Community Involvement, the CIF SPD was publically consulted upon for four weeks between Thursday 26 October and Friday 24 November 2023. Through the consultation, the Council received a number of representations, which have been duly considered in preparing the final CIF SPD for Council adoption. The results of the consultation, and how they have shaped the CIF SPD, are summarised in this report and its appendices.

The CIF will only be applicable to certain types of development, as specified within Policy CP5, the CIF SPD and the Validation checklist.

The Local Plan confirms that the CIF tool, and its accompanying guidance, will form the basis of a Supplementary Planning Document (SPD), which will carry material weight in decision making once adopted. The SPD does not introduce new policy, it just clarifies the implementation of existing policy set out in the new Local Plan.

This report seeks approval to adopt the CIF SPD.

2. RECOMMENDATIONS

That the Executive Board:

- Notes the changes which have been made to the CIF SPD following consultation;
- Adopts the Climate Impacts Framework Supplementary Planning Document (CIF SPD) for major applications;
- Approves the introduction of a separate CIF assessment tool for minor applications involving new-build dwellings. The CIF assessment will not be mandatory for householder applications for extensions.
- Grants delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, for minor, technical changes to be made to the CIF tools (and mapping) following adoption of the SPD; and
- Grants delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to review the use of the CIF in conjunction with minor residential applications and take any necessary remedial actions.

3. BACKGROUND

3.1 The Council have declared a Climate Emergency, and the Council's Climate Emergency Action Plan (CEAP) sets out our objectives and actions to respond to the crisis. This includes ensuring that plans and strategies address the climate change objectives and that 'sound decisions' are made, based upon accounting for carbon emissions.

3.2 The Council have been preparing a new Local Plan (2021-2037) for the Borough, which was adopted by the Council 25 January 2024. The Local Plan is a key strategic plan for the Borough and will guide and shape development of Blackburn with Darwen for the next 15 years, to 2037. It sets the parameters for 'balanced growth', including to ensure that the climate emergency is tackled through new development.

3.3 Buildings (new and existing) and transport are major contributors to greenhouse gas emissions in the Borough and the Local Plan is therefore a key mechanism through which the spatial aspects of decarbonisation and climate adaption can be addressed. The Council's CEAP and Adaptation Strategy both reinforce this point.

3.4 There are a number of environmental based policies within the new Local Plan which seek to address the climate emergency, but of particular relevance is the core (strategic) policy CP5: Climate Change. This seeks to ensure that all new development seeks to reduce carbon emissions and provide climatic and environmental enhancements wherever possible.

3.5 Through Policy CP5, new development will be required to contribute to both mitigating and adapting to climate change, including to help meet our ambitious targets to reduce carbon dioxide emissions. The extent to which the design of a development has considered decarbonisation and climate adaptation will be considered in the assessment of each planning application, and those developments that can demonstrate this will be afforded positive weight in their determination. To demonstrate the extent to which the design meets the policy requirements, applicants for specific new-build residential, major residential conversions and commercial developments will be required to complete a new 'Climate Impact Framework' assessment tool.

3.6 The purpose of the CIF is two-fold;

- a) **A design tool:** developers are encouraged to use the SPD for design guidance, and to complete the assessment tool in the earliest stages of development design, to iteratively shape design in response to climatic and environmental considerations; and
- b) **An assessment tool:** the CIF tool will automatically 'assess' planning applications as to how well they perform against climatic-based planning policy requirements. This information will be used to inform relevant discussions around design, and to ensure that the climate emergency is given full due consideration through the determination of planning applications.

3.7 Policy CP5 confirms that the detail of the Climate Impact Framework will be set through a Supplementary Planning Document. Once adopted by the Council, SPDs carry material weight in decision making. Policy CP5 states that '*developments that can demonstrate they have considered climate mitigation and adaptation in the design of their proposed scheme will be afforded positive weight in the determination of the planning application*'. The specific weight to be applied to any CIF outputs by a decision maker will be considered on a site by site (application) basis, depending upon other material considerations that are relevant to the application. This approach, however, ensures that the climate emergency is given its full due consideration in decision making, in accordance with the Council's CEAP.

3.8 The CIF consists of three key components, each of which are attached to this report as Background Papers:

- **An SPD document**, consisting of a) guidance on how to design developments which take account of climatic mitigation and adaptation features/considerations; and b) guidance on how to complete the assessment tool
- **An Excel-based assessment tool**, which requires applicants to answer a series of thematic-based questions, with each question relating to a specific policy requirement already established in the new Local Plan. Based on the answers provided, the tool automatically assesses the responses by how well they perform against policy requirements – giving them a 'RAG' (red-amber-green) assessment. A summary table is provided, with the intention that this is included in officer reports to transparently show how the climate emergency has been considered through the design of the development, and embed that information in the determination of the planning application.
- **Bespoke mapping**, developed to help applicants answer the spatial based questions contained within the CIF. This has been designed to be as intuitive, quick and easy to use as possible. By clicking on a relevant site, the mapping displays all the relevant answers needed to complete the spatial-based questions of the CIF.

3.9 It is expected that all information can be completed using the spatial mapping, and through supporting information accompanying the planning application. It is not expected that any undue burdens will be placed on applicants.

3.10 Questions are based around the following themes:

- Sustainable Locations: 20 minute neighbourhoods, services, amenities and transport
- The Natural Environment: biodiversity net gain, trees, air quality and carbon-soils
- Water: flood risk, sustainable drainage, natural drainage, water efficiency
- Energy efficiency: energy hierarchy, renewable and low carbon energy, accreditation

3.11 The CIF SPD also provides additional information in relation to Policy DM12: Clean and Green Energy, which states that all major development proposing enhanced emissions reduction should be accompanied by an Energy Statement, with details of requirements to be set through the CIF SPD. The CIF SPD therefore clarifies when an energy statement will be required, and what should be included through the statement.

3.12 Legally, the Council are required to undertake public consultation on an SPD, prior to its adoption. Following Executive Board approval in September 2023, consultation was undertaken for 4 weeks across October/November 2023, in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Council's Statement of Community Involvement.

3.13 Comments were received from 13 representors, which included statutory consultees (Natural England, Environment Agency) and general consultees (including United Utilities, Homes England, Sport England). All comments received through the consultation have been considered in the preparation of a final CIF SPD. In accordance with legislative requirements, a Consultation Statement has been prepared, setting out who was consulted, a summary of the issues raised, and how these issues have been considered and, where relevant, incorporated into the final SPD. The Consultation Statement can be found as an Appendix to this report.

3.14 As a result of the comments received, changes have been made to:

- Include additional references to certain legislation and national guidance
- Expand some of the design guidance
- Expand / amend some of the CIF questions
- Review and amend some of the RAG scoring

3.15 It has always been the intention for the CIF to be completed by applicants for major residential and commercial schemes because of the impact they can have. However, as all dwellings are responsible for a significant proportion of carbon emissions, it is considered that all new dwellings should show the extent to which they have considered the climate emergency in their design. Cumulatively, small schemes will have the same impact on emissions as larger schemes. Therefore, the consultation sought views on whether the CIF should also be completed by applicants of minor new-build residential schemes which create new dwellings.

3.16 Respondents to the consultation supported this approach, to encourage minor new-build schemes to consider the climate in their design, but suggested that the CIF questions should be simplified for minor schemes. Consequently, officers have produced a second CIF form, specifically for minor new-build residential schemes, that contains fewer questions than those within the major scheme CIF form. Officers consider this strikes a balance to ensure applicants demonstrate how they have considered the environment through their proposal but that they are not disproportionately impacted by CIF requirements.

- 3.17 It is recommended that approval is given for this additional CIF form, for minor applications, to be adopted as part of the SPD. A transitional period of 6 months, from the point that the CIF SPD is adopted, will occur before the CIF is required for minor residential development, to allow for any initial issues to be 'ironed out'.
- 3.18 To ensure that CIF requirements do not disproportionately impact applicants of minor applications, the Council will then undertake a review, no later than 6 months after its introduction (12 months from the adoption of the SPD), by considering any feedback received from applicants. Should the CIF prove too difficult, or disproportionately time-consuming, for applicants to complete, then officers will consider what further actions to take and make recommendations for the Executive Member to decide. It is considered this provides the necessary balance between promoting the importance of climate design in all residential applications, in line with the Council's carbon neutrality ambitions, and addressing any concerns that may arise with the CIF requirements. Given that applicants should be aware of the content of their planning applications, it is not considered that completion of the CIF will be onerous or time-consuming.
- 3.19 SPDs, once adopted, cannot be changed without producing a new SPD. However, the CIF assessment tool is new and bespoke to the Council, and, whilst officers have sought to get the assessment tool and mapping elements 'right first time', , minor teething issues can be expected with its real-world introduction. For this reason, it is recommended that approval is granted for officers to make minor adjustments to the CIF's assessment tools and mapping following adoption of the SPD. These changes will be non-material and made for the sole purpose of correcting minor errors within the tool and the mapping, for example to adjust the RAG scoring where any accuracy issues are identified, or to improve functionality. No changes will be made to Local Plan policy which the CIF supports, nor will changes be made to the SPD document which establishes the scope of the SPD and contains all the relevant supporting guidance. The CIF tool will operate version control to outline the changes made to subsequent versions.
- 3.20 Approval is sought to adopt the CIF SPD. It will then be a material consideration in the determination of applications for development, supporting the Local Plan (2021-2037).

4. KEY ISSUES & RISKS

4.1 The CIF has been designed to ensure that new developments can demonstrate the extent to which they mitigate and adapt to climate change, and that the climatic and environmental based policies of the Local Plan are given the necessary importance and focus demanded by the joint climate and biodiversity emergencies. Without the CIF, there is a risk that insufficient consideration will be given to how new developments address the climate crisis, with the potential that the crisis continues to be exacerbated by new development.

4.2 It is important to note that the CIF does not introduce any new policy requirements itself. It is therefore not expected to place any undue additional burdens on applicants. There will however be a sliding scale of impact for developers and applicants depending upon the size and type of any proposed development. For this reason, policy CP5 currently specifies that the CIF will only apply to 'specific new residential and commercial developments', and the SPD now contains two separate CIF tools – one for major schemes, and one for minor residential schemes. This is designed to minimise burdens for applicants, whilst still promoting good design and ensuring the Council receive the

necessary information to transparently assess each application in relation to how it considers the climate emergency. Guidance remains the same for either tool.

5. POLICY IMPLICATIONS

5.1 There are no direct policy implications, as the requirement for the CIF SPD is set by the Local Plan (2021-2037) and Policy CP5: Climate Change. Policy CP5 sets out the commitment to produce a CIF SPD, and any failure to do so would fall foul of the policy requirements.

5.2 The CIF will be required for the following planning applications:

- Major residential schemes (more than 10 dwellings)
- Major commercial schemes (more than 1000sqm of new floorspace)
- Minor residential schemes (1-9 dwellings), following a transition period of 6 months

5.3 The CIF will be a validation requirement for those application types, meaning a completed assessment tool must be received for the planning application to be validated for determination.

5.4 The CIF SPD proposes a transitional introduction, with the CIF required on all major applications from the point of adoption of the SPD, and all minor applications 6 months from the adoption of the SPD. This is to allow any issues with its roll-out to be addressed through the majors, before the CIF is rolled out to all minor schemes. As explained above, a separate CIF assessment tool will be introduced for minor applications which contains fewer questions than the CIF assessment tool for major applications. A review process will also be implemented.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications for the CIF.

7. LEGAL IMPLICATIONS

7.1 Consultation on the SPD has been undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the Council's Statement of Community Involvement.

7.2 Approval is sought to adopt the CIF SPD – this will ensure the Council is continuing to meet its legal requirements.

8. RESOURCE IMPLICATIONS

8.1 As identified under financial implications, no budget will be required to complete and adopt the CIF SPD.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

10.1 Consultation has been undertaken on the draft SPD. Comments received have been used to inform relevant changes to the SPD. No further consultation is required.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	Rev3
-----------------	-------------

CONTACT OFFICER:	PMO
-------------------------	------------

DATE:	January 2024
--------------	--------------

BACKGROUND PAPER:	<ol style="list-style-type: none">1. CIF Supplementary Planning Document2. CIF Assessment Tool (Excel-based) (major & minor schemes)3. CIF Mapping (on-line map link)4. CIF SPD Consultation Statement, including: Appendix A: Summary of Representations
--------------------------	--