

Climate Impact Framework Supplementary Planning Document

Consultation Statement

1.0 Introduction

- 1.1 Blackburn with Darwen Borough Council has prepared a Supplementary Planning Document (SPD) to provide guidance in relation to the Climate Impact Framework (CIF). This includes general guidance on how to design new development to mitigate and adapt to climate change, how to complete the CIF Assessment Tool and how the associated assessments will be used in the determination of planning applications. The CIF is a requirement of Local Plan Policy CP5: Climate Change.
- 1.2 The SPD is prepared in line with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the TCPA 2012”), the National Planning Policy Framework (NPPF) and national planning guidance.

2.0 Purpose of the Consultation Statement

- 2.1 Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended) states that before a local planning authority (LPA) can adopt a supplementary planning document (SPD) it
- a) must prepare a statement setting out –
 - i) The persons the local planning authority consulted when preparing the SPD
 - ii) A summary of the main issues raised by those persons; and
 - iii) How those issues have been addressed in the SPD
- 2.2 Regulation 12(b) states that, for the purposes of submitting representations on the SPD, the council must make copies of the SPD available publically with details of the date by which representations must be received (with the consultation open for at least 4 weeks), and the address to which they must be sent. Regulation 13 states that any person may make representations on an SPD, but they must be received by the LPA before the close of consultation.

3.0 Statement of Community Involvement

- 3.1 The Council’s Statement of Community Involvement (SCI) sets out how the council will undertake consultation during the preparation of various planning documents, including the Local Plan and SPDs.
- 3.2 In accordance with the above Regulations (as amended), the Council have confirmed through the SCI that, for SPDs, they will:
- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, of issues to be addressed in the SPD, and how to make representations

- Make copies of the SPD document available for inspection at the council offices and any other venue the council consider appropriate (Regulation 35).
- Publish a notification on the council website

3.3 Prior to adoption of the SPD, the Council will:

- Prepare a consultation statement setting out the main issues raised by representations received and how those comments have been addressed in the SPD the Council intends to adopt
- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders that the SPD has been adopted, including the provision of a link to the published document and adoption statement on the council website
- Make copies of the adopted SPD and adoption statement available for inspection at the council offices and any other venue the council consider appropriate (Regulation 35)
- Publish a notification and make the SPD available on the council's website.

4.0 Public Consultation

4.1 In accordance with the TCPA 2012 Regulations, and the Council's SCI, the draft SPD was:

- Published on the Council website at www.blackburn.gov.uk/CIF
- Paper copies of the SPD document, and print outs of the Excel assessment tool, were placed 'on deposit' at Blackburn and Darwen Town Halls, in the borough's libraries, and in the Barlow Institute, Edgeworth. Due to the nature of elements of the SPD, namely the online based interactive mapping and the desktop based excel worksheet, these could not be printed, but could be accessed via public computer terminals within the venues. Instructions were provided to ask library staff for help using the internet, should it be needed.

4.2 Publicity was issued by:

- Notification on the Council website
- An email/letter to all statutory consultees and general consultees recorded on the council's consultation database. This included the statutory consultees Natural England, Environment Agency and Heritage England.
- An email/letter to agents who have submitted recent planning applications of the types that will be covered by the CIF, once adopted.
- Emails to Councillors
- Social media - two posts, publicising the CIF consultation, were published on the Council's Facebook page

4.3 Comments were invited for 4 weeks between:

- Thursday 26 October and Friday 24 November 2023

4.4 Comments could be submitted to the Council by online form, email or post. The SPD document contained a series of questions to serve as prompts for consideration of the CIF. An online comments form was produced, available from the webpage, which allowed respondents to comment on those questions. Alternatively, general comments could be

submitted via email to forwardplanning@blackburn.gov.uk, or by post to the Strategic Planning Team.

5.0 A summary of the main issues received and how they have been addressed in the CIF SPD

- 5.1 13 representations were received on the CIF SPD consultation; 2 through the online form, and 11 by email. Respondents included the statutory consultees Natural England and the Environment Agency, as well as general consultees including Sport England, National Highways, Homes England and United Utilities. One large house builder (Barratt Homes) also submitted comments via their planning consultants.
- 5.2 A summary of all the comments received through the representations can be found in Appendix A of this report. Appendix A also details how each comment has been considered, and any changes that have been made to the SPD as a result.
- 5.3 For the purpose of the report, the following ‘themes’ have been drawn out as a more concise summary of the main issues and how they have been addressed in the CIF SPD:
- **General support for the CIF:** A number of consultees registered support for the CIF to help give a greater focus to the climate emergency through the design of new developments. This support is acknowledged and welcomed by the Council.
 - **Expansion of legislative and national context section:** Some consultees suggested the inclusion of additional legislation and guidance, such as the Levelling-Up and Regeneration Act 2023 which was passed by Parliament following the start of the CIF consultation. These suggestions have been incorporated into the SPD, whether directly within the context section or within the ‘useful resources’ in Appendix B.
 - **Expansion of design guidance:** Some consultees requested expansion of design guidance. The design guidance has, in most cases, been updated in response to the suggestions of the consultees. Some of the suggested text has been simplified so as not to be too technical. Technical drainage guidance, for example, can be found in other drainage-specific guidance.
 - **Excel format:** One respondent questioned the use of an Excel tool as not everyone may be familiar with the software. Officers have previously looked into alternatives but only Excel can provide the full functionality to perform automatic ‘RAG’ assessments (without necessitating bespoke software design, which would be at cost to the Council). It is considered that most applicants will be familiar with Excel, and officers can provide any assistance as required. In those rare cases where Excel cannot be used, a paper form can be provided (as detailed in Appendix D of the CIF SPD).
 - **Expansion of questions:** Sport England supported the expansion of questions relating to active travel design, whilst United Utilities supported the expansion of questions relating to water, flood and drainage. Where considered appropriate, questions within the CIF assessment have been updated.

- **Duplication of information:** A small number of consultees raised concerns regarding the duplication of information, for example between the Energy Statement or evidence documents and the CIF. Officers acknowledge there may be some duplication of information, but completion of the CIF is not considered to be onerous and the responses to the CIF should be quick to provide as they will largely be informed by those evidence documents. The CIF supports RAG assessments and the collation of key environmental information in one place, increasing transparency.
- **Scoring methodology / viability:** One consultee (a house-builder) considered this to be onerous in assessing policy guidance, and scoring should be made clearer. Notably, no specific examples were provided to illustrate an issue (bar one, which has been addressed). However, all RAG assessments have been rechecked by officers, and adjusted as necessary. Officers consider that the SPD provides sufficient guidance with which to complete the CIF tool.
- The consultee also considered that the CIF scoring encourages applicants to go beyond planning policy / building regulation requirements to achieve some green scores and raised concerns that the subsequent impacts on viability have not been tested. However, all policy requirements ('must's') have been tested through the Plan Viability Study so there should not be any impacts on viability. The Council are ambitious for the climate, and the CIF is designed to encourage good design by positively assessing schemes that meet, and particularly exceed, policy requirements and guidance. Whilst the Council encourage developers to go beyond requirements and guidance ('should's'), by affording them positive assessment in the CIF, it is ultimately for the developer to choose how far they go and so this should not impact viability. The CIF SPD makes clear that any schemes achieving 'red scores' does not mean they will be refused planning permission – it just serves to flag that improvements are likely needed.
- **Support for the use of CIF for minor residential schemes:** The CIF consultation sought opinions on whether the CIF should just apply to major residential / major commercial schemes, or whether it should also apply to minor residential schemes. A number of respondents supported the extension of the CIF to minor residential schemes, with the view that all developments should be considering the environment in their design. It was suggested that the CIF should, however, be adapted to simplify requirements for minor schemes.
- On that basis, officers have produced a second, more simplified, CIF form specifically for minor residential schemes. It contains slightly fewer questions than the main CIF form. It is intended that this will be made available for minor schemes to complete. A transitional period is proposed to support the phasing in of the CIF tool for minor schemes.

6.0 Conclusion

- 6.1 This consultation statement has explained how consultation has been undertaken, in accordance with the Regulations and the Council's SCI, and summarised the comments which have been received through the consultation. It has also outlined the changes the Council have made to the CIF SPD in direct response to those representations.
- 6.2 The next stage is for the SPD to progress to adoption. All statutory consultees, general consultees on the planning database and other relevant stakeholders will be notified of

subsequent adoption in accordance with the regulations and SCI. The SPD, and an accompanying adoption statement will be made available in accordance with the regulations and SCI, with all materials made available on the Council website.

APPENDIX A: SUMMARY OF REPRESENTATIONS RECEIVED THROUGH THE DRAFT CIF SPD CONSULTATION

Rep ID	Organisation	Comment ID	Summary of comments	Council response	Change to CIF (if relevant)
1	Local Lead Flood Authority	1	No comments.	Noted	None required.
2	Geo Lancashire	2	No comments.	Noted	None required.
3	Canal & Rivers Trust	3	No comments.	Noted	None required.
4	National Highways	4	No comments. National Highways supports that the SPD will provide supporting information and design guidance on planning for the climate emergency, and the document explains how climate mitigation and adaptation will be considered and assessed during planning applications.	Noted	None required.
5	Sport England	5	Sport England would welcome reference to its Active Design guidance within the Legislative and National context section. Encouraging greater activity contributes to reducing traffic and cutting emissions. Sport England welcome the inclusion of active travel within the scope of the SPD. Reference to Sport England Active Design guidance would be welcomed within the design guidance for transport, services and amenities.	This section is intended to highlight key legislation and policy relating to climate emergency. It is not an exhaustive list and further resources can be found in Appendix B.	Reference to the Active Design Guidance has been included within Appendix B. Reference to active travel design, and the resources in Appendix B, is now included in the design guidance for transport.
		6	With regard the CIF Excel tool, Q1.4, it may be more useful to consider whether the proposed development would connect to the surrounding network of cycle	Q1.4 already asks whether the proposed development is within 800m of an existing or	Q1.4 has been expanded to include 'cycle path or route'

			routes and whether it adds any connections to that network. It would also be beneficial to widen the scope of the question to consider walking as well as cycling routes.	proposed cycle path, and reflects transport accessibility guidance. It will not be possible for all developments to connect directly to cycle routes and so the CIF should focus on potential accessibility in the vicinity of the development site. Walking is considered as part of the wider '20 minute neighbourhood' principles, which questions 1.1-1.9 seek to address.	
6	Coal Authority	7	No comments.	Noted	None required.
7	Environment Agency	8	We are satisfied the CIF identifies the key climate change considerations. However, the LURA 2023 may impact on this SPD and we recommend including it as relevant policy in section 4.0, and consider whether any of the changes in the Act need to be factored into the SPD content. We are satisfied the scope of the SPD covers everything it needs to.	Amended	Reference to the LURA 2023 is now included in Section 4.0.
		9	We understand why minor residential schemes are excluded as they may present challenges for CIF compliance. However, this may not be the case in every circumstance and so there may be opportunities for the CIF to be adapted (the applicant asked to complete sections of the CIF which are relevant to their scheme)	The Council are keen to make the CIF requirement as simple as possible. We have explored how to tailor the CIF to different scheme types (so that each triggered relevant	Officer recommendation that minor apps complete a more basic, shorter CIF form. A CIF for minor residential applications

			to have regard to nature and scale of proposed developments.	questions) but it was too difficult to do whilst still retaining the automatic assessment functionality.	has therefore been produced.
	10		It is unclear why CIF compliance for commercial development is restricted to major schemes only. Why can smaller commercial development not be included too, taking a similar approach?	CIF compliance for commercial development is restricted to major schemes due to associated policy requirements – e.g. BREEM requirements are only required on major commercial schemes under Policy DM12.	None required.
	11		The Energy Statement encourages renewable energy which we support in principle, however where new technologies could have negative impacts on the environment, we recommend measures are in place to manage them and that they are resilient to the changing climate.	Acknowledged	Additional text included at paragraph 5.23 of SPD to clarify the importance of mitigation in such cases.
	12		Within the design guidance for transport, we recommend the integration of green/blue infrastructure along transport corridors, to positively impact amenity and enhance biodiversity.	Acknowledged	Additional text included within the transport design guidance to include reference to green and blue infrastructure along transport corridors.
	13		We consider design guidance for the natural environment is thorough, and that BNG targets are linked to policies. We would suggest that site layouts	Acknowledged	Additional text included within the natural environment

			should seek to incorporate and enhance existing blue infrastructure features, instead of hiding them behind fences and buildings.		design guidance to include reference to blue infrastructure within site layouts.
	14	<p>Pleased with considerations mentioned in design guidance for flooding, water and drainage. It could go further with regard SuDS and suggest wording changes, to bullet point 6 and 7.</p> <ul style="list-style-type: none"> • Bullet point 6 – We would recommend amending this paragraph to require that development seeks opportunities to enhance blue infrastructure as well as protect it. From a BNG perspective, any detrimental impacts on “watercourse units” will need to be compensated for through mitigation that delivers a 10% increase in biodiversity value over pre-development biodiversity value from January 2024. • Bullet point 7 - We would recommend that in relation to flood risk, the SPD seeks to avoid “inappropriate development” in Flood Zone 2 or 3 rather than “new development”; some new development or parts of new development (flood defences, public open spaces, amenity habitats) may be appropriate or necessary in flood risk areas. 	Acknowledged. The Council do have separate, more detailed design guidance relating to flooding and drainage and so the guidance in the CIF on this topic is not intended to be exhaustive.	<p>Additional text added to bullet point 6 to include reference to ‘enhancement’ and additional text added in to reference watercourse units and BNG.</p> <p>Additional text added to bullet point 7 to clarify the guidance should relate to inappropriate new development in flood zone areas.</p>	
	15	Design guidance comprehensively considers options available to applicants. We are not aware of any other case examples of exemplary eco-development.	Noted	None required.	

		16	Recommend the addition of a CIF question relating to impacts on any blue infrastructure, and whether any mitigation is proposed. We also query the ordering of some questions along with the relevant RAG score for the response [but no details provided].	Acknowledged. Comments on the RAG scoring noted, and have been checked. However, examples of incorrect RAG assessments are not detailed.	Additional questions added to CIF in relation to blue infrastructure and SPD guidance updated. Order of questions has been reconsidered, and RAG scores checked.
		17	We have not identified any questions we consider should be excluded.	Noted	None required.
		18	Q3.7 – is a FRA is required but not submitted why does this generate an amber rating, it should be red. Could the approach to RAG scoring be refined – having two versions of ‘green’ and two versions of ‘meets policy option’ may have the potential to cause confusion.	Comments relating to the FRA are acknowledged. The colour ratings are explained in the SPD. The darker green is intended for those schemes that significantly exceed policy requirements.	The assessments, and accompanying guidance, relating to a FRA have been amended.
		19	With regard the mapping, Section 3, Notes on Mapping sources, page 70, we recommend it should refer to .3.1 – Environment Agency Flood Zone 2 and Flood Zone Mapping-3	Acknowledged.	Text amended to refer to ‘Flood Zone 2 and Flood Zone 3’.
8	Homes England	20	No comments.	Noted	None required.
9	United Utilities	21	We would suggest that the design guidance for the natural environment includes the following additional point. - <i>Applicants must consider how multi-functional</i>	Acknowledged.	This wording has now been included in the

			<i>green and blue infrastructure can be integrated into the development at the outset of the design process. This includes the landscaping for the site which should be intrinsically linked to proposals to sustainably managing surface water and 'slow the flow'</i>		natural environment design guidance
		22	We also request that you include the following additional points: - <i>New development must have regard to flood risk from all sources (including fluvial, surface water, sewer, reservoir and groundwater flood risks). Applicants will need to demonstrate that these sources have been considered through consultation with the relevant bodies.</i>	Acknowledged.	This wording has now been included in the water and flooding design guidance
		23	<i>-The design of development should assess and respond to the existing hydrological characteristics of a site to ensure a flood resilient design is achieved and water / flooding is not deflected or constricted. The hydrological assessment of the site must consider a range of matters including site topography, naturally occurring flow paths, ephemeral watercourses and any low lying areas where water naturally accumulates. Resultant layouts must take account of such circumstances.</i>	Acknowledged.	A simplified version of this wording has been included in the water and flooding design guidance
		24	<i>- Applications will be required to consider exceedance / overland flow paths from existing and proposed drainage features and confirm ground levels, finished floor levels and drainage details. Drainage details, ground levels and finished floor levels are critical to ensure the proposal is resilient to flood risk and climate change. It is good practice to ensure the external levels fall away from the ground floor level of the proposed buildings (following</i>	This is technical guidance more pertinent to specific flood and drainage guidance.	None required. A simpler summary is provided through the above change (relating to topographical considerations).

			<i>any regrade), to allow for safe overland flow routes within the development and minimise any associated flood risk from overland flows. In addition, where the ground level of the site is below the ground level at the point where the drainage connects to the public sewer, care must be taken to ensure that the proposed development is not at an increased risk of sewer surcharge. It is good practice for the finished floor levels and manhole cover levels (including those that serve private drainage runs) to be higher than the manhole cover level at the point of connection to the receiving sewer.</i>		
		25	<p>We suggest that the final hyphenated point of this section is amended to state:</p> <p><i>- Natural flood management techniques / multi-functional sustainable drainage systems must be prioritised can also be utilised, examples including green roofs, rainwater harvesting, rain gardens, use of pervious and permeable surfaces, swales and channels, infiltration trenches, soakaways, detention basins and bio-retention</i></p>	Acknowledged	Additional text added to water and flooding design guidance.
		26	<p>We suggest the following additional point to the design guidance for energy efficiency.</p> <p><i>- Incorporate water efficiency measures. Water efficiency in new development has multiple benefits including a reduction in water and energy use, as well as helping to reduce bills. Water efficiency is a key component of the journey to net zero.</i></p>	Acknowledged	Additional text added to energy efficiency design guidance.

			<i>Suggestion made to the wording of CIF questions in Section 3 of the Excel (see rep for full details), including expansion of criteria.</i>	Acknowledged	<p>Following changes made:</p> <p>Minor wording changes to questions relating to flood risk</p> <p>Additional questions listed under 'Other flood risk' relating to pluvial, surface, sewer, reservoir and groundwater flooding</p> <p>Additional NFM/SUDs techniques added to list of features.</p> <p>Additional questions suggested for Section 3 (Natural Environment) rejected on the grounds they are too onerous a question.</p>
		27	Q3.13 relating to higher water efficiency standards may only be evidenced following construction.	Acknowledged. Water efficiency requirements will be added by planning condition. However, it is worth highlighting the requirement through the CIF so that	None required.

				applicants are aware of the requirement.	
10	Natural England	28	Welcomes the production of the CIF SPD. Provides a list of resources that could be used to inform, or be included in, the CIF SPD.	The list of resources has been considered, but no changes to the SPD are considered necessary. Some of the resources suggested are quite dated and are likely to have been superseded by BNG requirements. Resources are already provided through Appendix B.	None required.
11	Pegasus, on behalf of Barratt Homes	29	Welcomes pro-active stance to climate emergency and supports Council's overall aims. Generally support the document, which provides supplementary guidance that directly cascades from adopted plan policies.	Noted	None required.
		30	But, object to requirement for the CIF as currently presented on following grounds: -consider there is some duplication of information in respect of CIF and requirement for certain schemes to provide Energy Statements	The CIF will be required for all major residential and commercial schemes; an Energy Statement only for those major schemes proposing to achieve enhanced emissions reductions. In these cases there may be some duplication of information, but it is not considered to be onerous and the response to the CIF questions should be quick to provide.	None required.

		31	<p>-scoring method is onerous and seeks to include optional elements in the emerging plan, meaning anything which is full policy compliant may not automatically receive a green score</p> <p>-Indicative RAG ratings state amber AND light green meet policy requirements – this is unclear and may have implications when presented at planning committee. Scoring needs to be clearer.</p>	<p>The SPD (11.10- 11.22) explains the broad scoring method, which the consultation sought feedback on. Whilst some comments refer to the onerousness or unclearness of the RAG assessments, no specific feedback has been received on a question by question basis and therefore it is difficult to adjust any individual RAG scores accordingly, although they have all been checked again.</p> <p>The Council are ambitious for the climate, and consider it appropriate that policy and guidance can score greens. This is to encourage good, sustainable design. However, only schemes that fail against <u>policy requirements</u> (not guidance) can score red.</p>	<p>Some of the scoring criteria has been changed to distinguish between policy and guidance.</p> <p>e.g. Q1.11 – Where required, Travel Plans are a requirement of policy and so the RAG assessment has been changed from Green/Amber to Green/Red.</p>
		32	<p>-object to wording at section 9.5 regarding affording greater weight in the planning balance to greener proposals. This conflicts with NPPF. Greater weight cannot be afforded to 'greener' proposals, and should be balance of sustainable development.</p>	<p>Acknowledged. Environmental (including climate-based) considerations are just one aspect of the planning balance and achieving sustainable development. Whilst greater</p>	<p>Sentence beginning 'The Council will balance...essentially affording greater weight in the planning balance to 'greener'</p>

				environmental weight can be given in that balance to schemes that, for example, reduce emissions, it was not the intention of the wording to suggest that this should outweigh all other considerations.	proposals' has been removed. Wording replaced with 'Such environmental improvement measures will be considered as part of the planning balance'.
		33	-additional prescriptive requirements not formally tested through a Viability Appraisals. SPD encourages applicants to go above Building Regulations to achieve some green scores, which have not been tested as part of the Local Plan and are likely to have considerable impacts for developments at all scales.	The CIF assesses whether prescribed planning policy requirements have been met through a proposal – these policy requirements have been tested through the Plan Viability Study. In addition, the Council is ambitious towards addressing the climate emergency and considers good, sustainable design should be encouraged. Therefore, the CIF also encourages schemes to exceed policy requirements / guidance, by affording them positive assessment. There is therefore a viability difference between meeting policy (a prescribed requirement) and exceeding it (an ambition).It means that it is for the developer to choose how far they go, but clearly those	None required.

				schemes that exceed policy requirements and provide more sustainable and environmental schemes will be considered more positively in the planning balance.	
12	Mr M Reid	34	<p>Road safety//pedestrian infrastructure improvements should also be included.</p> <p>A CIF should be required for minor residential schemes, and should assess pedestrian road safety and environmental impact.</p>	Road safety / pedestrian infrastructure improvements are not a direct consideration in addressing climate change, although it is acknowledged that ensuring safety can encourage walking. Additional information can be provided in the CIF, by applicants, to clarify any safety measures being introduced.	None required.
		35	<p>Not everyone is confident using an Excel spreadsheet format.</p> <p>An explanation of why the person marking the CIF assessment has decided to mark each question up or down should be provided.</p>	The Council have explored alternate methods / designs of the CIF, but only Excel supports the automated assessment functionality. The CIF has been designed to be as easy to use as possible and most answers use pre-populated fields. Anyone having difficulty using the Excel can contact the Council for help.	None required.

				The CIF is also designed to be automated system, and the CIF assessments are automated based on the answers completed by the applicant. They can also provide accompanying justification / comments to support their responses. Any changes made to the CIF after its completion, for example, as a result of scheme design changes, can be included in officer report.	
13	Wiggett Construction Group Ltd	36	<p>SPD/Tool duplicates information that will already be submitted (e.g. through a Flood Risk Assessment, Drainage Strategy, Design and Access Statement), and/or is required by building regulations.</p> <p>CIF gives a clear view of schemes approach to climate, to make it easier to assess a scheme, but it is a duplication of information that could be viewed as 'red tape'.</p>	The CIF asks for a summary of information that will be contained within supporting information. Whilst this does provide a little bit of duplication, it is not considered that completion of the CIF is too onerous on an applicant, but is helpful in providing a summary of how the scheme considers climate.	None required.
		37	A CIF should be required for minor residential schemes, and should include change of use and conversions. The smaller schemes should not be required to provide as much information as bigger schemes, but by doing so it may help them become aware of items that may be required or can be considered.	Noted.	Officer recommendation that minor apps complete a more basic, shorter CIF form. A CIF for minor residential applications

					has therefore been produced.
		38	An Energy Statement should be a standard item for all developments.	Noted. Local Plan Policy DM12 specifies an Energy Statement will only be required for major planning applications proposing to exceed energy efficiency standards (set by Building Regulations).	None required.
		39	Red RAG ratings suggest the scheme should not be granted planning permission. Some of the red ratings will not relate to planning policy, they may be guidance. This could be misleading.	The SPD guidance explains that red ratings do not mean a scheme should be refused; just that it fails to meet a policy requirement.	None required.
		40	The mapping tool looks like an excellent feature.	Noted.	None required.