Business and Children's Policy and Scrutiny Committee

Date:	22nd March 2021
Classification:	General Release
Title:	Environment Supplementary Planning Document
Report of:	Pedro Wrobel, Executive Director, Innovation and Change
Cabinet Member Portfolio	Cabinet Member for Business, Licensing and Planning
Wards Involved:	All
Policy Context:	The Environment Supplementary Planning Document provides guidance on the application of the new City Plan 2019 – 2040 policies
Report Author and Contact Details:	Kimberley West, Head of City Planning Policy **kwest@westminster.gov.uk**

1. Executive Summary

1.1. The Council announced a Climate Emergency in September 2019 and set the ambition for it to be carbon neutral by 2030, with the whole city to follow suit by 2040, 10 years ahead of the Government target of 2050. Having an up to date, ambitious and robust planning policy context that will support these aims will be crucial in achieving them by enabling the negotiation of enhanced planning decisions for new development.

1.2. As part of the up to date framework, the council has committed to producing an Environment SPD (ESPD) to follow the adoption of the City Plan. It will provide additional detail to the new City Plan environment policies, specifically air quality, energy, noise and light pollution, waste, sustainable retrofitting, green infrastructure and flooding. It will therefore supplement the council's strengthened planning position relating to climate resilience and will help to ensure that the highest possible proportion of development requiring planning permission achieves net zero carbon emissions. It will also tell the story of our ambitions on environment and climate with positive and ambitious statements on key issues such as design and heritage (including double glazing).

1.3. The ESPD will:

      i.   act as an ambitious statement on the council's response to the Climate Emergency;

     ii.   set out the council's expectation of what net zero carbon means and looks like in the Westminster context; and,

    iii.   assist and guide developers and landowners so that they can play their part in addressing the climate emergency.

2.   Key Matters for the Committee's Consideration

Content

2.1   Each chapter of the ESPD will be thematic and set the context for the subject it is explaining in terms of national and regional policy before diving into the detail to expand on the local policy. A summary of each chapter's intended contents is provided below.

Question 1: The committee are asked if the ESPD should cover any other policy issues / areas of environmental policy?

Air Quality

2.2   This chapter sets out the council's ambitions set out in its [Air Quality Manifesto](#) and [Air Quality Action Plan](#) as local context to the new City Plan policy. It explains what the council considers 'air quality neutral' and 'air quality positive' to be and how developments can achieve either status to adhere to the policy, including examples of common mitigation methods used. It then also explains in detail what information is required to be submitted as part of a planning application to enable the council to assess compliance.

Local Environmental Impacts

2.3   This chapter covers light pollution, noise, vibration, odour, land contamination and construction impacts. It will set out the standards expected to be achieved by development for each of these issues in order to manage and mitigate impacts of development and contribute to amenity of neighbours and occupiers of new development. It will help to provide a complete picture of how the City Plan's environmental policies are to be effectively implemented.

Green Infrastructure

2.4   This chapter will guide developers on how they can incorporate greening elements into their schemes to contribute to the network of green infrastructure in the city, address deficiencies and improve biodiversity. It will explain the council's approach to the Urban Greening Factor and how we plan

to utilise the 'Wild West End' value matrix – giving this approach to increasing greening across the city material weight.

Flood Risk

2.5   This chapter will add more detail to the City Plan policy on flooding to guide developers in the design of their schemes so that flood risk is considered at the early stages of design and can be effectively mitigated. This chapter will link into the council's Strategic Flood Risk Assessment which provides detailed information on the risk of flooding to the borough.

Energy

2.6   This chapter is one of the most relevant to the Climate Change Emergency as it is concerned with the energy policy and carbon reduction. It will set out the council's support for the *Be Lean, Be Clean, Be Green* energy hierarchy and will explain what each level of the hierarchy means for development in Westminster. It will set out the minimum requirements for a 'Whole Life Carbon' approach which is encouraged by the City Plan policy.

2.7   Guidance will be given on how low embodied carbon materials can be incorporated into building projects to assist with lowering carbon-impacts of new development, such as cross laminated timber and natural fibre insulation. The chapter will also explain the technical aspects of the policy's application such as how to estimate 'Carbon Emission Factors' which will assist applicants and the council to understand the potential impacts of new development and influence decision making.

2.8   The chapter will advocate design solutions that can reduce energy such as passive solar design which can aid with cooling. Finally, this chapter will provide useful guidance on how applicants can adopt Building Management Systems and Environmental Assessment Methodologies to monitor and regulate energy use and for the council to fully understand the impact a building will potentially have at application stage. Guidance on information that is required to be provided alongside a planning application to enable the council to assess its adherence to the energy policy will be given in this chapter.

Waste Management

2.9   The next chapter will provide guidance on the Waste Management policy, advocating the waste hierarchy and circular economy to reduce waste and encourage more recycling of building materials as well as household waste. It explains what these concepts are and what information needs to be included in a Circular Economy Statement.

2.10   This chapter will give applicants guidance on how to adhere to the City Plan policy by explaining what information is required to be submitting alongside their planning applications with regards to waste storage and, for major residential or commercial developments, waste management plans. The chapter will therefore contribute to better management of waste in new developments across the city.

Design Principles

2.11   The final chapter will be concerned with retrofitting and sustainable design and therefore expand upon elements of the Design Principles policy in the City Plan. It will provide guidance and advocate different retrofit measures such as insulation, draughtproofing and secondary glazing as well as advising on heating and energy solutions for historic buildings including where the use of photovoltaics and other similar technologies may be appropriate.

2.12   This chapter will essentially subsume, and where possible update, the existing informal guidance published by the council in 2013 *Retrofitting Historic Buildings*, giving its content material weight in the determination of planning applications.

Consultation

2.13   The City Plan is due to be adopted in late April/early May and public consultation on the ESPD will therefore follow later in May. The Town and Country Planning Regulations 2012 require consultation to be run for a minimum of four weeks.

2.14   Given the importance of the ESPD to the council's climate emergency response and the need for collaboration on environmental issues that affect the built environment in order to achieve carbon reduction targets etc. it is suggested that consultation runs for longer than the statutory minimum and meaningful, targeted engagement activities with key stakeholders (such as the development industry, neighbourhood forums and landowners) are undertaken throughout the consultation period. This will ensure that a wide variety of views and expertise is gathered to inform the document, the council will have ample opportunity to explain the content of the document to stakeholders; and wide buy-in is gained on what the council are trying to achieve.

Question 2: The committee are asked for their views on an engagement strategy as part of the public consultation.

Strengths and limitations of the document

2.15 The ESPD, alongside the new City Plan policies, represents a significant shift in the council's narrative on the environment and uplift in the standards the council expects developers to adhere to. It gives much more prominence and weight to environment issues than the current planning framework does and represents a game changer on issues such as sustainable retrofitting of historic properties or protection of tranquil spaces from noise pollution for which the council has only had informal guidance on previously.

2.16 However, a supplementary planning document cannot create new policy, it can only add further detail or explanation to adopted policy (i.e. the new City Plan policies). And for some areas, behaviour change can only be encouraged rather than mandated owing to the constraints on what planning policy can and can't control. The recent reforms to further de-regulate the planning system mean that change of use between commercial premises no longer requires planning permission and therefore conditions cannot be placed on new commercial uses, such as restaurants to require high level ducting to manage odour, for example.

2.17 However, by acting as a showcase of the council's ambitions for the future of the built environment and shining a spotlight on the issues that all businesses must collectively work together to resolve to address the climate emergency, the ESPD will act as a catalyst for wider adoption of measures and technologies, (such as carbon reduction) encouraging the adoption of them even where planning permission is not required (e.g. because of planning reform, or in building refurbishments, office fit outs etc.).

Question 3: The committee are asked for their views on how the ESPD can be best promoted in the context of the wider work the council is undertaking on the Climate Emergency response.

If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Kimberley West, Head of City Planning Policy kwest@westminster.gov.uk

APPENDICES:

1. Glossary of terms in environment policies

BACKGROUND PAPERS

City Plan 2019 - 2040 (Submission version)

Air quality neutral
An Air Quality Neutral development is one that meets, or improves upon, the air quality neutral benchmarks published in guidance from the GLA. The benchmarks set out the maximum allowable emissions of NOx and Particulate Matter based on the size and use class of the proposed development. Separate benchmarks are set out for emissions arising from the development and from transport associated with the development. Air Quality Neutral applies only to the completed development and does not include impacts arising from construction, which should be separately assessed in the Air Quality Assessment

Air quality positive
Air quality positive is when developments are considered to have a positive impact on air quality in a specific area or neighbourhood.

Building Management Systems
Building Management Systems (BMS) can be an important tool in monitoring and regulating energy use in developments. BMS are available for developments of various scales and as the operation of the building accounts for the vast majority of emissions, they are now an important component of climate resilient buildings.

Carbon Emission Factors
The carbon emissions produced by new buildings is estimated using Carbon Emission Factors, which are periodically updated to reflect the changing carbon intensities of fuel supply.

Circular economy
An economic model in which resources are kept in use at the highest level possible for as long as possible in order to maximise value and reduce waste, moving away from the traditional linear economic model of 'make, use, dispose'.

Energy hierarchy
A tiered approach to reducing carbon dioxide emissions in the built environment. The first step is to reduce energy demand (be lean), the second step is to supply energy efficiently (be clean) and the third step is using renewable energy (be green).

Environmental Assessment Methodologies
In these assessments, information about the environmental effects of a project is collected, assessed and taken into account in reaching a decision on whether the project should go ahead or not.

Urban Greening Factor
A land-use planning tool to help determine the amount of greening required in new developments.

Waste hierarchy
Ranks waste management options according to what is best for the environment. It gives top priority to preventing waste in the first place. When waste is created, it

gives priority to preparing it for re-use, then recycling, then recovery, and last of all disposal (e.g. landfill).

Whole Life Carbon
Whole life-cycle carbon emissions are the total greenhouse gas emissions arising from a development over its lifetime, from the emissions associated with raw material extraction, the manufacture and transport of building materials, to installation/ construction, operation, maintenance and eventual material disposal.

Wild West End Matrix
A tool to assign values to green space. Values are assigned based on the below factors and the greater number of functions that a site fulfils, the greater value it has.

- Biodiversity
- Climate
- Microclimate
- Wellbeing and
- Social