

**Developer Guidance**  
**Core Strategy Urban Core Plan Policy CS16**  
**Sustainability Statements**

**Consultation Draft**

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## Introduction and background

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### Introduction

- 1.1 The purpose of this document is to provide guidance on the approach to sustainable design and construction for residential, non-residential and mixed-use developments, in accordance with the requirements set out in Policy CS16 (Climate Change) of the Core Strategy and Urban Core Plan (CSUCP).

### Background

- 1.2 Newcastle City Council adopted the Core Strategy and Urban Core Plan (CSUCP) in 2015. The CSUCP is the central document in Newcastle's Local Plan and forms part of the Council's Development Plan containing the spatial vision, objectives, strategy and policy that will guide the development of Newcastle to be a sustainable, prosperous city used to guide all decisions about individual development proposals.

- 1.3 Strategic Objective SO11 of the CSUCP is to reduce CO2 emission from development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change. Chapter 12 of the CSUCP focuses on People and Place. This chapter recognises that attractive, high quality places and environments contribute to many aspects of a vibrant and successful city, including health and well-being, and encouraging businesses to locate and invest. It also recognises the challenges of climate change, specifically the ability to meet today's needs without compromising the ability of future generations to do the same
- 1.4 Policy CS16 of the CSUCP specifically requires development to demonstrate it is resilient to the effects of climate change by setting out six broad criteria against which development will be assessed to ensure it is sustainable and able to function and address the impacts of climate change. This guidance sets out how the council will assess new development against the six criteria of the policy when determining a planning application and the information that will be required to support a planning application to demonstrate compliance with Policy CS16.

## Policy Context

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### National Planning Policy

- 2.1 The National Planning Policy Framework (NPPF), published in March 2012 is a material consideration in the determination of planning applications. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic contributing to building a strong, responsive and competitive economy; social supporting strong, vibrant and healthy communities and environmental contributing to protecting and enhancing the natural, built and historic environment.
- 2.2 A core principle of the NPPF is for the planning system to support the transition to a low carbon future and encourage the use of renewable resources. Chapter 10 of the NPPF, Meeting the Challenge of Climate Change, Flooding and Coastal Change, states that *"Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development"*.
- 2.3 The NPPF also states that local planning authorities should adopt proactive strategies

to mitigate and adapt to climate change. Local Plans should include strategic policies to deliver climate change mitigation and adaptation. To support the move to a low carbon future, the NPPF advises that when local planning authorities set any local requirements for a buildings sustainability, it should be consistent with the Governments' zero carbon buildings policy and adopt nationally described standards.

## **Newcastle City Council Climate Change Policy**

2.4 Newcastle City Council recognises the important role it has in mitigating and adapting to climate change by pledging to reduce carbon dioxide through:

### *The Climate Change Strategy*

2.5 This strategy was adopted by the City Council in 2011 as part of its commitments within the EU Covenant of Mayors for Climate and Energy. It runs until 2020, with the next iteration being drafted to take forward a strategy too 2050. It sets out how the City will meet the national target of a reduction of 80% in carbon dioxide emissions by 2050 based on 1990 levels. Housing in Newcastle emits a higher proportion of carbon than the national average (33% against 28%), meaning that the ambitions within the Strategy need to be built into new build housing at the earliest opportunity.

### *100% Clean Energy City*

2.6 In 2015 the City Council set out an ambition for Newcastle upon Tyne to be a 100% clean energy city by 2050. To achieve this a combination of delivering buildings that uses less energy and that can draw its energy from a clean source, such as renewables, is required.

### *Regenerate Newcastle*

2.7 The Council is working on the implementation of decentralised energy networks. The Regenerate Newcastle initiative is a joint venture district energy company between Newcastle City Council and Energy Systems Catapult. This forty year partnership is designed to promote the delivery of district energy projects in Newcastle and to meet the objectives of de-carbonising Newcastle and improving the living standards of residents and underpinning economic development in the City. The Partnership will develop district energy projects in the city.

### *Core Strategy Urban Core Plan 2010-2030 (CSUCP)*

- 2.8 A key strategic objective (SO11) of the CSUCP is to reduce CO<sub>2</sub> emissions from development and future growth, while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change.
- 2.9 Policy CS16 of the CSUCP sets out six criteria that cover a range of subjects that a development will be required to address to demonstrate that it has been designed to respond to climate change through mitigation and adaptation. The policy should be read alongside other Local Plan policies that set out in more detail how development addresses issues such as flood management, natural environment, landscape and design.
- 2.10 In addition to the above, reducing energy use can have other benefits such as reducing fuel poverty, as well as ensuring financial resilience and energy security for Newcastle's residents.
- 2.11 Newcastle City Council is committed to growing in a sustainable way that will allow it to meet its pledges of being a 100% carbon free city by 2050. This document provides draft guidance for developers on how to set out how their proposals will be adaptable and mitigate its impacts upon climate change, whilst recognising that delivering the many new homes and businesses needed by 2030 presents a balancing act between cost, affordability, quality and sustainability.

## Approach to guidance

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- 3.1 CSUCP Policy CS16 sets out the criteria against which development will be assessed. All future development will be expected to mitigate and adapt to the effects of climate change through appropriate location, design, landscaping, energy use minimization and commit to connecting to a low carbon energy supply. The supporting text to the policy advises that a Sustainability Statement will be required to accompany a planning application. This statement should provide the necessary detail on the measures proposed to meet an appropriate level of sustainability to comply with all the criteria in Policy CS16.
- 3.2 This guidance explains how new development will be assessed against Policy CS16 and will assist developers in developing the content of the sustainability statement to support the planning application.
- 3.3 The guidance consists of two main sections:

Section 1:

- *Assessment Grid Guidance*: This explains how each of the six criteria within the policy will be assessed and what information is required to be submitted to demonstrate compliance; and

#### Section 2:

- *An Assessment Grid*: This form provides the structure for a Sustainability Statement to support an application and focuses on the information and attachments that need to be submitted. This should be attached with planning application.

- 3.4 A third Section is provided which includes references and links to supporting information and best practice on the different criteria topics. This may prove useful when deciding how best to respond to the assessment grid.
- 3.5 There are cross overs between the requirements of CS16 and other CSUCP policies, these are referenced in the guidance and assessment grid. In these cases, reference to other supporting planning application documents such as Flood Risk Assessments and Design and Access Statements should be made to demonstrate how these documents comply with the requirements of Policy CS16.

### **Assessment Grid requirement to support a planning application**

- 3.6 Whilst Policy CS16 is applicable to all forms of development, the Tyneside Validation Checklist requires Sustainability Statements to be submitted for most forms of major applications. For this reason, whilst completion of the Assessment Grid is encouraged for all developments, it will only be sought for all major applications. Whilst the Assessment Grid is the preferred method of meeting the requirements of a Sustainability Statement, alternative means can be used to demonstrate compliance and these are noted in the Narrative and Assessment Grid. Applicants will be advised on the requirement to submit a Sustainability Statement as part of any pre-application discussion.
- 3.7 Major applications are defined as residential developments of 10 more dwellings or more than 0.5 hectares, or buildings of 1,000 square meters floor space or sites of more than 1 hectare.

### **How the Assessment Grid will be used**

- 3.8 The Assessment Grid has been drawn up as a platform for engagement with applicants, rather than a check list where the development must meet a prescribed

standard. Instead a balanced approach has been taken, that recognises the challenges to be carbon neutral by 2050, against the requirements to deliver good quality development, cost-effectively and at a productive rate. The Council will consider how responses achieve a balance over the requirements of Policy CS16, rather than taking the view that a set of minimum requirements must be attained in every part.

- 3.9 The Council wish to work with developers to achieve high standards of sustainable design and construction. The guidance has been compiled to help developers consider the potential environmental effects of their proposal and thus encourage mitigation of adverse environmental effects. It is important that principles of sustainable design and construction are considered from the outset of planning a new development, in order that they help shape the proposal.

### **Information required as part of the Assessment Grid**

- 3.10 The Assessment Grid requires consideration and submission of information to cover the six criteria set out in CSUCP Policy CS16. The following provides a summary of these criteria:

- Criteria 1: This requires the use of a good standard of building fabric, passive design and landscape measures to minimise energy demand. The guidance seeks to lower energy demand through household developments being asked to demonstrate a dwelling fabric energy efficient value 15 percent better than that sought through Building Regulations 2013. This is similar fabric performance equivalent of Code for Sustainable Homes Level 4 - a good standard of building fabric- whilst not adding cost to construct. For non-domestic buildings, the guidance seeks a 25 percent reduction in target emission rate. The applicant will also need to demonstrate how a range of passive design measures and landscaping measures have been incorporated into the design to minimise energy demand.
- Criteria 2: This requires a flexible design to allow for adaptation to alternative uses. This will require developers to consider incorporating measures, such as Lifetime Homes, Smart Homes and Modern Design and the ability of development to be converted to alternative forms of development.
- Criteria 3: This requires a good level of sustainability through the applicant demonstrating best practice project and site management, site water use, site transport, waster reuse and recycling, the sustainable use of materials and construction techniques.
- Criteria 4: This seeks to minimise a developments contribution to, and provide resilience from, the on-going and predicted impacts of climate change. This will

be measured by a commitment by the developer to incorporate measures to mitigate and adapt to climate change, specifically relating to transport, waste and, building water use, the impacts from overheating and flooding and the incorporation of landscaping and ecology in its design.

- Criteria 5: This requires a reduction in whole-life CO<sub>2</sub> equivalent emissions impact. This can be achieved through demonstrating that the performance gap between design and as-built is minimised and information is given to the occupants to encourage the use of the building in an energy efficient way.
- Criteria 6: This requires developments to optimise the use of local renewable or low carbon energy in accordance with a hierarchy, prioritising decentralised energy schemes, followed by other renewable energy solutions and finally other lower carbon energy solutions. Where no decentralised energy scheme exists, strategic and other large-scale developments must evaluate the feasibility of providing a decentralised energy system and, where feasible implement such schemes.

**3.11 The onus is on the developer to demonstrate why certain requirements of policy CS16 are not feasible, either technically or financially, if exemptions from certain provisions are sought.**

**Assessment Grid Structure**

3.12 The following table summarises the key areas of CS16, and the broad areas that should be addressed by the required responses:

CS16 Section		Key areas covered
1	<ul style="list-style-type: none"> <li>• Good standard of building fabric</li> <li>• Passive design</li> <li>• Landscaping</li> </ul>	Fabric energy efficiency standard Passive design techniques Role of landscaping
2	<ul style="list-style-type: none"> <li>• Alternative uses</li> </ul>	Lifetime Homes Building Regulations 2013 M2 & M3 Smart homes and modern design Possible future conversion
3	<ul style="list-style-type: none"> <li>• Good level of sustainability</li> </ul>	Best practice site management Sustainable construction (materials, water and transport) Waste reuse and recycling

4	<ul style="list-style-type: none"> <li>Climate change mitigation and adaptation</li> </ul>	Mitigation (in occupancy); <ul style="list-style-type: none"> <li>Transport</li> <li>Water use</li> <li>Waste and recycling</li> </ul> Adaptation; <ul style="list-style-type: none"> <li>Overheating</li> <li>Flooding</li> </ul> Landscaping and ecology
5	<ul style="list-style-type: none"> <li>Whole life cycle CO2 equivalent emissions</li> </ul>	As-built performance gap Occupier engagement
6	<ul style="list-style-type: none"> <li>Local renewable or low carbon energy</li> </ul>	District energy Incorporation of renewables Off-setting

## Reducing the Performance Gap and Energy Efficiency Targets

- 4.1 Part 1 of The Planning and Energy Act 2008 allows local planning authorities in their development plan documents to impose “reasonable requirements for;
- A proportion of energy used in development to be from renewable sources in the locality of the development;*
  - A proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development; and*
  - Compliance with energy efficiency standards that exceed the energy requirements of building regulations.”*
- 4.2 Policy CS16 has as a specific requirement relating to (c) of the 2008 Act, but has left (a) and (b) open for discussion. This is because (a) and (b) may impose additional cost, whilst the energy standards in CS16 criteria 1 and 3 can be achieved largely at design stage, rather than as a significant cost that may threaten future viability.
- 4.3 Policy CS16 (1) requires developments to demonstrate a “good standard of building fabric” and Policy CS16 (3) requires a good level of sustainability by relevant government schemes/guidance. These requirements therefore ask developers to incorporate measures above the standard form of building fabric, as set out through

Building Regulations 2013, to achieve a good level or standard. For this reason, the guidance seeks to reduce developments carbon dioxide emissions by a further 15 percent above that required by Building Regulations 2013 for residential developments and 25% for non-residential developments. The 15% uplift sought by Policy CS16(1) to achieve a good standard of building fabric is still slightly lower than the Code for Sustainable Homes Level 4- Good- (CSH4) energy requirement. This level of efficiency therefore reflects comments made by The Rt. Hon. Eric Pickles MP, then Minister for Communities and Local Government, when in 2015 he advised local planning authorities what a reasonable level was;

*“Until the amendment [to the Zero Carbon Homes legislation] is commenced, we would expect local planning authorities to take this statement of the government’s intention into account in applying existing policies and not set conditions with requirements above a Code level 4 equivalent.”*

- 4.4 At the present time, the amendments to the Zero Carbon legislation have yet to commence. If at any time Section 43 of the Deregulation Act 2015, or other legislation is commenced that removes Part 1c of the Planning and Energy Act 2008, then the Sustainability Developers Guidance will be revised accordingly.

