

Vision Derbyshire Joint Committee

Project Proposals – Vision Derbyshire Climate Change and Planning Accelerated Delivery

Date: 5 October 2022

Report submitted by: Climate Change and Planning Lead Group

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Purpose of the Report

To provide an update on the progress of the Climate Change and Planning workstream and to propose future joint working opportunities (Phase 4) through the Climate Change and Planning workstream to support local authorities to embrace climate change and environmental sustainability through the planning process.

1 Report Details

Background

- 1.1 As part of the aims of the Vision Derbyshire Climate Change Strategy, a planning and climate change workstream has been identified to achieve the rapid delivery of an agreed planning policy approach across the County. Following a meeting of the Planning and Climate Change executive group, five quick wins were identified:
- i. Climate Change SPD (or similar) – umbrella document to drive consistency across the County.
 - ii. Review of Derbyshire Local Plan Climate Change related policies – consider good practice across Derbyshire or UK.
 - iii. Review of Renewable Energy Development – what has been developed and approved.

- iv. Developing Climate Change Guidance for Derbyshire Neighbourhood Plans.
- v. Presentations to all D2 Chief Executives and Leaders – ongoing learning including for officers

1.2 As noted in the previous report to the Vision Derbyshire Joint Committee there is a strong, common platform of support for work in this arena, and the Derby and Derbyshire authorities have a strong track record of working collaboratively across the planning sphere.

1.3 A Climate Change and Planning sub-group was formed, derived from the existing Derbyshire Planning Policy Officers group. This subgroup also incorporates non-Vision Derbyshire authorities as the significance of the climate change workstream is recognised and meets every 3 weeks to drive forward this workstream.

1.4 Work has been ongoing to address the five quick wins as identified above, and significant progress has been made in all areas. A summary of progress is contained below:

Climate Change SPD (or similar) – Quick win 1

1.5 A number of local plans in Derby and Derbyshire (including the Minerals and Waste Local Plans) are currently being replaced or are in a review process and it is therefore an opportune moment to bring forward evidence to support the development of future policy.

1.6 As there are no hooks in many of the current local plans to allow for the development of supplementary planning documents, therefore planning guidance has been developed to provide the background information necessary to develop and implement local plan policies to address the causes of climate change. The guidance identifies a number of climate related issues or design considerations that should be taken into account in the design and implementation of development proposals and can be included in development plan policies. Good examples of climate change planning policies from across other English authorities is also be included.

1.7 To support the planning guidance a climate change metric has been produced which quantifies the degree to which a proposed development contributes to climate change mitigation. The metric does not give an indication of tonnes of greenhouse gas saved through reduced emissions but is intended to identify whether or not a number of issues or design considerations have been included in the proposal. The metric highlights where there are deficiencies in an application.

- 1.8 The planning guidance and metric work has been led by the County Council but developed in conjunction with the sub group officers. It is expected the final version of the planning guidance and metric will be available for publishing in September 2022.
- 1.9 Quotations for the development of a stand alone website hosting the guidance, metric and other evidence have been sought with the intention that this is online by the end of September.
- 1.10 The planning guidance document also delivers ‘**quick win ii**’, reviewing current Derbyshire Local Plan Climate Change related policies and considering good practice across the UK.
- 1.11 This guidance will assist in the development of local planning policy at all levels, including neighbourhood plans (**quick win iv**).

Review of Renewable Energy Development – what has been developed and approved (Quick win iii)

- 1.12 The Department for Business, Energy and Industrial Strategy (BEIS) already monitors the progress of renewable energy developments of 150kW and above on a quarterly basis.
- 1.13 The Vision Derbyshire Climate Change Strategy, seeks to reduce emissions across the county to net zero by 2050, or sooner, with priority given to renewable energy. The renewable energy study will help authorities to strategically assess sites and applications as part of both the Local Plan and Development Management process respectively. The study will also highlight opportunities for different typologies of renewable energy development in the most appropriate locations across Derbyshire.
- 1.14 The renewable energy study was supported by £50,000 of grant funding from the Midlands Net Zero Hub, D2 Energy Board and Business Rate Funding. It is estimated that through the collaborative approach of Vision Derbyshire that this project has made total savings of around £120,000.
- 1.17 The tender for the production of the renewable energy study was awarded in early January to [Scene](#), with work on the study being completed in August 2022.
- 1.18 As required by the conditions of the Midlands Net Zero Hub and D2N2 grants, in late June/early July Scene presented 2 online learning events hosted by the Midlands Net Zero Hub for authorities across England, looking at the potential replication of the methodology underpinning the Renewable Energy Study.

Scene has also produced a toolkit to help other authorities should they wish to follow Derbyshire’s approach and which will also act as a process map for any future updates to the renewable energy study. A further presentation on the same theme has also been made to the D2N2 Environmental Strategy Working Group.

Presentations to all D2 Chief Executives and Leaders – ongoing learning including for officers (Quick win v)

1.19 There are two learning streams proposed:

- Training on the climate change metric for local planning authority Development Management officers will be rolled out later in 2022 to support its release. This will also be recorded on Teams as a training resource.
- A wider Derby and Derbyshire Planning and Climate Change training event for all members and officers in late 2022 with key speakers.

Future proposed work streams – Phase Four

1.20 Given the success of this workstream and the progress made towards its delivery, the sub-group has been canvassed to suggest further work which could be supported with regard to the climate change agenda.

1.21 Two potential work areas have been identified and subject to approval and capacity, it is proposed these could be taken forward as part of the ongoing Vision Derbyshire workstream.

(i) Climate Change Design Guide/Code

1.22 The National Planning Policy Framework (NPPF) sets out that achieving high quality places and buildings is fundamental to the planning and development process and that development plans or planning applications should reflect current national guidance, including the [National Design Guide](#) (2019) and the [National Model Design Code](#) (2021). The National Design Guide which should be read alongside the National Model Design Code and Guidance Notes for Design Codes, sets out detailed guidance which needs to be considered in the production of local design codes, guides and other design policies. It expands on the ten characteristics of good design set out in this document, which reflect the Government’s priorities and provide a common overarching framework for design. Currently the production of design guides is recommended by the NPPF, however in the initial iteration of the Levelling Up and Regeneration Bill, the production of design guides is proposed to become mandatory.

- 1.23 The Climate Change and Planning sub group was canvassed for thoughts on potential future projects which would support the Climate Change and Planning workstream. It was suggested that a climate change design guide/code for development be created to support the delivery of clean and green growth in Derbyshire.
- 1.24 It is envisaged that a Climate Change Design guide/code for Derbyshire would expand on the ten characteristics of good design set out in the National Design Guide document but progress beyond the published government guidance with a focus on net zero and the multiple benefits of nature recovery rather than purely aesthetic design. Design codes can deliver place making as well as maximise its contribution to delivering net zero and nature recovery, which are essential to tackling the intrinsically interconnected climate and ecological emergencies. A code/guide can also ensure that the principals of design would contribute climate adaptation and resilience, addressing the potential effects of temperature extremes in summer and winter, increased flood risk, and more intense weather events.
- 1.25 A relatively small change in the approach to the built environment could make a big a difference to climate change if applied industry-wide.

(ii) Biodiversity Net Gain Guidance

- 1.26 The Environment Act received Royal Assent on 9 November 2021, many of the provisions however do not take effect for some time. Mandatory biodiversity net gain (BNG) as set out in the Act applies in England and will become law in November 2023. Biodiversity net gain is an approach to development which means that habitats for wildlife must be left in a measurably better state than they were in before the development.
- 1.27 The mandatory requirement is to achieve at least a 10% BNG increase from the pre-development biodiversity value, delivered on-site, off-site or via a new statutory biodiversity credits scheme. The requirement will be framed as a pre-commencement condition, meaning that the biodiversity gain condition must be discharged before development can begin.
- 1.28 Consultations have been undertaken and work is ongoing by Defra to develop the secondary legislation and guidance to enable the delivery of BNG. This is currently awaited. Concern has been expressed that BNG will place additional burdens on local planning authorities in terms of capacity and the professional expertise necessary to address the additional technical, planning and legal issues involved in implementing the new measures. Defra has committed to funding these new burdens. Although the details of future funding are not yet known, each LPA in Derbyshire has received around £10k to prepare for the

introduction of mandatory BNG; with approximately twice that amount for Derby City as a unitary authority.

- 1.29 Derbyshire County Council is currently completing the Natural Capital Strategy which considers all the Natural Capital assets that are key to the county’s future prosperity, health, and wellbeing. It also takes a landscape view on biodiversity, including the mapping of ecological networks/habitat connectivity, and areas of strategic priority and opportunity for biodiversity. The study will identify the priority areas for the protection, restoration, and enhancement of each of these Natural Capital assets. The Vision Derbyshire Climate Change Strategy recognises Natural Capital Strategy as an approach which will help to tackle climate change.
- 1.30 Derbyshire County Council has also been provisionally identified as the responsible authority for the production of a Local Nature Recovery Strategy for the county. Local Nature Recovery Strategies are a new, England-wide system of spatial strategies that will establish priorities and map proposals (LNRS) for specific actions to drive nature’s recovery and provide wider environmental benefits. The requirement for and scope of LNRS are broadly established in the Environment Act, but further details, secondary legislation, and statutory and non-statutory guidance will be required before LNRS can be developed. It is likely however that there will be a strong relationship between the locally produced LNRS, and the delivery of BNG through the planning system.
- 1.31 Mandatory BNG will also contribute towards climate change and as such there is a synergy with the proposals for a Climate Change Design Guide/Code. The Natural Capital Strategy will inform the LNRS, which in turn will influence local BNG approaches/guidance. BNG will not just benefit biodiversity, but also to improve natural capital and ecosystem services – for example locating new woodland planting in the most appropriate locations could provide the following benefits:
- Biodiversity gains
 - generate greatest gains for carbon sequestration,
 - improve flood attenuation and/
 - improve public access and recreation
- 1.32 The County Council has already begun discussions with LPAs in the county about how BNG might be applied in our area. The County Council has also secured Natural England funding to commission consultants to explore the implications of BNG in Derbyshire, considering the scope and capacity of existing ecological advisory services; the scale and significance of the new burdens faced by each of the LPAs in the county; the nature and structure of advisory services which could be developed to respond to these needs, and

the opportunities and implications that arise not only from BNG but the potential and need to provide offsetting on LA owned or managed land.

- 1.33 It is proposed to work with the local planning authorities to develop an approach to biodiversity offsetting for Derbyshire which will take account of national and legislative requirements for BNG but develop a more tailored local response to BNG to reflect not only local biodiversity objectives and priorities, but also local needs and aspirations more generally. This would then be used to ensure a high quality and consistent approach to BNG across the county, informing both planning policy and Development Management decisions and recommendations.

2 Conclusions and Reasons for Recommendation

- 2.1. The Vision Derbyshire Climate Change and Planning (Phase 3) workstream is virtually complete, with the successful delivery of the 5 quick wins identified.
- 2.2 Given the levels of engagement and collaboration between the Derbyshire authorities involved in Phase 3 workstream, it was hoped to harness this collaborative approach to deliver two further projects under Phase 4 of the Climate Change and Planning workstream. (Climate Change Design Code and Biodiversity Net Gain Planning Guidance). Both of these proposals will help to deliver the net zero agenda and in conjunction, provide the opportunity for wider benefits for our wellbeing, economy, and environment from improving public health to protecting and enhancing biodiversity.

3 Implications

3.1 Finance and Risk Implications

- 3.1.1 The inputs would currently be limited to officer time.

3.2 Legal Implications including Data Protection

- 3.2.1 There are no legal or data protection issues arising directly out of this report.

3.3 Human Resources Implications

- 3.3.1 There are no human resource issues arising directly out of this report.

4 Recommendations

- 4.1. That Vision Derbyshire Leaders note the progress on the Climate Change and Planning workstream.
- 4.2. Agree the 2 further proposed workstreams namely a Climate Change Design Guide and a Biodiversity Net Gain planning guidance.

5. Document Information

Appendix No	Title