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Planning Committee

22 November 2007

Report of the Director of City Strategy

## **Interim Planning Statement: Sustainable Design and Construction**

### **Summary**

1. The purpose of this report is to seek approval from Members to use the Interim Planning Statement (IPS) on Sustainable Design and Construction (attached at Annex A of this report) for Development Control Purposes. (Please note that this IPS was formally referred to as Supplementary Planning Guidance (SPG) but new requirements of the planning system meant that a change in title was required).

### **Background**

2. The IPS has been produced to support Policy GP4a (Sustainability) of the Local Plan. Policy GP4a seeks to ensure that all new development takes account of sustainability issues by requiring applicants to submit a sustainability statement to accompany their proposals. The IPS provides further guidance to applicants on what is expected from them as part of preparing a sustainability statement.
3. On 23<sup>rd</sup> November 2006 the IPS, was approved at planning committee to go out for public consultation. The consultation took place from 5<sup>th</sup> February - 4<sup>th</sup> May 2007 and lasted just over 12 weeks which reflects the complexity of the document. There were a total of 40 respondents and 144 points made in total. These can be found in a schedule of comments which is attached as Annex B of this report.
4. As a result of the consultation, the IPS has incorporated several changes. The main change to the IPS is the inclusion of the 'Code for Sustainable Homes' standards which has replaced the BREEAM Eco-Homes standard for residential development. The Code for Sustainable Homes uses a sustainability rating system indicated by stars to communicate the overall sustainability performance of a home. Code 1\* is the lowest level and 6\*\*\*\*\* is the highest level. It is based on the BREEAM EcoHomes standard and a code 2\*\* is thought to be equivalent to an EcoHomes standard of 'very good'. The code level achieved is awarded following a design assessment of the proposal and a post construction assessment following completion of the development.

5. The Code has been developed by the Government and is seen as a step change in sustainable building practice. The Code is currently being consulted on until October 2007 to see whether the Government should make the single national standard mandatory. For further information on the Code, please refer to Appendix 4 within the IPS (which can be found in Annex A of this report). It was requested by many consultees that this guidance be incorporated within the IPS to ensure that the targets are up to date.
6. The Code was introduced during the final drafting of this document. As a result the Code was not included in the consultation draft. With its introduction and a clear indication from Government that it may become mandatory it seems sensible to include the Code in this amended document to provide a clear standard that all new homes can be set against.
7. The inclusion of this residential-specific standard has resulted in the document being split into residential and non-residential. The changes are as follows:

For Commercial Developments:

- 500m<sup>2</sup> or more – A BREEAM assessment is still required however the supporting text and questions covered by BREEAM have been removed.
- Less than 500m<sup>2</sup> - are still required to meet minimum standards outlined within the document but are not required to undertake a BREEAM assessment because it is not deemed financially viable for the applicant.
- Additional information on development of existing buildings including refurbishments, conversions and changes of uses has been added for both large and small scale commercial development. Worked examples for different types of development are included in Annex C of this report.

For All Residential Development:

- 1 dwelling unit and above are now required to meet the Code for Sustainable Homes Level 2 (equivalent to Eco-Homes “very good”). In addition to this Appendix 4 has been added which provides a brief overview of the Code for Sustainable Homes.
- New sections (5 and 6 of the IPS) have been added to cover the development of existing dwellings, including refurbishments, conversions and changes of use.
- The domestic extensions section asks applicants to consider and highlight sustainability measures within their development. It should also be noted that the domestic extensions section is now presented in

the form of a questionnaire. A separate questionnaire form will be made available for DC to send out with application forms.

8. Finally, it should be noted that it is not intended for the IPS to be read as a whole. It is possible to identify at an early stage, using the diagram on page 8 of the IPS (Annex A to this report), which section of the document is relevant to the type of development being undertaken.

## **Consultation**

9. Officers from the Building Research Establishment, the Department of Trade and Industry, Considerate Constructors Scheme and the general public have all been consulted. The following consultation methods were used:
  - copies of the IPS and comments form sent to organisations and individuals with an interest in sustainability in York (including all parish councils, planning panels, residents associations and adjacent planning authorities, as well as interested groups);
  - a press release was published;
  - publication of the IPS and comments form on the Council's website;
  - copies of the IPS and comments form provided in all libraries within the Council area;
  - copies of the IPS and comments form provided in reception at the Guildhall and St Leonard's Place;
  - two consultation events with the construction industry and other interested groups.
10. DC officers have been provided with additional information and guidance on the priority to be given to the various sustainable design and construction methods. Additionally, the Plans Processing Unit (PPU) have been provided with detailed guidance to assist them with any queries that may arise in relation to this IPS.

## **Options**

11. Members have the following options to consider in relation to this IPS:
  - Option 1: To approve the IPS for Development Control purposes to support Policy GP4a;
  - Option 2: To seek amendments to the IPS through recommendations of Planning Committee;
  - Option 3: To defer the IPS and request further work from officers.

## **Analysis**

12. This guidance supports the Council's general approach to sustainable development, and should be used in conjunction with policy GP4a of the draft Local Plan. There is currently no supporting guidance for developers in terms

of sustainable design and construction and this IPS is thought to be an essential measure until a Supplementary Planning Document (SPD) can be produced once the Core Strategy is adopted towards the end of 2009. The information stated within the document reflects that of national and regional guidance. The IPS will be used as a material consideration in determining all future planning applications.

## **Corporate Priorities**

13. The IPS accords with the following corporate priorities:
- decrease the tonnage of biodegradable waste and recyclable products going to landfill;
  - improve the actual and perceived condition and appearance of the City's streets, housing estates and publicly accessible spaces;
  - improve the way the Council and its partners work together to deliver better services for the people who live in York; and
  - improve efficiency and reduce waste to free-up more resources.

## **Implications**

14. The following implications have been assessed:
- **Financial** - None
  - **Human Resources (HR)** - The work will be carried out within existing staff resources and includes the training of relevant staff and the Sustainability Officer's time in dealing with enquiries (see point 9).
  - **Equalities** - None
  - **Legal** - None
  - **Crime and Disorder** - None
  - **Information Technology (IT)** - None
  - **Other** - None

## **Risk Management**

15. In compliance with the Council's risk management strategy, there are no risks associated with the recommendations of this report.

## **Recommendations**

16. That Members agree:
- 1) Approve the IPS: Sustainable Design and Construction (Attached at Annex A) subject to any recommendations made by Planning

Committee for the purpose of Development Control to support Local Plan Policy GP4a;

Reason: To implement policy GP4a of the Draft Local Plan incorporating the fourth set of changes; and

- 2) Agree that the making of any incidental changes or other changes necessary as a result of the recommendations of Planning Committee, are delegated to the Director of City Strategy in consultation with the Executive Member and Opposition Spokesperson for City Strategy and the Chair of Planning Committee.

Reason: So that the report can be published for Development Control purposes.

### Contact Details

**Author:**

*Rebecca Sheridan  
Assistant Development Officer  
City Development  
01904 55 1388*

**Chief Officer Responsible for the report:**

Bill Woolley  
Director of City Strategy  
City Strategy  
01904 55 1330

*Kristina Peat  
Sustainability Officer  
Planning and Design  
01904 55 1666*

**Report Approved**  **Date** 15/10/07

### Specialist Implications Officer

*Implication Human Resources  
Name Kristina Peat  
Title Sustainability Officer  
Tel No. 01904 551666*

**Wards Affected:**

All

**For further information please contact the author of the report**

### Background Papers:

N/A

### Annex:

Annex A: Interim Planning Statement on Sustainable Design and Construction.

Annex B: Schedule of Changes.

Annex C: Worked Examples