

SUSTAINABLE DESIGN AND CONSTRUCTION SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Key Decision No. LHR M23

CABINET MEETING DATE (2015/16)

29 February 2016

COUNCIL MEETING DATE

20 July 2016

CLASSIFICATION:

Open

If exempt, the reason will be listed in the main body of this report.

WARD(S) AFFECTED

All Wards

CABINET MEMBER

Cllr Nicholson

Regeneration

KEY DECISION

Yes

REASON

Affects Two or More Wards

GROUP DIRECTOR

Kim Wright, Group Director Neighbourhoods and Housing

1. CABINET MEMBER'S INTRODUCTION

- 1.1 The Council is committed to high quality sustainable development.
- 1.2 It is the experience of the Council that developers often consider sustainability after, and not as part of, the initial design process. It is the intention of this Supplementary Planning Document ("SPD") to ensure that all developments that come forward achieve a high design standard that will ensure a high quality experience for the people that will be using and occupying the buildings for many years to come.
- 1.3 This SPD provides guidance on how sustainable design and construction can be embedded into development in Hackney. It has multiple audiences - the public, developers and those submitting planning applications. It articulates the issues that have been judged to be the most important and matters that should be taken into account and incorporated into any scheme in order to maximise sustainable design in future developments within Hackney.
- 1.4 The objective of this SPD is to provide well designed buildings with sustainability measures incorporated up-front, that will provide carbon and financial benefits throughout the lifetime of the building.
- 1.5 It is intended that this document be used by all parties involved in the development process, from initial design through to construction and final delivery of the building. This is reiterated in the Council's sustainable design led approach.
- 1.6 I commend this report to Cabinet.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1 The Sustainable Design and Construction Supplementary Planning Document was approved for Consultation in June 2015. The document underwent a 12 week consultation in the autumn of 2015 and the version attached takes into account the changes that were put forward by the Statutory Consultees and Residents.
- 2.2 The need for a Sustainable Design and Construction SPD is set out within Hackney's Development Management Local Plan. This SPD does not focus on the size of the development. Its focal point is on ensuring that the development is designed with the appropriate sustainability strategy in place to minimise environmental impacts. The SPD also provides guidance on the levels of information that the Council will require in order to assess planning applications.
- 2.3 The adoption of the SPD is an important tool in informing and controlling quality of developments. It allows the Council to ensure, through the planning

system, that sustainable design is incorporated into proposals at an early stage and meets national, regional and local standards.

3. RECOMMENDATION(S)

Cabinet is asked:

- 3.1 To recommend to Council the adoption of the Sustainable Design and Construction Supplementary Planning Document, as set out in Appendix 1 of this report, in line with the Town and Country Planning (Local Planning) (England) Regulations 2012.**
- 3.2 To authorise the Corporate Director of Legal, HR and Regulatory Services to make any necessary general amendments to the Sustainable Design and Construction SPD before it is published.**

Council is recommended:

- 3.3 To note any revisions to the document, and approve the adoption of the Sustainable Design and Construction SPD as set out in Appendix 1 of this report.**
- 3.4 To authorise the Corporate Director of Legal, HR and Regulatory Services to make any necessary general amendments to the Sustainable Design and Construction SPD before it is published.**

4. REASONS FOR DECISION

- 4.1 The decision is required in order to facilitate and provide guidance on the design process undertaken by developers, householders and design officers to ensure that there is a clear understanding of Hackney's design requirements in relation to Sustainability and Climate Change and to facilitate the achievement of sustainable design in order to meet Hackney's requirements to achieve a reduction in carbon dioxide emissions.**
- 4.2 The decision will ensure that standards set nationally and regionally will be achieved and Hackney's Sustainable Community Strategy met to provide better homes for both present and future residents within the borough.**

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5.1 There were no alternative options considered.**

6.1 BACKGROUND

- 6.1.1 Sustainable development can be defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs (The Brundtland Commission report (1987), *Our Common Future*, Oxford University Press).
- 6.1.2 The intention of the SPD is to provide detailed guidance on how developments are expected to achieve the sustainability requirements as set out within the London Plan, the GLA's Draft Sustainable Design and Construction SPG, Hackney's Core Strategy and Development Management Local Plan.
- 6.1.3 The overarching aim of this SPD is to enable adaption to climate change, resource depletion and environmental damage, and where possible to improve residents health and wellbeing through the built environment. This can be achieved through reducing energy and resource use; decreasing pollution; increasing biodiversity; and through applying best practice standards to the built environment to facilitate climate change adaptation.
- 6.1.4 The SPD has been developed over the last few years, and has gone through informal consultation internally. The draft document has also been subject to academic and industry peer review, before undergoing a formal public consultation.
- 6.1.5 Based on user feedback, the Sustainable Design and Construction SPD is split into two parts. Part one illustrates the most common design types within the borough and the sustainable design measures and priorities that should be incorporated as standard. The second part covers the technical appendices which provide information on the best way to incorporate those measures in order to achieve required national, regional and local standards.

6.2 Policy Context

- 6.2.1 The SPD supports the Core Strategy (2010) policies: Policy 27 Biodiversity; Policy 29 Resource Efficiency and Reducing Carbon Dioxide Emissions; Policy 30 Low Carbon Energy, Renewable Technologies and District Heating; Policy 31 Flood Risk and Policy 32 Waste.
- 6.2.2 The SPD informs Hackney's Development Management Local Plan and it is the intention that this SPD provides specific guidance to applicants on the various standards needed for planning.
- 6.2.3 The SPD supports the Sustainable Community Strategy Priority 6; and also the Sustainable Community Strategy Outcomes 16 and 17.
- 6.2.4 The SPD is informed by the Mayor's London Plan and newly available Sustainable Design and Construction SPG.

6.2.5 The SPD supports the policies under the National Planning Policy Framework including promoting healthy communities by enhancing the sustainability of communities and residential environments; to set the local sustainability requirements of developments in a way that is consistent with the Government's zero carbon buildings policy; and to provide wider sustainability benefits to the community (Paragraphs 95 and 102 respectively).

6.2.1 Equality Impact Assessment

6.2.1 The EqIA was prepared to assess the potential impact of the changes raised as a result of the Consultation SPD on different groups within Hackney to ensure there is no undue impact on any particular community groups. The EqIA did not identify any negative impacts.

6.3 Sustainability

6.3.1 Local Plans are required to have a Sustainability Appraisal (SA) to assess the economic, social and environmental impacts of the policies contained within them. The Sustainable Design and Construction SPD itself is not required to have an SA undertaken as it is not a Local Plan, rather a Supplementary Planning Document which gives further guidance in support of Local Plan policies which themselves have been subjected to an SA.

6.3.2 The draft Sustainable Design and Construction SPD will have a direct impact on the physical design quality of both new and existing developments within the borough. The intention is to ensure developments within the borough are constructed to mitigate the potential impact of climate change and ensure that buildings are efficient to run thus reducing the potential of residents falling into fuel poverty.

6.4 Consultations

The SPD went through a 12 week formal public consultation process, details of which are available in Appendix 2 of this report. The amendments proposed are largely editorial and do not make significant changes to the scope or structure of the document. It is therefore considered that no further consultation is required.

6.5 Risk Assessment

6.6.1 In line with best practice and the Council's Statement of Community Involvement, the Council carried out a 12 week public consultation with stakeholders and the community. This was in line with the consultation requirements of Town and Country Planning (Local Development) (England) Regulations 2012 regarding public consultations.

6.6.2 Consultation was also carried out with statutory and local organisations including Sustainable Hackney, Natural England, CIBSE, Hackney Homes

and the Environment Agency. Responses were also sought from local residents, ward members and other interested parties. Publicity was disseminated through the local groups, Hackney Today and the Council's Consultation web page. Officers considered all relevant responses and made any appropriate amendments to the SPD before bringing it to Cabinet and Council.

7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

This report seeks the Council to adopt the Sustainable Design and Construction Supplementary Planning Document (SPD) in accordance with the recommendations in Section 3 (above).

The immediate consultation outlay relating to officers' time, publicity and printing will be marginal and thus contained within the Planning Service revenue budget.

The SPD will provide specific guidance to applicants including developers on the various standards required for planning. However, future costs for maintenance of the document are expected to be minimal.

8. COMMENTS OF THE DIRECTOR OF LEGAL

- 8.1 The Sustainable Design and Construction Supplementary Planning Document ("the SPD") is drafted taking into account the requirements of the National Planning Policy Framework which contains a presumption in favour of sustainable development. The SPD also supports and must be in conformity with the Council's Core Strategy which is the primary and strategic development plan document for the Council.
- 8.2 The SPD must be prepared, consulted upon and adopted in accordance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012. Paragraph 6.5 of the Report notes that a 12 week public consultation was undertaken with statutory bodies and parties.
- 8.3 Before the SPD is adopted, the Council as local planning authority must prepare a statement setting out (a) the persons consulted when preparing the SPD; (b) a summary of the main issues raised by those persons; and (c) how those issues have been addressed in the SPD. Appendix 2 of this Report sets out the public participation requirements of regulation 12.
- 8.4 The Council must make available, the SPD, the Adoption Statement and associated documents at the Council's offices and on its website for a period of 3 months after the day the SPD is adopted – Regulation 14 and 35. A copy

of the Adoption Statement must also be sent to any person who has asked to be notified of the adoption of the SPD.

APPENDICES

Appendix 1

Draft Sustainable Design and Construction SPD

Appendix 2

Summary of Consultation Responses to the draft Sustainable Design and Construction Supplementary Planning Document

Appendix 3

Equality Impact Assessment Form

BACKGROUND PAPERS

None

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