Low Emission Strategies Partnership Board: Response to Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate

(28 May 2010)

1 Introduction

The Low Emission Strategies Partnership

1.1 The Low Emission Strategies (LES) Partnership welcomes the opportunity to provide a submission to the Department of Communities and Local Government on Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate. We agree to our response being made public.

1.2 The LES Partnership (www.lowemissionstrategies.org) was established in 2007 to disseminate good practice in reducing transport emissions of toxic air pollutants and greenhouse gases. The Partnership specifically seeks to accelerate the deployment and penetration of low emission transport fuels and technologies. This is achieved by supporting local authorities to adopt and implement low emission policies, strategies and measures.

1.3 Phase I of the programme established 18 'peer group' projects across 15 local authorities, providing expert advice and sharing best practice. The Partnership also produced a guidance document '*Low Emission Strategies: Using the planning system to reduce transport emissions*'. An updated draft of this document has been published on the Defra website as joint Defra and LES Partnership Good Practice Guidance[1]. Grant funding has been secured from CLG and Defra for Phase II, which runs from November 2009 to March 2011, building on progress made during the first phase.

1.4 The Partnership Board includes representatives from London Borough of Greenwich, London Borough of Hillingdon, Sefton Metropolitan Borough Council, Sheffield City Council, Wigan Metropolitan Borough Council, Mid-Devon District Council and Leeds City Council.

Low Emission Strategies

1.5 As defined by the Partnership, a *Low Emission Strategy* provides a package of measures to help mitigate the transport impacts of development. The primary aim is to reduce transport emissions by accelerating the uptake of low emission fuels and technologies in and around a development site. In this way, Low Emission Strategies can exploit opportunities presented to catalyse innovation and enable market transformation. Low emission strategies may address both the construction and operational phases of a development. They can also complement other design and mitigation options, such as travel planning and the provision of public transport infrastructure.

1.6 Strategies may be secured through a combination of planning conditions and legal obligations (section 106 agreements), and potentially in future through the Community Infrastructure Levy. They may incorporate policy measures and/or require financial contributions to the delivery of low emission transport projects and plans. For example, typical operational phase measures include emission based parking policies, investment in low emission infrastructure, fleet emission improvement, low emission procurement and supply chain initiatives and contributions to local transport projects and strategic monitoring.

1.7 In reducing transport emissions, low emission strategies improve local air quality and reduce greenhouse gas emissions associated with climate change. They also contribute to local government performance targets, provide local economic benefits, help to streamline planning decisions and contribute to wider sustainable development goals.

[1] LES Partnership / Defra (January 2010) Low Emission Strategies: Using the planning system to reduce transport emissions. Good Practice Guidance. Available to download at: http://www.defra.gov.uk/environment/quality/air/airquality/local/guidance/documents/low-emissions-strategies-2010.pdf

2 Consultation Response

The LES Partnership Board welcomes the revised PPS1 Supplement, particularly in its encouragement of provision of electric charging infrastructure. However, we feel that the policies could go further to require robust consideration of transport emissions associated with new developments, and to incentivise the uptake of broader low emission strategies. The following text provides responses on selected questions posed within the consultation draft.

6. We propose that sites that perform poorly against the criteria in policy LCF6.1 should not be allocated for development (with limited exceptions). Do you agree with this suggested approach?
Yes, particularly with LCF6.1 (iii), "*the impact on travel demand of developing the site and whether there is a realistic choice of access, and opportunities to service the site, through sustainable low carbon transport*".

9. We propose that local planning authorities should support the take-up of electric vehicles, including being able to set local requirements for installing cabling or charging infrastructure for electric vehicles in new developments with parking facilities. Do you agree with the proposed approach?
Yes, we support Policy LCF10.1, as described in Question 9 above. However, the requirements within Policies LCF10.2 and LCF11.1(i) will undermine local authorities' ability to implement Policy LCF10.1. Policy LCF10.2 states that "*any local requirement relating to electric and plug-in vehicles, including for cabling or charging infrastructure, should be set out in a DPD*", and that "*in bringing forward a local requirement, local authorities should be able to demonstrate that it satisfies the tests in Policy LCF11.*" Policy LCF11.1 states that such local requirements "*will only be acceptable where the local planning authorities can demonstrate that it: (i) would not make new development unviable having regard to the overall costs of bringing sites to the market, including the costs of any necessary supporting infrastructure...*" It is unreasonable to require local authorities to demonstrate the viability of specific sustainability measures in isolation. This assessment is only meaningful when applied to the overall burden of planning requirements for the given site. Such comprehensive assessment is already incorporated within the planning application process. As proposed, Policy LCF11.1 is unnecessary to ensure proportionate requirements and as written is only likely to severely weaken the impact of policy LCF10.1. Policy LCF11.1(i), and reference to it under Policy LCF10.2, should be deleted.

10. Proposals for major new development that do not comply with the criteria set out in proposed policy LCF13 should normally be refused planning permission. Do you agree with this proposed approach?
We support Policy LCF13.2(v) which seeks to "*create and secure opportunities for sustainable transport*". Point (v) mainly refers to 'trip management' and a requirement to reduce travel, and shift travel modes, wherever possible. This is extremely important in reducing greenhouse gas and toxic air pollutant emissions from transport. However, the LES Partnership is particularly focussed on the next step, which we see is to reduce the residual emissions from those vehicles that remain on the roads (following the implementation of sustainable transport measures). We believe that this can be achieved by incentivising low emission vehicle technologies and infrastructure. Policy LCF13.2(v)(c) goes some way towards this by requiring the provision of electric charging infrastructure. However, this is only one piece of the jigsaw, not least because electric charging infrastructure does not address emissions from heavy goods vehicles or incentivise other small vehicle technologies.

There are a variety of broader 'low emission strategies' that are available to reduce transport emissions (both greenhouse gases and toxic air pollutants) associated with new developments. A number of examples and case studies are provided in the LESP/Defra Good Practice Guidance '*Low Emission Strategies: Using the planning system to reduce transport emissions*' (reference provided above).

The approach advocated by the LES Partnership is to take a holistic view of the total transport emissions associated with a new development. Robust, quantitative techniques should be used to assess baseline transport emissions associated with a proposed new development. Packages of low emission measures that can be applied at that specific location can then be identified and their benefits quantified (in terms of impacts on total emissions). The 'damage costs' from the remaining residual emissions can then be paid financially as contributions or 'offsets' to reduce emissions elsewhere within the locality (e.g. as contributions to a low emission public transport fleet). Contributions can be secured through planning obligations or potentially through the community infrastructure levy.

This approach has been adopted and successfully employed by a number of local authorities within the LES Partnership. We are currently developing a tool to assist local authorities with the quantification of baseline emissions and the costs and benefits of various low emission strategies.

An additional point should be added beneath LCF13.2 (v) as follows:

LCF13.2: In determining planning applications, local planning authorities should expect proposed new development to...

v. create and secure opportunities for sustainable transport by:

a. implementing travel plans ...;

b. providing for safe and attractive walking and cycling opportunities ...;

c. ensuring the provision of car parking is consistent with cutting greenhouse gas emissions, including through providing for electric vehicle charging infrastructure;

vi. minimise the residual transport emissions associated with the development through the adoption of low emission strategies by:

a. quantifying baseline transport emissions associated with the development;

b. identifying cost-effective low emission measures that may be applied at the site;

c. using planning obligations or the community infrastructure levy to secure funding to offset remaining emissions elsewhere within the local authority area.

3 Recommendations

a) Policy LCF 11.1(i), and reference to it under Policy LCF10.2, should be deleted. Electric charging infrastructure should not be required to undergo a separate viability test.

b) Include an additional point within Policy LCF13.2 to require proposed new development to minimise residual transport emissions through the adoption of low emission strategies.