

The Council's Draft Table of proposed changes re Climate Change and the Council's addendum Energy Background Paper.

Representation from Richard Lee on 26th March 2021

Addendum Energy Background paper

This is not an adequate response to the problems identified in the original Energy background paper. We have to remind ourselves that the June 2020 paper in section 8.1, page 44 found that emissions in Southwark were **not** forecast to be zero by 2050 on the current pathway. Therefore, says the background paper, further evidence and policy intervention will be required including (this is not the full list)

- to define 'Net Zero Carbon' outside of the built environment
- to integrate transport energy use and policy goals into the wider energy policy
- to consider the sources and impact of other greenhouse gas emissions associated with energy production, consumption and distribution in the borough, and potential policy interventions to control these
- Embodied Energy and emissions, the circular economy and whole life carbon assessment
- The role of local large infrastructure interventions, in particular the use of District Heating networks
- Limitations in delivering net zero carbon buildings in city environments
- The deployment of Carbon offset funding raised through policy
- Measuring and monitoring the impact of funds, where they are deployed"

The Addendum by and large provides little new information on the above. Opportunities are missed e.g. to assess the positive implications of the changes on embodied carbon and whole life cycle carbon assessment.

Problems remain with baseline data, since the latest data available is from 2017 (GLA) and 2018 (Government). There is no information on what policy change led to the reduction in 2014 and the IIA hasn't made use of this emissions data to assess and shape policies being brought forward in the NSP. The introduction of SCATTER methodology (page 14) doesn't help.

The planning applications show the substantial payments for carbon offset that are being paid in lieu of developments being net zero carbon. According to the roadmap, this will be spent on micro community projects and Council projects (not specified). There should be policy support for investing this windfall to address fuel poverty and improve district heat networks on council estates.

The road map is not the same as a trajectory (for which see the Mayor's Climate Action Plan). It provides dates for when documents will be consulted upon and adopted, which makes it similar to a Local Development Scheme. Indeed, section 7 seems to replace the LDS and extends by a year the early review of the NSP. This further delay, announced

through the addendum, is on top of the 2 years since the Council declared a Climate Emergency with little brought into the NSP.

Draft Table of proposed changes re Climate Change

The changes are not sufficient to meet the statutory 2050 target.

The changes bring Whole Lifecycle Carbon assessments, verification and monitoring of energy performance and Circular Economy Statements into policy. These are supported, but they must be recognised as main modifications.

The changes that insert climate change throughout the document would be supported if these were matters of policy but in almost all cases they are reasons, which does not provide the golden thread the Council says it is seeking.

Fuel poverty and making buildings energy efficient (through retrofit) are added to reasons, but are a key issue in Southwark and must be addressed in policy.

The changes describe the NSP as a stepping stone towards the climate emergency, but just as the housing ambition requires clear targets and a trajectory, the same is needed for climate change. This should follow the 5 year carbon budgets in the Mayor's Climate Action Plan.

The proposed changes do NOT

- Avoid demolition, where possible, through the refurbishment and reuse of existing buildings. Yet this is a key part of the new circular economy framework
- Support an increase in green space, particularly in areas of deficiency
- Provide a presumption against the removal of trees, and ensure new tree planting is in strategic locations
- Include a spatial dimension to air quality policy, and require Air Quality Positive in areas where exposure to poor air quality is particularly sensitive
- Include a spatial dimension to the biodiversity policy, by the mapping of priority habitats and ecological networks.

All of these are required policy changes in order to be consistent with the London Plan (2021).

More detail on my common and uncommon ground with the Council can be found in my Statement of Common Ground.

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Response on the energy background paper and draft table of changes to the New Southwark Plan

The starting point of this submission is the Energy background paper June 2020 which provides projected scatter modelling data to forecast the carbon dioxide emissions in Southwark to 2050. In particular figure 12 on page 43 states *“total reductions by 2050 are forecast to be approximately 100 ktons CO₂e lower in comparison with Figure 1. This provides an estimate of the impact of the new planning policies. It may be observed in the forecast that under this scenario the London Borough of Southwark does not achieve the statutory target under the Climate Change Act 2019, of a 100% reductions in emissions by 2050.”* Furthermore, on page 44 in the summary of conclusions the last bullet point *“Emission are not forecast to be to zero by 2050 on the current forecast pathway.”*

It is evidence that this view has been departed from within a target based evidence approach in the modified policies schedule and the Energy Background Paper Addendum. We will take these documents in turn in our comments below:

Energy background paper

The energy background paper updates the legislative and policy context and then moves on to the data and baseline local context. The highly relevant contextual change is the Committee on Climate Change Sixth Carbon Budget report dated 9 December 2020¹ and the subsequent revised Nationally Determined Contribution target of a 68% reduction in carbon emissions by 2030 on 12 December 2020.²

The energy paper addendum provides further context for the London Greenhouse Gas Inventory (LEGGI) data and how it is compiled. The data does not currently include carbon emissions as assessed against construction stage emissions in London boroughs, including from the demolition (embodied carbon) and energy use in the manufacturing and build phase of development. The data provided in the addendum paper also includes that from the Department of Business Energy and Industrial Strategy for 2018, as the LEGGI data only goes to 2017. The paper then goes on to detail a sustainability appraisal for approaches to climate change taken by the New Southwark Plan. These do not address any other policies besides the options testing for carbon reduction on site for residential and non-residential major development. Page 15 of the addendum paper states that the IIA will be updated for clarity to set out the reasonable alternatives considered in terms of climate change.

The energy paper addendum does not adequately assess how the position with respect to meeting the target set in the Climate Change Act has changed from the July 2020 position. There are no evidence based targets by which to assess the claim that the New Southwark Plan now meets the 2050 net zero target. There are no further concrete policy proposals which are assessed (the requirement for a

¹ <https://www.theccc.org.uk/publication/sixth-carbon-budget/>

² [The UK's Nationally Determined Contribution under the Paris Agreement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/the-uk-s-nationally-determined-contribution-under-the-paris-agreement)

100% reduction in carbon emissions on 2013 Building Regulations Part L standards for residential development was in the earlier version of the New Southwark Plan).

The energy background paper addendum March 2021 is not sound because it has not been justified and therefore it is not effective. For instance, as a minimum, we would expect to see an update to the aforementioned figure 12 scatter modelling from the original June 2020 energy background paper to show how the reduction to net zero by 2050 is actually achieved by the minor modifications to the New Southwark Plan.

Draft table of changes to the New Southwark Plan

We focussed on P69 the energy policy in our earlier submissions. We requested alignment with the London Plan (now published) in terms of requiring all major developments to submit a whole life cycle energy assessment. This does not appear to have been included in the draft table of changes.

There is an inconsistency between the New Southwark Plan policies P69 and P14 residential design (as amended). The P69 amendments only require a whole-life cycle assessment in applications referable to the Mayor, whereas the P14 amendment refers to an addition stating “*complete an assessment of existing materials to identify whether materials can be reused and recycled as part of a whole life cycle carbon assessment for major development.*” We unequivocally support a whole life-cycle carbon assessment policy for all major developments as a crucial way of target-based evidence gathering to 2050. We do not think the New Southwark Plan can meet the requirement in the Climate Change Act or discharge the obligation at section 19 of the Planning and Compulsory Purchase Act with the amendments contained in this draft table of changes. Furthermore, we do not agree that a policy on when whole-life cycle carbon assessments will be requested is a minor modification, but it would be a main modification which should be positively prepared and justified, then consulted upon.

For the avoidance of doubt, planning applications referable to the Mayor are set at a certain level, which is set by the Mayor of London Order (2008). The criteria includes: *development of 150 residential units or more, development over 30 metres in height (outside the City of London), development on Green Belt or Metropolitan Open Land.*” It is clear that only a smaller number of developments trigger these provisions and these are the ones which are referred to the Greater London Authority for stage 1 approval before they go through the borough-level approval process. The London Plan was viewed to be compliant with the Climate Change Act because it ensured all referable developments submitted this assessment. We think this must have been with the intention that all local boroughs set the same whole life cycle carbon assessment requirement for all major development.

The modifications in the draft schedule of changes do not go far enough to discharge the statutory obligations of the Climate Change Act 2008 (2050 Target Amendment Order) 2019 and the Planning and Compulsory Purchase Act 2009.

The New Southwark Plan can be amended with main modification to make it compliant with the 2050 statutory target, it is not too late. We would draw the

Inspectors attention to the draft local plan for the London Borough of Islington³ which has been drafted with the incorporation of mechanisms to ensure the mitigation of, and adaptation to, climate change. We highlight draft policy S4 “Minimising greenhouse gas emissions” which is the type of policy we would expect to see given the current legal target since 2019 and the London Plan. In particular, Draft Policy S4, Paragraph E states: *“In addition to meeting the minimum on-site reduction targets in Part D, all major development proposals must calculate whole life-cycle carbon emissions through a nationally recognised whole life-cycle carbon assessment and demonstrate actions taken to reduce life-cycle carbon emissions.”* Also draft policy S2 on sustainable design and construction requires *all* development proposals to submit a Sustainable Design and Construction Statement to demonstrate that the proposal meets all the relevant sustainable design policies. We would really encourage consideration of the draft Islington Local Plan sustainable design policies.

³ <https://www.islington.gov.uk/-/media/sharepoint-lists/public-records/planningandbuildingcontrol/publicity/publicconsultation/20192020/20190904localplanstrategicandddmpoliciesdpdproposedsubmissionregulation19.pdf?la=en&hash=FF3732C05A253BDA47D04FB825CCD3730779D15A&hash=FF3732C05A253BDA47D04FB825CCD3730779D15A>