

York Environment Forum (YEF) Response to the Inspector’s Revised Phase 2 MiQs

Matter 8: Climate Change

Inspector’s Question	Our response	References
<p>8.1 Neither the Planning and Compulsory Purchase Act 2004, the Town and Country Planning Act 1990, nor the associated Regulations, set out specific requirements or targets for local plans in relation to climate change. In light of this, do the Government’s wider climate change commitments have any bearing on the legal requirements for, or soundness of, the Plan? If so, what changes are required to make the Plan legally compliant and/or sound and why are they necessary?</p>	<p>The Planning and Compulsory Purchase Act 2004 may not set out specific requirements or targets, but Section 19(1A) requires local planning authorities to include in their Local Plans “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”. So, there is a clear expectation in the 2004 Act on this issue and it is logically reasonable for that requirement to be tested against the Governments framework and plans for delivering Climate Change mitigation and adaption - at least those in place at the time the plan was prepared.</p> <p>At the time the proposed Local Plan was written, the relevant legislation was the Climate Change Act 2008 which specified that the UK should achieve an 80% reduction in carbon emissions by 2050. The Climate Change Act requirements were and still are further enshrined in law via the five yearly carbon budgets for England. Budgets 1-5 covering from the 2008 Act to 2032 were already in place at the time of the Plan's submission. At a local level, the Council had previously outlined its commitment to achieving carbon reduction targets of 40% by 2020 and 80% by 2050, within the Climate Change Framework for York (2010).</p> <p>Also pertinent is the National Adaptation Programme in place at the time of the plan’s submission. Focus Area 2 on Spatial Planning identified some clear expectations of Local Plans, including that “local planning authorities, working closely with their communities, should proactively plan to mitigate and adapt to climate change”. Whilst much of the focus is on flooding it does also make the point that “To be sound, a local plan must be consistent with national policy (including on climate change) and based on proportionate evidence.“. The second National Adaption programme issued shortly after the draft Local</p>	<p>The national adaptation programme: Making the country resilient to a changing climate (publishing.service.gov.uk)</p>

	<p>Plan was submitted says the Government remains committed to the spatial planning aim set out in the first NAP....”,</p> <p>However, as the Inspectors indicate, the situation has changed markedly since the draft Local Plan was published. The Climate Change Act 2019 statutory order now commits the UK government by law to reducing greenhouse gas emissions by at least 100 per cent of 1990 levels by 2050. The Government’s sixth carbon budget covering the years 2033-7 - i.e. matching the last part of the proposed Local Plan period - was adopted last year. It is predicated on a much more ambitious 78% reduction in UK carbon emissions by 2035 .(see UK enshrines new target in law to slash emissions by 78% by 2035 - GOV.UK . The scale of the increase in ambition cannot but have significant implications for the Plan, which should not be ignored given the very limited time to achieve them. So, in answer to the inspector’s question, we believe it would be perverse to ignore the impacts of these separate legally enshrined objectives.</p> <p>The City of York Council also declared a climate emergency earlier in 2019 with a commitment to York being a Net Zero city by 2030. Its definition of Net Zero includes Scope 1 and 2 emissions (those that result from within the city) but excludes Scope 3 emissions (for example from goods entering the city, manufacturing new vehicles or building new infrastructure).</p> <p>An analysis undertaken for the Council in 2021 “A Net zero Carbon roadmap for York” indicates that this requires York’s scope 1 & 2 carbon emissions to be reduced by 70% between 2019 and 2030. The Council estimates that buildings accounted for 61.9% of carbon emissions in 2018, and transport 27.9%. Between them these account for roundly 90% of all emissions, so it is clearly essential that the draft Local Plan is reviewed in this context.</p> <p>Section 11 of the draft Local Plan deals with climate change. Looking first at Climate change policy CC1: Its target of a 28% reduction in carbon emissions and 19% reduction in dwelling emissions are now sorely unambitious. The Future Homes Standard which comes into place in</p>	<p>national-adaptation-programme-2018.pdf (publishing.service.gov.uk)</p> <p>www.gov.uk https://democracy.york.gov.uk/documents/s147838/Report.pdf</p> <p>https://www.gov.uk/government/consultations/</p>
--	---	--

	<p>2025 is likely to recommend a 75-80% reduction, which is still seen as too low by many reputable bodies. The plan should be looking to at least match the Future Homes standard and expand on areas where it is lacking like increased air permeability (see references to right).</p> <p>The plan makes no reference to the carbon impact of the construction of the proposed new homes and buildings. The UK Green Building Council calculate that 10% of the UK's CO₂ is generated directly from construction. For new homes with better operational energy performance, construction is likely to make up at least half of their carbon emissions over a 50 year period. The Local Plan indicates a total of 14440 new homes over its period. Current estimates indicate that a typical new home generates between 50 and 80 tonnes of CO₂ equivalent emissions. Based on an average of 65 tonnes of CO₂ per unit this would equate to 938600 tonnes of carbon. This figure excludes the additional infrastructure, commercial buildings and all other buildings over the course of the Plan. The final figure is therefore likely to be well in excess of 1million tonnes of CO₂. Clearly there is a need for the Plan to respond to this and take action towards encouraging design that uses low carbon materials and design practice, rather than just tackling operational carbon.</p> <p>Turning to Transport, we referred to the Government's "Decarbonising Transport" Strategy in our earlier answer (question 4.9). It gives an absolutely unambiguous commitment in regard to local transport: "We will drive decarbonisation and transport improvements at a local level by making quantifiable carbon reductions a fundamental part of local transport planning and funding" (Page 151) and expands on this to say "Going forward, LTPs will also need to set out how local areas will deliver ambitious quantifiable carbon reductions in transport, taking into account the differing transport requirements of different areas. This will need to be in line with carbon budgets and net zero. ". "...we will transition to a state where this is conditional on local areas being able to demonstrate how they will reduce emissions over a portfolio of transport investments through LTPs.."</p> <p>So, the direction and expectation on meeting net zero transport targets is quite explicit. It would therefore again be perverse to adopt a local plan which builds in a massive growth in carbon</p>	<p>the-future-homes-standard-changes-to-part-l-and- part-f-of-the-building- regulations-for-new-dwellings</p> <p>https://www.architecture.com/knowledge-and-resources/knowledge-landing-page/the-future-homes-standard-explained</p> <p>Decarbonising Transport – A Better, Greener Britain (publishing.service.gov.uk)</p>
--	--	---

	<p>emissions over the next fifteen years and whose infrastructure requirements will be dependent in substantial part on Local transport plan funding which will potentially no longer be forthcoming because of the additional traffic, congestion and associated carbon emissions the current plan will generate.</p> <p>To illustrate the challenge locally, the York Civic Trust's (YCT) Transport Advisory Group (TAG), which includes a York Environment Forum representative, have carried out a detailed analysis for transport in York, referencing other work by West Yorkshire Combined Authority and Transport for the North (who have recently published their "Transport Decarbonisation Strategy"), as part of our recently published Transport Strategy for York. This analysis saw that a 70% reduction in transport emissions would be required by 2030 (Interestingly the latest Council emerging Carbon Strategy report quotes a remarkably similar 71% figure (under their high ambition pathway):</p>	<p>https://transportforthenorth.com/decarbonisation/</p> <p>Microsoft PowerPoint - Annex B_York Climate Change Strategy Update</p>
--	--	--

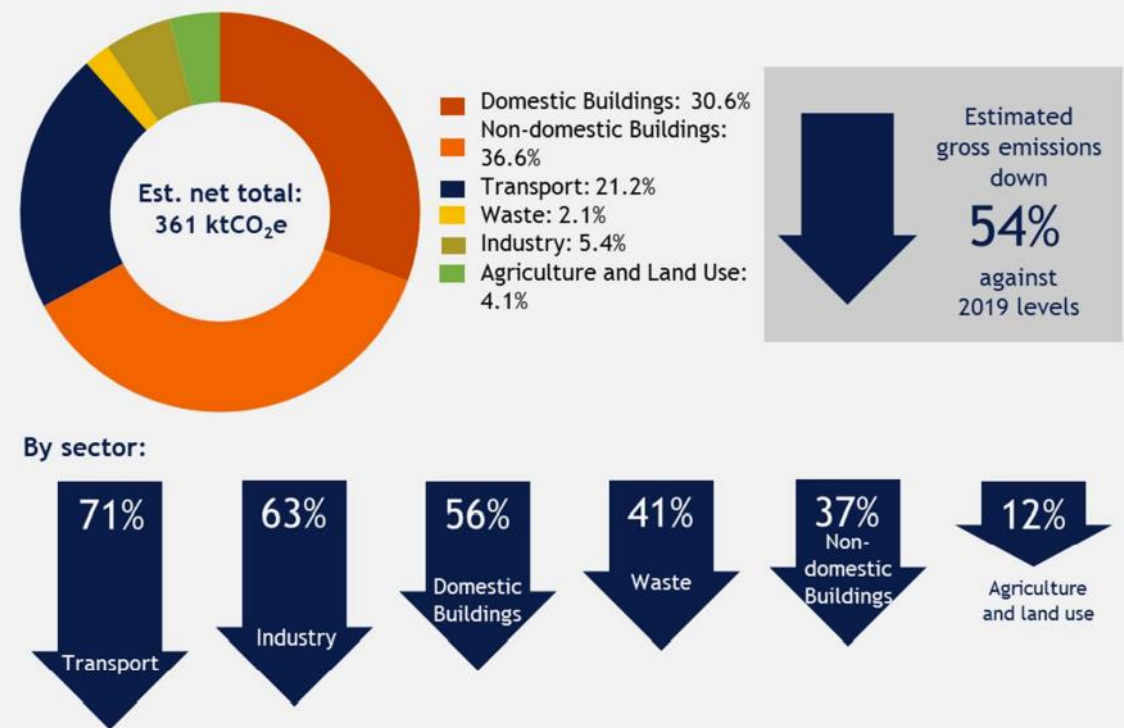


Figure 4.4: Estimated 2030 emissions profile (top) and emissions reductions in key sectors under the High Ambition Pathway.

YCT TAG’s analysis shows that, by 2030, no more than half the required reduction in transport’s carbon emissions will result from a switch to electric vehicles. The rest will need to come from changes in behaviour. They estimate that by 2027 the amount of travel (in person-km) will need to fall by around 10% from 2019 levels. For those journeys which are made, car use will need to fall by around 20%. This will need to come from transfer to walking, cycling and public transport, which will need to increase by 25%, 80% and 30% respectively above 2019 levels.

	<p>The 2019 Transport Topic Paper (the third version of it) still provides no assessment the amount of travel or modal shares, or the consequential carbon emissions, but its prediction of a 55% increase in congestion suggests that its anticipated outcome will result in a significant additional carbon emissions from transport. As we noted in our submission on Matters 1 & 4, the analysis in the Transport Topic Paper failed to identify or assess the remedial measures needed to avoid such congestion, and in this context it does not meet the NPPF requirement “To support the move to a low carbon future, local planning authorities should:</p> <ul style="list-style-type: none">• plan for new development in locations and ways which reduce greenhouse gas emissions” (NPPF2012 para 95). <p>Had the Council carried out such an assessment of remedial measures it would have been able to demonstrate that a pattern of development could be achieved which would, in the words of para 17 of the 2012 NPPF, “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”. Moreover, such an assessment would have indicated the extent to which the combination of spatial strategy and transport strategy could achieve the targets for reduction in carbon emissions from transport required by the Government’s and the Council’s carbon policies.</p> <p>We would therefore ask that the Inspectors accept that, in this regard, the draft Local Plan is as yet not justified or effective, and that they ask the Council to carry out the necessary further analyses and consequential amendments, before the Inquiry proceeds further.</p>	
--	--	--