

**Climate Change Environmental Impact Assessment
Environmental Statement Volume 1 Appendix 16.1 - Climate Change
Legislation, Policy and Guidance**

Land North of Birch Business Park



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1.0 INTRODUCTION

- 1.1.1 This Technical Appendix provides the policy and legislative background to Environmental Statement Volume 1: Chapter 16 - Climate Change.

2.0 POLICY AND LEGISLATION

2.1 International Legislation

- 2.1.1 The Paris Agreement 2015 is a global framework agreed at Conference of the Parties (COP) 21 in Paris on 12th December 2015. Parties to the United Nations Framework Convention on Climate Change (UNFCCC) reached a landmark agreement to combat climate change and to accelerate and intensify the actions and investments needed for a sustainable low carbon future. The Paris Agreement requires all Parties to put forward commitments through "nationally determined contributions" and to strengthen these in the years ahead. This includes a requirement that all Parties report regularly on their emissions and implementation efforts.

2.2 National Legislation

Climate Change Act (2008) (2050 Target Amendment) Order (2019)

- 2.2.1 The Climate Change Act (CCA) (2008) established the context for government action on climate change, providing a legally binding framework for the reduction of Greenhouse Gas (GHG) emissions and develop the UK's ability to adapt to climate change. In 2019, the CCA (2008) was amended to include a revision of the previous aim of 80% reduction of GHG emissions compared to 1990 levels by 2050. The CCA 2008 now mandates the following:

"the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline."

- 2.2.2 To reach net zero carbon emissions, the UK government has set legally binding carbon budgets, capping the amount of GHG emitted in the UK over 5-year periods.

Carbon Budget Orders 2009, 2011, 2016 and 2021

- 2.2.3 The Carbon Budget Orders are made in accordance with the duty to set carbon budgets as required by the CCA (2008). These provide the legal requirement to meet the carbon budgets set out in Table 1.

Table 1 UK Carbon Budgets

UK Budget	Carbon Budget Level (MtCO ₂ e)	Target Reduction Below 1990 Levels (%)
1 st Carbon Budget (2008 - 2012)	3,018	25
2 nd Carbon Budget (2013 - 2017)	2,782	31
3 rd Carbon Budget (2018 - 2022)	2,544	37
4 th Carbon Budget (2023 - 2027)	1,950	52
5 th Carbon Budget (2028 - 2032)	1,725	58
6 th Carbon Budget (2032 - 2037)	965	77

2.2.4 The carbon budgets apply to the UK as a whole. However, Wales and Scotland have set different carbon budgetary periods to England and Northern Ireland. The emissions of all four parts of the UK contribute to the carbon budgets, even if their individual approaches are different.

2.2.5 In February 2025, the Climate Change Committee (CCC) issued advice to government on setting the Seventh Carbon Budget (CB7). This recommended that CB7 be set at 535MtCO₂e for the period 2038 to 2042. The UK Government is yet to formally respond to the recommendation. As such, it has not been formally adopted.

2.3 National Planning Policy and Strategy

National Planning Policy Framework

2.3.1 The revised National Planning Policy Framework (NPPF)¹ was published in December 2024 and amended in February 2025. The document sets out the Government's planning policies for England and how these are expected to be applied.

2.3.2 The purpose of the planning system is to contribute to the achievement of sustainable development. In order to ensure this, the NPPF recognises three overarching objectives including the following of relevance to air quality:

¹ NPPF, Ministry of Housing, Communities and Local Government, 2024.

"c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

2.3.3 At the heart of the Framework is a presumption in favour of sustainable development, as detailed in Paragraph 11:

"11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects"

2.3.4 Paragraph 161 to 163 relates to the role of the planning system in relation to climate change and states:

"The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought from rising temperatures 61. Policies should support appropriate measures to ensure the future health and resilience of communities and infrastructure to climate change impacts, such as providing space for physical

protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts"

2.3.5 Paragraph 164 specifically refers to new development and states:

"New development should be planned for in ways that:

a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and

b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the government's policy for national technical standards."

2.3.6 The implications of the NPPF have been considered throughout this assessment

Planning Practice Guidance - Climate Change

2.3.7 The Planning Practice Guidance (PPG)² supports the NPPF. Regarding climate change, the PPG advises how to identify suitable mitigation measures in the planning process to address the impacts of climate change.

2.3.8 The PPG states the following in relation to carbon emissions and mitigation:

"Every area will have different challenges and opportunities for reducing carbon emissions from new development such as homes, businesses, energy, transport and agricultural related development.

² <https://www.gov.uk/guidance/climate-change>

...The distribution and design of new development and the potential for servicing sites through sustainable transport solutions, are particularly important considerations that affect transport emissions. Sustainability appraisal should be used to test different spatial options in plans on emissions.

Different sectors may have different options for mitigation. For example, measures for reducing emissions in agricultural related development include anaerobic digestion, improved slurry and manure storage and improvements to buildings. In more energy intensive sectors, energy efficiency and generation of renewable energy can make a significant contribution to emissions reduction."

- 2.3.9 The PPG was reviewed and considered as necessary throughout the undertaking of this assessment.

2.4 Regional Planning Policy

Places for Everyone Plan

- 2.4.1 The Places for Everyone Plan (PfEP)³ was adopted on 21st March 2024 by Rochdale Metropolitan Borough Council (RMBC). Review of the document indicated the following policies of relevance to climate change:

"Policy JP-S1: Sustainable Development

To help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. [...]"

"Policy JP-S2: Carbon and Energy

³ PfEP Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, Greater Manchester Combined Authority, 2024.

The aim of delivering a carbon neutral Greater Manchester no later than 2038, with a dramatic reduction in greenhouse gas emissions, will be supported through a range of measures including:

1. Promoting the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling;
2. Promoting the use of life cycle cost and carbon assessment tools to ensure the long-term impacts from development can be captured;
3. Taking a positive approach to renewable and low carbon energy schemes, particularly schemes that are led by, or meet the needs of local communities;
4. Increasing the range of nature-based solutions including carbon sequestration through the restoration of peat-based habitats, woodland management, tree planting and natural flood management techniques;
5. An expectation that new development will, unless it can be demonstrated that it is not practicable or financially viable;

Be net zero carbon which applies:

- from adoption – to regulated operational carbon emissions;
- from 2028 – to all emissions 'in construction'.

From 2025 development should also calculate and minimise carbon emissions from unregulated emissions alongside regulated emissions.

Development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy, which in order of importance seeks to:

- i. Minimise energy demand;
- ii. Maximise energy efficiency;
- iii. Use renewable energy;
- iv. Use low carbon energy; and
- v. Utilise other energy sources.

From 2025 any residual carbon emissions that cannot be fully mitigated on-site should be offset, in agreement with the relevant local planning authority through a financial contribution to a carbon offset fund.

As an interim measure, development should be consistent with the 2022 Part L Building Regulations unless superseded by changes to building regulations and/or national or local planning policies.

b. Incorporate adequate electric vehicle charging points, in line with Part S of the Building Regulations, unless superseded by relevant Local Plan policies, to future proof for the likely long-term demand, taking account of the potential maximum energy demand for the site;

c. Where practicable, prioritise connection to a renewable energy / heating / cooling network in the first instance or a low carbon energy / heating / cooling network that is adaptable to non-fossil fuels at a later date;

d. In residential developments, achieve energy demand reductions in terms of space heat demand; hot water energy demand and the delivery of on-site renewable energy generation, in accordance with Table 5.1. For renewable energy generation priority should be given to PV installation where technically feasible, alternative technologies will be appropriate where the equivalent generation is evidenced.

e. For non-residential developments, achieve at least BREEAM excellent standard (or equivalent) for the 'Ene 01 – reduction of energy use and carbon emissions' category rising to 'BREEAM outstanding' equivalent for ENE 01 from 2028.

f. Include a detailed energy statement to demonstrate via site relevant evidence how the development has sought to maximize reductions in carbon emissions in line with relevant policy targets, including the minimisation of overheating risks and appropriate measures for post occupancy evaluation. Whole life cycle emissions should be considered where possible

Districts may set out specific carbon emission reduction and energy demand targets within Local Plans."

"Policy JP-S4: Flood Risk and the Water Environment

An integrated catchment-based approach will be taken to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by:

[...]

3. Locating and designing development so as to minimise the impacts of current and future flood risk, including retrofitting or relocating existing developments, infrastructure and places to increase resilience to flooding;

4. Expecting developments to manage surface water run-off through sustainable drainage systems and as close to source as possible. Development should achieve greenfield run-off rates unless it is demonstrated to be impracticable. District local plans should consider setting more detailed surface water drainage policies to reflect local circumstances, including alternative surface water discharge rates, such as in areas with critical drainage issues;

[...]."

"Policy JP-S6: Resource Efficiency

The achievement of a circular economy and zero-waste economy will play a key role in meeting Greater Manchester's ambition of becoming a leading green city region by 2038. The following measures will help achieve this:

[...]

3. Using sustainable design and construction techniques to reduce carbon emissions, adapt and future proof to the impact of climate change, reduce and recycle waste and minimise water use."

"Policy JP-P1 Sustainable Places

We aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key

attributes that all development, wherever appropriate, should be consistent with:

[...]

4. Resilient, capable of dealing with major environmental events

[...]

7. Resource-efficient with:

A. A low carbon footprint

[...]."

2.4.2 The above policies have been considered throughout the undertaking of this assessment.

2.5 Local Planning Policy

Rochdale Local Plan

2.5.1 The Rochdale Core Strategy⁴ was adopted by RMBC in 2016. Review of the document indicated the following policies of relevance to climate:

"P3 - Improving design of new development

We will require all new developments, including associated landscaping, regardless of location in the borough, to adhere to high standards of design. The following design principles should be adhered to wherever relevant:

[...]

Minimise impact upon the environment, and help adapt to the impacts of climate change, including by re-using existing buildings and materials (maximising the

⁴ Rochdale Core Strategy, RMBC, 2016.

benefits of existing embodied energy) and utilising sustainable drainage (Policies G1 and G2);

[...]."

"G1 - Tackling and adapting to climate change

We will address climate change and ensure growth does not increase CO₂ emissions by:

- Locating growth in areas which are likely to minimise the need for travel and which are well served by public transport, services and infrastructure;
- Expecting all development and regeneration schemes to be well connected to surrounding areas and facilities by sustainable means of transport (Policy T2);
- Encouraging and promoting renewable energy developments, including standalone and community developments, that do not, by virtue of their scale, siting, construction or operation, cause harm to the local area, its character and environmental assets and adjoining uses, which cannot be satisfactorily mitigated (Policy G3);
- Promoting the efficient re-use of buildings, especially those of heritage value, and the recycling of construction waste;
- Ensuring that development does not cause unacceptable harm to the borough's peatlands and woodlands, and encouraging their restoration and responsible management;
- Promoting sustainable waste management through the operation of policies in the Core Strategy and Greater Manchester Joint Waste Plan;
- Making the best use of open space to contribute to climate change mitigation and adaptation; and
- Securing planning obligations for energy infrastructure and climate change adaptation measures.

New developments will be expected to:

- a. Be zero carbon in line with national targets and definitions;

- b. Adhere to the 'energy hierarchy' as outlined in policy G2, being designed in such a way that ensures that buildings require the minimum amount of energy to function over their lifetime;
- c. Reduce CO₂ emissions through the use of renewable and low carbon decentralized energy technologies and networks. This will be through both on-site provision in new developments and through connection to local networks;
- d. Address the impacts of climate change by incorporating comprehensive adaptation measures, including:
 - i. suitable measures, such as urban greening, for tackling the 'urban heat island' effect;
 - ii. where possible, the opening up of covered and culverted sections of waterways and provision of new water features, to help cooling and provide biodiversity, landscape and flood prevention benefits;
 - iii. the incorporation of appropriate water conservation and management measures, such as Sustainable Drainage Systems (SuDS), including ensuring that the rate of run-off on 'greenfield' sites is not increased and on 'brownfield' sites is significantly reduced, and avoiding the use of impermeable surfaces;
 - iv. the retention of existing trees wherever possible and the taking of all appropriate opportunities to plant trees and other suitable vegetation on site; and
 - v. the incorporation of 'green roofs' wherever possible, such as with flat roofs."

"G2 - Energy and new development

All new development will be expected to adhere to the following energy hierarchy to the extent that policy G2 reflects national policy, targets and requirements for that type of development:

1. Demand Reduction – Achieve the maximum possible reduction in demand for energy through building design (i.e. the use of passive systems). At the design stage of new developments, every effort should be made to ensure that buildings use as little energy as possible throughout their lifetimes, using siting, orientation, layout, construction and landscaping to optimise use of natural passive systems such as solar gain and natural lighting, shading, ventilation and cooling to minimise heating, cooling and lighting demands. Green roofs and green walls should be incorporated into developments wherever feasible.

2. Energy efficiency and low / zero carbon technologies and networks – Design to maximize energy efficiency, and use on-site or linked low or zero carbon technologies or direct connection to a low or zero carbon heat source (not necessarily on-site).

3. 'Allowable solutions' – use wider energy efficiency / CO₂ reduction measures, which could include developer contributions, to compensate for 'residual emissions' not addressed by 1 or 2 above."

2.5.2 The above policies have been considered throughout the undertaking of this assessment.