



New Local Plan Review

Policy Formulation Report – October, 2022

Policy GB1: Sustainable Retrofitting

Policy GB2: Circular Economy

Policy GB3: Whole Life-Cycle Carbon

Policy GB4: Energy and Net-Zero Carbon

Policy GB5: Overheating



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

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1. INTRODUCTION

1.1 NEW LOCAL PLAN REVIEW

1.1.1 The Royal Borough of Kensington and Chelsea (RBKC) is undertaking a New Local Plan Review (NLPR) to ensure the Council has an up-to-date and fit-for-purpose Local Plan to guide the development of the Borough and reflect our values. The NLPR is a full review.

1.1.2 The purpose of this Policy Formulation Report (PFR) is to demonstrate how the following policies within Chapter 4 - Green-Blue Future of the RBKC NLPR have been developed and evidenced to a level of detail which cannot be included in the NLPR document itself:

- **Policy GB1: Sustainable Retrofitting**
- **Policy GB2: Circular Economy**
- **Policy GB3: Whole Life-cycle Carbon**
- **Policy GB4: Energy and Net Zero Carbon**
- **Policy GB5: Overheating**

1.2 EXISTING LOCAL PLAN

1.2.1 Policies GB1 – GB5 of the NLPR primarily relate to the following chapter and policy of the existing Local Plan:

Chapter 24: Respecting Environmental Limits

Policy CE1: Climate Change

1.3 KEY ISSUES AND POLICY DRIVER

1.3.1 The NLPR is being prepared in the context of a nationally and locally declared climate emergency, with RBKC committing to becoming a carbon neutral borough by 2040, as well as calls for a green recovery from the Covid-19 pandemic. The NLPR therefore represents a timely opportunity to present new and updated policy on pressing environmental matters.

2. POLICY GB1: SUSTAINABLE RETROFITTING

2.1 INTRODUCTION

- 2.1.1 In 2019, RBKC declared a Climate Emergency and pledged to be a carbon neutral organisation by 2030, and that the whole borough will be carbon neutral by 2040. The NLPR is aligned with this commitment and promotes the reduction of carbon emissions from the Borough's built environment to contribute to meeting the Council's pledge.
- 2.1.2 A significant proportion of the Borough's carbon dioxide (CO₂) emissions are associated with the energy demand of existing buildings in the Borough. Almost 75% of RBKC is within a designated conservation area and the Borough is homes to a large number of listed and historic buildings. It is therefore important that the NLPR guides sensitive and appropriate sustainable retrofit of the Borough's historic built environment if the Council is to meet its 2040 net zero carbon commitment.

2.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

NATIONAL LEGISLATION

CLIMATE CHANGE ACT 2008 (WITH 2019 AMENDMENT)

- 2.2.1 The Climate Change Act 2008 (amended in June 2019) commits the UK to reducing emissions of carbon dioxide and other greenhouse gases to zero by 2050¹. Progress against the 2050 target is measured by legally binding carbon budgets, which cap the amount of greenhouse gases that can be emitted by the UK over a five-year period. These budgets are measured by the Committee on Climate Change (CCC) and are designed to reflect a cost-effective way of achieving the UK's long-term climate objectives. The first five carbon budgets have been put into legislation and run up to 2032.
- 2.2.2 The latest figures published by the Department of Business, Energy and Industrial Strategy (BEIS) in February 2022² show that net territorial greenhouse gas emissions in the UK were down 49.7% compared to 1990 levels in 2020, at 405.5 million tonnes of Carbon Dioxide (CO₂) equivalent (MtCO_{2e}).
- 2.2.3 However, the Coronavirus (COVID-19) pandemic and the resulting restrictions introduced across the UK were a major contributor to the observed reduction in greenhouse gas emissions in 2020. CO₂ was and has always been the dominant greenhouse gas emitted by the UK, making up 79% of total emissions in 2020.
- 2.2.4 Although the UK's legally binding target is to reduce greenhouse gas emissions to zero by 2050, there is increasing evidence that this will not be soon enough to avert dangerous climate change, which was highlighted in the most recent IPCC

¹ [HM Government, Climate Change Act 2008 \(as amended\)](#).

² [BEIS, 2020 UK Greenhouse Gas Emissions, Final Figures, 1 February 2022](#).

(Intergovernmental Panel on Climate Change) assessment report³.

UK territorial greenhouse gas emissions, 1990-2020

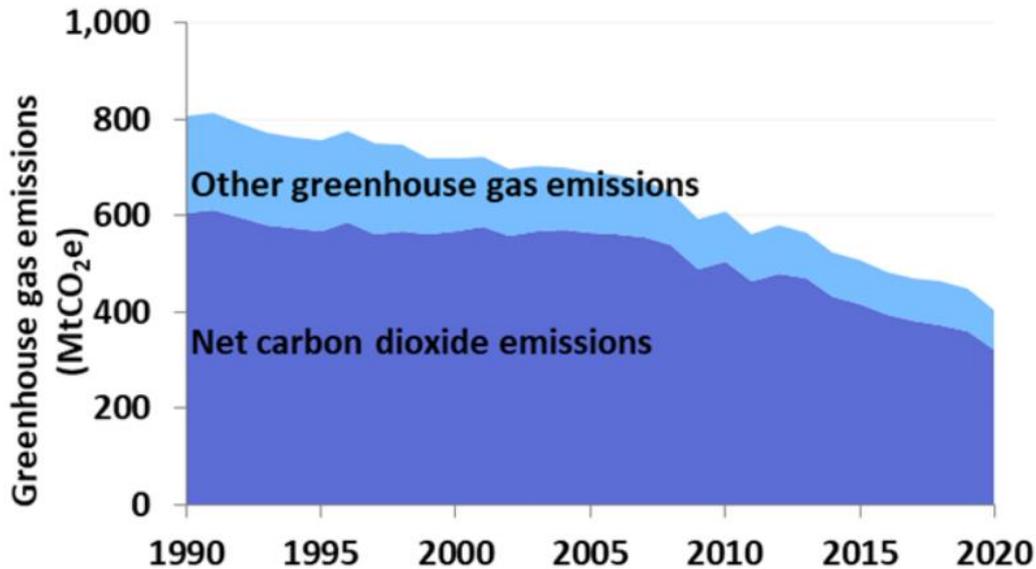


Figure 1: UK territorial greenhouse gas emissions, 1990 – 2020 (BEIS, Feb. 2022).

PLANNING AND COMPULSORY PURCHASE ACT 2004 AND PLANNING ACT 2008

- 2.2.5 Local planning authorities are bound by the legal duty set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004⁴, as amended by Section 182 of the Planning Act 2008⁵, to ensure that “*Development Plan documents, (taken as a whole), include 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.*”

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 2.2.6 Section 14 of the NPPF⁶ reflects the requirements of the Climate Change Act. In particular paragraph 152 states “*the planning system should support the transition to a low carbon future in a changing climate... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions... and support renewable and low carbon energy and associated infrastructure.*” In addition, paragraph 153 states that “*Plans should take a proactive approach to mitigating and adapting to climate change.*”

BUILDING REGULATIONS AND APPROVED DOCUMENT L (PART L)

- 2.2.7 Part L1A: Conservation of fuel and power in new dwellings of the Building

³ [IPCC, Sixth Assessment Report, 2022.](#)

⁴ [HM Government, Planning and Compulsory Purchase Act, 2004.](#)

⁵ [HM Government, Planning Act 2008.](#)

⁶ [MHCLG, National Planning Policy Framework, July 2021.](#)

Regulations⁷ sets out how new dwellings can comply with the energy efficiency requirements of the Building Regulations. It establishes a required baseline carbon emissions for a set of notional new building types. All new developments in England and Wales must demonstrate compliance with this baseline.

- 2.2.8 Part L1B: Conservation of fuel and power in existing dwellings and Volume 2: Buildings other than dwellings, sets out how existing dwellings and non-domestic buildings can comply with the energy efficiency requirements of the Building Regulations.
- 2.2.9 Parts L1B (existing dwellings) and L2B (existing buildings other than dwellings) require that when existing buildings are extended or renovated, they use no more fuel and power than is reasonable in the circumstances. There is an exemption from this requirement for dwellings (L1B) and non-dwellings (L2B) which are listed buildings, conservation area buildings and scheduled ancient monuments if the energy efficiency requirements would unacceptably alter their character or appearance. Special considerations are also applied to non-designated historic buildings and buildings of traditional construction, where works to improve energy efficiency should not prejudice the character of the building or increase the risk of long-term deterioration of the fabric or fittings.

THE FUTURE HOMES AND BUILDINGS STANDARD

- 2.2.10 The Government has undertaken a two-part consultation on proposed changes to Part L (Conservation of fuel and power) and Part F (Ventilation) of the Building Regulations 2010. Part one of the consultation set out plans for the Future Homes Standard, including proposed options to increase the energy efficiency requirements for new dwellings⁸.
- 2.2.11 Part 2 of the consultation contained proposals for the Future Buildings Standard, including changes to the energy efficiency requirements for non-domestic buildings⁹. The consultation also included changes to Part F: Ventilation of the Building Regulations for domestic and non-domestic buildings, as well as proposals for an approach to overheating in new residential buildings.
- 2.2.12 The Government response to the Future Homes and Buildings Standard consultation, published in January and December 2021 respectively, confirmed that by 2025, emissions standards under Building Regulations will be tightened by 75-80% relative to the current Building Regulations. In addition, a 31% tightening of Building Regulations requirements for new dwellings and a 27% tightening for non-domestic buildings was confirmed as an interim measure. The interim tightening of building regulations – Building Regulations Part L 2021¹⁰ came into effect on 15 June 2022.

REGIONAL POLICY, STRATEGIES AND GUIDANCE

LONDON PLAN 2021

⁷ [DLUHC and MHCLG, Building Regulations Part L: Conservation of Fuel and Power, February 2022.](#)

⁸ [MHCLG, Future Homes Standard, January 2021.](#)

⁹ [MHCLG, Future Buildings Standard, December 2021.](#)

¹⁰ [DLUHC & MHCLG, Conservation of fuel and power: Approved Document L, June 2022.](#)

- 2.2.13 Under the 2007 amendments to the Greater London Authority Act¹¹, the Mayor of London has a duty to contribute towards the mitigation of, or adaptation to, climate change in the UK.
- 2.2.14 London Plan 2021 **Policy GG6 ‘Increasing efficiency and resilience’** sets out the Mayor’s target for London to become a zero-carbon city by 2050. However, in January 2022 the Mayor brought this target forward to 2030.
- 2.2.15 London Plan **2021 Policy SI 2 ‘Minimising greenhouse gas emissions’** sets carbon emissions standards beyond current Building Regulations to support a trajectory toward zero-carbon. Policy SI 2 requires major development to be net zero carbon by following the London Plan energy hierarchy.
- 2.2.16 Paragraph 9.2.12 (b.) of the supporting text to Policy SI 2 clearly states that major refurbishment schemes requiring planning permission should reduce carbon emissions beyond Building Regulations through energy efficient design of the site, buildings and services.

[LONDON 1.5C COMPATIBLE CLIMATE ACTION PLAN, 2018](#)

- 2.2.17 The London 1.5C Compatible Climate Action Plan (2018)¹² forms part of the London Plan evidence base and sets out how London will become a net zero carbon city with action required from the Mayor, businesses, communities, boroughs and national government. The Action Plan is underpinned by further technical reports:
- Building Energy Efficiency (2018). A report which sets out how building energy efficiency can be achieved.
 - Zero Carbon Energy Systems (2018). A report that undertakes an analysis of decarbonisation pathways that inform London’s strategy on energy and climate using modelled scenarios for electrification, decarbonisation of gas, decentralisation of energy and a patchwork solution.
 - Technical Assistance to Deliver London's Climate Action Plan (2018), which sets out where there are opportunities to further adapt to the impacts of climate change.

[LONDON ENVIRONMENT STRATEGY, 2018](#)

- 2.2.18 The London Environment Strategy (May 2018)¹³ commits London to being a zero-carbon city by 2050. The London Energy and Greenhouse Gas Inventory (LEGGI) regional and borough datasets published on an annual basis by the GLA allow London’s emissions to be monitored. These datasets underpin the Strategy and the London Plan.

¹¹ [HM Government, Greater London Authority Act, 2007.](#)

¹² [Mayor of London, Zero Carbon London: A 1.5C Compatible Plan, December 2018.](#)

¹³ [Mayor of London, London Environment Strategy, May 2018.](#)

LOCAL

EXISTING LOCAL PLAN POLICY (LOCAL PLAN, 2019)

- 2.2.19 The existing Local Plan¹⁴ does not contain a policy on sustainable retrofitting of existing buildings.

RBKC GREENING SUPPLEMENTARY PLANNING DODCUMENT, 2021

- 2.2.20 The Greening SPD, published in June 2021¹⁵, covers all facets of planning that can contribute towards reducing carbon emissions and provides detailed guidance on the Council's energy policies. Chapter 9 in particular focus on appropriate sustainable retrofitting of historic buildings, including listed buildings and building in conservation areas.

RBKC GREEN PLAN, 2021

- 2.2.21 The RBKC Green Plan¹⁶ sets out how the Council will meet its climate emergency pledge to be a carbon neutral organisation by 2030 and to be a carbon neutral borough by 2040. The Plan focuses on the following five environmental priorities:
- Achieving carbon neutrality and tackling climate change
 - Improving air quality
 - Tackling fuel poverty
 - Minimising waste
 - Protecting and enhancing biodiversity

RBKC CLIMATE EMERGENCY ACTION PLAN 2022 – 2027

- 2.2.22 In light of the climate emergency declaration, the Council has developed a new five-year Climate Emergency Action Plan¹⁷ which will replace the existing 2016-2021 joint Air Quality and Climate Change Action Plan. The Climate Emergency Action Plan sets out the Council's approach and vision for tackling the climate emergency, including six priority delivery areas and actions required to become a carbon neutral Council by 2030 and a carbon neutral borough by 2040. It addresses both emissions produced by the Council through its operations, fleet and buildings and also the Borough-wide emissions from heating homes and transport. The action plan concentrates on both mitigation and adaptation through either direct carbon reduction actions or awareness-raising and education initiatives such as trainings, behaviour change campaigns and lobbying.

¹⁴ [RBKC, Local Plan, September 2019.](#)

¹⁵ [RBKC, Planning Contributions SPD, September 2019.](#)

¹⁶ [RBKC, Green Plan, June 2021.](#)

¹⁷ [RBKC, Climate Change Emergency Action Plan 2022-2027.](#)

SUMMARY

Date	Document	Organisation
Jul. 2021	National Planning Policy Framework	MHCLG
Jan. 2021	The Future Homes and Future Buildings Standards	MHCLG
Jun. 2022	Building Regulations Part L 2021	DLUHC& MHCLG
Mar. 2021	The London Plan 2021	Mayor of London
Sep. 2019	RBKC Local Plan	RBKC
Jun. 2021	RBKC Greening Supplementary Planning Document	RBKC
Jun. 2021	RBKC Green Plan	RBKC
Dec. 2021	RBKC Climate Change Emergency Action Plan 2022-2027	RBKC

2.3 EVIDENCE BASE

CARBON EMISSIONS IN RBKC

- 2.3.1 A study produced by the Tyndall Centre for Climate Change Research calculated total carbon budget for the Borough to be a maximum cumulative sum of 6.3 million tonnes CO₂ (MtCO₂) for the period 2020 to 2100. The analysis found that, at 2017 CO₂ emission levels, Kensington and Chelsea would use this entire budget within 8 years from 2020.¹⁸
- 2.3.2 The most recent detailed dataset produced by BEIS for RBKC shows that 752.6 kt of CO₂ were emitted in the Borough in 2019¹⁹ (figure 4 below). The largest contributors to the Borough's carbon emissions in 2019 are identified as the commercial sector at 252 kt, followed closely by the domestic sector at 244.2 kt, and finally the transport sector at 150.8 kt.

¹⁸ [Tyndall Centre, Setting Climate Commitments for Kensington and Chelsea: Quantifying the implications of the United Nations Paris Agreement for Kensington and Chelsea, July 2020.](#)

¹⁹ [BEIS, UK Local Authority Carbon Dioxide Emissions Estimates 2019, June 2021.](#)

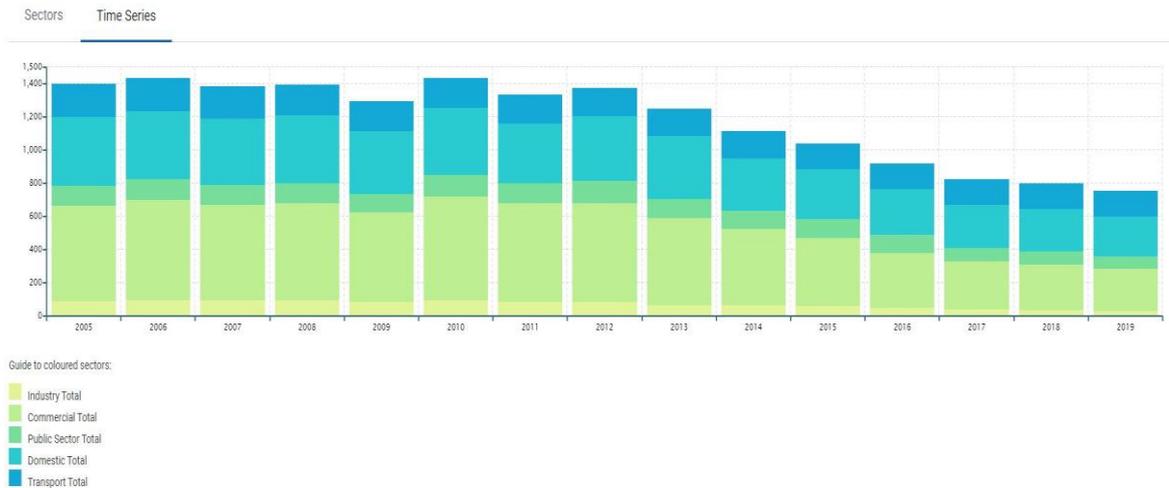


Figure 2: Carbon emissions in RBKC from 2005 and 2019 by sector (National Atmospheric Emissions Inventory, July 2021. Full dataset published by BEIS, June 2021).

- 2.3.3 The data demonstrates that although carbon emissions have decreased between 2005 and 2019, there is still a long way to go before the Borough is carbon neutral.

ENERGY DEMAND AND CONSUMPTION IN RBKC

- 2.3.4 The BEIS statistics for RBKC also demonstrates that the majority of the carbon emissions produced by the domestic and commercial sector is associated with energy demand requirements of existing buildings, particularly the demand for heating.
- 2.3.5 The data demonstrates that there is a need to ensure the energy demand and consumption requirements of new and existing development in the Borough is reduced if the Council is to meet its 2040 carbon neutral target.

RBKC EVIDENCE STUDY ON GREENING ISSUES

- 2.3.6 The Evidence Study on Greening Issues²⁰ is clear that there is a need to retrofit the existing building stock in the Borough and recommends that the NLPR support and facilitates this process.
- 2.3.7 The study recommends the Council encourage the voluntary adoption of third-party assessment methods/standards, such as Passivhaus, EnerPHit and Energiesprong. Highlighting the benefits they offer in terms of a quality assured outcome.

RBKC LOCAL PLAN: VIABILITY STUDY

- 2.3.8 The Local Plan Viability Study²¹ tested the potential impact of net zero carbon development, concluding that it was generally viable across the Borough and would not undermine deliverability.

²⁰ [AECOM, RBKC Evidence Study on Greening Issues, July 2021.](#)

²¹ [BNP Paribas, RBKC Local Plan: Viability Study, February 2022.](#)

THIRD PARTY ASSESSMENTS METHODS/STANDARDS

- 2.3.9 In addition to environmental assessment methods that cover a broad range of environmental issues there are also a range of voluntary energy standards that have been developed that focus on improving building energy performance, these include the Passivhaus Standard developed by the Passivhaus Trust, and its equivalent EnerPHit for retrofit projects, the AECB Silver Standard and Energiesprong an established standard for the whole house retrofit of existing homes.
- 2.3.10 Case study evidence suggests that accredited Passivhaus or EnerPHit projects can result in a 75 per cent - 90 per cent reduction in heating demands. The Energiesprong retrofit method goes even further, seeking to ensure that a house operates with net zero energy demands over the course of a year.
- 2.3.11 A number of sustainable retrofit projects in the Borough have successfully targeted and met the third-party assessment standards listed above. This includes those listed below, which are part of the Council's Lancaster West Estate refurbishment scheme:
- **PP/21/05346 – Clarendon Walk and Talbot Road** (PP Granted 18 Nov 2021)

Structural upgrades and replacement of existing roof build-up. Thermal performance of proposed replacement roof build-up specified to PassivHaus EnerPHit standards.
 - **PP/22/00430 – Barandon Walk, Hurstway Walk and Testerton Walk** (PP Granted 27 Apr 2022)

Replacement of existing roof build-up with an enhanced thermal performance roof build-up targeting SAP and EnerPHit performance targets.
 - **PP/22/01610 – 1-19 Camelford Walk and 1-40 Upper Camelford Walk** (PP Granted 09 Jun 2022)

Replacement of existing roof build-up. Thermal performance of proposed replacement roof build-up specified to PassivHaus EnerPHit standards.
 - **PP/22/04841 – Treadgold House** (Application registered 25 Aug 2022)

Refurbishment including installation of new external insulation system, replacement of all existing windows, addition of louvred shading, replacement of existing roof system with a new parapet upstand, and installation of air source heat pumps and solar PV panels. The refurbishment targets PassivHaus and Energiesprong standards.
- 2.3.12 The retrofit projects listed above demonstrate that the requirements of third-party assessment methods/standards are viable and deliverable in the Borough.

SUMMARY

Date	Document	Organisation
Jul. 2021	RBKC Evidence Study on Greening Issues	AECOM
Feb. 2022	RBKC Local Plan Viability Study	BNP Paribas

2.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

2.4.1 Alternative options were consulted on as part of the Borough Issues (September 2020) and Issues and Options (July 2021) consultation documents. The Consultation Schedules and Consultation Summaries for these are set out in the Consultation Statement published alongside the Regulation 19 Publication Policies (September 2022) consultation document. Consultation responses have been reviewed and used to inform the development of, and modification to, the draft NLPR Policies.

2.4.2 A breakdown of the public consultations undertaken by RBKC to inform the production of the NLPR is set out in the table below.

Public Consultation	Timeframe
Borough Issues Consultation	29 September – 10 November 2020
Issues and Options Consultation	26 July – 4 October 2021
Regulation 18 Draft Policies	9 February – 23 March 2022
Regulation 19 Publication	October 2022

Figure 1: RBKC NLPR Consultation Timeline.

2.4.3 The options considered through the consultations and within the Integrated Impact Assessment (IIA) are summarised below.

2.4.4 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs²¹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternative, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable

development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

²¹ Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 of this Framework.

2.4.5 This policy was drafted for the Regulation 18 Draft Policies consultation as a result of and informed by responses received during the previous Issues and Options consultation.

2.5 PUBLICATION POLICIES

2.5.1 Following consideration of the options presented above, consultation and reasonable alternatives, Policy GB1: Sustainable Retrofitting is proposed as follows.

GB1: Sustainable Retrofitting

- A. Sensitive, sustainable and safe retrofitting of all our existing building stock is supported and where possible particularly for large retrofit schemes third party voluntary standards such as EnerpHit for retrofit projects, the AECB Silver Standard and Energiesprong for whole house retrofit of existing homes should be used.
- B. Retrofit of historic and listed buildings as well as properties within conservation areas must be carried out so that it does not harm the special historic or architectural special interest of the building or character and appearance of the conservation area.
- C. Sensitive installation of double-glazed window replacements is supported subject to fulfilling the Council's statutory duties in relation to conservation areas and listed buildings.
- D. Sensitive installation of solar panels in an appropriate position to maximise solar gain is supported subject to fulfilling the Council's statutory duties in relation to conservation areas and listed buildings.

2.6 PROPOSALS MAP

2.6.1 No changes are required to be made to the Proposals Map.

2.7 DUTY TO COOPERATE AND STRATEGIC ISSUES

2.7.1 The legal obligation of the 'duty to cooperate' requires the Council to "engage constructively, actively and on an ongoing basis" and have "regard to activities" (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans "so far as relating to a strategic matter". This includes "considering whether to consult on

and prepare... agreements or joint approaches”²².

- 2.7.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”²³. Strategic matters are further defined in paragraph 24 - 27 of the NPPF²⁴ and paragraph 009 - 017 of the PPG on maintaining effective cooperation²⁵.
- 2.7.3 Figure 2 shows the actions the actions the Council has taken with regard to the duty and the relevant prescribed bodies.
- 2.7.4 The Council has prepared a statement ground which sets out where we are in agreement with neighbouring authorities. This will be amended as and when appropriate.

Strategic issue	Relevant prescribed bodies ²⁶	Council actions Prescribed bodies’ strategies, plans and policies which the Council has had regard to
All	The Council has had regard to all relevant strategies, plans and policies of the relevant prescribed bodies in preparing the policies – as set out in Legislation, Policy and Guidance sections of Policy Formulation Reports (PFRs)	Ongoing
All	New Local Plan Review Issues consultation – see Consultation Schedule	Sept. to Oct. 2020
All	New Local Plan Review Issues and Options consultation – see Consultation Schedule	Jun. to Oct. 2021
All	New Local Plan Review Regulation 18 Draft Policies consultation – see Consultation Schedule	Feb. to Mar. 2021

Figure 2: Duty to cooperate strategic issues, prescribed bodies and Council action.

²² Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010.

²³ Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010.

²⁴ [MHCLG, National Planning Policy Framework \(NPPF\), July 2021.](#)

²⁵ [DLUHC, MHCLG, Planning Policy Guidance, October 2021.](#)

²⁶ Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012.

3. POLICY GB2: CIRCULAR ECONOMY

3.1 INTRODUCTION

- 3.1.1 A Circular Economy (CE) is one where materials are retained in use at their highest value for as long as possible and are then reused or recycled, leaving a minimum of residual waste. This means creating a regenerative built environment that prioritises retention and refurbishment over demolition and rebuilding; designing buildings that can be adapted, reconstructed, and deconstructed to extend their life; and that allow components and materials to be salvaged for reuse or recycling.
- 3.1.2 The application of circular economy principles makes perfect sense at all scales of development in Kensington and Chelsea. This is due to the high concentration of heritage assets in the Borough, which have been reused and refurbished over a long time. In addition, much of the Borough's development takes place via changes of use and upgrading of existing buildings.
- 3.1.3 A circular economy approach will help to minimise the use of resources and reduce construction, demolition and excavation (CD&E) waste associated with development by promoting the retention of existing buildings where appropriate and ensuring development is designed to be long-lasting, flexible and adoptable. This reduction in waste and the use of resources throughout the life of a development will in turn contribute to the reduction of carbon emission in the Borough. Particularly embodied carbon associated with the extraction of raw materials; manufacture and transport of building materials; and construction works²⁷. As such, there is some crossover between the application of circular economy principles and the whole life-cycle carbon approach in the context of development.
- 3.1.4 As the application of circular economy principles to the built environment was relatively recently introduced through the London Plan 2021, the existing Local Plan does not contain a policy on the circular economy. Therefore, there is an opportunity to introduce a new circular economy policy in the NLPR.

3.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

NATIONAL LEGISLATION, STRATEGIES AND POLICY

- 3.2.1 The framework of national legislation, strategies and policy that is relevant to circular economy policy is the same framework that sits above waste and waste management policy. This framework is set out in detail in the PFR for Policy GB18.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 3.2.2 Achieving sustainable development is at the core of the NPPF²⁸ which includes an environmental objective which seeks to use natural resources prudently and

²⁷ Embodied carbon is defined and explained in more detailed under Section 3. Policy GB2: Whole Life-Cycle Carbon.

²⁸ [MHCLG, National Planning Policy Framework, July 2021.](#)

minimise waste and pollution.

REGIONAL POLICY, STRATEGIES AND GUIDANCE

LONDON PLAN 2021

- 3.2.3 The London Plan 2021²⁹ was published in March 2021 and is legally part of RBKC's Development Plan and must be taken into account when planning decisions are taken.
- 3.2.4 The London Plan 2021 supports the application of circular economy principles to the built environment. Policy D3 (D) (13) 'Optimising site capacity through the design-led approach' sets out that aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy.
- 3.2.5 Paragraph 3.3.10 provides further guidance on this policy, stating that to minimise the use of new materials, the following circular economy principles should be taken into account at the start of the design process:
- building in layers – ensuring that different parts of the building are accessible and can be maintained and replaced where necessary
 - designing out waste – ensuring that waste reduction is planned in from project inception to completion, including consideration of standardised components, modular build and re-use of secondary products and materials
 - designing for longevity
 - designing for adaptability or flexibility
 - designing for disassembly
 - using systems, elements or materials that can be re-used and recycled.
- 3.2.6 Policy SI 7 (B) 'Reducing waste and supporting the circular economy' goes a step further, setting out that referable development should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate how they have done so.
- 3.2.7 Policy SI 7 (C) goes on to establish that "Development Plans that apply circular economy principles and set local lower thresholds for the application of Circular Economy Statements for development proposals are supported". Policy SI 7 is set out in full below:

Policy SI 7 Reducing waste and supporting a circular economy

A Resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to:

²⁹ [Mayor of London, London Plan 2021, March 2021.](#)

- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible
- 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
- 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026
- 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030
- 5) meet or exceed the targets for each of the following waste and material streams:
 - a) construction and demolition – 95 per cent reuse/recycling/recovery
 - b) excavation – 95 per cent beneficial use
- 6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

B Referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate:

- 1) how all materials arising from demolition and remediation works will be re-used and/or recycled
- 2) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
- 3) opportunities for managing as much waste as possible on site
- 4) adequate and easily accessible storage space and collection systems to support recycling and re-use
- 5) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy
- 6) how performance will be monitored and reported.

C Development Plans that apply circular economy principles and set local lower thresholds for the application of Circular Economy Statements for development

proposals are supported.

- 3.2.8 Further guidance on this policy and the application of circular economy principles is set out in paragraph 9.7.1 – 9.7.10. In particular paragraph 9.7.3 again encourages boroughs to set lower local thresholds for the submission of a Circular Economy Statement through their Development Plans.
- 3.2.9 Finally, Part A (5) of Policy SI 7 sets targets for 95% of construction and demolition waste to be reused, recycled or recovered; and for 95% of excavation waste to go to beneficial use.

CIRCULAR ECONOMY STATEMENT GUIDANCE, 2022

- 3.2.10 The Mayor of London's Circular Economy Statement Guidance³⁰, published in March 2022 sets out in detail how a CE statement should be prepared as required by London Plan 2021 Policy SI 7. The guidance requires proposals to set out how three core circular economy principles will be achieved.
- Conserving resources, increasing resource efficiency and sourcing sustainably
 - Designing to eliminate waste (and for ease of maintenance)
 - Managing waste sustainably and at the highest value

LOCAL POLICY, STRATEGIES AND GUIDANCE

EXISTING LOCAL PLAN POLICY (LOCAL PLAN, 2019)

- 3.2.11 The existing Local Plan does not contain a policy on the circular economy.

RBKC GREENING SUPPLEMENTARY PLANNING DOCUMENT, 2021

- 3.2.12 The Greening SPD, published in June 2021³¹, covers all facets of planning that can contribute towards reducing carbon emissions. Chapter 3 in particular focuses on the circular economy.

SUMMARY

Date	Document	Organisation
Jul. 2021	National Planning Policy Framework	MHCLG
Mar. 2021	The London Plan 2021	Mayor of London
Mar. 2022	Circular Economy Statement Guidance	Mayor of London
Dec. 2019	RBKC Local Plan	RBKC
Jun. 2021	RBKC Greening Supplementary Planning Document	RBKC

³⁰ [Mayor of London, Circular Economy Statement Guidance, March 2022.](#)

³¹ [RBKC, Greening SPD, June 2021.](#)

3.3 EVIDENCE BASE

CONSTRUCTION DEMOLITION & EXCAVATION (CD&E) WASTE IN RBKC

- 3.3.1 Table 4.1 of the RBKC Waste Data Study³² sets out CD&E waste arising in RBKC between 2016 and 2020. Table 5.2 then sets out the projected CD&E waste to 2041. The data shows that CD&E is a significant source of waste produced in the Borough. A circular economy approach is needed if the Council is to meet the targets for CD&E waste set out in London Plan 2021 Policy SI 7 (A)(5).

RBKC EVIDENCE STUDY ON GREENING ISSUES

- 3.3.2 AECOM were commissioned by the Council in June 2020 to prepare an evidence study to inform production of the NLPR. The study explores how London Plan 2021 policies in respect of decarbonisation, energy and whole life-cycle carbon, overheating, the circular economy and urban greening apply locally in the RBKC context. It sets out a series of recommendations for ways we can go beyond the minimum requirements of the London Plan in the NLPR.
- 3.3.3 The Evidence Study on Greening Issues³³ makes the following key recommendation in respect of the circular economy:

- Circular Economy Statements – the London Plan suggests that boroughs might “set local lower thresholds for the application of Circular Economy Statements”, and, in response, it is suggested that Statements should be a requirement for all schemes, assuming clear guidance and a wider communications strategy by the Council to ensure wide-spread understanding of key Circular Economy principles. This concept is well suited to RBKC, albeit there is a need to manage crossover with Whole Life-cycle Carbon assessments.

RBKC LOCAL PLAN: VIABILITY STUDY

- 3.3.4 In May 2021, the Council commissioned BNP Paribas to undertake a Local Plan viability study to test the ability of developments in RBKC to accommodate emerging policies in the NLPR, alongside other plan policies in the London Plan and rates of Community Infrastructure Levy (‘CIL’) in the Council’s adopted Charging Schedule. The study takes account of the impact of the Council’s planning requirements, including the impact of zero carbon development, in line with the requirements of the NPPF; Planning Practice Guidance (PPG); and the Local Housing Delivery Group guidance ‘Viability Testing Local Plans: Advice for planning practitioners’.
- 3.3.5 The Local Plan Viability Study³⁴ undertaken by BNP Paribas concludes that the NLPR policies are generally viable across the Borough. The cost of a CE statement is expected to be modest and is reflected in the 10% allowance for professional fees incorporated into the viability appraisals.

³² [Vitaka Consulting, RBKC Waste Data Study, February 2022.](#)

³³ [AECOM, RBKC Evidence Study on Greening Issues, July 2021.](#)

³⁴ [BNP Paribas, RBKC Local Plan: Viability Study, February 2022.](#)

SUMMARY

Date	Document	Organisation
Jul. 2021	RBKC Evidence Study on Greening Issues	AECOM
Feb. 2022	RBKC Local Plan: Viability Study	BNP Paribas

3.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

3.4.1 As set out in section 2.7 above.

3.4.2 The options and alternatives considered are:

Option	Status	Reason
1 Adopt a borough wide requirement for major development proposals to submit a CE Statement.	Preferred option	<p>Policy SI 7 of the London Plan 2021 sets out that development proposals referable to the Mayor should submit a CE Statement.</p> <p>Policy SI 7 (C) and para. 9.7.3 go on to establish that Development Plans that apply circular economy principles and set lower local thresholds for the application of CE statements will be supported.</p> <p>Our evidence on Greening Issues recommends taking this approach due to the particular local relevance of circular economy principles.</p> <p>Given the particular local relevance of adopting a circular economy policy and the support of the London Plan and our evidence study. This is considered to be the preferred option.</p>

Option	Status	Reason
2	Reasonable alternative	Option 2 is already in place through London Plan 2021 Policy SI 7. As outlined above it will be important to go beyond the baseline requirements of the London Plan 2021 where possible and the supporting evidence demonstrates that we can set more ambitious requirements for development in the Borough.

3.5 PUBLICATION POLICY

3.5.1 Following consideration of the options presented above, consultation and reasonable alternatives, Policy GB2: Circular Economy is proposed as follows.

GB2: Circular Economy

A. Major developments must follow circular economy principles and aim to be net zero-waste. A circular economy statement meeting the requirements of the London Plan must be submitted.

3.6 PROPOSALS MAP

3.6.1 No changes are required to be made to the Proposals Map.

3.7 DUTY TO COOPERATE AND STRATEGIC ISSUES

3.7.1 As set out in section 2.7 above.

4. POLICY GB3: WHOLE LIFE-CYCLE CARBON

4.1 INTRODUCTION

- 4.1.1 As set out in paragraph 2.1.1 above, in 2019, RBKC declared a Climate Emergency and pledged to be a carbon neutral organisation by 2030, and that the whole borough will be carbon neutral by 2040. The NLPR is aligned with this commitment and promotes the reduction of carbon emissions from the Borough's built environment to contribute to meeting the Council's pledge.
- 4.1.2 Building Regulations and Planning Policy have typically focused on the reduction of what are known as regulated³⁵ emissions. However, regulated emissions do not cover all the greenhouse gas emissions associated with, and produced by, development. There are also unregulated emissions³⁶ and embodied emissions³⁷ that would not be considered under a conventional regulated emissions approach.
- 4.1.3 A Whole Life-Cycle Carbon (WLC) approach captures all the emissions resulting from the construction and use of a building over its entire life, as well as its demolition and disposal. Including a building's operational carbon emissions³⁸ from both regulated and unregulated energy use, as well as its non-operational embodied carbon emissions. A WLC approach therefore provides a true picture of a building's carbon impact on the environment.
- 4.1.4 It is estimated that about half of global cumulative CO₂ emissions associated with new development between now and 2050, will be from embodied emissions arising even before a building comes into use. A WLC approach is needed to capture these emissions and to ensure new development in the Borough contributes to meeting the Council's 2030 and 2040 carbon neutral commitment.
- 4.1.5 The WLC approach was relatively recently introduced through the London Plan 2021 and the existing RBKC Local Plan does not contain a policy on WLC. There is an opportunity to introduce a new WLC policy in the NLPR.

4.2 LEGISLATION, POLICY CONTEXT AND GUIDANCE

NATIONAL LEGISLATION

- 4.2.1 National Legislation requires UK Local Planning Authorities (LPAs) to address the causes and effects of climate change, including the reduction of carbon emissions

³⁵ Carbon emissions arising from energy used by fixed building services, as defined in Approved Document Part L of the Building Regulations. These include fixed systems for lighting, heating, hot water, air conditioning and mechanical ventilation.

³⁶ Carbon emissions arising from energy use relating to cooking and the use of all electrical appliances and other small power.

³⁷ Carbon emissions associated with raw material extraction, manufacture and transport of building materials, construction and the emissions associated with maintenance, repair and replacement as well as dismantling, demolition and eventual material disposal

³⁸ Carbon emissions produced during the operational or in-use phase of a building. This includes the use, management, and maintenance of a product or structure.

in their Local Plans.

CLIMATE CHANGE ACT 2008

- 4.2.2 The Climate Change Act 2008 (amended in June 2019) commits the UK to reducing emissions of carbon dioxide and other greenhouse gases to zero by 2050³⁹. Progress against the 2050 target is measured by legally binding carbon budgets, which cap the amount of greenhouse gases that can be emitted by the UK over a five-year period. These budgets are measured by the Committee on Climate Change (CCC) and are designed to reflect a cost-effective way of achieving the UK's long-term climate objectives. The first five carbon budgets have been put into legislation and run up to 2032.
- 4.2.3 The latest figures published by the Department of Business, Energy and Industrial Strategy (BEIS) in February 2022⁴⁰ show that net territorial greenhouse gas emissions in the UK were down 49.7% compared to 1990 levels in 2020, at 405.5 million tonnes of Carbon Dioxide (CO₂) equivalent (MtCO_{2e}).
- 4.2.4 However, the Coronavirus (COVID-19) pandemic and the resulting restrictions introduced across the UK were a major contributor to the observed reduction in greenhouse gas emissions in 2020. CO₂ was and has always been the dominant greenhouse gas emitted by the UK, making up 79% of total emissions in 2020.

UK territorial greenhouse gas emissions, 1990-2020

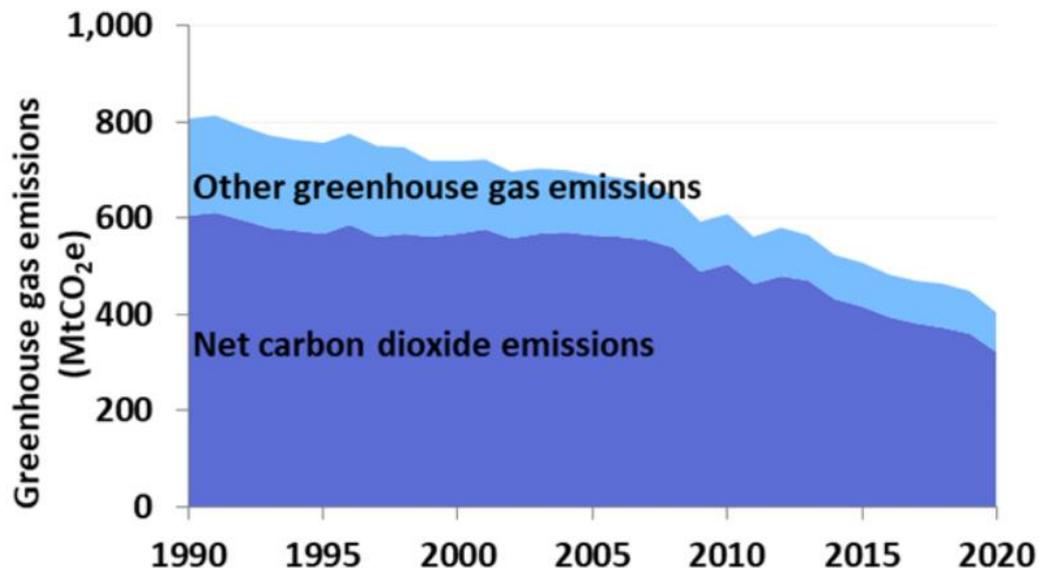


Figure 3: UK territorial greenhouse gas emissions, 1990 – 2020 (BEIS, Feb. 2022).

- 4.2.5 Although the UK's legally binding target is to reduce greenhouse gas emissions to zero by 2050, there is increasing evidence that this will not be soon enough to avert dangerous climate change, which was highlighted in the most recent IPCC (Intergovernmental Panel on Climate Change) assessment report⁴¹.

³⁹ [HM Government, Climate Change Act 2008 \(as amended\)](#).

⁴⁰ [BEIS, 2020 UK Greenhouse Gas Emissions, Final Figures, 1 February 2022](#).

⁴¹ [IPCC, Sixth Assessment Report, 2022](#).

PLANNING AND COMPULSORY PURCHASE ACT 2004 AND PLANNING ACT 2008

- 4.2.6 Local planning authorities are bound by the legal duty set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004⁴², as amended by Section 182 of the Planning Act 2008⁴³, to ensure that “*Development Plan documents, (taken as a whole), include 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.*”

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 4.2.7 Section 14 of the NPPF⁴⁴ reflects the requirements of the Climate Change Act. In particular paragraph 152 states “*the planning system should support the transition to a low carbon future in a changing climate... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions... and support renewable and low carbon energy and associated infrastructure.*” In addition, paragraph 153 states that “*Plans should take a proactive approach to mitigating and adapting to climate change.*”

REGIONAL POLICY, STRATEGIES AND GUIDANCE

LONDON PLAN 2021

- 4.2.8 London Plan 2021 **Policy GG6 ‘Increasing efficiency and resilience’** sets out the Mayor’s target for London to become a zero-carbon city by 2050. However, in January 2022 the Mayor brought this target forward to 2030.
- 4.2.9 London Plan **2021 Policy SI 2 ‘Minimising greenhouse gas emissions’** sets carbon emissions standards beyond current Building Regulations to support a trajectory toward zero-carbon. Policy SI 2 requires major development to be net zero carbon by following the London Plan energy hierarchy.
- 4.2.10 **Part F of Policy SI 2** also introduces the requirement for major development referable to the Mayor to consider and calculate WLC emissions. Paragraph 9.2.11 provides further guidance on WLC emissions and assessments. In particular it explicitly encourages major non-referable development to also undertake a whole life-cycle carbon assessment. Policy SI 2 (F) is set out in full below:

Policy SI 2: Minimising Greenhouse Gas Emissions

- F Development proposals referable to the Mayor should 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.

⁴² [HM Government, Planning and Compulsory Purchase Act, 2004.](#)

⁴³ [HM Government, Planning Act 2008.](#)

⁴⁴ [MHCLG, National Planning Policy Framework, July 2021.](#)

WHOLE LIFE-CYCLE CARBON ASSESSMENTS GUIDANCE, 2022

- 4.2.11 The GLA published a WLC assessments guidance⁴⁵ and an assessment template in March 2022 to explain how the assessment of WLC emissions should be approached and presented. The guidance document explains how to prepare a WLC assessment.

LONDON 1.5C COMPATIBLE CLIMATE ACTION PLAN, 2018

- 4.2.12 The London 1.5C Compatible Climate Action Plan (2018)⁴⁶ forms part of the London Plan evidence base and sets out how London will become a net zero carbon city with action required from the Mayor, businesses, communities, boroughs and national government. The Action Plan is underpinned by further technical reports:

- Building Energy Efficiency (2018). A report which sets out how building energy efficiency can be achieved.
- Zero Carbon Energy Systems (2018). A report that undertakes an analysis of decarbonisation pathways that inform London's strategy on energy and climate using modelled scenarios for electrification, decarbonisation of gas, decentralisation of energy and a patchwork solution.
- Technical Assistance to Deliver London's Climate Action Plan (2018), which sets out where there are opportunities to further adapt to the impacts of climate change.

LONDON ENVIRONMENT STRATEGY, 2018

- 4.2.13 The London Environment Strategy (May 2018)⁴⁷ commits London to being a zero-carbon city by 2050. The London Energy and Greenhouse Gas Inventory (LEGGI) regional and borough datasets published on an annual basis by the GLA allow London's emissions to be monitored. These datasets underpin the Strategy and the London Plan.

LOCAL POLICY, STRATEGIES AND GUIDANCE

RBKC EXISTING LOCAL PLAN POLICY (LOCAL PLAN, 2019)

- 4.2.14 The existing Local Plan does not contain a policy on whole life-cycle carbon.

RBKC GREENING SUPPLEMENTARY PLANNING DOCUMENT, 2021

- 4.2.15 The Greening SPD, published in June 2021⁴⁸, covers all facets of planning that can contribute towards reducing carbon emissions. Chapter 4 in particular focuses on the principles of a whole life-cycle carbon approach.

⁴⁵ [Mayor of London, Whole Life-Cycle Assessments Guidance, March 2022.](#)

⁴⁶ [Mayor of London, Zero Carbon London: A 1.5C Compatible Plan, December 2018.](#)

⁴⁷ [Mayor of London, London Environment Strategy, May 2018.](#)

⁴⁸ [RBKC Greening SPD, June 2021.](#)

RBKC GREEN PLAN, 2021

4.2.16 The RBKC Green Plan⁴⁹ sets out how the Council will meet its climate emergency pledge to be a carbon neutral organisation by 2030 and to be a carbon neutral borough by 2040. The Plan focuses on the following five environmental priorities:

- Achieving carbon neutrality and tackling climate change
- Improving air quality
- Tackling fuel poverty
- Minimising waste
- Protecting and enhancing biodiversity

RBKC CLIMATE EMERGENCY ACTION PLAN 2022 – 2027

4.2.17 In light of the climate emergency declaration, the Council has developed a new five-year Climate Emergency Action Plan⁵⁰ which will replace the existing 2016-2021 joint Air Quality and Climate Change Action Plan. The Climate Emergency Action Plan sets out the Council's approach and vision for tackling the climate emergency, including six priority delivery areas and actions required to become a carbon neutral Council by 2030 and a carbon neutral borough by 2040. It addresses both emissions produced by the Council through its operations, fleet and buildings and also the Borough-wide emissions from heating homes and transport. The action plan concentrates on both mitigation and adaptation through either direct carbon reduction actions or awareness-raising and education initiatives such as trainings, behaviour change campaigns and lobbying.

SUMMARY

Date	Document	Organisation
Jul. 2021	National Planning Policy Framework	MHCLG
Mar. 2021	The London Plan 2021	Mayor of London
Mar. 2022	Whole Life-Cycle Carbon Assessment Guidance	Mayor of London
Dec. 2018	Zero Carbon London: A 1.5C Compatible Plan	Mayor of London
May 2018	London Environment Strategy	Mayor of London
Dec. 2019	RBKC Local Plan	RBKC
Jun. 2021	RBKC Greening Supplementary Planning Document	RBKC
Jun. 2021	RBKC Green Plan	RBKC
Dec. 2021	RBKC Climate Change Emergency Action Plan 2022-2027	RBKC

⁴⁹ [RBKC, Green Plan, June 2021.](#)

⁵⁰ [RBKC, Climate Change Emergency Action Plan 2022-2027.](#)

4.3 EVIDENCE BASE

CARBON EMISSIONS IN RBKC

4.3.1 A study produced by the Tyndall Centre for Climate Change Research calculated total carbon budget for the Borough to be a maximum cumulative sum of 6.3 million tonnes CO₂ (MtCO₂) for the period 2020 to 2100. The analysis found that, at 2017 CO₂ emission levels, Kensington and Chelsea would use this entire budget within 8 years from 2020.⁵¹

4.3.2 The most recent detailed dataset produced by BEIS for RBKC shows that 752.6 kt of CO₂ were emitted in the Borough in 2019⁵² (figure 4 below). The largest contributors to the Borough's carbon emissions in 2019 are identified as the commercial sector at 252 kt, followed closely by the domestic sector at 244.2 kt, and finally the transport sector at 150.8 kt.

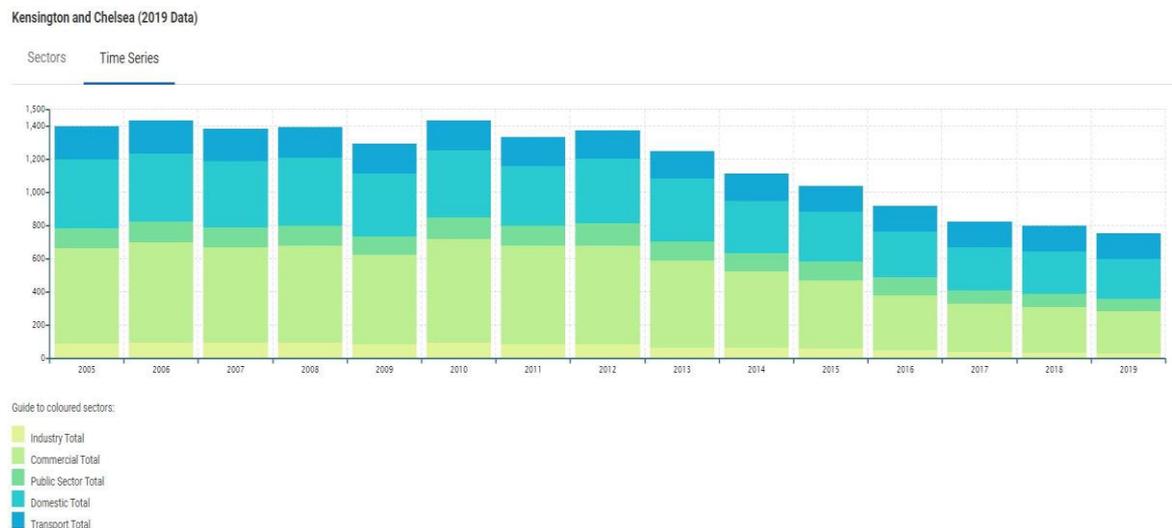


Figure 4: Carbon emissions in RBKC from 2005 and 2019 by sector (National Atmospheric Emissions Inventory, July 2021. Full dataset published by BEIS, June 2021).

4.3.3 The data demonstrates that although carbon emissions have decreased between 2005 and 2019, there is still a long way to go before the Borough is carbon neutral. A whole life-cycle approach will contribute to reducing carbon emissions associated with commercial and domestic development – the largest carbon emitting sectors in RBKC.

RBKC EVIDENCE STUDY ON GREENING ISSUES

4.3.4 The RBKC Evidence Study on Greening Issues⁵³ makes the following key recommendation in respect of whole life-cycle carbon:

- Whole Life-cycle Carbon Assessments – the London Plan suggests that boroughs might require that these are submitted by all major schemes, and

⁵¹ [Tyndall Centre, Setting Climate Commitments for Kensington and Chelsea: Quantifying the implications of the United Nations Paris Agreement for Kensington and Chelsea, July 2020.](#)

⁵² [BEIS, UK Local Authority Carbon Dioxide Emissions Estimates 2019, June 2021.](#)

⁵³ [AECOM, RBKC Evidence Study on Greening Issues, July 2021.](#)

there is evidence to support this approach in the RBKC context. This is important, as there is an urgent need to ‘mainstream’ looking more widely than regulated operational emissions.

RBKC LOCAL PLAN: VIABILITY STUDY

- 4.3.5 The Local Plan Viability Study⁵⁴ undertaken by BNP Paribas concludes that the NLPR policies are generally viable across the Borough. The cost of a WLC assessment is expected to be modest and is reflected in the 10% allowance for professional fees incorporated into the viability appraisals.

SUMMARY

Date	Document	Organisation
Jul. 2021	RBKC Evidence Study on Greening Issues	AECOM
Feb. 2022	RBKC Local Plan: Viability Study	BNP Paribas

4.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

- 4.4.1 As set out in section 2.4 above.
- 4.4.2 The options and alternatives considered are:

⁵⁴ [BNP Paribas, RBKC Local Plan: Viability Study, February 2022.](#)

Option	Status	Reason
<p>1 Adopt a borough wide requirement for major development proposals to undertake and submit a (WLC) Assessment.</p>	<p>Preferred option</p>	<p>London Plan Policy SI 2 (F) sets out that development proposals referable to the Mayor should calculate WLC emissions through a nationally recognised WLC assessment and demonstrate actions taken to reduce life-cycle carbon emissions.</p> <p>Paragraph 9.2.11 of the London Plan states that major non-referable development are also encouraged to undertake WLC assessments.</p> <p>Our evidence on Greening Issues recommends taking this approach and setting a requirement for all major development to undertake a WLC assessment.</p> <p>Given the support of the London Plan and our evidence study, as well as the need to adopt ambitious policies to meet our 2040 net zero carbon target. This is considered to be the preferred option.</p>
<p>2 The Council will require only major development referable to the Major of London to undertake and submit a (WLC) Assessment.</p>	<p>Reasonable alternative</p>	<p>Option 2 is already in place as through Policy SI 2 of the London Plan 2021.</p> <p>However, as outlined above it will be important to go beyond the baseline requirements of the London Plan 2021 where possible and the supporting evidence demonstrates that we can set more ambitious requirements for development in the Borough.</p>

4.5 PUBLICATION POLICY

- 4.5.1 Following consideration of the options presented above, consultation and reasonable alternatives, Policy GB3: Whole Life-cycle Carbon policy is proposed as follows.

GB3: Whole Life-cycle Carbon

- A. Applicants for major development proposals are required to calculate whole life-cycle carbon emissions and demonstrate actions taken to reduce whole life-cycle carbon emissions through submission of a whole life-cycle carbon assessment.

4.6 PROPOSALS MAP

- 3.7.1 No changes are required to be made to the Proposals Map.

4.7 DUTY TO COOPERATE AND STRATEGIC ISSUES

- 4.7.1 As set out in section 2.7 above.

5. POLICY GB4: ENERGY AND NET ZERO CARBON

5.1 INTRODUCTION

- 5.1.1 As outlined in paragraph 2.1.1 above, the Council declared a Climate Emergency in October 2019 and made a commitment to become a carbon neutral borough by 2040. Meeting this target will require a significant reduction in our carbon dioxide (CO₂) emissions, a large proportion of which are produced by the energy demand of existing buildings in the Borough.
- 5.1.2 To ensure a pathway consistent with local ambitions to deliver on the 2040 carbon neutral pledge. There is a need to ensure development in the Borough supports a transition to a carbon neutral future and contributes to large scale reductions in carbon emissions associated with the energy demand of new and existing buildings.
- 5.1.3 The existing Local Plan Policy CE1: Climate Change sets out the Council's target to reduce carbon dioxide (CO₂) emissions in the Borough and outlines our current energy policies. Given the rapidly evolving nature of energy policy at the national, and regional level, Policy CE1 needs to be updated for the NLPR.

5.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

NATIONAL LEGISLATION

CLIMATE CHANGE ACT 2008 (WITH 2019 AMENDMENT)

- 5.2.1 As outlined in paragraph 4.2.2 – 4.2.5 above.

PLANNING AND COMPULSORY PURCHASE ACT 2004 AND PLANNING ACT 2008

- 5.2.2 As outlined in paragraph 4.2.6 above.

PLANNING AND ENERGY ACT 2008 AND DEREGULATION ACT 2015

- 5.2.3 The Planning and Energy Act 2008⁵⁵ allows local planning authorities (LPAs) to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. Such policies must not be inconsistent with relevant national policies for England. Section 43 of the Deregulation Act 2015⁵⁶ intended to amend this provision, taking away powers from LPAs to set energy efficiency standards that exceed the energy requirements of building regulations would amend this provision, but to date this has not come into force.

⁵⁵ [HM Government, Planning and Energy Act 2008.](#)

⁵⁶ [HM Government, Deregulation Act, 2015.](#)

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 5.2.4 Section 14 of the NPPF⁵⁷ reflects the requirements of the Climate Change Act. In particular paragraph 152 states “*the planning system should support the transition to a low carbon future in a changing climate... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions... and support renewable and low carbon energy and associated infrastructure.*” In addition, paragraph 153 states that “*Plans should take a proactive approach to mitigating and adapting to climate change.*”
- 5.2.5 In addition, paragraph 154 (b) states that new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design.
- 5.2.6 Paragraph 155 states that to help increase the use and supply of renewable and low carbon energy and heat, plans should a) provide a positive strategy for energy from these sources; b) should consider identifying suitable areas for renewable and low carbon energy sources; and c) should identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

BUILDING REGULATIONS AND APPROVED DOCUMENT L (PART L)

- 5.2.7 Part L1A: Conservation of fuel and power in new dwellings of the Building Regulations⁵⁸ sets out how new dwellings can comply with the energy efficiency requirements of the Building Regulations. It establishes a required baseline carbon emissions for a set of notional new building types. All new developments in England and Wales must demonstrate compliance with this baseline.
- 5.2.8 Part L1B: Conservation of fuel and power in existing dwellings and Volume 2: Buildings other than dwellings, sets out how existing dwellings and non-domestic buildings can comply with the energy efficiency requirements of the Building Regulations.

THE FUTURE HOMES AND BUILDINGS STANDARD

- 5.2.9 The Government has undertaken a two-part consultation on proposed changes to Part L (Conservation of fuel and power) and Part F (Ventilation) of the Building Regulations 2010. Part one of the consultation set out plans for the Future Homes Standard, including proposed options to increase the energy efficiency requirements for new dwellings⁵⁹.
- 5.2.10 Part 2 of the consultation contained proposals for the Future Buildings Standard, including changes to the energy efficiency requirements for non-domestic buildings⁶⁰. The consultation also included changes to Part F: Ventilation of the

⁵⁷ [MHCLG, National Planning Policy Framework, July 2021.](#)

⁵⁸ [DLUHC and MHCLG, Building Regulations Part L: Conservation of Fuel and Power, February 2022.](#)

⁵⁹ [MHCLG, Future Homes Standard, January 2021.](#)

⁶⁰ [MHCLG, Future Buildings Standard, December 2021.](#)

Building Regulations for domestic and non-domestic buildings, as well as proposals for an approach to overheating in new residential buildings.

- 5.2.11 The Government response to the Future Homes and Buildings Standard consultation, published in January and December 2021 respectively, confirmed that by 2025, emissions standards under Building Regulations will be tightened by 75-80% relative to the current Building Regulations. In addition, a 31% tightening of Building Regulations requirements for new dwellings and a 27% tightening for non-domestic buildings was confirmed as an interim measure. The interim tightening of building regulations – Building Regulations Part L 2021⁶¹ came into effect on 15 June 2022.

HEAT NETWORK ZONING

- 5.2.12 The Government published a consultation on its proposal to introduce heat network zoning in England on 8th October 2021⁶². This consultation is the first in what is intended to be a multi-year project developing the necessary legislation and processes for heat network zoning. The Government’s response to the first heat network zoning consultation was published on 16th June 2022.

REGIONAL POLICY, STRATEGIES AND GUIDANCE

LONDON PLAN 2021

- 5.2.13 London Plan 2021 **Policy GG6 ‘Increasing efficiency and resilience’** sets out the Mayor’s target for London to become a zero-carbon city by 2050. However, in January 2022 the Mayor brought this target forward to 2030.
- 5.2.14 London Plan 2021 **Policy SI 2 ‘Minimising greenhouse gas emissions’** requires major development to be net zero-carbon and follow the Mayor’s energy hierarchy to reduce energy demand; supply energy efficiently; incorporate renewable energy generation; and monitor energy use (see figure 5 below).
- 5.2.15 Major development proposals are required to demonstrate how these requirements have been met through submission of an energy strategy. Policy SI 2 is set out below:

Policy SI 2 Minimising greenhouse gas emissions

A Major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site

⁶¹ [DLUHC & MHCLG, Conservation of fuel and power: Approved Document L, June 2022.](#)

⁶² [BEIS, Proposal for Heat Zoning, June 2022.](#)

- 4) be seen: monitor, verify and report on energy performance.
- B Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.
- C A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the Borough, either:
 - 1) through a cash in lieu contribution to the Borough's carbon offset fund, or
 - 2) off-site provided that an alternative proposal is identified and delivery is certain.
- D Boroughs must establish and administer a carbon offset fund. Offset fund payments must be ring-fenced to implement projects that deliver carbon reductions. The operation of offset funds should be monitored and reported on annually.
- E Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.
- F Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised

5.2.16 Further guidance on this policy is provided in paragraph 9.2.1 – 9.2.12 of the London Plan 2021. In particular, paragraph 9.2.1 establishes that major refurbishment schemes should also aim to meet the requirement of Policy SI 2. In addition, paragraph 9.2.12 sets out the minimum requirements of an energy strategy, and paragraph 9.2.2 states that boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies.

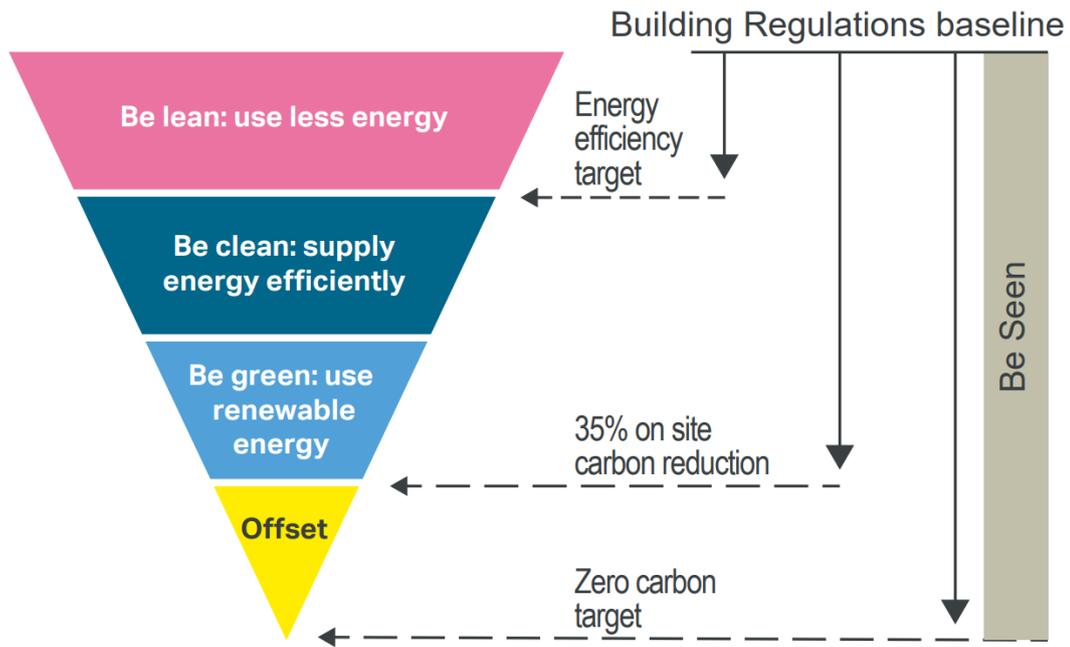


Figure 5: London Plan energy hierarchy and associated targets (London Plan 2021).

- 5.2.17 Policy SI 3 'Energy infrastructure' sets out that energy masterplans should be developed for large-scale development sites, such as Opportunity Areas, which establish the most effective energy supply options.
- 5.2.18 Part D of Policy SI 3 also sets out that Major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system. The heat source for which should be selected in accordance with a defined heating hierarchy set out in Part D (1). The full policy is set out below:

Policy SI 3 Energy Infrastructure

- A Boroughs and developers should engage at an early stage with relevant energy companies and bodies to establish the future energy and infrastructure requirements arising from large-scale development proposals such as Opportunity Areas, Town Centres, other growth areas or clusters of significant new development.
- B Energy masterplans should be developed for large-scale development locations (such as those outlined in Part A and other opportunities) which establish the most effective energy supply options. Energy masterplans should identify:
- 1) major heat loads (including anchor heat loads, with particular reference to sites such as universities, hospitals and social housing)
 - 2) heat loads from existing buildings that can be connected to future phases of a heat network
 - 3) major heat supply plant including opportunities to utilise heat from energy from waste plants
 - 4) secondary heat sources, including both environmental and waste heat
 - 5) opportunities for low and ambient temperature heat networks

- 6) possible land for energy centres and/or energy storage
- 7) possible heating and cooling network routes
- 8) opportunities for futureproofing utility infrastructure networks to minimise the impact from road works
- 9) infrastructure and land requirements for electricity and gas supplies
- 10) implementation options for delivering feasible projects, considering issues of procurement, funding and risk, and the role of the public sector
- 11) opportunities to maximise renewable electricity generation and incorporate demand-side response measures.

C Development Plans should:

- 1) identify the need for, and suitable sites for, any necessary energy infrastructure requirements including energy centres, energy storage and upgrades to existing infrastructure.
- 2) identify existing heating and cooling networks, identify proposed locations for future heating and cooling networks and identify opportunities for expanding and inter-connecting existing networks as well as establishing new networks.

D Major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system:

- 1) the heat source for the communal heating system should be selected in accordance with the following heating hierarchy:
 - a) connect to local existing or planned heat networks
 - b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
 - c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
 - d) use ultra-low NOx gas boilers
- 2) CHP and ultra-low NOx gas boiler communal or district heating systems should be designed to ensure that they meet the requirements in Part B of Policy SI 1 Improving air quality.
- 3) where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.

E) Heat networks should achieve good practice design and specification standards for primary, secondary and tertiary systems comparable to those set out in the CIBSE/ADE Code of Practice CP1 or equivalent.

5.2.19 Again, further guidance on Policy SI 3 is provided in paragraph 9.3.1 – 9.3.12 of

the London Plan.

ENERGY ASSESSMENT GUIDANCE, 2022

- 5.2.20 The purpose of an energy assessment is to demonstrate that the climate change mitigation measures proposed within a planning application comply with London Plan energy policies, including the energy hierarchy set out in Policy SI 2. It also ensures that carbon reduction remains an integral part of the development's design and evolution. The energy assessment must clearly outline the CO₂ savings that will be achieved and the measures that will be put in place to reduce energy demand.
- 5.2.21 The Energy Assessment Guidance⁶³ published by the GLA in June 2022 provides information for planning applicants on how to comply with the London Plan energy policies. A new Carbon Emissions Reporting Spreadsheet⁶⁴ has been developed to support the new guidance, which applicants are required to submit along with their energy assessment.
- 5.2.22 The June 2022 update to the GLA's energy assessment guidance reflects the new building regulations Part L 2021 introduced in June 2022 and sets out requirements for major development to achieve a 35% improvement over Part L 2021 on-site, with residential schemes expected to reach an improvement of 50%+.

'BE SEEN' ENERGY MONITORING GUIDANCE, 2021

- 5.2.23 London Plan Policy SI 2 also sets out the 'be seen' requirement for all major development proposals to monitor and report on their actual operational energy performance for at least five years post construction. The 'be seen' policy will help us to understand the performance gap and identify ways of closing it while ensuring compliance with London's net zero-carbon target. The GLA also published 'be seen' energy monitoring guidance in September 2021 which explains how to comply with this policy as well as a reporting template which planning applicants will be expected to use⁶⁵.

CARBON OFFSET FUND GUIDANCE, 2018

- 5.2.24 The GLA's Carbon Offset Fund Guidance⁶⁶, which is primarily for local authorities, explains how to set up a carbon offset fund and how these funds may be spent. The Mayor of London has committed to update the current guidance upon publication of the London Plan 2021 to reflect the new updated carbon offset price of £95 per tonne.

LONDON 1.5C COMPATIBLE CLIMATE ACTION PLAN, 2018

- 5.2.25 The London 1.5C Compatible Climate Action Plan (2018)⁶⁷ forms part of the London Plan evidence base and sets out how London will become a net zero

⁶³ [Mayor of London, Energy Assessment Guidance, June 2022](#)

⁶⁴ [Mayor of London, Carbon Emissions Reporting Spreadsheet.](#)

⁶⁵ [Mayor of London, 'Be Seen' Energy Monitoring Guidance, September 2021.](#)

⁶⁶ [Mayor of London, Carbon Offset Funds, October 2018.](#)

⁶⁷ [Mayor of London, Zero Carbon London: A 1.5C Compatible Plan, December 2018.](#)

carbon city with action required from the Mayor, businesses, communities, boroughs and national government. The Action Plan is underpinned by further technical reports:

- Building Energy Efficiency (2018). A report which sets out how building energy efficiency can be achieved.
- Zero Carbon Energy Systems (2018). A report that undertakes an analysis of decarbonisation pathways that inform London's strategy on energy and climate using modelled scenarios for electrification, decarbonisation of gas, decentralisation of energy and a patchwork solution.
- Technical Assistance to Deliver London's Climate Action Plan (2018), which sets out where there are opportunities to further adapt to the impacts of climate change.

LONDON ENVIRONMENT STRATEGY, 2018

- 5.2.26 The London Environment Strategy (May 2018)⁶⁸ commits London to being a zero-carbon city by 2050. The London Energy and Greenhouse Gas Inventory (LEGGI) regional and borough datasets published on an annual basis by the GLA allow London's emissions to be monitored. These datasets underpin the Strategy and the London Plan.

LONDON ENERGY TRANSFORMATIONAL INITIATIVE (LETI)

- 5.2.27 LETI⁶⁹ was established in 2017, to support the shift of the capital's emissions concerning the built environment to net zero carbon. It is a voluntary industry network comprised of over 1000 environment professionals seeking to achieve a zero-carbon future. LETI seeks to produce evidence-based recommendations to inform two pieces of policy, the London Environment Strategy, and the London Plan. The guidance developed has been proposed to be applied to the rest of the United Kingdom, and to evolve over time to reflect changes in carbon budgets, technologies and the construction industry.

LOCAL

EXISTING LOCAL PLAN POLICY (LOCAL PLAN, 2019)

- 5.2.28 The Council's current energy policy and requirements are contained within existing Local Plan⁷⁰ Policy CE1 'Climate Change' set out below:

Policy CE1 Climate Change

The Council recognises the Government's targets to reduce national carbon dioxide emissions by 34 per cent against 1990 levels by 2020 in order to meet a 80 per cent reduction by 2050 and will require development to make a significant contribution towards this target. To deliver this the Council will:

⁶⁸ [Mayor of London, London Environment Strategy, May 2018.](#)

⁶⁹ [LETI](#)

⁷⁰ [RBKC, Local Plan, September 2019.](#)

- a. require an assessment to demonstrate that major residential development meets the carbon reduction requirements set out in the London Plan;
- b. require an assessment to demonstrate that non-residential development of 1,000 sq m or more meets BREEAM very good with 60 per cent of the unweighted credits available in the energy, water and materials sections and conversions and refurbishments of 1,000sq.m or more non-residential development achieve BREEAM very good rating;
- c. require that carbon dioxide and other greenhouse gas emissions are reduced in accordance with the following hierarchy:
 - i. energy efficient building design, construction and materials, including the use of passive design, natural heating and natural ventilation;
 - ii. provision of on-site renewable and low-carbon energy sources;
 - iii. decentralised heating, cooling and energy supply, through Combined Cooling Heat and Power (CCHP) or similar, while ensuring that heat and energy production does not result in unacceptable levels of local air pollution in particular on site allocations such as Kensal, Wornington Green, and Earl's Court;
- d. require all CCHP plant or similar to connect to, or be able to connect to, other existing or planned CCHP plant or similar to form a district heat and energy network;
- e. require development to connect into any existing district heat and energy network, where the necessary service or utility infrastructure is accessible to that development;
- f. require development to incorporate measures that will contribute to on-site sustainable food production commensurate with the scale of development.

RBKC GREENING SUPPLEMENTARY PLANNING DODCUMENT, 2021

- 5.2.29 The Greening SPD, published in June 2021⁷¹, covers all facets of planning that can contribute towards reducing carbon emissions and provides detailed guidance on the Council's energy policies. Chapter 4 – 8 in particular focus on the principles of the energy hierarchy, energy infrastructure and energy efficient building design.

RBKC CARBON OFFSET FUND

- 5.2.30 The council introduced its Carbon Offset Fund⁷² on 1st April 2017 to collect offset payments in accordance with the Mayor of London's Carbon Offset Fund Guidance. The requirement for development to make a contribution towards the Council's carbon offset fund is set out in the RBKC Planning Contributions Supplementary

⁷¹ [RBKC, Planning Contributions SPD, September 2019.](#)

⁷² [RBKC, Carbon Offset Fund, November 2019.](#)

Planning Document (SPD), published in September 2019.

RBKC GREEN PLAN, 2021

5.2.31 The RBKC Green Plan⁷³ sets out how the Council will meet its climate emergency pledge to be a carbon neutral organisation by 2030 and to be a carbon neutral borough by 2040. The Plan focuses on the following five environmental priorities:

- Achieving carbon neutrality and tackling climate change
- Improving air quality
- Tackling fuel poverty
- Minimising waste
- Protecting and enhancing biodiversity

RBKC CLIMATE EMERGENCY ACTION PLAN 2022 – 2027

5.2.32 In light of the climate emergency declaration, the Council has developed a new five-year Climate Emergency Action Plan⁷⁴ which will replace the existing 2016-2021 joint Air Quality and Climate Change Action Plan. The Climate Emergency Action Plan sets out the Council’s approach and vision for tackling the climate emergency, including six priority delivery areas and actions required to become a carbon neutral Council by 2030 and a carbon neutral borough by 2040. It addresses both emissions produced by the Council through its operations, fleet and buildings and also the Borough-wide emissions from heating homes and transport. The action plan concentrates on both mitigation and adaptation through either direct carbon reduction actions or awareness-raising and education initiatives such as trainings, behaviour change campaigns and lobbying.

SUMMARY

Date	Document	Organisation
Jul. 2021	National Planning Policy Framework	MHCLG
Jan. 2021	The Future Homes and Future Buildings Standards	MHCLG
Jun. 2022	Building Regulations Part L 2021	DLUHC & MHCLG
Jun. 2022	Heat Network Zoning	BEIS
Mar. 2021	The London Plan 2021	Mayor of London
Oct. 2018	Carbon Offset Fund Guidance	Mayor of London
Jun. 2022	Energy Assessment Guidance	Mayor of London
Sep. 2021	‘Be Seen’ Energy Monitoring Guidance	Mayor of London
Dec. 2018	Zero Carbon London: A 1.5C Compatible Plan	Mayor of London

⁷³ [RBKC, Green Plan, June 2021.](#)

⁷⁴ [RBKC, Climate Change Emergency Action Plan 2022-2027.](#)

Date	Document	Organisation
May 2018	London Environment Strategy	Mayor of London
Sep. 2019	RBKC Local Plan	RBKC
Jun. 2021	RBKC Greening Supplementary Planning Document	RBKC
Sep. 2019	RBKC Planning Contributions Supplementary Planning Document	RBKC
Jun. 2021	RBKC Green Plan	RBKC
Dec. 2021	RBKC Climate Change Emergency Action Plan 2022-2027	RBKC

5.3 EVIDENCE BASE

CARBON EMISSIONS IN RBKC

5.3.1 A study produced by the Tyndall Centre for Climate Change Research calculated total carbon budget for the Borough to be a maximum cumulative sum of 6.3 million tonnes CO₂ (MtCO₂) for the period 2020 to 2100. The analysis found that, at 2017 CO₂ emission levels, Kensington and Chelsea would use this entire budget within 8 years from 2020.⁷⁵

5.3.2 The most recent detailed dataset produced by BEIS for RBKC shows that 752.6 kt of CO₂ were emitted in the Borough in 2019⁷⁶ (figure 4 below). The largest contributors to the Borough's carbon emissions in 2019 are identified as the commercial sector at 252 kt, followed closely by the domestic sector at 244.2 kt, and finally the transport sector at 150.8 kt.

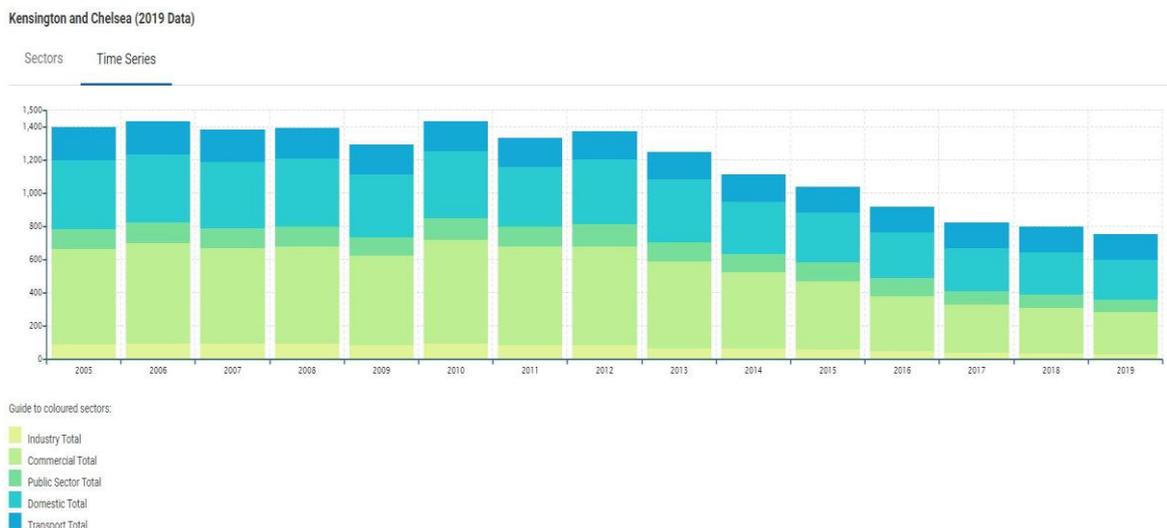


Figure 8: Carbon emissions in RBKC from 2005 and 2019 by sector (National Atmospheric Emissions Inventory, July 2021. Full dataset published by BEIS, June 2021).

5.3.3 The data demonstrates that although carbon emissions have decreased between

⁷⁵ [Tyndall Centre, Setting Climate Commitments for Kensington and Chelsea: Quantifying the implications of the United Nations Paris Agreement for Kensington and Chelsea, July 2020.](#)

⁷⁶ [BEIS, UK Local Authority Carbon Dioxide Emissions Estimates 2019, June 2021.](#)

2005 and 2019, there is still a long way to go before the Borough is carbon neutral.

ENERGY DEMAND AND CONSUMPTION IN RBKC

- 5.3.4 The BEIS statistics for RBKC also demonstrates that the majority of the carbon emissions produced by the domestic and commercial sector is associated with energy demand requirements of existing buildings, particularly the demand for heating.
- 5.3.5 The data demonstrates that there is a need to ensure the energy demand and consumption requirements of new and existing development in the Borough is reduced if the Council is to meet its 2040 carbon neutral target.

RBKC EVIDENCE STUDY ON GREENING ISSUES

- 5.3.6 The Evidence Study on Greening Issues⁷⁷ makes the following key recommendations in respect of energy and decarbonisation:
- Onsite decarbonisation – go beyond the London Plan minimum requirement (35% improvement on the Building Regulations baseline for major schemes) by requiring major schemes to achieve a 45% and minor schemes 31% improvement.
 - BREEAM - require “excellent” rating, either as a blanket requirement or for larger schemes, potentially also highlighting that “shell only schemes” can justifiably achieve only “very good”.
 - Heat networks – larger major schemes could be required to undertake work to demonstrate that heat network options, including both district heating and within plot solutions, have been fully explored (mindful of latest guidance), before resorting to stand-alone heat pump solutions, or gas fuelled options.
 - Carbon offsetting - a higher offsetting price could be set, to discourage offsetting / encourage improvements on the Buildings Regulations baseline to be achieved onsite.

TOWARDS NET ZERO CARBON STUDY

- 5.3.7 RBKC has joined a group of 19 London boroughs led by the London Borough of Haringey who have jointly commissioned the consultants Etude to undertake an update to their evidence study titled ‘towards net zero carbon’, which was published by Haringey in 2020. The key objectives of the study are:
- Review the original study and update it as required to ensure that it aligns with the current policy and regulatory context.
 - Update the operational carbon compliance of building archetypes against the new Part L 2021 (since the study was published in 2020 there has been an update to Approved Document L of the Building Regulations).

⁷⁷ [AECOM, RBKC Evidence Study on Greening Issues, July 2021](#).

- Provide a detailed explanation of updated cost assumptions in the final report, including a ‘meta’ analysis of medium to long-term economics (ONS, economist market predictions) to explain baseline assumptions on development costs.
- Update carbon offset pricing evidence.
- Enhance the energy use evidence included in the 2020 study (EUIs and space heating demand formed only a limited part of the original TNZC report).

RBKC LOCAL PLAN: VIABILITY STUDY

- 5.3.8 The Local Plan Viability Study⁷⁸ tested the potential impact of five scenarios relating to climate change policies. The cost of these scenarios ranges from 1.48% to 6.52% of build costs for residential and between 2.00% and 6.5% for non-residential.
- 5.3.9 The viability study concludes that the impact of these additional costs will vary between schemes and between locations within the Borough. Where viability is already on the margins, other policy requirements may need to be reduced in order to compensate for these costs. In lower value areas, there may be a need for a trade-off of affordable housing to accommodate the higher climate change costs. However, in higher value areas, the trade-off required is likely to be significantly lower as there will be more ‘surplus’ residual value in excess of existing use values. Where schemes are more viable and residual land values exceed benchmark land values by a greater margin, there would be no need for any reduction in affordable housing.

SUMMARY

Date	Document	Organisation
Jul. 2021	RBKC Evidence Study on Greening Issues	AECOM
Feb. 2022	RBKC Local Plan Viability Study	BNP Paribas

5.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

- 5.4.1 As set out in section 2.4 above.
- 5.4.2 The options and alternatives considered under Policy GB4 for **net-zero carbon development** are:

⁷⁸ [BNP Paribas, RBKC Local Plan: Viability Study, February 2022.](#)

Option	Status	Reason
<p>1 Adopt a borough wide net-zero carbon emissions target for major development.</p> <p>In addition, the Council will require the minimum on-site reduction beyond Building Regulations 2021 requirements set out in the Mayor's latest energy assessment guidance.</p>	<p>Preferred option / Reasonable alternative</p>	<p>This approach is already in place through London Plan 2021 Policy SI 2 and the Mayor's June 2022 energy assessment guidance.</p> <p>This approach will allow the NLPR policy to remain up to date as future updates to Building Regulations Part L and energy assessment guidance in response to the Future Homes and Future Buildings Standards come forward.</p>
<p>2 Adopt a borough wide net-zero carbon emissions target for major development.</p> <p>In addition, the Council will require a minimum on-site reduction of at least 45% beyond Building Regulations 2013 Part L for major development.</p> <p>Major residential development must achieve a 10% on-site reduction through energy efficiency measures alone and major non-residential development a 15% reduction in accordance with London Plan Policy SI 2.</p>	<p>Not a reasonable alternative</p>	<p>Our evidence on Greening Issues indicated that it would be suitable for RBKC to set net-zero carbon requirements for all major development and identifies scope to go beyond the on-site targets of the London Plan 2021.</p> <p>This approach was supported by the NLPR Viability Study, which concludes that net zero carbon development will not undermine development viability.</p> <p>However, this was based on building regulations Part L 2013 and the introduction of Part L 2021 and the Mayor of London's updated energy assessment guidance (June 2022) rendered this option unreasonable as the Council cannot set policy against superseded building regulations.</p>

Option	Status	Reason
3 In addition to the net-zero carbon and on-site target for major development. The Council should require a minimum on-site reduction of at least 31% beyond Building Regulations 2013 Part L for minor development.	Not a reasonable alternative	<p>Our Evidence Study on Greening Issues indicated that it would be suitable for RBKC to go beyond the requirements of the London Plan 2021. Recommending that we also set a local target for minor development at 31%.</p> <p>However, this was again based on building regulations Part L 2013 and Part L 2021 matched this improvement over Part L 2013. As such, it is not necessary to set out this minor development requirement in policy.</p>

5.4.3 The options and alternatives considered under Policy GB4 for **energy efficient building design (Be Lean)** are:

Option	Status	Reason
1 Applicants for all developments must optimise building design to reduce energy demand in-line with the London Plan energy hierarchy.	Preferred option	<p>This option is largely already in place through Policy SI 2 of the London Plan 2021.</p> <p>Our Evidence Study on Greening Issues is clear that it would be appropriate for RBKC to go beyond the requirements of the London Plan 2021 due to our stretching 2040 net zero target and the challenge of decarbonising the Borough, given the nature of the existing building stock.</p> <p>In addition, the Local Plan Viability Study supports this option, concluding that zero carbon development will not have a significant impact on viability in the Borough.</p>

Option	Status	Reason
2	The Council should not require development to be optimised to reduce energy demand.	<p data-bbox="742 235 986 674">Not a reasonable alternative</p> <p data-bbox="986 235 1449 674">The Council has a stretching 2040 net zero carbon target, and our Evidence Study on Greening Issues is clear that we must require the highest standards from new development if we are to meet this commitment. This option could not be considered to be positively prepared or justified considering this objective.</p>

5.4.4 The options and alternatives considered under Policy GB4 for **energy supply and heat networks (Be Clean)** are:

Option	Status	Reason
<p>1 All major development must design in the ability to connect to future or proposed heat networks.</p> <p>Major development proposals should deliver low temperature communal distribution systems served by heat pumps. The heat source for a communal heating system should be selected in accordance with the London Plan heating hierarchy.</p> <p>Large-scale development schemes, such as those in Opportunity Areas, must explore opportunities to deliver heat networks and should develop energy masterplans in accordance with London Plan Policy SI 3 (B).</p> <p>We will no longer support fossil fuel fired CHP (combined heat and power).</p>	<p>Preferred option</p>	<p>This option is already in place as a policy requirement through Policy SI 3 of the London Plan 2021.</p> <p>In addition, the government consultation on proposed heat network zoning supports this as an appropriate approach for the NLPR.</p> <p>Due to decarbonisation of the national grid fossil fuel fired CHP is no longer considered a low carbon option in accordance with the London Plan 2021.</p>

Option	Status	Reason
<p>2 The Council should not require major development to design in the ability to connect to future heat networks or require major development to deliver low temperature communal distribution systems served by heat pumps.</p> <p>The Council should not require large-scale development schemes to explore opportunities to deliver heat networks and to develop energy masterplans.</p> <p>The Council will continue to support fossil fuel fired CHP (combined heat and power).</p>	<p>Not a reasonable alternative</p>	<p>This option is not considered to be a reasonable approach as it would be contrary to London Plan 2021 Policy SI 2 and SI 3.</p> <p>The NLPR is required to be in general conformity with the London Plan.</p> <p>This option could not be considered to be positively prepared or justified in light of this commitment.</p>

5.4.5 The options and alternatives considered under Policy GB4 for **incorporating renewable energy (Be Green)** are:

Option		Status	Reason
1	Major development must demonstrate that opportunities for on-site renewable energy generation have been maximised.	Preferred option	<p>This option is already in place through Policy SI 2 of the London Plan 2021.</p> <p>Para. 9.2.3 of the London Plan explicitly states that boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies.</p>
2	The Council should not require major development to maximise opportunities for on-site renewable energy generation	Not a reasonable alternative	<p>This option is not considered to be a reasonable approach as it would be contrary to London Plan 2021 Policy SI 2.</p> <p>In addition, this option could not be considered to be positively prepared or justified in light of the Council 2040 net zero carbon commitment.</p>

5.4.6 The options and alternatives considered under Policy GB4 for **energy monitoring and reporting (Be Seen)** are:

Option		Status	Reason
1	Major development is required to report energy demand and carbon emissions data to the GLA for at least 5 years post completion in accordance with the London Plan.	Preferred option	This option is already in place through Policy SI 2 of the London Plan 2021.
2	The Council should not require major development to report energy demand and carbon emissions data to the GLA.	Not a reasonable alternative	This option is not considered to be a reasonable approach as it would be contrary to London Plan 2021 Policy SI 2.

5.4.7 The options and alternatives considered under Policy GB4 for **carbon offsetting** are:

Option	Status	Reason
<p>1 After maximising on-site carbon reduction major development will be required to make an appropriate contribution to the Council’s carbon offset fund in order to meet net zero carbon.</p> <p>As a last resort where applicants cannot meet the carbon reduction targets on site, they will be required to make an appropriate contribution towards the Council’s Carbon Offset Fund.</p> <p>This will be the price set by the London Plan 2021 - £95 x 30 years per tonne of carbon.</p>	Preferred option	This option is already in place through Policy SI 2 of the London Plan 2021, which was found to be viable in evidence.
<p>2 Set a higher carbon offset price through the Local Plan.</p>	Reasonable option	<p>Our Evidence Study on Greening Issues identifies scope to explore setting a higher carbon offset price than the London Plan 2021.</p> <p>Again, this is due to our stretching 2040 net zero target and the challenge of decarbonising the Borough.</p> <p>However, further evidence is required to determine what the higher price should be.</p>

5.4.8 The options and alternatives considered under Policy GB4 for **unregulated carbon emissions** are:

Option	Status	Reason
1	Preferred option	<p>Our Evidence Study on Greening Issues identifies that setting targets for unregulated carbon emissions could be explored in the NLPR.</p> <p>However, setting targets for unregulated operational emissions can be contentious, as these emissions are largely outside the control of the developer. Therefore, it is considered too onerous to set such a requirement.</p> <p>In addition, the WLC approach includes consideration of unregulated emissions, so this is considered to be covered by the requirements of Policy GB2.</p>
2	Not a reasonable alternative	<p>As stated above, setting targets for unregulated operational emissions is contentious, as these emissions are largely outside the control of the developer. Therefore, it is considered too onerous to set such a requirement in the NLPR.</p>

5.4.9 The options and alternatives considered under Policy GB4 for **third party standards** are:

Option	Status	Reason
<p>1 The current Local Plan requires major non-residential development to achieve BREEAM 'very good'.</p> <p>The Council could raise this to the BREEAM 'excellent' standard.</p>	<p>Preferred option</p>	<p>Our Evidence Study on Greening Issues recommends promoting adoption of third-party certification standards to demonstrate that the net-zero carbon and energy efficiency targets have been met. As a means of narrowing the potential performance gap between design and as built, as well as recognising that in-house skills and resources to scrutinise modelling data are limited.</p> <p>The BREEAM 'very good' standard has been working successfully as a policy requirement within the existing Local Plan. The evidence study indicates that raising this requirement to the 'excellent' standard in the NLPR would be reasonable.</p> <p>In addition, the Local Plan Viability Study indicates that achieving zero carbon development will not significantly impact viability. This conclusion can be extrapolated to support setting third-party certification as a policy requirement.</p>
<p>2 The Council should keep the existing Policy CE1 target of BREEAM 'very good' standard.</p>	<p>Not a reasonable alternative</p>	<p>This is not considered to be a reasonable alternative as our evidence clearly establishes that BREEAM 'excellent' standard is a reasonable requirement with many schemes already achieving this level.</p>

Option	Status	Reason
3	The Council should set third-party certification, such as Passivhaus, as a requirement for major residential development.	<p data-bbox="743 235 919 309">Reasonable alternative</p> <p data-bbox="986 235 1422 638">The Council supports and strongly encourages all sustainable retrofitting projects to adopt third-party standards such as Passivhaus, EnerPHit and Energiesprong to robustly demonstrate carbon reduction targets achieved on-site and ensure a quality assured outcome.</p> <p data-bbox="986 678 1410 1153">However, it may be too onerous to set a blanket requirement for major residential schemes to adopt such standards as it may be challenging for smaller scale major schemes to achieve. Therefore, the approach set out in policy GB1 is preferred as this sets out the Council's strong support for the use of such standards but ensures flexibility.</p>

5.4.10 The options and alternatives considered under Policy GB4 for **the refurbishment of existing buildings** are:

Option	Status	Reason
<p>1 Large scale refurbishment schemes must meet the targets and requirements of Policy GB4 as far as demonstrably practicable.</p>	<p>Not a reasonable alternative</p>	<p>Our Evidence Study on Greening Issues identifies a pressing need to support the sustainable retrofit of existing buildings in RBKC. This is because the existing building stock accounts for circa 80% of the Borough’s carbon emissions.</p> <p>Policy G1(A) sets out the Council’s support for sustainable retrofit of the Borough’s existing building stock.</p> <p>However, it may be too onerous to place a blanket requirement on refurbishment schemes to meet the same on-site carbon reduction targets as new build development as it will likely be challenging for smaller scale major refurbishment schemes for example and could impact viability and deliverability of such schemes. Instead, the general support for sustainable retrofitting set out in policy GB1 is considered the preferred approach.</p>
<p>2 The Council should require all refurbishment development to meet the requirements of policy GB4.</p>	<p>Not a reasonable alternative</p>	<p>It would be too onerous to require all scales of refurbishment development to meet the carbon reduction and energy efficiency requirements of Policy GB4 and would likely be prohibitive to smaller scale development. Therefore, this option would not be justified and could be considered to be positively prepared.</p>

5.5 PUBLICATION POLICIES

- 5.5.1 Following consideration of the options presented above, consultation and reasonable alternatives, Policy GB4: Energy and Net Zero Carbon is proposed as follows.

GB4: Energy and Net Zero Carbon

Reducing Energy Demand

- A. Applicants for all developments must optimise building design to reduce energy demand in-line with the London Plan energy hierarchy⁷⁹.

Net Zero Carbon

- B. Major development must be net zero carbon and as a minimum meet the on-site requirements set out by the GLA, currently in the Mayor of London's Energy Assessment Guidance (June 2022).
1. Only where it is robustly demonstrated in an energy strategy/assessment that net zero cannot be fully achieved on-site, any shortfall should be provided, in agreement with the Council, either:
- i. through a cash in lieu contribution to the Council's carbon offset fund, or
 - ii. off-site, provided that an alternative proposal is identified and delivery is certain which will be secured through a legal agreement.

Energy Supply (Heat Networks)

- C. Major developments must design in the ability to connect to future or proposed heat networks.
- D. Major development proposals should deliver low temperature communal distribution systems served by heat pumps. The heat source for a communal heating system should be selected in accordance with the London Plan heating hierarchy⁸⁰.
- E. Large-scale development schemes, such as those in Opportunity Areas, must explore opportunities to deliver heat networks and should develop energy masterplans in accordance with the London Plan.

Renewable Energy

⁷⁹ Mayor of London, [London Plan 2021](#), March 2021 - Policy SI 2 (A), page 342.

⁸⁰ Mayor of London, [London Plan 2021](#), March 2021 - Policy SI 3 (D.) (1), page 349.

- F. Major development must demonstrate that opportunities for on-site renewable energy generation have been maximised.

Energy Monitoring and Reporting

- G. Major development must report actual operational energy use in accordance with the London Plan and Mayor's 'Be Seen' Energy Monitoring Guidance.

Third-Party Standards

- H. Major non-residential development must demonstrate that it meets BREAAAM 'excellent' standard.

Energy Strategies

- I. All applications for major development must be accompanied by an energy strategy/assessment demonstrating how the requirements of Policy GB4 will be met. As a minimum, energy strategies must meet the requirements of the London Plan, as well as the requirements of the Mayor's most up to date energy assessment guidance.

5.6 PROPOSALS MAP

- 5.6.1 No changes are required to be made to the Proposals Map.

5.7 DUTY TO COOPERATE AND STRATEGIC ISSUES

- 5.7.1 As set out in section 2.7 above.

6. POLICY GB5: OVERHEATING

6.1 INTRODUCTION

- 6.1.1 The higher temperatures and increased frequency of extreme weather events, such as heat waves, that are expected in the future due to climate change mean that overheating poses a key risk for health and productivity in the UK. Managing heat risk in new development is, therefore, crucial for the health and comfort of occupants and is particularly important in a dense borough such as RBKC and with increasing temperatures in London⁸¹.
- 6.1.2 Overheating occurs when indoor thermal environmental conditions exceed those that are acceptable for human thermal comfort or where they may have an adverse effect on human health. This may impact certain spaces or rooms within a dwelling or all spaces intermittently or over a sustained period of time.
- 6.1.3 The Committee on Climate Change (CCC)⁸² has highlighted heat stress as a key climate change risk and estimate heat-related deaths in the UK to triple by the middle of the century. Around 20% of homes may already be overheating even in relatively cool summers. To ensure that new buildings are resilient to the future impact of climate change, it is imperative that these are designed to mitigate the risk of summer overheating. It is also imperative that opportunities to reduce overheating risk are taken into consideration for buildings undergoing major retrofit.

6.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

NATIONAL LEGISLATION

PLANNING AND COMPULSORY PURCHASE ACT 2004 AND PLANNING ACT 2008

- 6.2.1 LPAs are bound by the legal duty set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004⁸³, as amended by Section 182 of the Planning Act 2008⁸⁴, to ensure that “*Development Plan documents, (taken as a whole), include 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.*”

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 6.2.2 Paragraph 153 of the NPPF⁸⁵ is clear that “*Plans should take a proactive approach*

⁸¹ [AECOM, RBKC Evidence Study on Greening Issues, July 2021.](#)

⁸² [CCC, Progress in Preparing for Climate Change 2015 Report to Parliament, June 2015.](#)

⁸³ [HM Government, Planning and Compulsory Purchase Act, 2004.](#)

⁸⁴ [HM Government, Planning Act 2008.](#)

⁸⁵ [MHCLG, National Planning Policy Framework, July 2021.](#)

to mitigating and adapting to climate change.”

THE FUTURE BUILDINGS STANDARD

- 6.2.3 The Government undertook a two-part consultation on proposed changes to Part L (Conservation of fuel and power) and Part F (Ventilation) of the Building Regulations 2010⁸⁶.
- 6.2.4 Part 2 of the consultation contained proposals for the Future Buildings Standard, including changes to the energy efficiency requirements for non-domestic buildings⁸⁷. The consultation also included proposals for an approach to overheating in new residential buildings.
- 6.2.5 Part O of Schedule 1 to the Building Regulations now sets out requirements for the mitigation of overheating in new residential development and Approved Document O⁸⁸ provides technical guidance on meeting these requirements.

REGIONAL POLICY, STRATEGIES AND GUIDANCE

LONDON PLAN 2021

- 6.2.6 Policy SI 4 ‘Managing heat risk’ states that development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. In addition, Policy SI 4 sets out that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a defined cooling hierarchy. The full policy is set out below:

Policy SI 4 Managing heat risk

- A Development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.
- B Major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:
- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure
 - 2) minimise internal heat generation through energy efficient design
 - 3) manage the heat within the building through exposed internal thermal mass and high ceilings
 - 4) provide passive ventilation
 - 5) provide mechanical ventilation

⁸⁶ [MHCLG, Future Homes Standard, January 2021.](#)

⁸⁷ [MHCLG, Future Buildings Standard, December 2021.](#)

⁸⁸ [DLUHC, Overheating: Approved Document O, January 2021.](#)

6) provide active cooling systems.

6.2.7 Further guidance on this policy is provided in paragraph 9.4.1 – 9.4.5. In particular, paragraph 9.4.4 sets out that “passive ventilation should be prioritised” and that “increased use of air conditioning systems is not desirable as these have significant energy requirements and, under conventional operation, expel hot air, thereby adding to the urban heat island effect”.

[ENERGY ASSESSMENT GUIDANCE, 2022](#)

6.2.8 The Energy Assessment Guidance⁸⁹ published by the GLA in June 2022 includes guidance for applicants on how to comply with the requirements of Policy SI 4.

[LONDON ENVIRONMENT STRATEGY, 2018](#)

6.2.9 The London Environment Strategy (May 2018)⁹⁰ commits London to being a zero-carbon city by 2050. The London Energy and Greenhouse Gas Inventory (LEGGI) regional and borough datasets published on an annual basis by the GLA allow London’s emissions to be monitored. These datasets underpin the Strategy and the London Plan.

LOCAL

[EXISTING LOCAL PLAN POLICY \(LOCAL PLAN, 2019\)](#)

6.2.10 The existing Local Plan⁹¹ does not contain a policy on overheating.

[RBKC GREENING SUPPLEMENTARY PLANNING DODCUMENT, 2021](#)

6.2.11 The Greening SPD, published in June 2021⁹², covers all facets of planning that can contribute towards reducing carbon emissions and provides detailed guidance on the Council’s energy policies. Chapter 5 in particular contains a section that focuses on managing overheating risk and undertaking overheating assessments.

[RBKC GREEN PLAN, 2021](#)

6.2.12 The RBKC Green Plan⁹³ sets out how the Council will meet its climate emergency pledge to be a carbon neutral organisation by 2030 and to be a carbon neutral borough by 2040. The Plan focuses on the following five environmental priorities:

- Achieving carbon neutrality and tackling climate change
- Improving air quality
- Tackling fuel poverty

⁸⁹ [Mayor of London, Energy Assessment Guidance, June 2022](#)

⁹⁰ [Mayor of London, London Environment Strategy, May 2018.](#)

⁹¹ [RBKC, Local Plan, September 2019.](#)

⁹² [RBKC, Planning Contributions SPD, September 2019.](#)

⁹³ [RBKC, Green Plan, June 2021.](#)

- Minimising waste
- Protecting and enhancing biodiversity

RBKC CLIMATE EMERGENCY ACTION PLAN 2022 – 2027

6.2.13 In light of the climate emergency declaration, the Council has developed a new five-year Climate Emergency Action Plan⁹⁴ which will replace the existing 2016-2021 joint Air Quality and Climate Change Action Plan. The Climate Emergency Action Plan sets out the Council’s approach and vision for tackling the climate emergency, including six priority delivery areas and actions required to become a carbon neutral Council by 2030 and a carbon neutral borough by 2040. It addresses both emissions produced by the Council through its operations, fleet and buildings and also the Borough-wide emissions from heating homes and transport. The action plan concentrates on both mitigation and adaptation through either direct carbon reduction actions or awareness-raising and education initiatives such as trainings, behaviour change campaigns and lobbying.

SUMMARY

Date	Document	Organisation
Jul. 2021	National Planning Policy Framework	MHCLG
Jan. 2021	The Future Homes and Future Buildings Standards	DLUHC & MHCLG
Jan. 2021	Overheating: Approved Document O	DLUHC
Mar. 2021	The London Plan 2021	Mayor of London
Jun. 2022	Energy Assessment Guidance	Mayor of London
May 2018	London Environment Strategy	Mayor of London
Sep. 2019	RBKC Local Plan	RBKC
Jun. 2021	RBKC Greening Supplementary Planning Document	RBKC
Jun. 2021	RBKC Green Plan	RBKC
Dec. 2021	RBKC Climate Change Emergency Action Plan 2022-2027	RBKC

6.3 EVIDENCE BASE

OVERHEATING IN RBKC

- 6.3.1 As set out in paragraph 6.1.1 – 6.1.3 above, overheating is a key climate change impact that is particularly relevant in a densely development inner London borough such as RBKC.
- 6.3.2 Overheating is expected to become an increasingly significant challenge in the coming years as global temperatures increase. As such, it is important that the NLPR guide future development in the Borough to assess and address the risk of overheating during the design stage.

⁹⁴ [RBKC, Climate Change Emergency Action Plan 2022-2027.](#)

RBKC EVIDENCE STUDY ON GREENING ISSUES

6.3.3 The Evidence Study on Greening Issues⁹⁵ makes the following key recommendations in respect of overheating:

- Overheating - minor schemes (as well as majors) should demonstrate (via the Energy Statement or the Design and Access Statement) that they have been developed in line with the London Plan cooling hierarchy.

SUMMARY

Date	Document	Organisation
Jul. 2021	RBKC Evidence Study on Greening Issues	AECOM

6.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

6.4.1 As set out in section 2.4 above.

6.4.2 The options and alternatives considered are:

Option	Status	Reason
1 Major development must reduce reliance on air conditioning in accordance with the London Plan cooling hierarchy and meet the Cooling and Overheating requirements of the GLA Energy Assessment Guidance. This must be demonstrated through an energy strategy.	Preferred option	Densely developed boroughs such as RBKC are prone to the urban heat island effect and internal overheating. It will therefore be important to place requirements on applicants and developers to identify and mitigate overheating risk in new development. This option is already in place through London Plan 2021 Policy SI 4 and is recommended by our evidence study on greening issues.

⁹⁵ [AECOM, RBKC Evidence Study on Greening Issues, July 2021.](#)

Option	Status	Reason
2	The Council should not set any overheating requirements for major development.	<p data-bbox="740 230 986 349">Not a reasonable option</p> <p data-bbox="986 230 1449 383">This option is not considered to be a reasonable approach as it would be contrary to London Plan 2021 Policy SI 4.</p> <p data-bbox="986 421 1449 528">The NLPR is required to be in general conformity with the London Plan.</p> <p data-bbox="986 566 1449 860">In addition, considering the significance of the issue of overheating in the Borough and the impact it has on local amenity it could not be considered justified or positively prepared to take this approach.</p>

6.5 PUBLICATION POLICIES

- 6.5.1 Following consideration of the options presented above, consultation and reasonable alternatives, Policy GB5: Overheating is proposed as follows.

GB5: Overheating

- A. Major development must minimise overheating risk, reduce reliance on air conditioning in accordance with the London Plan cooling hierarchy and meet the Cooling and Overheating requirements of the Mayor of London's Energy Assessment Guidance. This must be demonstrated in an energy strategy/assessment.

6.6 PROPOSALS MAP

- 6.6.1 No changes are required to be made to the Proposals Map.

6.7 DUTY TO COOPERATE AND STRATEGIC ISSUES

- 6.7.1 As set out in section 2.7 above.



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