

Subject:	Use of Plastics on and within buildings in Brighton & Hove		
Date of Meeting:	21 June 2018		
Report of:	Executive Director of Economy, Environment & Culture		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report responds to the request within the Notice of Motion on the 'Use of Plastics on and within buildings in Brighton & Hove' presented at the Tourism Development & Culture Committee 11 January 2018.
- 1.2 This report responds from the point of view of the Planning and Building Control Service, which are the main regulatory powers the council has over buildings in the city.

2. RECOMMENDATIONS:

That the Committee approves:

- 2.1 That the council continue to promote the use of renewable materials and the re-use and recycling of building materials and to promote energy efficiency, water efficiency and waste minimisation.
- 2.2 That the council promotes the use of construction materials made from re-cycled plastics and also looks to increasing re-cycling rates for plastics more generally.
- 2.3 That the council focus capacity on the emerging work, following approved Notices of Motion to phase out use of 'single use plastics' through the council's own services and spend.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Concern over the impact of plastics on ecology, health and the environment has been increasing steadily in recent years. Public consciousness has been alerted to the scale of ocean plastic pollution after the TV series Blue Planet II and many plastic waste campaigns. The Government's *25 Year Environment Plan: A Green Future 2018* commits to eliminate all avoidable plastic waste by 2042

- 3.2 Two Notices of Motion (NoM) were presented to Full Council in November 2017. These referred to ‘Banning use of single use plastics’; and ‘Unnecessary single-use plastics’. These were both carried unanimously.
- 3.3 In response to these NoM’s, action has been requested from officers to explore implementation of a ban on single use plastics (SUPs) in council buildings, services, agencies, and supply chains, and for the council to become signatory to the ‘Plastic free Pledge’. An update report on ‘Phasing out use of single use plastics’ was taken to Policy, Resources & Growth Committee on 29 March followed by a full report expected in July 2018.
- 3.4 At Tourism, Development & Culture Committee on 11 January 2018, Item 43(d), a Notice of Motion on the ‘Use of Plastics on and within buildings in Brighton & Hove’ was presented. The Notice stated: “This committee requests that an officer report is produced to detail the extent of the use of plastics on and within all buildings in Brighton & Hove, including new-builds and additions, and what steps could be taken to address the situation with a view to making Brighton & Hove a leader nationally in the use of quality renewable alternatives”.
- 3.5 The Committee resolved to have an Officer report regarding the use of plastics on and within buildings in Brighton & Hove. As noted above, this report responds from the Planning & Building Control perspective.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The current use of plastics in the construction industry is widespread. In relation to all new build and existing buildings, alterations and extensions, plastic is used for non-structural purposes, e.g. pipes, drainage, un-plasticised polyvinyl chloride (uPVC) windows, and weather-boarding. Better quality plastics are used because they are low maintenance, durable, cost effective, versatile and not susceptible to degradation.
- 4.2 As an example, uPVC is the leading material used in the construction industry for replacement windows at a lower cost than timber. Although it is not a renewable material homeowners will more often replace windows in double glazed uPVC due to affordability and also then benefit from reduced energy bills. As an example of cost differential, an industry website¹ gives average prices for sash windows in different materials as follows:

Sash double glazed window	Average cost per window including materials, installation and VAT
uPVC windows	£700 - £1,100
Timber windows	£1,100 - £1,900
Aluminium coated windows	£1,200 - £1,500

Planning and Building Control

- 4.3 City Plan Part One policy CP8 ‘Sustainable Buildings’ includes policy on sustainable materials is as follows:

¹ www.getawindow.co.uk/window-prices/

- 2. All development proposals including conversions, extensions and changes of use will be expected to demonstrate how the development:*
- (i). uses materials that are sustainable and have low embodied carbon (These include materials that are produced locally where possible, procuring materials sustainably and ethically, and seeking to avoid materials which are polluting or with high embodied carbon and energy inputs);*
 - (k). minimises waste and facilitates recycling, composting and re-use;*
 - (l). reduces air, land and water pollution*

Whilst the policy states proposals are expected to demonstrate the use of sustainable materials the policy does not *require* all materials to be sustainable.

- 4.4 The online Sustainability Checklist for planning applications also asks for information about sustainable materials' use, indicating that use of certified sustainable timber, local, renewable, and low embodied carbon materials is welcomed.
- 4.5 Until fairly recently, planning authorities had a means of requiring minimum standards for sustainable materials through the use of the 'Code for Sustainable Homes' (the Code), a national certification scheme which included scoring on e.g. materials, pollution and waste. All new dwellings in Brighton & Hove were required to meet Code standards under locally adopted policy from 2008-2015. Using the Code as an assessment method, the council could have adopted policies to achieve minimum scoring in the materials section of the Code, though this could not have been applied specifically to the use of plastics, as it would apply to the materials of all major components.
- 4.6 In 2015, the Code was withdrawn by government, following the Housing Standards Review. A Written Ministers Statement (March 2015) committed to streamline the planning process. It announced that technical standards would be transferred to Building Regulations following withdrawal of the Code. However, standards transferred to Building Regulations included water, access, energy efficiency and space standards, but not materials.
- 4.7 Building Regulations currently require only that a material is fit for purpose and performs the function intended. There is no requirement for the use of renewable materials. This would require a change to the Building Regulations.

Heritage policy

- 4.8 The council's planning policies relating to heritage restrict the use of uPVC windows and doors on listed buildings and on historic buildings in conservation areas. This is because uPVC windows and doors do not satisfactorily match the detailing and subtle differences of traditional timber examples, rather than because of an inherent objection to the material itself.
- 4.9 Exceptions are allowed where the use of uPVC examples would not harm the heritage asset, for example at the rear of buildings in conservation areas. Heritage policy also requires the use of cast metal for rainwater goods on listed buildings, but plastic is usually accepted in conservation areas because plastic downpipes and gutters are already so widespread. uPVC windows are not

banned by heritage policy as such, just considered unlikely to be able to match the detailing requirements of historic windows.

4.10 Waste policy

The East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, adopted 2013 includes Policy WMP3a which promotes strategies for waste prevention, re-use and wider waste awareness. Furthermore, Policy WMP3d provides specific requirements that are intended to minimise waste generated during construction activities.

- 4.11 Although the national Site Waste Management Plan Regulations have been rescinded, this adopted local policy requirement enables the Council to continue to require Site Waste Management Plans to support planning applications. These support on-site segregation of waste materials which facilitates recycling of different waste streams such as plastic.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 No community engagement has been carried out as this report is based on the council's planning and building control powers.

6. CONCLUSION

- 6.1 It is the view of planning and building control officers that currently there are no realistic alternatives to the extensive use of plastic in the construction industry. It would however be beneficial to promote the use of construction materials made from re-cycled plastics and also look to increasing re-cycling rates for plastics more generally.
- 6.2 Plastic is currently all pervasive in our culture. However, the removal of plastics from the waste stream through recycling benefits the environment and makes use of an otherwise redundant material. Recycling plastics into building materials, where they are locked in to long term use may offer a better solution than disposal/incineration, and creates a more circular economy.
- 6.3 Separate to this report, officers reporting to PR&G Committee are focussing on looking at phasing out use of SUPs. Plastics used in the construction industry are not 'single use' in the same sense. Whilst there are significant opportunities to cease use of SUPs through council services and spend, the task of addressing other plastics' use in construction is harder due to limited council powers.
- 6.4 As a consequence officers advise that the council focus on the excellent work emerging around policy and practice to phase out SUPs (see 6.3 above), and continue to seek to promote the use of renewable materials, and the re-use and recycling of building materials to promote energy efficiency, water efficiency and reduce waste minimisation.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

There are no direct financial implications as a result of this report, however, the financial impact of using alternative materials in construction contracts and

capital schemes will need to be considered within individual business case. The financial impact of using alternative materials for revenue services, agencies, and supply chains will also need to be considered within the scope of their respective revenue budgets.

Finance Officer Consulted: Rob Allen

Date: 15/02/18

Legal Implications:

- 7.1 As noted in the body of the report, the council has no statutory power, under current planning or building control legislation, to require a restriction on the use of plastics. Planning policy allows the council to encourage the use of fewer plastics but more stringent policy is unlikely to be sound at local plan examination.
- 7.2 It is not considered that the report's recommendations raise any adverse human rights implications.

Lawyer Consulted: Hilary Woodward

Date: 14/2/18

Equalities Implications:

- 7.3 An Equality Impact Assessment has not been carried out. No equalities implications have been identified.

Sustainability Implications:

- 7.4 Plastic production requires use fossil fuels. When redundant, plastics are difficult to dispose of in a way that does not harm the natural world. An estimated 8.3 billion tonnes of plastic have been produced since the 1950s. This is likely to be 34 billion tonnes by 2050, the majority of which will end up in landfill or polluting the world's continents and oceans. Mitigating this problem requires reducing production and use of virgin plastics, and increasing the recycling of existing plastic.

Corporate / Citywide Implications:

- 7.5 The principle of *Public Accountability* is central to this report in terms of council use of planning powers. The issue of plastics use is relevant to the priorities of *Environmental sustainability* and *Health & wellbeing*.

Any Other Significant Implications:

- 7.6 Part of the attraction of plastic materials is their low financial cost, which does not correspond to their potential environmental costs. Use of alternatives may therefore involve higher costs initially in the transition to more sustainable alternatives.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms:

None

Background Documents:

1. [A Green Future: Our 25 Year Plan to Improve the Environment](#), the UK Government's Environment Plan (2018)
2. [Written Ministers Statement](#) (March 2015) on Housing Standards
3. City Plan Part One, Policies CP8 Sustainable Buildings and CP15 Heritage