

# Draft Sustainable Construction & Retrofitting Supplementary Planning Document

Summary of Consultation

22 March – 3 May 2012

## Sustainable Construction & Retrofitting Supplementary Planning Document

FINAL CONSULTATION DRAFT  
22 MARCH – 3 MAY 2012



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# Consultation Report

## 1 Early stage consultation

1.1 Early stage consultation on the Sustainable Construction SPD was undertaken via a series of one to one meetings with key stakeholders.

1.2 In addition, the Council ran a Stakeholder workshop in July 2011 which was attended by 35 people including Councillors, Academics, Community Groups, Local Architecture Practices, English Heritage, Environment Agency, Bath Preservation Trust, Somer Housing (now Curo), Residents Associations, adjoining Local Authorities, and Council officers from a range of disciplines and departments. A full report of this workshop is available as a background document. Storyboards with draft content and stylistic options were presented to the stakeholders which has informed the content and presentation style of the SPD.



## 2 Committee Meetings

2.1 **Planning Transport & Environment Policy Development and Scrutiny Panel**  
– The panel considered the draft Sustainable Construction SPD on 15<sup>th</sup> May 2012 as part of the consultation, comments are under consideration alongside the public consultation comments. Table 1 below is a summary of key points raised and how these are being addressed.  
<http://democracy.bathnes.gov.uk/documents/s17235/SustainableConstructionSPD.pdf>

*Table 1: Key points raised by PTE Policy Development Scrutiny Panel and how these have been addressed*

| <b>Issue raised</b>   | <b>Response</b>  |
|---|--|
| Concern about how Cavity Wall Insulation would be carried out | Risks flagged up in section on wall insulation. However, this is not a |

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| on certain properties  | detailed DIY guide and specialist advice will still be needed and the SPD flags up that a detailed survey will need to be undertaken by an installer to assess the suitability of the building for cavity wall insulation.  |
| Planning process section could be expanded including links to Neighbourhood Planning | Links to SPD added to the Neighbourhood Planning protocol – this is considered to be the main source of information on the planning process rather than this SPD.<br><br>Separate permitted development checklist provided.<br><br>Further detail on submitting listed building applications added. |
| Links to the green deal should be added  | Links added.  |
| Listed Building consent section should be clearer                                    | Significant further work undertaken on this section to make it clearer and more detailed.   |
| Information on low cost/high impact measures should be included up front             | Clearer message re energy hierarchy to be included in the SPD to emphasise this point up front.   |

2.2 **Cabinet** – The Cabinet considered the draft Supplementary Planning Document on 14<sup>th</sup> March 2012 and agreed it for public consultation.  
<http://democracy.bathnes.gov.uk/documents/s15874/E2351%20Sustainable%20Construction%20SPD.pdf>

2.3 The draft Supplementary Planning Document was considered by the **Environmental Sustainability Partnership** on 26<sup>th</sup> July 2012. The following statement of support was agreed by this group:

*“Detailed local guidance is both needed and supported for energy efficiency measures in listed buildings. This should provide greater clarity and objectivity and be as permissive as possible within areas where we can exert local discretion in relation to energy efficiency.”*

### 3 Public Consultation

- 3.1 A public consultation on the draft document was held for 6 weeks between 22<sup>nd</sup> March and 3<sup>rd</sup> May 2012. This was fully integrated to the programme of collaborative events for “Bath Homes fit for the Future” and was ran jointly with the Sustainability and the Planning Policy teams working with the Bath Preservation Trust and Transition Bath to deliver the programme of events and activities.
- 3.2 During this period the following consultation activities were undertaken:
- 3.3 **Notification** – A notification letter with information about the consultation and events was issued prior to 22<sup>nd</sup> March by email/letter to all statutory consultees and a range of other stakeholders. Hard copies of the document were also issued and distributed by hand at events and by post to statutory consultees. An item on this topic was also included in the Spring 2012 LDF newsletter:<http://www.bathnes.gov.uk/SiteCollectionDocuments/Environment%20and%20Planning/Planning/planning%20policy/LDF%20Newsletter%20Spring%202012%20Web%20Version.pdf>
- 3.4 **Press notice** – A press notice was issued which appeared on 22<sup>nd</sup> March in the Bath Chronicle. This is a statutory requirement.
- 3.5 **Press releases** – A series of press releases were issued which were picked up in local newspapers and radio. For example:
- <http://www.thisisbath.co.uk/Green-projects-win-Government-money/story-15179438-detail/story.html>
  - <http://www.thisisbath.co.uk/Green-home-pioneers-open-doors-public/story-15042275-detail/story.html>
  - <http://www.thisisbath.co.uk/Homes-fit-future/story-15435076-detail/story.html>
- 3.6 **Webpages** – [www.bathnes.gov.uk/greenbuild](http://www.bathnes.gov.uk/greenbuild)  
A specific webpage was set up to include a copy of the draft SPD, comment form and details of consultation events and other information. In addition, a specific webpage was set up for the open homes weekend and associated activities: [www.bathhomesfitforthefuture.org](http://www.bathhomesfitforthefuture.org) which included an online booking system for the open homes weekend.
- 3.7 Unfortunately due to a technical issue the corporate consultation calendar which is externally hosted was not able to be updated to include this consultation. However, all other requirements were met.
- 3.8 **Hard copies in libraries and Council offices** – Hard copies of the Supplementary Planning Document and details of the consultation were made available in all libraries in the district and also in the Guildhall, Riverside and the Hollies.

- 3.9 **Bath City Conference** - This open event was held at the Guildhall in Bath on 2<sup>nd</sup> May 2012, 2-8pm and attended by approx. 450 people. A Sustainable Construction & Retrofitting stall, a Bath Homes fit for the Future stall as well as stalls set up by local groups on this topic (Bath Preservation Trust – London Road project; Energy Efficient Widcombe – LEAF Bid project and Sash window demonstrator session by the Sash Window Consultancy) was set up and manned in the Kaposvar room which had a Sustainability focus – containing displays and information. For further information please go conference with to [www.bathcityconference.net](http://www.bathcityconference.net)
- 3.10 In addition a short film about the open homes weekend was launched in the main room (Banqueting room):  
<http://www.thisisbath.co.uk/Bath-City-Conference-2012-details-announced/story-15922443-detail/story.html>
- 3.11 **Keynsham drop in session** – Prior to a Neighbourhood Planning workshop a drop-in session and display on the SPD took place on 3<sup>rd</sup> May 5.30-6.30pm at Keynsham Town Hall. Approximately 65 people attended the main event.
- 3.12 **Bath Homes fit for the Future** – The main part of this consultation was held in collaboration with Bath Preservation Trust and Transition Bath. A full programme of events is available at [www.bathnes.gov.uk/greenbuild](http://www.bathnes.gov.uk/greenbuild) and a leaflet, posters and advertisement postcards were distributed by volunteers throughout the city.

| Event  | Comments  |
|--|---|
| 29 Feb<br>Getting Inspired to Reduce Energy Consumption: Workshop<br><br>Friends Meeting House Bath<br><br>Organised by local group <i>Retrofit to Save Energy</i> | Three expert speakers presenting inspiring examples of how to reduce energy consumption in your Bath home.  |
| 06 March<br>Green Deal & Business Development Seminar<br><br>Innovation Centre, Bath<br><br>Organised by <i>B&amp;NES Council with Low Carbon South West</i>       | An event for local businesses about the growing market for renewable technologies and retrofit.<br><br>This included a pop up display on the Supplementary Planning Document and copies of the draft document were given out. |
| 13 March<br>Love your windows!<br><br>Building of Bath Collection  | Free drop in practical demonstration draft proofing   |

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| Organised by <i>Bath Preservation Trust</i>   |  |
| 13 – 16 March<br>Bath Homes fit for the Future Exhibition<br><br>Bath Central Library<br><br>Organised by B&NES Council                                       | Display on retrofitting and sustainable construction including information on the open homes weekend and the SPD   |
| 13 March & 10 April<br>Transition Bath HUB<br><br>Jika Jika Café<br><br>Organised by <i>Transition Bath</i>   | Networking event.  |
| 14 March & 11 April<br>Bath Green Drinks<br>The Rising Sun<br><br>Organised by <i>Bath Green Drinks</i>   | Discussion group   |
| 15-17 March<br><br>The Green Room Mobile Advice Centre<br><br>Stall Street<br><br>Organised by <i>B&amp;NES Council</i>                                       | Mobile advice centre with information about energy efficiency, renewable energy, grants and discounts.   |
| 16-17 March<br><br>Bath Homes fit for the future open homes weekend<br><br>Organised by <i>B&amp;NES Council, Bath Preservation Trust and Transition Bath</i> | 12 open homes in Bath showcasing retrofitting energy efficiency measures and microgeneration technologies and sustainable new builds and extensions.<br><br>Building of Bath Collection hosted a series of exhibitions during the two days.<br><br>621 visits registered over the weekend. |
| 19 March<br>Transition Bath Energy Group Focus on Green Roofs<br><br>Friends Meeting Hse, Bath and North East Somerset Council                                | Specialist talk about installation of green roofs.   |

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| Organised by <i>Transition Bath</i>  |   |
| 22 March<br>Ecobuild Conference<br>ExCel London<br>Coach organised by <i>B&amp;NES Council</i>   | Trip to world's biggest event for sustainable design and construction.  |
| 28 March<br>Understanding what I can do to reduce energy consumption in my Bath home<br>Friends Meeting House Bath<br>Organised by local group <i>Retrofit to Save Energy</i>                      | Technical talk based on the findings of a study in Widcombe.  |
| 05 April & 21 April<br>Make a tea cosy/Draught excluder<br>146 Walcot Street<br>Organised by <i>The Makery</i>   | Craft workshops   |
| 16 April<br>Transition Bath Energy Group: Introduction to Passivhaus<br>Friends Meeting Hse, Bath and North East Somerset Council<br>Organised by <i>Transition Bath</i>                           | Technical talk about Passivhaus principles and their application.   |
| 26 April<br>Conference: Is Bath fit for the Future?<br>SPD Launch evening<br>Countess of Huntingdon's Chapel<br>Organised by <i>B&amp;NES Council, Bath Preservation Trust and Transition Bath</i> | Attended by over 70 people with guest speakers from the Council, BPT and Transition Bath. Guest Speaker from Historic Scotland. |

3.13 A detailed report on the Bath Homes fit for the Future project is also included as an Appendix to this Report (**Appendix D**). Approx 300 people attended the events, with 620 people visiting homes during the open homes weekend.



#### 4 Statement of Compliance with the Statement of Community Involvement

- 4.1 In line with the SCI, a full schedule of comments together with a consultation report and statement of compliance is included here.
- 4.2 The key target groups focused on in this consultation were residents of Bath, and working collaboratively with key partners to run events and the open homes weekend was a key part of this.
- 4.3 Care was also taken to consider impacts on various equality groups and information on public events including the Bath City Conference was sent to all of the known groups, societies and organisations on our mailing list. The Bath City Conference event was aimed at being highly accessible, with a large range of community led stalls and projects.

#### 5 Summary of responses to the consultation

##### **Overview**

- 5.1 The consultation responses show that there is **strong support** across the board for the supplementary planning document (SPD) in principle. All respondents recorded have expressed their support for the ambitions of the document, with a general recognition of the importance of addressing the issue of climate change within the historically significant and sensitive context.
- 5.2 The 30 detailed written comments received comments received positively recognised the SPD's approach to tackling a complex and challenging subject in an engaging manner.
- 5.3 The structured consultation questions were completed by 14 respondents (out of a total of 30 respondents to the consultation exercise), and the results of the questions posed showed that there was a strong majority view that the SPD was mostly easy to use and understand, and that the scope and detail of the content was appropriate for the document. The more detailed response showed that:
  - Over 92% of respondents considered the document was easy to use.
  - Over 92% of respondents considered that the text was clear to understand.
  - Regarding the diagrams and images in the document, 100% respondents considered that they were easy to understand
  - Respondents indicated that there was generally enough detail included to address the SPD's expressed target audience (householders and small scale developers).
  - Over 97% of respondents considered that the detail was appropriate to the target audience

5.4 The final question posed as to whether respondents agreed with the content received a more mixed response. Almost 86% of respondents considered that they mostly agreed with the content of the SPD. 14% of respondents indicated they definitely agreed with the content of the SPD.

5.5 Many of the comments raised were points of technical detail, with the section attracting most comments being the chapter on listed buildings.

### **Listed Buildings:**

5.6 **Hierarchy of Actions** - A number of the comments highlighted that the guidance should be strongly emphasising the hierarchy of measures which should be undertaken by householders, starting with basic changes in appliances and behaviour and progressing towards more drastic and invasive measures.

5.7 **Tone of Listed Building Sections** - A number of comments received commented that the document dwells primarily on the negative aspects of listed and traditional buildings, and does not do enough to emphasise the value of heritage and some of the advantages of traditional building styles.

5.8 English Heritage in particular suggested that the 'typology' section (pages 20 – 29) should be reworked and presented more as a 'strengths and weaknesses' or SWOT analysis approach, which showed the advantages of each typology as well as the issues.

5.9 **Listed Building Policy 'Presumptions'** - There was broad support for the principle of including policies in the guidance, though there was disagreement over whether the level of detail given was correct. Some felt that the wording was not clear enough, and that it was not clear which measures would receive permission and under what conditions.

5.10 There was a mixed view about whether the extent and prescriptiveness of the policies included in the document were appropriate. A number of respondents felt that the policies stated did not go far enough to support the implementation of sustainability measures, in listed buildings. Conversely, other respondents felt that the policies were too permissive and would either unfairly raise the expectation of applicants that inappropriate measures would receive permission.

- 5.11 Respondents disputed the policy wording given for a number of individual items.
- 5.12 There were issues raised by English Heritage in relation to “presumptions in favour” of particular measures, and it was suggested that a general policy in favour of energy efficiency measures (provided they do not harm the significance of the building or pose any undue technical risks) should be adopted.
- 5.13 **Listed Building Policy ‘Factors’** - The ‘factors’ presented raised some further concerns. Though this column has been included to provide guidance upon when each measure would be appropriate, considering the heritage and technical factors involved, it was clear that this section also was felt to be hard to understand and could benefit from both expansion and from being more specific.
- 5.14 **Clarification on Draught-Proofing** - One of the most contentious issues among respondents was the suggestion that draught-proofing of windows in listed buildings would require listed building consent. Where this issue was raised it was highlighted that it was unclear why listed building consent was necessary, and which forms of draught-proofing would require consent. Some respondents observed that the relatively minor cost of draught-proofing would likely be considerably less than the cost of any listed building application preceding it (accounting for any architectural drawings and planning fees).
- 5.15 **Double Glazing** - There was general support for the presumption in favour of slim profile double glazing in windows that are being replaced (provided that original windows are beyond repair). However, English Heritage’s responded that there should be a presumption in favour of replacing windows in listed buildings with *single* glazed windows with secondary glazing.
- 5.16 **Interior Works to Grade II listed buildings** - Another area of confusion was the perceived need for listed building consent for measures undertaken within the envelope of a listed building. While a grade I listed building will always need works for alterations to the interiors, there was confusion among some respondents as to whether the document was implying that grade II listed buildings would also require consent.
- 5.17 **Listed Building Applications & Consents** - Leading on from the comments regarding listed building consents, it was commonly cited that the document did not make it clear enough what the process for listed building applications is. This lack of general understanding seems to have had an effect on people’s views about the policies and restrictions being presented. It is felt that the document would benefit

greatly from a clear, plain-English explanation of the listed building application process, with particular explanation of the tests that these sorts of applications need to be subject to. This is hoped to provide readers with the understanding to be able to appraise their own home and what sort of measures would be appropriate for it.

## 6 Council response to consultation comments

6.1 The positive response to the SPD meant that on the whole few changes were necessary, however, the main changes have been the inclusion of additional local case studies and additional content.

6.2 In response for requests for further information about Permitted Development for retrofitting measures a specific Checklist has been prepared.

6.3 The majority of amendments have been to the listed buildings element, which was previously included as p51-59 of the SPD. This has since been developed into a more detailed separate Guidance Annex. Further work has been undertaken on this with Conservation specialists and English Heritage and Historic Scotland have been further involved in the development of a draft (forthcoming).

6.4 The amendments to the SPD summarised below:

| Section               | Amend # | Summary of main changes  |
|-----------------------|---------|--|
| <b>Graphic design</b> | 1       | Simplifying and improving layout   |
|                       | 2       | Update cover design  |
|                       | 3       | Inserting clear section breaks to distinguish: <ul style="list-style-type: none"> <li>- Contents page</li> <li>- Introduction</li> <li>- Sustainable Construction Principles</li> <li>- Typical house types</li> <li>- Retrofit options</li> </ul> |
| <b>Introduction</b>   | 4       | Replacement Structure diagram  |
|                       | 5       | Updated policy background to refer to new <i>National Planning Policy Framework</i>  |
|                       | 6       | Include introductory text with reference to the Green Deal and Bath Green Homes  |
|                       | 6a      | Include References to Permitted Development Checklist and Listed Buildings Guidance  |
| <b>Sustainable</b>    | 7       | Add local examples and include in-depth case study   |

|                                  |   |   |
|----------------------------------|---|---|
| <b>Construction</b>              | 8   | (Hayesfield School)<br>Delete p7 and consent summary on p6 as duplicated in section 3   |
|                                  | 9   | Delete p8 Carbon savings information  |
|                                  | 10  | Minor textual amendments, additions and improvement updates to Sustainable Construction principles (p9-17)  |
| <b>Retrofitting</b>              | 11  | Include link to community projects  |
|                                  | 12  | Included a more comprehensive introduction to retrofitting  |
|                                  | 13  | Include references to the Council led Green Deal project Issues for each building type – edited text to add greater emphasis to positive elements of historic buildings in relation to energy efficiency and emphasise the importance of repair                             |
|                                  | 13  | Add photos highlighting different building types in B&NES   |
|                                  | 14  | Improve key and symbols to make these more prominent. Review symbols for various consents.  |
|                                  | 15  | Produce more detailed guidance for permitted development rights for energy efficiency measures and microgeneration of renewables – separate to the SPD so it can be updated easily to reflect General Permitted Development Order (See <b>Appendix C</b> to Cabinet Report) |
|                                  | 16  | Add new pages on: <ul style="list-style-type: none"> <li>- Key considerations: Damp and condensation issues</li> <li>- External Wall Insulation</li> <li>- Green Walls/Roof</li> <li>- Grey Water Recycling</li> <li>- Rainwater Harvesting</li> </ul>                      |
|                                  | 17  | Include links to range of specific technical guidance produced by English Heritage and Historic Scotland for each of the specific measures.   |
|                                  | 18  | Add cross references to Warmer Bath   |
| 19                               | Simplify layout in relation to building types and information |   |
| <b>Listed Buildings Guidance</b> |   | <b>(forthcoming)</b><br>Changes are still to be confirmed.  |
| <b>Appendices</b>                | 27  | Added extra contacts and information sources  |

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|--|----|--|
|  | 28 | Delete Appendix 1: Carbon savings table                  |
|  | 29 | Delete Appendix 2: Costs<br>Delete: Consultation details |