

**Energy & Renewable Energy Guidance for Listed  
Buildings and Undesignated Historic Buildings  
(appendix to Sustainable Construction &  
Retrofitting Supplementary Planning Document)**

**Summary of Consultation**

**22 March - 3 May 2012**

**July - August 2013**

**The original consultation encapsulated the all-embracing  
Sustainable Construction and Retrofitting of historic buildings  
document. The second phase of consultation was of a more  
focussed nature and limited to Guidance on Retrofitting of existing  
heritage assets**

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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*

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

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.  Separate permitted development checklist provided.  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 to 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 Getting Inspired to Reduce Energy Consumption: Workshop  Friends Meeting House Bath  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 Green Deal & Business Development Seminar  Innovation Centre, Bath  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.  This included a pop up display on the Supplementary Planning Document and copies of the draft document were given out.
13 March Love your windows!  Building of Bath Collection	Free drop in practical demonstration draft proofing

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

Organised by <i>Transition Bath</i>	
22 March Ecobuild Conference ExCel London Coach organised by <i>B&amp;NES Council</i>	Trip to world's biggest event for sustainable design and construction.
28 March Understanding what I can do to reduce energy consumption in my Bath home Friends Meeting House Bath 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 Make a tea cosy/Draught excluder 146 Walcot Street Organised by <i>The Makery</i>	Craft workshops
16 April Transition Bath Energy Group: Introduction to Passivhaus Friends Meeting Hse, Bath and North East Somerset Council Organised by <i>Transition Bath</i>	Technical talk about Passivhaus principles and their application.
26 April Conference: Is Bath fit for the Future? SPD Launch evening Countess of Huntingdon's Chapel 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.

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

8.3 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).

8.4 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 Construction</b>	7	Add local examples and include in-depth case study (Hayesfield School)
	8	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>  Changes are still to be confirmed.

<b>Appendices</b>	27	Added extra contacts and information sources
	28	Delete Appendix 1: Carbon savings table
	29	Delete Appendix 2: Costs  Delete: Consultation details

## 7.1 Summary of additional responses to the Retrofitting Guidance:

At the request of the Cabinet member with responsibility for Homes and Planning a draft version of the Guidance was considered by the Development Control Committee on 31<sup>st</sup> July 2013. The Committee received comments from the Local Council's Association and the Bath Preservation Trust. The draft Minutes of the meeting recorded:

### 44 SUSTAINABLE CONSTRUCTION AND RETROFITTING SPD

The Committee considered

- The report of the Conservation Officer on this SPD adopted last February which (1) had been produced to accord with and respond to the issues of climate change and the emerging energy deficit and the desire to improve the energy efficiency of new buildings and the existing building stock; (2) would comply with the National Planning Policy Framework which recommended that Local Planning Authorities adopt proactive policies and strategies to mitigate and adapt to climate change; (3) informed that the accompanying appendix relating to the retrofitting of listed buildings and undesignated historic buildings was omitted pending further discussions but that English Heritage had indicated their support for the current document; and (4) recommended that the guidance be noted prior to its consideration and adoption by the Cabinet
- Statements by representatives of the Local Council's Association and the Bath Preservation Trust
- A statement by Councillor David Martin supporting the guidance and considering that it should be submitted to the Planning, Transportation and Environment Scrutiny Panel.

Members considered the report and the attached guidance which was generally supported. The Chairman summarised the debate, in particular the use of the wording "no detrimental impact" in the Guidance. He considered it was appropriate and consistent with the aims of architectural preservation conservation, the primary legislation and national planning policy relating to heritage protection, particularly in the context of the City of Bath as a World Heritage Site.

RESOLVED to note the guidance and its contents prior to consideration and adoption by the Cabinet

7.2 Since the adoption of the SPD earlier this year, officers from Planning Services and the Sustainability team met with English Heritage and put a number of questions to them about the Guidance.

7.3. A written reply to the questions was received from English Heritage on 1<sup>st</sup> August 2013. English Heritage indicated that in their opinion

- A) The Guidance is broadly in line with national policy, particularly the significance of the historic environment should be maintained and enhanced, and less harmful measures should be considered first when it is proposed to alter designated assets.

- B) The NPPF indicates that sustainable development should contribute to protecting and enhancing our historic environment and the different roles of sustainable development should not be undertaken in isolation.
- C) The guidance focuses on physical interventions to buildings and might be improved by consideration of how other adaptations could be made to reduce carbon emissions, etc. The guidance might benefit from a traffic light system, with regards to the need for LBC and the likelihood of any approach causing harm to a historic asset.
- D) Whilst the section on DG is clear that original windows of significance should be retained, and not GD-ed, there is no indication to those reading the document what constitutes the important and/or significant detailing of window frames. There is mention of the need to conserve historic window frames (in the DG section) there is no mention of the potential of historic window glass.
- E) Accepting that each case has to be judged on a case-by-case basis, we would query whether it is the intention to support replacement of any historically window which is beyond repair with a DG-ed replacement (p7, column 3, bullet 2)? We would also query whether black is ideal colour for spacers (p7, column 4, bullet 4).
- F) The section on insulating below suspended timber floors might benefit from further clarification of when it is not possible to insulate from below- e.g. if there is a historically significant surface to the ceiling below. Likewise, in Loft and Roof Insulation) it might be worth whether there might be occasions when “temporary removal of surfaces” is a problem.
- G) Other general comments on progress in others areas of the country were supplied in responses to the questions, but are not directly relevant to the proposed Guidance.

7.4. The Council’s World Heritage Manager was consulted on the draft Guidance and the following points were made

There is a hint that the Council’s Sustainability Team are pushing for a more permissive document. It might be worth making this explicit, and that the desire has been tested with the Government’s advisor on the historic environment.

It would be worth making the point that the Guidance already goes beyond what the Council is obliged to do.

There is an under-current that there is a difficulty in obtaining planning permission but the statistics indicate this is only a perception. The main issue is therefore about this misconception and the Guidance should help by offering clear advice.



8.1 Council response to additional consultation comments :

<b>Section</b>	<b>Amend #</b>	<b>Summary of main changes</b>
Introduction	1	Include requirement of NPPF that sustainable development should contribute to protecting and enhancing our historic environment to meet EH point (B)
Detailed Guidance & The Energy Hierarchy	2	Switch order to give emphasis to the key point (A) made by English Heritage
Detailed Guidance	3	Amend spacer colour to “should match the colour of the painted timber” to meet EH point (E)
Detailed Guidance	4	Add new bullet point “ The replacement of a window which is part of a unified façade consisting of original windows with a double glazed unit is unlikely to protect or enhance the character of the property” to meet point EH point (D)
Detailed Guidance	5	Add “Historic glass is particularly rare within the Bath World Heritage Site due to the impact of the Baedeker air raids of 1942” to help meet EH point (D)
Detailed Guidance	6	Amend guidance to “Insulating suspended timber floors from below is usually preferable except where there is a historically significant surface to a ceiling below.” to meet EH point (F)
Detailed Guidance	7	Add “Care needs to be taken to preserve in situ historically significant internal surfaces such as plastered or decorated ceilings and skillings” to help meet EH point (F)