

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cllr Tim Ball, Cabinet Member for Planning & Licensing	
MEETING/ DECISION DATE:	On or after 24 th July 2021 (for single Member decision)	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3287
TITLE:	Review of Sustainable Construction & Retrofitting Supplementary Planning Document (SPD) and Energy Efficiency & Renewable Energy for Listed Buildings and Undesignated Historic Building SPD.	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 – Draft Energy Efficiency Retrofitting & Sustainable Construction Supplementary Planning Document		

1 THE ISSUE

- 1.1 Following the Council's Climate Emergency declaration, it was decided that the existing Sustainable Construction & Retrofitting SPD and Energy Efficiency & Renewable Energy in Historic Buildings SPD should be reviewed and combined in order to better align with, and help deliver, the core aims of this resolution by providing more positive, practical and up-to-date advice to improve the energy efficiency of B&NES's building stock. The reviewed and combined SPD will be entitled the 'Energy Efficiency Retrofitting & Sustainable Construction SPD'.

2 RECOMMENDATION

The Cabinet Member is asked to agree that:

- 2.1 The Head of Planning has delegated authority to make any necessary editorial changes, in consultation with the Cabinet Member for Planning, prior to consultation on the Energy Efficiency Retrofitting & Sustainable Construction Draft Supplementary Planning Document; and
- 2.2 The Energy Efficiency Retrofitting & Sustainable Construction Draft Supplementary Planning Document (Appendix A) is issued for statutory consultation under Regulation 12 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

3 THE REPORT

- 3.1 The Council's guidance in relation to sustainable construction, retrofitting, energy efficiency and renewable energy in homes is set out in the *Sustainable Construction & Retrofitting (SC&R) SPD* and in the *Energy Efficiency & Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings (LB&HB) SPD*.
- 3.2 The existing SPDs were adopted separately in 2013 and both aim to set out how changes and adaptations can be made in response to Climate Change whilst also adhering to legislation.
- 3.3 It was decided that there is significant value in combining and updating the existing SPDs so that our guidance document can align with national and local planning policy in order to help to deliver the core aims of B&NES's Climate Emergency declaration.
- 3.4 In addition, the other key purpose of the revised SPD is to provide further guidance on the emerging policies in the Local Plan Partial Update (LPPU) on retrofitting, sustainable construction, and renewable energy. This will help to ensure we deliver sustainable development that can meet the needs of local people.

Proposed key changes to the SPD:

Combining the SPDs

- 3.5 The SC&R SPD and the LB&HB SPD will be combined to form one SPD where users will be able to find all of the information on sustainable construction and retrofitting measures, in relation to every building type, in one user-friendly and practical document. It will be entitled 'Energy Efficiency Retrofitting & Sustainable Construction SPD'.
- 3.6 At present, there are overlaps in information within both SPDs with regards to retrofitting measures in undesignated historic buildings, which makes it unclear which guidance the user should follow.
- 3.7 We are amalgamating the information from both SPDs, in particular, the guidance sheets from both SPDs which explain the overarching principles of each retrofitting measure. The new combined retrofitting measure pages will provide guidance on the different approaches for all housing types including undesignated buildings, designated and undesignated heritage assets. A separate chapter of the SPD will cover the principles of sustainable construction for new buildings. The remaining information in the existing SPDs will also be combined; where there is repetition in content, the information will be rewritten and updated, with the best elements of both fused together.

Review of the presentation

- 3.8 Every sustainable construction and retrofitting measure mentioned in the SPD will be accompanied with an illustration and/or a photograph. This will help to make the document easier to use and more engaging for the user.

3.9 There has been a review of all of the existing illustrations to ensure that all images are technically accurate and up-to-date. Existing illustrations have been amended accordingly.

3.10 We are creating a web-based format of the guide to improve accessibility. This will entail having one PDF version of the guide in addition to having one interactive web-based format with built-in links to further guidance.

Review and update of the wording

3.11 Some elements of the original SPDs are read as being unnecessarily negative in parts with limiting interpretations of the policy and guidance. To help deliver on planning policy which seeks to address the climate emergency declaration, where possible, in the revised SPD there has been a shift in the tone and language of the SPD so that the guidance is encouraging and enabling to the user. The positive mitigation measures that can be taken that would allow retrofitting measures to be considered acceptable, whilst also complying with the relevant legislation, have also been emphasised.

3.12 In order to have regard for the policy which aims to address the Climate Emergency, and to remove the negative phrase 'detrimental impact', the Heritage Guidance Position statement has been reworded, will not be reiterated on each page and will be stated once, in the 'Introduction and Policy Forward' at the start of the SPD.

3.13 The reader will be empowered with more practical information on how to retrofit more effectively. For example, a new 'Quick Wins' checklist will suggest practical, free and cheap solutions to save fuel and water. Additionally, a revised 'Retrofitting and its Impact' table has been included for ease which will compare and summarise the following information for each retrofitting measures: Cost; Environmental Rating; Planning Consents Required; Scalability.

Review and update of the sustainable technologies and interventions

3.14 The existing guidance on the various construction and retrofitting measures has been reviewed to ensure it is comprehensive and technically up-to-date.

3.15 More information will be included on the preventative measures owners/occupiers should take to avoid the unintended consequences of certain sustainable interventions, and where further specialist advice may be necessary. For example, the new SPD will include more guidance on how to correctly undertake fabric improvements, seal the building envelope and ventilate buildings in order to properly prevent potential issues such as damp, mould and interstitial condensation.

3.16 More information will also be included on the use of air source heat pumps for central heating, which is now the low-carbon heating option being promoted in B&NES and elsewhere. A new page has been added covering retrofitting Electric Vehicle Charging Infrastructure.

Review of Policy of Context

- 3.17 The National (NPPF and Historic England) and Local policy context will be updated to ensure that the guidance is aligned with and helps deliver policy. This will include references to the new policy relating to sustainable construction and retrofitting that emerge through the Local Plan Partial Update.
- 3.18 It has been suggested that the original guidance does not clearly promote existing rights; it was not always clear which retrofitting measures could be allowed under permitted development, without the need for pre-applications and planning applications. With the aim to reduce the perceived administrative barriers for applicants, the new SPD will make it clear which planning consents and other considerations are absolutely necessary, and in which circumstances there are more minimal requirements. This will be done using the simple 'Retrofitting and its Impact' table which summarises the necessary planning consents required. The caveats and details will then be expanded on each of the retrofitting measure guidance sheet pages.

A new chapter has been added to address affordable warmth

- 3.19 The new SPD will include new pages on affordable warmth, with a particular focus on addressing this issue within historic buildings. The new SPD will empower the reader with the knowledge about their rights, as well as the various legislative processes, schemes and strategies in order to enable affordable warmth for all.
- 3.20 Local case studies will be used to illustrate how sustainable retrofitting measures have been successfully implemented in homes with complex planning constraints in order to help provide affordable warmth.

4 STATUTORY AND POLICY CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) places significant emphasis on achieving sustainable development and core environmental principles such as improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low-carbon economy (paragraph 8). These principles underpin this supplementary planning document.
- 4.2 In terms of the Local Plan, the policies of particular relevance to the SPD are Core Strategy Policies CP1 on retrofitting; CP2 on sustainable construction; and CP3 on renewable energy; and Placemaking Plan policies D2 and D4 (Design) and BH2 and BH3 in relation to Listed and Historic Buildings.
- 4.3 Designated heritage assets are protected by law under the Planning (Listed Buildings & Conservation Areas) Act 1990 underpinned by Government policy: National Planning Policy Framework, Section 12: 'Conserving and enhancing the historic environment'. All of the heritage asset advice contained in this SPD aligns with this legislation and policy, in addition to the guidance set out by Historic England.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The review and preparation of the Draft Energy Efficiency Retrofitting & Sustainable Construction SPD has been undertaken by the Planning Policy Team and the costs of its preparation and public consultation will be covered within the existing salary budget and the Council's LDF budget.
- 5.2 The SPD will not impact on Council income. The availability of government grants (as relevant) to help fund the retrofitting of energy efficiency measures for homeowners and occupiers, landlords and other businesses will be referenced and the SPD may result in financial savings for these groups as a result of reduced energy consumption and bills

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

7 EQUALITIES

- 7.1 Pursuant to the public sector equality duty, an Equality Impact Assessment (EqIA) has been carried out for the Energy Efficiency Retrofitting & Sustainable Construction SPD as a whole, which identified the following potential adverse impacts:
- Retrofitting of energy efficiency/renewable energy interventions are potentially difficult to implement for people who struggle with affordable warmth issues including elderly people, young people and people with disabilities.
 - Disabled people may have to have the design and placement of certain retrofitting measures adapted to suit their needs e.g. ensuring windows can be accessed easily.
 - The SPD needs to be available in an accessible format for all users, including those with physical and sensory impairments.
 - Certain groups may not feel comfortable, or may not be able to, express their views on the emerging revised SPD during the consultation process.
- 7.2. When the results of the consultation are considered, the EqIA will be revised and updated in order to address, or mitigate against, these impacts.

8 CLIMATE CHANGE

- 8.1 The overarching purpose and intended outcome of the SPD is to build upon existing national and local planning policy and to better align with, and help to deliver, the core aims of B&NES's Climate Emergency resolution by providing practical guidance for homeowners and occupiers, in addition to landlords and

business owners, on how to improve the energy efficiency of buildings and homes.

8.2 The SPD will provide further practical guidance on the emerging policies in the LPPU on retrofitting, sustainable construction and renewable energy. This will help to ensure we deliver sustainable development to meet the needs of local people now and for future generations.

8.3 The revised SPD will set out how changes and adaptations can be made in response to climate change whilst also adhering to legislation and existing planning policy.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 As part of the process of preparing the draft SPD, officers have held a number of stakeholder engagement sessions in order to gather stakeholder views on associated issues. These sessions consisted of: one well-facilitated stakeholder workshop with a briefing presentation, focus group Q&A discussions, and a wider group plenary discussion; and two webinars which followed a briefing and Q&A format. The aims of these sessions were:

- To bring stakeholders together and to share and understanding different perspectives related to sustainable construction and retrofitting;
- To investigate issues with retrofitting in B&NES and the revised SPD may address them;
- To share examples of the emerging content and receive feedback
- To discuss how the current SPDs might be combined and updated to create a more user friendly document.

10.2 A wide range of stakeholders were represented at the workshops, including:

- Ward Councillors from across B&NES
- Councillors on the Planning Committee, B&NES Council
- Development Management Officers, B&NES Council
- Housing Officers, B&NES Council
- Sustainability Officers, B&NES Council
- Conservation Officers, B&NES Council
- Historic England
- Bath Preservation Trust
- The University of Bath
- Bath Spa University
- Bath College
- Local Resident Associations

- Various other stakeholders and stakeholder groups who have knowledge in the fields of heritage conservation and/or sustainable construction, retrofitting, and climate change.

10.3 In summary, the key points of feedback to emerge from these sessions included:

- Support for the idea to combine the original SPDs, include more case studies and illustrations, and to create a new interactive web-based format for the content;
- A concern about the cost of retrofitting as a key barrier to implementation;
- General support across the proposed contents plan for the SPD with a few minor suggested additions;
- An expressed need for greater prioritisation of the climate emergency declaration within Planning decisions in relation to retrofitting proposals.

10.4 The Draft SPD (once approved for publication) will also be subject to 6 weeks statutory consultation alongside the Local Plan Partial Update.

Contact person	Celine Houghton, Planning Officer: celine_houghton@bathnes.gov.uk
Background papers	Equalities Impact Assessment of Draft SPD SEA Screening Report of Draft SPD
Please contact the report author if you need to access this report in an alternative format	