

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cllr Tim Ball, Cabinet Member for Planning & Licensing	
MEETING/ DECISION DATE:	On or after 22nd January 2022 (for single Member decision)	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3336
TITLE:	Adoption of the Energy Efficiency, Retrofitting & Sustainable Construction Supplementary Planning Document (SPD)	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 – Amended draft of the Energy Efficiency, Retrofitting & Sustainable Construction SPD</p> <p>Appendix 2 – Equality Impact Assessment of SPD</p> <p>Appendix 3 – Screening Report of SPD</p> <p>Appendix 4 – Consultation Statement following statutory consultation of SPD</p>		

1. The Issue

- 1.1. Following the recent consultation on the Draft Energy Efficiency, Retrofitting and Sustainable Construction SPD, a number of issues and key comments were raised by respondents. In order to address the Council's Climate Emergency declaration, many changes and suggested additions, that relate to the points brought up in consultation, will be incorporated into the Final SPD. These incorporated changes will help better reflect the Council's stance on enabling householders and developers to combat climate change, through providing up-to-date and improved detailed guidance.

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 and Licensing, prior to the adoption of the Energy Efficiency Retrofitting & Sustainable Construction SPD; and

- 2.2. The Energy Efficiency Retrofitting & Sustainable Construction SPD (attached as Appendix 1) is then adopted.

3. The Report

- 3.1. The Council's guidance in relation to energy efficiency, retrofitting and sustainable construction is set out in the Draft Energy Efficiency Retrofitting & Sustainable Construction SPD
- 3.2. The SPD supplements the adopted Core Strategy and Placemaking Plan, primarily policies CP1 on retrofitting; CP2 on sustainable construction; and CP3 on renewable energy; but also Placemaking Plan policies D2 and D4 (Design) and BH2-3 and HE1. Following on from the SPD consultation, it has been decided that additional information should be incorporated into the revised final draft of the SPD, which is attached at Appendix 1. This will aim to further encourage householders to implement energy efficiency improvements, through providing the resources for them to do so.
- 3.3. The changes made to the SPD continue to align with adopted Core Strategy and Placemaking Plan policies and will also ensure that relevant guidance is provided to supplement the policies set out in the Local Plan Partial Update (LPPU) on retrofitting, sustainable construction and energy efficiency once it is adopted.

Proposed Key Changes to the SPD

Heritage:

- 3.4. Further improvements have been made to provide clarity on acceptable conditions for retrofitting works on historic buildings, particularly in the case of solar PV and glazing installations. This includes referencing associated legislation directly, so that readers can understand the requirements that the Council must consider when setting out guidance.
- 3.5. Improved guidance on acceptable conditions also refers to indicators such as *visibility*, *visual impact* and *primary elevation*. These are used to guide readers on what conditions are appropriate, however a blanket approach cannot be provided.
- 3.6. Increased focus on how householders can best set out their application to limit harm to historic assets. The planning/pre-application service availability is reiterated throughout the SPD to ensure retrofitting applicants can prepare their application in the most constructive way.
- 3.7. Further improvements have been made to the level of detail set out in the Draft SPD, particularly relating to evolving solar PV technology and guidance. Additions to the SPD text, some of which have been informed by consultation respondents, have been incorporated to ensure the most up-to-date information is provided.

- 3.8. A flow diagram will also be added to the webpage linked to the SPD, that sets out the individual stages an applicant must complete for a retrofitting application, particularly for listed/historic buildings. This will maximise the likelihood of applicants to be successful in their application.

Informational

- 3.9. A wider webpage will be created to maximise the distribution of evolving technologies and guidance relevant to the SPD. This will include:
- The SPD itself
 - A regularly updated page containing case studies of successful historic building applications for retrofitting
 - A collection of continuously up-to-date detailed guidance, according to new technologies and information
 - Flow diagram on how to maximise a planning application
- 3.10. This wider webpage will also ensure that all current and upcoming retrofitting schemes are seen by readers, so that financial assistance can be gained when available.
- 3.11. Respondent suggestions on additional energy efficiency guidance have been incorporated into the text of the SPD. This includes information from small-scale householder information for lighting types to large development information regarding sustainable construction principles.
- 3.12. Additional illustrations and photos have been included, to visualise elements of retrofitting that are hard to understand.
- 3.13. Guidance setting out potential issues on habitats has also been incorporated into the SPD. This primarily refers to damages that may occur due to solar panel and roof insulation installations, which may affect nesting habitats of associated bird species. Additionally, this SPD meets the Council's legal and policy obligations to conserve and enhance wildlife and ensures that designated wildlife sites are protected.

Other

- 3.14. Requests for formatting changes to the PDF version of the SPD have been carried out; the online changes will be made following the SPD's adoption. These changes will enable readers to navigate through the SPD easier.

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 and that are supplemented by 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 BH2-3 and HE1 in relation to listed and historic buildings. The revised SPD will provide updated and more helpful guidance to householders and other applicants in implementing these policies.
- 4.3. The Council is also progressing preparation of the Local Plan Partial Update which it has recently submitted for Examination. Some policies relating to sustainable construction and renewable energy are proposed to be updated. These policies include:
 - CP1/H2: all houses in multiple occupation must achieve an Energy Performance Certificate 'C' rating
 - CP3: increased guidance and encouragement for renewable energy generation
 - SCR6-8: new policies for energy intensity, space heating and embodied carbon targets for new build developments; CP2 has been replaced by SCR6 and SCR7
- 4.4. The revised SPD will also supplement and help facilitate delivery of these policies upon their adoption.
- 4.5. 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 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 Final 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 is referenced. Therefore, 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.
- 6.2. It is confirmed that the Strategic Environment Assessment Screening Report was negative.

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, 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. As a result of the consultation, increased access to and education of the SPD are the main points that require improvement, which have been integrated into the revised EQIA.

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 the Council delivers sustainable development to meet the needs of local people now and for future generations.
- 8.3. The SPD sets out how changes can be made in response to the climate emergency, 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 how 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
- Parish and Town Councils 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. Following the 7-week statutory consultation period on the Draft SPD, the primary points were derived from respondents:

- Support that the SPD will assist people to retrofit their homes and sustainably construct new developments
- Concerns that there are barriers preventing retrofitting historic/heritage households and buildings
- Requests for further guidance and information on energy efficiency improving measures
- Ensure that the awareness, education and access of the SPD is maximised
- Concerns that there are not enough financial grant schemes available to householders for retrofitting

Contact person	Alex McCann - Climate Policy (Planning) Officer: alex_mccann@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	