

Bath & North East Somerset Council
Energy Efficiency, Retrofitting and Sustainable
Construction Supplementary Planning Document
(SPD)

Consultation Statement
December 2021

Bath & North East
Somerset Council

Improving People's Lives

1. Introduction

- 1.1. This statement sets out the stakeholder engagement and consultation carried out during the update of Bath and North East Somerset Council's Energy Efficiency, Retrofitting & Sustainable Construction SPD.
- 1.2. The statement has been prepared in accordance with Regulation 12 of The Town and Country Planning (Local Planning) (England) Regulations 2012, which requires the Council to prepare a statement setting out the persons the local planning authority consulted when preparing the SPD, a summary of the main issues raised by those persons, and how those issues have been addressed.
- 1.3. This statement explains how the consultation was undertaken and who has been consulted, details of how they were consulted, a summary of the issues raised, and how the main issues have been addressed in preparing the SPD.

2. Background to the Energy Efficiency, Retrofitting & Sustainable Construction SPD

- 2.1. The revised SPD has followed on from the Draft SPD, which was produced as a result of combining two previous SPDs: the Sustainable Construction & Retrofitting SPD and the Energy Efficiency & Renewable Energy Guidance for Listed Buildings and Undesignated Historic Buildings SPD.
- 2.2. The revised SPD accompanies Core Strategy policies CP1 on retrofitting, CP2 on sustainable construction and CP3 on district-wide renewable energy. The associated Placemaking Plan policies are D2 and D4 on design, SCR1-3 on renewable energy generation and BH2-3 and HE1 relating to listed and historic buildings.
- 2.3. Updated policies related to the SPD in the Local Plan Partial Update 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 will be replaced by SCR6 and SCR7

- 2.4. These policies set out Bath & North East Somerset Council's approach on how householders can improve their energy efficiency and successfully implement retrofitting measures, whilst also providing guidance on sustainable construction methods; this SPD complements the Sustainable Construction Checklist SPD.
- 2.5. The Council has a target of 65,000 retrofits by 2030, which is the number required for Bath & North East Somerset to be net zero by 2030. The SPD aims to facilitate the required increase to energy efficiency improvements, in order for the Council to meet its climate emergency goals.
- 2.6. The SPD has therefore been updated to include more positivity within the writing, alongside increased clarity further guidance on retrofitting measures, particularly in relation to historic buildings.
- 2.7. The consultation carried out on the draft SPD related to updates to the SPD, having combined the two previous SPDs. The primary updates consisted of:
 - Efficiently combining the elements of the two previous SPDs
 - Incorporating a new section on Affordable Warmth and Quick Wins
 - Increasing the positivity of writing regarding implementing retrofitting measures on historic buildings
 - Including more illustrations/photos for sustainable construction and retrofitting techniques
 - Updating guidance according to the most up-to-date information on retrofitting measures
 - Producing an easily accessible and navigational web-based format of the SPD
 - Increased clarity on existing rights for retrofitting and sustainable construction, according to current national and local policies

3. Consultation Approach

- 3.1. The Council's approach to consultation for SPDs is set out in the Council's [Neighbourhood Planning Protocol](#) (Statement of Community Involvement). This approach requires:
 - Stage 1 – Informal community involvement in the preparation of the Draft SPD.
 - Stage 2 – Formal consultation on the Draft SPD, for a 7-week period; this was extended by 10 days.
 - Stage 3 – Notification of adoption to all those who made written comments during the consultation period.

- 3.2. The information set out in this Consultation Statement demonstrates compliance with the Neighbourhood Planning Protocol (Council's SCI) methods of community involvement. However, due to the disruption caused by COVID-19, and after careful consideration by the Council, all forms of consultation were held online.

4. Key Stakeholder Involvement

- 4.1. As part of the process of preparing the draft SPD, officers held numerous 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
- A wider group plenary discussion
- Two webinars which followed a briefing and Q&A format

- 4.2. 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.

- 4.3. A range of key stakeholders were represented at the workshops:

- 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.
- 4.4. The primary points of feedback from the stakeholder engagement sessions were:
- 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
- 4.5. All feedback gained from the stakeholder engagement sessions were used to inform further updates and amendments to the Draft SPD.

5. Webinars

Webinar 1

- 5.1. This webinar, held on 13th September 2021, related to updates to zero-carbon development and energy efficiency policies in the context of the SPD and the Local Plan Partial Update.
- 5.2. 33 attendees were present, whilst an additional 70 viewers have watched the recorded webinar online.
- 5.3. 10 questions were asked throughout the webinar.
- 5.4. Comments raised by attendees involved:
- Carbon reductions for non-residential buildings
 - What energy efficiency standards will have to be met
 - Improving funding opportunities and making retrofitting more affordable
 - How emerging policies will address energy efficiency changes to existing buildings
 - Ensuring historic/heritage assets keep up with energy efficiency requirements
 - Group-purchases of solar PV
 - The Council's approach to tackling overheating
- 5.5. Comments received at the webinar were recorded and carefully considered during the evidence collation stage in the preparation of the Draft SPD.

6. Formal Consultation on Draft Energy Efficiency, Retrofitting and Sustainable Construction SPD

6.1. Formal consultation on the SPD ran for 7 weeks between 27th August and 18th October 2021. To maximise knowledge and access to the SPD consultation formats, the following were carried out:

- **Notification mailout** – Information about the consultation was issued prior to the start of the consultation period by email and post to all those on the Council's mailing list, including statutory consultees and a range of other stakeholders.
- **Press releases** – 5 press releases were issued on 18th June, 14th July, 13th August, 27th August and 23rd September 2021. These were to notify stakeholders when and how to set out their opinions on the proposed updates to the SPD.
- **Social media** – Numerous posts were posted on the Council's various social media accounts throughout September 2021
- **Dedicated webpage** – A webpage including all relevant documents and materials relating to the SPD was accessible from the Council's Planning Policy webpage. This webpage set out the policy background, document overview and what the SPD and its consultation can provide to various users. The timeline towards the adoption of the SPD was set out, to ensure stakeholders are aware of the next steps. Instructions on how to respond to the consultation and links to the comment form were also provided.
- **Direct contact information** – An email address was provided on mailouts and press releases, in case any stakeholder wished to ask questions on the SPD or its consultation.

7. Summary of Responses to the Consultation and Council Response to Key Issues Raised

7.1. 42 respondents made comments as a result of the Energy Efficiency, Retrofitting and Sustainable Construction SPD consultation. A summary of the key issues raised and responses is seen below, with subsequent changes to the SPD stated where relevant.

7.2. The issues set out in the table below are not assigned to particular question asked, as the majority of respondents provided more extensive and varied answers to the open-ended questions. Therefore, it is clearer to group similar comments from various questions to provide a fuller analysis. The key issues are stated, with all related comments summarised in the adjacent column.

7.3. Direct responses to the closed-ended questions can be seen in the appendices.

Key Comment/Issue Raised	Summary of Responses	Council Response to Issue Raised
<p>More guidance is needed regarding the finance of retrofitting</p>	<ol style="list-style-type: none"> 1. Requests for guidance on how to carry out street-by-street or group-purchase retrofitting 2. There is a lack of available funding/grants for householders to retrofit their homes 3. More information requested on what budget is required for retrofitting, per measure and per household 	<ol style="list-style-type: none"> 1. Guidance and links to relevant schemes currently available will be provided on the SPD wider webpage. 2. Additional guidance will be included where possible and links to alternative guidance provided. 3. No changes made because grants are government controlled. Links to any current grant schemes will however be provided.
<p>Alterations to Listed Building Consent (LBC) requested</p>	<ol style="list-style-type: none"> 1. Remove LBC and change wording to more positive writing around energy efficiency improvements 2. Reword writing more in favour of energy conservation 	<ol style="list-style-type: none"> 1. LBC cannot be altered in any way as it is a statutory duty to uphold its requirements. Increased clarity will however be provided on acceptable conditions for retrofitting in listed/historic buildings. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that listed building consent is obtained for any alteration which could affect the special historic or architectural interest of a listed building. The guidance in the SPD links to more detailed Historic England guidance, which shows how measures can be achieved and incorporated. 2. Previous efforts to reword these elements have been made for the Draft SPD, to maximise positivity in encouraging retrofitting measures. This wording must match guidance from Historic England and the duties laid out in the 1990 Planning Act (Listed Buildings and Conservation Areas). It is within the

		Council's interest to be as positive as possible, yet this is complicated due to statutory duty barriers.
More definition required on acceptable conditions for retrofitting in historic buildings	<ol style="list-style-type: none"> 1. More clarity required on what fabrics/windows are considered historic in the context of glazing improvements 2. More indicators required to determine appropriability of solar PV on historic/listed buildings, particularly regarding 'visibility', 'visual impact' and 'main elevation'. 	<ol style="list-style-type: none"> 1. Further clarity will be provided, however, the historic value of a window will depend on the age and special historic and architectural interest in the context of the building in question and will need to be reviewed on a case-by-case basis. Acceptable conditions will be added into the SPD, without providing a blanket approach. Advice on the Council's position for proposed works can be obtained through the planning advice/preapplication service, before a listed building consent application is considered. 2. New guidance on solar PV for Permitted Development is now available on the Council's website, which increases clarity on where planning permission is required or not. A link to this will be explicitly stated in the updated SPD. The three terms that determine appropriability of conditions will also be further defined.
Strong views that the balance between improving energy efficiency and preserving historic aspects is in favour of the latter	<ol style="list-style-type: none"> 1. Respondents concerned that the balance does not consider the climate emergency enough 2. Historic buildings require energy efficiency upgrades without barriers 	<ol style="list-style-type: none"> 1. In this context the SPD seeks to illustrate and facilitate energy efficiency measures in all buildings including those of special historic or architectural interest and in areas with heritage designation. However, there is a statutory duty under Section 16 of the Planning (Listed Buildings and Conservation

		<p>Areas) Act 1990, which requires, when considering whether to grant listed building consent for any works, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Also, in accordance with paragraph 193 of the National Planning Policy Framework, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight has to be given to the asset's conservation. In this context in the cases of a designated heritage asset, where works will result in substantial harm NPPF p201 notes refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit. Where works will result in less than substantial harm NPPF p202 requires the harm to be weighed against any public benefits. With regard to the weighing of the heritage harm, it is important that this is not a simple balancing exercise. The Courts have stated that 'considerable importance and weight' must be given to the conservation of the heritage asset when carrying out the balancing exercise.</p> <p>2. See above.</p>
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<p>Lack of detail of retrofitting measures</p>	<ol style="list-style-type: none"> 1. Some respondents proposed suggestions to add into individual retrofitting measure sections. 2. Requests were made to include more case studies of successful historic building retrofitting applications. 3. Concerns that current detail will become out-of-date. 	<ol style="list-style-type: none"> 1. These have been reviewed and considered. Some suggestions are appropriate and will be integrated into the existing guidance. Additional guidance from Council officers will be also be added. 2. A webpage of successful historic building applications will be produced and updated appropriately as new applications come through. 3. The SPD cannot be updated once approved. However, a wider webpage containing the SPD, a case study webpage and another webpage on continuously up-to-date guidance on emerging retrofitting technology.
<p>Make bookable free 'surgery' appointments available to discuss application proposals with a Conservation Officer</p>	<ol style="list-style-type: none"> 1. Some respondents expressed concerns that advice on retrofitting is expensive. 	<ol style="list-style-type: none"> 1. The Council provides advice through its planning advice/preapplication process which can include a bookable appointment. This is a discretionary service and as such there is a small charge to seek to cover some of the cost of the service. This is minimised in respect of listed buildings and advice on matters such as solar panels and secondary glazing, by placing these in 'preapplication service level 1 (lowest charge rate)
<p>Various formatting suggestions to the online version of the SPD were made</p>	<ol style="list-style-type: none"> 1. Request to have detailed contents page at the start of the SPD. 	<ol style="list-style-type: none"> 1. This contents page will be implemented by the web team.

Concerns that standards set out are not stringent enough	<ol style="list-style-type: none"> 1. Respondents requested that more stringent compliance measures be set out for developers 2. Other requests involving increased monitoring and on-site checks to ensure sustainable construction 	<ol style="list-style-type: none"> 1. It is not the role of the SPD to set stringent targets; these will be addressed in the Sustainable Construction Checklist and New Local Plan. 2. See above.
There is a lack of education, awareness and access for the SPD	<ol style="list-style-type: none"> 1. Respondents were concerned some of the information is hard to understand and may discourage householders to retrofit their homes 2. Concerns well also expressed that the SPD will not be distributed enough and not reach those in need of affordable warmth or without internet access 	<ol style="list-style-type: none"> 1. We are planning to develop stakeholder workshops with retrofitting and development experts to discuss the maximisation of implementing what is set out in the SPD. A flow-diagram setting out the individual stages of a planning application, particularly in the context of listed buildings, will also be provided in the SPD. 2. The Council will look to maximise distribution of the SPD to those without internet access through other means. We are looking to do so through collaboration with the Sustainability and Housing teams.

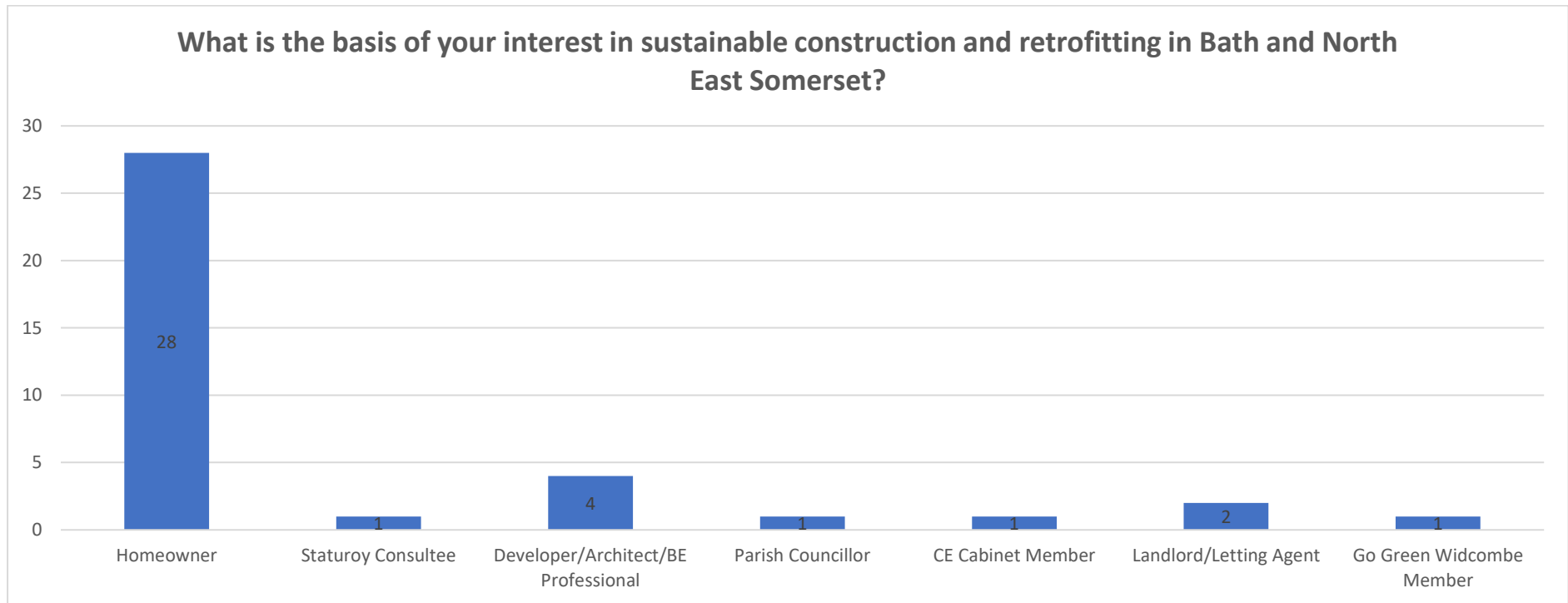
7.4. As can be seen in the table above, the Council is responding positively to the majority of key issues raised.

7.5. The main issues we have not been able to positively respond to relate to:

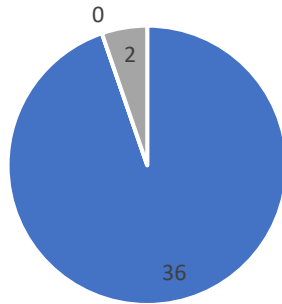
- Changing Listed Building Consent regime, which we are not able to control
- Providing blanket approvals to planning applications
- Providing guidance at such a detailed level that is beyond the Council's capacity & duplicates guidance elsewhere

- Make developer obligations more ambitious and increase monitoring/reporting for developers – these will be addressed in the NLP and Sustainable Construction Checklist

8. Appendices

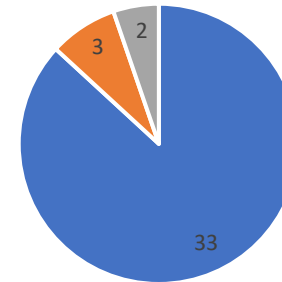


Do you feel that the SPD provides practical guidance that will help people to retrofit buildings?



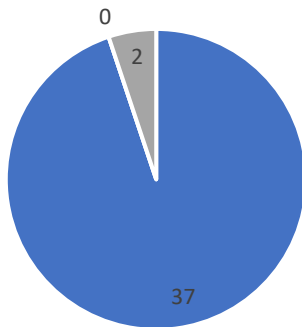
■ Yes ■ No ■ Don't Know

Do you feel that the SPD provides practical guidance that will help people construct buildings more sustainably?



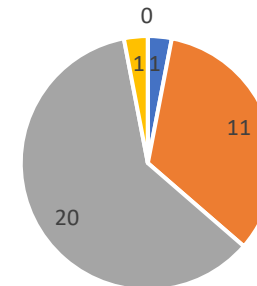
■ Yes ■ No ■ Don't Know

Which version of the SPD document (online or PDF) have you used to respond to this consultation?



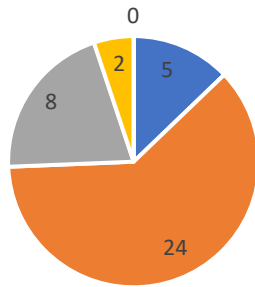
■ Online ■ PDF ■ Both

The PDF version of the SPD document is easy to use



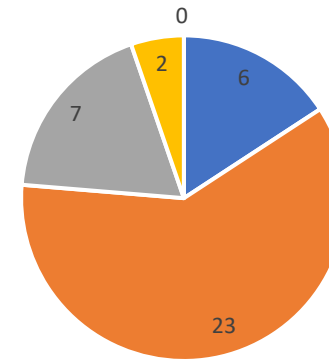
■ Strongly agree ■ Agree
■ Neither agree or disagree ■ Disagree
■ Strongly disagree

The online version of the SPD document is easy to use



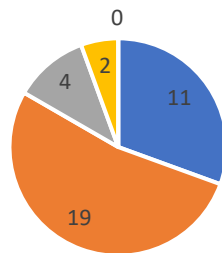
- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

The technical information in the SPD is easy to understand



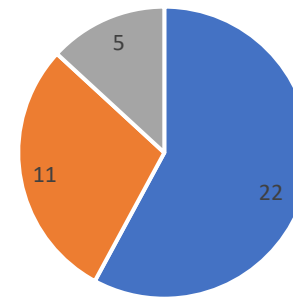
- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

It is helpful to have guidance for all building types (including heritage assets) available together on one page



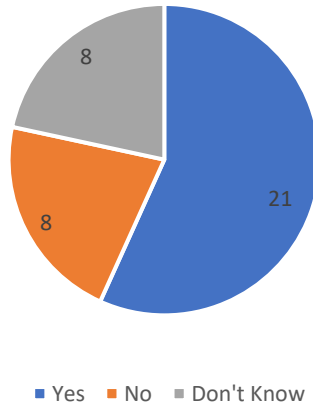
- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Do you feel that the scope of the SPD covers a sufficient number of retrofitting options?

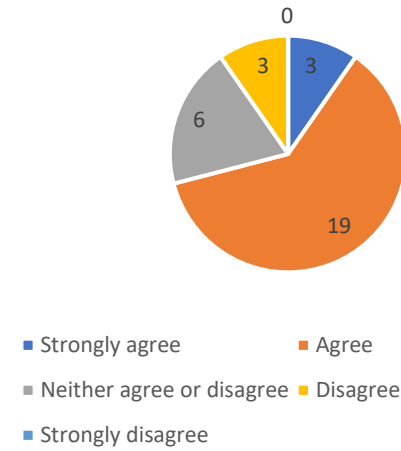


- Yes
- No
- Don't Know

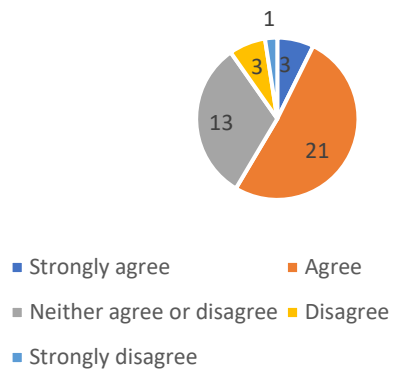
Do you feel that the scope of the SPD covers a sufficient number of sustainable construction principles?



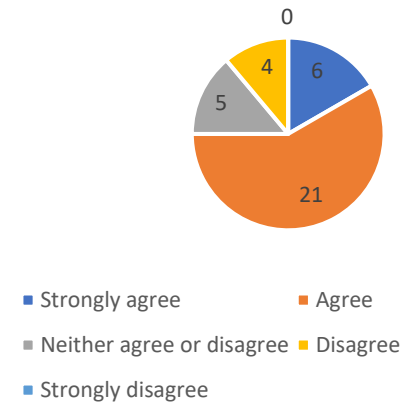
The references to various grant schemes will help people to overcome cost as barrier to retrofitting



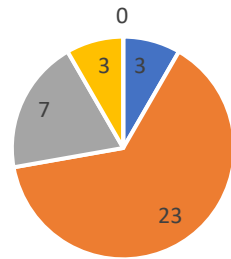
The Affordable Warmth section of the SPD provides information that will help address the issue of Fuel Poverty in B&NES



The Energy Saving Quick Wins Checklist page offers helpful tips to save energy

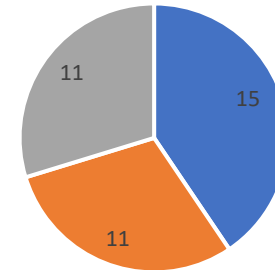


The Energy Saving Quick Wins Checklist page offers helpful tips to save water



- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Bath and North East Somerset Council has a Climate Emergency goal of achieving 65,000 retrofits by 2030. Do you think that the SPD will help B&NES to reach its target?



- Yes
- No
- Don't Know