

Single Member Cabinet Decision

**Executive
Forward Plan
Reference**

E 3398

Sustainable Construction Checklist Supplementary Planning Document (SPD) Review

Decision maker/s	Cllr Tim Ball, Cabinet Member for Planning and Licensing
The Issue	A review and updating of the Sustainable Construction Checklist Supplementary Planning Document (SPD) is required primarily to reflect and facilitate the delivery of the Local Plan Partial Update (LPPU) which is due to be adopted in January 2023. This report will seek approval of the adoption of the SPD. The SPD will make clear that the elements of SPD that relate to emerging LPPU policies will only apply to planning applications determined after the adoption of the LPPU.
Decision Date	5 th January 2023
The decision	The Cabinet member agrees that: <ul style="list-style-type: none"> 1) The amended draft Sustainable Construction Checklist Supplementary Planning Document (Appendix 1) is adopted. 2) The Head of Planning has delegated authority to make any necessary minor editorial changes, in consultation with the Cabinet Member for Planning and Licensing, prior to publication of the adoption of the Sustainable Construction Checklist SPD. 3) The Head of Planning has delegated authority to remove text in the SPD which will be superseded on the adoption of the LPPU. The text in question will make clear that the elements of SPD that relate to emerging LPPU policies will only apply to planning applications determined after the adoption of the LPPU.
Rationale for decision	The SPD is proposed to be amended for a number of reasons and key amendments are: <ul style="list-style-type: none"> 1. Updated and new tables for existing and LPPU policies for developers to demonstrate policy compliance. 2. Streamlined approach to simplify the process for developers and Development Management colleagues to assess policy compliance. 3. Technical guidance and information on how developers can best comply with the policies. 4. Incorporation of a spreadsheet to provide more detail on policy compliance for LPPU Policy SCR6.
Financial and budget implications	The finalisation of the Sustainable Construction Checklist SPD will be undertaken by the Planning Policy Team and the costs covered within the existing salary budget and the Council's LDF budget. Following adoption, the Checklist SPD will be implemented within existing staff resources.

	<p>For some planning applications it will not be possible to meet all energy requirements by on-site renewable sources and LPPU policies SCR6 and SCR7 allow to mitigate this through a financial contribution to a new carbon offset fund which will be established through Planning Obligations (s.106 agreements).</p>
<p>Issues considered (these are covered in more detail in the report)</p>	<p>Sustainability; Corporate; Other Legal Considerations; Property; Equality</p>
<p>Consultation undertaken</p>	<p>The statutory public consultation period under Regulation 12 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 was carried out for 6 weeks between 5th May and 16th June. The Council has followed its Statement of Community Involvement. A consultation statement has been prepared setting out the details of the consultation, a summary of the responses received, and Council comments on each of the key issues raised.</p> <p>The preparation of the SPD was undertaken in consultation with Council Services, particularly with the Sustainability, Development Management and Building Control teams.</p> <p>External stakeholders consulted consisted of:</p> <ul style="list-style-type: none"> • 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 • Historic England • Bath Preservation Trust • Transition Bath • 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.
<p>How consultation was carried out</p>	<p>Public consultation based on Council's Statement of Community Involvement. A Consultation Statement has been prepared – refer Appendix 2 to Report.</p>
<p>Other options considered</p>	<p>There is no other legislative mechanism to make SPDs and to not adopt the SPD will leave standing policy requirements absent of additional detail. The SPD mainly provides guidance on development plan policy requirements and national policy and does not create policy.</p>

Declaration of interest by Cabinet Member(s) for decision, including any dispensation granted:	None.
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	None.
Signatures of Decision Makers	Cllr Tim Ball
Date of Signature	5 th January 2023
Subject to Call-in until 5 Working days have elapsed following publication of the decision	