

*Climate Positive Planning: Interim Guidance  
Statement on Planning for the Climate Emergency*

# **Consultation Report**

| <b>Version</b> | <b>Purpose</b>  | <b>Date</b> |
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Statement on Planning for the Climate Emergency*

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## Introduction

In February 2019, the then Shadow Council declared a Climate Emergency, and committed to working towards making the Council and the district as a whole carbon neutral by 2030. As a result of this, the Council has adopted the Somerset Climate Emergency Strategy and approved its own Carbon Neutrality and Climate Resilience (CNCR) Action Plan. Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (the Statement) responds to this declaration and these documents by clarifying existing planning policy requirements in this regard and confirming that the Climate Emergency is a material consideration in determining planning applications.

This Consultation Report explains how Somerset West and Taunton Council undertook public consultation to inform the development of the Statement, and how the engagement, feedback and responses received have influenced its development. The report covers:

- Which bodies and persons were invited to make comments;
- How those bodies and persons were invited to make comment;
- The material that was subject to consultation;
- A summary of the responses received; and
- A summary of how the responses influenced the development of the Statement.

The Council has an adopted [Statement of Community Involvement](#) (SCI). The SCI outlines that the Council is committed to effective community engagement, and seeks to use a wide range of methods for involving the community in the plan making process. SWT's Statement of Community Involvement was adopted in November 2019. In relation to plan preparation, primarily relates to the preparation of Development Plan Documents (DPDs), Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA), Supplementary Planning Documents (SPDs) and Neighbourhood Plans. As the Statement is not any of these types of documents and is not formally required by any legislative, regulatory or administrative provisions, there are no mandatory steps, methods or bodies for consultation to comply with, the SCI has, however, guided consultation.

## Consultation Summary

In November 2020, the Council published "Climate Positive Planning: Draft Interim Policy Statement on Planning for the Climate Emergency" for public consultation (the Draft Statement). Consultation ran from 23<sup>rd</sup> November 2020 to 4<sup>th</sup> January 2021.

The Draft Statement was a 63 page long PDF document available via the Council's website. It set out its purpose, context, included sections on viability and "what this document does not do" in anticipation of key concerns for certain stakeholders, set out the two Interim Policy Statements (IPS1 and IPS2) and included an appendix providing commentary on specific existing policies of particular relevance. An executive summary was set out at the front of the document to summarise the document at a glance and to aid document navigation. By its nature, the document was fairly technical and text heavy, though officers tried to ensure that it was as accessible as possible considering its nature and purpose.

## ***Purpose of the consultation***

The Statement provides additional explanation and guidance in relation to existing planning policy. It does not seek to alter existing or set new policy. As such, the purpose of the consultation was four-fold:

- To raise awareness of existing adopted planning policies in relation to planning for the Climate Emergency, what the Council expects in relation to these policies, and where further guidance can be accessed;
- To raise awareness of the limitations of existing planning policies in light of national policy;
- To provide notice to the development industry, that the Council's declaration of a Climate Emergency will influence planning decisions where it is a material consideration;
- To seek views of stakeholders in relation to existing policy and its application as well as additional explanation and guidance which the document aims to provide.

As an aside, the consultation also proved useful for understanding views of certain stakeholders in relation to how the Council should look to respond through future new planning policies in the Local Plan to 2040.

## ***Who was consulted?***

A list of Specific Consultation Bodies, General Consultation Bodies, and other organisations and groups the Council seeks to involve in plan-making is included in the SCI. As a non-statutory plan, there was no statutory list of bodies and organisations that the Council was required to consult in its preparation. Despite this, all those on this list have been included in this exercise.

In addition, the Council is committed to ensuring that local groups, organisations and individuals are provided with the opportunity to be involved in the preparation of planning policy documents.

The Council has a database of consultees, who have either commented upon, or expressed an interest in being involved with the development of local plans. This database is used to keep individuals, companies and organisations informed on the production of the Local Plan and other planning policy documents. New consultees are added to the consultation database via e-mail or letter to the Strategy Team requesting inclusion on to the database. The General Data Protection Regulations are followed to ensure that personal data is only required and retained where proportionate and necessary, is only gathered where explicit consent has been provided, is kept securely and is not disclosed to others. All bodies and persons identified within this database were emailed with notification of the consultation.

## ***How we consulted***

Consultation on the Draft Statement ran from 23<sup>rd</sup> November 2020 to 4<sup>th</sup> January 2021. During this time, numerous consultation methods were employed, though the full range of methods was limited by definitive restrictions and a cautiously proportionate approach considering the Coronavirus pandemic and rising rates of cases in the area. This section of the report details each of these methods. Responses to the consultation were encouraged:

- Via the Council's [consultation portal survey](#);

- By email to [strategy@somersetwestandtaunton.gov.uk](mailto:strategy@somersetwestandtaunton.gov.uk);
- By post to Strategy team, Somerset West and Taunton Council, Deane House, Belvedere Rd, Taunton, Somerset, TA1 1HE.

### **Emails**

Emailed notification of the consultation was sent to all bodies and persons identified within the consultation database on Monday 23<sup>rd</sup> November 2020. A screenshot of the email sent is shown below:

Dear Sir/Madam,

You are receiving this email because you are on our planning policy consultation database and have previously indicated that you would like to be kept informed on policy consultations.

We are writing to advise you that Somerset West and Taunton Council has published a draft of 'Climate Positive Planning: Interim Policy Statement on Planning for the Climate Emergency' for public consultation. The Statement can be found on our [website](#) and via our [consultation portal](#).

Consultation will run from Monday 23 November 2020 through to **Monday 4 January 2021**.

We are seeking the views of the local community and development industry on the Statement which aims to clarify the existing planning policy requirements within the Somerset West and Taunton Local Planning Authority area, with regards to planning for the Climate Emergency. New and updated planning policies will be explored through the new Local Plan to 2040. However, the new Local Plan will take time to attract significant weight in the decision making process. In the meantime, in order to ensure that we are applying existing adopted planning policies to the best of their effect in tackling the Climate Emergency, the Council feels it is necessary to clarify and reiterate existing planning policy and provide additional explanation and guidance through this Statement.

To respond to the consultation, we encourage you to use the [consultation portal](#). Alternatively, you can email responses to [Strategy@somersetwestandtaunton.gov.uk](mailto:Strategy@somersetwestandtaunton.gov.uk) or write to us at Strategy team, Somerset West and Taunton Council, Deane House, Belvedere Rd, Taunton, Somerset, TA1 1HE.

Regards  
Strategy Team  
Somerset West and Taunton

A total of 15 responses were received by email.

### **Inspection points**

In light of the Coronavirus pandemic and associated restrictions and guidance, as well as the non-statutory nature of the document, a proportionate approach was decided upon. As such, hard copies were not made available at Council offices or public libraries as would normally be the case in the majority of Council planning policy consultations. The Council offices remained closed throughout the consultation period to protect the community and staff while still delivering critical services and ensuring residents are fully supported. Whilst during this time, the Council generally ensured it was possible for people to arrange appointments by request at the Deane House offices in Taunton, the primary intention of this service was to provide essential face-to-face assistance for critical services. It was not felt appropriate to use this service to facilitate viewing of hard copies of the Draft Statement for the purposes of this consultation.

### **Parish Council / Area Panels meetings**

Officers received only one request to (virtually) attend a Parish Council / Area Panel meeting. Officers confirmed that this would be possible and provided potential dates to the parish council in question, but no further correspondence was received.

### **Agents Forum meeting**

An officer attended the regular Agents Forum meeting held online on Friday 11<sup>th</sup> December 2020 to present on the Draft Statement and take part in the associated Q&A session. A total of 36 participants joined this online-hosted forum. The presentation was positively received but no questions were asked. The Agents Forum is held generally on a six-monthly basis,

and is a chance for the development industry including planning agents and developers to keep abreast of pertinent issues relevant to the Local Planning Authority, and a chance for the Council to discuss and consult with the development industry on key issues including policy development.

### **Online survey**

An online survey was published on the Council's Consultation Hub portal at <https://yoursay.somersetwestandtaunton.gov.uk/>. The link to the survey was published in the consultation notification emails as well as the press release and on the website. The survey received 15 responses. The survey asked two questions:

1. If you wish to make general comments on any aspect of the Interim Policy Statement, please set out your comments below, specifying which section or adopted plan/policy your comment relates to; and
2. Please set out the changes you consider necessary to resolve the issues you have identified above. Please explain why these changes will improve the Interim Policy Statement.

### **Website**

A new webpage was set up on the Council's website at <https://www.somersetwestandtaunton.gov.uk/planning-policy/climate-positive-planning/>. The webpage sits within the Planning Policy webpages of the Council's website and was easily linked to from the [Planning Policy homepage](#) as well as the [Climate Emergency webpage](#). The link to the webpage was published in the consultation notification emails as well as the press release. The webpage explained the fact that the Council has declared a Climate Emergency and climate strategy context. It then set out the details of the consultation and the broad purpose/role of the Statement.

### **Social Media**

A social media campaign was launched in the first week of the consultation.

Facebook [@SWTCouncil](#) – page followed by 5,216 people. The post was published at 00:28 on 24<sup>th</sup> November 2020 and (according to Facebook analytics) reached 1,865 people, engaging 79. Four comments were received from two people, together with 1 like and 8 shares.

Twitter [@SWTCouncil](#) - followed by 2,180 people. The post was published at 08:30 on 24<sup>th</sup> November 2020. The post received 1 re-tweet.

LinkedIn [@SWTCouncil](#) – followed by 955 people. The post received 4 likes.

### **Press release**

A press release was published on our website at <https://www.somersetwestandtaunton.gov.uk/news/have-your-say-on-climate-positive-planning/> on 23<sup>rd</sup> November 2020 and sent to all regional media.

### **Level of response**

Overall there were 32 responses to the consultation. As set out in the table below, of the 32 respondents, 15 submitted their representation by email, 0 by post, 2 by social media and the remaining 15 respondents responded online.

| <b>Method</b>              | <b>Number of respondents</b> |
|----------------------------|------------------------------|
| Email                      | 15                           |
| Post                       | 0                            |
| Consultation Portal Survey | 15                           |
| Social Media               | 2                            |

## Summary of Responses Received

This section summarises the responses received through the Council's consultation portal, by email/post and via social media.

### **Consultation Portal Survey**

A total of 15 responses were received via the Council's consultation portal survey. Responses were received from seven individuals and eight organisations including parish councils, non-governmental organisations, community groups and Somerset County Council. The table below sets out the organisations who responded via the consultation portal.

| Organisation                       |
|------------------------------------|
| Canal & River Trust                |
| Kingston St Mary Parish Council    |
| Old Cleeve Parish Council          |
| Railfuture                         |
| Road Haulage Association           |
| Somerset County Council (Planning) |
| West Monkton Parish Council        |
| West Somerset Flood Group          |
| Woodland Trust                     |

The Draft Statement was generally well received and supported in survey responses. It was praised by some for being "carefully constructed", "useful", "good in intent", and for the questions asked of planning applications being "good". There were however, a number of frustrations raised about how far existing policy can allow the Council to go, and in relation to specific issues which are listed further below. There was also some scepticism about the impact that the Statement could have, particularly concerning the potential for planning system upheaval set out in the Planning White Paper. Some comments referred to the length of the document and its formatting which made it difficult to read and less accessible.

The online survey consisted of two main sections:

1. General comments (15 responses – 100% of respondents);
2. An opportunity to set out specific changes necessary to resolve issues identified and why these would help to improve the Statement (12 responses – 80% of respondents).

**1. If you wish to make general comments on any aspect of the Interim Policy Statement, please set out your comments below, specifying which section or adopted plan/policy your comment relates to.**

Some general points that emerged from responses to this question are summarised below:

- All new buildings should be carbon neutral with solar panels and batteries;
- Gardens should have hedgehog highways and swift / house martin bricks;
- A blanket policy for biodiversity net gain and a net decrease in energy and material resources is required;

- Use of biomass (particularly sustainable sourced local timber) as a building material should be encouraged. The Council could set an ambitious target for % of developments using timber frames;
- Concern that applicants could provide false or overly lightweight answers to the validation-stage questions in IPS1;
- Standard and connectivity of cycle routes needs to be comprehensive. Careful consideration needs to be given to interaction between modes in shared spaces and the limitations for some groups, as well as secure and appropriate cycle storage at home and final destinations;
- Greater co-operation is required between planning, building control, and approved inspectors to close the performance gap between designed intent and in-use performance;
- The scope of the Statement should be expanded to cover both the Climate and Ecological Emergencies and how they interrelate;
- New policy will be required for responding to both the Climate and Ecological Emergencies. The Council should consider how best to bring forward such new policy in a timely manner. Cornwall Council's Climate Change Development Plan Document was presented as an example;
- The needs of road freight must be considered as part of any local initiatives to address climate change. There is no reference to road freight in the document and we ask that the Council address this, and in relation to road freight that its "climate emergency" policy goals are aligned with technically viable solutions;
- The Council should take account of the on-going national policy debate and programme of investment to decarbonise the HGV-sector and ensure its policies align with this agenda.
- It is vital that initiatives take account of the profound economic shock from the Covid-19 pandemic to SME businesses and are coordinated carefully in a sustainable way;

Some specific points raised included:

- The Bridgwater & Taunton Canal should be considered as a potential opportunity for water-sourced heat to help decarbonise local heat demand;
- Commentaries in relation to policies MD1 WA1 and CC3 need to provide more detail about how to mitigate the ever growing risk from climate change and sea level rise;
- Why does IPS 2 only apply to the former Taunton Deane area?
- In relation to Policy DM5, criterion e) – SAP and SBEM documentation can only be provided on fully detailed schemes (i.e. working plans and full specification). This cannot be applied at Outline, and is often unknown even at Full planning application stage;
- Policy CP6 – the West Somerset Railway is unlikely to be economic for re-purposing as a personal/commuter service;
- Policy SS1/SS2 – more detail needed on what the "suitably located energy centre" might/could be;
- Policy A1 – The proposed approach to restrict parking spaces in new development rarely works as residents convert front gardens to parking and garages/car ports to residential;
- The Cleeve Hill LT1 development site in Watchet should be deleted from the plan as it was not adequately evaluated in relation to geological faults, access and cliff erosion prior to inclusion;

- Policy NH9 needs to be reinforced in relation to land stability along the coast. Full invasive surveys are required;
- IPS1 question 4 should also relate to site specific opportunities for natural carbon storage through tree planting – could there be a requirement to calculate existing and future carbon storage on a site e.g. policy SC2 of the draft Cornwall Climate Change DPD?
- IPS1 question 7 could be more explicit in relation to the role of GI in building local resilience to climate change;
- IPS1 question 8 – Guidance as to what an “effective response” to the ecological emergency proposed;
- Policy D9 – There must be greater joined-up and forward thinking on integrated highways design between the County and District Councils. Appropriate design standards must be used to create appealing walking and cycling environments;
- Policy Fp2 – Care is required to work towards a long-term view for car parking on the Firepool site and not to over-provide in early years.
- Policy Hs3 – Final plans for the closure of East Reach should retain the bus service.
- IPS1 – question 3 - it should be possible to see if adequate and accessible plant room space is allowed in a scheme to meet current standards or future upgrades in relation to low carbon heat;
- The lessons from Monkton Heathfield 1 should be learned. Trees planted up to three times in the same location as part of landscaping plans continue to die because they have not been planted in the correct medium and watered. Compaction of ground has resulted in poor take of grassed areas, and a regime of strimming and cutting supported by regular applications of pesticide creates ecological deserts. Existing hedges and trees are left unmanaged. House owners are told they cannot use the roof space because it is not sufficiently strong, lamp standards not connected to an electricity supply, dwellings not built according to the plan, SUDs not approved and so on. Developer’s ability to self-certify has not helped, external independent inspection must be required;
- Poor construction standards lead to a large difference in the theoretical insulation qualities of the building compared to the actual result achieved on site. Building Inspectors do not have time to inspect buildings for insulation standards. Heat retention tests are needed on the completion of the house. Until developers are held to account it is very difficult to see how climate resilience and carbon neutrality will be achieved.

**2. Please set out the changes you consider necessary to resolve the issues you have identified above. Please explain why these changes will improve the Interim Policy Statement.**

Some specific points raised included:

- The constraint so often seems to be limited capacity to lobby upwards. EG imposing shared roads / quiet lanes across wider areas of the urban / rural district that cannot be addressed passively in response to planning applications;
- Parts of the West Somerset coastline have less than a 100 year lifetime. Site-specific, science-based buffer zones should be implemented through allocation of appropriate Coastal Change Management Areas;
- Long pages of text would be easier to read if some of the information was split into bullet points and tables;

- A colour-coded quick check tool for the relevant policy and legislation which can be updated with information on active/superseded/cancelled would be useful;
- Places should be more “walkable”. New development must be in accessible locations and delivered at densities 50/60 dwellings per hectare in order to have a real impact on people’s propensity to walk;
- IPS1 question 3 – Can the checklist cover adequate mechanical plant space and on large buildings and routes for ventilation services by including "plant space" which would be a visually checkable factor;
- IPS2 criterion g) – Conversions in urban areas should be expected to provide more than bike storage: also for tricycles, bike trailers and mobility carts with electric charging. Any external locations to be forced to use must be described, arrangements can’t just be dumping on other private or public spaces;
- Central and local government policymakers must provide a stable regulatory framework that recognises HGV asset lifecycles of at least 12 years, against which operators can invest with confidence in the different options being developed to decarbonise the economy.

### ***Emailed comments***

Fifteen emailed comments were received. These are broadly summarised in the table below:

| <b>Respondent</b>                  | <b>Summary of comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Bourne Leisure<br>(via Lichfields) | <ul style="list-style-type: none"> <li>• Endorses the Council’s recognition that the Statement is an “explanatory document” limited to identifying how policy requirements may be viewed in assessing development proposals. However, concerned that the document will be used or interpreted as a development or finessing of policy. This could add confusion in the decision making process.</li> <li>• The document could be focused more on setting out why climate is an important issue, the various matters that developers and applicants are encouraged to consider and noting the current local and national policies rather than seeking to interpret or explain the policies over and above what is found in the statutory documents.</li> <li>• The following wording from paragraph 4 of p.16 should be removed – <i>“If it considers that such prioritisation calls into question the sustainability of development, then there is the potential for the permission to be refused”</i> as it is more onerous than the position set out in para 57 of the NPPF.</li> <li>• The questions in IPS1 link strongly to requirements of Policy DM5 of the Taunton Deane Core Strategy and are not necessarily reflective of the requirements of the West Somerset Local Plan. If the questions are to apply to proposals within the former area of West Somerset, it should only go as far as being the basis for discussion with the development plan remaining the basis for determining a planning application. Suggest that text on page 18 is amended to replace <i>“to assess how the application”</i> with <i>“as the basis for discussions about how the application”</i>.</li> <li>• Significant concerns with the proposed approach to encourage applicants in West Somerset to comply with Policy DM5 of the Taunton Deane Core Strategy. The principle of seeking to encourage applicants to include such measures is endorsed but it is important that the Statement does not get used in a way that creates a new policy without going through due process. Reference to this proposed approach should be removed.</li> </ul> |
| Canal & River Trust                | <ul style="list-style-type: none"> <li>• Supportive of the Statement. Promote the cooling effects of the canal to surrounding land and the potential for extraction of thermal energy from the water itself for heating and cooling developments. Note a separate but related submission was made by the Trust via the online survey.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Carhampton Parish Council          | <ul style="list-style-type: none"> <li>• Agree with the sentiments expressed in the document and look forward with eager anticipation to see how these sentiments are implemented.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| Comeytrowe Consortium (via Barton Willmore) | <ul style="list-style-type: none"> <li>• The Statement appears to place a new perspective on the interpretation of existing development plan policy. To this end, the statement effectively seeks to add new 'supporting text' to adopted planning policy, which we consider has potential to impact on development viability.</li> <li>• The Statement meets the definition of a DPD and must, therefore, be prepared as such. This exercise should only be undertaken as part of a review of the SWT Local Plan and subject to the relevant statutory processes, consultation and Examination. The Council should focus on review of the Local Plan rather than introduction of interim guidance, which conflicts with national policy on plan-making which will have little weight as a material consideration in the determination of applications.</li> <li>• The Statement must clearly set out, without ambiguity, that sites with extant outline planning permission will not be required to meet this new and more stringent interpretation of adopted planning policy.</li> <li>• Financial viability for the Comeytrowe scheme was agreed in 2016 through the viability assessment supporting the S106 Agreement. Taunton has been designated as a Garden Town, the Council has adopted its Design Charter and Checklist and is now consulting on this Statement, all since this point.</li> <li>• The Statement lacks rationale for the questions included in IPS1 and fails to link them to the Planet Positive criteria in the Design Checklist or Building with Nature. IPS1 also feels relevant for large, strategic developments, but not for various phases of such a development which should not be required to meet these requirements at Reserved Matters stage.</li> <li>• There is no reference to what the Sustainability Checklist referred to in DM5 and IPS2 is, or how it relates to the validation checklist from IPS1 or the Planet Positive criteria in the Design Checklist.</li> <li>• The key principles and parameters for the Comeytrowe scheme have already been approved as set out in the Design &amp; Access Statement, as part of the Outline Planning Permission; the approved Urban Design Principles Plan; the approved Western Neighbourhood Design Guide; and the approved Reserved Matters for Common Infrastructure. A retrospective re -assessment of the criteria under Policy DM5 may contradict many of the approved principles and parameters.</li> <li>• Requiring higher carbon reduction from new developments under policy DM5 is effectively introducing new policy which should only be introduced by Local Plan review subject to statutory processes.</li> <li>• Suggests that sites benefitting from outline planning permission have already been considered and approved against DM5.</li> <li>• Reference made in Appendix 1 in relation to policy TAU1 about expecting areas not yet benefitting from reserved matters approval, to respond to the Climate Emergency and the Taunton Garden Town Design Charter and Checklist should only be introduced via Local Plan review. The interim guidance should set an agenda for discussion and no more.</li> </ul> |
| Environment Agency                          | <ul style="list-style-type: none"> <li>• The Environment Agency supports the Interim Policy Statement and encourages all means of reducing the effects of climate change.</li> <li>• All new development must be in accordance with the NPPF, and the Water Framework Directive. It should also be influenced by the latest guidance on UKCP Climate Predictions and SFRA.</li> <li>• Wastewater infrastructure improvements are particularly encouraged as nutrient enrichment in the surrounding area is particularly sensitive and would be welcomed.</li> <li>• Promotion and adopting of Natural Flood Management methods are encouraged for improved biodiversity and reduction in flood risk.</li> <li>• Tree planting for rewilding is encouraged and supported for biodiversity, giving improvements for wildlife as well as climate change. When planting alongside watercourses access for maintenance must be considered.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                                         | <ul style="list-style-type: none"> <li>• Support and encourage the principles of Net Gain and would expect guidance to be given for calculation of levels and look forward to future policy detailing how environmental net gain principles will be embedded.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Hallam Land (via David Lock Associates) | <ul style="list-style-type: none"> <li>• Question the value and effectiveness of producing this statement at this time when the Council is preparing a new Local Plan. Climate change and environmental standards should be considered through this review process to ensure policies support the overarching objectives of the new Plan and whole Plan viability.</li> <li>• Local guidance must be proportionate and progress 'in-step' and aligned with national government policy and guidance. The best approach is to avoid prescription at local planning level, and instead support nationally prescribed standards through Planning Legislation or Building Regulations, supporting consistency and certainty.</li> <li>• There is no evidence that suggests these policies have been collectively assessed for viability.</li> <li>• The Council should focus on integration of climate change into review of the Local Plan rather than introduction of a standalone policy statement.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Highways England                        | <ul style="list-style-type: none"> <li>• The Strategic Road Network enables safe, effective and efficient long distance movement of people and goods and makes a significant contribution to enabling and sustaining economic growth, prosperity and productivity, while also contributing to wider sustainability objectives and improved accessibility to key economic and social services. This function is unlikely to change and we therefore need to ensure and where necessary safeguard our network so that it continues to be fit for purpose now and into the future.</li> <li>• Highways England strongly supports measures which aim to enhance and promote sustainable transport opportunities and ensure that places are well connected to reduce the reliance on the private car. Highways England would welcome engagement on any proposed changes to Local Plan carbon emergency policies to ensure that these do not jeopardise the opportunity to secure strategic highway interventions that may be identified as necessary to enable planned growth to come forward, or address existing safety or capacity constraints. Whilst recognising the value of sustainable transport measures, these do not negate the need for, or importance of, highways schemes where appropriate.</li> </ul>                                                                                                                                                                                                                                                                                                       |
| Historic England                        | <ul style="list-style-type: none"> <li>• Retaining, repairing, reusing, refurbishing and retrofitting existing buildings should be a priority for meeting net zero. Energy efficiency, sustainable technology and reducing carbon emissions are compatible with the conservation of our heritage.</li> <li>• The summaries of DPDs, SPDs and specific policies do not always draw out the historic environment aims or contents. In particular, the historic environment element of the TTCAAP vision, policy NH2 of the West Somerset Local Plan to 2032, general principle code G006 of the Taunton Town Centre Design Code SPD and conservation area character appraisals should be referred to.</li> <li>• Propose a new section should be added to the Statement setting out how applying existing national and local policies for the conservation of the historic environment can play an important part in contributing positively to climate change mitigation and adaptation, as well as to overall sustainability.</li> <li>• Propose a new question for IPS1 that encourages applicants to consider how the development may have been designed to conserve or enhance the significance of heritage assets (including their settings) within the site or nearby.</li> <li>• Suggest introducing additional text into IPS2 in the updated justifications for criteria a) and b) to consider the impacts and implications for historic and traditionally constructed buildings, the settings of heritage assets, and the wider historic environment, including historic townscapes and landscapes.</li> </ul> |

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| Natural England | <ul style="list-style-type: none"> <li>• Noted reference to excessive levels of phosphorous in the catchment of the Somerset Levels and Moors Ramsar Site and the implications for development. Other than that, at this stage, we have no specific comments to make other than to commend you for your ongoing efforts to mitigate and adapt to the ecological and climate emergencies.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Persimmon       | <ul style="list-style-type: none"> <li>• The Statement is seeking to expand and vary existing policy and is exceeding what existing policy can require from applications. The Council is openly seeking to amend development plan policy outside of development plan process and as such is unlawful.</li> <li>• It contains two interim planning policies and as such the scope of the document exceeds its stated intentions by attempting to retrospectively apply and amend a flawed and out of date Development Plan policy, whilst failing to properly assess the viability impact. The document is confused at best in relation to its status as a material consideration. It provides useful summary and guidance generally, but the two interim policies are flawed and should be removed.</li> <li>• Expect to collaborate with the Council to deliver sustainable development with an appropriate response to climate change, but buy-in of the development industry is critical to delivery of vast majority of homes in the Taunton area.</li> <li>• The Statement assumes that the Government will move forward work on the Future Homes Standard, however, given the COVID emergency it is far from clear that this will be the case and there will likely be delays. The timing of this Statement is therefore questioned.</li> <li>• The Statement will delay determination of applications and impact on housing delivery. Such policies should be pursued via Local Plan review.</li> <li>• Policy DM5 is based on out of date government policy, on evidence and viability dating back to 2008, and has until now not been applied by the council – it is out of date. IPS2 seeks to resurrect key elements of this policy and amend/expand its scope. The requirements duplicate Building Regulations and look to be racing ahead of national policy and as such should be deleted.</li> <li>• The Statement is making policy and under regulations this can only be properly made as part of a DPD. Case law (<i>William Davis Ltd, Bloor Homes Ltd, Jelson Homes Ltd, Davidson Homes Ltd &amp; Barwood Homes Ltd and Charnwood Borough Council</i>) supports this in a directly comparable way. Furthermore, it is seeking to do so without recourse to updated viability work or Examination.</li> <li>• There is conflict between the status of the Statement as set out within the document itself and in the legal assessment provided for consideration by the Executive Committee. The Statement is clearly a specific document setting out policies as material considerations. Further confusion is added by text in the report to Executive in relation to Scrutiny comments. If IPS1 and IPS2 are not to be referenced in planning decisions, it is unclear what value or purpose the Interim Statement has both legally and as a material consideration. Both interim policies should be withdrawn.</li> <li>• There is no explanation of the types of projects that the Statement is intended to apply to. It should be made explicit that it cannot be applied at reserved matters stage or in discharge of conditions. Legally, any attempt to introduce the Statement and apply policies which were not used at the determination of an Outline Permission would be unlawful.</li> <li>• Object to the introduction of additional items required in order to validate applications. The existing validation checklist is substantially out of date. The proposals in IPS1 can only be added to this list when it is fully reviewed, and the timetable for this should be explicitly set out in the document. It is unclear what the value of the checklist would be to the development management process. It also duplicates elements of the Design Charter and Checklist.</li> </ul> |

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|                                                    | <ul style="list-style-type: none"> <li>• Each application should be judged on its own merits and site specific considerations. Rigid fixed percentage carbon reductions derived from out of date policy is a blunt tool and likely to result in significantly higher costs for developers and/or delays in the determination of applications. If DM5 is to be applied at all then it should be without reference to the specific percentage reduction, with criterion c) removed, and instead be based on general aspirations and case/site specific basis to avoid impacts on viability.</li> <li>• The Statement must be supported by up to date viability assessment. There is substantial risk that use of DM5 in particular will result in higher development costs and impact viability and in particular affordable housing delivery.</li> <li>• Appendix 1 refers to policy SS1 and the requirement for a “suitably located energy centre”. However, this was acknowledged as not being suitable or deliverable for Monkton Heathfield 2 in a report to the Council’s Executive Committee in January 2019. This should be acknowledged and corrected.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Redrow Homes (via Pegasus)                         | <ul style="list-style-type: none"> <li>• Policy DM5 is out of date as it focuses on the now withdrawn Code for Sustainable Homes and is therefore not able to be implemented in accordance with the policy’s original intent. It is therefore inappropriate to implement and apply DM5 part c).</li> <li>• If the Council wishes to secure exceedence of Building Regulations Part L this should be done through Local Plan review. However, such an approach would only ever be valid for a limited period until enactment of the relevant clauses of the Deregulation Bill.</li> <li>• Case law (<i>R (oao Skipton Properties Ltd) vs Craven District Council [2017] EWHC 534 (Admin)</i>) holds that there is no lawful role for interim planning guidance where the subject matter falls within any of the categories of documents listed within Section 5 of the Town and Country Planning Regulations (2012), which must be prepared through a local development document. The requirements of IPS2 are seeking to guide the determination of planning applications.</li> <li>• The Statement aims to bridge the gap until new national standards are implemented. Since the Written Ministerial Statement of 2015, it is clear that the Government intention is for consistent national standards on energy efficiency for new dwellings. This is carried forward in the consultation on the Future Homes Standard. The Government’s Energy White Paper published in December 2020 confirms the Future Homes Standard will be implemented to set consistent national standards with a clear direction of travel. It is premature to predict and implement requirements through the Statement. IPS2 should be removed.</li> <li>• The viability of achieving Code Level 4 is based on out of date evidence from DCLG in 2011. There is no evidence of whether the figure has changed or if it would undermine delivery of other policies or allocations.</li> </ul> |
| Somerset County Council (Flood & Water Management) | <ul style="list-style-type: none"> <li>• The checklist in IPS1 will help support officer decision making and discussions with developers. However, it would be helpful to know what role, if any, statutory consultees will have in supporting planning officers here, over and above any current arrangements, particularly in relation to question 7.</li> <li>• Confirmation that a sustainability checklist is required for policy DM5 helps to ensure that developments do not adversely impact on the environment and will need to design-in mitigating and adapting to a changing climate.</li> <li>• SUDS offer multiple benefits in terms of climate mitigation e.g. provide resilience to water bodies to prevent contamination, store water in drought events, enhance ecological benefits, contribute to urban cooling and provide carbon sequestration. As such we would expect opportunities to capitalise on those benefits be maximised.</li> <li>• Somerset County Council have developed draft local guidance and a suite of local standards in respect to SuDS. This is a project funded by the Somerset Rivers Authority which complements but significantly builds upon</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                             | <p>the West of England Guidance referred to in Appendix 1 - Policy I4 - Water Infrastructure. Following recent positive stakeholder engagement, it is hoped that this local guidance will be developed into a Supplementary Planning Document in the future.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| South West Water            | <ul style="list-style-type: none"> <li>• No specific comments.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Taylor Wimpey (via Savills) | <ul style="list-style-type: none"> <li>• The Taunton Deane Core Strategy is now more than eight years old and reflects national policy in place at the point in time that it was produced. The LPA should make progress as soon as possible with a replacement Local Plan.</li> <li>• The proposed Future Homes Standards will effectively render DM5 c) redundant as the national standard will have increased beyond a 20% reduction over Building Regulations Part L 2013. In order to avoid any wasted time, suggest that little scrutiny of proposals is required at the planning stage and that this matter is considered by Building Control. New Local Plan policies will need to align with national policy and guidance, though there would be potential to agree higher standards for specific sites where agreed with a site promoter.</li> <li>• Arguably the more important role for the planning system is the allocation of land having regard to the opportunities to minimise and mitigate harm to climate change objectives.</li> <li>• Promotes land to the east of the M5 at Taunton for the delivery of a net zero carbon new garden community in close proximity to the most sustainable settlement in the district, employment locations, with existing links across the M5 and at a scale capable of delivering sufficient self-containment and critical mass to support capital investment in movement infrastructure.</li> </ul> |
| Williton Parish Council     | <ul style="list-style-type: none"> <li>• Concern raised regarding the limited time frame to respond to such a lengthy document. It is a very complex and in-depth document and Williton Parish Council reserve judgement and the right to object to it in light of future experience.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

### ***Social media comments***

Two individuals commented on the Facebook post. In summary, the comments revolved around the length of the document and whether people would actually read through it, and if they did, would the Council listen to them.

## You said, we did

The comments received through the consultation have directly informed development of the final version of the Statement. We have considered all comments received and applied professional judgement as to whether or not they merit changes. In some cases this has resulted in specific changes, in others it has resulted in a shift of emphasis. However, not every comment was deemed to require a change to be made.

The table below details some of the main issues raised in consultation representations and the officer response. In some cases, the response has been to make changes to the document, in others the response provides written justification but no change is deemed to be necessary.

| Issue raised                                                                                                                                                              | Officer response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <i>Format of the document</i>                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Long pages of text would be easier to read if some of the information was split into bullet points and tables                                                             | The document has been reformatted into landscape format, text broken up in places, chapters numbered, and chapters clearly demarcated by alternating teal/white margins to aid legibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| A colour-coded quick check tool for the relevant policy and legislation which can be updated with information on active/superseded/cancelled would be useful              | The legislative context and national policy context chapters can only ever be a snapshot in time, and as such reflect the current circumstances. As the situation changes (e.g. in relation to the progress of the Environment Bill, Future Homes Standard etc.) it may become necessary to review these sections and potentially large parts of the Statement. As such it is proposed to adopt the Statement as a live guidance document that can be updated as and when necessary to reflect the up to date position and guidance. In the meantime, the chapters are now clearly demarcated by alternating teal/white margins to aid legibility.                                                                      |
| <i>Status and remit of the document</i>                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| The status of the Statement is confusing.                                                                                                                                 | The Statement itself is not in itself a material consideration and nor are IGS1 or IGS2 contained within it. The adopted policies hold weight in decision making on planning applications, as do material considerations which as confirmed by the Statement include the Climate Emergency. The Statement provides some guidance and explanation about how existing policy responds to the Climate Emergency, and how the Council will ensure it is taking appropriate and proportionate account of the Climate Emergency as a material consideration. The Climate Emergency Checklist in IGS1 can only be required at validation once included in the revised local validation checklist due for consultation shortly. |
| The Statement contains two interim planning policies which unlawfully seek to expand and vary existing / set new policy, which should only be done via Local Plan review. | The Statement contains no planning policies in itself. IPS1 has been renamed as IGS1, to help clarify this. IGS1 confirms that the Climate Emergency is a material consideration – this is not a policy, it is a fact. It then proposes the introduction of a requirement to submit a completed Climate Emergency Checklist at validation stage. However, this can only be required once included in the revised local validation list due for consultation shortly.<br><br>IPS2 has also been renamed as IGS2, to help clarify this. IGS2 explains the continued relevance of an existing adopted planning policy (DM5) in relation to national legislation and policy. It does not expand or                          |

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|                                                                                                                                                                                                                                                                                                                              | vary its original intent. Additional guidance and explanation is provided to help explain its continued relevance, its limitations and to help identify how the various elements might be met. Text has been added to the end of Chapter 1 to clarify that IGS1 and IGS2 are not policies of the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| The Statement will be used or interpreted beyond its stated intent, as a development or finessing of policy.                                                                                                                                                                                                                 | The Statement confirms existing adopted planning policy and its continued relevance in relation to legislation and national policy. It does not add any new policies or develop or finesse existing policy. The Council will be delivering training sessions with Members and officers to ensure that all involved in decision making for planning applications are aware of the status and appropriate way to use the Statement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Case law ( <i>R (oao Skipton Properties Ltd) vs Craven District Council [2017] EWHC 534 (Admin)</i> ) holds that there is no lawful role for interim planning guidance where the subject matter falls within any of the categories of documents listed within Section 5 of the Town and Country Planning Regulations (2012). | The High Court judgement appended to the representations made by Pegasus Group on behalf of Redrow Homes considers whether the Craven District Council NAHC document should have been produced as a Local Plan document. The circumstances are specific to that case, and the judgement does not explicitly state that there is no role for interim planning guidance, rather that the contents of the NAHC document should have progressed via the Local Plan Review. The fundamental point here is whether or not the Statement meets any of the criteria under S5(a) of the Town and Country Planning (Local Planning) Regulations (2012). We have been careful throughout drafting of the Statement to avoid setting or amending policy. Changes made following consultation, including renaming of the document as the Interim <i>Guidance</i> Statement, and other minor textual alterations have confirmed this intention. |
| <b>Scope of the document</b>                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| The Statement must clearly set out, without ambiguity, that sites with extant outline planning permission will not be required comply.                                                                                                                                                                                       | The Council will apply local planning policy including policy DM5 as development plan policy. Every planning application is determined on its own merits against the development plan unless material considerations indicate otherwise. Therefore, it will be considered on a case-by-case basis whether policy applies at Reserved Matters stage. The Council accepts that the principle of development is set at outline stage, but if issues and matters covered by policy are material at a Reserved Matters stage, then the Council will apply policy as necessary and relevant.                                                                                                                                                                                                                                                                                                                                            |
| The scope of the Statement should be expanded to cover both the Climate and Ecological Emergencies and how they interrelate                                                                                                                                                                                                  | The Council declared an Ecological Emergency at the end of September 2020. Work has recently begun scoping out where the Council should go from here in terms of strategy and action planning. However, this means that we do not yet have the same level of understanding or evidence base in place as we do for the Climate Emergency. The Statement refers to the Ecological Emergency, picks up on relevant issues, particularly where they interrelate with the Climate Emergency, and has been updated with more information about the links between planning and the Ecological Emergency, but it may well need to be updated further in the future following work on any strategy/action plan. For this reason, the links to the Ecological Emergency are perhaps less explicit and extensive.                                                                                                                            |

| <i>Viability</i>                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>Wording in paragraph 4 of p.16 should be removed as it is more onerous than the position set out in para 57 of the NPPF.</p>                | <p>Paragraph 57 of the NPPF states that “<i>the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force</i>”. The final sentence in the paragraph of the Draft Statement simply aimed to clarify that the Council <i>may</i> potentially refuse applications if having gone through a viability exercise, the resulting development were considered not to be sustainable. This aligns with the role for the Council as decision maker and considering whether or not the viability assessment should hold greater weight than adopted policies and material considerations including the Climate Emergency. The NPPF and PPG recognise that viability is a moving picture. The Statement highlights this and the fact that the effects of this will be considered appropriately. Changes made following consultation provide further clarification.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>The Statement, and DM5 in particular will result in higher development costs and impact viability which has not been properly assessed.</p> | <p>The Statement confirms the continued relevance of policy DM5 in relation to legislation and national policy. When setting its Community Infrastructure Levy Charging Schedule in 2012, the Council took account of costs associated with achieving Code for Sustainable Homes Level 3, and that figures produced by the (then) DCLG confirmed that a movement to Code Level 4 would not threaten benchmark land values. An updated viability assessment is not required. The Code included a wide range of indicators, many of which at Code Level 4 have been absorbed into national policy / Building Regulations. The outstanding elements from DM5 that have not been translated into mandatory national policy/regulation include energy performance of dwellings and water conservation elements which comprise just a portion of what the overall extra-over costs would have been in complying with the full Code Level 4 requirements over Building Regulations 2006 (as was national regulation when the Core Strategy was adopted). The costs of achieving these elements will have reduced in the intervening years as technology and adoption of such measures has become more mainstream. In addition to this, in relation to energy performance, Code credits could be achieved by obtaining higher fabric energy efficiency levels in terms of kWh/m<sup>2</sup>/year. Whilst Code 4 did not require a specific level of fabric energy efficiency to be met, the ability to gain credits via that route encouraged it as part of achieving the carbon reduction over Building Regulations. The Statement confirms that whilst pushing for a fabric first approach, the Council will accept a flexible approach to how the 20% carbon reduction is achieved. This allows greater flexibility in viability terms as achieving this reduction via installation of solar PV for instance is likely to be cheaper than fabric improvements.</p> |

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| IPS1 can only come into effect when included on a fully updated local validation list.                                                                                          | The Climate Emergency Checklist in IGS1 can only be required at validation once included in the revised local validation list due for consultation shortly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| IPS1 questions lack rationale and fail to link to the Planet Positive criteria in the TGT Design Checklist which has some crossover/duplication.                                | The rationale for the questions is based in the evidence provided by the Somerset Climate Emergency Strategy and SWT CNCR Action Plan. The focus of the questions seeks to draw out information about the key places that new development can look to mitigate and adapt to climate change. There are obvious links across to the Climate + Planet Positive questions in the Taunton Garden Town Design Checklist and the same information will likely be able to be used for responding to both. However, the Design Checklist applies only to developments at Taunton Garden Town, whilst the Climate Emergency Checklist in IGS1 is proposed to apply across the district and has a slightly wider and higher level focus. |
| IPS1 should only apply to the former Taunton Deane area.                                                                                                                        | There is no reason why IGS1 should apply only to the former Taunton Deane area. The Climate Emergency Checklist is not the result of a specific policy pertaining only to Taunton Deane. It is more general, to help identify how and where applications are responding (or not) to key aspects of the Climate Emergency in relation to new development where it is a material consideration.                                                                                                                                                                                                                                                                                                                                 |
| Applicants could provide false or overly lightweight answers to checklist questions in IPS1.                                                                                    | Validation of applications is undertaken by non-technical administrative officers. As with other requirements of the local validation checklist, validation of an application can only legally be held until the report / completed checklist is received. The contents of this report / completed checklist would then be assessed by planning officers once the application has been validated. If insufficient or incorrect information has been provided then officers will seek further information as necessary but this would be after the application has been validated.                                                                                                                                             |
| What role will statutory consultees have in supporting planning officers in assessing responses to questions posed by the checklist in IPS1?                                    | The submitted completed Climate Emergency Checklist will be uploaded to the planning portal with other submitted documents. Once statutory consultees are invited to comment on the application, they will have the opportunity to refer to it in their comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Can question 3 include "plant space"?                                                                                                                                           | The Climate Emergency Checklist in IGS1 intends to pick up on the main ways that new development should look to mitigate and adapt to climate change at a high level. Not all developments will necessarily need plant space either now or in the future. Question 4 deals with site-specific opportunities and site-wide energy solutions. Inclusion of "plant space" explicitly is felt to be unnecessary.                                                                                                                                                                                                                                                                                                                  |
| Can question 4 also relate to opportunities for natural carbon storage through tree planting including a requirement to calculate existing and future carbon storage on a site? | Added reference to maximising natural carbon storage in site specific opportunities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Can question 7 be more explicit on the role of GI in building local resilience to climate change?                                                                               | Added explicit reference to the role of green infrastructure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Can an additional question be added encouraging applicants to consider how a development may have been designed                                                                 | The Climate Emergency Checklist in IGS1 is intended to better understand how developments are responding to the Climate Emergency. Whilst it is recognised that                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| <p>to conserve or enhance the significance of heritage assets (including their settings)?</p>                                                                                                                                                                                       | <p>existing and historic buildings have an important role to play in responding to the Climate Emergency, and that this is compatible with conservation of heritage assets, a question along the lines proposed feels unnecessary and out of scope. The Council can separately require submission of a Heritage Statement at validation stage where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><i>IPS2</i></p>                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Policy DM5 is based on out of date government policy and evidence from 2008 and cannot be applied in line with its original intent so is out of date.</p>                                                                                                                        | <p>The Statement clearly sets out how and where policy DM5 is consistent with legislation and national policy. Whilst the policy and the Core Strategy itself are now eight years old, and were originally premised on local and national evidence preceding this including the work of the Zero Carbon Hub and the Code for Sustainable Homes, the policy intent and approaches to reduce carbon emissions from new development and mitigate climate change remain valid, in line with up to date evidence. IGS2 proposes where policy may be applied in a manner which is consistent with national policy.</p>                                                                                                                                                                                                                                                                                                                                                            |
| <p>Rigid fixed percentage carbon reductions are a blunt tool and likely to result in significantly higher costs for developers and/or delays in the determination of applications.</p>                                                                                              | <p>Percentage reductions in carbon emissions over and above Building Regulations are a standard and accepted approach used in planning policies across England, including in policies adopted since the revocation of the Code for Sustainable Homes in 2015. IGS2 proposes taking a flexible approach to how that percentage reduction is delivered, so it is not rigid, and this (as explained above) will allow the most economic approach to meeting the requirement to be used. As confirmed above, the costs of meeting Code Level 4 were shown not to threaten benchmark land values in the CIL Viability Study, and costs are likely to have reduced since that point. Requiring such reductions in emissions should in itself have no impact in terms of delaying determination of applications unless insufficient information is provided by the applicant.</p>                                                                                                  |
| <p>Why does IPS 2 only apply to the former Taunton Deane area?</p>                                                                                                                                                                                                                  | <p>IGS2 deals with policy DM5 of the Taunton Deane Core Strategy which was produced to cover the former Taunton Deane Local Planning Authority Area. Policy DM5 cannot be applied in the former West Somerset area for this reason. The former West Somerset area is covered by policy NH13 of the West Somerset Local Plan to 2032 and saved policy B/9 of the West Somerset Local Plan 2006, both of which cover similar issues, though without the depth or same strength of requirement as policy DM5. Through IGS2, the Council is proposing that it will <i>encourage</i> applicants in West Somerset to formulate proposals which reflect the requirements of policy DM5, which identifies a reasonable and proportionate interim way forward for development. However, because the policy is not part of the development plan for the former West Somerset area, this cannot be required. Opening text in IGS2 has been updated to better explain the position.</p> |
| <p>Justifications for criteria a) and b) should refer to consideration of the impacts and implications for historic and traditionally constructed buildings, the settings of heritage assets, and the wider historic environment, including historic townscapes and landscapes.</p> | <p>Policy DM5 does not refer to impacts on and implications for heritage assets. Impacts on these assets are dealt with by other Plan policies. An appropriate balance will need to be struck between responding to policy DM5 and these other policies. Responding to the Climate Emergency through the approaches set out in criteria a) and b) is in principle</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|                                                                                                                                                           | compatible with conservation and enhancement of these assets.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| In relation to criterion e) – SAP and SBEM documentation can only be provided on fully detailed schemes.                                                  | Added clarification that where necessary, the Council will require confirmation that the necessary 20% reduction improvement will be achieved, and then submission of mock/final SAP/SBEM information will be conditioned for submission at an appropriate later stage. This would likely be prior to commencement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Criterion g) should require conversions in urban areas to provide storage for tricycles, bike trailers and mobility carts with electric charging.         | Criterion g) of DM5 relates to energy efficiency measures in conversions and extensions. This element of the policy does not refer to tricycle, bike trailer or mobility cart storage or electric charging, and as such this cannot be required here. However, other policies do have some relevance to cycle storage, and electric charge points as set out in Appendix 1. The Climate Emergency Checklist in IGS1 refers to a sustainable travel hierarchy and fostering sustainable habits from future residents / occupiers which might include provision of these kinds of provisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Appendix 1</b>                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Policy SS1 requirement for a “suitably located energy centre” is not suitable or deliverable for Monkton Heathfield 2 and commentary should reflect this. | The representation by Persimmon referred to a report to the Council’s Executive Committee in January 2019 relating to Monkton Heathfield 2. It is understood that this refers to a report actually made in <a href="#">January 2020</a> in respect of the Draft Design Guidance and Masterplan Framework for MH2 and Langaller Farm. The representation suggests that the report acknowledged that provision of a suitably located energy centre was not suitable or deliverable for Monkton Heathfield 2, however, the reports make no such reference. <a href="#">Part 1 of the Draft Design Guidance and Masterplan Framework</a> refers to the requirement stemming from policy SS1, and explicitly states in paragraph 6.5 that “Developers should also proof that a development is provided with carbon reduced and CO2 reduced energy resources which follows the energy reduction aspirations of the Council. This need to include the options for a combined local energy source for developments in close proximity and includes local energy centres”. Furthermore, the <a href="#">Draft Monkton Heathfield Garden Community Concept Plan and Design Guide</a> which the Council consulted on in June-July 2020 also refers to this requirement and expands on this in paragraph 18.2 on page 28 of the <a href="#">Draft Design Guide</a> by saying “The design should also follow the requirements of Policy SS1 and DM5 to allow for a development to be built with a focus on sustainability and climate change resilience” and in item 7.12-7.13 of the table of opportunities to address the Climate Emergency on page 30 it refers to “New development should also incorporate renewable energy produced on site. An analysis of feasible technologies will have to be provided in support of planning applications” and “Options for providing heating and hot water on site will need to be considered and could include a review of a local or district heating scheme in addition to more traditional alternatives” which clearly link back to the requirement from SS1. |
| Emerging new local SuDS guidance and standards are hoped to become SPD.                                                                                   | Added reference to the emerging guidance in multiple places.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| This will be relevant to commentary for Policy I4.                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Commentaries in relation to policies MD1 WA1 and CC3 need to provide more detail about how to mitigate the ever growing risk from climate change and sea level rise.                              | It is not appropriate to include specific guidance about exactly how developments in Minehead, Watchet and within the Coastal Change Management Area's should mitigate and adapt to the risk of sea level rise in this Statement. This should take place at a planning/project/development level with regard to the relevant appropriate and proportionate evidence. This would include, but may not be limited to, the Shoreline Management Plan (an update of which is in production), CCMA's, consultation with statutory consultees and Coastal Erosion Vulnerability Assessment (CEVA). However, it is not possible to require submission of a Coastal Erosion Vulnerability Assessment in this Statement. The appropriate policy basis is required. This would require defining Coastal Vulnerability and potential Coastal Erosion Zone's in planning policy (Local Plan or SPD), to then enable the identification of planning proposals that might be vulnerable to coastal erosion and therefore require CEVA's, and equally enable definition of types of development that would be compatible or exempt. |
| The Cleeve Hill LT1 development site in Watchet should be deleted from the plan as it was not adequately evaluated in relation to geological faults, access and cliff erosion prior to inclusion. | Allocations in adopted Plans can only be de-allocated via Local Plan review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Commentary for policy NH9 needs to be reinforced in relation to land stability along the coast. Full invasive surveys are required.                                                               | Policy NH9 does not explicitly require an invasive survey to be undertaken. However, by clearly stating that development proposals will not be permitted on or in close proximity to land known to be, or which may be, unstable, there is a clear obligation for a developer to demonstrate this not to be the case. In line with paragraph 178 of the NPPF, where appropriate this would require that " <i>adequate site investigation information, prepared by a competent person, is available to inform these assessments</i> " and in line with paragraph 179 " <i>responsibility for securing a safe development rests with the developer and/or landowner</i> ". The PPG includes a flowchart that applicants should follow in circumstances where a site is potentially affected by land or slope stability.                                                                                                                                                                                                                                                                                                |
| <b>General</b>                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Potential for the Bridgwater & Taunton Canal to be used to supply heating and cooling to developments should be referenced.                                                                       | This potential is noted, though no changes are proposed to the document. Commentary relating to policy Fp1 in Appendix 1 refers to the fact that the Council is exploring heat network potential relating to Firepool, and ambient water-sourced heat from the River Tone and the Canal may be of relevance to this.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Would expect guidance to be given for calculation of levels of biodiversity net gain.                                                                                                             | Policy NH6 of the West Somerset Local Plan to 2032 requires a net gain in biodiversity in the former West Somerset area. Guidance on calculation is provided by the Somerset Habitat Evaluation Procedure methodology referred to in commentary in Appendix 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| The summaries of DPDs, SPDs and specific policies do not always draw out the historic environment aims or contents. In particular, the historic environment element of the TTCAAP                 | The summaries of the various DPDs etc. contained in chapter 3 of the Statement are intended to give a snapshot view of the role and relevance of each document. They do not refer to every aspect of each plan's aims or objectives, just the most relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <p>vision, policy NH2 of the West Somerset Local Plan to 2032, general principle code G006 of the Taunton Town Centre Design Code SPD and conservation area character appraisals should be referred to.</p>                                                                                                           | <p>elements. Appendix 1 refers to specific policies of particular relevance to the Climate Emergency, but it is not intended to be definitive. Other policies may well have relevance to varying degrees, but have generally been felt to be of less direct relevance for inclusion here. Reference to policy NH2 has been added to Appendix 1. The Taunton Town Centre Design Code SPD is referred to in general, but no other detailed elements of the Design Code are referred to. Conservation area appraisals are a material consideration in determination of planning applications along with many other documents and issues (including the Climate Emergency). The Statement does not attempt to or need to list all of the material considerations that are relevant.</p>                                                  |
| <p>Propose a new section should be added to the Statement setting out how applying existing national and local policies for the conservation of the historic environment can play an important part in contributing positively to climate change mitigation and adaptation, as well as to overall sustainability.</p> | <p>The Council's CNCR Action Plan refers to the important part that the historic environment can play in contributing positively to mitigation of and adaptation to climate change. This is further reflected in reference to specific policies in Appendix 1, including the addition of reference to NH2 as detailed above. It is not considered necessary to dedicate a new section to the historic environment in this Statement.</p>                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Parts of the West Somerset coastline have less than a 100 year lifetime. Site-specific, science-based buffer zones should be implemented through allocation of appropriate Coastal Change Management Areas.</p>                                                                                                    | <p>Coastal Change Management Areas (CCMAs) can only be identified in Local Plans, and in the West Somerset Area there are two CCMA in the Local Plan to 2032. It is therefore not possible for this Statement to review existing or allocate new CCMAs. An updated Shoreline Management Plan is in production which will inform review of existing and potential consideration for any further CCMAs through Local Plan review. SWT is a member of the South West Coastal Group, formed from a DEFRA initiative in 2009 to ensure that the coastal groups played a more strategic and stronger role in the future planning of flood and coastal erosion risk management. This group of Public Sector Organisations has recently formed a sub-group to specifically champion and support designation of CCMA's in the South West.</p> |
| <p>Places should be more "walkable". New development must be in accessible locations and delivered at densities 50/60 dwellings per hectare in order to have a real impact on people's propensity to walk.</p>                                                                                                        | <p>Existing planning policies do not explicitly require "walkable" neighbourhoods, though policy A5 of the Taunton Deane SADMP identifies maximum acceptable walking distances for residential developments in Taunton and Wellington. A more blanket approach or more detailed requirements would need to be considered through Local Plan review rather than this Statement. Existing allocation policies and design briefs refer to average densities for new developments. Alternative or more exacting explicit requirements would need to be considered through Local Plan review rather than this Statement.</p>                                                                                                                                                                                                              |
| <p>Gardens should have hedgehog highways and swift / house martin bricks.</p>                                                                                                                                                                                                                                         | <p>There is no specific requirement for these features in existing adopted policy. However, recommended mitigations arising from ecology / biodiversity surveys or calculation of biodiversity net gain using the Somerset Habitat Evaluation Procedure methodology where appropriate and necessary may result in such requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| <p>Use of biomass (particularly sustainable sourced local timber) as a building material should be encouraged. The Council could set an ambitious target for % of developments using timber frames.</p>                         | <p>The Statement makes reference to building with biomass in IGS2 under criterion b), referencing the Committee on Climate Change in this regard and particularly sustainably sourced timber. This reference has been strengthened. No target is set in the Statement, as this is not an appropriate place for such a target to be set, however, consideration of this can feed into Local Plan review and future reviews of the Council's CNCR Action Plan.</p> |
| <p>There is no reference to road freight in the document and we ask that the Council address this, and in relation to road freight that its "climate emergency" policy goals are aligned with technically viable solutions.</p> | <p>Text added in the commentary for policy CP6 relating to the complexities of decarbonising road freight and considering technically viable solutions.</p>                                                                                                                                                                                                                                                                                                      |

Importantly, we understand the frustrations that have been voiced in a number of comments in relation to the limitations of existing policy and delivering the change that is needed. As we move forward with development of the new Local Plan, we will take account of comments made in this consultation when preparing new policies.

In addition to the changes referred to above which were made directly in response to comments received during the consultation, the following changes were also made:

- Added alternative text to images and tables to make them accessible.
- Clarified that the Wildfowl Consultation Zone referred to in policy NH12 of the West Somerset Local Plan is in fact on the proposals map but is just particularly difficult to identify, and as such is reproduced in the Statement for clarity.
- Added reference to anticipated changes flowing from the Environment Bill to Chapter 2 and Chapter 5.
- Updated commentary on changes to Building Regulations in Chapter 5 to include reference to EV charge points consultation and reflect Government response to the Future Homes Standard. Also reflected in additional text under criterion c) in Chapter 9.
- Added reference to the fact that SCC is updating its "Red Book" on Estate Roads in Somerset Design Guidance to commentary against relevant policies.
- Added list of abbreviations as a new Appendix 2.
- Added an example of the contents of a Sustainability Checklist and Energy Statement to aid applicant understanding of what to submit and how to demonstrate relevant elements of policy DM5.