

SWT Executive

Wednesday, 24th February, 2021,
6.15 pm



Somerset West
and Taunton

[SWT VIRTUAL MEETING WEBCAST LINK](#)

Members: Federica Smith-Roberts (Chair), Benet Allen (Deputy Chair), Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Peter Pilkington, Mike Rigby, Francesca Smith and Sarah Wakefield

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of the Executive

To approve the minutes of the previous meeting of the Committee.

(Pages 5 - 10)

3. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

Temporary measures during the Coronavirus Pandemic

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Chair of the Committee, or the relevant Portfolio Holder, or be followed up with a written response.

5. Executive Forward Plan

(Pages 11 - 12)

To receive items and review the Forward Plan.

6. Approval of Climate Positive Planning: Interim Guidance Statement on planning for the Climate Emergency

(Pages 13 - 122)

This matter is the responsibility of Executive Councillor for Planning and Transportation, Councillor Mike Rigby.

Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (the Statement) has been produced in response to the Council's Climate Emergency declaration and identification of an action within the Carbon Neutrality and Climate Resilience (CNCR) Action Plan.

7. Safeguarding Policy

(Pages 123 - 142)

This matter is the responsibility of the Leader of the Council, Councillor Smith-Roberts.

To seek approval for an updated Safeguarding Policy.

8. East Street and St James Street, Taunton

(Pages 143 - 154)

This matter is the responsibility of Executive Councillor for Planning and Transportation, Councillor Mike Rigby.

This report is split into two recommendations, which contribute to the same goals and objectives. The first details a plan to increase participation in active travel, reduce private car and public transport use whilst enabling social distancing in Taunton town centre, centred around new interventions on East Street. The second seeks authorisation for SWT Officers to work with the Highway Authority to make a permanent traffic regulation order on St James Street, following the successful 12-month trial closure which ended earlier this year.

9. Local Validation Checklist

(Pages 155 - 254)

This matter is the responsibility of Executive Councillor for

Planning and Transportation, Councillor Mike Rigby.

This report seeks approval to adopt the Local Validation Checklist (LVC) following a public consultation. The Local Planning Authority (LPA) is required by the National Planning Policy Framework (NPPF) to review the LVC every two years.

A handwritten signature in black ink, appearing to read 'James Hassett', written in a cursive style.

JAMES HASSETT
CHIEF EXECUTIVE

Please note that this meeting will be recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by taking part in the Council Meeting during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting](#) website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

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SWT Executive - 20 January 2021

Present: Councillor Federica Smith-Roberts (Chair)

Councillors Benet Allen, Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Peter Pilkington, Mike Rigby, Francesca Smith and Sarah Wakefield

Officers: James Hassett, Dawn Adey, Alison North, Andrew Pritchard, Paul Fitzgerald, Marcus Prouse, Clare Rendell, Amy Tregellas, Mickey Green, Stuart Noyce, Lisa Redston, Mark Wathen and Dan Webb

Also Present: Councillors John Hassall, Sue Lees, Libby Lisgo, Janet Lloyd, Dave Mansell, Vivienne Stock-Williams, Andrew Sully, Anthony Trollope-Bellew, Ray Tully, Brenda Weston, Loretta Whetlor and Gwil Wren

(The meeting commenced at 6.15 pm)

82. Apologies

No apologies were received.

83. Minutes of the previous meeting of the Executive

(Minutes of the meeting of the Executive held on 16 December 2020 circulated with the agenda)

Resolved that the minutes of the Executive held on 16 December 2020 be confirmed as a correct record.

84. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Lees	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr J Lloyd	All Items	Wellington & Sampford	Personal	Spoke

		Arundel		
Cllr D Mansell	All Items	Wiveliscombe	Personal	Spoke
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke
Cllr R Tully	All Items	West Monkton	Personal	Spoke
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke
Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke

85. **Public Participation**

Councillor Gwil Wren made the following statement:-

The Scrutiny Committee asked the Executive to consider the huge impact of the current phosphate related planning restrictions on our SMEs. The Committee requested that, to give certainty and reassurance to our local construction industry, the Council, whilst working with officers, partner councils, consultants and statutory undertakers, expedite short term mitigation measures to allow planning applications to proceed before providing permanent solutions for phosphate treatment and removal from our rivers, watercourses and wetlands.

The Portfolio Holder for Planning and Transportation gave the following response:-

Thank you for your question, as you know the Council takes very seriously the magnitude of the phosphates issue. With that in mind our officers moved quickly to commission a phosphates calculator which allowed us to understand phosphate levels associated with affected development and crucially the level of compensation required to off-set. The calculator was expected to be launched publicly by the end of January.

The calculator would not make the challenge of phosphates go away but it was nonetheless an important step. Attention was now turning to what and how solutions could be put in-place in the short term, particularly for those schemes/applicants that would be unable to compensate for phosphates directly through their own schemes. The challenge to SMEs was well understood and a real concern.

There were of course other elements to the Council's response on phosphates as you know; those included lobbying government to raise awareness of the problem, our on-going communications on the matter with applicants both directly and through our website. We have also recently sought counsel advice on a

number of matters relating to the phosphates issue, advice which we anticipated sharing publicly very soon through our website.

86. **Executive Forward Plan**

(Copy of the Executive Forward Plan, circulated with the agenda).

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

Resolved that the Executive Forward Plan be noted.

87. **Somerset Waste Partnership Draft Business Plan 2021-2026**

During the discussion, the following points were made:-

- Councillors were pleased to see that 98% of plastic was retained and recycled in the United Kingdom.
- Councillors queried whether the carrier bags used to dispose of batteries in the recycling collection, would be returned, especially as residents had been encouraged not to use single use plastic.
The Managing Director of the Somerset Waste Partnership (SWP) advised that the carrier bags would be returned so that the customers could reuse them for future collections.
- Councillors queried how durable the new blue recycling bags were.
The Managing Director of the SWP was unsure of how long the blue bag would last, however, he had received positive feedback from the other areas that had been using the blue bags.
- Councillors queried why the area of Somerset West and Taunton (SWT) had been split into the former Taunton Deane and West Somerset areas for the rollout of Recycle More.
The Managing Director of the SWP advised that they had split the area of SWT into two to make the rollout more manageable and explained that the two areas worked out of different depots which also needed to be updated in phases to be able to deliver the rollout of Recycle More.
- Councillors queried how the scheme would be communicated to disabled residents.
The Managing Director of the SWP advised that all literature was available in braille and many different languages. The SWP had also introduced a talking café to ensure community engagement with as many groups as possible.
- Councillors queried how much of waste was transferred to energy.
The Managing Director of the SWP advised that the majority of the waste placed at kerbside was transferred to energy and approximately two thirds of the waste taken to the household waste recycling centres.
- Councillors requested further information on how the SWP would achieve decarbonising of operations.
The Managing Director of the SWP advised there were many measures that were due to be implemented: trials of electric fleet vehicles; use of

alternative fuels; green infrastructure; and optimising round designs, to name but a few.

- Councillors queried how would the SWP enforce and support residents to recycle properly.
The Managing Director of the SWP advised that the recycling crews would tag the containers to educate the residents on what they should be placing in which container, as that had proved successful in the past. If there was a persistent lack of proper recycling, then the residents would be contacted to discuss the different options available to assist them.
- Councillors queried how the SWP would engage with residents who lived in flats, who did not have the space for all the recycling containers.
The Managing Director of the SWP advised that improved rollout would be done for communal bins but that it would depend on the individual properties.
- Concern was raised on the Walford Cross site and what was being done to reassure staff that worked at the site.
The Managing Director of the SWP advised that a press release had been distributed and assured councillors that extra measures had been put in place to support staff and that those measures were under constant review.
- Concern was raised on waste being blown across the roads.
The Managing Director of the SWP advised that the use of the new blue recycling bag should prevent the lightweight objects from being blown into the roads.
- Councillors queried where Somerset was in the recycling league table.
The Managing Director of the SWP advised that Somerset was in the top 20% on weight based recycling and the top 10% in carbon saving.
- Councillors queried whether there would be a move back to textile recycling.
The Managing Director of the SWP advised that they currently collected wearable textiles at kerbside but that it was not likely to change to other textiles in the near future.
- Councillors queried 'what's next'?
The Managing Director of the SWP agreed that there was still lots more that they could achieve and would need to challenge themselves in the future and look at resource efficiency amongst other areas.
- Concern was raised on issues that residents had experienced with the clinical waste collections when the data had been transferred onto a new operating system.
The Managing Director of the SWP advised that he was aware that there had been issues, but that they should have been fixed by now. So requested councillors to contact the SWP if they were aware of any other residents still having issues with their collections.
- Concern was raised for those residents who had nappies and incontinence pads as part of their rubbish and that they would have to store that waste for the three weekly collections.
The Managing Director of the SWP understood their concern and explained that sixteen other authorities had already changed over to the three weekly collections and that they had used a stepped approach to the

rollout. He also advised that the SWP could provide additional bins to those residents who required extra capacity due to that type of waste.

- Councillors queried what plastic would be collected as currently it was only plastic bottles.

The Managing Director of the SWP advised that explaining which plastic could be recycled was tricky with many containers being made up of different materials. So the SWP planned to make it simple and describe the types of plastic containers that would be collected.

- Councillors queried whether the blue recycling bag would be folded and placed back in one of the recycling boxes to prevent them from blowing away on collection days.

The Managing Director of the SWP assured the councillors that the crews should return the containers carefully and that was monitored and resolved if there were any problems with the crew not replacing them appropriately.

- Councillors were impressed with the feedback from the Mendip area, who had just gone through the rollout of Recycle More and the use of different measures for communicating the changes to residents.
- Councillors thought that it was an interesting and exciting report and were pleased to see the encouraging figures and wanted to do as much as they could to help residents to recycle.
- Councillors thanked the SWP for all their hard work.

Resolved that the Executive:-

- 2.1 Approved the draft Business Plan 2021-2026 and draft budget 2021-22 and provide feedback to the Board (see Appendix A).
- 2.2 Noted the changes to how garden waste payments would be made in 2021, as previously agreed by the Somerset Waste Board.
- 2.3 Approved the renewal of the delegation of powers to Somerset Waste Partnership subject to confirmation from the Director of External Operations and Climate Change in association with other Officers that SWP's Advice, Support & Enforcement Policy to be provided in due course was compliant with the constitution and legislation to delegate such power. The Director should have such authorisation to approve this delegation.

88. **Somerset Recovery and Growth Plan**

During the discussion, the following points were made:-

- Councillors thanked the Portfolio Holder for Asset Management and Economic Development for his introduction to the report.
- Councillors requested more timescales for when the projects would be started/finished and further information on the implementation.
The Portfolio Holder for Asset Management and Economic Development explained that there were timescales mentioned within the report, however, some were concept projects that were dependable on the funding received for them and that Somerset West and Taunton would have a phased delivery plan in place.
- Councillors stated that the report showed some amazing forward thinking for the area.

- Councillors were pleased to see that young people had been involved and that there was work to support them within the projects.
- Councillors queried how officers would deliver the loan fund as mentioned in section 5.9 of the report.

The Chief Executive advised that the five councils had adopted the document which would allow them to have collective conversations with Government and other agencies especially after the changes that the Public Works Loan Board had made at the end of 2020.

- Councillors agreed that it was a good document to look at funding, especially post the Covid Pandemic.
- Councillors were disappointed that they had not had information on the Wellington Enterprise Centre prior to the report being published.
The Portfolio Holder for Asset Management and Economic Development advised that the project had moved on very quickly and that some Wellington Town Councillors had been involved. He advised that he would ensure that the information was shared but that it was still in the early stages of development.
- Councillors agreed that it was a brilliant document that pulled together all the projects in Somerset and were keen to speak in one voice on the economy across Somerset.

Resolved that the Executive:-

- 2.1 The Executive was asked to note and endorse the Somerset Recovery and Growth Plan and the collective approach being taken in partnership by the Somerset local authorities to create a coherent pipeline of projects to support economic growth in the county and in Somerset West and Taunton over the long term.

(The Meeting ended at 7.45 pm)

EXECUTIVE

Executive Meeting	Draft Agenda Items	Lead Officer
24 February 2021	East Street/St. James Street, Taunton Pedestrianisation	Joe Wharton
venue =	Safeguarding Policy Update	Scott Weetch
Exec RD = 12 February	Interim Policy Statement (IPS) on Planning for the Climate Emergency	Graeme Thompson
Informal Exec RD = 12 January	Local Validation Checklist	Rebecca Miller
SMT RD = 21 December		
17 March 2021	2020/21 Budget Monitoring Q3	Emily Collacott
venue =	Capital, Investment and Treasury Strategies 2021/22	Paul Fitzgerald
Exec RD = 5 March	Pay Policy	Angela Marshfield
Informal Exec RD = 9 February	Q3 Performance Report	Malcolm Riches
SMT RD = 27 January	Procurement Strategy	Paul Fitzgerald
	Options appraisal for delivering future single rough sleeper and homelessness accommodation in SWT	Chris Brown/Simon Lewis
	SHAPE Legal Partnership Contract	Amy Tregellas
	Capital Loan to Third Party (confidential)	Paul McClean
	NO MORE ITEMS	
21 April 2021	Belvedere Road Public Space	Chris Hall
venue =	Public Realm Design Guide for Taunton Garden Town – Feedback	Fiona Webb
Exec RD = 9 April	Somerset West and Taunton Districtwide Design Guide	Fiona Webb
Informal Exec RD = 16 March	Member Training and Development Policy	Amy Tregellas
SMT RD = 3 March	Procurement Report (confidential)	Stuart Noyce
	Anti-Fraud Framework	Amy Tregellas
19 May 2021		
venue =		
Exec RD = 7 May		
Informal Exec RD = 13 April		
SMT RD = 31 March		

Report Number: SWT 16/21

Somerset West and Taunton Council

Executive – 24 February 2021

Approval of Climate Positive Planning: Interim Guidance Statement on planning for the Climate Emergency

This matter is the responsibility of Executive Councillor Mike Rigby (Planning and Transportation)

Report Author: Graeme Thompson, Strategy Specialist

1. Executive Summary / Purpose of the Report

- 1.1 Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (the Statement) has been produced in response to the Council's Climate Emergency declaration and identification of an action within the Carbon Neutrality and Climate Resilience (CNCR) Action Plan. It has been produced as an interim measure to help clarify when the Council is able to apply existing adopted planning policies to the best of their effect in tackling the climate emergency, before a new Local Plan makes sufficient progress to attract significant weight in the decision making process. Following public consultation, a final draft has been produced which is now being presented to Executive Committee for approval. The Statement does not in itself contain any planning policies, or amendments to existing policy, and will not form part of the development plan or be in itself able to act as a material consideration. That being the case, the Statement itself will hold no weight in the decision making process. The purpose of the Statement is explicitly to provide additional explanation and guidance, underlining that the Climate Emergency itself is a material consideration, and identifying how the requirements of existing, adopted development plan policy may be viewed in assessing development proposals. It will be a useful resource of guidance for planning officers, Members of the Planning Committee, and planning applicants alike. This report recommends that the Statement is approved as a "live" document that can be updated quickly and easily to reflect changes in national legislation and policy, and keep explanation and guidance relevant. The recommendations propose arrangements and thresholds for delegation and approval of subsequent updates in line with the Councils constitution.

2. Recommendations

- 2.1 That Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (the Statement) is approved as additional explanation and guidance to support existing adopted planning policies.

- 2.2 That approval of future updates to the Statement are delegated as follows:
- (a) Minor amendments including textual and visual changes and enhancements to be delegated to the Director for Development and Place in consultation with the Portfolio Holder for Planning and Transportation.
 - (b) Updates relating to changes in national Government legislation and guidance, or the need to reference or update reference to other local or national evidence or strategy documents to be delegated to the Portfolio Holder for Planning and Transportation in consultation with other fellow Executive Members.
 - (c) More significant updates beyond those listed above to be delegated to Executive Committee.
- 2.3 That Members note that the Statement is purely to provide additional explanation and guidance to support existing adopted planning policies it is not policy in itself, and that the status of the document for approval will hold no weight in the decision making process on planning applications. Any alterations to existing adopted planning policy, or proposals for new planning policies relating to planning for the Climate Emergency will be brought forward through formal processes associated with Local Plan review and production of the Local Plan to 2040.

3. Risk Assessment

- 3.1 The Corporate Risk Register contains a risk associated with not achieving carbon neutrality by 2030. Development of this Statement is identified as an immediate action within the Carbon Neutrality and Climate Resilience (CNCR) Action Plan and should help the Council to maximise the use of its existing, adopted planning policy towards bringing forward sustainable development, cognisant of and responding to the Climate Emergency. Approval of the Statement cannot guarantee that all development will come forward in precise alignment with the policies of the adopted development plan or the guidance included in the Statement because planning decisions are made on a case-by-case basis. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Existing planning policies were prepared prior to the Council's declaration of a Climate Emergency and prior to development of the Somerset Climate Emergency Strategy and SWT's own CNCR Action Plan. The CNCR Action Plan identifies a number of potential actions to be taken forward in relation to planning which will be required to meet our target of carbon neutrality. However, in many cases, these will require changes to policy which can only be made through adoption of a Development Plan Document (DPD) – (for instance the action to “*Develop Local Plan policy requiring all new development to be zero carbon and climate resilient as soon as practically possible*”). Neither existing adopted policies or the Statement can be used to require zero carbon development, and the reasons for this are clearly articulated within the Statement. Such policy changes can only and will be explored through the new Local Plan to 2040. In the meantime, this Statement is designed to provide explanation and guidance on how the Council can apply existing adopted planning policies to the best of their effect in tackling the Climate Emergency.
- 3.2 The Corporate Risk Register also contains a risk associated with failure to have an up to date Local Plan or to demonstrate that the district has a five year land supply or sufficient Housing Delivery Test score. Failure of the above points could lead to housing policies of the district's local plans being considered out of date and application of / fall back on the presumption in favour of sustainable development. This would lead to unplanned development and likely less sustainable patterns of development. It should be recognised that this Statement does not override the general

presumption in favour of sustainable development emanating from the National Planning Policy Framework and the subject of local policies. Sustainable development is a multi-dimensional concept, and refers to economic, social and environmental factors. As such, this Statement must be read in conjunction with the development plan as a whole. Due to the multiple pressures on the planning system, which include the delivery of housing to meet the national housing crisis and the provision of infrastructure such as roads, schools and open space to meet the demands of new housing, coupled with the need to ensure that development remains viable, it can be difficult to ensure that issues of greater environmental sustainability receive the same attention as economic and social sustainability arguments. However, mitigation and adaptation to climate change should not be seen as an obstacle to the achievement of these other aims. The declaration of a Climate Emergency addresses this difficulty by pushing the environmental sustainability of development back up the priority list, to be considered alongside issues of economic and social sustainability. The Statement provides additional explanation, context, justification and guidance in relation to existing adopted planning policies. It does not set new policy or new burdens on the viability of development.

- 3.3 The NPPF and PPG explain how viability should be addressed primarily at the plan making stage. Prior to their adoption, all existing policies were viability tested through plan production and Examination including through the Taunton Deane CIL Charging Schedule Examination for former Taunton Deane policies. By successfully being found sound at Examination, the policies of the plans have been judged to be viable, the plans deliverable, and to avoid risk to the overall development of the area. As such, viability should not be used to justify a reduction in the attention given to environmental considerations. Where the need for a viability assessment at the application stage is properly justified, the Council will need to consider the various policy requirements of the development plan, taken as a whole, to determine whether and how development can be brought forward in a viable way. If, as a result of this process, there arise issues relating to the sustainability of a development proposal, then there is the potential for the proposal to be viewed more critically, although, as with any planning application, the determination will depend on an evaluation of the proposal in terms of all relevant planning policies and material considerations.
- 3.4 The Council must, therefore be aware of the risk that, in cases where viability is a justified concern, then insistence upon full compliance with policies dealing with responding to the Climate Emergency will necessitate reductions in other policy / infrastructure requirements. However, a nuanced and case-specific consideration will be required to understand what the correct balance of requirements should be to result in sustainable development. Careful consideration of impacts upon five year land supply and Housing Delivery Test compliance will be required as part of this in determining planning applications.
- 3.5 There are costs associated with complying with our own local planning policies that need to be borne by our own developments (as any other development). However, the Statement does not add any new costs, and many of our own developments such as Firepool are already aiming to be exemplars in environmental standards and sustainability.
- 3.6 Consultation on the Draft Statement highlighted areas for potential challenge, should the Council attempt to bring new planning policy forward via a route other than a Development Plan Document (DPD), or attempt to place weight on the Statement itself in the decision making process. If the Council attempts to use the Statement as policy

or apply weight to it in determining planning applications then there is a risk that the decisions will be appealed and appeals granted with costs against the Council. Whilst the Draft Statement included plenty of text explaining that it does not and cannot include new planning policy or amendments to existing policies, the final version has been tightened up further to improve clarity on this subject. The name of the Statement has been amended from “Interim *Policy* Statement” to “Interim *Guidance* Statement”. The two main sections of the document have been renamed as Interim Guidance Statement 1 and 2. Various sections of text have been amended to ensure the correct status is implied and to avoid the Statement either actually or being perceived as setting requirements in itself. Training on the Statement and the subject matter it covers will be arranged shortly for Members of the Planning Committee, officers in Development Management and other interested Members and officers.

4. Background and Full details of the Report

Context

- 4.1 The Statement responds to the fact that the Council has declared a Climate Emergency, and a specific action identified within the Councils Carbon Neutrality and Climate Resilience (CNCR) Action Plan. For further context please review the paper presented to Executive in November relating to the Draft Statement.

Purpose and Intentions

- 4.2 The Interim Guidance Statement seeks to clarify existing planning policy requirements within the district with regards to planning for the Climate Emergency by providing additional explanation and guidance to support existing adopted planning policies.
- 4.3 Existing, adopted planning policy was clearly drafted with the intention of improving the assessment by the Council of the sustainability credentials of development proposals within the district. However, shifts of emphasis within national policy have led to potential confusion over the applicability and effect of certain policies. The Council’s declaration of a Climate Emergency has led to a renewed aspiration to improve the sustainability of development within the district, and an increased recognition of the importance of this objective. The Council has begun work on a new Local Plan to 2040, however, it will be some time before the emerging new Local Plan attracts significant weight in the decision making process. In the meantime, this Statement is designed to provide explanation and guidance on how the Council may apply existing adopted planning policies to the best of their effect in tackling the Climate Emergency.
- 4.4 The Statement does not in itself contain any planning policies, or amendments to existing policy, and will not form part of the development plan or be able to act as a material consideration. Applying relevant law and the NPPF, applications will be determined in accordance with the development plan unless material planning considerations indicate otherwise, with the weight to be applied to material considerations being a matter for the local planning authority as decision maker. The purpose of the Statement is explicitly to provide additional explanation and guidance, underlining that the Climate Emergency itself is a material consideration, and identifying how the requirements of existing, adopted development plan policy may be viewed in assessing development proposals. The Statement will be a useful resource of guidance for planning officers, Members of the Planning Committee, and planning applicants alike.
- 4.5 It should be recognised that this Statement does not override the general presumption in favour of sustainable development emanating from the National Planning Policy

Framework and the subject of local policies. Sustainable development is multi-dimensional, and refers to economic, social and environmental factors. As such, this Statement must be read in conjunction with the development plan as a whole.

Structure

- 4.6 The Structure of the Statement remains the same as the Draft Statement reported to Executive Committee in November. It provides national and local context in terms of the issues at hand, legislation, policy and guidance, viability context and a section clarifying what the Statement does not do. Some of these sections have been updated following consultation responses and updates to the national policy landscape.
- 4.7 The Statement then has two main parts:
- IGS 1 – General relevance of the Climate Emergency in determining planning applications; and
 - IGS 2 – Relevance and justification of Policy DM5 (Use of resources and sustainable design) of the Taunton Deane Core Strategy.
- 4.8 Appendix 1 accompanies the Statement summarising the issues in relation to specific planning policies across the adopted development plan as well as referencing where relevant guidance or evidence exists or is in development.
- 4.9 Appendix 2 provides a useful list of abbreviations used within the document.
- 4.10 IGS 1 is applicable across the Somerset West and Taunton Local Planning Authority area (i.e. excluding Exmoor National Park). IGS 2 is applicable solely within the former Taunton Deane Borough Council area (excluding Exmoor National Park) in so far as policy DM5 is concerned. However, the Council will encourage applicants in the former West Somerset Council area (excluding Exmoor National Park) to follow the guidance when responding to policies NH13 and B/9. IGS1 and IGS2 are not policies of the Council.

Impacts on and role in decision making

- 4.11 Once approved, alongside changes to the local validation list (due for consultation in the coming months), the Statement should provide planning officers and the Planning Committee with more confidence to seek (and where applicable insist upon) improved climate mitigation and adaptation measures from new development, in line with local and national legislation and policy.
- 4.12 IGS 1 confirms that the Climate Emergency will be generally material to planning applications, and will have specific relevance to the following types of development:
- New dwelling houses (including replacement dwellings);
 - New non-residential floorspace;
 - New mixed-use developments;
 - New infrastructure developments (including roads, rail, utilities, energy generation/storage installations).
- 4.13 IGS 1 further proposes to require submission of a completed Climate Emergency Checklist that applicants will need to submit alongside other documents at validation stage. The checklist is a series of questions where the answer should be an elaboration on what is essentially either “yes” or “no”. Officers will not be able to require the answer to these questions to be “yes”, but it will become a prompt for the applicant to think about how their development ~~is~~ could respond to the Climate Emergency. The

answers to the questions will also not be scored or given any particular weighting, although they will bear relation to the Council's evaluation of the proposal under adopted planning policies. The need to answer these questions may also identify opportunities for the applicant to explore and/or the Council to look to instigate negotiation around, which would not have come forward otherwise. It will also aid the planning officer to determine whether or not, on balance, the development in question is sufficiently responding to the Climate Emergency and current requirements of local and national policy. Introduction of this requirement will require amendment to the local validation list (due for consultation in the coming months). Until a new local validation list is adopted (which includes this item), then officers will not be able to insist upon its submission.

- 4.14 IGS 2 indicates that in determining relevant planning applications, the Council may in appropriate cases be able to apply Policy DM5 of the Taunton Deane Core Strategy as development plan policy. It confirms that where relevant, applicants should submit a Sustainability Checklist and Energy Statement (these are separate requirements to that set out for the Climate Emergency Checklist above, but may be contained within the same document) setting out how they consider the policy requirements are met by the proposal. An appendix has been added to the Statement containing an example contents of a Sustainability Checklist and Energy Statement to help guide applicants.
- 4.15 The majority of policy DM5 (and importantly, key elements of it) remain valid, sound and as such are a vital tool in ensuring new development and in particular new buildings themselves in the former Taunton Deane area are sustainably designed, energy efficient and respond to the Climate Emergency.
- 4.16 Policy DM5 technically does not cover the former West Somerset area. However, Policy NH13 of the West Somerset Local Plan to 2032 and saved policy BD/9 of the West Somerset Local Plan 2006 cover similar issues, though lack explicit requirements to comply with specific standards. On this basis, the Council cannot require developments in the former West Somerset area to comply with policy DM5, but it is suggested that we will in appropriate cases be in a position to encourage applicants in the former West Somerset area to formulate proposals which reflect the requirements of policy DM5, which sets a reasonable and proportionate interim way forward for development.
- 4.17 Importantly, the Statement should not be used to justify the ignoring of the wider aspects of sustainable development in determining planning applications. All planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, whilst this Statement provides explanation and guidance on where and when improved responses may be sought, it does not mean that compliance with the adopted policies referred to in the Statement render other adopted policies of the development plan less important. Planning decisions should guide development towards sustainable solutions, bearing in mind the economic, social and environmental objectives of sustainable development and accounting for character, needs and opportunities of local circumstances. It is the responsibility of the planning system to balance these factors appropriately, whilst bearing in mind the legal duties placed on local authorities around mitigation of, and adaptation to, climate change.
- 4.18 The Council will expect areas not yet benefitting from outline or reserved matters approval, to respond to the Climate Emergency and the Taunton Garden Town Design Charter and Checklist.

Public consultation on the Draft Statement

- 4.19 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 23rd November 2020 to 4th January 2021.
- 4.20 The purpose of the consultation was:
- (a) 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;
 - (b) To raise awareness of the limitations of existing planning policies in light of national policy;
 - (c) 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;
 - (d) 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.
- 4.21 Bodies and persons identified within the Council’s Local Plan consultation database were emailed with details of the consultation. A press release was also published on the Council’s website and posts publicising the consultation were made by the Council’s social media accounts on Facebook, Twitter and LinkedIn. Responses to the consultation were encouraged by completing the online survey hosted on the Council’s consultation portal, by email and by post.
- 4.22 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. It was not felt appropriate to use the available appointments service to facilitate viewing of hard copies of the Draft Statement for the purposes of this consultation.
- 4.23 Similarly, the team would often have arranged in-person events to widen participation in the consultation, however this was felt to be inappropriate in the current circumstances. An officer attended the regular Agents Forum meeting held online on Friday 11th 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.
- 4.24 Overall there were 32 responses to the consultation: 15 via the online survey, 15 by email, 0 by post and 2 by social media. The Consultation Report appended as Appendix B to this report summarises the representations received and provides an officer response to some of the main issues/questions raised and how the document has been amended in response.

- 4.25 Comments were made by a range of different persons and bodies. There was a general theme of approval for the Council looking to address and respond to the Climate Emergency. This was tempered for some by frustration at how far the document went (wishing in some cases for it to go further or in others to be pulled back). Officers 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.
- 4.26 A number of comments from the development industry raised issues with the status of the document, the way that it would be used, and concern about the process involved in its production. In particular there were claims that the Draft Statement was essentially trying to bring forward new/amended policy outside of proper processes. The Town and Country Planning (Local Planning) Regulations 2012 set out that any document containing new or amending existing planning policy must be prepared as a “local development document” in line with the regulations (including specific criteria surrounding consultation, publication, examination and adoption). In response, a number of minor amendments have been made to the document to clarify that its content is intended as guidance, rather than as planning policy in its own right. Changes included the renaming of the document from Interim *Policy* Statement to Interim *Guidance* Statement to this effect. Members should bear in mind the content and nature of the comments received, as detailed in the Consultation Report, and be cognisant of the potential for challenge should planning decisions attempt to go beyond adopted planning policy or inappropriately apply the Statement itself in decisions.
- 4.27 Various other specific points have been responded to. The “You said, We did” chapter of the Consultation Report (see Appendix B to this report) should be read to understand the changes that have been made and responses to other key issues.
- 4.28 The Statement 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 and navigability.

Adoption/approval and future iterations of the Statement

- 4.29 A key purpose of the Statement is to provide guidance in the analysis of planning issues which have been the subject of Government policy issued over a number of years, in a situation where the understanding of the subject matter, such as in relation to carbon reduction and the energy performance of dwellings, is regularly evolving. In such a situation, there is the clear potential for the Statement and the Guidance to be rendered out of date, not only as a result of national changes (Government guidance and policy, as well as the progress of the Environment Bill and the Future Homes Standard*), but also as a result of more local changes (including updating of SUDS guidance and Travel Planning guidance). Therefore, it is proposed that the Statement be approved in its current form, on the basis that it can be amended in future via delegated decision taken at officer level. This arrangement is intended to enable the updating of the Statement so that it can remain “live” and respond to changing circumstances. The proposed thresholds for delegating approval of updates are:
- (a) Minor amendments including textual and visual changes and enhancements to be delegated to the Director for Development and Place in consultation with the Portfolio Holder for Planning and Transportation.
 - (b) Updates relating to changes in national Government legislation and guidance, or the need to reference or update reference to other local or national evidence or

- strategy documents to be delegated to the Portfolio Holder for Planning and Transportation in consultation with Informal Executive.
- (c) More significant updates beyond those listed above to be delegated to Executive Committee.

* Future Homes Standard

- 4.30 The Government has recently published its [response to the Future Homes Standard](#) (FHS) consultation. Key points arising from this response include:
- The FHS will be implemented via Building Regulations from 2025 – requiring a 75% reduction in CO2 emissions over current Building Regs. This will mean that from 2025 there will be no new homes connected to fossil fuel heating.
 - The proposal to bring in an immediate uplift from 2020 is now going to come in through new regulations proposed to be made in December 2021. This will deliver a 31% reduction in CO2 emissions over current regulations. This will likely supersede the 20% reduction referred to in IGS2 of this Statement. This highlights the importance of the Statement being a “live” document able to be updated as things change.
 - There will be a transitional period of 1 year, applying to any building control notice/ initial notice submitted before June 2022. However the transitional arrangements will apply to individual homes rather than entire development sites – so a developer won’t be able to lock all of a large strategic development in to what would in time become outdated Regulations. The transitional arrangements do mean that it could be some time before the updated Regulations bite though, which means there is still merit in seeking to achieve a 20% reduction through policy DM5 in the meantime.
 - The Government will not enact changes to the Planning and Energy Act 2008, (which would have stopped local authorities from going above and beyond Building Regulations on energy performance standards for dwellings) in the “immediate term”. But it will clarify the role of local authorities through the new planning reforms.
- 4.31 For information, SWT’s response to the FHS consultation submitted in February 2020 can be found [here](#).
- 4.32 Government has recently also published [consultation on further changes to Building Regulations relating to new and existing non-domestic buildings, existing domestic buildings, and avoiding overheating](#). Amongst other points, the consultation proposes changes to be brought in in December 2021 that would require non-domestic buildings to achieve a 27% carbon reduction over 2013 Building Regulations Part L. It also proposes a “Future *Buildings* Standard” which will ensure that from 2025 non-domestic buildings are futureproofed and ‘zero carbon ready’, though at present does not identify a specific % reduction over existing Regulations. This, again, highlights why it is important that the Statement is approved as a “live” document.

5. **Links to Corporate Strategy**

- 5.1 Addressing climate change is identified as the Council’s primary objective in the Corporate Strategy. The Annual Plan for 2020/21 refers to the approval of a Carbon Neutrality and Climate Resilience (CNCR) Action Plan and progression of actions to reduce the Council’s and the District’s carbon footprint, support biodiversity and increase resilience to more extreme weather events. The CNCR Action Plan identifies development of an Interim Policy Statement as an “immediate” action. The Annual Plan

also refers to the production of a Draft Local Plan to 2040, consultation and subsequent submission to the Secretary of State. With the timetable for Local Plan production under review, this Statement provides a route to maximising use of existing policy in the meantime.

6. Finance / Resource Implications

- 6.1 There are no direct financial implications associated with the Statement. The future implementation of the Statement in the planning service will need to be accompanied by officer and Member training, which may have financial costs associated with it, should external support be necessary. Though details of this are not yet known and there is no financial request associated with this report.
- 6.2 There are costs associated with complying with our own local planning policies that need to be borne by our own developments (as any other development). However, the Statement does not add any new costs, and many of our own developments such as Firepool are already aiming to be exemplars in environmental standards and sustainability.

7. Legal Implications

- 7.1 The Statement includes an evaluation of the national legislative and policy context, which has been informed by discussion with SHAPE, as the Council's legal service.
- 7.2 Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008) states that "*Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change*". The Climate Change Act 2008 (as amended) legally binds the UK to a target of 100% carbon reduction by 2050. The National Planning Policy Framework (NPPF) is guidance, as opposed to statute, but at paragraph 149 states that "*Plans should take a proactive approach to mitigating and adapting to climate change... In line with the objectives and provisions of the Climate Change Act 2008*". Combining the statutory requirement of the PCPA 2004 (above) with this policy requirement from the NPPF places a specific duty on local planning authorities in this regard.
- 7.3 The Statement is not a Local Development Document under the meaning of the Town and Country Planning (Local Planning) (England) Regulations 2012 and as such cannot set such policies, nor does it attempt to. Provided that the Statement is clearly defined as a document which does not contain planning policy or represent a specific material planning consideration, and provided its status in the context of local and national planning policy is clear, then it can provide a useful framework for understanding and interpreting the Council's broad obligations in addressing climate change issues in relation to proposals for development.

8. Climate and Sustainability Implications

- 8.1 The Statement has been produced with the express purpose of maximising use and impact of existing planning policies with regards to the climate and sustainability implications of new development within the district (with the exception of Exmoor National Park, as a separate Local Planning Authority). What the Local Planning Authority can require of new development in this regard is limited by legislation, regulation, national policy and adopted local planning policy.

8.2 As an example of these limitations, the Somerset Climate Emergency Strategy and the CNCR Action Plan identify the need to move towards requiring zero carbon homes as soon as possible. However, this Statement is unable to set such a requirements as set out within the Statement.

9. Safeguarding and/or Community Safety Implications

9.1 No safeguarding and/or Community Safety Implications are envisaged.

10. Equality and Diversity Implications

10.1 The Statement does not seek to alter existing or bring forward new planning policy. It simply provides additional explanation, guidance and context in relation to existing adopted planning policies. There are therefore, no additional adverse equality impacts anticipated as a result of these clarifications.

10.2 Groups representing those with protected characteristics were invited to comment on the Statement as part of the consultation process.

10.3 The legibility of the document has been improved from its draft format to its final version, including through the inclusion of alternative text for images to improve accessibility.

11. Social Value Implications

11.1 The Statement identifies how new development should respond to existing planning policies in the context of the Climate Emergency. Holistically planned and delivered sustainable development drives social value in and deriving from new development.

12. Partnership Implications

12.1 None anticipated.

13. Health and Wellbeing Implications

13.1 Delivering on many of the existing planning policy requirements aimed at mitigating and adapting to climate change is also likely to have co-benefits for health and wellbeing (e.g. prioritising active travel, ensuring warm and energy efficient homes, avoiding overheating, access to multifunctional and bio-diverse green infrastructure).

14. Asset Management Implications

14.1 The Statement deals with existing adopted planning policies which apply to all new development within the local planning authority area, including that on land owned by the Council and the Council's own developments.

15. Data Protection Implications

15.1 Consultation on the Draft Statement was carried out in line with the General Data Protection Regulation (GDPR). No personal data is reported in the Consultation Report.

16. Consultation Implications

16.1 Consultation on the Draft Statement was guided by the Council's Statement of Community Involvement and has informed the final version. The Consultation Report attached as Appendix B to this report details the responses received, officer responses to issues raised and sets out how the comments influenced changes to the Statement.

17 Democratic Path

17.1 The Draft Statement was considered by Scrutiny Committee (4th November 2020) and Executive Committee (18th November 2020) prior to consultation. Comments raised by Scrutiny can be viewed in the [report considered by Executive Committee](#), and the comments of Executive Committee are set out in the [minutes of that meeting](#).

17.2 The reports from November 2020 suggested that the final version would come back to Executive and then need to go on to Full Council for adoption. However, officers have consulted Governance and the Policy Framework defined under the Constitution about how this Statement will be implemented. As the Statement is guidance and not policy, this is not a decision for Full Council to take. In particular, the Statement is not required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000; and it does not meet the definition of the plans and strategies required by Law or decided as being relevant locally and set out in the Policy Framework. As explained in the above report, the Statement does not set new or amend existing planning policy. Therefore, to take the Statement to Full Council for adoption/approval, may suggest it has an elevated status and role in decision making on planning applications than it actually does. For these reasons, the Statement is being presented to Executive Committee for approval and does not need to progress to Full Council.

17.3 The delegation thresholds proposed in the recommendation refer to when future iterations of the Statement may need to come back to Executive Committee.

Democratic Path:

- **Scrutiny – Yes**
- **Executive – Yes**
- **Full Council – No**

Reporting Frequency: **Once only**

List of Appendices

Appendix A	"Climate Positive Planning" - Interim Guidance Statement on Planning for the Climate Emergency
Appendix B	Consultation Report

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Climate Positive Planning

Interim Guidance Statement on Planning for the Climate Emergency

Guidance on the applicability of existing planning policies and influence of the Council's Climate Emergency Declaration in determining planning applications



Version Control

Version	Purpose	Date
0.1	For Senior Management Team	02/10/2020
0.2	For Internal Consultation and Legal	13/10/2020
0.3	Appropriate amendments made	22/10/2020
0.4	For Scrutiny Committee	23/10/2020
0.5	For Executive Committee	06/11/2020
0.6	Draft for Public Consultation	19/11/2020
0.7	Updated broken link	16/12/2020
0.8	For Internal Consultation and Legal	07/01/2021
0.9	Final draft for Approval following public consultation	11/02/2021

Role	Name	Date
Prepared by	Graeme Thompson MRTPI BA(Hons), Strategy Specialist	08/02/2021
Senior Officer approval	Nick Bryant, Assistant Director Strategic Place Planning	09/02/2021
Portfolio Holder approval	Cllr Mike Rigby, Portfolio Holder for Planning and Transportation	11/02/2021

Climate Positive Planning

Interim Guidance Statement on Planning for the Climate Emergency

Executive Summary

This Interim Guidance Statement seeks to clarify existing planning policy requirements within the Somerset West and Taunton Local Planning Authority area, with regards to planning for the climate emergency. The Statement is not in itself planning policy, and is not part of the statutory Development Plan. Instead it is an explanatory document, underlining that the Climate Emergency is a material consideration, and identifying how the requirements of development plan policy may be viewed in assessing development proposals.

The Council has declared a Climate Emergency and committed to working towards carbon neutrality by 2030. The Somerset Climate Emergency Strategy and the SWT Carbon Neutrality and Climate Resilience (CNCR) Action Plan both clearly identify the roles that the planning system can play in tackling the climate emergency in relation to both mitigation of and adaptation to the climate change that is projected to occur.

Existing local planning policy was clearly drafted with the intention of improving the assessment by the Council of the sustainability credentials of development proposals within the district. The Council has begun work on a new Local Plan to 2040, however, it will be some time before the emerging new Local Plan attracts significant weight in the decision making process. In the interim, the principal purpose of this Statement is to ensure that we are applying existing adopted planning policies to the best of their effect in tackling the Climate Emergency.

National legislation and policy sets out how plan making and decision taking in planning should contribute to and take a proactive approach to mitigation and adaptation of climate change in line with the objectives and provisions of the Climate Change Act 2008 (which has a legally binding target of 100% emissions reduction by 2050).

The Statement is split into two parts:

Interim Guidance Statement 1 – Confirms that the Climate Emergency will be generally material to planning applications. In order to help assess how applications respond to the Climate Emergency on key issues, applicants will be required to submit a completed Climate

Emergency Checklist at validation stage. The answers to the questions will not be scored or given any particular weighting, although they will feed into the Council’s evaluation of the proposal under adopted planning policies.

Interim Guidance Statement 2 – Indicates that in determining relevant planning applications, the Council may be in a position in appropriate cases to apply Policy DM5 of the Taunton Deane Core Strategy as development plan policy. The requirement for “all development, including extensions and conversions, to incorporate sustainable design features to reduce their impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions” and to submit a Sustainability Checklist, including an Energy Statement to demonstrate how these measures have been incorporated, remain valid, as do the majority of specific policy requirements within DM5. The Sustainability Checklist and Energy Statement will be the means by which the Council considers how policy requirements are met by the proposal. Policy DM5 technically does not cover the former West Somerset area. However, Policy NH13 of the West Somerset Local Plan to 2032 and saved policy BD/9 of the West Somerset Local Plan 2006 cover similar issues, though lack explicit requirements to comply with specific standards. On this basis, the Council cannot require developments in the former West Somerset area to comply with policy DM5, but it will in appropriate cases be in a position to encourage applicants in this area to formulate proposals which reflect the requirements of policy DM5, which identifies a reasonable and proportionate interim way forward for development

In particular, in relation to criterion c) of DM5, applicants will need to demonstrate that the new build dwellings and non-domestic buildings achieve at least a 20% reduction improvement in regulated carbon emissions over Building Regulations Part L 2013.

Appendix 1 to the Statement lists policies of each local plan of particular relevance and provides commentary where necessary on specific issues emanating from the consideration of the Climate Emergency as a material consideration.

Appendix 2 to the Statement sets out a list of abbreviations used in the report.

Appendix 3 to the Statement provides an example of what should be included in the Sustainability Checklist and Energy Statement required by policy DM5.

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1. Purpose

This Interim Guidance Statement seeks to clarify existing planning policy requirements within the Somerset West and Taunton Local Planning Authority area, with regards to planning for the climate emergency, and in particular Policy DM5 of the Taunton Deane Core Strategy – “Use of resources and sustainable design”.

Existing, adopted planning policy was clearly drafted with the intention of improving the assessment by the Council of the sustainability credentials of development proposals within the district. However, shifts of emphasis within national policy have led to potential confusion over the applicability and effect of certain policies. The Council’s declaration of a Climate Emergency has led to a renewed aspiration to improve the sustainability of development within the district, and an increased recognition of the importance of this objective. The Council has begun work on a new Local Plan to 2040, however, it will be some time before the emerging new Local Plan attracts significant weight in the decision making process. In the interim, the principal purpose of this Statement is to ensure that we are applying existing adopted planning policies to the best of their effect in tackling the Climate Emergency.

The Statement is not in itself planning policy, and is not part of the statutory Development Plan. Instead it is an explanatory document, underlining that the Climate Emergency is a material consideration, and identifying how the requirements of development plan policy may be viewed in assessing development proposals. The Statement itself will be a useful resource of guidance for planning officers, Members of the Planning Committee, and planning applicants alike.

It should be recognised that this Statement does not override the general presumption in favour of sustainable development emanating from the National Planning Policy Framework and the subject of local policies. Sustainable development is a multi-dimensional concept, and refers to economic, social and environmental factors. As such, this Statement must be read in conjunction with the development plan as a whole.

The Statement is split into two parts:

- IGS 1 – General relevance of the Climate Emergency in determining planning applications; and
- IGS 2 – Relevance and justification of Policy DM5 (Use of resources and sustainable design) of the Taunton Deane Core Strategy.

IGS 1 is applicable across the Somerset West and Taunton Local Planning Authority area (i.e. excluding Exmoor National Park).

IGS 2 is applicable solely within the former Taunton Deane Borough Council area (excluding Exmoor National Park) in so far as policy DM5 is concerned. However, the Council will encourage applicants in the former West Somerset Council area (excluding Exmoor National Park) to follow the guidance when responding to policies NH13 and B/9.

IGS1 and IGS2 are not policies of the Council.

2. Climate Emergency Context

The Council's Climate Emergency declaration¹ is a statement of intent and ambition. In making the declaration, the Council committed itself to working towards carbon neutrality for the district as a whole by 2030. The Somerset Climate Emergency Strategy² and the SWT Carbon Neutrality and Climate Resilience (CNCR) Action Plan³ both clearly identify the roles that the planning system can play in tackling the climate emergency in relation to both mitigation of and adaptation to the climate change that is projected to occur.

Planning plays a key role in:

- Determining the location and mix of development;
- Approving the details of how that development comes forward;
- Influencing how future residents and occupiers of development travel and interact with their immediate environments;
- Enabling buildings to be or become carbon neutral including in relation to energy efficiency, the introduction of low carbon heat and renewable energy; and
- Bringing forward new renewable energy generating infrastructure.

Due to the multiple pressures on the planning system, which include the delivery of housing to meet the national housing crisis and the provision of infrastructure such as roads, schools and open space to meet the demands of new housing, coupled with the need to ensure that development remains viable, it can be difficult to ensure that issues of greater environmental sustainability receive the same attention as economic and social sustainability

arguments. However, mitigation and adaptation to climate change should not be seen as an obstacle to the achievement of these other aims. The declaration of a Climate Emergency addresses this difficulty by pushing the environmental sustainability of development back up the priority list, to be considered alongside issues of economic and social sustainability.

The Council's CNCR Action Plan identifies a number of potential actions to be taken forward in relation to planning which will be required to meet our target of carbon neutrality. However, in many cases, these will require changes to policy (for instance the action to "*Develop Local Plan policy requiring all new development to be zero carbon and climate resilient as soon as practically possible*"). Such changes will be explored through the new Local Plan to 2040. In the meantime, this Statement is designed to ensure that the Council is maximising use of existing policy in relation to planning for the Climate Emergency.



A range of publications provide more information on the role and influence that planning can play in responding to the Climate Emergency including:

- *Rising to the Climate Crisis: A Guide for Local Authorities on Planning for Climate Change*, produced by the TCPA and RTPI;⁴
- *Planning for a Smart Energy Future*, produced by the RTPI, Pell Frischmann, Regen, The Landmark Practice and the University of the West of England (UWE);⁵
- *The Policy Playbook: Driving sustainability in new homes – a resource for local authorities*, produced by the UK Green Building Council;⁶
- *Neighbourhood Planning in a Climate Emergency*, produced by the Centre for Sustainable Energy (CSE);⁷
- *Plan the World We Need*, produced by the RTPI;⁸
- *Why the Planning System needs to be at the heart of delivering the UK's Climate Change targets*, produced by the CSE and TCPA.⁹
- *Net Zero Transport: the role of spatial planning and place-based solutions*, produced by the RTPI, LDA Design, City Science and Vectos.¹⁰

The Ecological Emergency

In October 2020, the Council supplemented its declaration of a Climate Emergency, by declaring an Ecological Emergency.¹¹ The Council is currently considering its next steps resulting from this declaration in relation to strategy and action planning. This Statement picks up on a number of ways that existing policy can support action to tackle the Ecological Emergency, though it will become clearer how and where planning and the Ecological Emergency relate as this work progresses. Two key ways that planning can respond to the Ecological Emergency are through delivery of biodiversity net gain and nature recovery networks, both

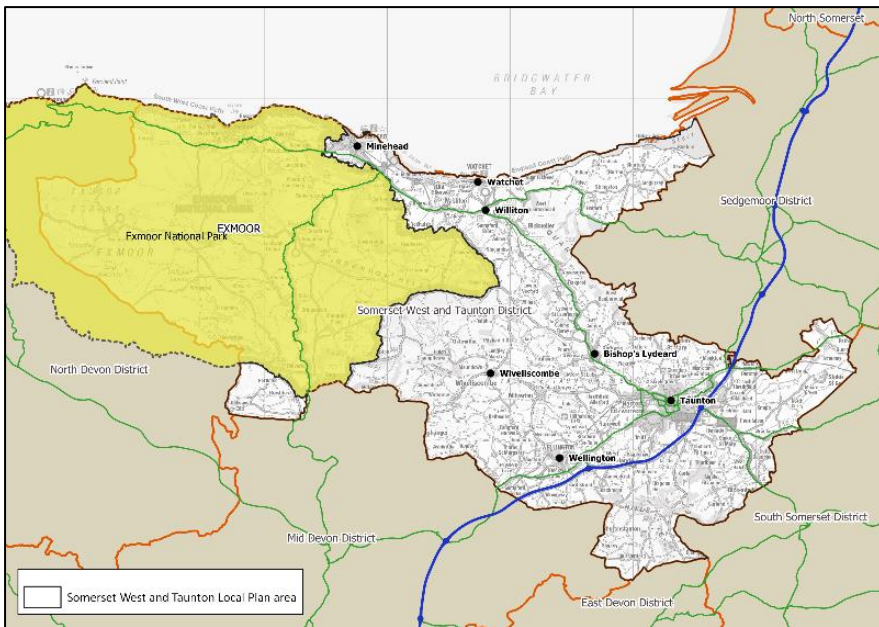
expected to be legislated for through the Environment Bill. The Somerset Local Nature Partnership has begun work on a Somerset Nature Recovery Network Strategy, which work on our own response to the Ecological Emergency will need to link in to and support. It may be as this work progresses, this Statement will need to be updated and refined to clarify exactly how and where existing policy can support delivery against these initiatives.

Existing Local Plan documents have been informed by Sustainability Appraisal including Strategic Environmental Assessment and Habitat Regulations Assessment. These assessments conclude that the Plans are unlikely to result in significant environmental effects (including upon biodiversity, ecology and habitats) or significant effects on the conservation objectives of protected European Sites. The Plans include specific policies to address potential impacts of development as well as to protect and enhance the natural environment and its ecology.

The Council is taking measures to protect the Somerset Levels and Moors Special Protection Area and Ramsar Site when determining planning applications following advice from Natural England concerning high levels of phosphates in the Somerset Levels and Moors and the need to protect them from further phosphate pollution. This includes development of a Somerset Phosphates Strategy with partner authorities. More information on this issue can be found on the [Council's website](#).

3. Local Planning Policy Context

Somerset West and Taunton is a non-metropolitan district Council, formed by the merging of the former Taunton Deane Borough and West Somerset District Councils with effect from April 2019. The Local Planning Authority area extends to cover the new district with the exception of areas within Exmoor National Park, which is a separate Local Planning Authority (see map below).



The Council is working on development of a new Local Plan to 2040, which will ultimately replace existing Local Plan documents, consolidating many policies across the district and superseding others. In the meantime, the current Development Plan operative within the Local Planning Authority area currently consists of:

- Local Plan documents in the former Taunton Deane Borough Council area:
- Taunton Deane Core Strategy 2008-2028 (adopted 2012);
 - Site Allocations and Development Management Plan (adopted 2016);
 - Taunton Town Centre Area Action Plan (adopted 2008); and
 - Saved policies from the old Taunton Deane Local Plan (adopted 2004).
- Local Plan documents in the former West Somerset District Council area:
- West Somerset Local Plan to 2032 (adopted 2016); and
 - Saved policies from the old West Somerset Local Plan (adopted 2006).
- In addition to the above, the Somerset Waste Core Strategy and Somerset Minerals Plan apply across both of the above areas, and there are a number of Neighbourhood Plans in existence.

All of the above form part of the Development Plan. Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

This Statement applies to interpretation of the policies in the Local Plan documents of the former Taunton Deane and West Somerset areas listed in the bullet points above.

Policies of relevance which are particularly affected by this Statement are included over the page.

Taunton Deane Core Strategy

The Core Strategy sets the vision for the area covered by the former Taunton Deane Borough Council up to 2028. The plan includes strategic policies and large mixed-use land allocations in Taunton and Wellington as well as a small number of high level development management policies. The primary objective in the Core Strategy is that “*Taunton Deane will be a leader in addressing the causes and impacts of climate change and adapting to its effects*”. This objective permeates throughout the document and the policies within it. It sets both a strategic policy for mitigating and adapting to climate change (through CP1), and policy for development management purposes (through DM5) amongst others. The following policies are specifically addressed in Appendix 1 to this Statement as being particularly relevant to planning for the Climate Emergency. Only certain site specific policies are considered directly in Appendix 1, where more immediate and/or significant issues are of relevance or proposals are more developed.

Policies CP1, CP6, CP7, CP8, SP2, SP3, SS1, SS2, DM1, DM2, DM4, DM5.

[Jump to Core Strategy policies in Appendix 1.](#)

Taunton Deane Site Allocations and Development Management Plan

The Site Allocations and Development Management Plan (SADMP) provides the next level of detail in planning policies for the former Taunton Deane area, building on the strategic policies and objectives of the Core Strategy. At the time of its production it was considered unnecessary to include any further policies to address the Climate Change objective of the Core Strategy. That being said, the following policies are specifically addressed in Appendix 1 to this Statement as being particularly relevant to planning for the Climate Emergency. Only certain site specific policies are

considered directly in Appendix 1, where more immediate and/or significant issues are of relevance or proposals are more developed.

Policies A1, A2, A3, A4, A5, I2, I4, ENV1, ENV2, D1, D7, D9, D12, TAU1, TAU2, TAU10, TAU11, WEL1.

[Jump to SADMP policies in Appendix 1.](#)

Taunton Town Centre Area Action Plan

The Taunton Town Centre Area Action Plan was developed to provide a planning framework for areas within the town centre in need of significant change. It focuses on the delivery of major regeneration proposals. It is based around a vision, and has objectives linked to this and the Sustainable Community Strategy. In particular there are objectives to have a town centre that is well connected and less congested, and for the town centre to be a regional centre of excellence for sustainable design. Of particular relevance, the vision for Taunton Town Centre states that “*Public transport and cycling facilities will have improved significantly and both will have played an important role in reducing congestion and enabling residents to become less reliant upon the car, with resulting health benefits. Redevelopment in the town centre will be an exemplar both in terms of sustainability and design quality, having achieved recognition nationally and internationally. All new buildings will have achieved a BREEAM excellent rating with a zero carbon footprint. A large amount of renewable energy will be generated within the town centre*”. The climate emergency will impact upon and influence development of a number of the sites, not least in relation to increasing flood risk (though the Taunton Strategic Flood Alleviation Improvement Scheme is intended to mitigate these issues to enable the safe and appropriate development of such sites in the town centre). The following policies are specifically addressed in Appendix 1 to this Statement

as being particularly relevant to planning for the Climate Emergency. Only certain site specific policies are considered directly in Appendix 1, where more immediate and/or significant issues are of relevance or proposals are more developed.

Policies Fp1, Fp2, Cr2, Hs3, Tr2, Tr3, Tr4, Tr5, Tr6, Tr8, Tr10, F1, F2, ED1, ED5.

[Jump to TTCAAP policies in Appendix 1.](#)

Saved Policies of the Taunton Deane Local Plan 2004

There are only two saved policies within the Taunton Deane Local Plan 2004, both of which allocate specific sites for development. Whilst these sites will be subject to requirements of other adopted policy, there is nothing within these specific saved policies that is affected by this Statement.

West Somerset Local Plan to 2032

The West Somerset Local Plan provides the main development plan document for the former West Somerset part of the district outside of Exmoor National Park. It contains a range of strategic and development management policies. Objectives of the plan include: “*Successfully managing flood risk in implementing new development at Minehead Watchet and Williton*” and “*Make a significant reduction in CO2 emissions for the Local Plan area*”. The following policies are specifically addressed in Appendix 1 to this Statement as being particularly relevant to planning for the Climate Emergency. Only certain site specific policies are considered directly in Appendix 1, where more immediate and/or significant issues are of relevance or proposals are more developed.

Policies SC1, SC5, MD1, WA1, WI1, LT1, EC1, EC7, EC8, EC9, EC11, TR1, TR2, CF2, CC1, CC2, CC3, CC5, CC6, NH1, NH6, NH7, NH8, NH9, NH12, NH13.

[Jump to West Somerset Local Plan to 2032 policies in Appendix 1.](#)

Saved Policies of the West Somerset Local Plan 2006

Despite the adoption of the new West Somerset Local Plan 2032, there remain a number of saved policies within the West Somerset Local Plan 2006 which remain relevant. The following policies are specifically addressed in Appendix 1 to this Statement as being particularly relevant to planning for the Climate Emergency.

Policies TW/1, TW/2, BD/8, BD/9, T/7, T/8.

[Jump to Saved Policies of the West Somerset Local Plan 2006 in Appendix 1.](#)

Supplementary local policy

The Council has a number of adopted Supplementary Planning Documents (SPDs). Of particular relevance to this Statement is the Taunton Town Centre Design Code SPD (2008), which was produced pursuant to and is referenced in the policies of the Taunton Town Centre Area Action Plan.

The Council has published a Taunton Garden Town Design Charter and Checklist, building on the Taunton Garden Town Vision Document as well as a draft Public Realm Design Guide. These documents provide developer guidance for development coming forward in the Garden Town. The Council has also consulted on a Districtwide Design Guide, which, once complete will be adopted as SPD, incorporating the Taunton Garden Town documents within it.

The Council has also adopted or is in the process of producing a number of site specific masterplans, design guides and design briefs pursuant to specific policy requirements.

4. Legislative context

The planning system is set by and subject to a number of pieces of national legislation and regulation. This section identifies the most relevant legislation in relation to this Statement and planning for the Climate Emergency.

Planning and Compulsory Purchase Act 2004

The Planning and Compulsory Purchase Act (PCPA) 2004 sets out duties for plan-making in England. Section 19(1A) of the PCPA (as amended by Section 182 of the Planning Act 2008) states at 1A that “*Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change*”.¹² The requirement is statutory, though broad in nature, referring to policies of a plan, when taken as a whole, being designed to contribute towards mitigation and adaptation. Having said that, no other specific planning-related issue is highlighted by Section 19 of the PCPA. This highlights the key importance of climate change as an issue for plans to prioritise.

Climate Change Act 2008

The Climate Change Act introduced the world's first national statutory carbon reduction target. Originally set at 80% carbon reduction by 2050, with five “carbon budgets” setting interim targets, the Act was amended in 2019 to 100% reduction by 2050¹³ to align with the Committee on Climate Change's recommendations to set a target of Net Zero by 2050. The sixth carbon budget published in December 2020 sets an interim target of 78% carbon reduction by 2035.¹⁴ Paragraph 149 of the National Planning Policy Framework (NPPF) states that “*Plans should take a proactive approach to mitigating and adapting to climate change... In line with the*

objectives and provisions of the Climate Change Act 2008”.

Combining the statutory requirement of the PCPA 2004 (above) with this policy requirement from the NPPF places a specific duty on local planning authorities in this regard.

Planning Act 2008

As stated above, the Planning Act 2008 introduced an amendment to the PCPA 2004 placing a duty on local development plans to include policies which ensure that they make a contribution to both climate mitigation and adaptation.

Planning and Energy Act 2008

Section 1 of the Planning and Energy Act 2008 sets the power for local planning authorities to include policies in their development plan documents “*imposing reasonable requirements for –*

- (a) *a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development;*
- (b) *a proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development;*
- (c) *development in their area to comply with energy efficiency standards that exceed the energy requirements of building regulations.”*

In relation to subsection 1(c), Section 43 of the Deregulation Act 2015 proposes to amend the Planning and Energy Act 2008 to the effect of removing the ability for local authorities to set energy efficiency standards for “*development in England that consists of the construction or adaptation of buildings to provide dwellings or the carrying out of any work on dwellings*”. However, Section 43 has not yet been enacted and as such there is no legislative restriction in this regard.

5. National Policy Context

National policy relevant to this Statement includes:

- The National Planning Policy Framework (NPPF)¹⁵
- National Planning Policy for Waste¹⁶
- Written Ministerial Statement of 25 March 2015

National policy is supported by the national Planning Practice Guidance (PPG)¹⁷ which adds further context and guidance on how the NPPF and other relevant statements should be interpreted.

NPPF

The NPPF sets out the Government's planning policies for England and how these should be applied in relation to plan-making and decision-making. There are numerous paragraphs within the NPPF that relate to climate and sustainability issues and which relate directly to this Statement. However, the key paragraphs are:

Paragraph 8 sets out that sustainable development is comprised of three strands – an economic objective, a social objective and an environmental objective – which are interdependent and should be pursued in mutually supportive ways. This means that no one strand is more important than any other. This Statement primarily relates to the environmental objective. It does not promote the environmental objective over the economic or social objectives, but has deliberately been produced to help the environmental objective gain greater visibility within decisions made by the Council as the Local Planning Authority alongside economic and social objectives.

Paragraph 16 states plans should “*be prepared with the objective of contributing to the achievement of sustainable development*”.

Paragraph 148 states that “*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*”.

Paragraph 149 states that “*Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures [In line with the objectives and provisions of the Climate Change Act 2008]. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure*”. This link across into the Climate Change Act 2008 is of key importance, as explained above.

National Planning Policy for Waste

The National Planning Policy for Waste sets out the Government's detailed waste planning policies. In particular, in relation to this Statement, it states in paragraph 1 that “*Positive planning plays a pivotal role in delivering this country's waste ambitions through: - delivery of sustainable development and resource efficiency... by driving waste management up the waste hierarchy... ensuring that waste management is considered alongside other spatial planning concerns... helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the*

environment... and ensuring the design and layout of new residential and commercial development and other infrastructure... complements sustainable waste management”.

Paragraph 8 states the local planning authorities should, to the extent appropriate to their responsibilities, ensure that new development makes sufficient provision for waste management and promotes good design, integrating waste management; and ensure that construction and operation of development maximises reuse/recovery opportunities and minimises off-site disposal.

Appendix A of the National Planning Policy for Waste includes the following waste hierarchy:



Written Ministerial Statement (March 2015)

Written Ministerial Statements clarify national policy. On 25 March 2015, the then Secretary of State for Communities and Local Government, delivered a statement to the House of Commons on a wide range of issues which was subsequently captured as a Written Ministerial Statement (the WMS). In particular, the Secretary of State spoke about solar energy and protecting the local and global

environment; zero carbon homes; housing standards and streamlining the system; and how these changes should be accounted for in plan-making and decision-taking.

In relation to solar energy (and in particular solar farms), the WMS is clear that the need to decarbonise energy is not an excuse to harm the local natural and historic environment. In particular it refers to ensuring previously developed land is prioritised and policies around use of high quality agricultural land are utilised. It states that any application for use of best and most versatile agricultural land must be “*justified by the most compelling evidence*”.

In relation to zero carbon homes, the WMS was written at a point in time when the Government stated that it remained “*committed to implementing the zero carbon homes standard in 2016*”. It referred to the fact that the Infrastructure Act 2015 includes provisions to enable off-site carbon abatement measures (Allowable Solutions) to contribute towards meeting the Government’s proposed zero carbon homes standard via changes to the Building Regulations (however, these provisions have not been enacted). It also stated that the proposed zero carbon homes policy would include an exemption for small housing sites of 10 dwellings or less. The Government later announced its intention to cancel the zero carbon homes policy altogether in July 2015*.

In relation to housing standards and streamlining the system, the WMS comprised the Government’s response to the Housing Standards Review. It announced a set of new national technical

* Through the Productivity Plan “Fixing the foundations: Creating a more prosperous nation”, stating that “*the government does not intend to proceed with the zero carbon Allowable Solutions carbon offsetting scheme, or the proposed 2016 increase in on-site energy efficiency standards, but will keep energy efficiency standards under review, recognising that existing measures to increase energy efficiency of new buildings should be allowed time to become established*”, available at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/443898/Productivity_Plan_web.pdf

building standards for water, accessibility and internal space. It stated that from commencement of the Deregulation Act local planning authorities should not set their own additional technical standards relating to construction, internal layout or the performance of new dwellings. Policies should only require compliance with any new optional national technical standards for water, accessibility and internal space “*if they address a clearly evidenced need, and where their impact on viability has been considered*”.

The WMS revoked the Code for Sustainable Homes, stating that policies should not require compliance with any level of the Code. For the specific issue of energy performance, the WMS confirmed that Local Plans could require compliance with energy performance standards exceeding Building Regulations until commencement of amendments to the Planning and Energy Act 2008 (proposed by the then Deregulation Bill 2015). It was expected that these amendments would be commenced alongside introduction of the national zero carbon homes policy (which as explained above, was later cancelled). It further states that until that point, it is expected that local planning authorities limit requirements for energy performance to the equivalent of Code level 4.

In relation to decision-making, the WMS confirmed that existing policies referring to the Code, could continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.

Planning Practice Guidance

The national Planning Practice Guidance (PPG) provides additional context and guidance on how national policy set out in the NPPF, National Planning Policy for Waste and WMS should be interpreted

and implemented. There are multiple paragraphs within the PPG that provide guidance on how these national policies address climate and sustainability issues and should be considered and dealt with through the plan-making and decision-making functions of planning. However, as the PPG is liable to regular updating, specific paragraphs are not referred to directly here.

The National Design Guide is referred to by the PPG in multiple places, and this provides key hooks for addressing climate mitigation and adaptation through design.

Future national policy context

The Government has recently consulted on a proposed Future Homes Standard and amendments to the Building Regulations, as well as consulted on proposals for radical reform of the planning system in England. In addition to this, the Environment Bill proposes to bring a number changes relevant to planning.

Anticipated planning implications of the Environment Bill

The Environment Bill proposes a range of provisions for improving the natural environment, including key potential changes in relation to planning. Of particular note, in its current draft, the Bill proposes:

- A new duty for developers to deliver a 10% biodiversity net gain, with potential to purchase biodiversity credits for offsetting impacts through delivery of net gain elsewhere; and
- A new duty on local authorities to produce local nature recovery network strategies.

The Bill still has some way to go through Parliament, though these elements are widely expected to remain.

Future Homes Standard and changes to Building Regulations

The Government has recently responded¹⁸ to earlier consultation on a Future Homes Standard. This confirms the intention to bring in significant improvements to Part L of the Building Regulations from 2025 equivalent to a 75% carbon reduction over existing Part L; and an interim 31% improvement from December 2021 (previously proposed 2020). This effectively means from 2025 no new homes will be served by fossil fuel heating, but that decarbonisation of the final 25% is reliant upon decarbonisation of the electricity grid. The response confirms that Government will not enact the outstanding amendments to the Planning and Energy Act 2008 (referred to above), which would have stopped local authorities setting planning policy requirements exceeding Building Regulations. Instead, the role of local authorities will be clarified through the new planning reforms. The transition period proposed means that the new regulations will not bite for many developments until June 2022.

The Government has also previously consulted on changes to Building Regulations to require EV charge points in new residential and non-residential buildings but these are yet to be implemented.

The Government has stated that it intends to consult further on changes for reducing emissions from new non-domestic buildings. The Council will monitor this situation closely and consider whether further review to this Statement is required in due course.

Planning reforms

The Government consultations on “Planning for the Future” (the planning White Paper) and “Changes to the current planning system” propose potentially radical long-term changes to the English planning system as well as more immediate proposals for the system. At this point it is too early to know quite how these proposals will impact this Statement, or what form the proposals will take following consultation. Again, the Council will continue to

monitor this situation closely and consider whether further review to this Statement is required as and when there is greater clarity.

Key relevant proposals in Planning for the Future (Planning White Paper)

- **Bring a new focus on design and sustainability** – including by “ensuring the National Planning Policy Framework targets those areas where a reformed planning system can most effectively address climate change mitigation and adaptation and facilitate environmental improvements”; and facilitating “ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050”.
- **Establish development management policies at national scale and an altered role for Local Plans** – whereby the NPPF becomes the “*primary source of policies for development management*” and Local Plans are used to identify “*specific development standards*”, and for local authorities to produce “*design guides and codes to provide certainty and reflect local character and preferences about the form and appearance of development*”.
- **Ensure the NPPF targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits** – including using the planning system to identify spatially-specific opportunities for renewable energy or woodland and forestry creation, whilst reducing reliance on generic Local Plan policies and streamlining assessment of environmental impacts.
- **Complement planning reforms, through facilitation of ambitious improvements in the energy efficiency standards for buildings to help deliver net-zero by 2050** – by bringing in a Future Homes Standard that will ensure new homes are “*zero carbon ready*”, with the ability to become fully zero carbon homes over time as the electricity grid decarbonises, without the need for further costly retrofitting work”, and freeing resources up to focus more fully on enforcement of planning standards and building regulations.

6. Viability

This Statement provides additional explanation, context, justification and guidance in relation to existing adopted planning policies. It does not set new policy or new burdens on the viability of development.

The NPPF and PPG explain how viability should be addressed primarily at the plan making stage. Prior to their adoption, all existing policies were viability tested through plan production and Examination including through the Taunton Deane CIL Charging Schedule Examination for former Taunton Deane policies. By successfully being found sound at Examination, the policies of the plans have been judged to be viable, the plans deliverable, and to avoid risk to the overall development of the area. As such, viability should not be used to justify a reduction in the attention given to environmental considerations.

Paragraph 57 of the NPPF states that *“it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. 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”*. However, the Planning Practice Guidance states that *“The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. Landowners and site purchasers should consider this when agreeing land transactions”* (Reference ID: 10-002-20190509).

Where the need for a viability assessment at the application stage is properly justified, the Council will need to consider the various

policy requirements of the development plan, taken as a whole, to determine whether and how development can be brought forward in a viable way. If, as a result of this process, there arise issues relating to the sustainability of a development proposal, then there is the potential for the proposal to be viewed more critically, although, as with any planning application, the determination will depend on an evaluation of the proposal in terms of all relevant planning policies and material considerations.

7. What this Statement does not do

The Council has set out a level of ambition for future planning policies through both the Local Plan to 2040 Issues and Options Document and the CNCR Action Plan. However, the guidance contained in this Statement is not able to support the delivery of all of those aspirations at this time as it has been produced within the confines of existing policy. It is not possible for the Statement to set new policy or create new viability burdens on development. Doing so is reserved for development plan documents which are subject to statutory processes, consultation and Examination, which this statement is not.

Existing policy was developed, examined and adopted at a specific point in time. Since then, national policy may have changed (as detailed in the above section). This means that in some cases, existing policy cannot be fully implemented as originally intended. The key case of this is with regards to Policy DM5 of the Taunton Deane Core Strategy, and in particular its original requirements for all new domestic buildings to achieve level 6 of the Code for Sustainable Homes (zero carbon regulated and unregulated emissions) from 2016, and for all non-domestic buildings to achieve zero carbon regulated and unregulated emissions from 2019. As the policy was linked directly to proposed national policies for zero carbon homes and zero carbon non-domestic buildings (which were both cancelled at the national level in 2016), development viability was directly linked to this also. Plan viability assessments considered the impacts of policy requiring level 4 of the Code, but assumed that requirements above that level would be covered by national policy and regulation tightening. As such, IGS2 requires compliance with carbon reduction improvements equivalent to Code level 4. However, higher standards above and beyond the

equivalent of Code level 4 are needed, and so the Council will encourage developments to go beyond that point, particularly in the case of the strategic urban extension and town centre allocation sites.

Beyond technical viability, legality and the reaches of the planning system, it is important to recognise that achieving zero carbon buildings requires changes to building design processes, typologies, skills and supply chain development. Whilst the technology, knowledge and ability to deliver on this does exist, it is not widespread across the development industry, and in particular skills and supply chains are not immediately sufficiently mature. As such, even if the Council were able to bring in zero carbon building standard tomorrow, it is likely that there would be a lag between setting such a policy, and the development industry being in a position to deliver on this across the board, which would have serious consequences for delivery of housing and the overall delivery of holistically sustainable development in the district.

The Council has already stated that it is exploring appropriate dates for setting zero carbon requirements of new development through its Local Plan review. It is also working to build and influence the local skills and supply chain necessary for this including via its own Zero Carbon Affordable Housing Pilot.

8. Interim Guidance Statement 1 - General relevance of the Climate Emergency in determining planning applications

The Climate Emergency will be generally material to planning applications, and will have specific relevance to the following types of development:

- New dwelling houses (including replacement dwellings);
- New non-residential floorspace;
- New mixed-use developments;
- New infrastructure developments (including roads, rail, utilities, energy generation/storage installations);

Applicants will be required to submit responses to the questions identified in the Climate Emergency Checklist (below), as a means of providing additional supporting information. Answers provided to these questions, and any further information relevant in response to them will potentially be used by the Council as Local Planning Authority to assess how the application responds to the climate emergency on key issues. It is important to note, however, that the answers to these questions do not have to be “yes”, and therefore no additional requirement is placed on developments or applicants. The responses to the questions will simply act as a prompt to applicants and ensure that the Climate Emergency is properly considered in weighing up the planning balance of proposals by the Council. The checklist will be used proportionately in relation to the scale and nature of the proposed development.

Responding to the questions in the Climate Emergency Checklist should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer.

Responses should be supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions.

Where the answer is “no” or considered to be unsatisfactory, officers will enter negotiation with the applicant to discuss whether there are opportunities for the development to respond positively.

The answers to the questions will also not be scored or given any particular weighting, although they will feed into the Council’s evaluation of the proposal under adopted planning policies. The need to answer these questions may also identify opportunities for the applicant to explore and/or the Council to look to instigate negotiation around, which would not have come forward otherwise. It will also aid the planning officer to determine whether or not, on balance, the development in question is sufficiently responding to the Climate Emergency and current requirements of local and national policy.

The table in Appendix 1 lists policies of each local plan of particular relevance and provides commentary where necessary on specific issues emanating from the consideration of the Climate Emergency as a material consideration.

Where both a Climate Emergency Checklist (as above) and a Sustainability Checklist and Energy Statement (in response to policy DM5 (see IGS2) are required, this can and should be rolled into a single submission at the validation stage.

Climate Emergency Checklist

Question		Answer (with explanation) <i>Note, the size of the box below does not indicate the length of response that is required.</i>
1.	Does the development reduce the need to travel? (inc. through location, mix of uses and digital connectivity).	
2.	Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (inc. in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles).	
3.	Is the development energy efficient in design (inc. utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes).	
4.	Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (inc. in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees).	
5.	Will construction utilise circular economy principles and/or sustainable sources in material selection and use?	
6.	Will the development foster sustainable habits from future residents / occupiers? (inc. in relation to travel, waste reduction and management, energy and water use, consumer choice).	
7.	Does the development and its green infrastructure respond to projected localised impacts of the climate change that are already in motion? (inc. risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food).	
8.	Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)?	

9. Interim Guidance Statement 2 - Relevance and justification of Policy DM5 of the Taunton Deane Core Strategy (2012)

In determining relevant planning applications, the Council may in appropriate cases be able to apply Policy DM5 of the Taunton Deane Core Strategy as development plan policy in the former Taunton Deane area.

Policy DM5 technically does not cover the former West Somerset area. However, Policy NH13 of the West Somerset Local Plan to 2032 and saved policy BD/9 of the West Somerset Local Plan 2006 cover similar issues, though lack explicit requirements to comply with specific standards. On this basis, the Council cannot require developments in the former West Somerset area to comply with policy DM5, but it will in appropriate cases be in a position to *encourage* applicants in this area to formulate proposals which reflect the requirements of policy DM5, which identifies a reasonable and proportionate interim way forward for development.

The requirement for “all development, including extensions and conversions, to incorporate sustainable design features to reduce their impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions” and to submit a sustainability checklist, including an energy statement to demonstrate how these measures have been incorporated remain valid as do the majority of specific policy requirements within DM5.

The Sustainability Checklist and Energy Statement will be a means by which the Council can consider whether applications meet the requirements of Policy DM5 (where relevant) or not. The exception

to this will be requirements relating to levels 5 and 6 of the Code for Sustainable Homes which will not be required but will be encouraged. An example of potential contents for a Sustainability Checklist and Energy Statement are included at Appendix 3 to this Statement.

This Statement sets out the original policy wordings and an updated cross reference to national policy and guidance for each criterion of Policy DM5:

a) minimise the use of energy in the scheme by using an appropriate layout, building design, landscaping and orientation;

This criterion addresses energy use once the development is in use. Applicants will need to demonstrate that they have considered the listed factors and that development proposals have been influenced by these principles.

Cross reference with national policy and guidance

NPPF paragraph 150 states: “*New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards*”. NPPF paragraph 153 states: “*In determining planning applications, local planning authorities should expect new development to... take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption*”.

The National Planning Practice Guidance states “*Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design*” as an example of mitigating

climate change through a Local Plan (Reference ID: 6-003-20140612). It also refers to the National Design Guide as setting out the characteristics of well-designed places and demonstrating what good design means in practice. Section R1 of the National Design Guide refers to implementation of an energy hierarchy and strategies to minimise energy use and carbon emissions.

Reducing energy use is the first step in any energy hierarchy and as such should be the first point of call. Good design makes the most of opportunities for passive heating, cooling and lighting through its layout, landscaping and orientation and ensures that building fabric is energy efficient so as to reduce the need for energy intensive heating, cooling and lighting. The policy sets no specific technical standards, and is consistent with national guidance provided by the PPG and National Design Guide (above).

b) minimise energy requirements of construction by the use of sustainable materials and construction technologies, minimise waste and promote the reuse of materials and facilitate recycling both during and after development;

This criterion addresses energy use in construction and selection of materials, promoting the waste hierarchy of reduce, reuse, recycle and adoption of circular economy principles. Applicants will need to demonstrate that they have considered these factors and that development proposals have been influenced by these principles.

Cross reference with national policy and guidance

NPPF paragraph 148 states that: “*The planning system should support the transition to a low carbon future in a changing climate....It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions... encourage the reuse of existing resources...*”. NPPF paragraph 150 states: “*New*

development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards”. NPPF paragraph 204 states: “*Planning policies should... so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously*”.

The National Planning Practice Guidance states that “*when setting any local requirement for a building’s sustainability... [they are expected]... to do so in a way consistent with the government’s zero carbon buildings policy and adopt nationally described standards*” (Reference ID: 6-009-20150327). In the same paragraph, it also states that “*planning authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes*”. It also refers to the National Design Guide as setting out the characteristics of well-designed places and demonstrating what good design means in practice. Section R2 of the National Design Guide refers to embodied carbon, material selection and construction techniques as being key to sustainable design.

In relation to the expectations around compliance with national technical standards and Government zero carbon buildings policy, the Government has no zero carbon buildings policy and the Housing Standards Review only identified national technical standards and optional technical standards above and beyond building regulations for certain issues. Embodied energy and carbon and designing out waste in terms of materials used in construction were not considered as part of this. In addition to this,

no such similar standards review was undertaken for non-residential development. The policy sets no specific technical standards, and is consistent with national guidance provided through the PPG and National Design Guide (above).

Whole life-cycle material performance should influence specifications. The London Energy Transformation Initiative (LETI) estimates that between 40-70% of whole life carbon emissions from new buildings can be derived from the embodied carbon emitted during the production of a building’s materials, their transport and installation on-site as well as disposal at the end of their life.¹⁹

The Committee on Climate Change highlights the important role that building with biomass (primarily local, sustainably sourced timber^{20,21}, but also materials such as sheep wool and straw-bale insulation and cob for instance) can play in maximising the carbon storing potential of our buildings. Building with biomass can deliver major emissions reductions in supply chains, but also “lock in” carbon, making buildings an effective carbon store.

Within urban extensions and town centre allocations the Council will, where viable, seek to achieve CO2 emission reductions at least one code level higher than those set out in national standards;

This criterion addresses minimum standards for CO2 emissions reduction over and above Part L of the Building Regulations, from new build domestic and non-domestic buildings. These reduction improvements can be delivered through fabric improvements, on-site renewable energy or connection to nearby renewables/heat networks, however, criterion a) gives a clear expectation that energy use is minimised as the first port of call. Applicants will need to demonstrate that the following minimum standards are met:

New-build dwellings

20% reduction improvement in regulated carbon emissions over Building Regulations Part L 2013 (equivalent to Code Level 4 and a 44% reduction improvement over Part L 2006).

New-build non-domestic buildings

20% reduction improvement in regulated carbon emissions over Building Regulations Part L 2013.

Urban extensions and town centre allocations

All urban extensions and allocated town centre sites which are as yet not subject to an extant planning permission or Local Development Order will be required to meet the above requirements for dwellings and non-domestic buildings as a bare minimum, and demonstrate that they have actively explored ways to uplift these carbon reduction improvements further. Failure to achieve any further uplift will need to be explained and justified (including in relation to viability concerns).

c) for new-build, meet the following minimum standards as set out below:

Year	Code level	Domestic Buildings		Code level	Non Domestic Buildings	
		CO2 reduction (regulated)	CO2 reduction (total estimated)		CO2 reduction (regulated)	CO2 reduction (total estimated)
2006	Building regs 2006	0%	0%	Building regs 2006	0%	0%
2010	CfSH level 3	25%	15%	ZCNDB	25%	15%
2013	CfSH level 4	44%	26%	ZCNDB	44%	26%
2016	CfSH level 6	100%	100%	ZCNDB	100%	50%
2019				ZCNDB	100%	100%

Cross reference with national policy and guidance

NPPF paragraph 148 states that: *“The planning system should support the transition to a low carbon future in a changing climate....It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions”*. NPPF paragraph 150 states: *“New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards”*.

The National Planning Practice Guidance states that *“when setting any local requirement for a building’s sustainability... [they are expected]... to do so in a way consistent with the government’s zero carbon buildings policy and adopt nationally described standards”* (Reference ID: 6-009-20150327). It also states that *“local authorities: can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes...[and]...are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments”* (Reference ID: 6-012-20190315). The same paragraph also states that plans may *“impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development”*. It also refers to the National Design Guide as setting out the characteristics of well-designed places and demonstrating what good design means in practice. Section R1 of the National Design Guide refers to implementation of an energy hierarchy, making use of renewable energy and strategies to minimise energy use and carbon emissions.

The Government has confirmed intentions to bring in new Building Regulations from December 2021, including a requirement for a 31% improvement reduction over Part L 2013. Transitional arrangements mean for many developments these regulations won’t bite until June 2022. It seems likely that this will supersede the specific carbon reduction requirements of policy DM5 and referred to here. However, in the meantime, carbon reductions required by DM5 remain applicable as explained below.

New-build dwellings

In relation to new dwellings: The Code for Sustainable Homes has been revoked and as such compliance with every element of the different levels of the Code for Sustainable Homes set out in the original policy cannot be required in line with the policy’s original intent. However, as confirmed by the PPG, local plans can continue to set requirements which exceed Building Regulations until changes to the Planning and Energy Act 2008 (proposed by the Deregulation Act 2015) are enacted, and that until such point, specifically in relation to the energy performance of new dwellings local plans can require carbon emissions reduction equivalent to Code level 4 (a 20% improvement over Building Regulations Part L 2013). There is no limit placed on what local authorities can require through local planning policies in terms of carbon reduction from new development, only on the specific point of energy performance of new dwellings.

Criterion c) of Policy DM5 was prepared to align with the anticipated introduction of the national Zero Carbon Homes policy (which would have required zero carbon homes from 2016). Subsequent to the revocation of the Code and the cancellation of the national Zero Carbon Homes policy, the Council has not sought to step up requirements as detailed by the policy, and as such it would be

inappropriate and inconsistent to now require compliance with the highest levels of carbon reduction.

In addition to this, the deliverability and viability of the Plan in this regard was inherently linked to the fact that it would be national policy and something that was required across the board. The requirements have not stepped up nationally as expected, and therefore suddenly now requiring zero carbon homes without a lead in would also put unreasonable burdens on the viability and deliverability of new housing development without appropriate notice/time to transition. When setting its Community Infrastructure Levy Charging Schedule in 2012, the Council took account of costs associated with achieving Code Level 3, and that figures produced by the (then) DCLG confirmed that a movement to Code Level 4 would not threaten benchmark land values. As such, the Council will limit its requirements in relation to new dwellings to requiring the energy performance of dwellings to achieve a 20% carbon reduction improvement over Part L of the 2013 Building Regulations (equivalent to Code Level 4), and seek to uplift this requirement further through the Local Plan Review.

New-build non-domestic buildings

In relation to new non-domestic buildings: The national ZCNDB (Zero Carbon Non-Domestic Buildings) policy was due to require zero carbon non-domestic buildings from 2019. Policy DM5 was prepared to align with this national policy approach. However, the Government cancelled the national ZCNDB policy in 2015 alongside that for new homes. Despite this, there is nothing within national policy, regulation or legislation that explicitly limits what local authorities can require of new non-domestic buildings with regards to energy efficiency or carbon reduction.

As with the policy for new dwellings, the Council has not sought to step up requirements as detailed by the policy, and as such it would

be inappropriate and inconsistent to now require compliance with the highest levels of carbon reduction. Doing so, may also impose new unreasonable burdens on the viability and deliverability of new non-domestic buildings without appropriate notice/time to transition.

Many other similar policies around the country developed around the same time as the Taunton Deane Core Strategy refer to BREEAM standards for non-domestic buildings. Whilst the justification text does so, the policy itself does not. Unlike the Code for Sustainable Homes, BREEAM is a standard that was not revoked by the Government and which remains relevant. However, it is not possible to equate a particular level of BREEAM compliance with a specific carbon reduction over Part L of the Building Regulations due to the way that credits are scored. As such, the Council will align requirements for non-domestic buildings with that of new dwellings by seeking the same 20% reduction improvement over Building Regulations 2013.

Urban extensions and allocated town centre sites

For urban extensions and allocated town centre sites: The urban extensions and town centre sites allocated by the Taunton Deane Core Strategy, Taunton Town Centre Area Action Plan and Taunton Deane Site Allocations and Development Management Plan represent the largest development sites in the former Taunton Deane district area, and in the case of the town centre sites, are in close proximity to one another.

These elements present major opportunities to achieve greater levels of carbon reduction from new development as a result of economies of scale and potential site-wide (or town centre-wide) opportunities (for instance development of heat networks or on-site/nearby renewable energy generation). These sites represent a significant proportion of the development that will take place by 2030, and as such it is essential that the Council seeks to utilise the

tools at its disposal to ensure these developments achieve above and beyond the standards of typical or smaller developments which may be less able to do so. In line with the CNCR Action Plan, the Council intends to explore heat network opportunities and renewable energy resources across the district.

d) Development will be required to meet the energy reduction levels specified in c. above at the time of construction. If necessary, this will be secured through a legal agreement;

The requirements set out in relation to criterion c) will generally be secured through condition. However, where this element of the policy is identified as being out of date, then it may not be able to be applied.

Cross reference with national policy

The statement in d) refers to the progressive stepping up of requirements under c), stating that they will be applied to developments at their point of construction. This element of the policy is considered to be out of date based on the revised, set levels of requirements under criterion c), above. Paragraph 54 of the NPPF states that “*Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition*” and in this case it is considered that condition will generally be appropriate.

e) All applications must be supported by an independent assessment by a suitably qualified body to demonstrate compliance with the required Code level;

This criterion addresses the need to ensure that claims demonstrating compliance with requirements under criterion c) are

evidenced. Applicants should refer to a mock Standard Assessment Procedure (SAP – for dwellings) or Simplified Building Energy Model (SBEM – for non-domestic) test to show how the necessary carbon reductions set out in c), above, will be achieved. However, this is not possible at outline stage and not always possible still at full/reserved matters stage as it requires detailed designs and specifications, which are usually assessed further along the process. As such, in this situation, applicants will be required to confirm that buildings will achieve a 20% reduction improvement over Building Regulations Part L, and planning permission will be appropriately conditioned to require this and require supply of the relevant SAP/SBEM information at an appropriate stage.

Due to the revocation of the Code for Sustainable Homes, it can be difficult to find Code Assessors to commission. However, the intention of the policy is clear. As such the above mentioned tests (or similar if necessary and appropriate), undertaken and signed off by a suitably qualified individual should be used to demonstrate compliance. These tests will be required for Building Control purposes anyway.

f) Pending further guidance from Government, the Council will consider the following Allowable Solutions for carbon dioxide emission reductions:

- On-site energy efficiency measures;
- On-site renewable and low carbon technologies;
- Off-site generation (where a direct link is provided to the development);
- Payment into a low carbon management infrastructure fund

As already stated, emissions reductions from on-site energy efficiency measures; on-site renewable and low carbon technologies; and nearby generation may contribute towards achievement of the requirements under criterion c), but payment into a low carbon management infrastructure fund will not be able to contribute at this stage.

Cross reference with national policy and guidance

NPPF paragraph 148 states that: “*The planning system should support the transition to a low carbon future in a changing climate....It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions*”. NPPF paragraph 150 states: “*New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards*”. NPPF paragraph 151 states “*To help increase the use and supply of renewable and low carbon energy and heat, plans should... provide a positive strategy for energy from these sources... and identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers*”. NPPF paragraph 152 states that “*local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable*”.

The National Planning Practice Guidance states that “*when setting any local requirement for a building’s sustainability... [they are expected]... to do so in a way consistent with the government’s zero carbon buildings policy and adopt nationally described*

standards” (Reference ID: 6-009-20150327). It also states that “*local authorities: can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes...[and]...are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments*” (Reference ID: 6-012-20190315). The same paragraph also states that plans may “*impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development*”. It also refers to the National Design Guide as setting out the characteristics of well-designed places and demonstrating what good design means in practice. Section R1 of the National Design Guide refers to implementation of an energy hierarchy, making use of renewable energy and strategies to minimise energy use and carbon emissions.

Allowable Solutions were originally proposed by Government to be introduced nationally as ways of acceptably achieving some of the higher levels of the Code for Sustainable Homes more widely. It would have enabled developments where it was not viable or possible to achieve such standards on-site to do so via off-site connections or financial contribution to a low carbon management infrastructure fund (above a minimal on-site compliance threshold). A national Allowable Solutions scheme was scrapped by the Government when it scrapped the Code for Sustainable Homes and the national Zero Carbon Homes policy. It is still possible to set local policy requiring use of such a scheme, so long as there are clear arrangements, however, no such scheme currently exists within the district, and the revised, set levels of requirements under criterion c), above negate the need for such a scheme immediately as compliance should be possible without need for such

arrangements. The Council will explore potential for use of a similar scheme as part of Local Plan Review as set out in the CNCR Action Plan.

g) Conversions and extensions to both residential and commercial buildings will be required to implement energy efficiency measures of up to 10% of the cost of the works;

This criterion addresses energy efficiency measures in conversion and extension of existing buildings. The intentions of this criterion remain sound, although the specific requirements may be considered to be partially inconsistent with current understanding of the issues. Applicants for proposals to convert and/or extend existing buildings will still need to comply with criteria a) and b) of the policy, above. The Council will also generally seek to encourage applicants to improve the energy efficiency of existing buildings when converting and/or extending them.

Cross reference with national policy and guidance

NPPF paragraph 148 states that: *“The planning system should support the transition to a low carbon future in a changing climate....It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions...including the conversion of existing buildings”*. NPPF paragraph 150 states: *“New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards”*. NPPF paragraph 153 states: *“In determining planning applications, local planning authorities should expect new development to... take account of landform, layout, building*

orientation, massing and landscaping to minimise energy consumption”.

The National Planning Practice Guidance states *“Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design”* as an example of mitigating climate change through a Local Plan (Reference ID: 6-003-20140612). It also refers to the National Design Guide as setting out the characteristics of well-designed places and demonstrating what good design means in practice. Section R1 of the National Design Guide refers to implementation of an energy hierarchy and strategies to minimise energy use and carbon emissions.

The Somerset Climate Emergency Strategy and the Council’s CNCR Action Plan clearly identify the importance and scale of the issue relating to the retrofit of existing buildings across the district as part of our targets to achieve carbon neutrality. There are limited opportunities for the Council to influence the improvement of existing buildings, but planning applications for the conversion or extension of them is one. With the scope of General Permitted Development Rights having expanded significantly in recent years, there are far fewer opportunities in this regard than there once were, however, it is important that these opportunities are still encouraged to be taken. It is not considered feasible or enforceable for a planning policy to require a percentage of project costs to be spent on improving energy efficiency measures.

h) Minimise the emission of pollutants, including noise, water and light pollution into the wider Environment;

This criterion addresses minimising emission of pollutants into the wider environment. These requirements remain valid and relevant and applicants will need to demonstrate how development

proposals have been influenced by these considerations and how any remaining emissions are mitigated or are otherwise justifiably acceptable. In the context of DM5, this criterion is to be interpreted as seeking to reduce unnecessary energy use relating to noise, water and light pollution and seeking to join up thinking about passive design (DM5 a)), water conservation and recycling (DM5 i)).

Cross reference with national policy and guidance

NPPF paragraph 170 states that policies and decisions should “[prevent] *new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality*”. NPPF paragraph 180 states that policies and decisions should “*ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should... limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*”.

The National Planning Practice Guidance refers to multiple sources of guidance on reducing light pollution produced by the Bat Conservation Trust and the Chartered Institute of Building Services Engineers (CIBSE) (Reference ID: 31-007-20191101). It also explains that “*sustainable drainage schemes, can be used to address impacts on water quality in addition to mitigating flood risk*”.

This criterion doubles up to an extent on Policy DM1 e) and Policy ENV8 of the Taunton Deane Site Allocations and Development Management Plan. As such, in relation to DM5, this criterion is

about avoiding and minimising unnecessary energy use and promoting use of sustainable and low carbon/low energy solutions. Good design minimises the negative impacts it has upon its immediate and wider environment including in relation to noise, water and light pollution. If the proposed development is considered to be an acceptable use of land, then any remaining impacts should be minimised. It should first be considered whether the emitting source of the pollution is necessary (e.g. is artificial lighting required or could passive solutions negate the need?). Following this, low energy and low carbon solutions such as focused LED lighting or use of SUDS for treating potential pollutants in water run-off should be explored for providing necessary mitigation and minimising impacts. The justification to DM5 in the Core Strategy refers to the guidance produced by the Institute of Lighting Engineers, which has recently been updated.²² Sustainable Drainage Systems (SUDS) can be used to mitigate water pollution associated with surface run-off. Somerset County Council is in the process of finalising new web-based SUDS guidance. Once complete and published, the Council will expect developments to take this guidance into account in their response to this policy. In the meantime, the existing West of England SUDS guidance should be referred to.²³

i) Help to minimise water consumption, for example by the use of water conservation and recycling measures;

This criterion addresses minimising water consumption. Applicants will be required to demonstrate compliance with the national optional Building Regulations requirement to restrict water consumption to 110 litres/person/day.

Cross reference with national policy and guidance

NPPF paragraph 148 states that “*The planning system should support the transition to a low carbon future in a changing climate... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources*”.

NPPF paragraph 149 states that “*Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for... water supply... Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts*”.

NPPF paragraph 150 states that new development should “*avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures...and... help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards*”.

The National Planning Practice Guidance states that local authorities “*have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water*” (Reference ID: 56-002-20160519). It states that the optional requirement would be to limit consumption to 110 litres/person/day where there is a clear need (Reference ID: 56-014-20150327). Establishing a “clear need” involves considering evidence such as the Environment Agency’s (EA) Water Stressed Areas Classification,²⁴ consulting with the local water and sewerage company, the Environment Agency and catchment partnerships, and considering the impact on viability and housing supply (Reference ID: 56-015-20150327).

In March 2015, the Government published a Written Ministerial Statement (WMS),²⁵ through which the Government introduced its optional national technical standards in response to the Housing Standards Review. The WMS stated that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered”. In relation to existing plans (the Core Strategy was already adopted as an existing plan at the point of the WMS’ publication) the WMS stated that “existing Local Plan, neighbourhood plan, and supplementary planning document policies relating to water efficiency...should be interpreted by reference to the nearest equivalent new national technical standard”.

The Somerset Climate Emergency Strategy and the Council’s CNCR Action Plan identify projected local risks associated with climate change including that of drought and water stress. UKCP18 Climate projections by the Met Office project that summer mean precipitation in the district by the 2080-2099 period may be between <10% higher and >70% lower than that in the 1981-2000 period. Therefore there is an identified increased risk of summer drought and water stress. Consulting the Guidance from the EA’s Water Stressed Areas Classification guidance as referenced in the PPG, identifies that the Wessex Water supply area is classified as being in Moderate Stress in current and all future scenarios. However, it appears there may be some areas of Serious Stress identified within the district. Therefore, it is considered reasonable to equate the original intent of this policy requirement to the optional national technical standard of 110 litres/person/day. This rate of 110 litre/person/day is less than the standard required by Level 4 of the Code for Sustainable Homes, which viability assessment (supporting the CIL Charging Schedule in 2012) has taken into

account. Therefore there are no viability implications of stipulating this requirement.

Rainwater harvesting, greywater recycling can be important options to consider alongside water conserving fixtures and appliances.

j) Make maximum possible use within the development site of building waste and spare soil generated by the site preparation;

This criterion addresses building waste and spoil created from demolition, groundworks, and development of a site, and aims to ensure maximum use is made of these resources within sites. Where existing buildings on a site cannot or are not to be re-used, then the materials from them should be used elsewhere within the site in order to reduce the need for additional materials sourced from elsewhere and the need to transport and dispose of materials to other locations.

Cross reference with national policy

NPPF paragraph 170 states that policies and decisions should “[prevent] *new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil*”. NPPF paragraph 204 states that planning policies should “*so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials*”.

Appendix A to the National Planning Policy for Waste identifies the Waste Hierarchy (taken from Article 4 of the Waste Framework Directive, 2008/98EC), with “Prevention” as the primary goal whereby “*the most effective environmental solution is often to*

reduce the generation of waste, including the re-use of product”. Further to this, Paragraph 8 of the National Planning Policy for Waste states that “*When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that... the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal*”. The National Planning Practice Guidance states that “*Planning Authorities must have regard to the provisions of Article 13 [of the Waste Framework Directive] when exercising planning functions to the extent that those functions relate to waste management. This is to ensure that any waste is handled in a manner which guards against harm to human health and the environment when exercising their planning functions to the extent that those functions relate to waste management*” (Reference ID: 28-055-20141016).

Generally, developers will re-circulate waste within a site anyway if at all possible, as this reduces costs associated with purchasing additional materials and exporting/disposing of spoil elsewhere. However, there can be major avoided carbon emissions from taking this approach and even more from maximising the possible uses. The Somerset Climate Emergency Strategy and the Council’s CNCR Action Plan both highlight the value of moving to a more circular economy, and this is an early step in that journey.

k) Be designed for flexibility and adaptability, allowing for future modifications to improve the energy performance of the building;

This criterion addresses flexibility and adaptability in terms of being future ready for low carbon solutions and climate resilience. The

requirement is two dimensional. In one sense, it is about ensuring that where buildings are not already built with low carbon solutions (e.g. heat pumps or EV charge points) in place, then they are designed to be ready to have these easily added in the future without the need for wholesale retrofit (e.g. provision of oversized radiators, or door heights capable of accommodating underfloor heating retrofit for a heat pump or cable runs to appropriate driveway locations for EV charge points.). It is also about ensuring that where buildings are not designed to already be resilient to the changing climate, then they are built with adaptability in mind (for instance this could involve in-ward opening windows to facilitate external window shutters on southern elevations which would in-turn reduce overheating and the need for energy intensive air conditioning in the future).

Cross reference with national policy and guidance

NPPF paragraph 148 states that “*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*”. NPPF paragraph 149 states that “*Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures* [In line with the objectives and provisions of the Climate Change Act 2008]. *Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the*

possible future relocation of vulnerable development and infrastructure”. NPPF paragraph 150 states that new development should “*avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and... help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards*”.

The National Planning Practice Guidance gives the example of “*Promoting adaptation approaches in design policies for developments and the public realm*” as a way that plans can address adaptation to a changing climate (Reference ID: 6-003-20140612). It also states that particular attention should be paid to integrating adaptation and mitigation approaches such as passive design for natural ventilation and avoiding solar gain, as well as cautioning maladaptation, with particular reference to overheating (Reference ID: 6-004-20140612). It also states that the impacts of climate change need to be taken account of in a “*realistic way*” by “*identifying no or low cost responses to climate risks that also deliver other benefits.... building in flexibility to allow future adaptation if it is needed... [and] the potential vulnerability of a development to climate change risk over its whole lifetime*” (Reference ID: 6-005-20140306).

The Met Office UKCP18 climate projections²⁶ identify what impacts of climate change are likely to be felt in the UK, some of which can be identified down to more local levels. By 2070, we are projected to experience winters that are up to 33% wetter with a higher frequency of storms, summers that are up to 5.8°C hotter, and 57%

drier, and the risk of heatwave likely to increase in likelihood to 50% (every other year) by 2050, and 90% (almost every year) by 2100.

Many design elements to ensure resilience to these impacts have minimal or zero cost implications for development, they simply influence the design (e.g. orientation). However, some elements do cost more, and it is perhaps not always viable, appropriate or technically possible to insist on their inclusion in new buildings at this stage. However, there are small design details that can be included at little or no cost during construction that will enable future occupiers to add measures in the future as costs reduce, technologies and supply chains improve and mature, and risks become more pressing. Such measures should be easy for future occupiers to install at key future points such as when windows or boilers need replacing, without needing to rely on major engineering works that might put costs out of reach or otherwise dis-incentivise action.

I) Provide measures for ongoing evaluation, monitoring and improvement of building performance in relation to energy and water use.

This criterion addresses building performance and monitoring. As a minimum, the Council will expect a developer to demonstrate its own internal processes and quality controls. Beyond this on larger developments, the Council will seek to secure an appropriate and proportionate sample of buildings to provide data on key indicators to be monitored and reviewed periodically for the first few years after their completion. Data from the buildings would need to be provided to the developer, occupiers and the Local Authority. If a performance gap is identified through the monitoring, then it will be expected that the developer looks to learn from and address the

issue as much as reasonable, but the Council will not seek to require or enforce retrospective action as this extends beyond the scope of the policy as drafted. Use of a recognised quality regime (such as BRE's Homes Quality Mark or BREEAM, or use of Passivhaus, for instance) and implementation of relevant credits associated with performance monitoring will be encouraged, though will not be required.

Cross reference with national policy and guidance

NPPF paragraph 148 states that: "*The planning system should support the transition to a low carbon future in a changing climate....It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions*". NPPF paragraph 150 states: "*New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards*".

The National Planning Practice Guidance states that "*when setting any local requirement for a building's sustainability... [they are expected]... to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards*" (Reference ID: 6-009-20150327). It also states that "*local authorities: can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes...[and]...are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments*" (Reference ID: 6-012-20190315). The same paragraph also states that plans may "*impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable*

sources and/or to be low carbon energy from sources in the locality of the development". It also refers to the National Design Guide as setting out the characteristics of well-designed places and demonstrating what good design means in practice. Section R1 of the National Design Guide refers to implementation of an energy hierarchy, making use of renewable energy and strategies to minimise energy use and carbon emissions.

Often, the designed intent of a building's energy performance is not realised once in-use. This is referred to as the "performance gap". The NPPF and PPG clearly allow for policies to require energy performance levels up to the equivalent of Code level 4 for new dwellings and do not limit policy on non-domestic buildings. Monitoring new buildings is the only real way to understand whether buildings are meeting policy requirements, whether or not there is a performance gap, and if so, how significant it is.

However, there are costs associated with this that were not fully encapsulated by previous viability assessments. The UK Green Building Council Policy Playbook²⁷ suggests ways that policy can seek to require demonstration that the performance gap has been minimised, including through demonstration of internal processes and quality controls, working within a third party process or system to ensure that standards are met on site and certification against independent assessment frameworks (e.g. Home Quality Mark and Passivhaus). To avoid over-burdening and to ensure proportionality, it is proposed that only a reasonable proportion of buildings on larger development sites (e.g. the urban extensions and town centre allocations) would be required to be subject to monitoring. Developers may choose and see wider benefit in following a recognised quality regime, though this will not be required as there are more significant cost implications involved and this extends beyond the scope of the policy.

Appendix 1 - Table summarising issues in relation to specific planning policies

Jump to policies of the:

- [Taunton Deane Core Strategy \(2012\)](#)
- [Taunton Deane Site Allocations and Development Management Plan \(SADMP\)](#)
- [Taunton Town Centre Area Action Plan](#)
- [West Somerset Local Plan to 2032](#)
- [Saved Policies of the West Somerset Local Plan \(2006\)](#)

Policy No.	Policy Name	Commentary
<i>Taunton Deane Core Strategy (2012)</i>		
CP1	Climate Change	This policy sets the strategic policy context for development within the former Taunton Deane area. It is essentially comprised of two parts: a general set of requirements; and a set of requirements specific to proposals for new renewable energy installations. It states that development proposals should result in a sustainable environment and requires development proposals to demonstrate that climate change has been addressed by reference to a series of six criteria. The policy further states that proposals for the development of renewable and low carbon sources of energy will be considered favourably provided that a further three criteria are satisfied. Criterion b) is no longer entirely relevant as the Code for Sustainable Homes was revoked in 2015, however, the BREEAM standards remain extant and as such could be referred to, though this is dealt with in more detail in respect of policy DM5. Further detail is provided in relation to policy DM5. In relation to Renewable Energy criteria g), h) and i), the Council will generally consider energy storage proposals to be renewable and low carbon sources of energy.
CP6	Transport and accessibility	This policy sets the strategic policy context for transport and accessibility of development. Fundamentally, the requirement is to “ <i>contribute to reducing the need to travel, improve accessibility to jobs, services and community facilities, and mitigate and adapt to climate change</i> ”. The policy then lists a series of measures that will be used to achieve this. Each of these measures remains valid and relevant. Of particular note, the policy emphasises the role of improving accessibility via public transport, walking and cycling to key destinations within towns, but also from villages and rural areas into the main towns. It also refers to expanding local and regional rail services, including the West Somerset Railway. The Council’s CNCR Action Plan identifies a number of actions associated with public transport, walking and cycling as well as in relation to both the West Somerset Railway and Wellington Station that will evolve and iterate over time

Policy No.	Policy Name	Commentary
		<p>relating to the provision of such infrastructure. Through planning we will look for opportunities to help deliver upon these projects using this policy. The policy also refers to a requirement to “<i>submit a robust evidence base and management plan in line with current policy and guidance on Transport Assessment, Travel Planning and the County Council’s Travel Plan SPD</i>”. The County Council’s Travel Planning Guidance²⁸ remains relevant and will be referred to by the Council in determining policy compliance. In particular, the County Council’s Travel Planning Guidance includes the Somerset Parking Strategy, which includes standards around EV charging infrastructure in new developments, which will be expected to be followed via this policy as a minimum, until superseded by new Local Plan policy or national policy (expected to be incorporated into Building Regulations in due course). The Somerset Parking Strategy 2013 expects:</p> <ul style="list-style-type: none"> • All new dwellings to include a 16 amp electric vehicle charging point, in garages or car ports or through shared charge points. • All new non-residential developments (50+ car parking spaces), to include 16 amp electric vehicle charging points in 2% of spaces (rounding down). <p>The Somerset Councils have developed a Somerset EV Charging Strategy,²⁹ which includes up to date guidance and recommendations about how new development should ideally respond to the need for EV charging. The Strategy will inform future Local Plan policy development and updating of Travel Planning Guidance. In the meantime, the Council will encourage applicants to go above and beyond the standards set by the Somerset Parking Strategy and deliver in line with the Strategy, though cannot and will not insist. The policy also refers to locating major industrial and warehousing development in locations that will encourage efficient, safe and sustainable freight transport, including options for use of railways and waterways. Road freight faces a number of challenges to decarbonise relating to technologies and asset lifecycles. The Council will continue to monitor the national debate on this issue and ensure that technically viable solutions for road freight influence consideration of proposals.</p>
CP7	Infrastructure	<p>This policy sets out the strategic approach that will be taken to ensuring that necessary and relevant infrastructure accompanies new developments in a timely manner. The Council currently utilises a combination of planning conditions, Section 106 (S106) Legal Agreements and Community Infrastructure Levy (CIL) to ensure such infrastructure is required, funded and delivered. The Planning White Paper (launched in August 2020) proposes significant changes to how infrastructure, and payments towards its delivery is funded. However, until such point as there is further clarity on this and policy changes nationally, the approach as set out in CP7 will continue to be relevant. The policy sets out a hierarchy for how infrastructure will be prioritised in relation to sites where viability is a constraint. This places infrastructure supporting sustainable development as second only to infrastructure essential to enable</p>

Policy No.	Policy Name	Commentary
		development to proceed. The Council considers that infrastructure supporting sustainable development could include prioritisation of infrastructure designed to reduce the need to travel and to provide walking and cycling connectivity ahead of new roads; flood alleviation; multi-functional green and blue infrastructure; building sustainability; and renewable energy amongst other aspects of environmental, economic and social sustainable development.
CP8	Environment	This policy sets out the strategic context for considering the impact of development upon environmental constraints and opportunities. It is the principle means by which the Council seeks to require strategically planned green infrastructure through new developments as well as mitigating flood risk. The policy also seeks to conserve and enhance the historic environment. As an overarching environment policy, it captures the need to think holistically and strategically about these issues, which is echoed in the CNCR Action Plan. A new Green and Blue Infrastructure Strategy is in preparation for the district as a whole, and this will replace the existing Taunton Deane GI Strategy ³⁰ in due course. Developments will be expected to help deliver against this strategy through strategically planned infrastructure. GI should make the most of opportunities for nature-based solutions to flood risk management, natural regeneration and tree planting, and deliver multiple co-benefits around access to and education about nature and active travel amongst others. Developments will be expected to demonstrate how such opportunities have been explored, including in relation to provision and future management of SUDS. Somerset County Council is in the process of finalising new web-based SUDS guidance. Once complete and published, the Council will expect developments to take this guidance into account in their response to this policy. In the meantime, the existing West of England SUDS guidance should be referred to. The policy refers to development contributing towards a strategic flood attenuation scheme. The Taunton Strategic Flood Alleviation Improvement Scheme ³¹ provides the basis for the projects that will be delivered and towards which funding and delivery of will be sought. Historic England provide a range of guidance notes on how traditional, historic and Listed buildings can respond to climate change, including detailed guidance on energy efficiency and generating energy. ³²
SP2	Realising the vision for Taunton	This policy identifies how development will contribute towards the overall vision for Taunton, which remains relevant. A number of specific and more general requirements / projects are referred to, including strategic surface water attenuation, cycle and pedestrian networks and bus priority measures. The emerging Taunton Transport Strategy (updating and refreshing the “Connecting Our Garden Town” document ³³), Taunton Local Cycling and Walking Infrastructure Plan and the Taunton Strategic Flood Alleviation Improvement Scheme as well as the CNCR Action Plan and Garden Town Vision ³⁴ and delivery plan will provide the most up to date evidence of potential projects which development may need to contribute towards and deliver against via this policy.

Policy No.	Policy Name	Commentary
SP3	Realising the vision for Wellington	This policy identifies how development will contribute towards the overall vision for Wellington, which remains relevant. A number of specific and more general requirements / projects are referred to, including cycle and pedestrian networks, bus priority measures and the re-opening of the railway station. The CNCR Action Plan identifies a number of potential projects which development may need to contribute towards and deliver against via this policy. The Council has established a regular internal forum for discussing, aligning and furthering action towards achieving the vision for Wellington. The Council is actively pursuing the re-opening of Wellington railway station and is in the process of producing a Strategic Outline Business Case.
SS1	Monkton Heathfield	This policy sets the strategic requirements for development of a new urban extension at Monkton Heathfield. A large proportion of Phase 1 has already been delivered and is otherwise subject to extant planning permissions. However Phase 2 of the allocation is as yet not in receipt of planning permission. Of specific relevance is the requirement to provide “ <i>A suitably located energy centre to provide locally generated electricity to the new development</i> ”. As part of meeting this requirement, development here should identify potential opportunities to generate renewable energy and harness site-wide energy opportunities to uplift carbon reduction beyond the minimum levels required by policy DM5 (see IGS2, above). A Draft Framework Plan, Concept Plan and Design Guide ³⁵ has been produced for Phase 2 in line with the requirements of policy SS1. Once finalised, this will set out more detail on expectations and requirements for development within this phase, including a focus on sustainability, energy and climate change linking through to the Council’s Climate Emergency declaration.
SS2	Priorswood/Nerrols	This policy sets the strategic requirements for development of a new urban extension to the east of Priorswood at Nerrols. Approximately 630 dwellings have planning permission as part of the south-eastern section of this allocation, but the north-western section does not yet benefit from planning permission. Of specific relevance is the requirement to provide “ <i>A suitably located energy centre to provide locally generated electricity to the new development</i> ”. As part of meeting this requirement, development here should identify potential opportunities to generate renewable energy and harness site-wide energy opportunities to uplift carbon reduction beyond the minimum levels required by policy DM5 (see IGS2, above).
DM1	General Requirements	This policy sets out a series of general requirements for all development. Of particular relevance, criterion a) of the policy refers to a requirement to make most effective and efficient use of land, including previously developed land, and ensuring high densities in appropriate locations. Criterion b) refers to ensuring access roads are not overloaded and that this will take account of road improvements involved in development of the site. Planned and potential active travel, public and shared transport improvements

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		<p>will be a consideration as part of this, ensuring that road improvements are not always the go-to solution where issues are identified. Criterion e) refers to mitigating air pollution impacts. Whilst electric vehicles (EVs) will in time reduce air pollution concerns, we will not at this stage assume that provision of EV charging infrastructure constitutes mitigation for air quality concerns. This is because provision of such infrastructure does not guarantee that occupiers will drive EVs. Beyond simply local air quality, criterion e) refers to all forms of pollution and ensuring that it does not unacceptably harm public health or safety, amenity or other elements of the local or wider environment. Where a development is proposed which would bring forward a significant new source of carbon emissions then this will usually be deemed to be unacceptably harming the wider environment, which could then lead to the proposal being resisted. Criterion g) requires sites to be served by necessary utility services including high speed broadband. The CNCR Action Plan identifies that we will be working on a Digital Strategy for the district, and once complete this will provide an element of aspiration and guidance around such connectivity. In the meantime, we will encourage the provision of full-fibre to the premises (FTTP) connectivity on all new developments as meeting this requirement.</p>
DM2	Development in the Countryside	<p>This policy seeks to strictly control development in the countryside by setting out the specific uses which will be in principle supported and under what conditions. The policy supports the development of “essential utilities infrastructure” in the countryside subject to the criteria listed at the bottom of the policy. The justification text makes no reference to what constitutes “essential utilities infrastructure”. The Somerset Climate Emergency Strategy and the CNCR Action Plan identify how significant increase in renewable energy generating capacity and digital connectivity are essential elements of achieving carbon neutrality. As such, the Council will consider new renewable energy generation and storage installations as well as new infrastructure to support gigabit digital connectivity (including fibre and 5G installations) to be essential utilities infrastructure. This means that policy DM2 in principle supports the development of such essential utilities infrastructure in the open countryside subject to the criteria listed within the policy. However, the policy does not exist in isolation, and it must be read in conjunction with the development plan as a whole, and policy CP1 in particular.</p>
DM4	Design	<p>This policy sets a broad requirement to address design at a range of spatial scales in order to create a “sense of place”. It stipulates that a range of documents will be produced to guide development design. The Council has produced many of these already and is in the process of producing others (including the Masterplan and Design Guidance for Monkton Heathfield Phase 2, as referred to above). The Taunton Garden Town Public Realm Design Guide³⁶, and Design Charter and Checklist³⁷ set the framework for design considerations in Taunton. In addition to the spatial scales identified within the policy, the Council is in the process of finalising a District-wide Design Guide³⁸ which will provide a similar framework for the</p>

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		district as a whole and which ties into the National Design Guide. All of these design guides recognise that sustainable, energy efficient and climate resilient design is integral to what constitutes good design. Once the District-wide Design Guide is adopted as SPD, applicants will need to demonstrate how they have complied with relevant elements through their proposals. If they do not comply, then they will need to demonstrate/explain why compliance is not possible/appropriate.
DM5	Use of Resources and Sustainable Design	This policy sets out a number of general and specific requirements for new developments to comply with in relation to use of resources and sustainable design. IGS2 of this Statement deals directly with this policy in depth.
<i>Taunton Deane Site Allocations and Development Management Plan (SADMP)</i>		
A1	Parking requirements	This policy sets out the Council's expectations around car and cycle parking spaces in new developments. Compliance with the standards in Appendix E to the SADMP will normally be required. The requirements of this policy are generally more exacting than those set out in Somerset County Council's Countywide Parking Strategy (part of their Travel Plan Guidance), particularly for Taunton and Taunton town centre. The County Council is understood to be looking to update the Parking Strategy in the near future. The Council will actively seek to apply the more exacting standard on a case by case basis, particularly focusing on ways that a reduction in car parking space requirements can deliver improved accessibility to, within and through a development by walking, cycling, public and shared transport. Exceeding of the standard for car parking spaces (providing more spaces than required) will need to be justified and will generally not be permitted. The Council will actively encourage exploration of car-free developments within and adjacent to Taunton and Wellington town centres. The Council will rely on Travel Planning requirements in policy CP6 of the Core Strategy and A2 of the SADMP to lead to the delivery of EV charging infrastructure. The emerging District-wide Design Guide includes guidance for the design and allocation of car and cycle parking spaces. The Government's Cycle Infrastructure Design Local Transport Note 1/20 ³⁹ should be referred to in relation to design of cycle infrastructure including parking.
A2	Travel Planning	This policy sets requirements for the development and implementation of Travel Plans where "a significant amount of movement will be required". The County Council's Travel Planning webpage identifies the thresholds considered appropriate for the development of Travel Plans. The Council will expect to see Travel Planning contribute significantly and positively to the design and development of new proposals in order to accommodate and facilitate a move to more sustainable travel patterns and behaviours. The Council will look to the outcome of Travel Planning to require provision of EV charge points in new development. The Council will rely on Travel Planning requirements in policy CP6 of the Core Strategy and A2 of the SADMP to lead to the delivery of EV charging infrastructure (see in relation to CP6 above, for more information).

Policy No.	Policy Name	Commentary
A3	Cycle network	This policy sets protection for planned and potential cycle routes, and identifies how new development should provide for delivery of a cycle network. Since the policy was written, the Council has worked with Somerset County Council and Taunton Area Cycle Campaign (TACC) to develop a Local Cycling and Walking Infrastructure Plan (LCWIP) for Taunton, and through the Council's CNCR Action Plan it has stated an intention to work towards delivering the cycle network upgrades identified by TACC, and towards Taunton becoming a Beacon Cycling Town. The Council intends to continue working with partners to develop more LCWIPs for other towns in the district in the coming years, and the CNCR Action Plan identifies additional potential routes for exploration. The routes and network upgrades identified in all of the above will be relevant considerations in the implementation of this policy. The Council's emerging District-wide Design Guide and Taunton Garden Town Public Realm Design Guide will also be referred to when considering how development proposals comply with this policy. The Government's Cycle Infrastructure Design Local Transport Note 1/20 should be referred to in relation to design of cycle infrastructure.
A4	Protection of disused transport corridors	This policy protects the routes of the former Taunton-Chard and Taunton-Barnstaple railway lines and the former Grand Western and Chard canals from development that would prevent their re-use for their original purposes. The justification text recognises the potential for these lines to be used in the interim as footpaths or cycleways and this is likely to be a key consideration going forwards.
A5	Accessibility of development	This policy sets maximum acceptable journey times by public transport and car to a range of essential facilities for development in different parts of the former Taunton Deane district, and maximum acceptable walking distances to essential facilities for residential development in Taunton and Wellington. Reducing the need to travel, the distance that needs to be travelled, and increasing the range of sustainable options for travel, can lead to major carbon reduction from new development. For this reason, this policy is a key tool for focusing development into sustainable locations. Ensuring the majority of new development takes place in locations within walking distance of essential facilities is a priority. The Council will look to apply the maximum journey times and walking distances identified in the policy strictly. Taunton and Wellington locations (including urban extensions and associated settlements) are most likely to comply with the policy requirements, as the locations with the widest spread of essential facilities in the former Taunton Deane district. It is likely that the number of locations outside of these areas which comply with these policy requirements will have reduced in recent years as a result of changes to bus services. However, it would be inappropriate for this Statement to try and change the spatial strategy of the existing development plan.
I2	Telecommunications	This policy sets requirements for new telecommunications infrastructure such as masts to comply with. The policy is technology agnostic (favours no specific technology) and focuses on ensuring that any impacts are mitigated and acceptable. Digital connectivity will underpin many aspects of a carbon neutral

Policy No.	Policy Name	Commentary
		<p>future and play a key part in making our transport and energy systems smarter and more efficient. It can enable home working, access to services remotely, reduce the need to travel and help to tackle loneliness and isolation. However, far higher levels of both urban and rural populations need to be covered by better quality fixed and mobile connectivity in order to realise these benefits. Increasingly the need will be to ensure access to “gigabit” connectivity (>1,000Mbps). This will most likely necessitate full-fibre connectivity which also enables greater consistency and reliability of services, greater resilience and much lower data delay (latency) over legacy copper-based connectivity. Delivering smarter and more efficient transport and energy systems is in time likely to rely upon 5G connectivity, which uses fibre “backhaul” from masts and small cell broadcast equipment. Where proposals for fibre or 5G equipment (amongst others) meet the criteria in this policy, they will be considered acceptable. The Council will monitor the evidence in respect of 5G connectivity (which some people have expressed concern around the safety and security of), though at this stage there is considered to be insufficient evidence to back up concerns about this technology that can be reasonably considered by planning policy or decision making. All telecommunications installations must comply with the standards of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).</p>
14	Water infrastructure	<p>This policy requires adequate foul drainage/sewage treatment facilities and surface water disposal to be provided and for all surface water to be disposed of via Sustainable Urban Drainage Systems (SUDS) unless demonstrated as unfeasible. Somerset County Council is the Lead Local Flood Authority, and as such is in the process of finalising new web-based SUDS guidance. Once complete and published, the Council will expect developments to take this guidance into account in their response to this policy. In the meantime, the existing West of England SUDS guidance should be referred to. Well-designed and managed SUDS provide an opportunity to deliver multiple co-benefits in addition to simply managing the flow of surface water, including in relation to biodiversity, carbon storage, recreation and physical and mental wellbeing. As such, the Council will expect to see multi-functional SUDS solutions which maximise these co-benefits.</p>
ENV1	Protection of trees, woodland, orchards and hedgerows	<p>This policy is aimed at protecting trees, woodland, orchards and hedgerows where they are of value (in terms of landscape, character or wildlife). It further seeks to ensure a net gain is provided through development. Only where these assets are not considered to be of significant value, will their loss be acceptable, and subsequently appropriate compensation must be made for their loss. The protection afforded by the policy is related to the landscape, character and wildlife value of these assets, rather than their value in terms of carbon storage, though this is an obvious co-benefit. Appropriate compensation referred to by the policy is therefore in relation to mitigating landscape, character and wildlife impacts through timing of works and planting, siting and species selection.</p>

Policy No.	Policy Name	Commentary
ENV2	Tree planting within new developments	<p>This policy seeks to require tree planting within new developments for the benefit of wildlife, biodiversity, landscape and public amenity. The policy specifically identifies two key locations where trees should be planted: communal areas and/or between buildings; and on highway verges. This is deliberate policy to ensure that trees are planted to provide maximum co-benefits. Planting of trees in communal areas and between buildings in particular can assist in passive cooling of outdoor spaces and buildings and can help tackle the urban heat island effect, which will be key considerations in terms of ensuring climate adaptation / resilience from new developments. Surface car parks offer an important opportunity for tree planting, which, together with an appropriately designed drainage strategy can provide a sustainable drainage option for surface water, whilst improving the visual aesthetics of the space, providing shade and potentially providing biodiversity benefits depending on siting and species selection. It is important that the right trees are planted in the right places, for the right reasons. In addition to tree planting, identification of suitable areas for “natural regeneration” (the process whereby nature reclaims, self-seeds and regenerates areas of land) rather than structured tree planting will also be encouraged where appropriate. Natural regeneration can provide enhanced benefits for wildlife, biodiversity, landscape and public amenity. It typically requires less maintenance, though will only be appropriate in circumstances where the developer or future owner is committed this approach. The adopted Taunton Garden Town Charter and Checklist and emerging Public Realm Design Guide, as well as the emerging Districtwide Design Guide and the future Green and Blue Infrastructure Strategy will provide further guidance as to how developers can ensure that this mantra is followed. There is no requirement or allowance to offset emissions associated with the development through on-site tree planting.</p>
D1	Taunton’s skyline	<p>This policy seeks to protect the distinctive character and attractiveness of the Taunton skyline, which is characterised by a number of historic churches and other buildings many of which are Listed Buildings, located within Conservation Areas or are otherwise of local value. However, this should not be taken as a blanket ban on tall buildings. There is a need to make best and efficient use of land within the town centre that can deliver on multiple social, economic and environmental sustainability goals. This policy should therefore be read as requiring developments to uplift their design quality and mitigate unacceptable impacts in order to enhance and avoid detrimental impacts upon the skyline. The draft Districtwide Design Guide includes guidance in relation to taller buildings that should be referred to.</p>
D7	Design quality	<p>This policy sets criteria for how new residential and commercial developments should look to achieve a high standard of design quality and sense of place. Sustainable, energy efficient and climate resilient design is integral to good design, be that in relation to buildings themselves, the spaces in between, or movement, as identified in the National Design Guide. The policy justification refers to Building for Life 12, from which the criteria are drawn. Whilst carbon reduction and climate action is not the primary focus or</p>

Policy No.	Policy Name	Commentary
		purpose behind the 12 principles underlining this quality standard, adherence with many of the principles can help to address climate impact of development. The Council’s emerging Districtwide Design Guide and the Taunton Garden Town Charter and Checklist will provide additional guidance on how carbon reduction and climate resilience can be integrated as part of good design using a Building for Life 12 + approach. As of July 2020, Building for Life has been replaced by “Building for a Healthy Life” ⁴⁰ , which updates the original design tool and retains the original 12 point structure and underlying principles at its heart.
D9	A co-ordinated approach to development and highway planning	This policy identifies the criteria that a co-ordinated approach to development and highway planning should look to deliver. In particular, the policy refers to “Providing for safe walking and cycling routes”; “Creating networks of streets that provide permeability and connectivity to main destinations and a choice of routes”; and “Designing to keep vehicle speeds at or below 20 mph on residential streets unless there are overriding reasons for accepting higher speeds”. These elements of the policy are key to creating places that foster sustainable and active travel behaviours. Whilst 20 mph zones are of primary importance for improving road safety, they also have a big impact on carbon emissions. The policy justification refers to an expectation that developers follow guidance within the ‘Manual for Streets’. The Highways Authority (Somerset County Council) provides advice and observations on planning applications. The Council is working with Somerset County Council to ensure that the Manual for Streets is taken as the starting point for new estate roads and modern, flexible and sustainable highways design is required and advised. Somerset County Council is in the process of updating its “Red Book” of design, layout and appearance standards for new streets in residential developments.
D12	Amenity Space	This policy primarily deals with provision of outdoor amenity space (e.g. private/shared gardens, balconies, terraces etc.), but it also contains a requirement for safe, discreet and conveniently accessible storage of refuse and recycling off the public highway. In providing adequate space and provision for refuse and recycling storage, applicants should refer to the latest Somerset Waste Partnership Developer Guidance. ⁴¹ This guidance is in the process of being updated and applicants should comply with this updated guidance once available.
TAU1	Comeytrowe/Trull	This policy allocates land and sets requirements for a new sustainable neighbourhood (referred to as an urban extension and as a new garden community in some documents) on land at Comeytrowe/Trull. In particular the policy requires a masterplan and phasing strategy to be prepared by the developer in conjunction with the Council and other stakeholders, with the policy setting out requirements of that masterplan and phasing strategy. Of particular relevance are requirements for:

Policy No.	Policy Name	Commentary
		<ul style="list-style-type: none"> • Provision of connected streets designed to be suitable for cycling and walking and, where appropriate, additional measures to ensure that cycling and walking are safe and attractive means of transport; • Provision of direct and safe walking routes to access existing bus services on the A38 and Honiton Road and allowance for future provision of new local bus services within the development; • A design that minimises private car access from the urban extension to the existing residential areas in Comeytrove but maximises pedestrian and cycle links between the existing residential area and the proposed urban extension; • Include options to facilitate the delivery of a new high frequency dedicated public transport link via Musgrove Park Hospital and Somerset College to the town centre; • Detailed flood risk assessment will need to be undertaken and identify the strategic SUDs infrastructure required; • Detailed Design codes prepared for individual areas within the development. <p>The requirement for a masterplan and phasing strategy builds on the requirement of policy DM4 of the Core Strategy for a masterplan and design codes for urban extensions, as well as town and districtwide design guidance.</p> <p>Parameter Plans and a Master Plan Principles document were approved as part of the decision to grant outline planning permission for this site in 2015. Neighbourhood Masterplan and Design Guides must be approved for each subsequent neighbourhood before submission of relevant reserved matters applications. The Council will expect areas not yet benefitting from reserved matters approval, to respond to the Climate Emergency and the Taunton Garden Town Design Charter and Checklist.</p>
TAU2	Staplegrove	<p>This policy allocates land and sets requirements for a new sustainable neighbourhood (referred to as an urban extension and as a new garden community in some documents) on land at Staplegrove. In particular the policy requires a masterplan and phasing strategy to be prepared by the developer in conjunction with the Council and other stakeholders, with the policy setting out requirements of that masterplan and phasing strategy. Of particular relevance are requirements for:</p> <ul style="list-style-type: none"> • Strategic SUDS Infrastructure; • Design and travel planning measures to achieve a significant shift to more sustainable forms of transport including, within residential areas, a maximum 20mph design speed and shared surface streets;

Policy No.	Policy Name	Commentary
		<ul style="list-style-type: none"> • Provision of connected streets designed to be suitable for cycling and walking and, where appropriate, additional measures to ensure that cycling and walking are safe and attractive means of transport; • Good cycle connections to existing cycle routes, in particular towards the town centre via Gipsy Lane, Clifford Avenue/The Uppers, Bindon Road, and along the route of the Northern Distributor Road; • Provision of direct and safe walking routes to access existing bus services on the A358 and Kingston Road, and allowance for future provision of new local bus services within the development; • Detailed flood risk assessment will need to be undertaken and identify the strategic SUDs infrastructure required; • Detailed Design codes prepared for individual areas within the development. <p>The requirement for a masterplan and phasing strategy builds on the requirement of policy DM4 of the Core Strategy for a masterplan and design codes for urban extensions, as well as town and districtwide design guidance.</p> <p>The Council adopted a North Taunton Framework Plan and Development Brief as “<i>the basis for development</i>” in 2015. The allocated site is split into two separate areas: East and West. The outline planning permission for Staplegrove West requires that Neighbourhood Masterplan and Design Guides must be approved for each subsequent neighbourhood before submission of relevant reserved matters applications. Staplegrove East does not yet benefit from outline planning permission. The Council will expect areas not yet benefitting from outline or reserved matters approval, to respond to the Climate Emergency and the Taunton Garden Town Design Charter and Checklist.</p>
TAU10	East of Crown Industrial Estate	<p>This policy allocates land and sets requirements for employment development on land East of Crown Industrial Estate. The site is part of a former landfill site, and as such there is potential for issues around land stability and landfill gas. Many former landfill sites have high capacity electricity connections which are or were previously used for exporting electricity to the grid from burning landfill gas. It is not known whether this is the case at the Priorswood landfill site or not, but if this is the case, then there may be opportunities to utilise any spare export capacity within the electricity connection for renewable generation and/or battery storage to provide grid flexibility services. Such uses are unlikely to generate significant numbers of new permanent jobs on the site, but will support the local economy more widely, and these uses are likely to be compatible neighbours to other acceptable uses of the site. The Council will, therefore seek to ensure the opportunities of any spare export capacity that may exist are realised and will</p>

Policy No.	Policy Name	Commentary
		consider renewable energy generating and battery storage development as being policy compliant in this circumstance.
TAU11	Former Priorswood Landfill	This policy allocated the remainder of the former Priorswood landfill site for community woodland or other appropriate recreational uses. The intention has always been that the site would provide public access and a pedestrian/cycle link in to the river corridor to the south of the site and the railway, and in to the canal corridor and on towards the Country Park to the north of the site. This aspiration remains and will be fleshed out further through green infrastructure work to support the Garden Town and the proposed Green and Blue Infrastructure Strategy. The site presents a good location for additional tree planting and/or potentially natural regeneration, which would deliver co-benefits associated with wildlife and active travel corridors as well as helping to maintain the green wedge as a buffer separating Taunton and Monkton Heathfield/Bathpool.
WEL1	Tonedale Mill	This policy allocates land at Tonedale Mill in Wellington for mixed use redevelopment that provides complementary new buildings and restores and maximises the most beneficial re-use of the existing listed buildings. A significant proportion of the site lies within Floodzone 2 and 3 and the various mill related structures such as sluice gates and leats provide both opportunities and constraints associated with the management of water through the site. A number of the listed buildings on the site are designated by Historic England as being Heritage at Risk, with the reason for this designation being at least partly related to climate change and the increased vulnerability that the site may have as flood risk grows. The site’s location adjacent to the railway and location of the former Wellington railway station is of significance and it will be of great importance that the site works positively with proposals for the re-opening of the station, particularly if it is to re-open in broadly the same location. The Council is working on a number of issues relating to the town’s regeneration, and has established a regular internal forum which will pick up directly on the links between this site, the station and through to the town centre and more widely. The Council has recently served Repairs Notices on the owners and occupiers of Tonedale Mill under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is actively seeking to resolve outstanding issues with the site. If reasonable steps are not considered to have been taken for properly preserving the listed buildings, the legislation entitles the Council to make a Compulsory Purchase Order. The Council is mindful of the heritage, financial and environmental benefits that could potentially be realised by retaining, renovating and re-using the existing structures, over demolishing and building new.

Policy No.	Policy Name	Commentary
<i>Taunton Town Centre Area Action Plan</i>		
Fp1	Riverside – Development Consent	This policy allocates land at the former cattle market site at Firepool, Taunton for a mixed use development focused around the river and a new boulevard linking Taunton station and the town centre. The site has had various planning applications and permissions granted over the years and yet has struggled to deliver. The Council has now taken the bold move to take forward the development of the site itself through a Special Purpose Vehicle and is in the process of developing a Local Development Order (LDO) for the site which will essentially grant planning permission for development that will comply with a set of specific criteria. This is intended to streamline the planning process and enable a much higher quality scheme to come forward than would have been achieved by previous planning permissions. The policy justification explains an expectation for buildings on the site to achieve BREEAM / EcoHomes 'Excellent', the LDO will stipulate alternative and updated, but strong requirements around carbon reduction, energy efficiency and sustainability. As stated in the CNCR Action Plan, the Council will be aiming for Firepool to be an exemplar for zero carbon and climate resilient development, to deliver an exemplar SUDS scheme, and is exploring potential around heat networks associated with the site and the wider town centre. The LDO will seek to maximise the efficient use of land within the site, recognising its importance as a strategic brownfield site.
Fp2	Riverside – Transport Measures	This policy identifies requirements for the former cattle market site at Firepool relating to transport measures. It sets requirements around travel planning, car and cycle parking, bus and rail linkages, and enabling high quality pedestrian and cycle routes. The site holds an important position in the town between the railway station and the town centre and occupying land on both the north and south sides of the river. As such it is of key importance that the site encourages and facilitates sustainable and active travel within and through it. The site's location close to essential facilities and services should reduce the need for car dependency over more remote and greenfield site options, but the constrained nature of highways in Taunton town centre mean that it will be of key importance to implement a travel plan that maximises the opportunities to push occupiers and visitors on to more sustainable modes of transport. Having said this, the site's location on the edge of the centre and close to the railway station means that it does have a role to play in provision of public car parking. The LDO will address these issues.
Cr2	Coal Orchard Car Park	This policy allocates land and sets requirements for development of a mixed use scheme on the Coal Orchard car park and St James Street Pool. The site is in the process of being redeveloped by the Council and is currently under construction. It will deliver high quality brownfield development in the town centre making efficient use of the site and providing and improving on key pedestrian and cycling linkages on the south side of the river.

Policy No.	Policy Name	Commentary
Hs3	East Street	This policy sets out an aspiration for environmental enhancements to East Street. Through the Council's Public Space Improvement Project, plans were consulted on for the closure of East Street for all traffic except buses and cyclists. The CNCR Action Plan identifies that the Council will look to trial the closure of East Street in the coming year. Monitoring and further consultation associated with the trial will inform development of more final proposals associated with environmental enhancements to East Street.
Tr2	Parking in New Development	This policy sets out parking standards for sites allocated through the TCAAP. However, these parking standards are derived from the SCC 2006 Parking Strategy. The County Council updated their Parking Strategy in 2013, and is expected to be producing a further update in the near future. The requirements of Policy A1 of the Site Allocations and Development Management Plan also supersedes the requirements of this policy and the Council will look to policy A1 to determine the appropriate level of car parking within town centre development sites, including consideration of potential for car-free development.
Tr3	Smarter Choices	This policy sets a requirement for applicants to adopt travel behaviour change measures to achieve sustainable travel modal shift. The policy was developed to link directly in to the County Council's "Moving Forward" project based around the Department for Transport's "Smarter Choices" programme. The principles behind the policy's intent remain relevant. The Council will expect such issues to be picked up via travel planning for new developments. The Council's emerging Public Realm Design Guide and the Taunton Garden Town Transport Strategy will provide guidance as to how developments can contribute towards modal shift.
Tr4	Travel Plans	This policy sets requirements for the development of travel plans. It has effectively been superseded by policy A2 of the Site Allocations and Development Management Plan, which is almost identical in nature. See above.
Tr5	Car Sharing	This policy sets a requirement for allocated sites to explore potential for car sharing schemes and car clubs. It is anticipated that this requirement will be considered through development of travel plans. The CNCR Action Plan identifies an ambition to establish a community EV car club in Taunton, and to develop mobility hubs in the district which might include such measures. Town centre sites present major opportunities for such schemes both in terms of reducing the need for car ownership within town centre residential developments, but also in terms of providing dedicated parking spaces for car club users visiting town centre locations. The Council will expect applicants to demonstrate that opportunities have been adequately explored. Where car club schemes are then proposed, the Council will consider how parking standards can be applied more flexibly.
Tr6	Developer Contributions to Transport	This policy lists a range of transport measures towards which developer contributions will be sought from allocated sites. This policy was adopted prior to the Council adopting its Community Infrastructure Levy (CIL) Charging Schedule, at a point in time when developer contributions were primarily handled via

Policy No.	Policy Name	Commentary
		planning obligations. The Council now secures developer contributions towards strategic transport improvements via CIL, although site specific matters can still be required via planning obligations where they are needed to make the development acceptable in planning terms including both on-site and off-site transport mitigation works and infrastructure improvements, (where the need for such measures have been identified in a Transport Assessment). An example of site specific infrastructure might be provision of sections of walking and cycling route where it passes through a development site. The policy includes an indicative only list, more projects are and will be identified through the Taunton Garden Town Transport Strategy and the Local Cycling and Walking Infrastructure Plan.
Tr8	North Street, The Parade, The Bridge and Bridge Street	This policy sets out an ambition to revise the layout of town centre roads between the Market House (The Parade) and Bridge Street to accommodate improved pedestrian, cycle and bus provision. The intention has always been that such improvements would be delivered alongside the public transport interchange at Taunton railway station. The emerging Public Realm Design Guide, Garden Town delivery plan and Local Cycling and Walking Infrastructure Plan will be used to inform future proposals around these enhancements.
Tr10	Cycle Schemes	This policy identifies a number of cycle schemes that are planned to be delivered. The list of schemes was based on schemes recognised as being necessary at the time. A Local Cycling and Walking Infrastructure Plan has recently been completed which will now be used as the primary influencer of cycle schemes to be implemented. The emerging Public Realm Design Guide also provides important design guidance around the delivery of cycle infrastructure and the CNCR Action Plan provides ambition around further measures to explore. The Government's Cycle Infrastructure Design Local Transport Note 1/20 should be referred to in relation to design of cycle infrastructure including parking.
F1	Developments within the Flood Plain	This policy sets a requirement for all developments within the floodplain to implement agreed flood mitigation measures before occupation. The policy justification refers to a Strategic Flood Risk Assessment (SFRA) from 2007, however this has been updated with a new Level 1 SFRA in 2019. The Council has also published a Taunton Strategic Flood Alleviation Improvements Scheme which details and prioritises projects that will be required to alleviate flood risk in the town. The Council will require relevant sites to deliver and/or contribute towards relevant elements of projects whether on or off-site where needed to make the development acceptable in planning terms via planning obligations, and secure contributions towards strategic surface water and flood risk mitigation only via CIL.
F2	Developer Contributions to Waterways and Flooding	This policy seeks contributions from developments towards various schemes associated with the enhancement of the river and canal corridor including in relation to flooding and recreational use. As with Policy F1, above, contributions will be sought via planning obligations and CIL as necessary and relevant.

Policy No.	Policy Name	Commentary
ED1	Design	This policy requires development on allocated sites to be informed by the Town Centre Design Code SPD. Whilst not every individual detail within the SPD remains as relevant as it was upon adoption, the principles and intentions of the SPD remain absolutely valid. Fundamentally, sustainability should always be considered as integral to good design. The Council will consider how the SPD has been taken account of in developing design proposals for allocated sites.
ED5	Combating Climate Change through New Development	This policy states that the Council will apply the principles and requirements of policies G and RE5 of the Regional Spatial Strategy on allocated sites. Regional Spatial Strategies were revoked by Government in 2010 and as such this policy is considered to be out of date and will not be applied. The principles of the policies relating to sustainable construction and decentralised energy serving new development are picked up by Policy DM5 of the Core Strategy.
<i>West Somerset Local Plan to 2032</i>		
SC1	Hierarchy of Settlements	This policy sets a hierarchy of settlements in West Somerset to focus new development in Minehead/Alcombe (main centre), and in Watchet and Williton (rural service centres). Beyond this, the policy allows for limited development in the primary villages and small scale development in the secondary villages where it can be demonstrated that it will contribute to wider sustainability benefits for the area. Development in the secondary villages (and some primary villages) will likely lead to private car-dominated travel patterns even to access some essential services at least in the short-term. This will be a major consideration in determining applications against this policy, though it is important to recognise the importance of wider sustainability benefits that development in these locations may bring including supporting/providing essential local services, facilities and employment opportunities, and creating and maintaining balanced communities. These are also important considerations that will be taken into account. This Statement does not and cannot review the overall spatial strategy of the WS Local Plan. The definitions of limited development and small scale development provided by the Plan limit the scale and numbers of development that will be permitted in these locations.
SC5	Self Containment of Settlements	This policy encourages developments that will improve the self-containment of settlements. Its objective is to minimise transport use (and in particular the need to travel long distances by private car to access services and facilities). Reducing the need to travel is the primary focus of any sustainable transport hierarchy and can be particularly powerful at reducing carbon emissions. The Council will use this policy to support proposals for new employment, services, housing and transport developments within settlements in West Somerset where they will help to achieve this objective.

Policy No.	Policy Name	Commentary
MD1	Minehead / Alcombe Development	This policy sets requirements for development at Minehead / Alcombe. In particular, the policy identifies that appropriate development proposals must contribute to resolving flood risk issues affecting the town including sea defences. The Council does not have a CIL Charging Schedule covering the former West Somerset part of the district, and as such all developer contributions are dealt with via S106 planning obligations. As evidenced in the Level 1 Strategic Flood Risk Assessment, Somerset Climate Emergency Strategy and the Council's CNCR Action Plan, Minehead / Alcombe is particularly vulnerable to flooding from a range of sources, and rising sea levels and coastal change present a major existential risk to parts of the settlement. The Council will utilise this policy to secure developer contributions towards projects that mitigate and reduce these risks as well as adapt to them where appropriate.
WA1	Watchet Development	This policy sets requirements for development at Watchet. In particular, the policy identifies that appropriate development proposals must contribute to resolving flood risk issues, allow for potential realignment of the West Somerset Railway necessitated by coastal erosion, improve linkages between parts of the town north and south of the railway, and provide additional allotments. The Council does not have a CIL Charging Schedule covering the former West Somerset part of the district, and as such all developer contributions are dealt with via S106 planning obligations. As evidenced in the Level 1 Strategic Flood Risk Assessment, Somerset Climate Emergency Strategy and the Council's CNCR Action Plan, Watchet is particularly vulnerable to flooding from a range of sources, and rising sea levels and coastal change present a major existential risk to parts of the settlement and adjacent areas of land including vital infrastructure. The Council will utilise this policy to secure developer contributions towards projects that mitigate and reduce these risks as well as adapt to them where appropriate. Beyond this, the town centre lies on the north side of the railway, but large parts of the town as well as major allocations and development sites are located on the south side of the railway. With a single, narrow road bridge, with no footways connecting one side of the town to the other, it is very difficult to foster sustainable or inclusive active travel between each part of the town. The Council will insist that appropriate developments ensure that active and inclusive travel is facilitated from the south side to the north side of the railway.
WI1	Williton Development	This policy sets requirements for development at Williton. In particular, the policy identifies that appropriate development proposals must contribute to resolving flood risk issues and contribute to the improvement of traffic and transport management within the village. The Council does not have a CIL Charging Schedule covering the former West Somerset part of the district, and as such all developer contributions are dealt with via S106 planning obligations. As evidenced in the Level 1 Strategic Flood Risk Assessment, Somerset Climate Emergency Strategy and the Council's CNCR Action Plan, Williton is particularly vulnerable to flooding from a range of sources. The Council will utilise this policy to secure developer contributions towards projects that mitigate and reduce these risks as well as adapt to them

Policy No.	Policy Name	Commentary
		where appropriate. The allocated development sites at Williton are on the edges of the settlement and in the case of the western allocation site is slightly divorced from the settlement. Ensuring walking and cycling links from these sites in to the village centre and key services including the schools will be vital to reducing private car use and fostering healthy and climate positive behaviours, as such the Council will expect to see such provision in Williton.
LT1	Post 2026 Strategic Development Sites	This policy identifies land in Minehead and Watchet for longer term strategic development beyond 2026. The policy does not allocate the sites in the same way as it does for development earlier in the plan period, but holds them in reserve as contingency sites in case they are needed. The Watchet site at Cleeve Hill is located off the B3191 which runs along the top of the cliff-top coastline. Whilst the coastline in this location is not allocated as a Coastal Change Management Area by the Local Plan, it has a history of erosion and is the subject of a project to deliver coastal defence works within the next year. An options report for the realignment of the B3191 was prepared for Somerset County Council by consultants WSP in February 2020. ⁴² The report recommends option 1D (localised diversion through this site) as the preferred option, noting the fact that this may also open up development potential with the possibility of some associated third party funding. Whilst a planning application for the site was refused in August 2020, this remains the preferred option for realignment of the road and this Statement does not and cannot amend the fact that the Cleeve Hill site is identified as a location for longer term strategic development in the Local Plan. However, the Council will place significant weight on current and future risks posed to the site by coastal change in determination of relevant planning applications.
EC1	Widening and Strengthening the Local Economy	This policy provides a permissive position on economic development and employment generating proposals that can strengthen the local economy and improve the proportion of higher paid jobs. With transport being the primary source of CO ₂ emissions produced in the district, and many in the former West Somerset part of the district having to travel to Taunton, Bridgwater and beyond in order to access employment opportunities, improving the number, quality and pay of jobs in the former West Somerset area can be seen as vital to reducing emissions in the district. Beyond this, as set out in the Council's Economic Development Strategy and CNCR Action Plan, the Council is keen to align economic development and recovery to the climate agenda. West Somerset boasts major opportunities associated with its natural capital, the circular economy and tourism, as well as capturing benefits in the legacy of the Hinkley Point C project, which the Council will seek to encourage and facilitate using this policy.
EC7	Training and Educational Provision	This policy supports developments that will strengthen the range and quality of training opportunities offered in the former West Somerset area. The former district was ranked as the area with the lowest social mobility in the country by the Government's Social Mobility Index in 2016. Subsequently, the West Somerset Opportunity Area was established and a delivery plan was produced to build upon the area's

Policy No.	Policy Name	Commentary
		strengths and opportunities through education and skills development. Through this delivery plan, the Council’s Economic Development Strategy and the CNCR Action Plan it is recognised that there are specific strengths and opportunities aligned to the climate agenda. The Council will use this policy to encourage and facilitate developments that can improve the educational and skills opportunities in the area.
EC8	Tourism in Settlements	This policy encourages proposals for the development of open air and wet weather tourism attractions and activities within existing settlements subject to certain criteria. Whilst an overreliance upon the tourism sector and its seasonal and generally lower-paid nature is acknowledged as part of the area’s poor social mobility, it is an important aspect of the local economy, and is likely to continue as such in the future. Building the local tourism offer with a greater range of higher quality and year-round attractions will be important to improving the sustainability of this sector. It also presents an opportunity for the area to attract greater levels of “staycation” and potentially reduce levels of consumption emissions associated with flying abroad on holidays. With continuing restrictions on international travel and economic impacts on the travel industry associated with the COVID-19 pandemic, there is an opportunity to harness potential to improve the quality and sustainability of the local tourism offer and reap the economic benefits locally. The Council will use this policy to encourage and facilitate such tourism developments that can lead to a more sustainable tourism industry in West Somerset.
EC9	Tourism Outside of Settlements	This policy sets criteria for when tourism development outside of existing settlements will be acceptable. Despite the points raised in relation to EC8, above, it is vital that tourism development complements and supports the vitality and viability of existing settlements, and that sustainable travel behaviours are encouraged. Therefore, in line with the policy, in order for such developments to be acceptable, the Council will expect it to be demonstrated that more appropriate and sustainable locations do not exist or are not possible to be developed.
EC11	Agriculture	This policy supports farm diversification that will support the local agricultural economy, so long as it does not conflict with sustainability considerations. Examples of diversification given in the policy justification include wood fuel production, local production of food, and sustainable tourism. Through this policy, the Council will support development proposals that will maintain and enhance the local agricultural economy, whilst also supporting sustainable and climate-related objectives. For instance, development of farm shops which can help local populations access locally produced food (and can result in lower emissions through reduced food miles and higher sustainability and welfare standards) might be supported in sustainable locations accessible by walking, cycling and public transport. Beyond this, through the Environment Bill, it is proposed to introduce a system of rural payments tied to delivery of ecosystem services. There may be cases where a diversification of land uses within a farm could support enhanced

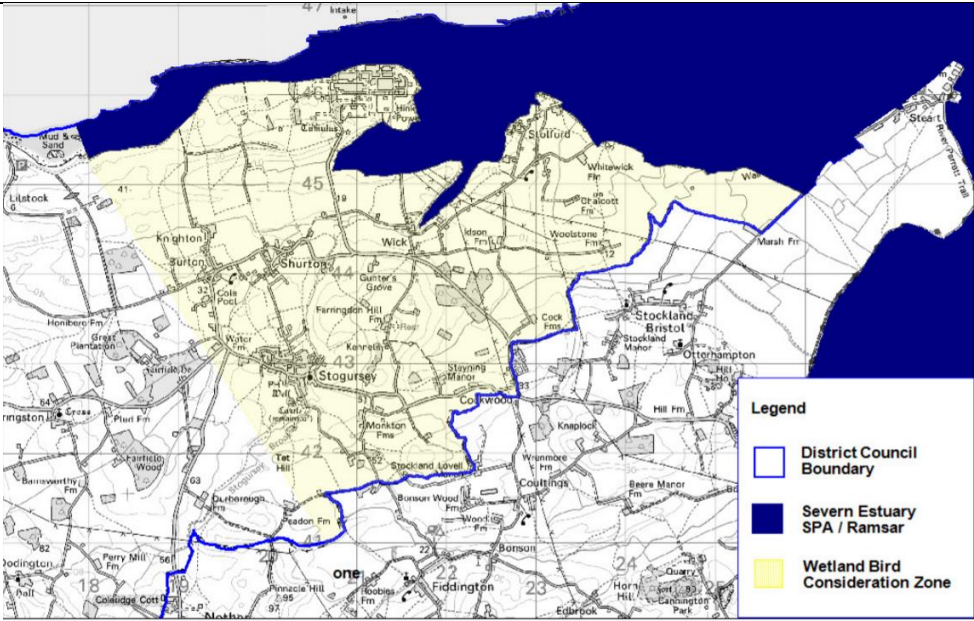
Policy No.	Policy Name	Commentary
		<p>delivery of ecosystem services. In such circumstances, the Council will look to this policy to be generally supportive. Continued intensification of agriculture is a concern in terms of the consideration of environmental sustainability.</p>
TR1	Access to and from West Somerset	<p>This policy seeks to ensure development comes forward in a way and with appropriate mitigations to ensure sustainable transport and travel patterns are adopted. It requires the use of travel plans, travel plan statements and measures-only travel statements in line with thresholds in Somerset County Council guidance. The County Council's Travel Planning webpage identifies the thresholds considered appropriate for the development of Travel Plans. The Council will expect to see Travel Plans contribute significantly and positively to the design and development of new proposals in order to accommodate and facilitate a move to more sustainable travel patterns and behaviours. The County Council's Travel Planning Guidance remains relevant and will be referred to by the Council in determining policy compliance. In particular, the County Council's Travel Planning Guidance includes the Somerset Parking Strategy, which includes standards around EV charging infrastructure in new developments, which will be expected to be followed via this policy as a minimum, until superseded by new Local Plan policy or national policy (expected to be incorporated into Building Regulations in due course). The Somerset Parking Strategy 2013 expects:</p> <ul style="list-style-type: none"> • All new dwellings to include a 16 amp electric vehicle charging point, in garages or car ports or through shared charge points. • All new non-residential developments (50+ car parking spaces), to include 16 amp electric vehicle charging points in 2% of spaces (rounding down). <p>The Somerset Councils have developed a Somerset EV Charging Strategy, which includes up to date guidance and recommendations about how new development should ideally respond to the need for EV charging. The Strategy will inform future Local Plan policy development and updating of Travel Planning Guidance. In the meantime, the Council will encourage applicants to go above and beyond the standards set by the Somerset Parking Strategy and deliver in line with the Strategy, though cannot and will not insist.</p>
TR2	Reducing Reliance on the Private Car	<p>This policy works with policies including SC1 and OC1 to promote that development comes forward in locations that will reduce reliance upon the private car. This focuses development into locations well served by essential services and facilities, safe walking and cycling routes and at a minimum access to public transport services between Minehead and Taunton/Bridgwater. The policy also serves to ensure that where appropriate, new developments are accompanied by infrastructure and services to maximise the modal choice that future occupiers will have on a site for accessing essential services and facilities.</p>

Policy No.	Policy Name	Commentary
		The Council recognises that in a rural area such as West Somerset, this is a challenge, but it is an important way of tackling transport-related emissions and will be used as such.
CF2	Planning for Healthy Communities	This policy seeks to embed health and wellbeing into the design of new developments, particularly identifying that new developments should maximise attractiveness of walking and cycling. The Council will expect developments to apply active design principles, deliver and link in to existing and proposed cycle routes where relevant and appropriate.
CC1	Carbon Reduction - Non-Wind Energy Generating Schemes	This policy supports new energy generating developments (excluding wind energy) subject to compliance with four criteria. Wind energy is explicitly excluded from the scope of general support offered by the policy in line with the NPPF which only permits wind energy generating development in locations identified as suitable or allocated for such uses in a Local or Neighbourhood Plan and able to demonstrate that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. The policy therefore actively rules out wind energy generating proposals, but it was intended that there would be an early review of potential for identification of suitable areas. This review has not yet taken place, but is now expected to be part and parcel of the district-wide Local Plan Review. Other energy generating developments (requiring planning permission and not subject to the National Strategic Infrastructure Project (NSIP) regime, including renewable, low and high carbon energy sources will need to demonstrate compliance with the criteria. The environmental, social and economic impacts of climate change are explained in the Council’s CNCR Action Plan and the Somerset Climate Emergency Strategy. New energy generating developments utilising high carbon energy sources (like oil, coal, and gas plants) are in part responsible for and drive climate change. As such, in respect of criterion bullet point four, the Council will consider new energy generating developments which utilise high carbon energy sources as causing longer term economic, environmental and social impacts on West Somerset communities. The mitigation required in this circumstance would be to bring forward the required energy generation using clean (low carbon / renewable energy sources). Low carbon and renewable energy sources can also have potential to cause detrimental impacts. The Council will use this policy to ensure that such potential impacts are mitigated. However, the direct and indirect, immediate and longer term benefits of renewable and low carbon energy generating developments to the local and wider West Somerset communities will be balanced by the Council in determining such proposals. Many renewable and low carbon energy generating developments can have a positive economic impact locally through jobs in the supply chain and income from generation. Such positive economic benefits are multiplied where developments are owned by communities. The Council will also consider energy storage proposals to be covered by this policy.

Policy No.	Policy Name	Commentary
CC2	Flood Risk Management	This policy sets out requirements relating to mitigation of flood risk. A new Green and Blue Infrastructure Strategy is in preparation for the district as a whole. Developments will be expected to help deliver against this strategy through strategically planned infrastructure that makes the most of opportunities for nature-based solutions to flood risk management and natural regeneration that work in partnership and deliver multiple co-benefits around access to and education about nature and active travel amongst others.
CC3	Coastal Change Management Area	This policy allocates Coastal Change Management Areas (CCMAs) on low-lying coastal land to the east of Minehead and to the east of Stolford. The policy generally rules out development, but stipulates when development may be considered acceptable in these areas, which are at significant risk of inundation as a result of sea level rise and storm surges in particular. Understanding of this risk continues to improve, and as climate change continues unabated, the risk level increases. The Council is working with partners to review the Shoreline Management Plan (SMP), the Plan upon which the current CCMAs are based. As and when the reviewed SMP reaches an advanced stage and is subsequently adopted, the Council will use this as a material consideration in determination of planning applications. If the reviewed SMP identifies alternative boundaries or additional areas that should be subject to CCMA then the Council will consider new or amended CCMA's through the Local Plan review as well as how a development proposal accords with the criteria of this policy in making its decision on any relevant planning applications.
CC5	Water Efficiency	This policy seeks to encourage the use of measures to economise use of water in new development. The Council will accordingly encourage compliance with national optional Building Regulations requirement to restrict water consumption to 110 litres/person/day. However, consistent with the original wording of the policy, this requirement cannot and will not be required in the former West Somerset area.
CC6	Water Management	This policy requires development that would have an adverse impact on the listed issues (including risk of flooding from tidal, fluvial and surface water) to provide adequate and environmentally acceptable measures to mitigate and protect. Somerset County Council is the Lead Local Flood Authority, and as such is in the process of finalising new web-based SUDS guidance. Once complete and published, the Council will expect developments to take this guidance into account in their response to this policy. In the meantime, the existing West of England SUDS guidance should be referred to. Well-designed SUDS provide an opportunity to deliver multiple co-benefits in addition to simply managing the flow of surface water, including in relation to biodiversity, carbon storage, recreation and physical and mental wellbeing. As such, the Council will expect to see multi-functional SUDS solutions which maximise these co-benefits.
NH1	Historic Environment	This policy protects and seeks to conserve and enhance the historic environment in West Somerset. Criterion 1 of the policy states that “planning decisions will have regard to the contribution heritage assets can have to the delivery of wider social, cultural, economic and environmental objectives” – this includes in relation to the Climate Emergency. Historic England provide a range of guidance notes on how

Policy No.	Policy Name	Commentary
		traditional, historic and Listed buildings can respond to climate change, including detailed guidance on energy efficiency and generating energy. ⁴³
NH2	Management of Heritage Assets	This policy aims to conserve and enhance the built and historic environment and the heritage assets that comprise it, in such a way that they continue to contribute positively to the communities' sense of identity and their attractiveness for residents and visitors. This includes through encouragement of the reuse and adaptation of historic buildings. Historic England provide a range of guidance notes on how traditional, historic and Listed buildings can respond to climate change, including detailed guidance on energy efficiency and generating energy. ⁴⁴
NH6	Nature Conservation and the Protection and Enhancement of Biodiversity	This policy requires applicants to demonstrate compliance with four criteria relating to the conservation, protection and enhancement of biodiversity. The Environment Bill currently making its way through Parliament is expected to bring in a formal requirement for developments to provide a minimum 10% biodiversity net gain, and for Councils to work with partners to develop Nature Recovery Network (NRN) Strategies. Through this policy, the Council already requires a net gain in biodiversity in West Somerset, where possible. Once national requirements and a national tool come in, this policy will default to these. In the meantime, the Council will refer to the Somerset Habitat Evaluation Procedure methodology ⁴⁵ in assessing policy compliance. The Council is a member of the recently reformed Local Nature Partnership (LNP) through which a NRN Strategy is proposed to be developed for Somerset. Once complete, the Council will refer to the NRN Strategy in consideration of compliance with criterion bullet point three in particular.
NH7	Green Infrastructure	This policy supports the creation and enhancement of a green infrastructure network. The Council is in the process of developing a Green and Blue Infrastructure Strategy. Developments will be able to deliver on and link into the proposed networks. From completion and adoption of the strategy it will be used as a material consideration in relation to how developments comply with this policy.
NH8	Protection of Best and Most Versatile Agricultural Land	This policy protects Grade 1, 2 and 3a agricultural land by requiring applicants to utilise lower grade farmland in sustainable locations before higher grade land where possible, suitable and available. The Somerset Climate Emergency Strategy and the CNCR Action Plan refer to the importance of locally grown food in terms of future food security, land management and reducing carbon emissions. It is therefore important that the best and most versatile agricultural land is retained for this purpose wherever possible. However, the sustainable location of new development close to essential services, facilities and public transport routes is also important. As such, this policy does not dictate a moratorium of development of best and most versatile agricultural land, but sets a framework for reducing reliance upon it for new development and protecting its ongoing use for agriculture.

Policy No.	Policy Name	Commentary
NH9	Pollution, Contaminated Land and Land Instability	<p>This policy identifies that proposals which would generate atmospheric emissions which would cause harm to human health, senses or property will not be permitted. In terms of this policy, atmospheric emissions is intended to refer to air, water, noise and toxin related pollution where it may be of local nuisance. It is not intended to refer to more general emission of greenhouse gases that contribute toward global heating and climate change. Whilst such emissions would be of nuisance and could cause harm more generally, the policy is intended to deal with localised issues including impacts on air quality, water quality and amenity. There are no current Air Quality Management Areas in the former West Somerset area, however, the Council will use this policy to ensure that new development does not contribute to air quality issues that do exist but are below the levels requiring formal management. The policy also refers to resisting development in areas on or in close proximity to land which is known to be or may be unstable. This is of particular relevance in coastal areas at risk of coastal erosion.</p>
NH12	Waterfowl Consultation Zone	<p>This policy defines a Waterfowl Consultation Zone, within which proposals for wind energy generating development may require a test of significance under the Habitat Regulations to determine potential effects on waterfowl associated with the Severn Estuary Special Protection Area / Ramsar site, as well as avoidance / mitigation measures. Whilst there are no policies within the West Somerset Local Plan to support wind energy generating development at present, future DPD or Neighbourhood Plan production could feasibly identify suitable locations or allocate sites, and this policy would then work in tandem with that policy for appropriate determination of such applications. The Waterfowl Consultation Zone does appear on the Proposals Map, but is difficult to identify. The area can be seen more clearly in the Habitat Regulations Assessment supporting the West Somerset Local Plan to 2032⁴⁶ (reproduced below for ease of reference).</p>

Policy No.	Policy Name	Commentary
		 <p>The map displays the geographical context of the policy area. It shows the District Council Boundary (outlined in blue), the Severn Estuary SPA/Ramsar (shaded in dark blue), and the Wetland Bird Consideration Zone (shaded in yellow). Key locations like Sturton, Sturton, Wick, and Stockland are labeled. A legend in the bottom right corner identifies the symbols used on the map.</p>
NH13	Securing High Standards of Design	<p>This policy requires new development to meet the highest standards of design and demonstrate where appropriate that five criteria have been met. In particular criterion bullet point three relates to designing public realm (including walking and cycling routes) to be attractive, safe, accessible and well connected. These elements of the policy are key to creating places that foster sustainable and active travel behaviours. In responding to this, the Council will expect developments to follow guidance within the ‘Manual for Streets’. The Highways Authority (Somerset County Council) provides advice and observations on planning applications. The Council is working with Somerset County Council to ensure that the Manual for Streets is taken as the starting point for new estate roads and modern, flexible and sustainable highways design is required and advised. Somerset County Council is in the process of updating its “Red Book” of design, layout and appearance standards for new streets in residential developments. Criterion bullet point five relates to minimising carbon emissions, promoting renewable energy, reducing impacts of climate change and ensuring these elements are integral to the design of the proposal. Whilst no specific standards are required by the policy, there is a clear intention to ensure new development is energy efficient and low carbon. As such, the Council will encourage (though not require) applicants to comply with the elements of policy DM5 of the Taunton Deane Core Strategy as set out in</p>

Policy No.	Policy Name	Commentary
		IGS 2 of this Statement, which sets a reasonable and proportionate interim way forward for development in this regard. The Council will also refer to the emerging districtwide Design Guide.
<i>Saved Policies of the West Somerset Local Plan 2006</i>		
TW/1	Trees and Woodland Protection	This policy protects woodlands, groups of trees or individual trees of significant landscape, wildlife or amenity value and will be used to require replacement and/or additional tree planting where appropriate. The protection afforded by the policy is related to the landscape, wildlife and amenity value of these assets, rather than their value in terms of carbon storage, though this is an obvious co-benefit. Appropriate compensation referred to by the policy is therefore in relation to mitigating landscape, wildlife and amenity impacts.
TW/2	Hedgerows	This policy is aimed at retention and protection of existing hedgerows and hedgerow trees unless they are not considered to be of value to the area's landscape, character or wildlife. The protection afforded by the policy is related to the landscape, character and wildlife value of these assets, rather than their value in terms of carbon storage, though this is an obvious co-benefit. The Hedgerow Regulations provide additional protection and information about classification.
BD/8	Re-Use of Existing Building Materials	This policy requires development to maximise use of building materials, building waste and spare soil within the development site. This is consistent with the National Planning Policy for Waste and the responsibilities of the local planning authority with regards to minimising waste and waste management. Generally, developers will re-circulate waste within a site anyway if at all possible, as this reduces costs associated with purchasing additional materials and exporting/disposing of spoil elsewhere. However, there can be major avoided carbon emissions from taking this approach and even more from maximising the possible uses. The Somerset Climate Emergency Strategy and the Council's CNCR Action Plan both highlight the value of moving to a more circular economy, and this is an early step in that journey.
BD/9	Energy and Waste Conservation	This policy requires development to demonstrate that the conservation of energy and water are integral to the development's design, layout, siting and drainage and that in relation to water conservation all practical measures are included. Whilst no specific standards are required by the policy, there is a clear intention to ensure new development is water and energy efficient. As such, the Council will encourage (though not require) applicants to comply with the elements of policy DM5 of the Taunton Deane Core Strategy as set out in IGS 2 of this Statement, which sets a reasonable and proportionate interim way forward for development in this regard. The Council will also refer to the emerging districtwide Design Guide.

Policy No.	Policy Name	Commentary
T/7	Non-Residential Development Car Parking	<p>This policy sets out the Councils expectations around car and cycle parking spaces in new developments. Compliance with the standards in Appendix 4 to the West Somerset Local Plan 2006 will normally be required. However, the requirements of this policy are older, and generally not as exacting as those set out in Somerset County Council's Countywide Parking Strategy (part of their Travel Plan Guidance). The County Council is understood to be looking to update the Parking Strategy in the near future. The Council will actively seek to apply the more exacting standard on a case by case basis, particularly focusing on ways that a reduction in parking space requirements can deliver improved accessibility to, within and through a development by walking, cycling, public and shared transport. Having said this, the Council recognises the balance that has to be struck in an area like West Somerset, where public transport connections are poor, and the population is particularly dispersed. Exceeding of the standard for car parking spaces (providing more spaces than required) will need to be justified and will generally not be permitted. The Council will rely on Travel Planning requirements in policy TR1 of the West Somerset Local Plan to 2032 to lead to the delivery of EV charging infrastructure. The policy makes no reference to cycle parking, though the Countywide Parking Strategy does. The emerging District-wide Design Guide includes guidance for the design and allocation of car and cycle parking spaces. The Government's Cycle Infrastructure Design Local Transport Note 1/20 should be referred to in relation to design of cycle infrastructure including parking.</p>
T/8	Residential Car Parking	<p>This policy sets out the Councils expectations around car and cycle parking spaces in new developments. Compliance with the standards in Appendix 4 to the West Somerset Local Plan 2006 will normally be required. However, the requirements of this policy are older, and generally not as exacting as those set out in Somerset County Council's Countywide Parking Strategy (part of their Travel Plan Guidance). The County Council is understood to be looking to update the Parking Strategy in the near future. The Council will actively seek to apply the more exacting standard on a case by case basis, particularly focusing on ways that a reduction in parking space requirements can deliver improved accessibility to, within and through a development by walking, cycling, public and shared transport. Having said this, the Council recognises the balance that has to be struck in an area like West Somerset, where public transport connections are poor, and the population is particularly dispersed. Exceeding of the standard for car parking spaces (providing more spaces than required) will need to be justified and will generally not be permitted. The Council will rely on Travel Planning requirements in policy TR1 of the West Somerset Local Plan to 2032 to lead to the delivery of EV charging infrastructure. The policy makes no reference to cycle parking, though the Countywide Parking Strategy does. The emerging District-wide Design Guide includes guidance for the design and allocation of car and cycle parking spaces. The Government's Cycle</p>

Policy No.	Policy Name	Commentary
		Infrastructure Design Local Transport Note 1/20 should be referred to in relation to design of cycle infrastructure including parking.

Appendix 2 – List of abbreviations used

BRE	– Building Research Establishment
BREEAM	– Building Research Establishment Environmental Assessment Method
CCMA	– Coastal Change Management Area
CfSH / Code	– Code for Sustainable Homes
CIBSE	– Chartered Institute of Building Services Engineers
CIL	– Community Infrastructure Levy
CNCR	– Carbon Neutrality and Climate Resilience Action Plan
CO2	– Carbon Dioxide
CSE	– Centre for Sustainable Energy
DCLG	– Department of Communities and Local Government (now MHCLG – Ministry for Housing, Communities and Local Government)
DER	– Dwelling Emission Rate
DFEE	– Dwelling Fabric Energy Efficiency
EA	– Environment Agency
EV	– Electric Vehicle
FTTP	– Fibre to the Premises
FSC	– Forest Stewardship Council
GI	– Green Infrastructure
ICNIRP	– International Commission on Non-Ionizing Radiation Protection
IGS	– Interim Guidance Statement
LCWIP	– Local Cycling and Walking Infrastructure Plan
LDO	– Local Development Order
LED	– Light-Emitting Diode

LETI	– London Energy Transformation Initiative
LNP	– Local Nature Partnership
Mbps	– Megabits per second
NPPF	– National Planning Policy Framework
NRN	– Nature Recovery Network
NSIP	– National Strategic Infrastructure Project
PCPA	– Planning and Compulsory Purchase Act 2004
PPG	– Planning Practice Guidance
RTPI	– Royal Town Planning Institute
S106	– Section 106 of the Town and Country Planning Act 1990
SADMMP	– Taunton Deane Site Allocations and Development Management Plan
SAP	– Standard Assessment Procedure
SBEM	– Simplified Building Energy Model
SCC	– Somerset County Council
SFRA	– Strategic Floor Risk Assessment
SMP	– Shoreline Management Plan
SPD	– Supplementary Planning Document
SUDS	– Sustainable Urban Drainage Systems
SWT	– Somerset West and Taunton
TACC	– Taunton Area Cycling Campaign
TCPA	– Town and Country Planning Association
TER	– Target Emission Rate
TFEE	– Target Fabric Energy Efficiency
UKCP18	– Met Office UK Climate Projections 2018
UKGBC	– UK Green Building Council

- UWE – University of the West of England
- WMS – Written Ministerial Statement
- WS – West Somerset
- ZCNDB – Zero Carbon Non Domestic Buildings

Appendix 3 – Example contents of a Sustainability Checklist and Energy Statement

Introduction

Policies DM5 (of the Taunton Deane Core Strategy), NH13 (of the West Somerset Local Plan to 2032) and BD/9 (saved policy of the West Somerset Local Plan 2006) set out a range of sustainability and energy efficiency requirements, applicable to development proposals. Policy DM5 specifically requires submission of a Sustainability Checklist and Energy Statement.

This note provides guidance on what these documents should include to demonstrate policy compliance. Whilst policies NH13 and BD/9 do not explicitly require submission of these documents, as detailed within the Interim Guidance Statement, in appropriate cases the Council will be in a position to *encourage* applicants in the former West Somerset area to formulate proposals which reflect the requirements of policy DM5, which identifies a reasonable and proportionate interim way forward for development. Submission of a Sustainability Checklist and Energy Statement can be an appropriate way to demonstrate this.

Relationship to the Climate Emergency Checklist

The Interim Guidance Statement also proposes that the local validation list will be updated to require submission of a completed Climate Emergency Checklist at the validation stage. Where both a Sustainability Checklist and Energy Statement, and a Climate Emergency Checklist are required, this can and should be rolled into a single submission at the validation stage.

What should I submit?

1. A completed Climate Emergency Checklist (appropriately explained and evidenced, and cross-referencing to other elements below).
2. Explanation of the general energy strategy for the development, referring to on-site energy efficiency measures, on-site renewable and low carbon technologies and off-site generation (where appropriate). Where applicable and not already included, this should include confirmation of how buildings are designed for low carbon solutions and climate resilience measures to be easily added in the future.
3. Demonstration of how energy use has been minimised and that energy efficiency has been integral to the siting, layout, design, landscaping and orientation of the proposal. Where possible, this may include confirmation of the Dwelling Fabric Energy Efficiency (DFEE) rate in comparison to the Target Fabric Energy Efficiency (TFEE) rate as identified through SAP calculations. Under Building Regulations, the DFEE must not exceed the TFEE. Confirming that the DFEE is anticipated to be significantly below the TFEE may help to demonstrate that energy efficiency is integral to the design of the buildings themselves.
4. A schedule of the materials and construction technologies proposed to be used, with details of
 - Provenance (where they are to be sourced from);
 - Sustainability credentials (e.g. FSC approved timber);

- Confirmation that it was not possible / feasible to re-use or recycle existing materials from the development site (where relevant);
 - Relevance of selected materials for potential future re-use and recycling;
 - Relevant energy use of construction technologies.
5. Calculations of anticipated carbon emissions, with specific reference to percentage improvement reductions over Part L of the Building Regulations 2013. Where possible this should be demonstrated through supply of relevant SAP/SBEM outputs detailing the anticipated percentage reduction of the Dwelling Emission Rate (DER) or Building Emission Rate (BER) over the Target Emission Rate (TER). SAP/ SBEM outputs should be prepared by a suitably qualified individual. Where this is not possible at this stage, but policy DM5 of the Taunton Deane Core Strategy is relevant, then it should be confirmed that the building will be designed to achieve at least the 20% carbon emissions reduction improvements over Part L of the Building Regulations 2013, as stipulated by the policy and explained in the Interim Guidance Statement. In this case, planning permission may be conditional upon demonstrating compliance at an appropriate later stage.
 6. A statement of how unnecessary energy use in the wider development has been avoided and reduced through passive solutions to minimise emission of noise, water and light pollution to the wider environment. This should link across to points 2 and 3, above, and point 7, below.
 7. Calculations of water efficiency performance together with explanation of the technologies to be implemented, demonstrating that water consumption will be limited to 110 litres/person/day.
 8. A statement confirming the processes and quality controls that are, or will be put in place to monitor building performance and ensure performance is as expected. This may refer to internal processes and quality controls, use of a recognised quality regime, or more specific arrangements.

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¹³ **Section 2 of the Climate Change Act 2008 (2050 Target Amendment) Order 2019**, available at <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

¹⁴ Committee on Climate Change (2020), **The Sixth Carbon Budget – The UK’s path to Net Zero**, available at <https://www.theccc.org.uk/publication/sixth-carbon-budget/>

¹⁵ MHCLG (2019) **National Planning Policy Framework**, available at <https://www.gov.uk/guidance/national-planning-policy-framework>

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¹⁸ MHCLG (2021) **The Future Homes Standard - Summary of responses received and Government response**, available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/953791/Government_response_to_Future_Homes_Standard_consultation.pdf

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

Consultation Report

February 2021

Version	Purpose	Date
1	For publication	08/02/2021

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

Consultation Report

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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 23rd November 2020 to 4th 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 23rd November 2020 to 4th 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;
- 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 23rd 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 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 11th 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 24th 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 24th 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 23rd 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.

Method	Number of respondents
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:

Respondent	Summary of comments
Bourne Leisure (via Lichfields)	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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>. • 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.
Canal & River Trust	<ul style="list-style-type: none"> • 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.
Carhampton Parish Council	<ul style="list-style-type: none"> • Agree with the sentiments expressed in the document and look forward with eager anticipation to see how these sentiments are implemented.

Comeytrowe Consortium (via Barton Willmore)	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • 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. • 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. • The key principles and parameters for the Comeytrowe scheme have already been approved as set out in the Design & 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. • 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. • Suggests that sites benefitting from outline planning permission have already been considered and approved against DM5. • 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.
Environment Agency	<ul style="list-style-type: none"> • The Environment Agency supports the Interim Policy Statement and encourages all means of reducing the effects of climate change. • 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. • Wastewater infrastructure improvements are particularly encouraged as nutrient enrichment in the surrounding area is particularly sensitive and would be welcomed. • Promotion and adopting of Natural Flood Management methods are encouraged for improved biodiversity and reduction in flood risk. • 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.

	<ul style="list-style-type: none"> • 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.
Hallam Land (via David Lock Associates)	<ul style="list-style-type: none"> • 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. • 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. • There is no evidence that suggests these policies have been collectively assessed for viability. • The Council should focus on integration of climate change into review of the Local Plan rather than introduction of a standalone policy statement.
Highways England	<ul style="list-style-type: none"> • 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. • 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.
Historic England	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • 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.

Natural England	<ul style="list-style-type: none"> • 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.
Persimmon	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • The Statement will delay determination of applications and impact on housing delivery. Such policies should be pursued via Local Plan review. • 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. • 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 & 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. • 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. • 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. • 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.

	<ul style="list-style-type: none"> • 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. • 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. • 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.
Redrow Homes (via Pegasus)	<ul style="list-style-type: none"> • 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). • 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. • 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. • 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. • 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.
Somerset County Council (Flood & Water Management)	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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

	<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"> • No specific comments.
Taylor Wimpey (via Savills)	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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.
Williton Parish Council	<ul style="list-style-type: none"> • 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.

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
<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. 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

	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.
Scope of the document	
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>	
<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/m²/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>

IGS1

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

<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>

	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.
Appendix 1	
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 January 2020 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. Part 1 of the Draft Design Guidance and Masterplan Framework 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 Draft Monkton Heathfield Garden Community Concept Plan and Design Guide 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 Draft Design Guide 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.

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.
General	
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

<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>

<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.

Report Number: SWT 17/21

Somerset West and Taunton Council

Executive – 24 February 2020

Safeguarding Policy

This matter is the responsibility of Executive Councillor Member Cllr Smith-Roberts

Report Author: Scott Weetch, Community Resilience Manager

1. Executive Summary / Purpose of the Report

To seek approval for an updated Safeguarding Policy.

2. Recommendations

2.1 Executive is asked to approve the Safeguarding Policy as at Appendix A

2.2 Delegation be provided to the relevant Corporate Director in consultation with the portfolio holder, to make any subsequent amendments required as a result of legislative or operational changes. The Safeguarding Policy will be reviewed annually and approved by the Senior Management Team.

3. Risk Assessment (if appropriate)

3.1 There is an ongoing risk associated with having incomplete or insufficient Safeguarding arrangements. The Policy goes some way to mitigating this

4. Background and Full details of the Report

4.1 The Council has a statutory responsibility and a duty of care to ensure that in discharging its functions, regard is given to the need to safeguard and promote the welfare of children and young people under the age of 18 and vulnerable adults. This includes working in line with safeguarding guidelines and reporting issues of safeguarding to the appropriate authorities and partner agencies.

4.2 Safeguarding should be embedded within the organisation as it cuts across all services and functions of the Council. It cannot and must not operate in isolation.

4.3 The Safeguarding Policy has been reviewed to ensure that it reflects current legislation, countywide procedures and working practices at the Council. It is attached as Appendix A.

- 4.4 The updated document is designed to outline the legislative requirements in respect of safeguarding and the duties that are placed on the Council in this regard. It also specifies the duties and responsibilities of various officers of the Council in respect of safeguarding.
- 4.5 Training is an important aspect of safeguarding and it is mandated that all staff complete e-learning on safeguarding with specialist courses being provided as necessary. All staff also receive initial information as part of their induction. The Council has access to a variety of training and staff will have access to such training as is commensurate with their role and duties to ensure learning is current and relevant. This is likely to include, but not limited to Sheltered Housing officers, estates officers, homelessness staff and other key customer facing positions such as Revenues and Benefits officers and trades staff.
- 4.6 The Council will also encourage and, where possible, help to facilitate, Safeguarding training for those who work with us from the Voluntary and Community Sector (VCS).
- 4.7 As the duties also extend to Elected Members, it is appropriate to hold periodic awareness sessions with Councillors.
- 4.8 An important part of safeguarding work is participation in County-wide partnerships where good practice can be shared and also ensures that all partners are working to similar standards. The Council adheres to agreed information sharing protocols.
- 4.9 Subject to approval, it is intended to promote awareness of the Safeguarding Policy with staff via the internal communications and more formally through our online learning portal which requires staff to understand and accept the policy. The Council will also continue to coordinate and champion safeguarding through regular internal 'Safeguarding Leads' meetings. Raising awareness is a key component of good governance in this area.
- 4.10 In addition, following adoption of the policy, next steps include:
- i. Development or updating of existing procedures:
 1. Procedures for Children's Early Help or Safeguarding Concerns and Child Sexual Exploitation
 2. Procedures for Adults at Risk concerns
 3. Guide for staff (do's and don'ts working with children and adults)
 4. Disclosure and Barring Service requirements – cross checking against key roles
 5. Prevent, Modern Day Slavery, Female Genital Mutilation and Domestic Abuse
 - ii. E-learning oversight to ensure training is being utilised
 - iii. Re-establish Safeguarding Champions roles.
 - iv. Bite-sized bespoke training - For front-line staff and members
 - v. Communications and Promotion internally
- 4.11 All council policies should include a safeguarding consideration, where necessary. To ensure that Safeguarding is always considered, it is included as part of the Corporate template for reports.
- 4.12 There is an Annual Section 11 Audit carried out by Somerset County Council to review policy and procedure across the county. This is currently in progress for the year 2020/21. Any findings from that Audit will be actioned accordingly.

5. Links to Corporate Strategy

5.1 This policy sits across all priority streams and outcomes.

6. Finance / Resource Implications

6.1 The implementation of this policy is not expect to incur any additional costs over and above existing budgets and resources. Paid-for training courses will be funded within the current training budget. Duties and responsibilities apply to existing staff with no additional capacity requirements identified at this stage.

7. Legal Implications (if any)

7.1 These are set out in detail under item 4 of the Policy. In particular, the Council has obligations under the Care Act 2014, sections 42-46; and the Children Act 2004, section 11 which places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.

8. Climate and Sustainability Implications (if any)

8.1 No anticipated impacts

9. Safeguarding and/or Community Safety Implications (if any)

9.1 These are considered as part of the overall report and aims of the policy.

10. Equality and Diversity Implications (if any)

10.1 Adequate safeguarding arrangements help to ensure that those with protected characteristics are embedded in our policy framework and that sufficient protections are in place to ensure the safety and wellbeing of those individuals and groups. An Equality Impact Assessment has been undertaken and has found no adverse impacts.

11. Social Value Implications (if any)

11.1 The Public Services (Social Value) Act came into force on 31 January 2013. It requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

11.2 Safeguarding is a feature of commissioning in as much as providers must have adequate safeguarding policies in place or statement of safeguarding intent.

12. Partnership Implications (if any)

12.1 Arrangements to ensure safeguarding cut across a number of partnership arrangements and partners e.g. Somerset County Council, the Safer Somerset Partnership. See also section 15 below.

13. Health and Wellbeing Implications (if any)

13.1 Safeguarding is intrinsically linked with Health and Wellbeing, which is a key outcome for the policy and actions that result from it.

14. Asset Management Implications (if any)

14.1 None

15. Data Protection Implications (if any)

15.1 It is essential that safeguarding concerns are able to be raised, discussed and resolved in a multi-agency environment where it is appropriate to do so. As such, sufficient data and information sharing agreements must be in place to enable and support such discussion whilst also protecting the rights and freedoms of individuals. Such arrangements exist and are regularly reviewed.

16. Consultation Implications (if any)

16.1 None

17. Scrutiny/Executive Comments / Recommendation(s) (if any)

17.1 None

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Executive – Yes**
- **Full Council – No**

Reporting Frequency: Once only Ad-hoc Quarterly
 Twice-yearly Annually

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The logo for Somerset West and Taunton, featuring the text "Somerset West and Taunton" in white, bold, sans-serif font, set against a teal background with a white curved graphic element on the right side.

SAFEGUARDING POLICY

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Somerset West and Taunton Council Safeguarding Policy – December 2020

1.0 Introduction

- 1.1 Somerset West and Taunton Council believes that all children, young people and adults have the right to be safe, happy and healthy and deserve protection from abuse. The council is committed to safeguarding from harm all children, young people and adults with care and support needs (see definition in point 3.1 relating to the Care Act 2014) using any council services and involved in any of their activities, and to treat them with respect during their dealings with the councils, our partners and contractors.
- 1.2 We aim to act as an exemplar of safeguarding practice providing strong leadership and improving safeguarding standards through having a robust safeguarding policy and monitoring system.
- 1.3 It is important to note that it is not the responsibility of the Council to decide whether or not abuse has taken place. However, it is the responsibility of all individuals within the Council to take action by reporting their concerns in accordance with this Policy to the appropriate agencies.

2.0 Aims of the Policy

2.1 The aims of the policy are to:

- Ensure that children and adults at risk are protected within the facilities, services and activities under the direct remit and control of the Council.
- To ensure that the welfare of children and adults at risk are of paramount importance, regardless of age, race, social class, gender, culture, religious belief, ability or sexual identity when planning, organising, advising on and delivering activities and services.
- To respond swiftly and appropriately to all suspicions or allegations of abuse, and to ensure confidential information is restricted to the appropriate external agencies
- Establish the roles and responsibilities of all parties within scope of the policy.
- Minimise chances of abuse through effective Council recruitment and selection procedures.
- Have procedures in place for dealing with concerns through the process of timely and appropriate reporting of issues to Somerset County Council.
- Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and adults with care and support needs are protected and respected.

- Promote best practice in how employees, elected members and associated workers interact with children, young people and adults with care and support needs while providing Council services.
- Develop clear guidance and procedures for those employees, elected members and associated workers and ensure through training and support that they are aware of these and able to implement them.
- Provide a framework for developing partnerships with appropriate external bodies e.g. Teams Around Schools to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of children, young people and adults with care and support needs.

3.0 Scope of the Policy

3.1 The policy is in respect of District Council's responsibility towards:

Children and Young People are defined as up to and including the age of **17** (including unborn babies), once an individual passes their 18th birthday, they are an adult in this legal context. An extension of this age exists in terms of some service provision for children who are disabled and for those in local authority care settings.

An **Adult at Risk** is an adult who

- has needs for care and support (whether or not the local authority is meeting any of those needs such as elderly and frail due to ill health, physical disability or cognitive impairment, or someone with a learning disability or has a physical disability, or mental health needs including dementia or a personality disorder, or a person who misuses substances or alcohol), and;
- is experiencing, or is at risk of, abuse or neglect, and;
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

(Safeguarding Adults Multi-Agency Policy, March 2015)

Further information on safeguarding adults and the types and indicators of abuse, can be found at: <https://www.scie.org.uk/publications/ata glance/69-adults-safeguarding-types-andindicators-of-abuse.asp>

- The employees of the council who have dealings with children, young people and adults with care and support needs and who are required to act in a position of trust and to act responsibly and within the law.
- The employees and elected members of the council who, while not required to act in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.
- Volunteers and other workers involved in the provision of council services but not employed by the council, including workers in organisations with whom the council has contracts for the delivery of services.

3.2 It covers all the functions and services of the council, its elected members, staff, partners and contractors.

- 3.3 This document is primarily concerned with protecting children, young people and adults with care and support needs from harm and providing guidance on how to deal with issues. However it is important to remember that safeguarding has a wider meaning which includes the promotion of welfare and taking action to enable all children, young people and adults with care and support needs to have the best life outcomes.
- 3.4 The policy does not cover health and safety issues related to safeguarding children such as use of play equipment or provision of food at events. Separate guidance on this and appropriate behaviours when dealing with children and adults with care and support needs, should be read in conjunction with this policy.

4.0 Legal Framework

- 4.1 This policy is based on Somerset West and Taunton Council's responsibilities under:
- 4.1.1 The Care Act 2014 in particular Sections 42 to 46 related to safeguarding, further information can be found at:
<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>
- 4.1.2 The Children Act 2004, specifically Section 11 which places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Further information can be found at:
<http://www.legislation.gov.uk/ukpga/2004/31/contents>
- 4.1.3 The Counter Terrorism Act 2015 section 26 which places a duty on certain bodies, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism. The Prevent Agenda is one of four strands which makes up the Governments counterterrorism strategy. Further information can be found at: <http://www.legislation.gov.uk/ukpga/2015/6/contents>
- 4.1.4 The Modern Slavery Act 2015. Further information can be found at:
<http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>
- 4.1.5 The Anti-Social Behaviour, Crime and Policing Act 2014 in particular Part 10 relating to forced marriage. Further information can be found at:
<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>
- 4.1.6 The Serious Crime Act 2015 particularly Part 5 relating to female genital mutilation, child cruelty and domestic abuse. Further information can be found at:
<http://www.legislation.gov.uk/ukpga/2015/9/contents/enacted>

5.0 Roles and Responsibilities

- 5.1 Responsibility for the implementation of this policy lies at all levels of the council.
- 5.2 Members

- 5.2.1 Elected members are collectively responsible for ensuring that the council has a policy, which adequately provides protection for children and adults with care and support needs in receipt of its services and for the regular review of this policy in the light of changes to legislation or regulation.
- 5.2.2 Each Somerset West and Taunton Councillor has the personal responsibility to comply with the policy.
- 5.2.3 Elected Members should report any concerns to the Corporate Safeguarding Lead or Corporate Safeguarding Officer or Safeguarding representative.
- 5.2.4 **The Portfolio Holder for Community has lead responsibility for safeguarding.**

5.3 Officers

- 5.3.1 All employees and particularly those working with children and adults with care and support needs are responsible for:
- Ensuring that they have completed all relevant training in relation to safeguarding
 - Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and adults with care and support needs.
 - Ensuring that they feel confident in working within this environment and working with their managers to ensure that they have the knowledge and skills to carry out their tasks in this context.
 - Treating all those children and adults with whom they come into contact while carrying out their work equally and with respect.
 - Any staff who have a safeguarding concern should in the first instance discuss the matter with any one of the Safeguarding Representatives who will make a decision whether or not to refer the matter to the appropriate external organisation. A suite of supporting procedural documents is made available to all staff on the council's Sharepoint site.
 - Taking personal responsibility for their own welfare related to distressing or difficult disclosure of case outcomes and engaging in appropriate levels of support as required by the situation or the organisation.
- 5.4 The Senior Management Team (SMT) is required to ensure good governance of the organisation and has responsibility to make sure this policy is consistently applied and taken into account when setting strategic direction and reviewing performance.
- 5.4.1 Members of **SMT** are also responsible for:
- Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the employees involved with them.

- Ensuring that the procurement framework for the authority includes expectations upon contractors to demonstrate effective safeguarding practices for all their staff.

5.5 The **Corporate Safeguarding Lead (Assistant Director for Housing)** is responsible for:

- Ensuring that the Council has a robust Safeguarding Policy and Procedure in place
- Overseeing and ensuring that Safeguarding incidents are escalated and responded to in an appropriate and timely manner.
- Receiving allegations where there is a concern for the welfare of a child or adult at risk where an allegation has been made against a representative of the Council.
- This officer will also champion the safeguarding of children and adults at risk within the organisation and in partnership working with external agencies.
- Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to the Council's Human Resources team if the incident involves an employee.
- Ensuring that employees, volunteers and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area.
- Ensuring that external contractors delivering council services are aware of the council's expectation that workers are aware of and abide by the standards of behaviour expected of council employees.
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. Somerset County Council Local Authority Designated Officer (LADO), Safeguarding Board or the Police, and to council's Human Resources team where employees, volunteers and contractors are involved and to the Monitoring Officer where elected members are involved.
- Ensuring that employees and others do not work with children or adults with care and support needs on regulated activities without an appropriate Disclosure & Barring Service (DBS) disclosure.
- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and adults with care and support needs, where necessary.
- Ensuring that adequate supervision and support is available to those who have been directly involved in dealing with safeguarding cases, including a debrief of the case and any relevant outcomes.

5.6 The **Corporate Safeguarding Officer (Community Resilience Manager)** is responsible for:

- Coordinating the implementation of the policy and providing a single point of contact.
- Recommending to the Safeguarding Lead and SMT new/revised policies and procedures, so that the Council can safeguard children and adults in accordance with its legal obligations.
- Developing and implementing a performance framework and reporting on the Council's safeguarding performance to Committee.
- Promoting the policy within the Council.
- Procuring and directly providing training, so that officers can undertake their safeguarding roles successfully and efficiently.
- Ensuring there is a secure central record relating to allegations and investigations.
- Working with other district authorities to share best practice and create a shared culture for Somerset.
- Advocating the importance of safeguarding to partners, contractors and customers
- Ensuring all safeguarding policies, procedures and guidelines are implemented and promoted
- In addition the Corporate Safeguarding Officer chairs a Safeguarding Representatives Group made up of a number of staff across the different services of the council. This group will have an operational overview of safeguarding issues in service areas, together with actions that could be taken.

5.7 Safeguarding Representatives have responsibility for:

- Receiving concerns, discussing them with whoever has raised the concern and taking advice from the relevant partner agency/County Council service: this could include complex matters such as consent and whether parents/carers should be notified.
- Making a decision about how to proceed and whether to make a formal referral. If there is disagreement on the appropriate course of action to take then the corporate safeguarding officer has the final decision. Where staff are dissatisfied with the decision of the corporate safeguarding officer, they should report their concerns to their line manager in the first instance and can still make a referral if they have strong concerns.
- Ensuring the procedure is followed on such matters as making a referral, confidentiality and recording.
- Working with colleagues to improve practice across the organisation.

- In the event of an incident or query, should the corporate safeguarding officer not be available, staff should go straight to relevant Somerset County Council service. They can be supported by a senior manager but details of any incident must not be shared unless absolutely necessary.
- Attending appropriate courses and updating of knowledge regarding safeguarding legislation and case reviews.

5.8 **Service Managers** are responsible for:

- Ensuring that this Policy forms part of the day to day operating procedures and practices of the services for which they are responsible
- Ensuring that effective supervision, support and training is in place for staff.
- Ensuring that all staff in their Service area have completed the mandatory training module on Safeguarding

5.9 **Human Resources (People Business Partner)** is responsible for:

- Identifying those services and posts that are likely to have an involvement with children and adults with care and support needs, and undertaking an appropriate risk assessment of posts in respect of DBS disclosure requirements.
- Ensuring that those people appointed by them to the District Council, whose normal duties fall into the definition of Regulated Activity as defined in the Safeguarding Vulnerable Groups Act 2006 and amended by the Protection of Freedoms Act 2012, are subject to the appropriate level of DBS disclosure and are appropriately qualified and/or trained in working with these groups.
- Working with Service Managers in maintaining a record of those posts, requiring a DBS disclosure together with the level of disclosure required.
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure.
- Ensuring that DBS Disclosures are carried out in compliance with legislation and DBS guidance.
- Supporting Service Managers in dealing with allegations of abuse or lack of care by staff.
- Referring information to the DBS and Local Authority Designated Officer (LADO) about employees who have been dismissed or removed from working with vulnerable groups (or would have been had they not left/resigned) as a result of a relevant caution/conviction, conduct that has harmed or put a child/vulnerable adult at risk of harm.

5.10 Volunteers, contractors, suppliers and consultants and other workers are responsible for:

- Working with employees of the council, to the same standard, in ensuring the safety and wellbeing of children and adults with care and support needs within their scope.
- Participating in any training or development opportunities offered to them to improve their knowledge of skills in this area.

A requirement to comply with equality legislation will be included in all contracts and service level/delivery agreements. Failure to comply may lead to the termination of contracts. Organisations doing business with us are welcome to adopt our safeguarding policy for their own use.

6.0 Policy and procedure

6.1 Responsibility for the maintenance and implementation of this policy is that of the Corporate Safeguarding Lead who has overall responsibility for the organisation's safeguarding arrangements.

6.2 This policy and the related guidance will be reviewed annually or sooner if required whenever there is a change in the related legislation or an emerging risk is identified. This will include an on-going review of guidance, both nationally and locally, to ensure the Council meets its requirements to safeguard children, young people and adults, and there are appropriate procedures and protocols in place.

6.3 This policy should also be used in conjunction with the following documents:

- Safeguarding children and vulnerable adults procedures
- Disciplinary Procedure
- Grievance Procedure
- Whistle Blowing Policy
- IT Acceptable Use Policy
- Equality and Diversity Policy
- Complaints & Feedback Procedure
- Dignity at Work Policy
- Health & Safety at Work guidance
- Disclosure & Barring Policy

6.4 Policy and Procedures that directly link here are:

- Domestic abuse (related policy)
- Response to suicide threats (procedure)
- Child Sexual Exploitation (procedure)
- County lines and cuckooing (procedure)
- Prevent (procedure)
- Human Trafficking and Slavery (published statement and procedure)
- FGM and honour-based violence (procedure)
- Early Help assessment for children (policy and procedure)
- Referral for care and support needs assessment for vulnerable adults (policy and procedure)

- Guidance to working with children and vulnerable adults (procedure)

7.0 Events and land hire

- 7.1 Any organisation who has lease agreements or regularly hire out or lease council facilities or open spaces, should have appropriate safeguarding procedures in place. They should also ensure any volunteer or employee that has unsupervised contact with children, young people or adults with care and support needs undertakes a DBS check.
- 7.2 A positive disclosure is a certificate that shows cautions, warnings or convictions. They may show spent convictions and also unspent convictions and for enhanced checks, they will also show information that a police force deems relevant to disclose based on the nature of the job that the individual will be undertaking. The organisation will be required to use a positive DBS Disclosure Decision Sheet to make an assessment about a volunteers' suitability to be named as the safeguarding representative for the event.
- 7.3 Any safeguarding concerns on council land should be reported to Corporate Safeguarding Officer or a Safeguarding Representative. (Not negating a need to call Police in a safeguarding emergency) Safeguarding Representatives are able to provide further advice and support to groups or organisations.

8.0 Grant applications

- 8.1 All organisations seeking funding from the Council are expected to have appropriate safeguarding policies and procedures in place according to the level and type of their activities. Such policies should include DBS checks for all employees and volunteers working with children, young people and adults with care and support needs. Evidence of these policies and procedures may be requested as part of the grant making process.
- 8.2 As a minimum, an organisation will be expected to have a policy statement or procedure relating to safeguarding. Commissioned, contracted or grant funded organisations with minimal contact with children, young people and vulnerable adults may wish to adopt the councils Safeguarding Policy and procedures if deemed suitable.

This policy will be reviewed annually to ensure that the policy meets its stated objectives and complies with legislative changes. Prior to release the reviewed policy will be formally agreed by Director of Housing at Somerset West and Taunton Council.

Name:.....

Position: Director of Housing

Date:.....

DOCUMENT HISTORY

Revision	Description of Changes	Date of Revision
01	First issue	2020

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Somerset West and Taunton Council		
Version	1	Date Completed	21 st November 2020
Description of what is being impact assessed			
A review of the Corporate Safeguarding Policy			
Evidence			
What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics , Somerset Intelligence Partnership , Somerset's Joint Strategic Needs Analysis (JSNA) , Staff and/ or area profiles ,, should be detailed here			
The JSNA and area profiles outline the different protected characteristics and their prevalence within the wider Somerset society. It is known that there is an ageing population with large areas of rurality. Also, there are a number of health inequalities dependent on where people live. Protected groups are represented across the community through various groups but not always as a single entity. Individuals are most at risk from inadequate Safeguarding measures and intelligence is gathered on these through case management and held in a database.			
Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?			
Individuals and groups have not been consulted as the impact is seen as solely being beneficial. Individuals and groups' needs will continue to be met through the revised Safeguarding Policy.			

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□
Disability	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□
Gender reassignment	<ul style="list-style-type: none"> No impact 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> No impact 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□

Race and ethnicity	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□
Religion or belief	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□
Sex	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□
Sexual orientation	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Neutral outcome but potential for positive impact 	□	⊗	□

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			□
	Select date			□
	Select date			□

	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
No negative impacts identified.				
Completed by:	Scott Weetch			
Date	21st November 2020			
Signed off by:				
Date				
Equality Lead/Manager sign off date:				
To be reviewed by: (officer name)				
Review date:				

Report Number: SWT 18/21

Somerset West and Taunton Council

Executive – 24 February 2021

East Street and St James Street, Taunton.

This matter is the responsibility of Executive Councillor Member Cllr Mike Rigby

Report Authors: (East St) Sarah Ellwood, Active Travel Officer and (St James St) Matt Parr, Project Manager

1. Executive Summary / Purpose of the Report

This report is split into two recommendations, which contribute to the same goals and objectives. The first details a plan to increase participation in active travel, reduce private car and public transport use whilst enabling social distancing in Taunton town centre, centred around new interventions on East Street. The second seeks authorisation for SWT Officers to work with the Highway Authority to make a permanent traffic regulation order on St James Street, following the successful 12-month trial closure which ended earlier this year.

2. Recommendations

For the Executive to approve:

- 2.1 Officers continue to work with Somerset County Council's Highways team and representatives of disability interest groups on proposed modifications to vehicular access on East Street in Taunton to increase active travel and enable social distancing. Specifically, instructing them to:
 - 2.1.1 Limit vehicular access and restrict traffic movement to one direction only (from the Fore Street junction, exiting onto East Reach/ Silver Street)
 - 2.1.2 Creating cycle lanes in both directions and offering additional cycle parking
 - 2.1.3 Create additional Blue Badge parking on Magdalene Street, Billet St and the Crescent Car Park
- 2.2 The 12-month trial scheme for St James Street be made permanent.

3. Risk Assessment (if appropriate)

The East Street scheme is subject to Road Safety Audit which will be carried out by Somerset County Council following detailed design.

4. Background and Full details of the Report

4.1 East Street

- 4.1.1 In May 2020 the Government announced a £2 bn funding package to increase levels of active travel in the UK. This grant was broken down into two phases: Emergency Active Travel Fund Tranche 1 to enable social distancing while allowing non-essential retail to reopen in July after the first national lockdown; Tranche 2 seeks to embed these changes in travel habits and create more permanent schemes to increase active travel in the long term.
- 4.1.2 Following the first national lockdown and the reopening of non-essential retail, June 2020 saw the closure of East Street to allow for social distancing and increase walking and cycling. This was intended to reduce reliance on public transport to allow continuing social distancing, whilst reducing the need for increased dependency on private car use that would contribute to traffic congestion and air pollution. A temporary barrier was added to the Fore Street junction at the Burma Memorial roundabout and was marshalled throughout the day to allow emergency vehicles and retail deliveries one-way access on to East Street.
- 4.1.3 Throughout this time, a longer-term solution to the marshalled temporary barrier was also being sought and the Council launched consultations – both online and directly with key stakeholder representatives.
- 4.1.4 An interim measure that was initially introduced to allow socially distanced shopping throughout December remains in force. To address the needs of those with the most severe mobility needs, Blue Badge holders are permitted one-way access to park on East Street before 10 am. There is no expectation for Blue Badge holders to have exited East St by any specific time, however, the current access hours are in place to minimise the number of vehicles on East St during the busier shopping hours. Subject to consultation with Highways and a review of usage, this could be extended. A longer-term plan for East Street has now been developed that incorporates public realm improvement work, consultation feedback and allows for continuing social distancing.
- 4.1.5 To further enable disabled access to the town centre, the Council, working in partnership with Somerset County Council, agreed to create additional Blue Badge parking bays on Billet Street and on Magdalene Street, with two additional Blue Badge spaces in the Crescent Car Park. The layout of the proposed car park on the bus station site in Tower Street will also have an increased proportion of Blue Badge bays when it comes into operation in the new year.
- 4.1.6 To alleviate traffic congestion that may be caused by the East St closure, traffic modelling will be undertaken to inform any longer term plans to permanently pedestrianise East St. Any permanent plans will be subject to further public consultation.

4.1.7 Cycle lanes will be created which will enable two-way directional travel for cycles 24 hours a day and new cycle storage and street furniture will be added to complement the anticipated increase in cyclists this scheme will see. This will also be subject to road safety audit and best practise for cycle infrastructure.

4.2 St James Street

4.2.1 In 2017, Somerset West and Taunton Council, working closely with Somerset County Council as Highways Authority, commissioned WSP Transportation and Infrastructure consultants to understand the current traffic and public realm environment in Taunton town centre, and recommend improvements which will support the Council's strategic vision for Taunton as the South West's first Garden Town.

4.2.2 Within this central aim, the team developed a project which sought to:

- Reduce the traffic dominance to provide a better pedestrian environment.
- Create better pedestrian/cycle linkages and signage.
- Upgrade public spaces.
- Support the Car Parking Strategy.
- Support good public transport, including coach parking.

4.2.3 The project to close East Street, Hammett Street and St James Street was initiated, and subsequently went through many iterations of research, design and consultation. In the first quarter of 2019, the Council reengaged with town centre stakeholders to review the original project goals and the scope of delivery for Phase 1 of the project. Three working groups were conducted with representatives from Taunton Area Cycling Campaign, Taunton Taxi Association, the Chamber of Commerce, Avon and Somerset Police, Taunton Transition Town, SCC Area Highways, WSP (Project Consultants), First Group Buses, Compass Disability and Taunton Visitor Centre.

4.2.4 The group agreed to initiate a 12-month trial on St James Street in May 2019, prior to the first Cricket World Cup fixtures the following month. This was to be supported by post-implementation feedback sessions, quarterly monitoring reviews and "stop or continue" checkpoints at month 6 and month 12.

4.2.5 The Council held a post-trial meeting of the stakeholder working group on 16th September 2020. The stakeholder group agreed that the outcomes from the trial are very much in line with the original project goals (above). In addition, the traders felt the closure had enabled them to form a cohesive 'Independent Quarter' brand and strengthen their co-ordinated marketing activities, particularly online. However, they did feel that the quality of the scheme could be improved and requested that the Council make this a priority moving forward. The final step will be for SWT Officers to work with the Highway Authority to make a permanent traffic regulation order.

Future High Street Funding

- 4.3 The recent allocation of Future High Street funding to SWT will contribute to town-wide active travel projects that will link up St James St, East St and onto Vivary Park (see Diagram 1). This funding, combined with potential Community Infrastructure Levy (CiL) allocations will give the opportunity to work a comprehensive scheme to improve cycling infrastructure in the town, complementing the two schemes highlighted in this report.
- 4.4 As a result, it may contribute to improvements along East St in the longer term. However, this phase of East St temporary closure works will be funded by the (provisional) £80k Active Travel Funding (Tranche 2)

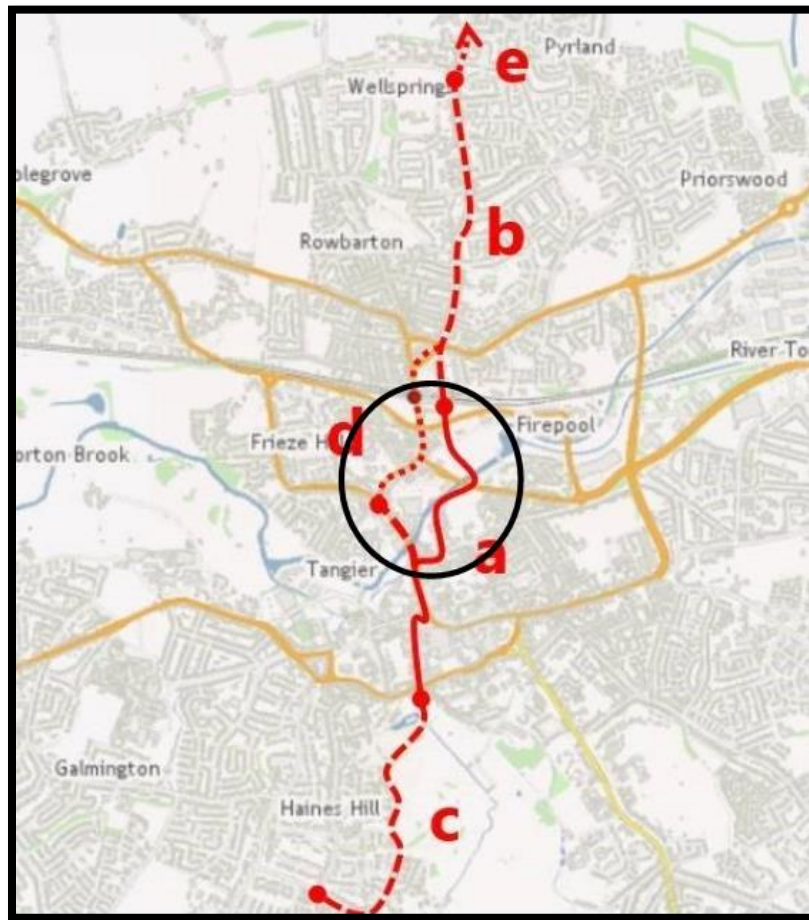


Diagram 1: 'Red Route – North to South Corridor'
draft Taunton LCWIP by Somerset County Council

5. Links to Corporate Strategy

The plans to modify access to East Street and St James Street are cost-effective ways to achieve a number of Corporate Strategy outcomes.

- 5.1 Increasing cycling and walking has been promoted by the Government to reduce reliance of public transport while social distancing is in place. Increasing participation in

active travel reduces transport carbon emissions which contribute up to 30% of the UK's total emissions. This not only contributes to the slowing of climate change but reduces traffic congestion, improves air quality, and can significantly benefit the physical and mental health of the community.

5.2 This plan will also contribute towards the delivery of strong, sustainable transport infrastructure. By increasing low-cost transport choices, access to employment, education and retail is improved, and our built and natural environment is enhanced by greener transport solutions.

6. Finance / Resource Implications

6.1 East Street

A provisional sum of £80k has been awarded to SWT from Tranche 2 of the s Department for Transport's Active Travel Fund, with further funding secured from Garden Town (£49.4k)

The scheme to date has been funded by Tranche 1 of the Active Travel Fund which was awarded in September; the Reopening High Streets fund has contributed to the costs of barriers after the Tranche 1 funding was expended.

Estimated project expenditure:

Item	Cost £k
Detailed design/ consultation	£20
Barrier	£19
Signage / white lining	£20
Cycle Storage	£7
Utilities / surveys	£10
Contingency @ 10%	£7.6
Total	£83.6k

6.2 The above figures are indicative at this time, subject to detailed design and site surveys. These will be a mix of revenue and capital, to be confirmed when final allocations are received.

6.3 Maintenance costs will be added to the budget when known.

6.4 St James Street

Costs to upgrade the street furniture in and around St James Street will be explored as part of the work to upgrade the crossing to Goodlands Gardens, and other schemes identified in the FHSF bid.

7. Legal Implications (if any)

East Street will continue to be SCC's legal responsibility for the duration of the scheme and therefore no legal implications are foreseen.

8. Climate and Sustainability Implications (if any)

These recommendations will help SWT to achieve our carbon reduction target and improve air quality by reducing reliance on private car use and increasing levels of cycling and walking in Taunton.

9. Safeguarding and/or Community Safety Implications (if any)

N/A

10. Equality and Diversity Implications (if any)

10.1 Following extensive consultation with stakeholders which is planned to continue throughout implementation, the East Street scheme has been designed to ensure people with severe mobility issues continue to be able to access retail by allowing timed access to park on the majority of the street.

10.2 SWT and SCC have implemented other measures, such as increasing the number of dedicated blue badge bays in Magdalene Street, Billet Street and the Crescent Car Park, in addition to the existing Shopmobility scheme in the Orchard Centre Level 2 car park. There were previously no dedicated blue badge bays on East Street at all.

10.3 SWT has carried out an Equalities Impact Assessment form and is in the process of contracting an independent Access Audit on the East St scheme to provide an objective appraisal of the scheme.

11. Social Value Implications (if any)

Both schemes have the potential to result in significant social value. A reduction in private car use will improve air quality and help slow climate change, noise pollution will be reduced and increased participation in cycling and walking will improve health and wellbeing.

12. Partnership Implications (if any)

These proposals have been created in partnership with Somerset County Council; monitoring and evaluation will also be carried out with continuing collaboration.

13. Health and Wellbeing Implications (if any)

Creating places for people to cycle and walk is a cost-effective way to improving health and wellbeing that can see benefit to cost ratios of up to 35:1 (DfT 2014). Restricting private vehicular access to East Street and St James Street will encourage modal shift.

This will, in turn, enable more active travel in the town centre which will help to improve health and wellbeing.

14. Asset Management Implications (if any)

N/A

15. Data Protection Implications (if any)

N/A

16. Consultation Implications (if any)

16.1 East Street

16.1.1 As well as direct consultation with key stakeholder group representatives, SWT launched an online consultation in August to gain feedback from all user groups on their experiences of the East Street closure. The results of this consultation saw 53% of participants believing the closure had been a success, 37% felt it had not been a success, 10% were undecided. Positives were seen as more space (83%) and the ability to cross the road safely (80%). Negatives were the impact on traffic movement around the town (75%) and the loss of on-street parking (41%).

16.1.2 Ongoing monitoring and evaluation of East Street will continue, and SWT will be launching additional consultations with the public and key stakeholder groups, in line with the DfT's requirements for the Active Travel Fund Tranche 2. This will likely be direct consultation with the relevant stakeholders (as listed below) rather than another public consultation.

16.2 St James Street

16.2.1 Three working groups were conducted with representatives from Taunton Area Cycling Campaign, Taunton Taxi Association, the Chamber of Commerce, Avon and Somerset Police, Taunton Transition Town, SCC Area Highways, WSP (Project Consultants), First Group Buses, Compass Disability and Taunton Visitor Centre.

16.2.2 The group agreed to initiate a 12-month trial on St James Street in May 2019, prior to the first Cricket World Cup fixtures the following month. This was to be supported by post-implementation feedback sessions, quarterly monitoring reviews and "stop or continue" checkpoints at month 6 and month 12.

16.2.3 SWT has contributed to lighting and banners for the area as part of the promotion of the "Taunton Independent Quarter".

17. Scrutiny/Executive Comments / Recommendation(s) (if any)

Scrutiny recommended that the following comment be inserted into recommendation 2.1:-

“and representatives of disability interest groups”.

The recommendation as it currently reads has incorporated this change with the support of the Portfolio Holder.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes 3rd Feb 21**
- **Cabinet/Executive – Yes 23rd Feb.**
- **Full Council – No**

Contact Officers

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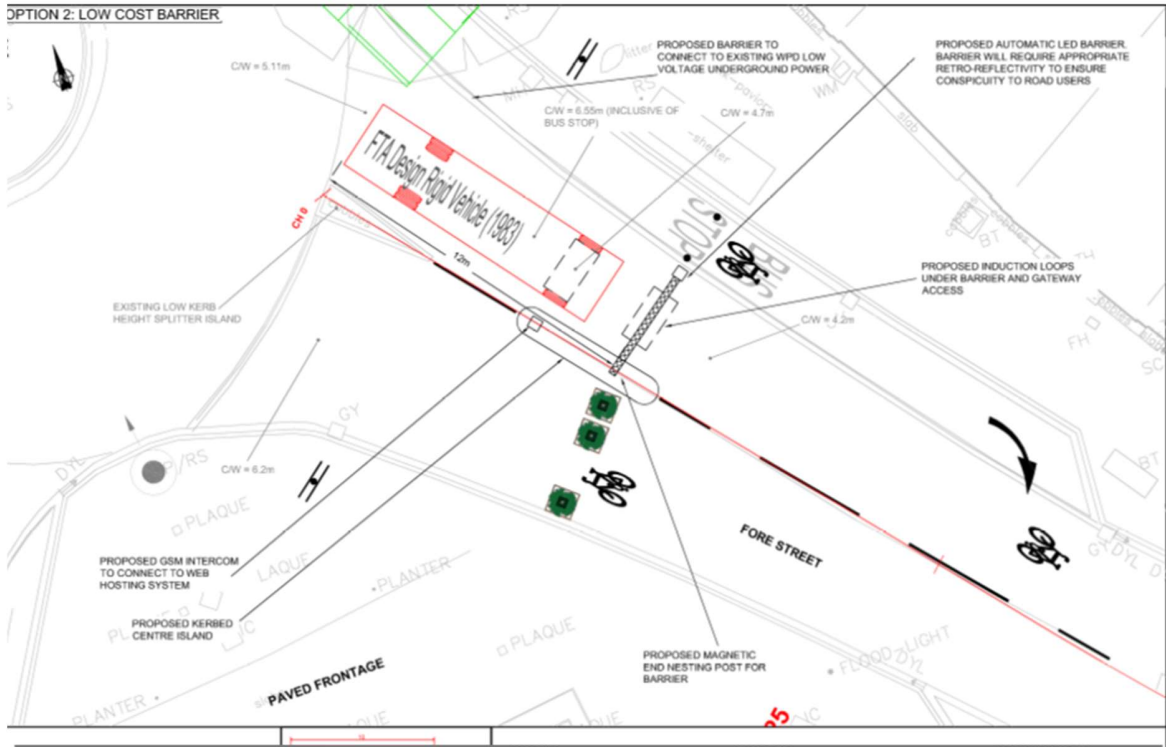
Appendix 1

East St layout:

Image 1: Existing Temporary barrier arrangement, allowing deliveries, cyclist and Blue Badge holders until 10am daily.



Image 2: Proposed solution will use an automated barrier, removing the need for marshalling at the barriers. The barrier will have an intercom to allow deliveries and blue badge holders to request access. RFID / ANPR options could be explored, and the barrier design will not prevent any addition of further changes in the future. In addition to the barrier, additional cycle storage will be provided at the point of closure.



BARRIER OPTION 1: HUB RISER BARRIER	
ADVANTAGES	DISADVANTAGES
Good vehicle safety with torque management. Highly Conspicuous	Low Vandal Proofing Score, Arms designed to shear at low torque
Industry Standard Pedestrian Safety	Expensive, Requires connection to fibre network
Short Lead in time 6 weeks	
Industry standard options available to upgraded in future	

BARRIER OPTION 2: LOW COST BARRIER	
ADVANTAGES	DISADVANTAGES
Good vehicle safety and Industry standard for pedestrian safety	Longest Lead in time 12 weeks
Low Cost, Power and SIM Only. APN Connection needed for web hosting	Low Vandal Proofing Score, Arms designed to shear at low torque
Industry standard options available to upgraded in future	Utilitarian, Less aesthetically pleasing than Option 1
One off maintenance contract with appropriate maintainability	



Report Number: SWT 19/21

Somerset West and Taunton Council

Executive – 24 February 2021

Local Validation Checklist

This matter is the responsibility of Executive Councillor Mike Rigby (Planning)

Report Author: Rebecca Miller, Principal Planning Specialist – Strategic Place Planning

1. Executive Summary / Purpose of the Report

- 1.1 This report seeks approval to adopt the Local Validation Checklist (LVC) following a public consultation. The Local Planning Authority (LPA) is required by the National Planning Policy Framework (NPPF) to review the LVC every two years.

2. Recommendations

- 2.1 Approve the LVC subject to a full public consultation and any comments received being fully considered and we necessary amendments made by the Principal Planning Specialist in conjunction with the Portfolio Holder for Planning.

3. Risk Assessment (if appropriate)

- 3.1 Failure to have a LVC in place will mean that when validating planning applications we can only insist on information identified in the National Checklist and any local requirements will not be met. If a planning application is validated without all of the information required due to local requirements, it will need to be requested during the determination process which will delay the decision making process.

4. Background and Full details of the Report

- 4.1 The Local Planning Authority (LPA) is responsible for the determination of planning applications and as part of that process, we have to set out to applicants / agents what information is required for an application to be validated.
- 4.2 Since 2008 local planning authorities have been required to publish a list of information they require to "validate" the planning applications they receive. This validation list forms two components, the National requirements, including the

application form, the fee, certificates etc and secondly, specific local validation requirements known as the "Local List".

- 4.3 Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
- 4.4 In addition and therefore Somerset West and Taunton's current validation requirements have undergone a significant review to reflect changes in planning legislation, policy and guidance.
- 4.5 The main changes that are proposed are as follows:
- Amendments to all sections to make the requirements clearer and updating the references to current legislation, guidance and standing advice
 - All website references have been updated where necessary
 - Addition of new requirements to demonstrate compliance with the Habitat Regulation requirements in the RAMSAR areas.
- 4.6 The information that is required in response to the climate emergency and the questions that are within the interim policy statement on Planning for the Climate Emergency has been included.

5. Links to Corporate Strategy

- 5.1 The Local Validation Checklist does not directly link to the Council's Strategic Priorities. However, it is required under National Planning Policy and therefore is a statutory duty of the Council.

6. Finance / Resource Implications

- 6.1 There are no implications as a result of the Local Validation Checklist.

7. Legal Implications (if any)

- 7.1 There are no implications as a result of the Local Validation Checklist.

8. Climate and Sustainability Implications (if any)

- 8.1 The Local Validation Checklist will have no direct impact on delivering our carbon reduction target (carbon neutral by 2030).

9. Safeguarding and/or Community Safety Implications (if any)

- 9.1 There are no implications as a result of the Local Validation Checklist.

10. Equality and Diversity Implications (if any)

- 10.1 There are no implications as a result of the Local Validation Checklist.

11. Social Value Implications (if any)

- 11.1 There are no implications as a result of the Local Validation Checklist.

12. Partnership Implications (if any)

12.1 There are no implications as a result of the Local Validation Checklist.

13. Health and Wellbeing Implications (if any)

13.1 There are no implications as a result of the Local Validation Checklist.

14. Asset Management Implications (if any)

14.1 There are no implications as a result of the Local Validation Checklist.

15. Data Protection Implications (if any)

15.1 There are no implications as a result of the Local Validation Checklist.

16. Consultation Implications (if any)

16.1 A full public consultation to take place giving 28 days for comments to be submitted. All consultation responses received will be taken into account by the Principal Planning Specialist and the Portfolio Holder for Planning and the LVC will be amended where appropriate prior to being published as a final version.

17. Scrutiny/Executive Comments / Recommendation(s) (if any)

17.1 N/A

18. Democratic Path:

- Scrutiny / Corporate Governance or Audit Committees – No
- Cabinet/Executive – Yes
- Full Council – No

19. Reporting Frequency:

19.1 Only once

List of Appendices

Appendix A	Local Validation Checklist
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Contact Officers

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Email	r.miller@somersetwestandtaunton.gov.uk

Local Validation Checklist

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Introduction

This local validation checklist has been produced to inform applicants/agents of the type of documents and level of information required to validate a planning application or other similar consents. There are National Requirements and Somerset West and Taunton (SWT) has local requirements. SWT's local validation checklist reflects both the National Guidance on the validation of applications and the local requirements. To avoid confusion, this document will merge Local and National requirements to enable use of this document as your one-stop shop, with the aim that your application can be registered as valid for determination by the Council first time round.

This checklist is intended to provide applicants/agents with clear advice as to the planning information that is considered necessary to allow Case Officers and Statutory/Non-Statutory consultees to properly consider proposals being put forward and to ensure a streamlined submission process.

Where a document or plan is listed for a particular type of application or consent, such an application may not be validated without this information. Everything that is required from applicants will be justified by policy or legislation so you know why we are asking for certain information. Links to other bodies and documents that will help you get your submission right can be found under the [Glossary](#) at the end of this document.

If you consider a required item is not applicable to your particular application then please contact **our Development Management Team** on 0300 304 8000 7805 for further advice.

Adoption / Review

Adopted by Executive

The local validation checklist should be reviewed and republished bi-annually as required under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3, Article 11 (3) (d).

How to use this document

This document has been designed for use both electronically and in hard copy; when used electronically you can click on the [blue hyperlinks](#) to navigate to specific items/web pages and can return to a previous [page](#) within this document by pressing the Alt key and the left arrow key. The hyperlinks provide a direct link to forms, the glossary and webpages providing additional detail and guidance as to what information may be required.

This document provides specific requirements for all types of applications and these are listed in the Contents page. Applicants/agents should ensure that their application includes all of the information required for the specific type that is being submitted, the below key is used:

- ✓ = Required and must be provided at the time of submission ⓘ = May be required, please see specific guidance

Any additional information required based on the individual proposal should ideally be provided at submission (please review [Other supporting information](#)). If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision.

Guidance for All Applicants/Agents

What is Validation?

Validation is the process of checking that all relevant documentation and fee (where applicable) has been provided. If an applicant/agent submits an application without the necessary documentation, fee, or with clear inaccuracies, we will notify the applicant/agent listing the issues and declare the application invalid (with no further action taken for 28 days) until the required information/fee is provided.

Some of the requirements are National Requirements and some are Local Requirements which have been adopted by the Council. For simplicity, no differentiation is made in this document between the two types of requirement.

The Extent of Information Requested

The extent of information requested for validation has been the subject of consultations and will be sought on the basis of what is considered to be reasonable and proportionate having regard to the scale and nature of the proposed development and material considerations - as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3 Article 11 (3) (c).

Validation disputes

If an applicant/agent disagrees with the reasons for invalidating a planning application the Principal Planning Specialist should be contacted in the first instance to discuss the requirement. Following this if negotiations with the authority have failed, a notice may be sent to the authority setting out reasons for refusing to supply the information under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3 Article 12. The applicant/agent must have submitted all the other information needed to validate the application together with the fee (where applicable). The authority will then either confirm the information is no longer required and issue an acknowledgement letter confirming the statutory start date or disagree and issue a letter of invalidation against which the applicant may then appeal under Section 78 of the Town and Country Planning Act 1990 (as amended).

Submitting an Application

All applications must be submitted on the appropriate Standard Application Form, it must be signed and dated and all questions on the form must be answered fully and accurately.

Personal or Sensitive Data

Where there is a need to submit information considered 'personal data' or 'sensitive personal data' under the General Data Protection Regulations (GDPR) this information should be submitted in a separate document without cross-referencing in documents that can be made public, and clearly marked as confidential.

The definition of 'personal data' and 'sensitive personal data' can be found in the Information Commissioner's Office (ICO) [Guide to the General Data Protection Regulation \(GDPR\)](#) and will include for example personal circumstances and health information.

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Submission direct to Somerset West and Taunton Council

- We do accept application submissions on CD/DVD
- Applications can be submitted on WeTransfer.
- Via email to planning@somersetwestandtaunton.gov.uk (e-mails with attachments should be no bigger than 10mb), no paper copies are required at submission

Submission via the Planning Portal

- Apply online via the Planning Portal application service <https://www.planningportal.co.uk/applications>, no paper copies are required at submission
- For further information about making an application via the Planning Portal please see their website <https://www.planningportal.co.uk>

Pre-Application Advice

In accordance with SWT's proactive approach, all applicants/agents are strongly advised to seek pre-application advice before submitting an application, to discuss the likelihood of a successful outcome. This will help to highlight any potential issues at an early stage in the planning process and ensure that the necessary documentation is submitted. This is considered essential for major applications.




For further information please view our Pre-Planning Application Advice webpage <https://www.somersetwestandtaunton.gov.uk/planning/pre-planning-advice/>





Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Street Scene		<p>where the access is changing, ie off road parking etc,</p> <p>Existing and proposed elevations of access arrangements (street scenes) will be required clearly showing the changes/amendments to the access</p>		
<p>Block / Site Plan (existing and proposed)</p> <p>Page 166</p>	✓	<ul style="list-style-type: none"> • Be as up-to-date as possible (within the last two years) • Be at an identified measurable scale of 1:200 or 1:500 and include a scale bar • Be clearly marked with the direction of North • Clearly show the proposed development • Include all site boundaries, existing buildings, roads, tracks, footpaths, public rights of way, walls, banks and historic features, ponds, watercourses and proposed boundary treatments/walls/fencing (including measures for removal and/or retention); within the application site. • Clearly show any buildings to be demolished • Show new buildings in context with adjacent buildings • Include existing and proposed parking provision, access arrangements and the extent and type of any hard surfacing • Clearly show the position of all trees and all hedges and those that could influence or be affected by the development; with proposals for removal and/or retention clearly indicated (including boundary hedges); on/near the application site. • Have a unique drawing number • Indicate original paper size (A4, A3 etc.) on drawings for printing and be uploaded/printed in colour • Clearly show an authorised copier's licence number together with the appropriate copyright acknowledgements. 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
<p>Elevation Drawings (existing and proposed)</p>	<p>✓</p>	<ul style="list-style-type: none"> • Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar. Larger scale drawings may be required for Listed Buildings • Show all elevations in full unless otherwise agreed • Show proposed building materials, style and finish of the building and windows and doors • Show any other buildings that are attached to the elevation and where possible the main features of that adjoining building (e.g. details of doors, windows on the same elevation of an adjoining terraced or semi-detached dwelling). • Show existing elevations clearly identified as North, South, East and West with all existing door and window detailing. • Show proposed changes on each elevation. <ul style="list-style-type: none"> ○ If no changes to an elevation are proposed provide one elevational drawing confirming it as existing and proposed. ○ Part elevations can be provided if there are inset areas to the building. • Have a unique drawing number • Indicate original paper size (A4, A3 etc.) on drawings for printing and be uploaded/printed in colour where needed • Include the particulars specified or referred to in the application form e.g. material etc. 	<p>Local requirement</p>	

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
<p>Floor Plans (existing and proposed)</p>	<p>✓</p>	<ul style="list-style-type: none"> • Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar • Clearly identify the extent of any proposed uses being applied for • Clearly identify the existing and proposed use of each room on the floor plans • Show all openings i.e. doors and windows • Show any buildings or walls to be demolished • Show an existing and proposed roof plan for any alterations that would involve a change to the roof • Show finished floor level for any new buildings • Have a unique drawing number • Indicate original paper size (A4, A3 etc.) on drawings for printing and be uploaded/printed in colour where needed 	<p>Local requirement</p>	
<p>Section Plans (existing and proposed)</p>	<p>ⓘ</p>	<p>Required if there is proposed to be a change of levels within the site i.e. building part cut into the ground</p> <ul style="list-style-type: none"> • Be at an identified measurable scale (of 1:100 or 1:200) appropriate to the scale of the development and include a scale bar • Show a cross section(s) through the proposed building(s)/structure(s)/site • Provide details of existing and proposed levels with reference to an off-site fixed datum point • Have a unique drawing number • Indicate original paper size (A4, A3 etc.) on drawings for printing and be uploaded/printed in colour where needed 	<p>Local requirement</p>	

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Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Levels (existing and proposed)		<p>Required for all detached buildings, and also extensions/additions if different to the finished floor levels of the main dwelling, to confirm proposed finished floor levels relative to a fixed datum point e.g. a manhole cover.</p> <ul style="list-style-type: none"> • Be at an identified measurable scale appropriate to the scale of development and include a scale bar • The levels plan should show some reference to the height/level of the adjoining land • Provide details of existing and proposed levels (to include finished floor levels) with reference to an off-site fixed datum point and include any retaining walls. • Have a unique drawing number • Indicate original paper size (A4, A3 etc.) on drawings for printing and be uploaded/printed in colour where needed 	Local requirement	
Roof Plan		<p>Required if there are changes to the roof.</p> <ul style="list-style-type: none"> • Be drawn to a scale of 1:50 or 1:100 • Show the shape of the roof particularly when development includes changes to its appearance and shape • Show the position of all ridges, valleys, dormer windows, roof lights and other features, such as chimneys or raised parapets • Include details such as the roofing material and their location 	Local requirement	
Ecology Report		<p>Required if works are proposed which may affect protected species or habitats, survey dated within last 2 years.</p> <p>Bat survey required if works are proposed to raise, replace, remove or add to an existing roof or works in loft spaces or outbuildings, within Bat Consultation Zones, rural areas or in close proximity to a woodland or watercourse</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Flood Risk Assessment (FRA)		<p>Required for development in Flood Zone 2 and 3 or works within 8m of a main river, and all development of a site area of 1 hectare or over in Flood Zone 1,</p> <p>Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice:</p> <ul style="list-style-type: none"> • National Flood Risk: Standing Advice • Flood Risk Assessment for Planning Applications 	Local requirement	
Heritage Statement		<p>Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument or proposals that have archaeological implications.</p> <p>If a Listed Building you will also require Listed Building Consent</p>	Local requirement NPPF paragraph 189	
Design and Access Statement		Required for Listed Buildings or if in a Conservation Area where the proposed development consists of building(s) with a floorspace of 100m ² or more, and should include a Heritage Statement .	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 2 PPG Design paragraphs 012, 029-033	
Tree Survey / Report		Required for works that potentially affect the health or survival of a tree on the site or adjoining land. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction.	Local requirement BS: 5837 (2012)	

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Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Climate Emergency Checklist	✓	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	<p>Local requirement</p> <p>Climate Change Act 2008</p> <p>NPPF paragraph 148</p>	
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> • Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ • Please see the catchment map 		

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Extra information required dependent on the Proposal


Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.

Change of Use

If you are intending to change the use of all or part of your property/land, you may need to obtain planning permission. The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as use classes. The full application for Planning Permission form should be used for change of use applications.

Info Required:	Req'd	What / When is required:	Policy / Legislation:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> • Application form for Planning Permission (completed form, signed and dated) • Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	✓	Existing: Required Proposed: Required if there is a change to elevations For further details please see Elevation Drawings	Local requirement	
Floor Plans (existing and proposed)	✓	Existing: Required Proposed: Required if there is a change to floor plans For further details please see Floor Plans	Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislation:	Submitted ✓
Ecology Report		<p>Required if works are proposed which may affect protected species or habitats survey dated within last two years.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Environmental Impact Assessment (EIA)		<p>Compulsory for all development listed in Schedule 1 and for all development listed in Schedule 2 screened likely to have significant effects on the environment.</p> <p>Where a development is subject to EIA and there is also a requirement to carry out a Habitats Regulation Assessment (HRA), where appropriate, the HRA and the EIA must be co-ordinated.</p>	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)</p> <p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Flood Risk Assessment (FRA)		<p>Required for :</p> <ul style="list-style-type: none"> Essential infrastructure / Highly vulnerable / More vulnerable uses within Flood Zone 2 and 3 <p>Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.</p>	<p>Local requirement</p> <p>PPG Flood risk and coastal change</p>	
Heritage Statement		<p>Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.</p> <p>If a Listed Building you will also require Listed Building Consent</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	
Planning Statement		<p>Required for all change of use applications</p>	<p>Local requirement</p> <p>NPPF paragraphs 10-11</p>	

Info Required:	Req'd	What / When is required:	Policy / Legislation:	Submitted ✓
Transport Assessment		Required for Development that is likely to: <ul style="list-style-type: none"> • Result in a material increase or change in the traffic; • Affect a classified road or proposed highway; • Involve the laying out or construction of a highway or access; • Impact on other modes of transport; 	Local requirement	
Climate Emergency Checklist Page 175	✓	Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. 	Local requirement Climate Change Act 2008 NPPF paragraph 148	

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		through biodiversity net gain)?		
Habitat Regulation Assessment	✓	<ul style="list-style-type: none">• Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/• Please see the catchment map		



Extra information required dependent on the Proposal

Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.

Full Planning Application for Minor Development





Full applications are for many types of application including the erection of new dwellings, agricultural buildings or development involving commercial and industrial properties.








Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> • Application for Planning Permission (completed form, signed and dated) • Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	ⓘ	<p>Required for changes to elevations – for further details please see Elevation Drawings</p> <p>where a new or change to access is proposed: Existing and proposed elevations of access arrangements (street scenes) will be required clearly showing the changes/amendments to the access</p>	Local requirement	
Floor Plans (existing and proposed)	ⓘ	Required for changes to floor plans – for further details please see Floor Plans	Local requirement	
Section Plans (existing and proposed)	ⓘ	Required if there is proposed to be a change of levels within the site i.e. building part cut into the ground – for further details please see Section Plans	Local requirement	

<p>Levels (existing and proposed)</p>		<p>Required for all detached buildings, and also extensions/additions if different to the finished floor levels of the main building, to confirm proposed finished floor levels relative to a fixed datum point e.g. a manhole cover – for further details please see Levels</p>	<p>Local requirement</p>	
<p>Roof Plan</p>		<p>Required in some cases - for further details please see Roof Plan</p>	<p>Local requirement</p>	
<p>Climate Emergency Checklist</p>	<p>✓</p>	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice) 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving 	<p>Local requirement</p> <p>Climate Change Act 2008</p> <p>NPPF paragraph 148</p>	

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		rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)?		
Habitat Regulation Assessment	✓	<ul style="list-style-type: none">• Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/• Please see the catchment map		

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Ecology Report		<p>Required if works are proposed which may affect protected species or habitats, survey dated within last 2 years.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Environmental Impact Assessment (EIA)		<p>Compulsory for all development listed in Schedule 1 and for all development listed in Schedule 2 screened likely to have significant effects on the environment.</p> <p>Where a development is subject to EIA and there is also a requirement to carry out a Habitats Regulation Assessment (HRA), where appropriate, the HRA and the EIA must be co-ordinated.</p>	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)</p> <p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Flood Risk Assessment (FRA)		<p>Required for:</p> <ul style="list-style-type: none"> All development in Flood Zone 2 and 3 refer to the Sequential Test guidance Development over 1 hectare in Flood Zone 1 Works within 8m of a main river <p>Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.</p>	<p>Local requirement</p> <p>PPG Flood risk and coastal change</p>	
Heritage Statement		<p>Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.</p> <p>If a Listed Building you will also require Listed Building Consent</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Archaeological Assessment		Required for developments in areas of high archaeological potential.	Local requirement NPPF paragraph 189	
Planning Statement		Required. This can be combined with a Design and Access Statement.	Local requirement NPPF paragraphs 10-11	
Design and Access Statement		Required for development within a Conservation Area (this can be combined with the Heritage Statement) comprising: <ul style="list-style-type: none"> • One or more dwellings • Increase in floor space of 100m² or more 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) PPG Design paragraphs 012, 029-033	
Tree Survey / Report		Required for works that potentially affect the health or survival of a tree on the site or adjoining land. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction.	Local requirement BS. 5837 (2012)	
Compulsory Pre-application Consultation		Required for wind turbine development involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 3	
Transport Assessment		Required for development that is likely to: <ul style="list-style-type: none"> • Result in a material increase or change in the traffic; • Affect a classified road or proposed highway; • Involve the laying out or construction of a highway or access; Impact on other modes of transport; 	Local requirement	
Landscape Plan		Required for developments where the appearance or visual amenities of the site and the surrounding area, and/or ecology, including screening and tree planting are important	Local requirement NPPF paragraph 170	

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Extra information required dependent on the Proposal






Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.

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Full Planning Application for Major Development






Full applications are for many types of application including the erection of new dwellings, agricultural buildings or development involving commercial and industrial properties.

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Application for Planning Permission (completed form, signed and dated) Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	✓	Required – for further details please see Elevation Drawings where a new or change to access is proposed Existing and proposed elevations of access arrangements (street scenes) will be required clearly showing the changes/amendments to the access	Local requirement	
Floor Plans (existing and proposed)	✓	Required – for further details please see Floor Plans	Check local plan	
Section Plans (existing and proposed)	✓	Required – for further details please see Section Plans	Check local plan	
Levels (existing and proposed)	✓	Required – for further details please see Levels	Check local plan	
Roof Plan	ⓘ	Required in some cases - for further details please see Roof Plan	Check local plan	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Ecology Report		<p>Required, except if there is no impact to be determined on a site by site basis survey dated within last two years.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Environmental Impact Assessment (EIA)		<p>Compulsory for all development listed in Schedule 1 and for all development listed in Schedule 2 screened likely to have significant effects on the environment.</p> <p>Where a development is subject to EIA and there is also a requirement to carry out a Habitats Regulation Assessment (HRA), where appropriate, the HRA and the EIA must be co-ordinated.</p>	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)</p> <p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Flood Risk Assessment (FRA)		<p>Required</p> <p>Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.</p>	<p>Local requirement</p> <p>PPG Flood risk and coastal change</p>	
Heritage Statement		<p>Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	
Archaeological Assessment		<p>Required for developments in areas of high archaeological potential.</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	

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Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Design and Access Statement	✓	Required, unless the development is for an engineering operation only (this can be combined with the Heritage Statement).	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) PPG Design paragraphs 012, 029-033	
Tree Survey / Report	ⓘ	Required for works that potentially affect the health or survival of a tree on the site or adjoining land. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction.	Local requirement D22 BS. 5837 (2012)	
Compulsory Pre-application Consultation	ⓘ	Required for wind turbine development involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 3	
Planning Statement	✓	Required	Local requirement NPPF paragraphs 10-11	
Sustainability Statement	✓	Required	Local requirement	
Surface Water Drainage Assessment	✓	Required	Local requirement	
Transport Assessment	✓	Required	Local requirement	
Travel Plan	ⓘ	Required for Development that is likely to: <ul style="list-style-type: none"> • Result in a material increase or change in the traffic; • Affect a classified road or proposed highway; • Involve the laying out or construction of a highway or access; • Impact on other modes of transport; 	Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Noise / Vibration / Odour or Other Environmental Impacts Evaluation		Required for developments generating potentially significant levels of noise / vibration / odour or other environmental impacts, for development in close proximity to sensitive receptors, or developments within close proximity to existing significant levels of noise / vibration / odour.	Local requirement NPPF paragraph 170	
Contaminated Land Report (CLR)		Required for application sites where there has been a previous or suspected contaminative use at the site AND: <ul style="list-style-type: none"> • Operational development is proposed where there would be disturbance to the ground or groundwater regime AND/OR • A vulnerable use is proposed where human health may be impacted 	Local requirement NPPF paragraph 180	
Landscape Plan		Required for developments where the appearance or visual amenities of the site and the surrounding area, and/or ecology, including screening and tree planting are important.	Local requirement NPPF paragraph 170	
Landscape and Visual Impact Assessment (LVIA)		Required for developments that have the potential to result in a change on both the landscape as an environmental resource in its own right and on people's views and visual amenity, which may include (but is not limited to): <ul style="list-style-type: none"> • Solar and wind energy projects; • Development in the open countryside or AONB; LVIA's must meet the Guidelines for Landscape and Visual Impact Assessment (GLVIA3)	Local requirement NPPF paragraph 170	
Retail Impact Assessment		Required for applications for over 2,500m ² of floor space for retail, leisure or office development;	Local requirement NPPF paragraphs 85-90	

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Climate Emergency Checklist	✓	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1 .Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	<p>Local requirement Climate Change Act 2008 NPPF paragraph 148</p>	
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> • Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ • Please see the catchment map 		

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Extra information required dependent on the Proposal

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Outline Planning Application for Minor Development

Outline applications are used when the principle of a development needs to be established.

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Application for Planning Permission (completed form, signed and dated) Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	ⓘ	<p>Required for changes to elevations – for further details please see Elevation Drawings</p> <p>Where access is not reserved: Existing and proposed elevations of access arrangements (street scenes) will be required clearly showing the changes/amendments to the access</p>	Local requirement	
Floor Plans (existing and proposed)	ⓘ	Required for changes to floor plans – for further details please see Floor Plans	Local requirement	
Section Plans (existing and proposed)	ⓘ	Required, except if matters are reserved – for further details please see Section Plans	Local requirement	
Levels (existing and proposed)	ⓘ	Required, except if matters are reserved – for further details please see Levels	Local requirement	
Roof Plan	ⓘ	Required in some cases - for further details please see Roof Plan	Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Ecology Report		<p>Required if works are proposed which may affect protected species or habitats survey dated within last 2 years.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Flood Risk Assessment (FRA)		<p>Required for:</p> <ul style="list-style-type: none"> • All development in Flood Zone 2 and 3 refer to Sequential Test guidance • Development over 1 hectare in Flood Zone 1 • Works within 8m of a main river <p>Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.</p>	<p>Local requirement</p> <p>PPG Flood risk and coastal change</p>	
Heritage Statement		<p>Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.</p> <p>If a Listed Building you will also require Listed Building Consent</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	
Archaeological Assessment		<p>Required for developments in areas of high archaeological potential.</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	
Design and Access Statement		<p>Required for development within a Conservation Area comprising:</p> <ul style="list-style-type: none"> • One or more dwellings • Increase in floor space of 100m² or more 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>PPG Design paragraphs 012, 029-033</p>	

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Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Tree Survey / Report		Required for works that potentially affect the health or survival of a tree on the site or adjoining land. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction.	Local requirement BS. 5837 (2012)	
Compulsory Pre-application Consultation		Required for wind turbine development involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 3	
Planning Statement		Required	Local requirement NPPF paragraphs 10-11	
Transport Assessment		Required for development that is likely to: <ul style="list-style-type: none"> • Result in a material increase or change in the traffic; • Affect a classified road or proposed highway; • Involve the laying out or construction of a highway or access; • Impact on other modes of transport; 	Local requirement	
Landscape Plan		Required for developments where the appearance or visual amenities of the site and the surrounding area, and/or ecology, including screening and tree planting are important.	Local requirement NPPF paragraph 170	
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> • Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ • Please see the catchment map 		

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Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Climate Emergency Checklist	✓	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	<p>Local requirement</p> <p>Climate Change Act 2008</p> <p>NPPF paragraph 148</p>	✓

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Extra information required dependent on the Proposal









Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.






Outline Planning Application for Major Development

Outline applications are used when the principle of a development needs to be established.

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Application for Planning Permission (completed form, signed and dated) Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	ⓘ	Required, except if matters are reserved – for further details please see Elevation Drawings Where access is not reserved: Existing and proposed elevations of access arrangements (street scenes) will be required clearly showing the changes/amendments to the access	Local requirement	
Floor Plans (existing and proposed)	ⓘ	Required, except if matters are reserved – for further details please see Floor Plans	Local requirement	
Section Plans (existing and proposed)	ⓘ	Required, except if matters are reserved – for further details please see Section Plans	Local requirement	
Levels (existing and proposed)	ⓘ	Required, except if matters are reserved – for further details please see Levels	Local requirement	
Roof Plan	ⓘ	Required in some cases - for further details please see Roof Plan	Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Ecology Report		<p>Required, except if there is no impact to be determined on a site by site basis survey dated within last two years.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
<p>page 196</p> <p>Environmental Impact Assessment (EIA)</p>		<p>Compulsory for all development listed in Schedule 1 and for all development listed in Schedule 2 screened likely to have significant effects on the environment.</p> <p>Where a development is subject to EIA and there is also a requirement to carry out a Habitats Regulation Assessment (HRA), where appropriate, the HRA and the EIA must be co-ordinated.</p>	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)</p> <p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Flood Risk Assessment (FRA)		<p>Required</p> <p>Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.</p>	<p>Local requirement</p> <p>PPG Flood risk and coastal change</p>	
Heritage Statement		<p>Required for works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	
Archaeological Assessment		<p>Required for developments in areas of high archaeological potential.</p>	<p>Local requirement</p> <p>NPPF paragraph 189</p>	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Design and Access Statement		Required, unless the development is for an engineering operation only.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) PPG Design paragraphs 012, 029-033	
Tree Survey / Report		Required for works that potentially affect the health or survival of a tree on the site or adjoining land. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction.	Local requirement BS. 5837 (2012)	
Compulsory Pre-application Consultation		Required for wind turbine development involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 3	
Page 197 Planning Statement		Required	Local requirement NPPF paragraphs 10-11	
Sustainability Statement		Required	Local requirement	
Surface Water Drainage Assessment		Required	Local requirement	
Transport Assessment		Required	Local requirement	
Travel Plan		Required for Development that is likely to: <ul style="list-style-type: none"> • Result in a material increase or change in the traffic; • Affect a classified road or proposed highway; • Involve the laying out or construction of a highway or access; • Impact on other modes of transport; 	Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Noise / Vibration / Odour or Other Environmental Impacts Evaluation		Required for developments generating potentially significant levels of noise / vibration / odour or other environmental impacts, for development in close proximity to sensitive receptors, or developments within close proximity to existing significant levels of noise / vibration / odour.	Local requirement NPPF paragraph 170	
Contaminated Land Report (CLR)		Required for application sites where there has been a previous or suspected contaminative use at the site AND: <ul style="list-style-type: none"> Operational development is proposed where there would be disturbance to the ground or groundwater regime AND/OR A vulnerable use is proposed where human health may be impacted 	Local requirement NPPF paragraph 180	
Page 198 Landscape Plan		Required for developments where the appearance or visual amenities of the site and the surrounding area, and/or ecology, including screening and tree planting are important.	Local requirement NPPF paragraph 170	
Landscape and Visual Impact Assessment (LVIA)		Required for developments that have the potential to result in a change on both the landscape as an environmental resource in its own right and on people's views and visual amenity, which may include (but is not limited to): <ul style="list-style-type: none"> Solar and wind energy projects; Development in the open countryside or AONB; LVIA's must meet the Guidelines for Landscape and Visual Impact Assessment (GLVIA3)	Local requirement NPPF paragraph 170	
Retail Impact Assessment		Required for applications for over 2,500m ² of floor space for retail, leisure or office development;	Local requirement NPPF paragraphs 85-90	

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Climate Emergency Checklist	✓	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	<p>Local requirement Climate Change Act 2008 NPPF paragraph 148</p>	
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> • Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ 		

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| | | <ul style="list-style-type: none">• Please see the catchment map | | |
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Extra information required dependent on the Proposal





Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.







Reserved Matters Application




Reserved matters applications should be used after an Outline planning application has been approved. A Reserved Matters application deals with some or all of the outstanding details of the Outline application proposal, including:

- Appearance
- Landscaping
- Layout
- Means of Access
- Scale

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> • Application for Planning Permission (completed form, signed and dated) • Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Appearance		Aspects of a building or place which affect the way it looks, including the exterior of the development: <ul style="list-style-type: none"> • Elevation Drawings (existing and proposed) • Section Plans (existing and proposed) • Levels (existing and proposed) • Roof Plans 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 6 Local requirement	
Means of Access		Covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site: <ul style="list-style-type: none"> • Levels (existing and proposed) • Transport Assessment/Statement • Plan detailing access arrangement • Tracking • Visibility splays please see here for details 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 6 Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Landscaping		<p>The improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen:</p> <ul style="list-style-type: none"> • Levels (existing and proposed) • Landscape Plan 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 6</p> <p>Local requirement</p>	
Layout		<p>Includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development:</p> <ul style="list-style-type: none"> • Floor Plans (existing and proposed) • Levels (existing and proposed) 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 6</p> <p>Local requirement</p>	
Scale		<p>Includes information on the size of the development, including the height, width and length of each proposed building:</p> <ul style="list-style-type: none"> • Elevation Drawings (existing and proposed) • Floor Plans (existing and proposed) • Section Plans (existing and proposed) • Levels (existing and proposed) 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 6</p> <p>Local requirement</p>	
Ecology Report		<p>Required, except if addressed under Outline permission; if there is no impact; if the Ecology Report submitted with the outline application requires updating - to be determined on a site by site basis.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Environmental Impact Assessment (EIA)		Where appropriate all reserved matters will be screened by the LPA for EIA and HRA.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) Local requirement The Conservation of Habitats and Species Regulations 2017	
Flood Risk Assessment (FRA)		Required, except if addressed under Outline permission. Applicants should refer to the National Flood Risk Standing Advice and Local Flood Risk Standing Advice.	Local requirement PPG Flood risk and coastal change	
Heritage Statement		Required, except if addressed under Outline permission. For works within a Conservation Area, works adjacent or to a Listed Building, Scheduled Ancient Monument.	Local requirement NPPF paragraph 189	
Archaeological Assessment		Required, except if addressed under Outline permission. For developments in areas of high archaeological potential.	Local requirement NPPF paragraph 189	
Design and Access Statement		Required, except if the development is for engineering operations only or if addressed under Outline permission.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) PPG Design paragraphs 012, 029-033	
Tree Survey / Report		Required, except if addressed under Outline permission. Required for works that potentially affect the health or survival of a tree on the site or adjoining land. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction.	Local requirement BS. 5837 (2012)	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Planning Statement		Required, except if addressed under Outline permission.	Local requirement NPPF paragraphs 10-11	
Compliance Statement		Required for Majors (and Minor applications when discharging conditions as part of the application) This should cover compliance of the Reserved Matters with the conditions and S106 obligations of the outline application.	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 6	
Transport Assessment		Required, except if addressed under Outline permission.	Local requirement	
Climate Emergency Checklist	✓	Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and	Local requirement Climate Change Act 2008 NPPF paragraph 148	

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		<p>water use, consumer choice).</p> <p>7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food).</p> <p>8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)?</p>		
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ Please see the catchment map 		

Extra information required dependent on the Proposal

Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.

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Application for Advertisement Consent

Advertisement consent applications should be used for proposals to display an advertisement or sign which requires planning permission.

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Application for Planning Permission (completed form, signed and dated) Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	✓	Required – for further details please see Elevation Drawings	Local requirement	
Drawings	✓	Advertisement drawings are required showing colours/materials/dimensions means of illumination and extent of any internal illumination for advertisements		
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ Please see the catchment map 	Habitat Regulation Assessment	

Extra information required dependent on the Proposal



Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.

Listed Building Consent

Listed building consent applications are used if your property is listed for having special architectural or historic interest and you wish to make alterations, external or internal, to the building. (Listed building consent applications can accompany a householder or full application if planning permission is also required.)

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> • Application Forms (completed form, signed and dated): <ul style="list-style-type: none"> ○ Application for listed building consent for alterations, extension or demolition of a listed building ○ Application for Planning Permission and listed building consent for alterations, extension or demolition of a listed building ○ Householder Application for Planning Permission for works or extension to a dwelling and listed building consent • Fee (if required) 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	✓	Required – for further details please see Elevation Drawings	Local requirement	
Floor Plans (existing and proposed)	✓	Required – for further details please see Floor Plans	Local requirement	
Section Plans (existing and proposed)	ⓘ	Required, this will be determined on a case by case basis – for further details please see Section Plans	Local requirement	
Roof Plan	ⓘ	Required in some cases - for further details please see Roof Plan	Local requirement	

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Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Ecology Report		<p>Required, except if there is no impact to be determined on a site by site basis.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	Local requirement	
Heritage Statement	✓	Required, this must include a full schedule of the proposed works.	Local requirement NPPF paragraph 189	
Archaeological Assessment		Required for developments involving new build in areas of high archaeological potential.	Local requirement NPPF paragraph 189	
Design and Access Statement	✓	Required	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) PPG Design paragraphs 012, 029-033	
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ Please see the catchment map 		

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Climate Emergency Checklist	✓	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	<p>Local requirement Climate Change Act 2008 NPPF paragraph 148</p>	

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Extra information required dependent on the Proposal

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Certificate of Lawfulness of Existing Use or Development

Certificate of Lawfulness of Existing Use or Development are used to confirm that any existing use/operation/activity in breach of a condition or limitation on a planning permission that has already taken place is lawful on the date specified in the application. It is defined as being lawful if enforcement action cannot be taken against it. This may be because it had, or did not need planning permission, or it may be the case that the use or operation took place so long ago that the time for enforcement action has expired.

Permitted development rights cannot be assumed for Schedule 1 development and for development listed in Schedule 2 that is screened by the LPA to have likely significant effects on the environment.

Mandatory requirements for Certificate of Lawfulness of existing use or development applications can be found in [Town and Country Planning Act 1990 section 191](#)

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Lawful Development Certificate for an Existing use/operation/activity Application Form (completed form, signed and dated) Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings	ⓘ	Required for changes to elevations – for further details please see Elevation Drawings	Town and Country Planning Act 1990 s.191	
Floor Plans	ⓘ	Required for changes to floor plans – for further details please see Floor Plans	Town and Country Planning Act 1990 s.191	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Planning Statement	✓	Required this should: <ul style="list-style-type: none"> • Describe the use, operations or other matter • Give the reasons for determining the use, operations or other matter to be lawful (4 or 10 years) • Provide evidence e.g. sworn affidavit(s) from people with personal knowledge of the existing use; dated photographs; utility bills etc. 	Town and Country Planning Act 1990 s.191	
Climate Emergency Checklist	✓	Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	Local requirement Climate Change Act 2008 NPPF paragraph 148	

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Habitat Regulation Assessment	✓	<ul style="list-style-type: none">• Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/• Please see the catchment map		
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Extra information required dependent on the Proposal

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Certificate of Lawfulness of Proposed Use or Development

Certificate of Lawfulness of Proposed Use/Development/Works or Activity are used to confirm that what you are proposing would be lawful i.e. it would not require express planning permission. For example you may need to establish that what you have proposed does not constitute development, is 'permitted development', or already has planning permission.

Permitted development rights cannot be assumed for Schedule 1 development and for development listed in Schedule 2 that is screened by the LPA to have likely significant effects on the environment.

Mandatory requirements for Certificate of Lawfulness of proposed use or development applications can be found in [Town and Country Planning Act 1990 section 192](#)

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Lawful Development Certificate for a Proposed use or development Application Form or Certificate of Lawfulness of Proposed Works to a Listed Building (completed form, signed and dated) Fee (if applicable) 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	ⓘ	Required for changes to elevations – for further details please see Elevation Drawings	Town and Country Planning Act 1990 s.192	
Floor Plans (existing and proposed)	ⓘ	Required for changes to floor plans – for further details please see Floor Plans	Town and Country Planning Act 1990 s.192	
Section Plans (existing and proposed)	ⓘ	Required, if topography is sloping, this will be determined on a case by case basis – for further details please see Section Plans	Town and Country Planning Act 1990 s.192	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Planning Statement	✓	Required this should: <ul style="list-style-type: none"> • Describe the use, operations or other matter • Give the reasons for determining the use, operations or other matter to be lawful 	Town and Country Planning Act 1990 s.192	
Climate Emergency Checklist	✓	Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	Local requirement Climate Change Act 2008 NPPF paragraph 148	

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Habitat Regulation Assessment	✓	<ul style="list-style-type: none">• Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/• Please see the catchment map		
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Extra information required dependent on the Proposal

Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.


Tree Works or Hedgerow Removal Application

Trees and woodlands that are considered important to amenity, and can be protected by a tree preservation order. You can request a tree to be considered for protection, or if a tree is already protected, you must have consent to carry out works to the tree.

The Application for Hedgerow Removal Notice form should be used by anyone proposing to remove a hedgerow, or part of a hedgerow, covered by the Hedgerows Regulations 1997. The regulations are designed to protect important hedgerows in England and Wales.

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Application Forms (completed form, signed and dated): <ul style="list-style-type: none"> Application for hedgerow removal notice Application for tree works: works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area Fee - no fee presently applicable to trees or hedgerow removal 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Hedgerows Regulations 1997	
Location Plan (existing)	✓	Required – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Tree Survey / Report	ⓘ	Required for works to trees covered by a TPO if: <ul style="list-style-type: none"> It is diseased or you have fears that it might break or fall (you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert). Alleged damage to property (written technical evidence from an appropriate expert, including description of damage and possible solutions) https://www.somersetwestandtaunton.gov.uk/planning/trees-and-tree-protection/ 	Local requirement BS. 5837 (2012) BS3998 (2010)	

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Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Planning Statement		Required, unless already included on the application form. This should provide a detailed description of works and the reason(s) for the works/removal.	Local requirement Hedgerows Regulations 1997 NPPF paragraphs 10-11	



Extra information required dependent on the Proposal







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Removal or Variation of Condition (Section 73 application)

This application can be used if, under a previous planning permission, a condition was imposed that you wish to be amended or removed entirely. The approval of a Section 73 planning application results in the grant of a new planning permission and therefore the original permission remains intact.

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Application Form and Fee	✓	<ul style="list-style-type: none"> Application for removal or variation of a condition following grant of planning permission (completed form, signed and dated) Fee 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Location Plan (existing)	✓	Required: This can be that same as the original application, providing you own the copyright on the plan – for further details please see Location Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Block / Site Plan (existing and proposed)	✓	Required: This must to be the same red outline as the original application for it to be accepted – for further details please see Block / Site Plan	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	
Elevation Drawings (existing and proposed)	ⓘ	Required, this will be determined on a case by case basis if changes to elevations are proposed – for further details please see Elevation Drawings	Local requirement Brilliant, one of my questions to see if we could include especially when varying plans!	
Floor Plans (existing and proposed)	ⓘ	Required, this will be determined on a case by case basis if changes to floor plans are proposed – for further details please see Floor Plans	Local requirement	
Section Plans (existing and proposed)	ⓘ	Required, this will be determined on a case by case basis if changes affect sections / levels – for further details please see Section Plans	Local requirement	
Levels (existing and proposed)	ⓘ	Required, this will be determined on a case by case basis if changes affect sections / levels – for further details please see Levels	Local requirement	
Roof Plan	ⓘ	Required in some cases - for further details please see Roof Plan	Local requirement	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Ecology Report		<p>Required - where the removal or variation has additional ecological implications an ecology report may be required.</p> <p>Where an ecology report was provided to support the planning permission that the Section 73 application relates to, the original, an updated assessment or addendum may be sufficient.</p> <p>Development not directly connected with, or necessary for, the conservation management of a European Site or European Offshore Marine Sites (habitat site) will require consideration of whether the development is likely to have significant effects on that habitat site. Sufficient information is required to enable the LPA to undertake Habitats Regulation Assessment (HRA) screening to take into account the potential effects both of the development itself and in combination with other development.</p>	<p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	
Environmental Impact Assessment (EIA)		<p>Required - where the removal or variation has additional ecological implications an EIA may be required.</p> <p>A section 73 application is considered to be a new application for planning permission. Where the development is listed in Schedule 2 and satisfies the criteria or thresholds set, the LPA will carry out a new screening exercise and issue a screening opinion as to whether EIA is necessary. Where the development is of a type listed under Schedule 1, EIA will always need to be carried out.</p> <p>Where an EIA was carried out on the original application, the LPA will need to consider if further information needs to be added to the original Environmental Statement (ES). Whether changes to the original ES are required or not, an ES/ES addendum must be submitted with a section 73 application for EIA development.</p> <p>Where a development is subject to EIA and there is also a requirement to carry out a Habitats Regulation Assessment (HRA), where appropriate, the HRA and the EIA must be co-ordinated.</p>	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)</p> <p>Local requirement</p> <p>The Conservation of Habitats and Species Regulations 2017</p>	

Info Required:	Req'd	What / When is required:	Policy / Legislative:	Submitted ✓
Flood Risk Assessment (FRA)		Required for changes to planning condition(s) in relation to this issue. Where an FRA was provided to support the planning permission that the Section 73 application relates to, the original, an updated assessment or addendum may be sufficient.	Local requirement PPG Flood risk and coastal change	
Heritage Statement		Required for changes to planning condition(s) in relation to this issue. Where a heritage statement was provided to support the planning permission that the Section 73 application relates to, the original, an updated assessment or addendum may be sufficient.	Local requirement NPPF paragraph 189	
Archaeological Assessment		Required for changes to planning condition(s) in relation to this issue. Where an assessment was provided to support the planning permission that the Section 73 application relates to, the original, an updated assessment or addendum may be sufficient.	Local requirement NPPF paragraph 189	
Tree Survey / Report		Required for changes to planning condition(s) in relation to this issue. A tree survey should be to the standard within BS 5837:2012 Trees in relation to design, demolition and construction. Where a report/survey was provided to support the planning permission that the Section 73 application relates to, the original, an updated assessment or addendum may be sufficient.	Local requirement BS. 5837 (2012)	
Planning Statement		Required This should detail why the application for removal/variation of the condition is being sought.	Local requirement NPPF paragraphs 10-11	
Transport Assessment		Required for changes to planning condition(s) in relation to this issue.	Local requirement	

Info Required:	Req'd	What / When is it required:	Policy / Legislation:	Submitted ✓
Climate Emergency Checklist	✓	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles). 3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes). 4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees). 5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use? 6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice). 7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food). 8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)? 	<p>Local requirement</p> <p>Climate Change Act 2008</p> <p>NPPF paragraph 148</p>	
Habitat Regulation Assessment	✓	<ul style="list-style-type: none"> • Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ • Please see the catchment map 		

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Extra information required dependent on the Proposal

Any additional information not set out as above but which we need to determine the application should ideally be provided at submission. If not provided it may be requested during the course of the application and may subsequently invalidate the application or delay the decision. Please review the [Other supporting information](#) for the list of documents/reports that may be required to support your application.

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Other Application Types

Discharge of Condition

A covering letter is acceptable in place of an application form <https://www.somersetwestandtaunton.gov.uk/planning/apply-for-planning-permission/> for this type of application together with the necessary details and [fee](#) (if applicable).

As per the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 5 (27).

Non-Material Amendments

As per the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3 (10)

- Application form - <https://www.somersetwestandtaunton.gov.uk/planning/apply-for-planning-permission/>
- [Fee](#)
- [Location Plan](#) (this can be that same as the original application, providing you own the copyright on the plan)
- Drawings/Information necessary to describe the subject/changes to the application

Prior Approvals

Prior approval means that a developer has to seek approval from the local planning authority (SWT) that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). SWT cannot consider any other matters when determining a prior approval application.

Please note:

- Validation requirements for Prior Approval Notifications are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Part 3 W.
- In general this will include:
 - Prior Approval application form dated, signed and completed in full (please include specific requirements depending on the proposal, relating to flood risk, transport / highways impacts, noise assessments etc.). Forms/guidance can be downloaded from <https://www.somersetwestandtaunton.gov.uk/planning/apply-for-planning-permission/>
 - A plan indicating the site and showing the proposed development. A plan drawn to an identified scale will assist the authority in assessing your development proposal.
 - [Fee](#)
- Development carried out using permitted development rights can be liable to pay a Community Infrastructure Levy charge (CIL).

Permission in Principle (PiP)

Permission in Principle may be granted for minor housing-led development only (less than 10 dwellings and related non-residential work). Article 5B of The Town and Country Planning (Permission in Principle) Order 2017 (as amended) sets out development that is specifically excluded from a grant of permission in principle and this includes habitats and Environmental Impact Assessment (EIA) development.

The PiP consent route has two stages:

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Stage 1 - Permission in Principle establishes whether a site is suitable in principle.

- Application forms <https://www.somersetwestandtaunton.gov.uk/planning/apply-for-planning-permission/>
- [Fee](#)
- [Location Plan](#)

Stage 2 - Technical Details Consent is when the detailed development proposals are assessed.

Applications for Technical Details Consent (based on a granted Permission in Principle) should be submitted on a **Full Planning Permission application form** (please ensure that you reference the PiP) and will be subject to the same validation process and validation requirements as a Full Planning Permission. Both applications must be granted before development can commence and may be liable to pay Community Infrastructure Levy (CIL).

There is a right of appeal where a local planning authority refuses PiP upon receipt of a valid application. The procedures in place are set out in Article 5V of the Town and Country Planning (Permission in Principle) Order 2017 (as amended).

Hazardous Substance Consents

As per the requirements of the National Planning Practice Guidance - Hazardous Substances. Prescribed Forms [The Planning \(Control of Major-Accident Hazards\)](#)

[Regulations 1999 \(as amended\)](#)

Applications in respect of Crown Land

As per the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3 (8).

Other Supporting Information

Any additional information required based on the individual proposal should ideally be provided at submission. If not provided it may be requested during the course of the application and may invalidate the application or delay the decision (see below).

Supporting Information	Nature/Scale of Application	Policy / Legislative:
Affordable Housing Statement	<ul style="list-style-type: none"> ➤ Residential development of 6 or more units within a rural location or 10 or more in an urban location and must include: <ul style="list-style-type: none"> • Number and mix of affordable units; ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). 	Local requirement
Agricultural Appraisal	<ul style="list-style-type: none"> ➤ Countryside development including new agricultural buildings or rural worker's dwelling; ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). 	Local requirement NPPF paragraph 79
Business Case	<ul style="list-style-type: none"> ➤ Holiday let proposals in countryside locations to demonstrate that they are viable. 	Local requirement
Contaminated Land Report (CLR)	<ul style="list-style-type: none"> ➤ Application sites where there has been a previous or suspected contaminative use at the site and: <ul style="list-style-type: none"> • Operational development is proposed where there would be disturbance to the ground or groundwater regime and/or • A vulnerable use is proposed where human health may be impacted; ➤ Reserved Matters, except if addressed under Outline permission; ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). 	Local requirement NPPF paragraph 180
Draft S106 / Heads of Terms	<ul style="list-style-type: none"> ➤ Residential development of 6 or more units within a rural location or 10 or more in an urban location: <ul style="list-style-type: none"> • Affordable housing; • The provision of on-site open space; ➤ Other matters to be determined on a site by site basis, which cannot be covered by planning conditions e.g. infrastructure improvements not covered by CIL necessary to make a development acceptable. 	Local requirement Section 106 of the Town and Country Planning Act 1990 (as amended) The Community Infrastructure Levy Regulations 2010 (as amended)

Supporting Information	Nature/Scale of Application	Policy / Legislative:
Education Impact Assessment	<ul style="list-style-type: none"> ➤ Development creating a need for additional education facilities, including pre-school to demonstrate whether or not needs can be met through existing facilities. 	Local requirement
Foul Water Drainage Assessment	<ul style="list-style-type: none"> ➤ New development including change of use where there is potentially an impact, to be determined on a site by site basis. ➤ Other development subject to site constraints determined on a site by site basis. 	Local requirement
Health Impact Assessment	<ul style="list-style-type: none"> ➤ Residential development: more likely to be required for 100 or more dwellings or where the residential site area is 5ha or more; ➤ Industrial estate development exceeding 5ha; ➤ Other forms of major development involving additional floorspace 1,000m² or more, or a site of 1ha or more; - unless otherwise agreed; ➤ All major hazard sites, installations and pipelines; ➤ Reserved Matters, except if addressed under Outline permission, this will be determined on a case by case basis. 	Local requirement NPPF Section 8
Landscape Plan	<ul style="list-style-type: none"> ➤ Developments where the appearance or visual amenities of the site and the surrounding area, and/or ecology, including screening and tree planting are important. 	Local requirement NPPF paragraph 170
Landscape and Visual Impact Assessment (LVIA)	<ul style="list-style-type: none"> ➤ Developments that have the potential to result in a change on both the landscape as an environmental resource in its own right and on people's views and visual amenity, which may include (but is not limited to): <ul style="list-style-type: none"> • Solar and wind energy projects; • Development in the open countryside or AONB; ➤ Reserved Matters, except if addressed under Outline permission; ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). ➤ LVIA's must meet the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) 	Local requirement NPPF paragraph 170
Local Housing Needs Assessment	<ul style="list-style-type: none"> ➤ Residential development of 6 or more units to demonstrate whether or not needs met policy requirements and the needs of the community to be served. 	Local requirement

Supporting Information	Nature/Scale of Application	Policy / Legislative:
Local Labour Agreement	<ul style="list-style-type: none"> ➤ Major developments; ➤ Residential development of 6 or more units; ➤ Developments that will create 10 or more new jobs including construction jobs. 	Local requirement
Noise / Vibration / Odour or Other Environmental Impacts Evaluation	<ul style="list-style-type: none"> ➤ New or converted noise-sensitive development; ➤ Development generating potentially significant levels of noise / vibration / odour, particularly in close proximity to sensitive receptors; ➤ Development within close proximity to existing significant levels of noise / vibration / odour; ➤ Reserved Matters, except if addressed under Outline permission; ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). ➤ Proportionate to the scale of development the assessment may need to include an Acoustic Design Statement (ADS) to British Standard 	Local requirement NPPF paragraph 170
Parking / Transport Assessment / Travel Plan	<ul style="list-style-type: none"> ➤ Development that is likely to: <ul style="list-style-type: none"> • Result in a material increase or change in the traffic; • Affect a classified road or proposed highway; • Involve the laying out or construction of a highway or access; • Impact on other modes of transport; ➤ Reserved Matters, except if addressed under Outline permission; ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). 	Local requirement
Public Open Space, Play and Recreation Statement	<ul style="list-style-type: none"> ➤ Residential development of 8 or more units. 	Local requirement
Retail Impact Assessment	<ul style="list-style-type: none"> ➤ Applications for over 2,500m² of floor space for retail, leisure or office development. 	Local requirement NPPF paragraphs 85-90

Supporting Information	Nature/Scale of Application	Policy / Legislative:
Statement of Community Involvement	<ul style="list-style-type: none"> ➤ Where identified during pre-application discussions; ➤ Where identified in SWT's Statement of Community 	Statement of Community Involvement
Sustainability Checklist and Energy Statement	<ul style="list-style-type: none"> ➤ Required for all development, including extensions and conversions in the former Taunton Deane area to demonstrate how measures required by policy DM5 of the Taunton Deane Core Strategy have been incorporated. ➤ In appropriate cases the Council will be in a position to encourage applicants in the former West Somerset area to formulate proposals responding to policy NH13 of the West Somerset Local Plan to 2032 and saved policy BD/9 of the West Somerset Local Plan 2006, which reflect the requirements of policy DM5. Submission of a Sustainability Checklist and Energy Statement can be an appropriate way to demonstrate this. ➤ Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency 	Local requirement Climate Change Act 2008 NPPF paragraph
Structural Survey and Conversion Method Statement	<ul style="list-style-type: none"> ➤ Development involving structural works to a Listed Building; ➤ Development involving the conversion of an existing rural building outside of the settlement boundary where there exists doubt as to the structural integrity of the building. ➤ Removal or Variation of Condition (Section 73) in relation to this issue (where an assessment was provided to support the planning permission that the Section 73 application relates to, an updated assessment or addendum may be sufficient). 	Local requirement
Viability / Marketing Assessment	<ul style="list-style-type: none"> ➤ Where development is proposed which is not fully Policy compliant in delivering required planning obligations to make the development acceptable. ➤ Development to change the use of a building which requires marketing or viability information e.g. loss of a retail unit to a non-conforming use or loss of an economic/tourist use in a countryside location 	Local requirement NPPF Paragraph 52
Climate Emergency Checklist	<p>Responses to the following questions, supplemented with explanation and evidence of how the proposed development will or will not meet the suggestions. Responding should not be seen as a simple “yes” or “no” tickbox exercise, but should provoke appropriate consideration by the applicant about how their application could seek to provide a positive answer. Additional guidance and explanation can be found in Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency</p> <ol style="list-style-type: none"> 1. Does the development reduce the need to travel? (including through location, mix of uses and digital connectivity). 	Local requirement Climate Change Act 2008 NPPF paragraph 148

	<ol style="list-style-type: none">2. Will the location, layout, design and infrastructure of the development encourage residents / occupiers / visitors /customers to travel sustainably? (including in relation to the following sustainable transport hierarchy: 1) active modes; 2) public/shared/community transport; 3) personal electric vehicles; 4) personal internal combustion and hybrid engine vehicles).3. Is the development energy efficient in design (including utilising opportunities for passive design e.g. solar masterplanning, building fabric, energy processes).4. Does the development utilise site specific opportunities to mitigate carbon emissions effectively? (Including in relation to maximising renewable energy potential, site-wide energy solutions and maximising natural carbon storage on-site e.g. in soils and trees).5. Will construction utilise circular economy principles and/or sustainable sources in material selection and use?6. Will the development foster sustainable habits from future residents / occupiers? (Including in relation to travel, waste reduction and management, energy and water use, consumer choice).7. Does development and its green infrastructure respond to projected localised impacts of the climate change that is already in motion? (Including risks associated with coastal change, flooding, winter driving rain, overheating, drought, water stress, increased reliance upon locally grown food).8. Does the development effectively respond to the ecological emergency by protecting and enhancing ecology within and nearby the site as well as mitigating wider impacts (inc. through biodiversity net gain)?	
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Supporting Information	Nature/Scale of Application	Policy / Legislative:
Lighting Assessment	<p>Types of application or development which require this information:</p> <ul style="list-style-type: none"> all applications including/for floodlighting, or a significant amount of external lighting <p>An assessment should provide details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design, plus the expected level of luminance and glare. Lighting assessments will also be required to detail the level of luminance for all advertisements.</p> <p>Where a proposal involves the scheme for the installation of Floodlights for an area (eg a Sports Pitch), these details shall include a Light Contour diagram based on a layout of the proposed facility in its context, and showing projected lux levels including 'backlight', which where there are differences in ground levels, is to be superimposed on a topographical survey of the site and its immediate environs</p> <p>Planning practice guidance suite</p>	Local requirement
Rural worker dwelling justification	<p>Types of application or development which require this information:</p> <ul style="list-style-type: none"> all applications for rural worker dwellings outside of defined settlement limits (this includes the conversion of existing buildings) <p>The justification statement should take the form of an agricultural appraisal and establish the functional requirements for either a temporary works dwelling or new permanent accommodation.</p> <p>In the case of new permanent accommodation, at least 3 years audited accounts should be submitted with the application. These should be in a separate document marked 'confidential' and will be used in assessing whether the enterprise is economically viable. The accounts will not be made public.</p> <p>In the case of a newly created agricultural unit and the application is for a temporary building for a period of 3 years, the justification statement will need to include evidence that the proposed enterprise has been planned on a sound financial basis. This should include a business plan with financial projections.</p> <p>Former Taunton Deane Borough Council Criterion for Assessing Rural Working Dwellings</p>	Local requirement

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Supporting Information	Nature/Scale of Application	Policy / Legislative:
Structural Survey	<p>Types of application or development which require this information:</p> <ul style="list-style-type: none"> • applications for the conversion of rural buildings • applications to carry out work to Heritage assets and Listed Buildings <p>The survey will need to be carried out by a competent person and identify the condition of the building together with any recommendations for remediation. This information is required to demonstrate how the building fabric is capable of adaptation without demolition or significant rebuilding and to ensure that appropriate working methods are employed which safeguard the fabric. The statement shall include photographs as appropriate.</p>	Local requirement
Town centre uses – evidence to accompany application	<p>Types of application or development which require this information:</p> <ul style="list-style-type: none"> • retail, leisure and office development not proposed in a town centre comprising 500 sq meters of floor space and not in accordance with an up-to-date development plan <p>The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal. The assessment should include the need for development, whether it is of an appropriate scale, that there are no sites close to a centre for the development, that there are no unacceptable impacts on existing centres and if locations are accessible.</p> <p>Taunton Deane Core Strategy Policy CP3 and the NPPF</p>	Local requirement
Habitat Regulation Assessment	<ul style="list-style-type: none"> • Required for certain types of applications please check our website: https://www.somersetwestandtaunton.gov.uk/planning/phosphates-on-the-somerset-levels-and-moors/ • Please see the catchment map 	

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Maps & Plans

This guidance is based on the criteria set out in the Government's guidance on 'Making an application': <https://www.gov.uk/guidance/making-an-application#Plans-and-drawings>.

Ordnance Survey Licences and Unauthorised Copying of Maps

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- Not be a Land Registry document/plan (even if obtained legally).
- Not be used for multiple applications.
- Show OS Crown Copyright as an acknowledgement.
- Not be a photocopy or screen grab image – such as Google Maps.
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<https://www.planningportal.co.uk/buyplans>.

Location Plan (existing)

A site location plan shows the proposal in its surrounding context and must:

- A. Be as up-to-date as possible within the last two years.
- B. Be at an identified measurable scale of 1:1250 or 1:2500 and include a scale bar
- C. Be clearly marked with the direction of North
- D. Show the full site, all site boundaries, adjoining properties (be numbered or named) and identify sufficient roads and/or buildings to enable identification of the land to which the application relates
- E. Show the application site boundaries and all land necessary to carry out the proposed development i.e. land required for access to the site from the road, **outlined in red**
- F. Show any other land within the applicant's ownership or control that is close to or adjacent to the site **outlined in blue**
- G. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- H. Indicate original paper size (A4, A3 etc.) on drawings for printing
- I. Be uploaded/printed in colour
- J. ~~Clearly show an authorised copier's licence number together with the appropriate copyright acknowledgements~~

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Block / Site Plan (existing and proposed)

A block / site plan shows the development in more detail and must:

- A. Be as up-to-date as possible within the last two years.
- B. Be at an identified measurable scale of 1:200 or 1:500 and include a scale bar
- C. Be clearly marked with the direction of North
- D. Clearly show the proposed development
- E. Include all site boundaries, existing buildings, roads, tracks, footpaths, public rights of way, walls, banks and historic features, ponds, watercourses and proposed boundary treatments/walls/fencing (including measures for removal and/or retention); within the application site.
- F. Clearly show any buildings to be demolished
- G. Show new buildings in context with adjacent buildings
- H. Include existing and proposed parking provision, access arrangements and the extent and type of any hard surfacing
- I. Clearly show the position of all trees and all hedges and those that could influence or be affected by the development; with proposals for removal and/or retention clearly indicated (including boundary hedges); on/near the application site.
- J. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council.
- K. Indicate original paper size (A4, A3 etc.) on drawings for printing
- L. Be uploaded/printed in colour
- M. Clearly show an authorised copier's licence number together with the appropriate copyright acknowledgements.

Elevation Drawings (existing and proposed)

An elevation is a view of a building seen from one side, a flat representation of one façade and must:

- A. Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar. Larger scale drawings may be required for Listed Buildings
- B. Show all elevations in full unless otherwise agreed
- C. Show proposed building materials, style and finish of the building and windows and doors
- D. Show any other buildings that are attached to the elevation and where possible the main features of that adjoining building (e.g. details of doors, windows on the same elevation of an adjoining terraced or semi-detached dwelling).
- E. Show existing elevations clearly identified as North, South, East and West with all existing door and window detailing.
- F. Show proposed changes on each elevation.
 - i. If no changes to an elevation are proposed provide one elevational drawing confirming it as existing and proposed.
 - ii. Part elevations can be provided if there are inset areas to the building.
- G. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- H. Indicate original paper size (A4, A3 etc.) on drawings for printing
- I. Be uploaded/printed in colour where needed
- J. Include the particulars specified or referred to in the application form e.g. material etc.

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Floor Plans (existing and proposed)

A floor plan is a view from above showing the layout of rooms, key dimensions and levels, and may also use symbols to show materials and locations of fittings and appliances and must:

- A. Be at an identified measurable scale of 1:50 or 1:100 and include a scale bar
- B. Clearly identify the extent of any proposed uses being applied for
- C. Clearly identify the existing and proposed use of each room on the floor plans
- D. Show all openings i.e. doors and windows
- E. Show any buildings or walls to be demolished
- F. Show an existing and proposed roof plan for any alterations that would involve a change to the roof
- G. Show finished floor level for any new buildings
- H. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- I. Indicate original paper size (A4, A3 etc.) on drawings for printing
- J. Be uploaded/printed in colour where needed

Section Plans (existing and proposed)

A section plan shows a view of a structure as though it had been sliced vertical in half, this can be useful as it gives a view through the spaces and surrounding structures that can reveal the relationships between the different levels and parts of the buildings that might not be apparent on other plans and must:

- A. Be at an identified measurable scale (of 1:100 or 1:200) appropriate to the scale of the development and include a scale bar
- B. Show a cross section(s) through the proposed building(s)/structure(s)/site
- C. Provide details of existing and proposed levels with reference to an off-site fixed datum point
- D. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- E. Indicate original paper size (A4, A3 etc.) on drawings for printing
- F. Be uploaded/printed in colour where needed

Levels (existing and proposed)

Levels plan confirms the existing topographical heights of the site levels/heights of the land as a result of the development and must:

- A. Be at an identified measurable scale appropriate to the scale of development and include a scale bar
- B. The levels plan should show some reference to the height/level of the adjoining land
- C. Provide details of existing and proposed levels (to include finished floor levels) with reference to an off-site fixed datum point and include any retaining walls.
- D. Have a unique drawing number which will be used in the subsequent decision notice, plans which do not have a number will be numbered by the council
- E. Indicate original paper size (A4, A3 etc.) on drawings for printing
- F. Be uploaded/printed in colour where needed

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Roof Plans

These should:

- A. Be drawn to a scale of 1:50 or 1:100
- B. Show the shape of the roof particularly when development includes changes to its appearance and shape.
- C. Show the position of all ridges, valleys, dormer windows, roof lights and other features, such as chimneys or raised parapets.
- D. Include details such as the roofing material and their location.

Street Scene

A street scene drawing is an elevation drawing that shows how a building will look alongside neighbouring dwellings/buildings once it has been extended/erected. Street scenes are usually required for works that will be visible from the road; especially new buildings or large side extensions that will be near to the boundary/neighbouring building, or where there is a notable difference in heights between the proposed works and neighbouring dwellings/buildings.

Street scenes should:

- A) Be to a scale of 1:100 or 1:200
- B) As a minimum, accurately show the height and outline of neighbouring dwellings/buildings and the position and size of windows/doors
- C) Accurately show any differences in levels
- D) Include written dimensions for gaps between buildings
- E) State the direction in which the street scene faces (for example 'street scene viewed from ... Road')

Glossary (abbreviations / definitions and selected web links)

Affordable Housing Development / Advice for Developers

A full definition of Affordable Housing can be found within the NPPF Annex 2: Glossary <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary> and includes housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following:

- Affordable housing for rent;
- Starter homes;
- Discounted market sales housing;
- Other affordable routes to home ownership.

When negotiating Affordable Housing as part of residential development, the Council will have regard to the Local Plans <https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/>

Affordable Housing Statement

Statement addressing housing need, mix and different tenures and sizes of affordable homes.

Agricultural Appraisal

Report to establish the viability/economic circumstances of an agricultural proposal including justification for an agricultural worker's dwelling. In broad terms there are two primary tests; a functional test (which deals with why there may be an essential need) and a financial test (which deals with whether the business is making sufficient profit and is likely to remain financially sustainable). For further information please see Planning Policy Statement 7: Sustainable Development in Rural Areas (Annex A Only – adopted as Supplementary Planning Guidance).

<https://webarchive.nationalarchives.gov.uk/20120920011612/http://www.communities.gov.uk/archived/publications/planningandbuilding/pps7>

Agricultural Building

A building currently or previously last used for agricultural purposes. In the context of permitted development this has a specific meaning and definition relating to actual use (“solely in agricultural use as part of an established agricultural unit”) at a specific date.

Agricultural Worker's Dwellings

Dwellings specifically occupied/to be occupied by a worker employed exclusively or mainly in agriculture (see web link in [Agricultural Appraisal](#)).

Application Fee

The full correct application fee must be submitted with the application, SWT's schedule of fees is available via <https://www.somersetwestandtaunton.gov.uk/planning/general-planning-fees/> and a fee calculator is available on the Planning Portal <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>. Please contact us for any assistance in calculating fees.

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Application Forms

In common with all Local Planning Authorities, Somerset West and Taunton Council uses the national standard application forms, these can be accessed on our website via this link <https://www.somersetwestandtaunton.gov.uk/planning/apply-for-planning-permission/>.

Archaeological Assessment

Report evaluating archaeological heritage. Archaeology advice can be found on the South West Heritage Trust's website <http://www.swheritage.org.uk/>.

Area of Outstanding Natural Beauty (AONB)

Nationally designated area of high scenic quality – within Somerset West and Taunton this applies to the Blackdown Hills and Quantock Hills. The exact boundaries of AONB's can be found on the Local Plan Proposals Map or at <http://www.magic.gov.uk/MagicMap.aspx> - in the "Table of Contents" panel: expand "Designations" > "Land-Based Designations" > "Statutory" and select "AONB" and then zoom in to your location.

Business Case

A statement identifying that proposals are justified through the demonstration of viability.

Change of Use

A form of development of a building (or land) which involves changing its use but without needing any operational development / building works. Some changes of use are allowed as "permitted development". Also see [Use Classes](#).

Community Infrastructure Levy (CIL)

Planning approvals granted for residential dwellings, large extensions, hotels, supermarkets and retail warehouses on or after 1st April 2015 will be liable to pay the Community Infrastructure Levy (CIL). CIL will also apply to building works that do not require planning approval where works commence on or after 1st April 2015. For further CIL information forms please see SWT's CIL webpages <https://www.somersetwestandtaunton.gov.uk/planning-policy/cil/>. It is strongly advised you familiarise yourself with CIL and the processes involved in order to avoid surcharges or the removal of the ability to apply for an exemption. Please contact our CIL/S106 Monitoring Officer if you have any queries.

Compliance Statement

A written statement detailing how the Reserved Matters submission is consistent with the parameter plans, conditions and S106 obligations of the outline application.

Compulsory Pre-application Consultation

Pre-application Consultation as required under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Article 3 <http://www.legislation.gov.uk/ukxi/2015/595/article/3/made>.

Conservation Area

An area valued for its special architectural or historic interest, the character of which it is desirable to preserve and enhance – designated under the Planning (Listed Buildings and Conservation Areas) Act 1990. Relevant areas can be checked on SWT's conservation pages <https://www.somersetwestandtaunton.gov.uk/planning/conservation-areas/>

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Contaminated Land

Land where substances are causing or could cause pollution. Contaminated land can occur for a number of reasons, these include past land uses, current land uses and incidents such as spills of chemicals or oil etc. <https://www.somersetwestandtaunton.gov.uk/environmental-health/environmental-protection/contaminated-land/h>

Contaminated Land Report (CLR)

Phased investigative report into risks from site contamination to users and/or the environment.

Conversion of Agricultural / Rural Buildings (Planning Guidance)

Somerset West and Taunton Planning Guidance Note on Conversion of Agricultural/Rural buildings

<https://www.somersetwestandtaunton.gov.uk/media/2360/technical-note-policy-guidance-for-change-of-use-of-rural-service-provision.pdf>Guidance.

Also see [Agricultural Building](#).

Curtilage

The area, usually enclosed, encompassing the ground and outbuildings which serve a dwelling-house (or other building). In the case of PD for the change of use of agricultural buildings “curtilage” is specifically limited to being “no larger than the land area occupied by the agricultural building”.

Datum Point

In planning, a datum point is a known point of height reference on the basis of which further measurements or analysis can be made e.g. a manhole cover.

Design and Access Statement

Is a concise report accompanying certain applications for planning permission and applications for listed building consent. It provides a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users and is required for:

- Major Developments; or
- Listed Building Consent; or
- Where any part of the development is in a Conservation area, development consisting of –
 - The provision of one or more dwellinghouses; or
 - The provision of a building or buildings where the floor space created by the development is 100 square metres or more

Further details can be found under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 3 Article 9 <http://www.legislation.gov.uk/ukxi/2015/595/article/9/made>

Draft S106 / Heads of Terms

A document that sets out the heads of agreement for inclusion within a planning obligation.

Education Impact Assessment

A report into local education needs, demand and provision.

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Environmental Impact Assessment (EIA)

A compilation of the relevant environmental information necessary to support an application. The process of Environmental Impact Assessment in the context of town and country planning in England is governed by the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(the '2017 Regulations'\)](#). These regulations apply to development which is given planning permission under Part III of the Town and Country Planning Act 1990. Further information can be found here - <http://planningguidance.communities.gov.uk/blog/guidance/environmental-impact-assessment/>

Environment Agency (EA)

The government agency with responsibilities relating to the protection and enhancement of the environment in England, including flood risk management. <https://www.gov.uk/government/organisations/environment-agency>

Ecology Report

Planning authorities have a duty to consider when assessing planning applications. Where there is a reasonable likelihood that a planning proposal might affect important protected species or habitats, the council will require information on the species and habitat likely to be affected, and an assessment of the impacts of the proposals. This information will need to be provided before a planning decision is made.

Further information and guidance can be found on the below websites:

Planning guidance??

- Planning Practice Guidance on Biodiversity, Ecosystems and Green Infrastructure <http://planningguidance.communities.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>
- Somerset County Council - Biodiversity <https://www.somerset.gov.uk/waste-planning-and-land/biodiversity/>
- The Association of Local Government Ecologists (ALGE) <https://www.alge.org.uk/>
- Gov.uk –
 - Protected species and sites: how to review planning proposals <https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>
 - Net Gain: A developer's commitment to enhancing biodiversity <https://naturalengland.blog.gov.uk/2019/01/10/net-gain-a-developers-commitment-to-enhancing-biodiversity/>
- European Commission The Habitats Directive - The Habitats Directive ensures the conservation of a wide range of rare, threatened or endemic animal and plant species. Further details can be found on their website http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

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Flood Risk Assessment (FRA)

A site-specific assessment of the flood risk to and from a development site. The assessment should demonstrate how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users.

It is advisable to review the Environment Agency Guidance on Flood risk assessment for planning applications <https://www.gov.uk/planning-applications-assessing-flood-risk> and flood risk assessment: standing advice can be accessed via this link <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> .

Flood Zones

The Environment Agency (EA) has devised a set of flood zones for guidance by developers, Councils and communities to explain the probability of river and sea flooding, ignoring the presence of flood defences.

Flood zones are shown on the EA's Flood Map for Planning (Rivers and Sea) - <https://flood-map-for-planning.service.gov.uk/>

Foul Water Drainage Assessment

A report into the capability of a site to accommodate foul drainage demands of a proposal.

Health Impact Assessment

A report to identify any impacts on health and wellbeing that would arise from the proposed development. If negative impacts are identified details of mitigation should be provided.

Heritage Statement

A report to describe the significance of any heritage assets. A heritage statement is required for all applications affecting listed buildings; unlisted buildings in Conservation Areas or locally listed buildings, scheduled ancient monuments or developments which have archaeological implications, including applications affecting the setting for any of the above.

Relevant information on Listed Building, Conservation Areas and Historic Environment Records (HERs) can be found on Somerset Historic Environment Record website <http://www.somsetheritage.org.uk/>

Historic England

Are the public body that looks after England's historic environment, provides expert advice, helping people protect and care for it, and helps the public to understand and enjoy it: <http://historicengland.org.uk/>

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Land Drainage Consent

Land drainage consent may be required from Somerset Drainage Boards Consortium for proposed development that is likely to be sited close to or impede a watercourse or require works to be sited within 9.0 meters of a watercourse. <http://www.somersetdrainageboards.gov.uk/development-control-byelaws/land-drainage-consents/>

Landscape and Visual Impact Assessment (LVIA)

Landscape and Visual Impact Assessment (LVIA) is the technique used to assess the effects of change on the landscape. LVIA is used to help design the proposed change as well as assess its effects, so that negative landscape effects are avoided, reduced or offset. Where a development is likely to have negative impacts on landscape, LVIA usually forms part of the environmental assessment. Guidelines for Landscape and Visual Impact Assessment (3rd edition) is the standard methodology: <https://www.landscapeinstitute.org/technical/glvia3-panel/>

Landscape Plan

A landscape plan is a plan which details the proposed treatment of the land to enhance or protect the amenities of the site and the surrounding area, including screening and tree planting and may be required upfront or in some circumstances may be submitted and approved prior to the commencement of buildings and works or first occupation.

Listed Building (LB)

A listed building is a building, object or structure that has been judged to be of national importance in terms of architectural or historic interest and is included on the Statutory List of Buildings of Special Architectural or Historic Interest under the Planning (Listed Buildings and Conservation Areas) Act 1990. Listed buildings are classified into grades as follows:

- Grade I - buildings of exceptional interest (approximately 2 per cent of all listed buildings)
- Grade II* - particularly important and more than special interest (approximately four per cent)
- Grade II - buildings of special interest, warranting every effort being made to preserve them (94 per cent)

Relevant information on Listed Building, Conservation Areas and Historic Environment Records (HERs) can be found on Somerset Historic Environment Record website <http://www.somsetheritage.org.uk/>.

The Heritage List is the only official and up to date database of all listed buildings, scheduled monuments, protected wrecks and registered parks, gardens and battlefields and sites in England. <https://historicengland.org.uk/listing/the-list/>

Historic England have provided guidance on assessing significance <https://historicengland.org.uk/advice/caring-for-heritage/places-of-worship/making-changes-to-your-place-of-worship/principles-for-making-changes/assessing-significance/#Section5Text> and <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/>

Local Flood Risk Standing Advice (LFRSA)

Also see [Flood Risk Assessment \(FRA\)](#) and [Flood Zones](#).

Local Highway Authority (LHA)

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The organisation responsible for maintaining local highways - in Somerset West and Taunton's case this is Somerset County Council.

Local Housing Needs Assessment

A report providing the most up-to-date information on local housing need to justify a proposal.

Local Labour Agreement

A commitment to an agreed proportion of local labour, training and recruitment plans; and commitment to a proportion of local procurement and supplies as appropriate.

Local Planning Authority (LPA)

The local council that is empowered by law to exercise statutory town planning functions for a particular area (in this area: [Somerset West and Taunton Council](#))

Major Developments/Applications

The following types of application are classed as 'major':

- For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more;
- For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Minor Developments/Applications

The following types of application are classed as 'minor':

- Residential developments of less than 10 houses or on sites smaller than 0.5 hectares;
- Any scheme on a site smaller than a hectare; or
- Commercial development with under 1,000 square metres of floor space.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Noise / Vibration / Odour or Other Environmental Impacts Evaluation

Noise, vibration, odour or other environmental impacts need to be considered when new developments may create additional noise, dust or other impacts or would be sensitive to the prevailing environment. Reports may be required when preparing plans and there may be opportunities to consider improvements to the environment.

SWT Environmental Health have produced guidance on noise, dust, air quality and odour, which are available on the SWT website:

<https://www.somersetwestandtaunton.gov.uk/environmental-health/environmental-protection/noise-from-construction-and-demolition-sites/>

For further information about Noise please see the Noise Guidance as provided by National Planning Policy Framework <https://www.gov.uk/guidance/noise--2>

Ownership Certificates, Notices and Agricultural Land Declaration

An application is not valid, and therefore cannot be determined by the local planning authority, unless the relevant certificate (either A, B, C or D) has been completed. Only **one of the certificate types** will apply to an application. A certificate provides certain details about the ownership of the application site and confirms that an appropriate notice has been served on any other owners/agricultural tenants to make them aware of the application. Failure to serve the correct certificate or notice will invalidate the application.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

- **Certificate A – Sole Ownership and no agricultural tenants:** This must only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.
- **Certificate B – Shared Ownership (all other owners / agricultural tenants known):** This must be completed if the applicant is not the sole owner, OR if there are agricultural tenants and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.
 - **Notice 1:** This notice is to be printed and served on individuals if Certificate B or C is completed <https://ecab.planningportal.co.uk/uploads/1app/notices/notice1.pdf>
- **Certificate C – Shared Ownership (some owners / agricultural tenants known):** This must be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants.
 - **Notice 1:** This notice is to be printed and served on individuals if Certificate B or C is completed <https://ecab.planningportal.co.uk/uploads/1app/notices/notice1.pdf>
 - **Notice 2:** This notice is for publication in local newspaper if Certificate C or D is completed <https://ecab.planningportal.co.uk/uploads/1app/notices/notice2.pdf>
- **Certificate D – Shared Ownership (None of the other owners / agricultural tenants known):** This must be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.
 - **Notice 2:** This notice is for publication in local newspaper if Certificate C or D is completed <https://ecab.planningportal.co.uk/uploads/1app/notices/notice2.pdf>

Parking

Parking provision is an important element in many schemes. Ensure car parking and vehicle servicing at levels appropriate to the development and in accordance with the parking standards detailed within the Somerset County Council Parking Strategy: <https://www.somerset.gov.uk/roads-and-transport/transport-strategy/>

Permitted Development (PD)

Certain building works and changes of use which can be carried out without having to make a planning application because planning permission is deemed to be granted under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Planning Portal

The national home of planning and building regulations information and the national planning application service: <https://www.planningportal.co.uk/>

Planning Practice Guidance (PPG)

PPG is technical guidance to help local planning authorities implement the National Planning Policy Framework and is a guide for developers <https://www.gov.uk/government/collections/planning-practice-guidance>

Planning Statement

A Planning Statement is a statement in support of and provides justification for a planning proposal. Required for applications for:

- All major developments;
- Developments that involve a change of use;
- Alterations to previously approved applications;
- Certificates of Lawfulness;
- Other applications requiring further explanation of development proposals.

The information that should be included in a planning statement is dependent on the nature of the proposed development and the type of application submitted. In general the statement should contain:

- An explanation of the principles behind (and justification for) the proposed development.
- An explanation of how the proposed development fits with the policies and supplementary planning documentation outlined as part of the Local Plan.
- Details of any pre-application consultation activities that have been undertaken.

A planning statement will assist if the plans, application forms and other supporting information are not deemed sufficient in providing enough detail as to why the application is being made or to allow an appropriate evaluation and assessment of all relevant material considerations to be made (can be combined with a [Design and Access Statement](#) and/or [Heritage Statement](#)).

Recycling and Waste Management - Developers Guidance

Waste and recycling collections are essential services for households and must be considered when designing a new development or even converting an existing property. Failure to do so can lead to poor services for future residents and could result in objections to planning applications. Somerset Waste Partnership (SWP) have produced a Developer's Guidance document "SWP design requirements for residential properties" which can be found on their website <https://www.somersetwaste.gov.uk/developer-guidance/>

Retail Impact Assessment

An assessment undertaken for an application for retail use (normally on developments over 2,500 square metres gross floorspace, but they may occasionally be necessary for smaller developments, such as those likely to have a significant impact on smaller centres) on the impact of the proposal on the vitality and viability of existing centres within the catchment area of the proposed development. The assessment includes the likely cumulative effect of recent permissions, developments under construction and completed developments.

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Scheduled Ancient Monument

A 'nationally important' archaeological site or historic building, given protection against unauthorised change – designated under the Ancient Monuments and Archaeological Areas Act 1979. The location of Scheduled (Ancient) Monuments can be checked at <https://magic.defra.gov.uk/MagicMap.aspx> - in the “Table of Contents” panel expand “Designations” > “Land-Based Designations” > “Historic Statutory” and select Scheduled Monuments (England) and then zoom in to your location.

Somerset West and Taunton Council

www.somersetwestandtaunton.gov.uk

Somerset West and Taunton Local Plans

Two local plans covering the area, the former Taunton Deane Local Plan to 2028 and the Site Allocation and Development Management Plan with the former West Somerset Area Local Plan to 2032 can be found here: <https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/>

Sequential Test

A planning principle that seeks to ensure that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-sequential-risk-based-approach-to-the-location-of-development/>

Site of Special Scientific Interest (SSSI)

Nationally important nature conservation site (notified for biological and/or geological interest). The exact boundaries of SSSI's can be found on the Local Plan Proposals Map or at <https://magic.defra.gov.uk/MagicMap.aspx> - in the “Table of Contents” panel: expand “Designations” > “land-based designations” > “statutory” and scroll down the list to select “Sites of Special Scientific Interest (England)” and then zoom in to your location.

Site Waste Management Plans

Proposals for waste management on a site. It is advisable that developers review the advice provided within the Somerset County Council's Waste Core Strategy. Further details can be found on Somerset County Council's website <https://www.somerset.gov.uk/waste-planning-and-land/somerset-waste-core-strategy/>

Special area of conservation

Please follow this [link](#) for more information on guidance on special area of conservation.

Somerset County Council (SCC)

<http://www.somerset.gov.uk/>

Somerset Historic Environment Record (HER)

The Historic Environment Record (HER) throughout Somerset has been digitised and is available online. It provides comprehensive information about hundreds of historic sites and localities throughout the county based on historic and contemporary research and surveys.

<http://www.somersetheritage.org.uk/>

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Somerset Waste Partnership (SWP)

Somerset Waste Partnership is the local authority team managing waste and recycling services for Mendip, Sedgemoor, South Somerset, Somerset West and Taunton and Somerset County Council: <http://www.somersetwaste.gov.uk/>

South West Heritage Trust

Are an independent charity committed to protecting and celebrating Somerset and Devon's rich heritage <http://www.swheritage.org.uk/>

Statement of Community Involvement

The Somerset West and Taunton Statement of Community Involvement has been prepared as part of the Local Development Framework and sets out how the District Council intends to inform, consult and involve the community in the preparation of new planning policy documents and the determination of planning applications. <https://www.somersetwestandtaunton.gov.uk/planning-policy/statement-of-community-involvement/>

Strategic Flood Risk Assessment (SFRA)

A study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that changes or development in the area will have on flood risk.

Somerset County Council (SCC) are the Lead Local Flood Authority (LLFA) for Somerset West and Taunton.

Structural Survey and Conversion Method Statement

A report into the structural integrity of a building and its suitability for conversion.

Surface Water Drainage Assessment

A report evaluating the rate of surface water drainage. This can be combined with a FRA.

Sustainability Statement

A sustainability statement is a report providing details of sustainable design, construction and other measures that are being incorporated into the development to reduce the energy, water and materials to address climate change. Renewables/sustainable technologies e.g.:

- PV panels;
- Ground source heat pumps;
- Electric charging points;
- Combined heat and power;
- Confirmation of access to fibre broadband;
- Other measures to encourage future occupiers/users of the site to reduce carbon footprint etc.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

This Order prescribes procedures connected with planning applications, consultations in relation to planning applications, the determination of planning applications, appeals, local development orders, certificates of lawful use or development and the maintenance of registers of planning applications and related matters: <http://www.legislation.gov.uk/ukxi/2015/595/contents/made>

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The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

The statutory instrument which provides for “permitted development”, further details are on: <http://www.legislation.gov.uk/uksi/2015/596/contents/made>.

Transport Assessment

Transport Assessments primarily focus on evaluating the potential transport impacts of a development proposal. (They may consider those impacts net of any reductions likely to arise from the implementation of a [Travel Plan](#), though producing a [Travel Plan](#) is not always required.) The Transport Assessment may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts. Transport Assessments can be used to establish whether the residual transport impacts of a proposed development are likely to be “severe”, which may be a reason for refusal, in accordance with the National Planning Policy Framework. For further details <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Travel Plan

The primary purpose of a Travel Plan is to identify opportunities for the effective promotion and delivery of sustainable transport initiatives e.g. walking, cycling, public transport and tele-commuting, in connection with both proposed and existing developments and through this to thereby reduce the demand for travel by less sustainable modes. Travel Plans can play an effective role in taking forward those mitigation measures which relate to on-going occupation and operation of the development. For further details <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Tree Preservation Order (TPO)

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the cutting down; topping, lopping, uprooting, wilful damage or wilful destruction of trees without the local planning authority’s written consent. Trees and woodlands that are considered important to amenity, and can be protected by a tree preservation order (TPO).

Tree Survey / Report

Tree survey to BS: 5837: 2012 Trees in relation to design, demolition and construction; reports should identify the quantity, species, position and size of the tree(s) and provide a full and clear specification of the works intended. Where trees are protected by a TPO, number them as shown in the First Schedule to the TPO where this is available and use the same numbers on the plans. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant. E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place. Please follow this link for more information <https://www.somersetwestandtaunton.gov.uk/planning/trees-and-tree-protection/>

Use Classes

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. It is generally the case that you will need planning permission to change from one use class to another, although there are exceptions where the legislation does allow some changes between uses. For further information please see https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use

Viability / Marketing Assessment

Viability assessment is a process of assessing whether a site is financially viable. For further information: <https://www.gov.uk/guidance/viability>. A marketing report is a report to summarise how efforts to market a site have been carried out over a prolonged window.

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Visibility Splays

When altering or creating a new access please ensure you have followed the guidance in the Somerset County Council Highway Advice [visibility splays](#).

