

# 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*



February 2021

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# 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 declaration<sup>1</sup> 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 Strategy<sup>2</sup> and the SWT Carbon Neutrality and Climate Resilience (CNCR) Action Plan<sup>3</sup> 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;<sup>4</sup>
- *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);<sup>5</sup>
- *The Policy Playbook: Driving sustainability in new homes – a resource for local authorities*, produced by the UK Green Building Council;<sup>6</sup>
- *Neighbourhood Planning in a Climate Emergency*, produced by the Centre for Sustainable Energy (CSE);<sup>7</sup>
- *Plan the World We Need*, produced by the RTPi;<sup>8</sup>
- *Why the Planning System needs to be at the heart of delivering the UK's Climate Change targets*, produced by the CSE and TCPA.<sup>9</sup>
- *Net Zero Transport: the role of spatial planning and place-based solutions*, produced by the RTPi, LDA Design, City Science and Vectos.<sup>10</sup>

### ***The Ecological Emergency***

In October 2020, the Council supplemented its declaration of a Climate Emergency, by declaring an Ecological Emergency.<sup>11</sup> 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.

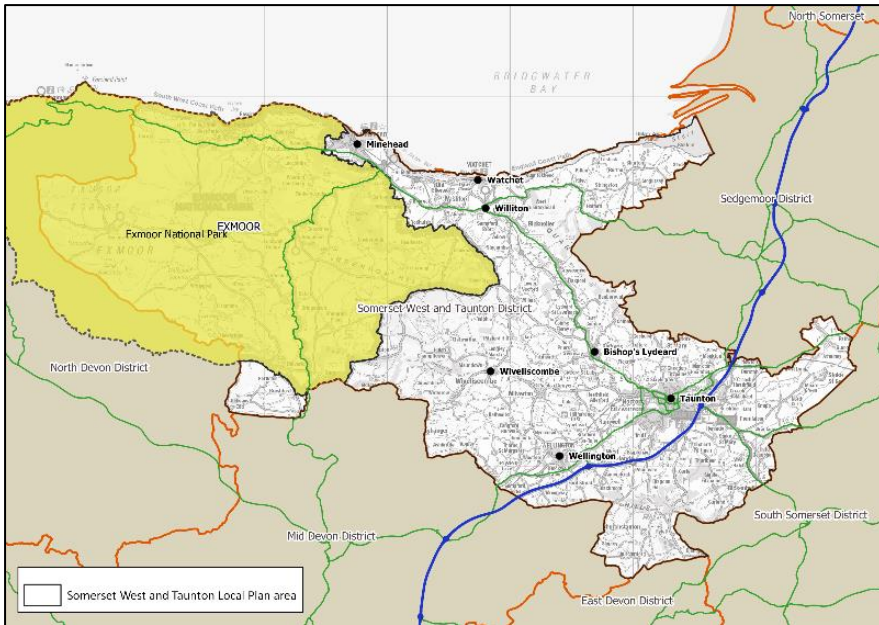
Existing Local Plan documents have been informed by Sustainability Appraisal including Strategic Environmental Assessment and Habitat Regulations Assessment. These assessments conclude that the Plans are unlikely to result in significant environmental effects (including upon biodiversity, ecology and 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*”.<sup>12</sup> 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 2050<sup>13</sup> 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.<sup>14</sup> 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)<sup>15</sup>
- National Planning Policy for Waste<sup>16</sup>
- Written Ministerial Statement of 25 March 2015

National policy is supported by the national Planning Practice Guidance (PPG)<sup>17</sup> 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](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 responded<sup>18</sup> 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.<sup>19</sup>

The Committee on Climate Change highlights the important role that building with biomass (primarily local, sustainably sourced timber<sup>20,21</sup>, 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.<sup>22</sup> 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.<sup>23</sup>

**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,<sup>24</sup> 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),<sup>25</sup> 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 projections<sup>26</sup> 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.

**l) 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 Playbook<sup>27</sup> 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
<b><i>Taunton Deane Core Strategy (2012)</i></b>		
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 Guidance<sup>28</sup> 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"> <li>• All new dwellings to include a 16 amp electric vehicle charging point, in garages or car ports or through shared charge points.</li> <li>• All new non-residential developments (50+ car parking spaces), to include 16 amp electric vehicle charging points in 2% of spaces (rounding down).</li> </ul> <p>The Somerset Councils have developed a Somerset EV Charging Strategy,<sup>29</sup> 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 <sup>30</sup> 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 <sup>31</sup> 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. <sup>32</sup>
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 <sup>33</sup> ), 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 <sup>34</sup> 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 <sup>35</sup> 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

Policy No.	Policy Name	Commentary
		<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 Guide<sup>36</sup>, and Design Charter and Checklist<sup>37</sup> 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 Guide<sup>38</sup> which will provide a similar framework for the</p>

Policy No.	Policy Name	Commentary
		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.
<b><i>Taunton Deane Site Allocations and Development Management Plan (SADMP)</i></b>		
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 <sup>39</sup> 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 (&gt;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>

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		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” <sup>40</sup> , 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. <sup>41</sup> 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"> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> <li>• Detailed flood risk assessment will need to be undertaken and identify the strategic SUDs infrastructure required;</li> <li>• Detailed Design codes prepared for individual areas within the development.</li> </ul> <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"> <li>• Strategic SUDS Infrastructure;</li> <li>• 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;</li> </ul>

Policy No.	Policy Name	Commentary
		<ul style="list-style-type: none"> <li>• 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;</li> <li>• 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;</li> <li>• 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;</li> <li>• Detailed flood risk assessment will need to be undertaken and identify the strategic SUDs infrastructure required;</li> <li>• Detailed Design codes prepared for individual areas within the development.</li> </ul> <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>

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		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
<b><i>Taunton Town Centre Area Action Plan</i></b>		
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.



<b>Policy No.</b>	<b>Policy Name</b>	<b>Commentary</b>
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

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		<p>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.</p>
Tr8	North Street, The Parade, The Bridge and Bridge Street	<p>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.</p>
Tr10	Cycle Schemes	<p>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.</p>
F1	Developments within the Flood Plain	<p>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.</p>
F2	Developer Contributions to Waterways and Flooding	<p>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.</p>

<b>Policy No.</b>	<b>Policy Name</b>	<b>Commentary</b>
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.
<b><i>West Somerset Local Plan to 2032</i></b>		
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.

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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
		<p>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.</p>
LT1	Post 2026 Strategic Development Sites	<p>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.<sup>42</sup> 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.</p>
EC1	Widening and Strengthening the Local Economy	<p>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<sub>2</sub> 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.</p>
EC7	Training and Educational Provision	<p>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</p>

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"> <li>• All new dwellings to include a 16 amp electric vehicle charging point, in garages or car ports or through shared charge points.</li> <li>• All new non-residential developments (50+ car parking spaces), to include 16 amp electric vehicle charging points in 2% of spaces (rounding down).</li> </ul> <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>

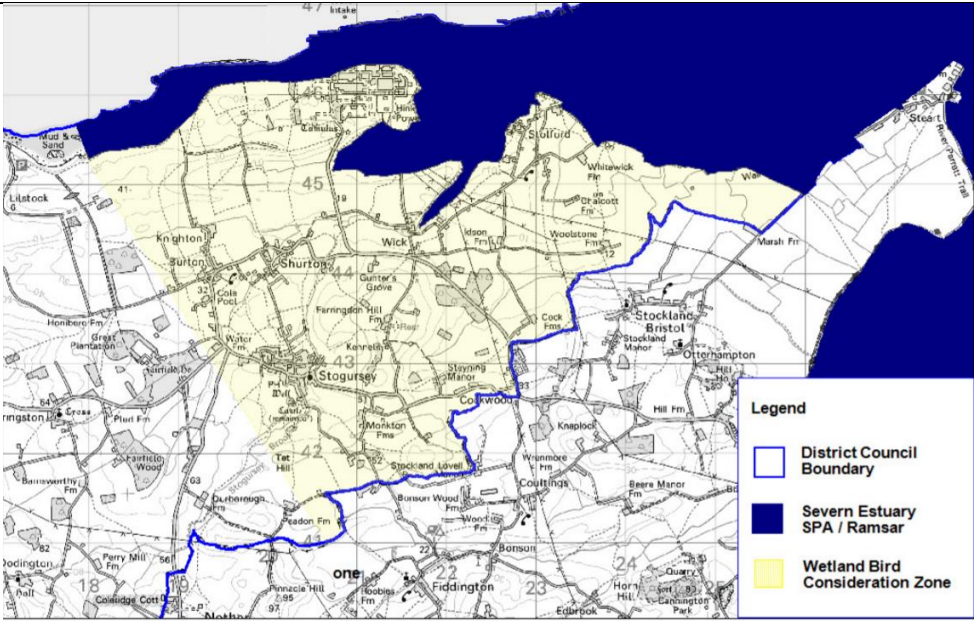
Policy No.	Policy Name	Commentary
		The Council recognises that in a rural area such as West Somerset, this is a challenge, but it is an important way of tackling transport-related emissions and will be used as such.
CF2	Planning for Healthy Communities	This policy seeks to embed health and wellbeing 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.

<b>Policy No.</b>	<b>Policy Name</b>	<b>Commentary</b>
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. <sup>43</sup>
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. <sup>44</sup>
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 <sup>45</sup> 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 2032<sup>46</sup> (reproduced below for ease of reference).</p>

Policy No.	Policy Name	Commentary
		 <p>The map displays the geographical context of the policy area. A blue outline indicates the District Council Boundary. A dark blue area represents the Severn Estuary SPA / Ramsar. A yellow shaded region indicates the Wetland Bird Consideration Zone, which covers a large portion of the central and eastern parts of the map, including areas around Sturton, Wick, and Stockland.</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.
<b><i>Saved Policies of the West Somerset Local Plan 2006</i></b>		
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.

<b>Policy No.</b>	<b>Policy Name</b>	<b>Commentary</b>
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>



<b>Policy No.</b>	<b>Policy Name</b>	<b>Commentary</b>
		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.

## Referenced documents

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- <sup>1</sup> Somerset West and Taunton Council **Climate Emergency Declaration** (2019), available at: <https://democracy.somersetwestandtaunton.gov.uk/documents/s661/Shadow%20Council%20Minutes%20of%20meeting%20held%2021%20February%202019.pdf>
- <sup>2</sup> The Somerset Councils (Mendip, Sedgemoor, Somerset West and Taunton & South Somerset District Councils and Somerset County Council) (2020), **Towards a Climate Resilient Somerset (Somerset Climate Emergency Strategy)**, available at: <https://www.somerset.gov.uk/climate-emergency/somersets-climate-emergency-strategy-documents/>
- <sup>3</sup> Somerset West and Taunton Council (2020) **Carbon Neutrality and Climate Resilience (CNCR) Action Plan**, available at: <https://www.somersetwestandtaunton.gov.uk/climate-emergency/climate-change-strategy/>
- <sup>4</sup> Town and Country Planning Association (TCPA) and Royal Town Planning Institute (RTPI) (2019) **Rising to the Climate Crisis: A Guide for Local Authorities on Planning for Climate Change**, available at <https://www.rtpi.org.uk/practice/2019/september/rising-to-the-climate-crisis-a-guide-for-local-authorities-on-planning-for-climate-change/>
- <sup>5</sup> RTPI, Pell Frischmann, Regen, The Landmark Practice and the University of the West of England (UWE) (2019) **Planning for a Smart Energy Future**, available at <https://www.rtpi.org.uk/research/2019/july/planning-for-smart-energy/>
- <sup>6</sup> UKGBC (2020), **The Policy Playbook: Driving sustainability in new homes – a resource for local authorities**, available at: <https://www.ukgbc.org/ukgbc-work/sustainability-standards-new-homes/>
- <sup>7</sup> Centre for Sustainable Energy (CSE) (2020), **Neighbourhood Planning in a Climate Emergency**, available at <https://www.cse.org.uk/downloads/reports-and-publications/policy/planning/renewables/neighbourhood-planning-in-a-climate-emergency-feb-2020.pdf>
- <sup>8</sup> RTPI (2020), **Plan the World We Need**, available at <https://www.rtpi.org.uk/research/2020/june/plan-the-world-we-need/>
- <sup>9</sup> CSE and TCPA (2020), **Why the Planning System needs to be at the heart of delivering the UK's Climate Change targets**, available at <https://www.cse.org.uk/downloads/reports-and-publications/policy/planning/planning-white-paper-consultation-october-2020.pdf>
- <sup>10</sup> RTPI, LDA Design, City Science and Vectos (2021), **Net Zero Transport: the role of spatial planning and place-based solutions**, available at <https://www.rtpi.org.uk/netzerotransport>
- <sup>11</sup> Somerset West and Taunton Council **Ecological Emergency Declaration** (2020), available at: <https://www.somersetwestandtaunton.gov.uk/news/swt-declares-ecological-emergency/>

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<sup>12</sup> **Section 19 of the Planning Act 2008**, available at <https://www.legislation.gov.uk/ukpga/2008/29/section/182>

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

<sup>14</sup> 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/>

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