



Planning Policy Team
 Bath and North East Somerset Council
 Lewis House
 Manvers Street
 Bath
 BA1 1JG

06 June 2022

Dear Ian,

by email only:
jdkemp@icloud.com

RE: Examination of the Bath and North East Somerset Council Local Plan (Core Strategy and Placemaking Plan) Partial Update – Matter 5 – June 2022

INTRODUCTION

These representations are submitted on behalf of Persimmon Homes Severn Valley (PHSV).

PHSV is committed to providing the homes that people need within the Bath and North East Somerset (BaNES) Council administrative area as well as within the greater West of England (WoE) region. Considering the number of homes we build within the region, we are well placed to provide constructive input in to the process of developing new or updated development plan documents such as that proposed here.

Below are PHSV's responses to the Questions from Matter 5 set out by the Inspector that relate to previous representations at the Regulation 19 stage. Each question number relates to the numbering of the Questions provided by the Inspector.

96. What is the justification for the size thresholds for the application of the Policy, and the requirement that an Embodied Carbon Assessment that demonstrates a score of less than 900kg/sqm of carbon can be achieved within the development for the substructure, superstructure and finishes?

The Future Homes Standard will require new homes built from 2025 upwards to produce 75-80% less carbon emissions than under the current regulations. Building Regulations will also be updated in 2023, requiring a 31% carbon emission reduction. It is unclear how Policy SCR8 relates to the Future Homes Standard and the effect of the embodied carbon score requirement on the viability of applicable schemes. Without a clear explanation of how embodied carbon scores relate to the upcoming changes to

Building Regulations, it is unreasonable for draft Policy SCR8 to become an adopted Policy in the Local Plan Partial Update.

104. Is Policy NE3 consistent with national policy as set out in the NPPF in regards to the proposed requirements for biodiversity?

Paragraphs 174(d), 179(b), 180(d) of the NPPF set out that development will be supported where biodiversity net gains can be delivered, albeit there is no minimum level of net gain specified within the NPPF. The wording of Draft Policy NE3 is led by the provisions of the Environment Act 2021.

The Environment Act 2021 sets out that Biodiversity Net Gains delivered through planning obligations should be at a level of at least 10%. The Environment Act 2021 also specifies that the land delivering the Biodiversity Net Gain should be maintained for at least 30 years from completion of the development. Similarly, draft Policy NE3a requires a 10% net gain to be secured for at least 30 years.

Para 267f states that a BNG requirement of 15% will be taken forward to the full Local Plan Review. This is an unnecessary and premature inclusion to the Local Plan Partial Update when it is not the full Local Plan Review being examined. PHSV therefore requests the removal of Para 267f.

106. What are the implications of the Environment Act 2021 for the Policy?

The Environment Act 2021 sets out that Biodiversity Net Gains delivered through planning obligations should be at a level of at least 10%. The Environment Act 2021 also specifies that the land delivering the Biodiversity Net Gain should be maintained for at least 30 years from completion of the development. Similarly, draft Policy NE3a requires a 10% net gain to be secured for at least 30 years. The draft policy is therefore a replication of the Environment Act 2021 and does nothing to relate this national policy specifically to Bath and North East Somerset. Para 16(f) of the NPPF sets out that plans should avoid “unnecessary duplication of policies”. PHSV objects to the unnecessary inclusion of a policy that only serves to replicate national policy. At present, Draft Policy NE3a reflects the Environment Act 2021, albeit DEFRA has been consulting on the implementation of the provisions of the Environment Act 2021, with the outcome yet to be published.

Yours sincerely,



Marcus Plaw

Strategic Planning Manager

