Item No. 8	Classification: Open	Date: 30 September 2022	Decision Taker: Environment & Community Engagement Scrutiny Commission
Report title:		Response to Domestic renewable energy and heating systems and Planning Questions	
Ward(s) or groups affected:		All	
From:		Juliet Seymour, Head of Planning Policy, Building Control and the Built Environment	

BACKGROUND INFORMATION

1. Following the presentation of a report on 'Domestic renewable energy and heating systems and Planning' on 7 July 2022, the Environment & Community Engagement Scrutiny Commission asked a series of follow up questions to the Planning Division. This report sets out the responses to those questions.

2. Southwark Council declared a climate emergency in 2019. It encourages the appropriate installation of renewable energy sources and heating systems. These include solar panel (PV) and solar thermal systems, heat pumps and improved insulation that will enable local low carbon energy production and heating systems that reduce residential carbon emissions.

KEY CONSIDERATIONS

3. The follow-up questions received from the Commission have been divided into groups based on themes below.

Planning Applications

Q1 - How many domestic renewable applications has LBS processed over the last five years?

Officer Response

4. In the last five years, Southwark have processed 97 domestic renewable applications.

Q2 - What application types were they (householder, council housing, social housing etc.?)

Officer Response

5. The applications received have included householder applications, minor dwelling applications, pre-application advice for minor development Certificates of Lawfulness and Prior Approval applications.

Q3 - What types of domestic renewables did they apply for?

Officer Response

6. Permission was sought for solar panels and heat pumps. There were no applications in the last five years for other renewable energy sources, such as wind or biomass.

Q4 - How many were approved, refused, appealed, upheld, and overturned? What were the reasons?

Officer Response

7. In the last five years, the status of the 97 domestic renewables planning applications that have been submitted for decision are:

Application Status	**Number of Planning Applications**
Invalid applications	*2*
Application not required	*1*
Application withdrawn	*3*
Granted	*63*
Council's Own Granted	*3*
Refused	*9*
Pre-Application Advice Applications	*16*

Q5 - Do we have any data on the implementation of domestic renewables under Permitted Development that did not apply for consent?

Officer Response

8. In the last five years, there were 16 Prior Approval and Certificate of Lawfulness applications for domestic renewables. During this period, there were 16 pre-application advice applications for PV on householder dwellings. We do not have any data on the implementation of domestic renewables under Permitted Development that did not apply for consent.

Q6 - Were the permissions implemented?

Officer Response

9. The Planning Division does not currently monitor the implementation of domestic renewables planning permissions. Any applications for a retrospective Certificates of Lawfulness planning applications would have already been implemented. Of the domestic renewable energy applications received, two of these are retrospective applications.

10. Officers from the council's Building Control team have advised that the installation of heating and hot water systems, solar PV and electrical installations are covered by competent persons building regulation self-certification schemes and are not currently monitored.

Q7 - How many planning enforcement cases have, we had on domestic renewables? What were the reasons for enforcement and outcomes?

Officer Response

11. The council's Planning Enforcement Team has not taken formal planning enforcement action against any unlawful installations of domestic renewables within the borough

Q8 - How many external insulation applications have we received, approved, refused and why?

Officer Response

12. In the past five years, the Planning division has only received four householder and minor development planning applications for external insulation. Of these applications three have been granted and one has been refused. The application that was refused, was refused due to unacceptable design issues relating to the extension of the dwellinghouse, and not the proposed external insulation.

Q9 - How do neighbouring boroughs compare to these numbers? (Lambeth, Lewisham, Hackney, etc.)

Officer Response

13. Officers are liaising with neighbouring boroughs to acquire this data. The committee will be updated once this information is available.

Q10 - What policy or process streamlining to support the deployment of domestic renewables have these neighbouring boroughs implemented?

Officer Response

14. Policy P70 Energy of the Southwark Plan (2022) requires all major development to be net zero by utilising the energy hierarchy to reduce onsite carbon emissions. The third stage of the hierarchy, Be Green, includes using onsite renewable energy generation to reduce carbon emissions. Further work is required for more specific planning policy guidance for the deployment of domestic renewables. This will be reviewed and scoped for the new Climate Change and Environment SPD to support the delivery of the Southwark Plan, and the Early Review of the Southwark Plan. Officers are also preparing an

update to Residential Design Standards SPD which will focus on domestic applications.

15. Southwark's Climate Change Action Plan under the priority 'Renewable Energy' sets out actions for the Planning division to embed sustainable building technologies in new development. This includes green roofs, facades and cool roofs to reduce carbon emissions, improving the delivery of biodiversity and local air quality. The Southwark Plan requires these technologies to be implemented. Officers are considering policy responses to the new Building Regulations (2021) that will require improved energy performance in new development. The Early Review of the Southwark Plan will also consider options for new energy performance standards including Energy Use Intensity targets. The Planning Division has aligned its workplan to deliver these actions.

Q11 - What user research has been undertaken into the experience applicants have had with their planning applications for domestic renewables to identify where improvements to the service can be made?

Officer Response

16. User feedback on the Planning division service provides currently takes place in three ways. Firstly, case by case feedback, where feedback on planning decisions, appeals and process is disseminated across the division to planning officers. Secondly, using feedback from the division's customer satisfaction surveys that are emailed to applicants three days after a decision notice has been issued. The feedback from this process is shared internally with practical updates to the service actioned where and when possible. Thirdly, feedback from enquiries and complaints.

Q12 - How do we improve clarity for residents on the process and services so it is easy as possible?

Officer Response

17. Officers consistently look to improve the quality of our planning services, especially through improved practical help for residents in submitting planning applications. For example, the planning service now identifies planning applications for domestic renewables at the point of submission and 'fast tracks' them to make a quicker decision within 42 days instead of the standard 56 days. Making a 'quicker' planning decision should speed up the process that residents undertake to install domestic renewables systems.

18. Officers have also reviewed the possibility of reducing application fees for planning applications for domestic renewables. This is not currently possible due to the statutory requirements to collect an application fee. The Planning Division does not have the power to reduce application fees.

Q13 - Provide an update planning division website with new guidance

Officer Response

19. Updates to the planning division website are ongoing. Officers are currently preparing a new guidance note to assist residents with planning applications for solar panels.

Pre-Application Service for planning applications

Q14 - When did the free of charge pre-application service for domestic renewables and external insulation commence?

Officer Response

20. The free of charge pre-application service commenced on 1 April 2022.

Q15 - How many free of charge pre-applications has the division processed and is currently processing?

Officer Response

21. During the five months since its launch, the planning division has not yet received a request for a free of charge pre-application that has been solely for domestic renewable installations since the launch of the service. There have been several pre-applications that have included domestic renewables as part of wider schemes for alterations and extensions to homes. These schemes to do not benefit from the free of charge service.

Q16 - How has this service been publicised to residents?

Officer Response

22. The service was included in Planning website updates. Further publicising of the service will take place through council communications and through member surgeries and other meetings.

Q17 - How much money has the service saved residents?

Officer Response

23. The free of charge pre-application service will either save residents £103 (Householder. Lawful Development Certificate) or £206 per application (Minor), depending on the type of planning application.

Q18 - How much officer time has it taken to deliver the free of charge pre-application service?

Officer Response

24. It takes ~two hours of officer time to prepare simple pre-application responses.

‘Find out If You Need Planning Permission (FOIYNPP)’ digital tool

Q19 - When is the ‘Find Out If You Need Planning Permission (FOIYNPP)’ digital tool service ‘fully’ launching?

Officer Response

25. The ‘Find Out If You Need Planning Permission’ free online tool to check whether the proposed works will need planning permission launched on the Planning website on 8 August 2022. To use this service, residents simply enter the post code of the address where the proposed works will take place and then answer questions about the planned works. The service then recommends whether the works require planning permission or a Lawful Development Certificate.

Q20 - What domestic renewables and other environmental measures (e.g. external insulation) does the FOIYNPP tool cover?

Officer Response

26. The service covers domestic renewables granted planning permission under General Permitted Development Order, Schedule 2, Part 14 Permitted Development rights. These are:

Solar PV and Thermal

- Class A – installation or alteration etc of solar equipment on domestic premises
- Class B - installation or alteration etc of stand-alone solar equipment on domestic premises

Heat pumps and biomass systems

- Class C – installation or alteration etc of ground source heat pumps on domestic premises
- Class D – installation or alteration etc of water source heat pumps on domestic premises
- Class E – installation or alteration etc of flue for biomass heating system on domestic premises
- Class F – installation or alteration etc of flue for combined heat and power on domestic premises
- Class G – installation or alteration etc of air source heat pumps on domestic premises

Wind turbines

- Class H – installation or alteration etc of wind turbine on domestic premises
- Class I – installation or alteration etc of stand-alone wind turbine on domestic premises

Q21 - What communication to promote the tool to our residents took place for the launch?

Officer Response

27. An email was sent to a list of all planning agents who submitted a Lawful Development Certificate to the council within the past 3 years. A further email was sent via the planning policy bulletin group (people who have signed up to receive these updates). A notice was put in the September 2022 Southwark News edition about the tool and new service. There are banners on the planning division website with the detail and links to tool. Officers review the details and analytics of the tool, to review the service for any improvements.

Other questions

Q22 - How do we balance competing policy objectives: climate emergency vs heritage protection

Officer Response

28. Buildings are estimated to be responsible for 79% of total carbon emissions in Southwark. It is therefore critical that our built environment, including the historic built environment, adapts to climate change to cope with the impacts of changing temperatures, flooding and drought. However, we also have a statutory duty to conserve our built heritage (including the approx. 2,200 listed buildings and buildings lying within our 53 conservation areas) through the development process. Both the climate emergency and the conservation of our built heritage are priorities for the planning division. Our Heritage SPD (2021) outlines the principles which underpin our approach to balancing these priorities, as well as providing guidance on the approaches that we encourage to achieve this balance.

29. Existing buildings, including historical buildings, hold huge amounts of embodied carbon. Furthermore, historic buildings are often inherently sustainable in that they were designed and built to last a long time without requiring replacement. As such, we encourage the adaptive re-use or retrofitting of historic buildings as the primary approach to reconciling our built heritage with the climate emergency. Sympathetic retrofitting can also be an effective means of achieving improved energy efficiency for historic buildings.
30. However, not all retrofitting interventions to improve environmental sustainability will be appropriate to all listed buildings or conservation areas. There is no ‘one size fits all’ solution. We encourage applicants to utilise the “whole building approach” to identify the most appropriate interventions for the heritage asset in question. This approach provides a framework for homeowners, developers and planners to achieve a balance between the heritage, environmental and human health factors involved in the retrofit of historic buildings for improved environmental sustainability on a case-by-case basis. Further guidance on the whole building approach can be found in our Heritage SPD (2021) as well as on the Historic England website.

Website links

- Find out if you need Planning Permission online tool: https://www.southwark.gov.uk/planning-and-building-control/planning-applications/find-out-if-you-need-planning-permission
- Planning division householder guidance for solar panels: https://www.southwark.gov.uk/planning-and-building-control/planning-applications/find-out-if-you-need-planning-permission?chapter=5
- Free of charge pre-application advice service: https://www.southwark.gov.uk/planning-and-building-control/pre-application-advice-service