

Subject:	Draft update of Extensions and Alterations Supplementary Planning Document (SPD)		
Date of Meeting:	20 June 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Sujeet Sharma	Tel: 01273 292408
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Ward(s) affected:	(All Wards);		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek authority to publish a draft update to the Design Guide for Extensions and Alterations SPD for public consultation for a period of six weeks between June and July 2019.
- 1.2 The current SPD was adopted in 2013. Since its adoption, there have been changes to planning policy nationally and locally and the implications arising from appeal decisions need to be considered. The SPD has been amended to reflect these changes and other updates in policy and practice. The draft updated Design Guide for Extensions and Alterations SPD is included in appendix 1.

2. RECOMMENDATIONS

That the Tourism, Development & Culture Committee:

- 2.1 Agrees the draft document for consultation which will inform the final Design Guide for Extensions and Alterations SPD;
- 2.2 Notes the background information provided in this report regarding the process for preparing the SPD; and
- 2.3 Authorises the Head of Planning, in consultation with the Chair of Committee, to make any necessary minor amendments prior to public consultation.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Design Guide for Extensions and Alterations SPD¹², adopted in June 2013, is a guide to officers and applicants undertaking extensions and alterations to their properties setting out detailed guidance of the type of extensions that are likely to receive a favourable planning decision. An update is required to take account of changing planning policy context as set out in the National Planning Policy Framework (2019), the City Plan Part 1(2016) and in particular the emerging City Plan Part 2. There have been changes to permitted development rights for householders.

- 3.2 There has also been a shift towards flexibility in national planning policy which has led to situations where development contrary to the SPD has been approved on appeal. It means the guidance also needs to be amended in response to the outcomes of appeals lodged against the refusal of planning applications. Should the updated draft document be adopted it will replace the existing SPD to be used in the determination of planning applications for extensions with more positive results.
- 3.3 In addition members of the Planning Agents Forum have commented that a more positive and flexible approach to new extensions should be adopted than is currently set out in the adopted guidance (see appendix 3).

Key changes

- 3.4 The draft updated document is divided into six sections covering what needs to be considered as part of the planning process and general principles to more detailed guidance on differing types of extensions and alterations.
- 3.5 Overall, one key change is to focus on guiding the overall scale, massing and height of new extensions and alterations in relation to impact on the host building, streetscene and impact on neighbouring buildings. Further changes include:
- Guidance is framed positively;
 - Includes standard issues encountered in the vast majority of applications as well as considering special circumstances;
 - More clarity on amenity issues such as protecting privacy and outlook;
 - Makes clear distinction on front and rear dormers;
 - Provides more information on sustainable building and improving biodiversity.
- 3.6 The next step will be to take the draft updated document through public consultation. Comments made during the consultation will be summarised and the document will be amended to reflect relevant comments made. Following this a final version will be produced.

Sustainability Appraisal and Strategic Environmental Assessment

- 3.7 It is not necessary to undertake a Sustainability Appraisal to accompany the production of a SPD. It is however necessary to assess the need to undertake a Strategic Environmental Assessment (SEA).
- 3.8 The Council prepared the screening opinion in April 2019 concluding that there was no requirement for a full SEA to be undertaken. The document was consulted with statutory consultees which returned positive comments. Should the scope of the document change, it will be re-consulted. The SEA Screening Opinion for the SPD is included as appendix 2.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 An alternative option would be to rely on the existing SPD which is dated. The updated document will provide up to date and clear guidance consistent with national policy on what development is acceptable. It will therefore have more

relevance in making decisions on planning applications and reflect appeal decisions.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Representatives of the Planning Agents' Forum have been engaged as part of the preparation of the document. The comments of the group have informed the revised draft document where possible. A schedule of comments can be found in appendix 3.
- 5.2 The SPD will be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Public consultation for the documents such as this SPD is set out in the Council's Adopted Statement of Community Involvement (SCI). The SCI was adopted in 2015 and reflects the 2012 Regulations, mentioned above.
- 5.3 Consultation will run for six weeks and be publicised using a press release and a notice on the Council website. Consultees from the Local Plan database which includes planning agents and architects that regularly submit planning applications for extensions will be notified by either email, or by letter, of the consultation. The document will be made available to view and download on the Council's website and hard copies will be placed in libraries and the Council's principal office. All representations received through the consultation will be taken into consideration and a final SPD will be reported for adoption to this Committee.

6. CONCLUSION

- 6.1 Authority is being sought to consult on the draft update to the Extensions and Alterations SPD. The main reasons for the update are to take account of updated policy, appeal decisions and to frame guidance more positively. This consultation will inform a final version of the SPD. This is due to return to Committee in the Autumn 2019 for adoption.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The cost of officer time, production of documents and consultation associated with the recommendations in this report will be funded from existing revenue budget within the Planning service. Any significant financial implications arising from the outcome of the consultation and production of the Supplementary Planning Document will be reported in future committee reports.

Finance Officer Consulted: Gemma Jackson

Date: 23/05/19

Legal Implications:

- 7.2 As noted in the body of the report, there is a statutory requirement to consult on a draft SPD prior to adoption. The contents of a SPD are governed by the Town and Country Planning (Local Planning) (England) Regulations 2012. To be lawful, a SPD must be limited to statements regarding "any environmental, social,

design and economic objectives which are relevant to the attainment of development and use of land” which “the local planning authority wish to encourage during any specified period” [Regulation 5. (1) (a)]. Once adopted a SPD will be a material planning consideration in the determination of relevant planning applications.

Lawyer Consulted: Hilary Woodward

Date: 23/5/19

Equalities Implications:

- 7.3 The SPD is linked to Policy DM21 of the emerging City Plan Part Two. City Plan policies underwent a Health and Equalities Impact Assessment and the impacts of these policies were found to be largely positive against a wide range of equalities objectives. The SPD should help to achieve these objectives.

Sustainability Implications:

- 7.4 As referenced under paragraph 3.8 an SEA Screening Opinion has been undertaken on the SPD. Sustainable buildings section of the guidance has been expanded.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Design Guide for Extensions and Alterations Supplementary Planning Document (SPD)
2. SEA Screening Opinion
3. Summary of comments from Planning Agents' Forum engagement

Documents in Members' Rooms

1. None

Background Documents

1. City Plan Part 2