

Subject:	Draft Supplementary Planning Document Design Guide for Alterations and Extension		
Date of Meeting:	3 November 2011		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Claire Burnett	Tel: 29-2470
	Email:	claire.burnett@brighton-hove.gov.uk	
Key Decision:	No		
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 This report seeks endorsement of the draft Supplementary Planning Document ("SPD") which is a 'Design Guide for Extensions and Alterations' for the purposes of formal public consultation. The SPD would form part of the current 'development plan' and would provide detailed design guidance on extensions and alterations.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the draft 'Design Guide for Extensions and Alterations' as a Supplementary Planning Document for the purposes of formal public consultation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The aim of this SPD is to provide detailed design guidance on extensions and alterations to residential buildings or alterations to commercial buildings of a traditional residential appearance. It is important to note that the guidance is intended to provide detailed design guidance, rather than advising the reader whether or not planning permission is required. This document intends to provide consistent design advice and guidance on the key issues when designing or commissioning extensions or alterations to such properties.

3.2 A Supplementary Planning Document (SPD) forms part of the 'development plan' and contains detailed guidance which elaborates upon the 'saved' policies in the adopted Local Plan. Once adopted, an SPD is one of the material considerations that can be taken into account when determining a planning application.

3.3 The Brighton & Hove Local Plan, which was adopted in 2005, forms the current Development Plan. This draft SPD provides further design guidance to a number of adopted 'saved' policies in the Local Plan. They are as follows:

- QD14 Extensions and alterations
- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD27 Protection of amenity
- HE1 Listed buildings
- HE3 Development affecting the setting of a listed building
- HE6 Development within or affecting the setting of conservation areas
- HE10 Building of local interest

3.4 It is anticipated that Part 1 of the City Plan, which will be the future development plan, will contain the more strategic policies and will be adopted in November 2013. Within Part 1, policies will set out a strategic design policy framework for the City. Presently, all the policies listed above (QD14, QD1, QD2, QD3, QD27, HE1, HE3, HE6 & HE10) will be saved until replaced by Part 2 of the City Plan. It is envisaged that Part 2 of the City Plan will contain more detailed design policies which will replace the above policies. Adoption of Part 2 is envisaged in December 2015.

3.5 Given the timescales involved, it would be anticipated that this SPD will be reviewed at both these adoption stages of the City Plan. This is to ensure the SPD reflects the emerging policy framework in terms of residential design guidance.

4. CONSULTATION

4.1 The SPD has undergone an initial 'issues and options' consultation by the Council's Planning Policy Team with stakeholders in 2009 and these are summarised in Appendix 1. This included three workshops with developers/architects and agents, as well as amenity groups and recent applicants (successful and unsuccessful). The consultation was specifically designed to ensure that the document reached those groups who were most concerned with the type of development this SPD intends to provide guidance on.

4.2 The Development Control Team continued the work of the Planning Policy Team, and produced a draft version of the SPD based on this initial consultation. There was considerable input from the Conservation & Design Team on conservation and listed building issues, as well as other internal consultees during 2011.

4.3 If the recommendation is endorsed, the draft SPD will go out for formal consultation period for 6 weeks. This public consultation will involve preparing a newspaper advert and detail where the document will be made available. The draft SPD, the accompanying Suitability Appraisal (SA), the Statement of SPD Matters, the consultation statement and any other supporting information will be published on the Council's LDF web pages together with the consultation dates and details of how to comment. Stakeholders will be alerted of the public consultation, involving consultation dates and how to comment with the web link to the draft SPD. The draft SPD, the SA, the Statement of SPD matters will be placed in the Council's libraries and City Direct centres.

- 4.4 The consultation responses will be collated and reviewed, amending the SPD where necessary. A consultation report will be produced. It is anticipated that a future CMM report will be produced seeking adoption of the final version of the SPD, subject to review in light of this formal consultation period.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The draft SPD will be available on the Council's web-site and the consultation will be largely conducted electronically. There will therefore be minimal costs in terms of printing, and the cost of the public notice, which will be met from within existing revenue budgets.

Finance Officer Consulted: Name Karen Brookshaw Date: 30/09/11

Legal Implications:

- 5.2 Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004, as amended by the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, requires that supplementary planning documents must be subject to formal public consultation for a period of not less than four nor more than six weeks prior to adoption. Regulation 17 sets out detailed publicity requirements which will need to be followed. Regulation 18 of the 2004 Regulations provides that a planning authority may not adopt a supplementary planning document until the authority has considered any representations made within the consultation period, prepared a statement summarising the main issues raised in the representations and saying how these have been addressed within the supplementary planning document the authority intends to adopt.
- 5.3 As noted in this report, once adopted a supplementary planning document will be a material planning consideration which the local planning authority will be required to take into account in determining relevant planning applications.
- 5.4 It is not considered that any adverse human rights implications arise from this report.

Lawyer Consulted: Hilary Woodward Date: 29/09/11

Equalities Implications:

- 5.5 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new primary policy.

Sustainability Implications:

- 5.6 A Sustainability Appraisal has informed the content of the SPD and will be made publicly available alongside the draft SPD. See Appendix 1.

Crime & Disorder Implications:

- 5.7 None have been identified.

Risk and Opportunity Management Implications:

- 5.8 Whilst a Risk Management Plan has not been undertaken, the risks with this draft SPD are not considered to be significant. In the long-term, the adopted SPD offers the opportunity for Brighton & Hove to provide more detailed design guidance in this area, strengthening its reputation for a consistent approach to achieving quality design.
- 5.9 In the long-term, it is envisaged that the resources which have been involved in producing the draft SPD, leading to an adopted SPD, will reduce the demands on the Development Control Team, who regularly provide detailed advice to applicants on typical design issues for extensions and alterations.

Corporate / Citywide Implications:

- 5.10 The proposals accord with the corporate priority to enhancing the environment and improving housing, safety, health and well-being, whilst promoting enterprise and providing quality advice and information services.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Alternative options were evaluated as part of the Sustainability Appraisal, including an option would have relied on primary policy and Government guidance only. The option of producing an SPD was considered to be the most effective and sustainable option. This approach was also supported by the initial consultation.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The next stage of producing an SPD requires formal public consultation on draft proposals and it is considered that such a draft should be subject to Cabinet Member approval.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft SPD
2. Sustainability Appraisal of Draft SPD

Documents in Members' Rooms

None

Background Documents

1. Brighton and Hove Local Plan (2005)
<http://www.brighton-hove.gov.uk/index.cfm?request=c1000488>
2. Brighton & Hove Sustainable Community Strategy
<http://www.bandhsp.co.uk/index.cfm?request=b1158724>

