

Subject:	Adoption of Updated Design Guide for Extensions and Alterations SPD		
Date of Meeting:	16 January 2020		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Sujeet Sharma	Tel: 01273 292408
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks authority to adopt the Updated Design Guide for Extensions and Alterations Supplementary Planning Document (SPD). The report sets out the results of consultation undertaken on the draft SPD and the changes made in response to comments. Once adopted, the updated SPD will provide guidance to applicants wishing to undertake extension and alteration to their properties and will be used by case officers to help determine planning applications.
- 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.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the consultation undertaken on the draft SPD (Appendix 1) and endorses the changes made to the document.
- 2.2 That the Committee agrees the Updated Design Guide for Extensions and Alterations SPD (Appendix 2) for adoption as part of the city's suite of planning documents subject to any minor grammatical and non-material text and illustrative alterations agreed by the Head of Planning in consultation with the Chair of the Committee prior to publication.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A Design Guide for Extensions and Alterations (SPD 12) was adopted in June 2013 which set out detailed guidance for planning applicants regarding the type of extensions and alterations likely to receive a favourable planning decision. Its replacement is required to take account of the 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. Changes in the permitted development rights for householders and the implications of recent appeal

decisions (allowing alterations that were initially refused on the basis of the 2013 guidance) have also prompted the need to update and review the guidance.

3.2 The updated SPD will:

- Provide guidance for developers and property owners to incorporate good design principles into schemes for extensions and/or alterations;
- Set out supporting information that will need to be submitted with planning applications to assist in planning decision making;
- Help support the delivery of City Plan Part 1 policy CP12: Urban Design and
- Support the delivery of draft City Plan Part 2 policy DM21: Extensions and Alterations (subject to adoption)

3.3 The SPD is prepared as local guidance to assist in delivering local design policy. It is part of the suite of planning documents that seek to continue to raise the quality of the development that will take place in the City.

3.4 At the Tourism, Development & Culture Committee of 20th June 2019, authority was given to consult on the Draft Updated Design Guide for Extensions and Alterations SPD.

3.5 Public consultation was undertaken from 5th July 2019 until the 16th August 2019.

Consultation on Draft SPD

3.6 During the consultation period: the SPD was made available on a dedicated website through the council's Consultation Portal and also at all of the local libraries in Brighton and Hove. Consultees on the Local Plan consultation database were emailed and invited to comment via the consultation portal. They were asked specifically to respond to ten questions relating to different sections of the SPD. A bespoke event was also held with representatives from the Planning Agents Forum (PAF). A press release was issued and the consultation was publicised via social media.

3.7 A total of 10 responses were received during the consultation from six individuals and 4 organisations which included a statutory consultee (Highways England) which had no comments. Three local organisations (The Brighton Society, RSPB Sussex and Planning Agents Forum) broadly supported the content of the SPD with some suggestions.

3.8 The main issues and concerns raised through the public consultation are summarised in the Consultation Statement that accompanies this SPD (see Appendix 1). The Consultation Statement indicates how key concerns have been addressed. Many of the issues raised have been positively incorporated into the SPD. Some of the issues raised were however considered outside the remit of a SPD.

Consultation with the Planning Agents Forum (PAF)

3.9 The preparation of the SPD has been undertaken in consultation with PAF. PAF has engaged with the Council as a critical friend in the process. At the scoping

stage, engagement with PAF (on 2nd November 2018) helped to set the tone of the document. There was strong support for a more positive and flexible approach. As part of the public consultation on the draft SPD a bespoke meeting was held with PAF (30 August 2019) in which PAF provided detailed feedback on the consultation draft SPD. The notes from the meeting have been incorporated in the Consultation Statement.

Key changes

3.10 Some of the key comments and concerns raised through the consultation are summarised in the table below indicating the changes that have been made:

Concern	Changes
The document needs to be jargon free and should be set out in plain English.	The document has been reviewed and revised in response to the comment.
Key design principles which should be applied to the design of extensions should be more fully described and discussed.	Section 3 has been reviewed and new information added to explain the role of building line, pattern, roof lines, pitch and shapes of roofs, views and orientation in Section 3A. Content of the Detailed Guidance section has also been reviewed and amended.
Wording of 'Delivering Sustainability' section is weak. Include requirement to survey prior to construction to examine if there are any active swift nests.	An SPD should not be too prescriptive. The objective of the SPD is not to set policy but support it. New text has been added in Section 3C suggesting it is a good practice to survey the property for any active swift nests prior to construction.
Introduce detailed guidance in relation to infill extension, new and replacement windows and minor alterations.	New sub-sections introduced relating to new and replacement windows and minor alterations have been added.
Roof extensions and alterations guidance needs strengthening and guidance on dormers needs tightening up. Hip to gable changes on semi-detached properties needs to be introduced.	Text has been added to the Roof Alteration Guidance with appropriate advice on hip to gable changes. Guidance on front and back dormers has been reviewed and revised.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Options were fully considered during the preparation of the draft City Plan Part Two and these have informed the detail and content of the SPD.
- 4.2 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, permitted development rights and reflect recent appeal decisions.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The council's Statement of Community Involvement (SCI) sets out policy and standards for engaging residents, local groups, stakeholders and statutory consultees in the preparation of planning-related documents. The public consultation was carried out in accordance with this statement.
- 5.2 There was a six week public consultation period which began on 5th July 2019 and closed on 16th August 2019. There were bespoke meetings held with PAF at scoping stage (2nd November 2018) and as part of the public consultation (30th August 2019) to collect feedback.
- 5.3 The findings of the consultation are included in Appendix 1.

6. CONCLUSION

- 6.1 The new SPD makes changes to the existing SPD that are consistent with regulatory changes and current best practice. The main purpose of this report is to formally adopt the Updated Design Guide for Extensions and Alterations SPD to ensure there is detailed, clear advice for future applicants and to assist the delivery of high quality extensions and alterations in the City.

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 has been funded from existing revenue budgets within the Planning service. It is anticipated that any financial implications arising from the adoption and ongoing regulation of the recommended guidance in the SPD will be met from existing resources. The relevant budgets will be monitored and reviewed as part of budget monitoring and setting.

Finance Officer Consulted: Jess Laing

Date: 11/12/2019

Legal Implications:

- 7.2 As noted in the body of the report, consultation on the draft SPD has been carried out in accordance with the relevant statutory provisions, namely the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.3 Those Regulations also govern the contents of a SPD. 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: 5/12/19

Equalities Implications:

- 7.4 The Draft City Plan Part 2 was accompanied by a Health and Equality Impact Assessment (HEQIA). The HEQIA for the policy of relevance to this SPD, DM21 Extensions and alterations, found there to be no specific equalities implications and found it to be beneficial for the health of the occupiers. The findings in relation to this policy are of relevance to the SPD.

Sustainability Implications:

- 7.5 SPDs do not require a Sustainability Appraisal, however they may require a Strategic Environmental Assessment (SEA) if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. A SEA screening was undertaken in March 2019, taking into account the criteria specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, to determine whether the SPD was likely to give rise to significant effects. The screening concluded that the SPD was unlikely to result in significant adverse environmental effects, that the impacts should be largely beneficial and that the SPD supplements existing policy which has already undergone SEA.

Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices:

1. Consultation Statement, October 2019
2. Updated Design Guide for Extensions and Alterations Supplementary Planning Document (SPD) November 2019

Background Documents

1. City Plan Part One
2. Draft City Plan Part Two

