

Subject:	Supplementary Planning Document 12: Design Guide for Extensions and Alterations		
Date of Meeting:	20 June 2013		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Adrian Smith	Tel: 290478
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Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The report sets out the results of consultation undertaken on the draft Extensions and Alterations Design Guide (Supplementary Planning Document (SPD) 12) and seeks approval of the changes made and recommends the adoption of the SPD. Once adopted, the SPD will support the current development plan by providing detailed design guidance for extensions and alterations to buildings throughout the City. The new SPD will supersede current documents SPGBH01 'Roof Alterations and Extensions' and SPGBH07 'Satellite Receiving Dishes and Other Aerials'.

2. RECOMMENDATIONS:

That the Economic Development & Culture Committee:

- 2.1 Notes the results of the public consultation exercise (appendix 2) and endorses the changes made to the SPD
- 2.2 Adopts SPD12 'Design Guide for Extensions and Alterations' (attached as Appendix 1) as a Supplementary Planning Document subject to any minor grammatical and non-material text and illustrative alterations agreed by the Executive Director Environment, Development & Housing in consultation with the lead Councillor.
- 2.3 That following adoption of SPD12 'Design Guide for Extensions and Alterations', the Economic Development & Culture Committee authorises the revocation of SPGBH01 'Roof Alterations and Extensions' and SPGBH07 'Satellite Receiving Dishes and Other Aerials'.
- 2.4 That the SPD takes effect on Monday 5 August 2013.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The purpose of the SPD is to support current and emerging development plan policies by providing detailed design guidance on extensions and alterations to buildings across the city. The guidance is intended to promote good design practice, assist in the protection and enhancement of the city's heritage assets, and protect the amenities of local residents from inappropriate development.
- 3.2 Once adopted, the SPD will constitute a material consideration that can be taken into account when determining planning applications.
- 3.3 The SPD will assist applicants, agents, members of the public and Members of the Council by providing a clear set of criteria against which development proposals will be assessed. This will assist applicants in the formation of their proposals, reduce unnecessary expense for applicants in pursuing developments clearly contrary to the development plan, and improve the clarity, consistency and speed of decision making.
- 3.4 The SPD complements the key design policies that have been 'saved' within the current Brighton & Hove Local Plan (2005), and has been built having regard to the emerging policies within the Submission City Plan Part One. The current design policies within the Brighton & Hove Local Plan (2005) that the SPD supports 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
- 3.5 Within the Submission City Plan Part One, the SPD will support the overarching strategy of the Plan in promoting sustainable development, in particular supporting policies SS1 'Presumption in Favour of Sustainable Development' and CP15 'Heritage'. The SPD will undergo a process of review at a later stage once the more detailed policies within the City Plan Part Two emerge. This is to ensure the SPD reflects the thrust of the emerging policy framework.
- 3.6 The draft SPD was approved by the Economic Development & Culture Committee on 7 March 2013. Formal public consultation on the draft SPD was carried out between 11 March 2013 and 19 April 2013 and, in accordance with the legislation, a public notice was published in The Brighton & Hove Leader. The draft SPD was sent to all local planning agents on the Agents Forum mailing list and reported to the Conservation Advisory Group.
- 3.7 A total of seven representations were received and these are summarised at Appendix 2, which also sets out how the SPD has changed, or not, in response to the representations. The main changes are:

- The guidance on single storey rear extensions has been relaxed to permit extensions up to half the depth of the main building, subject to acceptable impact on neighbouring amenity. This compares favourably to the 3m restriction set out within the consultation draft.
- The recommended setback for side extensions has been reduced to 0.5m from 1m
- The guidance on the new and replacement windows has been clarified

3.8 Members are advised that changes to householder Permitted Development rights came into force on 30 May 2013. These changes do not alter the thrust of the SPD, which is a design guidance document primarily for use in considering planning applications. Where planning permission is not required, the SPD remains relevant in advising residents/developers of best design practice.

3.9 A Sustainability Appraisal (SA) has been produced to accompany the SPD, and the SPD has incorporated many of its recommendations. The SA concludes that the production of this SPD has the most scope for positive impacts in relation to maintaining local distinctiveness and improving health across the city. No comments were received on the draft SA during the formal consultation period.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1 The SPD has undergone two separate periods of public consultation to reach this stage. The SPD initially underwent an initial 'issues and options' consultation in 2009, after which an initial draft was approved for public consultation by the Planning, Employment, Economy & Regeneration Cabinet Member Meeting on 3 November 2011. This first public consultation ran from the 5 December 2011 to the 13 January 2012 and included a workshop with the local planning agents forum.

4.2 Thirty responses to the first consultation were received. The feedback indicated that, amongst other matters, stakeholders wished to see less prescriptive guidance that better promotes modern and sustainable design solutions.

4.3 A second stage consultation was undertaken following revisions arising from the first consultation (agreed at the Economic Development & Culture Committee on 7 March 2013) The consultation ran from 11 March 2013 to 19 April 2013 and seven responses were received (A matrix of the feedback and updates is included in Appendix B).

4.4 The feedback from the second public consultation has broadly indicated that many of the concerns raised at the time of the first consultation have now been addressed. Some concerns remained that elements of the guidance were overly restrictive and would not allow individual cases to be determined on their own merits. The SPD has been amended to address some of these concerns

4.5 In terms of its implications for the city's built heritage, respondents, including the Conservation Advisory Group, broadly welcomed the content of the document.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The adopted SPD will be available to view on the Council's web-site therefore there will therefore be minimal costs in terms of printing. A public notice will be placed in the Leader newspaper advising the public of the adoption, the cost of which will be met from within existing revenue budgets.

Finance Officer Consulted: Jeff Coates

Date: 15/05/2013

Legal Implications:

- 5.2 Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, prior to adoption, supplementary planning documents must be subject to formal public consultation for a period of not less than four weeks. As the report confirms, this statutory requirement has been complied with.
- 5.3 As noted in this report, the adopted 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: 20/05/2013

Equalities Implications:

- 5.5 None have been identified. An Equalities Impact Assessment is not required as the SPD does not involve 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 SPD.

Crime & Disorder Implications:

- 5.7 None have been identified.

Risk and Opportunity Management Implications:

- 5.8 The risks in relation to 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 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.

Public Health Implications:

- 5.10 The SPD will assist in the expansion of the existing housing stock, thereby improving quality of life. The SPD will also assist in protecting the health, quality of life and amenity of surrounding residents from inappropriate development.

Corporate / Citywide Implications:

- 5.11 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 final stage of producing an SPD requires formal approval and adoption by the relevant Committee, in this case the Economic Development and Culture Committee.

SUPPORTING DOCUMENTATION

Appendices:

1. Supplementary Planning Document 12: Design Guide for Extensions and Alterations
2. Feedback matrix from second consultation period 11 March – 19 April 2013
3. Sustainability Appraisal

Documents in Members' Rooms

1. None

Background Documents

1. Brighton & Hove Local Plan (2005)
<http://www.brighton-hove.gov.uk/index.cfm?request=b1000164>
2. Submission City Plan Part One
<http://www.brighton-hove.gov.uk/index.cfm?request=b1163744>
3. Brighton & Hove Statement of Community Involvement
http://www.brighton-hove.gov.uk/downloads/bhcc/local_plan_2005/BHCC_adopted_SCI_280906.pdf