

REPORT TO EXECUTIVE

Date of Meeting: 3 October 2023

Report of: Director of City Development

Title: Householder's Guide to Extension Design Supplementary Planning Document (SPD)

Is this a Key Decision?

Yes

Is this an Executive or Council Function?

Executive

1. What is the report about?

This report sets out the details of a review and update on the Council's Householder's Guide to Extension Design Supplementary Planning Document (SPD), and seeks approval to consult on the document for 6 weeks in October 2023.

2. Recommendations:

2.1 That the Executive approves the 'Householder's Guide: Design of Extensions and Alterations' (included in Appendix A) as the basis for public consultation commencing on 23 October 2023;

2.2 That the Executive gives delegated authority to the Director of City Development in consultation with the Portfolio Holder for City Development to agree minor changes to the 'Householder's Guide: Design of Extensions and Alterations' before it is published for consultation; and

2.3 That the Executive gives delegated authority to the Director of City Development in consultation with the Portfolio Holder for City Development to agree a change to the consultation start or end date if required.

3. Reasons for the recommendation:

As part of the City's Local Development Scheme it was identified that the Council's well established and used SPD for householders on extension design had not been updated since 2008, and so did not reflect changes that have been made to policy, nationally and locally, including the adoption of the Council's Residential Design Guide. In this case an update will ensure the SPD aligns with current planning policy and guidance.

As the local planning authority for Exeter, the Council has a statutory duty to consult on the draft revised SPD before it can be adopted. This consultation will enable the wider community to inform changes to the document as it evolves toward the final version, fulfilling statutory requirements and to ensure it is in accordance with the Council's Statement of Community Involvement (SCI) adopted in July 2022 and Consultation Charter adopted in July 2021.

4. What are the resource implications including non financial resources

The work in updating the document has been carried out by the Planning team in City Development, without the need for additional consultancy work, as a result there are no budget implications.

5. Section 151 Officer comments:

There are no additional financial implications for Council to consider arising from this report.

6. What are the legal aspects?

The Planning and Compulsory Purchase Act 2004 established a system of local development planning in England. The Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012/767) (the “Regulations”) make provision for the operation of that system. The legal process for preparing and consulting on SPDs is set out in Part 5 of the Regulations. This includes a requirement for SPDs to be consulted on for a period of not less than four weeks. The Council will need to ensure that the Regulations are adhered to in the consultation process.

The Regulations include a requirement as part of any later subsequent adoption process to prepare an adoption statement setting out who has been consulted, a summary of the main issues raised and how those issues have been addressed in the SPD (Regulation 14).

7. Monitoring Officer’s comments:

Members’ attention is drawn to the legal aspects set out in paragraph 6 above. Otherwise this report raises no issues of concern to the monitoring officer.

8. Report details:

Background

A review and update has been carried out of an existing Supplementary Planning Document (SPD) published in 2008, which provides advice for householders submitting planning applications for extensions and alterations to their properties. This has been needed as there have been changes to: - adopted and emerging local plan policy; the National Planning Policy Framework and Planning Practice Guidance; permitted development rights that affect householders and the Council’s Residential Design SPD has subsequently been published.

A public consultation on the document is proposed between the 23rd October and 4th December 2023. The intention is to adopt the document by June 2024.

Comments

Householders’ planning applications make up around 20 to 30 per cent of the total dealt with by City Development. The existing ‘Householder’s Guide to Extension Design’ SPD sets out a clear set of principles that guide homeowners to help ensure their planning applications for extensions and alterations succeed. This is based on design policies DG1

and DG4 of the adopted Local Plan First Review. The document cover themes including local distinctiveness, the design of homes, outbuildings and function of gardens, amongst others. Over the last 15 years this has helped to protect the living conditions of those living adjacent to householder developments whilst ensuring the special character of the city is maintained.

The updated document seeks to achieve the same aims, whilst reflecting changes in local and national policy, and the Council's Residential Design Guide. Key changes include, further consideration of gardens and boundary treatments, refinements on the advice on building design, with supplementary advice on the addition of roof lights and solar panels to properties.

It is proposed that the title is changed to the following - Householder's Guide: Design of Extensions and Alterations

Public Consultation

To comply with relevant legislation, it will be necessary to publicly consult on proposals to revise the SPD for a minimum period of 4 weeks. In this case it is it is proposed that the document will go out to public consultation for 6 weeks from 23rd October until 4th December 2023.

The consultation will run alongside that proposed for the Exeter Plan and the Water Lane Design Code SPD. The consultation will accord with the Council's adopted Statement of Community Involvement and Consultation Charter.

9. How does the decision contribute to the Council's Corporate Plan?

The SPD consultation, followed by its adoption, will be important in ensuring the delivery of objectives in the Council's Corporate Plan. Specifically: - 'building great neighbourhoods', helping deliver a 'Net zero carbon city' and deliver a 'thriving Culture and Heritage'. It will achieve this by ensuring residents can improve their homes in a way that protects the living conditions of their neighbours whilst creating an attractive place to live; provide advice and guidance on the addition of solar panels to properties to help reduce energy use and provide guidance on protecting features of historic value.

10. What risks are there and how can they be reduced?

That the proposed changes are not endorsed through the consultation process. Risks are reduced as it is considered that the proposed changes are relatively minor or necessary due to policy or legislation changes. There will also be an option to make revisions following the consultation process.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and

- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because: See attached Equalities Impact Assessment.

12. Carbon Footprint (Environmental) Implications:

There are no direct carbon/environmental impacts arising from the recommendation to hold public consultation on the revised draft Direction and SPD. However, digital consultation methods will minimise the carbon footprint of the consultation.

13. Are there any other options?

The document could remain unchanged, but this would not reflect the most recent policy and government guidance so could result in confusion and weaken the status of the document as part of the decision making process for householder applications.

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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