

REPORT TO EXECUTIVE

Date of Meeting: 5 March 2024

REPORT TO COUNCIL

Date of Meeting: 23 April 2024

Report of: Director of City Development

Title: Householder's Guide: Design of Extensions and Alterations Supplementary Planning Document (SPD): Adoption

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 This report sets out the details of a review and update of the Council's Householder's Guide: Design of Extensions and Alterations Supplementary Planning Document (SPD), following a 12-week consultation and recommends a final version for adoption by Council.

2. Recommendations:

2.1 That the Executive notes the Consultation Statement, which documents the responses to the consultation on the SPD, attached at Appendix A.

2.2 That the Executive recommends that Council approves the adoption of the updated and revised Householder's Guide: Design of Extensions and Alterations SPD attached at Appendix B.

3. Reasons for the recommendation:

3.1 As part of the City's Local Development Scheme it was identified that the Council's well-established 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. This update ensures the SPD aligns with current planning policy and guidance.

3.2 Following approval by the Executive Committee on 3 October 2023, a consultation on the draft SPD was carried out between 23 October 2023 and 12 January 2024 in accordance with the Council's Statement of Community Involvement and Consultation Charter. The comments made have been collated and considered, and a revised version of the document addressing the responses has been prepared, with a recommendation that this version is adopted.

4. What are the resource implications including non financial resources

4.1 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:

5.1 There are no financial implications to consider in this report.

6. What are the legal aspects?

6.1 The Planning and Compulsory Purchase Act 2004 establishes 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, consulting on, and adopting SPDs is set out in Part 5 of the Regulations. The Householder's Guide: Design of Extensions and Alterations has undergone consultation, and a Consultation Statement has been prepared. These processes adhere to the Regulations.

7. Monitoring Officer’s comments:

7.1 The Monitoring officer welcomes this report given that the result is to update the Householder Guide following public consultation.

8. Report details:

Background

8.1 Household's planning applications make up around 20 to 30 per cent of the total dealt with by the City Council. 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 covers 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.

8.2 A review and update of the SPD has been carried out. This has been needed as there have been changes to adopted and emerging local plan policy; the publication of the National Planning Policy Framework and Planning Practice Guidance; amendments to permitted development rights that affect householders; and the publication of the Council's Residential Design SPD.

Updated Supplementary Planning Document

8.3 The updated document seeks to reflect changes in local and national policy and the Council's Residential Design Guide. Key changes in the document available for consultation include:

- Further consideration of gardens and boundary treatments;
- Refinements on the advice on building design;

- Supplementary advice on the addition of roof lights and solar panels to properties;
- Additional advice on outbuildings; and
- A new title: Householder's Guide: Design of Extensions and Alterations Supplementary Planning Document.

Consultation and responses

8.4 A consultation on the updated document was carried out between 23 October 2023 and 12 January 2024. The document has been updated in light of the responses (as set out in the attached Consultation Statement at Appendix A). The next stage is adoption of the SPD.

8.5 The consultation period for the SPD was nearly 12 weeks long, approximately twice the requirement of the Consultation Charter. The consultation made use of Commonplace, the interactive online engagement platform that has been used by the Council for several other consultations, included a number of exhibitions where material was presented alongside the Exeter Plan, was advertised through a series of emails, press releases and social media and the consultation material was made available in all city public libraries and the reception of the Civic Centre. Responses could be made online, via email or in paper form.

8.6 Following nearly 12 weeks of consultation, 24 unique commenters provided responses, including the Environment Agency, South West Water, Devon Wildlife Trust, and members of the public. A summary of comments is set out in the Consultation Statement attached in Appendix A, but they can be summarised as suggesting the need for:

- Clarification and further advice on extensions that are located in flood zones and how they can help reduce flood risk;
- Guidance on the use of sustainable drainage systems;
- Guidance on how schemes should best link in with the city's sewerage and drainage system;
- Changes to advice to protect and enhance wildlife and biodiversity; and
- Additional minor editorial changes.

8.7 Following review of the consultation responses, further amendments have been made to the SPD including:

- Additional paragraphs on flood risk and sustainable drainage schemes;
- Additional wording on sustainability and environmental performance, design including contemporary design, permeability, surface water run off;
- Information on nesting birds;
- Further emphasis that the SPD relates to work falling outside of permitted development; and
- Section on 'other permissions that fall outside of planning permission' has been expanded to include restrictive covenants and party wall agreements.

8.8 The proposed final version of the Householder's Guide: Design of Extensions and Alterations is at Appendix B.

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

9.1 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.'

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

10.1 The Government has been consulting on reforms to national planning policy. The consultation included a proposal that would repurpose SPDs and change the process for their preparation. If this proposal were to be implemented, it could affect the lifespan of the SPD. Further consideration will need to be given to an appropriate response to this risk in due course.

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 the adoption of the SPD, no potential impact has been identified on people with protected characteristics as determined by the Act: See attached Equalities Impact Assessment.

12. Carbon Footprint (Environmental) Implications:

12.1 The SPD includes guidance that supports proposals that will reduce carbon emissions and impacts upon the environment.

13. Are there any other options?

13.1 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.

Director of City Development, Ian Collinson

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

Background papers used in compiling this report:-

Current version of the SPD: Householder's guide to extension design SPD

Consultation version of the SPD: Householder's Guide: Design of extensions and alterations SPD

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