

Name of meeting: Scrutiny Panel

Date: 06 October 2020

Title of report: Draft House Extensions and Alteration Supplementary Planning Document (SPD)

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes - The SPD will have an effect on all wards
Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	No
Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	David Shepherd 28.09.2020
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Eamonn Croston 24.09.2020
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Deborah Wilkes 25.09.2020
Cabinet member portfolio	Give name of Portfolio Holder/s Cllr Peter McBride Cllr Cathy Scott

Electoral wards affected: All

Ward councillors consulted: Cllr Peter McBride, Cllr Cathy Scott and Cllr Manisha Kaushik were briefed on the House Extensions and Alteration Guide SPD on Tuesday 1st September 2020. .Planning Committee Chairs (Cllr Steve Hall and Cllr Terry Lyons) were briefed on Thursday 10 September. All consultees were supportive of the document being prepared for public consultation.

Public or private: Public

Has GDPR been considered? Yes. The draft SPD does not contain any personal data.

Purpose of the report

- To highlight the scope of the Draft House Extensions and Alteration SPD for the purposes of consultation and allow questions and comments about the scope of the document. Details of the scope and content of the SPD will be presented at the Scrutiny session
- To note the timeline for next steps for public consultation and adoption of the SPD.

1. Summary

The draft House Extensions and Alteration Guide SPD will support the implementation of the policies in the Local Plan, primarily policy LP24 Design, and provide further guidance on key considerations for planning applications for the extension and alteration of existing homes in Kirklees.

Supplementary Planning Documents (SPDs) are produced to add clarity in relation to the application of planning policies set out in the Local Plan. The draft SPD provides clear guidance about how the council will implement Local Plan policy LP24 (Design) and determine what will normally be expected in terms of high quality, well-designed extensions and alterations to houses in Kirklees. It will provide important certainty for elected members, officers and external parties such as the local community and developers.

Once adopted SPDs are a material consideration in planning decisions but are not part of the development plan. SPDs are subject to consultation but not an Examination in Public.

The presentation will set out the general scope and content of the document and allow for questions and comments. Note that the draft SPD is not appended to this report as Scrutiny comments will be considered in finalising the SPD which will then be subject to public consultation in mid-October 2020.

The adoption of the SPD will be a Cabinet decision.

The adopted Local Plan policy LP24 (Design) which provides the policy basis for this SPD is attached at Appendix 1.

2. Information required to take a decision

Government policy places emphasis on the importance of good design in the revised National Planning Policy Framework (NPPF) (2019) and the National Design Guide. The NPPF states that the "...creation of high quality buildings and places is fundamental to what the planning and development process should achieve" (paragraph 124).

The NPPF also recognises that "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design" (paragraph 126).

Preparation of an SPD for Residential Design is identified in the council's revised Local Development Scheme (LDS) (approved at Cabinet on 3rd December 2019) to establish best practice and set out how Local Plan policy requirements can be met whilst achieving the high quality design and layout of residential proposals. To ensure effective residential design guidance, officers are producing two draft SPD documents aimed at different types of residential planning proposals. These are within the quality places agenda and will seek to ensure future housing developments are well-designed to help deliver quality places:

- **The draft Housebuilders Design Guide SPD**
- **The draft House Extensions and Alterations SPD**

This report focuses on the draft House Extensions and Alterations SPD which will provide detailed guidance about how the council will implement Local Plan policy LP24

(Design) in relation to house extensions and alterations and what the council would expect in terms of high-quality well-designed proposals.

Supplementary Planning Documents (SPDs) are produced to add clarity in relation to the application of planning policies set out in the Local Plan. Once adopted SPDs are a material consideration in planning decisions but are not part of the development plan. SPDs are subject to public consultation but not an Examination in Public. The decision to adopt an SPD will be a Cabinet decision following the public consultation.

The draft House Extensions and Alterations SPD supports the implementation of the policies in the Local Plan, primarily policy LP24 Design, and provides further guidance on key considerations for planning applications for house extensions and alterations in Kirklees. Advice for well-designed proposals is set out in the draft SPD in terms of responding to local context, character of the area and the climate emergency to improve the quality of homes and neighbourhood and to help mitigate and adapt to climate change.

The draft SPD will be split into the following main sections:

- **Advice before you begin** - Considerations before applying for planning permission, including permitted development, pre-application advice, listed buildings and conservation areas, green belt, security, access for all users and discussion with neighbours.
- **Site appraisal** – Undertaken to assess the characteristics of the existing house, the site and its immediate surroundings. This will inform the proportion, position, size and scale of the extension.
- **General design principles for extensions and alterations** – Principles relating to local context and character, impact on the original house, impact on neighbouring properties, sustainable design to help mitigate the impacts of climate change, parking and the relationship with the natural environment.
- **Detailed guidance for extensions and alterations** – Guidance relating to the implementation of the key principles for different types of extensions and alterations, including rear, front and side extensions, dormer windows and roof extensions, balconies, outbuildings, bungalows and extensions for disabled people.

3. Implications for the Council

The main implication for the Council in producing the draft House Extensions and Alterations SPD is that it will provide consistency, greater clarity and improve certainty for householders, developers, agents and architects undertaking and submitting planning applications. It will assist applicants in the early design of house extensions and alterations by identifying key matters likely to be raised within pre-application discussions and will help bring forward policy-compliant schemes.

The draft SPD will also help facilitate the council's Development Management service in the determination of planning applications and provide clear guidance and certainty for the local community, elected members and officers to increase awareness of the council's expectations in relation to high quality well-designed house extensions and alterations.

- **Working with People**
The House Extensions and Alterations SPD will enable communities to understand the council's expectations regarding the delivery of well-designed house extensions and alterations. The council will undertake public consultation on the draft SPD in accordance with the Statement of Community Involvement

(SCI).

- **Working with Partners**

The House Extensions and Alterations SPD will enable developers and statutory consultees to understand the council's expectation regarding the delivery of well-designed house extensions and alterations. The council will undertake public consultation on the draft SPD in accordance with the Statement of Community Involvement (SCI).

- **Place Based Working**

The House Extensions and Alterations SPD is part of the 'quality places' agenda and sets out the design requirements to seek high quality design of residential extensions which avoid unacceptable impacts on existing residents.

- **Improving outcomes for children**

The SPD will help improve outcomes for children through the delivery of guidance which will help to support growing families stay in their homes. Furthermore, it will seek to avoid unacceptable impacts on existing occupiers where neighbouring properties are proposing extensions and help to support the retention of garden space in family homes.

- **Other (e.g. Legal/Financial or Human Resources)**

- Legal - The requirements for producing SPD's are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
- Financial - The Local Plan is the statutory development plan for Kirklees and includes policy LP24 (Design) which requires good design as a core principle of all development proposals in the district. The draft SPD provides guidance to ensure further clarity in relation to house extensions to ensure they are subservient to the original building, are in keeping with existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. The proposal for a Residential Design SPD is included in the Local Development Scheme (LDS) therefore the work being undertaken on this House Extensions and Alterations SPD is within existing budgets.
- Human resources - The House Extensions and Alterations SPD is identified in the LDS and as such existing resources are being used for the project.
- An Integrated Impact Assessment has also been undertaken(Appendix 2).

4. Consultees and their opinions

Cllr Peter McBride, Cllr Cathy Scott and Cllr Manisha Kaushik were briefed on the House Extensions and Alterations SPD on Tuesday 1st September 2020. Planning Committee Chairs (Cllr Steve Hall and Cllr Terry Lyons) were briefed on Thursday 10 September. All consultees were supportive of the document being prepared for public consultation.

Early engagement with internal and external stakeholders, including WYCA, has been undertaken to inform the scope and content of the draft SPD. The document has been prepared with input gained from internal stakeholders through formal drop-in sessions, which were attended by Development Management, Climate Change Officer, the West

Yorkshire Police Planning Liaison Officer, Client Design Advisor, Highways Engineer and Waste & Recycling Operations Planning Coordinator. Further input was received through written responses provided by Development Management, Conservation & Design, Highways DM, Flood Management and Drainage, the Landscape Architect Manager, the West Yorkshire Police Planning Liaison Officer, Client Design Advisor, Waste & Recycling Operations Planning Coordinator, Biodiversity Officer, Cultural Development and Climate Change Officer.

External consultees were provided questionnaires to provide their views on the following:

- Good design - How successful have Kirklees been in securing good design in new housing developments? Are there any examples of good design in Kirklees or from elsewhere and what are the qualities that make these examples successful?
- Barriers - What are considered the main barriers to achieving good design in new housing developments or for extensions and alterations to existing residential properties. Are there any barriers to achieving good design in Kirklees which have been successfully overcome in other local authorities and can you provide examples of these?
- Design Guidance in the SPD - What key principles and elements of good design should be included in the Residential Design SPD and what guidance would be helpful to achieve this.

A Strategic Environmental Assessment (SEA) Screening has been undertaken by the council, which concluded that a full SEA is not required. This screening outcome has been sent to the three statutory consultees (Environment Agency, Natural England and Historic England) to seek their views on this conclusion who have all have commented that no SEA is required.

5. Next steps and timelines

It is intended the Council will consult on the draft House Extensions and Alterations SPD in mid-October 2020 for a period of six weeks (the minimum legal requirement is four weeks). The consultation will be carried out in accordance with Statement of Community Involvement. Following the consultation, all comments will be considered, enabling any changes to be incorporated in the final House Extensions and Alterations SPD. It will be a decision for Cabinet to adopt the SPD at that stage.

The next steps:

- **Public consultation** on the draft House Extensions and Alterations SPD – proposed for mid-October 2020
- **Anticipated Cabinet** decision on adoption of the House Extensions and Alterations SPD – Early 2021

6. Officer recommendations and reasons

- Scrutiny Panel to note the scope and timeline of the draft SPD and provide feedback during the Scrutiny Panel session.

Reason: Scrutiny Panel requested to have early input into the content of draft SPDs.

7. Cabinet Portfolio Holder's recommendations

Cllr Peter McBride, Cllr Cathy Scott and Cllr Manisha Kaushik were briefed on the House Extensions and Alterations SPD on Tuesday 1st September 2020. All were supportive of the document being prepared for public consultation.

8. Contact officer

John Buddle (Planning Policy and Strategy Team Leader, Planning Policy Group)

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(01484) 221000

9. Background Papers and History of Decisions

- Local Plan adopted 27th February 2019 (www.kirklees.gov.uk/localplan)
- Local Plan Examination Library (<https://www.kirklees.gov.uk/beta/planning-policy/local-plan-examination-library-2017.aspx>)

10. Service Director responsible

Karl Battersby

Strategic Director for Economy and Infrastructure

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APPENDIX 1: EXTRACT FROM THE KIRKLEES LOCAL PLAN STRATEGY AND POLICIES (Adopted 27th February 2019)

Policy LP24

Design

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;
- d. high levels of sustainability, to a degree proportionate to the proposal, through:
 - i. the re-use and adaptation of existing buildings, where practicable;
 - ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;
 - iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;
 - iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;
 - v. providing charging points to encourage the use of electric and low emission vehicles;
 - vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;
 - vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;
 - viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.

- e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;**
- f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;**
- g. any new open space is accessible, safe, overlooked and strategically located within the site and well-integrated into wider green infrastructure networks;**
- h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;**
- i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and**
- j. the provision of public art where appropriate.**

APPENDIX 2: Integrated Impact Assessment

EIA STAGE 1 – SCREENING ASSESSMENT

PROJECT DETAILS

Name of project or policy:
House Extensions & Alterations Supplementary Planning Document (SPD)

Directorate: Housing and Growth
Senior Officer responsible for policy/service: Mathias Franklin, Acting Head of Planning and Development

Service: Planning
Lead Officer responsible for EIA: Steven Wright, Planning Group Leader

Specific Service Area/Policy: residential Design Supplementary Planning Document
Date of EIA (Stage 1): 31/03/2020

Brief outline of proposal and the overall aims/purpose of making this change:

The purpose of the House Extensions & Alterations SPD is to provide guidance for interested parties submitting a planning application (applicants and developers), the local community, other stakeholders and development management officers on what features the Local Planning Authority will seek to determine a well designed extensions and/or alterations to existing properties.

The SPD provides detailed guidance and additional information about the implementation of Kirklees Local Plan policy L P24 'Design' and will be a material consideration in the determination of planning applications.

ASSESSMENT SUMMARY

Theme	Calculated Scores						Stage 2 Assessment Required
	Proposal	Impact	P + I	Mitigation	Evidence	M + E	
Equalities	0	4.4	4.4	0	4	4	No
Environment		3.6	3.6	0	4	4	No

NATURE OF CHANGE

WHAT IS YOUR PROPOSAL?	Please select YES or NO
To introduce a service, activity or policy (i.e. start doing something)	NO
To remove a service, activity or policy (i.e. stop doing something)	NO
To reduce a service or activity (i.e. do less of something)	NO
To increase a service or activity (i.e. do more of something)	NO
To change a service, activity or policy (i.e. redesign it)	NO
To start charging for (or increase the charge for) a service or activity (i.e. ask people to pay for or to pay more for something)	NO

WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...	Level of Impact Please select from drop down
Kirklees employees within this service/directorate? (overall)	Positive
Kirklees residents living in a specific ward/local area?	Positive
Please tell us which area/ward will be affected:	All wards
Residents across Kirklees? (i.e. most/all local people)	Positive
Existing service users ?	Neutral

Each of the following groups ?		Please select from drop down
<i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i>		
...age	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...disability	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...gender reassignment	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...marriage/ civil partnership	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...pregnancy & maternity	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...race	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...religion & belief	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sex	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sexual orientation	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...those in poverty or low-come	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral

...unpaid carers

What impact is there on Kirklees **employees**/internal working practices?

Neutral

What impact is there on Kirklees **residents**/external service delivery?

Neutral

WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...			Level of Impact
			Please select from drop down
Kirklees Council's internal practices ?			Positive
Lifestyles of those who live and work in Kirklees?			Positive
Practices of suppliers to Kirklees council?			Neutral
Practices of other partners of Kirklees council?			Neutral
Each of the following environmental themes ? (Please select from the drop down list)			
	People	Partners	Places
...clean air (including Climate Changing Gases)	Positive Score: 1	Neutral Score: 2	Positive Score: 1
...Clean and plentiful water	Neutral Score: 2	Neutral Score: 2	Neutral Score: 2
... Wildlife and habitats	Positive Score: 1	Neutral Score: 2	Positive Score: 1
...Resilience to harm from environmental hazards	Neutral Score: 2	Neutral Score: 2	Neutral Score: 2
... Sustainability and efficiency of use of resources from nature	Positive Score: 1	Neutral Score: 2	Positive Score: 1
...Beauty, heritage and engagement with the natural environment	Positive Score: 1	Neutral Score: 2	Positive Score: 1
... Resilience to the effects of climate change	Positive Score: 1	Neutral Score: 2	Positive Score: 1
...Production, recycling or disposal of waste	Positive Score: 1	Neutral Score: 2	Positive Score: 1
... Exposure to chemicals	Neutral Score: 2	Neutral Score: 2	Neutral Score: 2

HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?

Please select YES or NO

Equality Themes

Have you taken any specialist advice linked to your proposal? (Legal, HR etc)?	Yes
...employees?	Yes
Do you have any evidence/intelligence to support your assessment (in section 2) of the impact of your proposal on...	Yes
...Kirklees residents?	Yes
...service users?	No
...any protected characteristic groups?	No

Please list your **equalities** evidence/intelligence here [you can include hyperlinks to files/research/websites]:

The SPD provides additional guidance to help implement Local Plan policies and it's use by employees from development management and external applicants will have a positive effect in helping determine planning applications and evolving scheme designs.

The House Extensions and Alterations SPD aims to deliver good residential design across the district which is accessible by all for the lifetime of the property that will also support the changing needs of the occupier. The guidance includes standards

	Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal outlined on the different groups of people?	FULLY
To what extent do you feel you have considered your Public Sector Equality Duty?	FULLY

Environmental Themes

Have you taken any specialist advice linked to your proposal?	Yes
...Kirklees Council practices?	Yes
Do you have any evidence/intelligence to support your assessment (in section 2) of the impact of your proposal on...	Yes
...resident and worker lifestyles?	Yes
...Practices of Supplier to Kirklees Council?	No
...Practices of other Kirklees Council partners?	No

Please list your environmental evidence/intelligence here [you can include hyperlinks to files/research/websites]:

The SPD sets out what principles the council considers to be helpful when designing any house extension or alteration. The SPD provides standards required by the council that will help achieve a well-designed house extension or alteration. The document will be used by the council's development management teams when determining planning applications.

The document seeks to plan for climate change and respond to the climate emergency throughout the life cycle of the development mitigating and adapting to climate change.

	Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the environmental issues identified?	FULLY