

REPORT TO COUNCIL

30 September 2005

REPORT OF DIRECTOR OF NEIGHBOURHOOD SERVICES

Portfolio: Regeneration

Sedgefield Borough Local Development Framework – Draft Residential Extensions Supplementary Planning Document

1 SUMMARY

- 1.1 The Planning and Compulsory Purchase Act 2004 represents a major reform of the planning system. The Government's objective is to produce a more flexible plan-making system; the Local Development Framework. The Local Development Framework will comprise of a Local Development Scheme which sets out the work programme; a Statement of Community Involvement; a range of Development Plan Documents; Supplementary Planning Documents; and, Annual Monitoring Reports.
- 1.2 The Local Development Scheme identifies that the Draft Residential Extensions Supplementary Planning Document will come forward in September 2005. Planning applications for householder development has risen from 49% in 2002/03 to 68% in 2004/05. There is clear evidence that the existing Supplementary Planning Guidance Note 4, adopted in 2000, has become out-of-date and requires urgent review. This Supplementary Planning Document provides detailed guidance on the extension to residential properties in the Borough and replaces existing Supplementary Planning Guidance Note 4. In terms of the preparation of documents, the Residential Extensions Supplementary Planning Document is not subject to public examination.

2 RECOMMENDATION

- 2.1 That Council endorses the Cabinet recommendation made on 15 September 2005 to publish the Draft Residential Extensions Supplementary Planning Document for its statutory period for public consultation.
- 2.2 Council will receive a further report detailing responses received during the consultation exercise, together with information about the next steps to be taken.

3 THE DRAFT RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT

- 3.1 Sedgefield Borough has experienced a significant increase in householder extension applications over the last few years. Residents are seeking improvements to their current dwelling rather than moving up the property ladder. This has been attributed to the effect of rising house prices on the Borough housing market e.g. average house prices in Sedgefield Borough rose 57% over the last three years (source: Land Registry).
- 3.2 In 2004, the Borough Council commissioned final year students from the University of Newcastle to identify national best practice in this area and make recommendations to help the Borough develop a revised Supplementary Planning Document. Officers within Planning and Technical Services have subsequently refined this work to suit local circumstances.

The Supplementary Planning Document

- 3.3 All matters covered in the Supplementary Planning Document must relate to policies in a Development Plan Document or a 'saved' policy in the Local Plan. The latter applies in this case, namely Policies H15 and H16 of the Borough Local Plan. The Residential Extensions Supplementary Planning Document provides detailed advice and guidance on the following issues:
- General Design Principles;
 - Porches;
 - Forward Extensions;
 - Side Extensions;
 - Rear Extensions;
 - Rural Extensions;
 - Conservatories;
 - Dormer Windows and Roof Extensions;
 - Garages and Outbuildings;
 - Walls and Fences; and,
 - Other Material Considerations

Sustainability Appraisal

- 3.4 To comply with Planning Policy Statement 12 and the Town and Country Planning (Local Development) (England) Regulations, 2004, a Sustainability Appraisal must accompany the draft document. The Sustainability Appraisal has followed the guidance laid down in the ODPM document '*Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks*' (Consultation Paper 2004) and the '*Interim Advice Note on Frequently Asked Questions*' (ODPM 2005), and as such complies with the EU Directive on Strategic Environmental Assessment 2001/42/EC. The Appraisal also draws heavily upon the work already undertaken in carrying out the Sustainability Appraisal for the Local Development Framework Key Issues Paper

(published for consultation in July 2005, entitled *Local Development Framework: Sustainability Appraisal Scoping Report*).

- 3.5 The appraisal makes four recommendations to amend the Draft document. These are:
- Encouraging sustainable construction and energy efficiency;
 - Consider the negative effects on wildlife of the loss of gardens/open space;
 - Review the policy on retaining trees and hedges to accommodate the replacement of trees/hedges with minimal biodiversity and amenity value with the planting of species with greater wildlife value
 - Raising the awareness of incorrect plumbing, in conjunction with the Environment Agency
- The Draft Residential Extensions Supplementary Planning Document takes account of these recommendations.

Consultation

- 3.6 The Draft Residential Extensions Supplementary Planning Document will be published for a statutory period of six-weeks in accordance with Regulations 17 and 18 of The Town and Country Planning (Local Development) (England) Regulations, 2004. The Supplementary Planning Document is not subject to independent examination. To enable the Borough Council to adopt the Supplementary Planning Document, the Borough must consider all the responses to the consultation exercise and how they are addressing these in the document we intend to adopt. It is identified in the Local Development Scheme that the Supplementary Planning Document will be adopted by April 2006.

Consultation Statement

- 3.7 Planning Policy Statement 12 and Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations, 2004 requires the Borough Council to prepare a consultation statement on how the Authority has complied with the Statement of Community Involvement.

Soundness

- 3.8 Planning Policy Statement 12 sets out nine tests that a Development Plan Document should meet if it is 'sound'. The underlying principles of 'soundness' are applicable to the preparation of Supplementary Planning Documents.

4 RESOURCE IMPLICATIONS

- 4.1 There are no direct implications at this stage in the consultation process, though there might be additional impacts for staff resources during the consultation exercise to attend evening meetings.

5 CONSULTATIONS

- 5.1 Copies of the Consultation Statement, together with the draft and the prescribed tests of “soundness” (against which the draft will be judged) have been made available to members prior to the meeting since publication of the agenda:
- (a) by posting to the Council's website, and
 - (b) copies have been deposited in members' rooms.
- 5.2 The current timetable for preparing Draft Residential Extensions Supplementary Planning Document is as follows. The Draft Residential Extensions Supplementary Planning Document will be consulted upon between September and November 2005. Following the consideration of the issues put forward during this consultation period, it is anticipated that Council will adopt the document by April 2006.

6 OTHER MATERIAL CONSIDERATIONS

- 6.1 In terms of environmental sustainability, the Draft Residential Extensions Supplementary Planning Document has undergone Sustainability Appraisal. There are no risk management issues associated with the report.

7 OVERVIEW AND SCRUTINY IMPLICATIONS

- 7.1 None.

8 LIST OF APPENDICES

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Ward(s): All

Key Decision Validation: This is a Key Decision, as the decision made by Cabinet will be put forward to develop the policy framework.

Background Papers

Planning Policy Statement 12: Local Development Frameworks
Creating Local Development Frameworks: A Companion guide to PPS12
The Town and Country Planning (Local Development) (England) Regulations, 2004

Examination by Statutory Officers

| | Yes | Not Applicable |
|--|-------------------------------------|--------------------------|
| 1. The report has been examined by the Councils Head of the Paid Service or his representative | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. The content has been examined by the Councils S.151 Officer or his representative | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. The content has been examined by the Council's Monitoring Officer or his representative | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. The report has been approved by Management Team | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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