

## REPORT TO COUNCIL

24 February 2006

### REPORT OF DIRECTOR OF NEIGHBOURHOOD SERVICES

#### Portfolio: Regeneration

#### Sedgefield Borough Local Development Framework – Adoption of the Residential Extensions Supplementary Planning Document

#### 1 SUMMARY

- 1.1 The Council considered the draft Residential Extensions Supplementary Planning Document on 30<sup>th</sup> September 2005. The draft Supplementary Planning Document was then subject to a six-week public consultation exercise until 11<sup>th</sup> November 2005. During this consultation period, the Borough Council received 18 comments from 8 organisations.
- 1.2 As a result of the consultation, some changes will be made to the draft Supplementary Planning Document to provide a more positive grammatical approach within the Document; expand the text with regard to protected species; and to clarify the meaning of certain paragraphs. The latter is required as a result of the practical application of the draft Document by Development Control Officers in the period since September 2005.

#### 2 RECOMMENDATION

- 2.1 That Council adopts the Residential Extensions Supplementary Planning Document.

#### 3 THE RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT

- 3.1 To enable the Borough Council to adopt the Supplementary Planning Document, we must consider all the responses to the consultation exercise and how they are addressing these in the document we intend to adopt. During the consultation period, 18 comments were received from 8 organisations. Copies of these comments and the Borough Council's response are attached as Appendix 1.
- 3.2 In addition to the changes made as a result of the consultation responses, a number of wording changes are required to clarify meaning and improve the practical application of the Document. These wording changes affect:
  - Forward Extensions – draft paragraphs 5.1 & 5.2;
  - Side Extensions – draft paragraphs 6.5 – 6.7;
  - Rear Extensions – draft paragraphs 7.3 – 7.5; and,
  - Conservatories – draft paragraph 9.5.

## Sustainability Appraisal

- 3.3 The Borough Council produced a Sustainability Appraisal report to accompany the draft Supplementary Planning Document. This Appraisal generated 4 comments. The adopted Supplementary Planning Document will need to take account of these comments. However, there is no requirement under the Town and Country Planning (Local Development) (England) Regulations 2004 to produce another Sustainability Appraisal report on the adopted Supplementary Planning Document.

## **4 FINANCIAL IMPLICATIONS**

- 4.1 The only resource implications relate to the advertising costs of publishing the Adoption Statement and printing costs. These costs will be met from the Local Development Framework budget.

## **5 CONSULTATIONS**

- 5.1 The consultation period for the draft Residential Extensions Supplementary Planning Document ran from 30<sup>th</sup> September to 11<sup>th</sup> November 2005. 18 comments were received during this consultation period and are attached as Appendix 1.

## **6 OTHER MATERIAL CONSIDERATIONS**

### 6.1 Links to Corporate Objectives

The Community Strategy Outcomes include an Attractive Borough with Strong Communities where residents can access a good choice of high quality housing. The Council's ambitions, which are linked to the Community Strategy outcomes, are articulated through the Corporate Plan and the Medium Term Financial Plan. Our ambitions mirror those of Community Strategy. The adoption of the Residential Extensions Supplementary Planning Document can make a direct contribution to the delivery of these ambitions.

### 6.2 Risk Management

The adoption of the SPD will provide an up-to-date policy framework within which planning applications for residential extensions can be determined. This should reduce the number of appeals against any refusal and reduce the risk of decisions being overturned.

### 6.3 Health and Safety Implications

There are no additional Health and Safety implications.

### 6.4 Legal and Constitutional

Supplementary Planning Documents must be adopted by Council. (Planning and Compulsory Purchase Act 2004 applies.)

## 6.5 Information Communication Technology

The SPD will be made available on the Council's Website and via the Planning Portal.

## 6.6 Equality and Diversity

SPD are an inherent part of implementing the Authority's Local Development Framework and will assist fair access to service.

No other material considerations have been identified.

## 7 **OVERVIEW AND SCRUTINY IMPLICATIONS**

7.1 None.

## 8 **LIST OF APPENDICES**

Appendix 1 – Responses to the Draft Residential Extensions Supplementary Planning Document

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**Ward(s):** All

**Key Decision Validation:** This is a Key Decision, as the decision made by Council will develop the policy framework.

### **Background Papers**

Planning Policy Statement 12: Local Development Frameworks  
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"/>

## Appendix 1 – Consultation Responses

Reference Number	Name	Organisation	Support	Object	Section	Paragraph	Comments	SBC Response
DRESPD0001/01	James Cokill	Durham Wildlife Trust	No	Yes	Other Considerations	13.12	Document identifies the potential for bats in dwellings but does not state level of protection. In certain circumstances, a licence is required to undertake works.	Amend paragraph 13.12
DRESPD0001/02	James Cokill	Durham Wildlife Trust	No	No	Other Considerations	13.12	Need to provide text identifying the level of protection given to nesting birds under the Wildlife and Countryside Act.	Amend paragraph 13.12
DRESPD0002/01	Sam Kipling	Environment Agency	No	Yes		3.16	Rather than "to minimise inefficient water usage" should "maximise efficient water usage". The incorporation of such water and energy efficiency measures would be strongly encouraged	Amend paragraph 3.16
DRESPD0002/02	Sam Kipling	Environment Agency	No	Yes		3.16	The cumulative impact of small extensions can have a significant impact upon flooding. An extension usually sacrifices an area of garden, resulting in an increase in impermeability and increase in flows of surface water run-off. Extensions should be designed to be mindful of this problem. Suggest range of solutions.	Introduce new paragraph 3.17
DRESPD0002/03	Sam Kipling	Environment Agency	No	No		3.16	Further information on SUDS can be found at paragraphs 40-42 of PPG 25, CIRIA C522 Design Manual for England and Wales and the interim code of practice for SUDS. Please refer to these.	Introduce new paragraph 3.17
DRESPD0003/01	Nick Smith	North East Assembly	Yes	No			The SPD is broadly welcomed. It does not pose any issues which may have implications for the general conformity of the emerging LDF with RPG1 and emerging RSS.	Noted
DRESPD0004/01	Jenny Loring	English Nature	No	Yes		13.12	Many properties that could be extended may host bat roosts. The presence of any protected species is a material planning consideration in determining planning applications. Even works carried out under GPDO must have regard to legislation. Suggest new paragraph	Amend paragraph 13.12
DRESPD0004/02SA	Jenny Loring	English Nature	No	Yes	Sustainability Appraisal		Many properties that could be extended may host bat roosts. The presence of any protected species is a material planning consideration in determining planning applications. Even works carried out under GPDO must have regard to legislation.	Amend paragraph 13.12
DRESPD0005/01	Ian Radley	Highways Agency	Yes	No			No comments	Noted

Reference Number	Name	Organisation	Support	Object	Section	Paragraph	Comments	SBC Response
DRESPD0006/01	Jason McKewon	Durham County Council	Yes	No			Supports the approach and content of the SPD	Noted
DRESPD0007/01	Alan Hunter	English Heritage	Yes	No		3.11	It is hard for an extension to a dwelling to create a sense of place but it is true that poor extensions can harm a sense of place.	Noted
DRESPD0007/02	Alan Hunter	English Heritage	No	Yes		3.14	It is important to ensure that any extension also seeks to retain any trees or valued landscaping which is otherwise nearby but not necessarily within the curtilage of the property	Amend paragraph 3.14
DRESPD0007/03	Alan Hunter	English Heritage	Yes	No		3.16	Support reference to County Council's sustainability guide	Noted
DRESPD0007/04	Alan Hunter	English Heritage	No	Yes		8.3	Sketch illustrates building conversions rather than extensions	Noted
DRESPD0007/05SA	Alan Hunter	English Heritage	No	Yes	Sustainability Appraisal		Recommend Council to undertake survey to find out how the SPD influences all alterations to property and not just those requiring planning permission	To be considered in future
DRESPD0007/06SA	Alan Hunter	English Heritage	No	Yes	Sustainability Appraisal	4.1	The growing problem of "affordability" is being worsened by small housing being made "unaffordable" by extensions. Suggest the withdraw of permitted development rights for low cost, affordable housing to retain purchase by first-time buyers	Will be considered through the development of the Core Strategy DPD
DRESPD0007/07SA	Alan Hunter	English Heritage	No	Yes	Sustainability Appraisal	Table 3	It is essential to include a SA objective to protect and enhance heritage assets in terms not only of appearance but also in terms of allowing them, through adaptation and extension where appropriate to remain in suitable use.	Will be considered through the development of the Core Strategy DPD
DRESPD0008/01	Frank Bozic	Northumbrian Water	No	Yes	13.2		We recommend the paragraph is rewritten to clarify the issues that the owner may face. Replacement paragraph text provided.	Amend paragraph 13.2