

REPORT FOR DECISION

Agenda Item	
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MEETING: Planning Control Committee

DATE: 9th March 2004

SUBJECT: Supplementary Planning Guidance for Domestic Extensions and Alterations

REPORT FROM: Borough Planning & Economic Development Officer

CONTACT OFFICER: Tom Mitchell – Development Manager

TYPE OF DECISION: Council

REPORT STATUS: For Publication

PURPOSE:

This report seeks approval from the Planning Control Committee for the adoption of supplementary planning guidance for domestic extensions and alterations.

SUMMARY:

The guidance note seeks to provide members of the public, Planning Officers and Members of Planning Control Committee with clearer guidance on Policy H2/3 (Extensions and Alterations) of the Unitary Development Plan.

The advice note sets out clear standards for a range of potential domestic extensions in order to make it easier to determine what will and will not be acceptable in planning terms.

Members should note that the drawings and diagrams within the draft document are only illustrative at present and they will be improved before the SPG is circulated externally.

1.0 BACKGROUND

Introduction

- 1.1 Development Control Policy Note 6: Domestic Extensions & Alterations (Supplementary Planning Guidance – SPG) has been drafted to support Policy H2/3 of the Bury Unitary Development Plan (UDP).

Planning Policy H2/3

- 1.4 All planning applications for domestic extensions and alterations are currently assessed against the criteria contained in Policy H2/3 of the UDP, which was adopted in August 1997. However, the Policy is generalised in that it does not set out specific standards or guidance for the range of potential extensions possible. The Policy is illustrated below:

Policy H2/3 – Extensions and Alterations

Applications for house extensions and alterations will be considered with regard to the following factors:

- a) **the size, height, shape, design and external appearance of the proposal;**
- b) **the character of the property in question and the surrounding area;**
- c) **the amenity of adjacent properties; and**
- d) **visibility for pedestrians, cyclists and drivers of motor vehicles.**

Justification

This policy is concerned with ensuring that extensions and alterations to residential properties are of a high standard. Extensions and alterations to dwellings, including garden extensions and garages, can be visually intrusive; restrict daylight, privacy and outlook to neighbouring properties; and unacceptably reduce the available garden area. For all these reasons it is necessary to adopt standards to control the design, form and size of proposed extensions and alterations to ensure that they are sympathetic in nature with the original building and surrounding area. The Council will issue more specific guidance on these matters as necessary.

2.0 ISSUES

- 2.1 The generalised nature of Policy H2/3, without any supporting guidelines, has raised several concerns, including:
- i) The lack of established detailed guidelines has resulted in DC Officers applying different standards to similar planning applications throughout the Borough. This has become more of an issue recently, as DC staff that have arrived from other planning authorities are used to applying different standards than those that are being applied in Bury. Whilst the differences in most cases have been minor it is considered important that the same standards are applied consistently throughout the Borough;
 - ii) Insufficient planning guidance has meant that members of the public and their architects have had little to base the design of their proposals

on, apart from the general criteria in Policy H2/3. This has led to the submission of planning applications that have been unacceptable in planning terms due to inappropriate design or scale. In a lot of cases this has been at the applicant's expense in terms of time taken to get a decision and the financial cost of revising plans;

- iii) Similarly, the submission of poor quality proposals for extensions has meant DC Officer's have wasted a lot of their time on avoidable negotiations and waiting for the submission of revised plans. Even before the formal submission of planning applications, DC Officer's have spent a considerable amount of their time in pre-application discussions on what standards should be applied to particular proposals; and
- iv) Although it is not possible to say for certain, it is felt that the lack of specific adopted standards has encouraged some unsuccessful applicants to challenge Planning Control Committee decisions at planning appeal. Some of these appeals have been successful over the years and the lack of set guidelines is considered to have been a contributing factor in some of the Inspector's decisions.

2.2 It is felt that these issues can be overcome through the approval of set standards in SPG as follows:

- i) Once the content of the SPG has been approved all DC Officers can apply the same standards and advice contained within it **consistently** throughout the Borough. This will help prevent DC Officers giving conflicting advice to applicants;
- ii) the SPG will give applicants and agents increased **certainty** to design schemes that are in accordance with the standards at the outset, without having to 'guess' what standards would be acceptable. If applicants meet the standards their proposal will normally be deemed acceptable in planning terms, thus saving them time and money;
- iii) If the advice in the SPG is adhered to by applicants and their agents in the submission of planning applications then this should save valuable Officer time, preventing the need to negotiate fundamental details of a planning application or waiting for amended plans. It will streamline DC Officer's recommendations on applications as they will either be in accordance with the SPG or not;
- iv) Officers will save time on pre-application discussions as they can simply direct applicants to the section of the SPG applicable to their proposal;
- v) if the quality of planning applications improves and Officer's do not have to spend as much time negotiating details, it is expected that the SPG will improve DC's performance in meeting their targets for determining planning applications;
- vi) The SPG can be used to support the Council's case at appeal if an application has been refused and appealed against. Additional weight is given to SPG at appeals if they have been through a consultation period.

3.0 CONSULTATION

- 3.1 The draft SPG has been subject to internal consultation with the relevant Sections within the Environment & Development Services Department.
- 3.2 The SPG has also been subject to a six-week external consultation period with relevant people/bodies including architects and planning agents working in Bury.
- 3.3 A total of 15 comments were made by 7 individuals / organisations. All 7 of the individuals / organisations responding to the SPG were local planning agents that operate regularly in Bury. All comments received on the Draft SPG have now been considered and amendments and revisions made where considered appropriate. Below is a summary of the issues raised and a short description of the type of feedback received.
- 3.4 Summary of comments:
- General support for the SPG which will give clearer advice to developers and the public on the requirements of Policy H2/3;
 - Some of the comments suggested making some minor amendments to wording in order to add clarity and give further information on specific issues;
 - The SPG is too prescriptive and should be made more flexible so as not to inhibit or cause delay;
 - Concern that the guidance should be treated as guidance rather than fixed rules; and
 - Some comments have suggested that design issues should be left to designers and not planners, and that the SPG is too 'dictatorial'.
- 3.5 In considering the feedback received on the draft SPG, there was not considered to be anything in the responses to warrant any change in the overall direction of the guidance note. Indeed, many of the respondents expressed their support for the overall aims the SPG. In response to some of the issues raised and other considerations, a number of sections/paragraphs have been revised or expanded to improve their clarity and meaning. Some of the advice in the SPG has also been removed, meaning that the SPG has been shortened, avoiding repetition.

4.0 CONCLUSION

- 4.1 The introduction of clear standards as expressed in the SPG will assist residents considering a house extension by publicising what the Council considers appropriate and whilst not guaranteeing that permission will be granted, it will give greater assistance to the householder and third parties including neighbours.
- 4.2 The presence of consistent standards is expected to produce better quality submissions and will also reduce officer time in negotiating amendments and deciding applications, which is expected to support improved performance.
- 4.3 The policy can be used to support decisions made on appeal.
- 4.4 The Planning Control Committee is asked to approve the SPG as the basis for deciding householder planning applications.

List of Background Papers:-

- Bury Unitary Development Plan (August 1997)

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