

MAYOR AND CABINET

Report Title	Alterations and Extensions Supplementary Planning Document (SPD)		
Key Decision	Yes		Item No.
Wards	All		
Contributors	Executive Director for Resources and Regeneration		
Class	Part 1	Date: 10 January 2018	

1. Purpose

- 1.1 To provide the Mayor and Cabinet with the information needed to approve the draft Alterations and Extensions SPD for public consultation.

2. Summary

- 2.1 The report seeks approval to consult on the draft Alterations and Extensions SPD. When adopted the Alterations and Extensions SPD will replace Section 6 of the Residential Standards SPD (adopted 2006 and updated 2012) and form part of the Local Development Framework. The Residential Alterations and Extensions SPD will provide advice and guidance to ensure that the highest design quality is achieved in residential extensions and alterations within the Borough.
- 2.2 This report sets out why there is a need for a Alterations and Extensions SPD, summarises its contents and provides detail on the nature of the consultation.

3. Recommendations

The Mayor is recommended to;

- 3.1 Approve the content of the draft Alterations and Extensions SPD and subject to confirmation that it is not intended to direct any changes, recommend that the draft Extensions and Alterations SPD go out to formal public consultation in accordance with the Statement of Community Involvement.
- 3.2 Authorise the Executive Director of Resources and Regeneration to make any minor changes to the text and format of the documents prior to public consultation.
- 3.3 Refer to Council for information.

4. Policy context

4.1 The SPD will form part of the Council's Local Development Framework (LDF).

4.2 The role of the SPD is to provide advice and guidance on the implementation of policies and proposals contained in Lewisham's development plan.

4.3 The SPD will also play an important role in the implementation of the Sustainable Community Strategy (2008-2020) vision 'Together we will make Lewisham the best place to live, work and learn' and all of the six strategic priorities, which are:

- Ambitious and achieving – where people are inspired and supported to fulfil their potential
- Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
- Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities
- Clean, green and liveable – where people live in high quality housing and can care for their environment
- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
- Dynamic and prosperous – where people are part of vibrant

4.4 The SPD contributes to the implementation of the Council's Corporate Priorities including:

- Community leadership and empowerment – developing opportunities for the active participation and engagement of people in the life of the community
- Young people's achievement and involvement – raising educational attainment and improving facilities for young people through partnership working
- Clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment
- Safety, security and a visible presence – partnership working with the police and others and using the Council's powers to combat anti-social behaviour
- Strengthening the local economy – gaining resources to regenerate key localities strengthen employment skills and promote public transport
- Decent homes for all – investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing
- Protection of children – better safeguarding and joined up services for children at risk
- Caring for adults and older people - working with health services to support older people and adults in need of care
- Active, healthy citizens – leisure, sporting, learning and creative activities for everyone

5. Background

- 5.1 The Council is committed to supporting development that allows everyone in Lewisham the opportunity to make the most of their property in a positive way, not just for them but also for their neighbours and the community as a whole.
- 5.2 Currently there is great local interest in the don't move - improve approach and the Council wishes to help residents stay in their properties by accommodating their changing needs.
- 5.3 Well designed extensions and alterations can increase the amount and quality of accommodation and enhance the appearance of buildings. The improvement and conversion of existing buildings also makes effective use of urban land and makes good environmental sense.
- 5.4 Poorly considered proposals however can cause harm to the amenities and characteristics of our borough. Through carefully considered alterations and extensions, we have the potential to improve and enhance our community to make Lewisham the best place to live, work and learn in London.

6. Alterations and Extensions SPD Summary

- 6.1 The guidance given within this SPD seeks to strengthen the design process and ensure that alterations and extensions meet the highest design standards as required by planning policy.
- 6.2 This SPD aims to:
- **Encourage high quality design**
In the SPD we have set out principles and parameters as a means of assisting applicants to achieve an 'acceptable' standard of design.
 - **Help applicants to prepare a successful planning application**
By following the advice in this document, applicants should be able to engage in a clear design process that will help applicants to achieve a positive planning decision. In order to achieve this, officers have highlight likely issues and things to consider when preparing proposals.
- 6.3 This SPD is intended to be a design manual and a working tool. It is intended for frequent reference and will be essential for all charged with preparing or assessing the quality of planning applications for residential alterations and extensions.
- 6.4 The design guide should be read by:
- Householders.
 - Design professionals, in drawing up proposals.
 - Development management officers, as a material consideration in assessing the suitability of applications.
 - Statutory and non-statutory consultees and the public in commenting on planning applications.

- The Council, in determining planning applications and in upholding decisions at planning appeals.

6.5 Compliance with the SPD will help speed up the planning process by reducing the chance of objections due to poor design.

6.6 The document is split into six sections covering what to consider as part of the planning process and general principles to more detailed guidance on differing types of extensions and alterations:

1. Introduction
2. Context
3. General Principles
4. Extensions
5. Roof Alterations
6. Other Alterations

6.7 All applicants will be expected to familiarise themselves with Sections 1 to 3 of the document which provides general guidance relevant to all applications. Applicants are then directed to more detailed guidance relevant to their specific type of application. This avoids applicants having to consider guidance that is not relevant to their alteration type.

6.8 Due to the diverse nature of the borough it is not possible to provide guidance for every different circumstance across Lewisham so each case will be assessed on its own merits.

7. Sustainability Appraisal and Strategic Environmental Assessment

7.1 It is not necessary to undertake a Sustainability Appraisal to accompany the production of a SPD. It is however necessary to assess the need to undertake a Strategic Environmental Assessment (SEA).

7.2 In order to assess the need to undertake an SEA of an SPD, it is necessary to produce a SEA Screening Opinion. Pro Vision Projects were appointed as independent consultants to produce the screening opinion and they concluded that there was no requirement for a full SEA to be undertaken. The SEA Screening Opinion for the SPD is included as Appendix 2.

8. Consultation process for the draft SPD

8.1 The consultation process for Local Development Framework documents such as this SPD is set out in the Statement of Community Involvement. It is a legal requirement to undertake the consultation stated in the SCI. The consultation process will run for six weeks and will involve:

- Advertising the draft SPD in Lewisham Life
- Publishing the SPD and any associated documents on the Council website

8.2. After the 6 week consultation period, all representations received will be taken into consideration and a final SPD will be reported for adoption to Mayor and Cabinet.

9. Financial implications

9.1 There are no direct financial implications arising from this report. The SPD will be published electronically on the Council's website and only limited hard copies will be produced, these being funded from within the agreed Planning Service budget.

10. Legal Implications

10.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the main steps in the procedure for the production and adoption of planning documents, as explained in the report.

10.2 Section 9D of the Local Government Act 2000 states that any function of the local authority which is not specified in regulations under subsection (3) is to be the responsibility of an executive of the authority under executive arrangements. The Local authorities (Functions and Responsibilities (England) Regulations 2000 specifies that certain functions relating to Development Plan documents are by law the responsibility of the Council. No specific reference is made to the preparation of an SPD in the Regulations and as it is not a Development Plan Document it is therefore an executive function

10.3 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.4 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

10.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 12.4 above.

- 10.6 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 10.7 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 10.8 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty: A guide for public authorities
 4. Objectives and the equality duty. A guide for public authorities
 5. Equality Information and the Equality Duty: A Guide for Public Authorities
- 10.9 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

11. Crime and Disorder Implications

- 11.1 There are no direct implications relating to crime and disorder issues.

12. Equalities Implications

- 12.1 The Council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 12.2 The Alterations and Extensions SPD does not have any direct equalities implications.

13. Environmental Implications

- 13.1 As outlined in the SEA Screening Opinion, there are no direct environmental impacts arising from this report.

14. Conclusion

The Mayor is recommended to;

- 14.1 Agree the draft Alterations and Extensions SPD for public consultation in accordance with the Statement of Community Involvement.
- 14.2 Authorise the Executive Director of Resources and Regeneration to make any minor changes to the text and format of the documents prior to public consultation.
- 14.3 Refer to Full Council for information.

15. Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchase Act 2004	2004	Laurence House	Planning Policy	David Syme	No
Localism Act 2011	2011	Laurence House	Planning Policy	David Syme	No
National Planning Policy Framework (NPPF) 2012	2012	Laurence House	Planning Policy	David Syme	No
Town and Country Planning (Local Planning)	2012	Laurence House	Planning Policy	David Syme	No

(England) Regulations 2012 (as amended)					
Residential standards Supplementary planning document 2006 (amended 2012)	2012	Laurence House	Planning Policy	David Syme	No

If you have any queries on this report, please contact David Syme, Strategic Planning Manager, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU, telephone 020 8314 7400.

Appendix 1: Draft Alterations and Extensions SPD Dec 2017

Appendix 2: SEA Screening Opinion