

MAIDSTONE BOROUGH COUNCIL

LOCAL DEVELOPMENT DOCUMENT ADVISORY GROUP

20TH APRIL 2009

**REPORT OF ASSISTANT DIRECTOR OF
DEVELOPMENT AND COMMUNITY STRATEGY**

Report prepared by Louise Lynds

**RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING
DOCUMENT: ADOPTION**

- 1.0 Issue for Decision
- 1.1 To consider the Residential Extensions Supplementary Planning Document (SPD), as amended in the light of the representations received, and to recommend to the Cabinet Member for Regeneration that the SPD (attached as Appendix 1) is adopted.
- 2.0 Recommendation of the Assistant Director for Development and Community Strategy
- 2.1 That the representations received be considered, together with the responses to the representations (attached as Appendices 2 to 4).
- 2.2 That the Local Development Document Advisory Group recommends to the Cabinet Member for Regeneration that he approves the Residential Extensions SPD, as amended, for adoption as part of Maidstone's Local Development Framework (attached as Appendix 1).
- 3.0 Reasons for Recommendation
- 3.1 The Residential Extensions SPD was published for six weeks public consultation between 7th November and 19th December 2008 in accordance with the Local Development Framework plan making regulations.
- 3.2 A total of 84 duly made representations were received during the consultation period from 24 contributing consultees. The 84 representations comprised 13 objections, 34 observations and 37 supports. A stakeholders meeting was held with the Planning Agents Group, which is a sub-group of the Planning Forum. The feedback from public consultation and the Planning Agents Group has informed the amendments to the SPD. The Development Control team has

engaged throughout the various production stages of the document, and has agreed the proposed amendments.

3.3 Appendix 2 attached to this report contains a table showing details of all duly made representations received, with officer considerations and recommendations. Appendix 3 lists additional amendments made to the SPD to take account of the views of the Planning Agents Group. Appendix 4 shows the factual amendments made to the document to reflect the new General Development Procedure Order (GDPO), which was published in 2008. It is important to note that Appendices 2 to 4 refer to the paragraph numbers contained in the public consultation version of the Residential Extensions SPD, which can be downloaded from:
http://www.digitalmaidstone.co.uk/PDF/081106_REX%20SPD%20151008%20Appendix%20A.pdf

3.4 Under new plan making regulations that come into force on 6th April 2009 (SI2009/no.401), there is no longer a requirement for SPDs to be subject to sustainability appraisal. However, since the Residential Extensions SPD was produced under former regulations, the proposed amendments to the document have been reviewed in the context of its sustainability appraisal. As a consequence of this review, it is concluded that there is no material change that would lead to any additional negative impacts in the SPD's sustainability appraisal.

3.5 Once approved, the SPD will be placed on the Council's website and its adoption advertised through public notice and Planning Viewpoint. All Members, respondents and appropriate officers will be advised of the adoption of the document, and the Development Control team will be briefed to ensure full understanding and application of the SPD guidelines.

4.0 Proposed Changes to the SPD

4.1 In summary, the main changes to the document are:

- A new section within chapter 1 entitled 'Will I need Planning Permission?', in order to make the document more explicit in that some extensions may be exempt from requiring planning permission, that advice should be sought from the Council and that a Certificate of Lawful Development can be applied for.
- Creation of two sections from the Materials and Detailing section to emphasise the importance of both.
- A reference to Kent Downs AONB and its setting in the policy context chapter 2.
- A new section entitled 'Core Strategy' within the policy context chapter 2 to emphasise the importance of the Core Strategy.

- A new section entitled 'Innovative Designs' within chapters 4 and 6, and amendment to some of the detailed wording throughout the document to allow flexibility over form, windows, doors, detailing and materials where it is justified in the Design Statement.
- A new section entitled 'Parking' within chapter 6, in response to concerns over the impact of parking in relation to extensions in the countryside (a 'Parking' section within chapter 6 – Extensions within Settlements already existed).
- Deletion of figure 4.13 because it is seen as unnecessary and potentially misleading.
- Clarification of the Overshadowing sections by amending the title to Overshadowing and Loss of Light. Inclusion of reference to the 45 degree test and an additional diagram illustrating the test.
- A new section entitled 'Flood Risk' in the General Considerations chapter. Where there is a proposal for an extension within a flood zone, reference should be made to the Environment Agency's Flood Risk Standing Advice and Planning Policy Statement 25.
- Addition of the 'Toolkit for Designing Your Extension', which collates the advice given in the 'green boxes' throughout the SPD as a quick reference guide.
- Addition of a glossary.
- Addition of an appendix which contains relevant website addresses for organisations referred to in the SPD. This appendix will not form part of the SPD, so the URLs can periodically be reviewed and updated.

5.0 Alternative Action and why not Recommended

5.1.1 Members have the option not to adopt the SPD. However, the Residential Extensions SPD is included in the adopted Local Development Scheme (2007) programme as a Member priority. The purpose of the documents is:

- To guide applicants in achieving high quality design outcomes by providing design guidance on the appropriateness of proposals for different types of extensions
- To supplement adopted design policies for assessing proposals to extend properties within the Borough, and
- To assist the appraisal of particular proposals.

5.1.2 If the Residential Extensions SPD is not adopted, the opportunity to meet the objectives outlined above will be missed.

5.1.3 Furthermore, the design principles that guide development, which are set out in the SPD, contribute toward achieving the Council’s corporate objectives.

6.0 Impact on Corporate Objectives

6.1.1 The Residential Extensions SPD supports the Council’s priorities set out in the Strategic Plan, in particular, quality living and sustainable communities.

7.0 Risk Management

7.1.1 There are no risks arising from this report.

8.0 Other Implications

8.1.1

1.	Financial	X
1.	Staffing	X
2.	Legal	
3.	Social Inclusion	
4.	Environmental/Sustainable Development	X
5.	Community Safety	
6.	Human Rights Act	
7.	Procurement	
8.	Asset Management	

8.1.2 Financial: At the adoption stage of production, the costs involved in publishing the document are administrative (printing, adverts, postage, etc.) These costs can be accommodated within the Local Development Framework budget.

8.1.3 Staffing: Costs can be accommodated within the existing staff structure.

8.1.4 Environment/Sustainable Development: The SPD has positive impacts for sustainable development which are identified in its Sustainability Appraisal.

Appendices

1. Residential Extensions SPD (Adopted May 2009)
2. Schedule of Duly Made Representations and Recommendations to the Residential Extensions SPD public consultation draft
3. Additional amendments to take account of the views of the Planning Agents Group.
4. Factual amendments made to reflect the General Development Procedure Order (GDPO)

Background Documents

Residential Extensions SPD Public Consultation Draft (November 2008)

http://www.digitalmaidstone.co.uk/PDF/081106_REX%20SPD%20151008%20Appendix%20A.pdf

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes No

If yes, when did it appear in the Forward Plan? March 2009

Is this an Urgent Key Decision? Yes No

Reason for Urgency

N/A