
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: //
DATE OF MEETING:	15 April 2004	CATEGORY: RECOMMENDED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	Tony Burdett O1283 595746	DOC:
SUBJECT:	Supplementary Planning Guidance on Housing Design and Layout and Extending Your Home	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS 03

1.0 Recommendations

- 1.1 That the supplementary planning guidance, as amended following consultation, be adopted for the purposes of development control pursuant to the emerging South Derbyshire Local Plan.

3.0 Purpose of Report

- 3.1 To enable Members to consider responses to the draft guidance.

4.0 Executive Summary

- 4.1 Following consultation with statutory bodies, local amenity groups and a range of agents and developers responses have been received to the draft guidance. The text of the guidance has been amended to take account of those representations and is appended to this report.

5.0 Detail

- 5.1 The following responses were received in respect of the draft supplementary planning guidance on Housing Design and Layout and Extending Your Home.

Housing Design and Layout.

Councillor George Martin (Hilton Ward)

- 5.2 *A straightforward well-written paper, easy to follow.*
- 5.3 *Welcome government intention to reduce reliance on the private car. However this cannot be achieved solely through reduction of parking facilities within new development. It has to be part of a wider strategy including the provision and*

encouragement of a reliable and integrated public transport system. The Council should be mindful of that when considering housing development applications.

- 5.4 **Response:** The guidance acknowledges the need to ensure that sufficient space is designed into the layout of new residential areas for occupiers' and visitor parking. To apply minimum standards, as was the case prior to PPG3 would be open to challenge as being contrary to government policy. Other policies deal with strategic transport objectives. **No change.**
- 5.5 *Garage sizes should be addressed. There is evidence of non-usage of garages, which could be as a result of them being too small.*
- 5.6 **Response:** The adequacy of garage spaces, if these are required to meet reasonable parking requirements are assessed as part of the development control process. It would be unreasonable to specify a minimum size, so long as the level of parking is adequate for each dwelling. There are many reasons why people choose not to park in their garages. It is a standard conditional requirement of planning permissions for new housing to require compensatory space if a garage is used for any other purpose than for parking cars. **No change.**
- 5.7 *There is concern over Council support for higher density housing with a consequent relaxation of standards relating to private amenity space, privacy and parking. While accepting the need for a range of types of housing, account should be taken of the needs of people to have access to space and not to feel that their only outlook is that of other people's houses.*
- 5.8 **Response:** The objectives state that reasonable levels of amenity for occupants of new and existing dwellings will be sought. The issue of parking is addressed in the preceding paragraph. **Amend text to reinforce desirability of providing private gardens whilst allowing flexibility for those who don't require them.**
- 5.9 *It is hoped that higher densities will not conflict with aims of crime prevention through good design.*
- 5.10 **Response:** The Crime Prevention officer is consulted on individual applications for housing layouts and comments are taken into account. **No change.**

Derbyshire County Council:

- 5.11 *General support expressed.*
- 5.12 *A seventh aim should be added, to promote energy efficient designs.*
- 5.13 **Response:** This would be in accord with the local plan. **Amend text accordingly.**
- 5.14 *The reference to "anti-intuitive driving experience" should be omitted as not everyone reading the guidance will know what this is.*
- 5.15 **Response: That this reference be deleted.**
- 5.16 *Reference should be made to at least a minimum acceptable density as per PPG3.*
- 5.17 **Response:** The Emerging Local plan addresses the issue of density in its major housing allocations. On windfall sites there may other considerations, such as the

character of an area that make a specified minimum density inappropriate. PPG3 recognises the importance of context in design. **No change.**

- 5.18 *The importance of the Countryside Agency/DCC Landscape Character Study should be emphasised and developers advised to consult it and act upon its recommendations.*
- 5.19 **Response:** The objectives of the guidance include the need to respect the character of areas. The Emerging Local Plan has a specific policy (ENV3) that enables this issue to be addressed. **Add reference to landscape character.**
- 5.20 *Developers should be advised that a reasonable standard of privacy and outlook is required within any new development and direct overlooking should be avoided where practicable.*
- 5.21 **Response:** The objectives state that reasonable levels of amenity for occupants of new and existing dwellings will be sought. **Clarify that reduced standards within new development will need to be justified by good design.**
- 5.22 *The distance guidelines are confusing and open to misinterpretation. They do not apply to single storey dwellings or aspect/position of sun. Reference should be made to the significant effect that differing levels can have on overlooking and loss of privacy.*
- 5.23 **Response:** The guidelines reflect the fact that single storey dwellings generally have a lesser impact than two-storey buildings. It is made clear that distances between dwellings are based on level topography and that distances may be altered to take account of levels. The guidelines do not prevent the Council from taking account of particular circumstances such as the position of the sun, as material considerations. No suggestions are made as to how the distance guidelines can be made less confusing or open to misinterpretation. It is very difficult to devise guidelines that cover every possible eventuality. **No change.**
- 5.24 *The following paragraph is not easily understood and should be rewritten or omitted. "Additionally the extra area within a site that would otherwise have been used to accommodate gardens will be available for the use in innovative design".*
- 5.25 **Response: Amend text.**
- 5.26 *As a minimum an indicative landscaping scheme should be required. More emphasis to the proper protection and long-term retention of trees should also be included.*
- 5.27 **Response:** The guidance and Policy ENV3 makes it clear that landscaping should form an integral part of the layout of a development. However on very small-scale developments it may be unnecessary to require schemes at application stage. Separate guidance on Trees on development sites is subject to current consideration and this will address the issue of protection and retention of existing trees. **Amend text to include reference to retention of trees.**

Aston on Trent Parish Council:

- 5.28 *No units are quoted on the distance guidelines.*
- 5.29 **Response:** The guidance makes it clear that all units are in metres. **No change.**
- 5.30 *Concern over the guidance on space within layouts and topography.*
- 5.31 **Response:** No alternative suggestions made. **No change.**
- 5.32 *No definition of what is a main window in a conservatory.*
- 5.33 **Response:** Because this will often be a matter of judgement based on site circumstances no attempt to define this has been made. **No change.**
- 5.34 *It is unclear as to what garden depths will be required when primary first floor windows face long neighbouring gardens are long.*
- 5.35 **Response:** Agreed. A reasonable minimum guideline should be specified. **Change text to specify about 6 metres.**
- 5.36 *No definition of what is a housing site for public open space purposes.*
- 5.37 **Response:** The guidance refers to the relevant Local Plan Policy and supplementary planning guidance in this regard. **No change.**

Save Aston Village Environment

- 5.38 *Support for good design, landscaping and low cost housing.*
- 5.39 *Parking spaces are essential if more on-street parking is to be avoided in an area with little public transport.*
- 5.40 **Response:** The guidance acknowledges the need to ensure that sufficient space is designed into the layout of new residential areas for occupiers' and visitor parking. To apply minimum standards, as was the case prior to PPG3 would be open to challenge as being contrary to government policy. **No change.**
- 5.41 *There is strong opposition to greenfield development.*
- 5.42 **Response:** The guidance does not advocate such development: **No change.**
- The reduction of space about dwellings guidelines within new housing schemes is opposed on the grounds that people/children need their own space and privacy to develop into rounded human beings.*
- 5.43 **Response:** The objectives state that reasonable levels of amenity for occupants of new and existing dwellings will be sought. **Amend text to reinforce desirability of providing private gardens whilst allowing flexibility for those who don't require them.**
- 5.44 *Where no minimum standards are set out, considerations of cases on their own merits would leave the matter open for anyone's taste for design.*

- 5.45 **Response:** Due to the immense variation in the form of the built environment there will always be cases where a judgement will need to be made on its own merits. However this is not arbitrary – it is a matter of judgement for the local planning authority. **No change.**
- 5.46 *Support landscaping proposals.*
- 5.47 **Response: No change**
- 5.48 Melbourne Civic Society
- 5.49 *General support for principles and guidance.*
- 5.50 *Paragraph and page numbers should be included for ease of reference*
- 5.51 **Response:** The introduction of these would tend to give the document an overly formal appearance – it is intended for use over the whole range of stakeholders. **No change.**
- 5.52 *There are various typing and grammatical errors.*
- 5.53 **Response: Noted and amended accordingly.**
- 5.54 *The guidance implies that private amenity space will be set aside to enable increased densities. Increased densities are not needed in South Derbyshire. Private gardens are needed for civilised and healthy living and the document should be amended to stress this point.*
- 5.55 **Response:** The objectives state that reasonable levels of amenity for occupants of new and existing dwellings will be sought. **Amend text to reinforce desirability of providing private gardens whilst allowing flexibility for those who don't require them.**
- 5.56 *The section on planning obligations has no place in supplementary planning guidance.*
- 5.57 **Response:** As many of the items referred to in this section are fundamental to good design and layout, particularly on larger sites, it is likely that developers will find this helpful to assist them to consider the range of issues that they need to address. Many small-scale proposals will be unaffected. **No change.**
- 5.58 *Undue emphasis on traditional materials and local distinctiveness will discourage innovative design and encourage sameness and conformity.*
- 5.59 **Response:** The promotion of local distinctiveness is in accord with the development plan and PPG3. However the local plan encourages innovative modern design in certain circumstances. **Add sentence to clarify that innovative modern design will be encouraged in appropriate locations.**
- Repton Village Society
- 5.60 *The two documents should be merged. The standards or parking are different.*

- 5.61 **Response:** The guidance on new housing has to take into account current policy, whereas the issues relating to extensions are more concerned with maintaining standards in existing areas. **No change.**
- 5.62 *There should be guidelines for a site character assessment for each application.*
- 5.63 **Response:** This goes beyond the scope of the Local Plan. Assessments can be called for in appropriate cases. **No change.**
- 5.64 *Studies should be treated as secondary windows.*
- 5.65 **Response:** Studies are often multi-function habitable rooms used for other purposes. Their impact is similar to a bedroom. **Amend guidelines accordingly.**
- 5.66 *Adequate space for re-cycling bins and boxes should be provided.*
- 5.67 **Response:** Whilst the Council is committed to recycling, it is difficult to be prescriptive within the terms of this guidance. **Add to text accordingly.**
- 5.68 *Loss of requirement for garden spaces should be offset by the provision of communal areas.*
- 5.69 **Response:** Many developments are subject to public open space requirements. The objectives of the guidelines state that reasonable levels of amenity for occupants of new and existing dwellings will be sought. **Amend text to reinforce desirability of providing private gardens whilst allowing flexibility for those who don't require them.**

Third Parties (Three Responses)

- 5.70 *Document helpful and should encourage innovative and interesting layouts*
- 5.71 *Seek emphasis on security by good design, as poorly designed rear courtyards can lead to an increase in anti-social behaviour.*
- 5.72 **Response:** The Crime Prevention officer is consulted on individual applications for housing layouts and comments are taken into account. **No change.**
- 5.73 *Explain jargon phrases like 'anti-intuitive'.*
- 5.74 **Response:** **That this reference be deleted.**
- 5.75 *A site character assessment is not necessary for every application.*
- 5.76 **Response:** **Clarify that this will be required where appropriate.**
- 5.77 *Guidance should seek to improve areas of bland character.*
- 5.78 **Response:** **Amend text to seek improvements to the visual quality of such areas through the promotion of local distinctiveness.**
- 5.79 *Text should state that the Council will suggest design improvements when an application is assessed.*

- 5.80 **Response:** Pre-application dialogue and discussion is encouraged. However there is great emphasis by the government on meeting targets for determining applications. Leaving applications open-ended in this regard would be contrary to government objectives. If applicants avail themselves of the pre-application service there should be little reason for major re-design during the life of an application. **No change.**
- 5.81 *The guidance appears to imply that private gardens are not important and the wrong message may be sent out to developers. People need gardens for space and privacy.*
- 5.82 **Response:** The objectives state that reasonable levels of amenity for occupants of new and existing dwellings will be sought. **Amend text to reinforce desirability of providing private gardens whilst allowing flexibility for those who don't require them.**
- 5.83 *Diagram not clear.*
- 5.84 **Response: Clarify diagram.**
- 5.85 *If other supplementary planning guidance is relevant to planning obligations these should be set out in this section.*
- 5.86 **Response:** As the range of supplementary planning guidance is likely to change and be expanded it is inappropriate to provide what may quickly be an incomplete list. **No change.**
- 5.87 *Parking spaces are needed in areas with little public transport.*
- 5.88 **Response:** The guidance acknowledges the need to ensure that sufficient space is designed into the layout of new residential areas for occupiers' and visitor parking. To apply minimum standards, as was the case prior to PPG3 would be open to challenge as being contrary to government policy. **No change.**
- 5.89 *Clarification as to the threshold requirement for landscaping should be made.*
- 5.90 **Response:** The guidance states that all new housing development will require a landscaping scheme. The form of this will vary according to site circumstances. **No change.**
- 5.91 *The guidance will not protect existing residents.*
- 5.92 **Response:** The space about dwellings guidelines afford reasonable protection. **No change.**
- 5.93 *All development in conservation areas should be accompanied by full details. The word 'generally' allows a loophole that would lead to further erosion of character.*
- 5.94 **Response: Change to 'most cases' to conform to the wording in the local plan**

Extending Your Home

Derbyshire County Council

5.95 *There should be a restriction on the size of extensions to affordable housing, or small dwellings in the countryside to ensure that a stock of relatively affordable housing reasons available.*

5.96 **Response:** This would be difficult to define and there is no evidence that extensions have caused the current need for affordable housing. Furthermore the policies from which this supplementary planning guidance is derived do not deal with the issue of affordable housing. The main basis for providing such housing is through the major housing land allocations. It is doubtful that a specific size restriction on rural dwellings would significantly help to maintain affordable housing there. **No change.**

5.97 *Distance guidelines are confusing and limited in scope to two storey extensions. In particular there is lack of reference to orientation and loss of sunlight. Reference should be made to the serious overlooking problems that can occur from balconies or windows with low cill heights.*

5.98 **Response:** The guidelines reflect the fact that single storey dwellings generally have a lesser impact than two-storey buildings. It is made clear that distances between dwellings are based on level topography and that distances may be altered to take account of levels. The guidelines do not prevent the Council from taking account of particular circumstances such as the position of the sun, as material considerations. **Amend text to refer to particular problems of balconies and low cill heights.**

Aston on Trent Parish Council

5.99 *Will the Parish Council be consulted on permitted development works.*

5.100**Response:** There is no basis to do so, as such works are undertaken as of right. **No change.**

Melbourne Civic Society

5.101*Agree with principles and examples.*

5.102*Paragraph and page number would aid clarity.*

5.103**Response:** The introduction of these would tend to give the document an overly formal appearance – it is intended for use over the whole range of stakeholders. **No change.**

5.104*The photograph on Page 2 does not make sense because the extension cannot be discerned. Before and after photographs would help.*

5.105**Response:** The photograph is a small illustration only, to show that good extension integrate with the host building. Space for more illustrations is limited. **No change.**

5.106*There are various drafting errors and unclear statements:*

5.107**Response: These have been corrected.**

Third Parties (Two Responses)

5.108*Guidance welcomed.*

Mention of the Party Wall Act would be appropriate as many extensions are undertaken in ignorance of the Act.

5.109**Response:** This would help to clarify the distinction between planning controls and other legal encumbrances, which is often a source of confusion to applicants and objectors. **Amend text accordingly.**

5.110*Clients often query the need to make extensions subordinate to the host dwelling, including the issue of matching materials. The text could clarify this.*

5.111**Response:** The text under the heading 'Scale' explains this principle. **Amend text under 'Materials' accordingly.**

5.112*The tendency to build new homes to minimum guidelines means that subsequent extensions are likely to be refused, as they will not meet the guidelines.*

5.113**Response:** Screening to boundaries will usually allow single storey extensions to be built. However proposed two storey extensions will likely be unacceptable where they do not achieve the guidelines. **No change.**

5.114*There should be particular comment on conservatories, these being common, so that they can be built within the 21 metre guidelines, allowing the aspirations of house-owners to be met.*

5.115**Response:** Screening to boundaries will usually allow single storey extensions to be built. This would apply equally to conservatories. **No change.**

6.0 Financial Implications

6.1 Nil.

7.0 Conclusions

7.1 The recommended changes take account of the representations received.

8.0 Background Papers

8.1 Supplementary Planning Guidance consultation drafts and Emerging South Derbyshire Local Plan.

