

# REPORT FOR: **CABINET**

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<b>Date of Meeting:</b>	15 December 2010
<b>Subject:</b>	Residential Design Guide SPD
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Stephen Kelly, Divisional Director Planning
<b>Portfolio Holder:</b>	Councillor Keith Ferry, Portfolio Holder for Planning, Development and Enterprise
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Enclosures:</b>	Appendix A: Draft Residential Design Guide SPD Appendix B: Consultation Responses Report <i>[Due to the size of the appendices, they have been circulated to Cabinet, other key Members and the Corporate Director Place Shaping only. A copy has been placed in the Members' Library and the appendices have been published with this agenda for viewing.]</i> Appendix C: – Recommendation from LDF Panel – 14 December 2010 – To be tabled]

## **Section 1 – Summary and Recommendations**

This report proposes that the Draft Residential Design Guide SPD (2010) at Appendix A be adopted.

## **Recommendations:**

Cabinet is requested to:

1. Adopt the Residential Design Guide SPD (2010) attached as Appendix A.
2. Delegate authority to the Divisional Director of Planning in consultation with the Portfolio Holder for Planning, Development and Enterprise, to make any typographical corrections, illustrative insertions and any other non-material changes to the SPD that may become necessary prior to final publication of the SPD and to permit its effective use online.

## **Reason: (For recommendation)**

Public consultation on the draft SPD has now concluded, the key issues raised in the consultation have been considered and, as a consequence, the SPD has been amended. The draft SPD will upon adoption become a material consideration in the determination of planning applications for residential development, conversions and householder alterations/extensions.

## **Section 2 – Report**

### **Introductory paragraph**

1. This report seeks the adoption of the Residential Design Guide supplementary planning document (SPD). The SPD will form part of the Harrow Local Development Framework. Upon adoption it will be a material consideration in the determination of planning applications for development that result in the creation of new homes, extensions or conversion to dwellings.
2. The SPD, by providing new supplementary guidance on housing design and layout, incorporating with revisions the provisions of the existing document '*Extensions: A Householders' Guide*', will help contribute to the achievement of stronger communities in Harrow and help in delivering cleaner and safer streets.

### **Background to the Draft Residential Design Guide SPD**

3. The SPD has been prepared reflect concern that has been raised in recent years around the quality of residential development, including new build, conversions and extensions across the Borough. The SPD also reflects the changing policy context and aspirations for residential

development set out in national Planning Policy Statements and the London Plan, and seeks to amplify the existing provisions provided within Harrow's Unitary Development Plan, particularly Policies D4 and D5. As Harrow, like all London boroughs, faces growing pressure to provide sufficient new homes to cater for projected population growth, the need to ensure that future residential development is of high design quality, providing a good standard of accommodation for its intended occupiers but also safeguarding the conditions enjoyed by existing residents, will become an ever more critical dimension of the delivery of new homes.

4. The preparation of an SPD surrounding conversion of residential properties to flats was previously identified as a Flagship Action in the 2009/10 Corporate Plan. The scope of that SPD has since been revised by the Council during early 2010 to include all types of residential development. This was done to take into account changes in permitted development for householders, the desire for greater clarity on the interpretation of national, regional and local policy, in respect of policies for conversions and flatted residential schemes, to assist applicants, planning officers, members and the community at large in the consideration of planning applications. The SPD also responds to the commitment in saved Policy D4 of the UDP to prepare further guidance on design factors in the policy whilst also capturing the local implications of the Mayor of London's forthcoming replacement Housing SPG.
5. Members will be aware that the Council is also in the process of preparing an Area Action Plan to help manage development activity and co-ordinate change within the proposed Harrow & Wealdstone Intensification Area. The Area Action Plan will have 'development plan' status in the determination of planning applications within the Intensification Area and therefore it is envisaged that, once adopted, the provisions of the Area Action Plan may replace the SPD guidance in relation to new-build residential development in the Area.

## **Consultation**

6. Regulation 18(4) of the Town and Country Planning (Local Development) (England) Regulations 2004 requires a local planning authority to consider any representations made on an SPD that it has prepared before it adopts the SPD.
7. Extensive consultation was undertaken over a four week period beginning on 30 September 2010. Over 1,200 letters were sent out to contacts on the LDF database, alongside a newspaper notice advertising the consultation. Copies of the draft SPD were distributed to all libraries in the Borough. Two meetings were held with the Agent's forum (one prior to the documents preparation, one to discuss the draft) to gain their views on the draft SPD. A total of 19 individual responses were received.

8. These responses have been tabulated into a report contained at Appendix B. Prior to consideration by Cabinet, the LDF Panel is also scheduled to consider the item and the comments made by LDF Panel will be reported verbally to Cabinet. The draft new Residential Design SPD, recommended for adoption, is reproduced at Appendix A.

### **Changes to the SPD**

9. Following the consultation it was decided that the draft SPD was unduly lengthy and lacked clarity on the principal design and layout matters and Harrow's established, local requirements (the 45 Degree Code, protected windows, etc). The draft SPD had incorporated separate guidance for major and minor development, as well as for conversions and householder extensions. Much of the text relating to the major and minor development sections was repetitive and lacked a clear relationship with the UDP policies that the document seeks to implement. The agents also expressed a view that the format of the document and its scope for separation into specific elements might also be reviewed.
10. To address these shortcomings and ensure a consistent approach in the consideration of development proposals, the major and minor development sections have been merged into a single section of general principles on design and layout with much of the text re-written to reflect guidance in Building for Life and the Urban Design Compendium.
11. The document retains cross reference to emerging amenity space and residential unit size standards that are emerging in the replacement London Plan, but direct quotation of these standards in the main body of the document (including a reproduction in the appendix of the draft version) has been deleted. This addresses valid consultee concerns that, until the replacement London Plan has been adopted, it would be premature and potentially prejudicial to replicate these in the SPD.
12. Elsewhere in the document the introduction, policy, conversion and extensions chapters have been retained as shown in the draft version but with minor revisions to text and layout in response to consultee comments. Illustrative material from the existing 'Extensions: A Householders' Guide' SPG has been copied into the householder development chapter, and further illustrative material is being prepared for inclusion in preceding chapters prior to publication.
13. A draft chapter on 'Council Procedures' has been deleted as unnecessary and likely to become out of date over the life of the SPD. The short section on monitoring and review has been revised to avoid introducing excessive new requirements to the Annual Monitoring report.

14. A full schedule of responses to consultees' comments is appended to this report and will form part of the statutory 'Consultation Statement' upon adoption of the revised SPD.

## **Options considered**

15. None

## **Legal Comments**

16. A Supplementary Planning Documents (SPD) provides detail to support policy in higher level Development Plan Documents (DPDs) or saved UDP policies.
17. The Council is required under regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2004 ("the Regulations") not to adopt an SPD until it has considered any representations made on it and prepared a statement setting out a summary of the main issues raised in the representations and how these issues have been addressed in the SPD.
18. If the SPD does not comply with the Regulations, the Secretary of State may direct the Council not to adopt the SPD.

## **Financial Implications**

19. Costs associated with producing the document relate to staff time. Upon adoption a number of hard copies of the SPD and related information & statements, as described in this report, will need to be produced. It is expected that the costs of this production will be approximately £750 and will be contained within existing budgets. The main medium for publication, is expected to be the website.
20. The SPD will be used by planning officers in the consideration of proposals for development. It is not envisaged that the adoption of the SPD will incur any significant additional staffing resources.

## **Performance Issues**

21. This SPD has been developed in line with the Council's LDS and will meet the required timetable for completion. The SPDs completion will also satisfy the flagship action of 2009/10. There is otherwise no effect on any of the performance indicators for the planning service.

## **Environmental Impact**

22. Sustainability Appraisal is no longer a formal requirement for supplementary planning documents, but the legal provisions for

Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC still apply. The SPD has been subject to a screening procedure under the terms of the Directive including consultation with the statutory bodies English Heritage, Natural England and the Environment Agency. The screening process concluded that the SPD would be unlikely to lead to any significant environmental effects and therefore that formal strategic environmental assessment would not be required. It is not considered that the post consultation changes to the SPD would alter this conclusion.

## Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

<b>A. Specific Planning Implications</b>	
1. Reliance on the existing UDP policies	<p><b>RISK:</b> Existing UDP policies used to determine residential applications deleted undermining the effectiveness of the SPD</p> <p><b>MITIGATION:</b> The SPD will show links to the revised London Plan, and is being developed in conformity with emerging Core Strategy policies.</p>
2. Reliance on existing Extensions Guide	<p><b>RISK:</b> The guidance is becoming obsolete, and could lead to decisions that are based upon it being overturned upon appeal.</p> <p><b>MITIGATION:</b> The SPD will update the guidance to reflect the amended GPDO 2008 and new LDF system</p>
3. Staffing/ workforce	<p><b>RISK:</b> Additional workload of revising the SPD will impact on other work of the LDF team.</p> <p><b>MITIGATION:</b> Work to progress in accordance with LDS timeframe</p>
4. Changes to legislation/national policy	<p><b>RISK:</b> Ongoing changes to national planning legislation and guidance.</p> <p><b>MITIGATION:</b> The changes to national planning legislation and guidance are outside the control of the Council. As changes occur, the Council will</p>

	need to assess the impact and whether any additional work is needed to ensure existing documents comply with national and regional requirements.
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## Equalities implications

Was an Equality Impact Assessment carried out? No

The SPD only provides guidance for high level policy; it does not create or amend policy.

## Corporate Priorities

The SPD, by providing clear guidance on housing design, including internal space standards and amenity considerations will help contribute to the achievement of stronger communities in Harrow and help in delivering cleaner and safer streets. Insofar as they have evolved to date the SPD objectives are considered consistent with the Draft Vision: "Working together: Our Harrow our community" and priorities associated with the objectives of keeping neighbourhoods clean green and safe, united and involved communities, and a Town Centre to be proud of.

## Section 3 - Statutory Officer Clearance

Name: Anthony Lineker	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 18 November 2010		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 23 November 2010		

## Section 4 – Performance Officer Clearance

Name: Martin Randall	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Partnership, Development and Performance
Date: 22 November 2010		

## **Section 5 – Environmental Impact Officer Clearance**

Name: Andrew Baker



on behalf of the  
Divisional Director  
(Environmental  
Services)

Date: 17 November 2010

## **Section 6 - Contact Details and Background Papers**

**Contact:** Matthew Paterson, LDF Team Leader, 020 8736 6082

**Background Papers:** Residential Design Guide SPD  
Consultation Responses Report

**Call-In Waived by the  
Chairman of Overview  
and Scrutiny  
Committee**

**NOT APPLICABLE**