



DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT & SCRUTINY PANEL

DRAFT PLANNING GUIDANCE: HOUSE EXTENSION AND ALTERATION DESIGN GUIDE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the panel of the preparation of draft Planning Guidance: House Extension and Alteration Design Guide prepared in support of the West Lothian Local Development Plan (LDP) and to set out the next steps towards finalisation and approval of the guidance.

B. RECOMMENDATION

It is recommended that the panel notes and considers the following recommendations which are intended to be submitted to Council Executive for approval after a consultation exercise has been undertaken:

1. approves the content of the Planning Guidance: House Extension and Alteration Design Guide;
2. approves the responses to any comments received during consultation on the draft Planning Guidance; (to be provided as an appendix to the report to the Council Executive); and
3. delegates to the Head of Planning, Economic Development and Regeneration to agree and conclude a "screening determination" as to whether a SEA is required, having taken into account the views offered by the Consultation Authorities.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	New statutory Supplementary Guidance and non-statutory Planning Guidance will, over the course of the coming year, replace Supplementary Planning Guidance (SPG) which had previously supported the superseded West Lothian Local Plan. Going forward, new Supplementary Guidance and Planning Guidance will support the Local Development Plan and the development management process.

The draft Planning Guidance supports policy DES 1 of the LDP and would be a material consideration in the consideration of planning applications for house extensions and alterations.

It has previously been determined that the new guidance is in itself unlikely to have significant environmental effects and it is not anticipated that there will be a requirement to make it the subject of separate Strategic Environmental Assessment (SEA). The required 'screening' procedures will however be undertaken.

There are no equality, health or risk assessment issues associated with the Planning Guidance and there are no risk assessment issues.

III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business. Outcome 4 - We live in resilient, cohesive and safe communities. Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	This draft Planning Guidance has no direct financial implications for the council.
VII Consultations at PDSP	This is the first time that the PDSP has considered the terms of this draft Planning Guidance.
VIII Other consultations	None.

D. TERMS OF REPORT

D1 Background

The West Lothian Local Development Plan (LDP) was adopted on 4 September 2018 and embraces a development strategy that supports sustainable planned growth up to 2024 and beyond.

An extensive suite of 'Supplementary Planning Guidance' (SPG) had supported the previous West Lothian Local Plan (WLLP) but when that plan was replaced in September 2018 by the LDP this guidance ceased to have formal status. The consequence is that the ongoing materiality of SPGs is diminished, particularly in relation to the determination of planning applications and when relied upon to support the council's position at planning appeals.

The council intimated it's intention (in Appendix 4 of the LDP) that it would bring forward a raft of new statutory Supplementary Guidance and non-statutory Planning Guidance to replace SPGs and to support the policies of the LDP and which would at the same time be compliant with Planning Circular 6/2013: *Development Planning*, current national planning policies and the policies of the Strategic Development Plan (SDP 1).

D2 Purpose and effect of Planning Guidance

Supplementary Guidance and Planning Guidance expand upon existing policies and proposals and are used to support the content of the LDP. This allows the LDP to focus on the overall spatial strategy and the key policies and proposals. Together, Supplementary Guidance and Planning Guidance provide additional detail on specific subject areas within development plans and in many instances explain how planning policies will be implemented.

As a general rule, statutory Supplementary Guidance is the preferred format for guidance which requires developers to make a financial contribution. All other guidance is usually prepared as non-statutory Planning Guidance, the main differences being that Planning Guidance does not become part of the development plan and does not require to be approved by Scottish Ministers before being adopted by the council. Planning Guidance is however still subject to the same robust consultation process and is regarded as a 'material consideration' when determining planning applications.

D3 Draft Planning Guidance – House Extension and Alteration Design Guide

In support of the West Lothian Local Plan, and to assist householders when submitted planning applications for house alterations or extensions, the council approved Supplementary Planning Guidance (SPG) entitled "House Extension and Alteration Design Guide". The SPG was adopted in June 2015.

The SPG has now been reviewed and, having appraised its relevance and effectiveness, it has been concluded that no fundamental or significant changes are required to the document. Had it not been for the fact that the West Lothian Local Plan (WLLP) has been replaced by the LDP, the guidance would otherwise still be very much considered "fit for purpose".

The new Planning Guidance sets out matters which householders should take into account when proposing to alter or extend their property and submit a planning application. This includes the size and extent of proposed house extensions, impact on neighbouring properties, design and materials used. It seeks to promote high quality design which respects the rights and interests of neighbours to the house being extended, and it encourages 'good neighbour' practices, such as approaching neighbours at an early stage, when the project is being considered, and taking neighbours' views into account as much as possible.

In addition to advice on the design and materials of an extension, the Planning Guidance gives guidance on issues such as privacy, overlooking and overshadowing,

building close to the boundary, useable garden ground, parking and sustainable design. Guidance is also given on specific types of extensions: dormers, two storey extensions, ancillary accommodation, garages and outbuildings, and extensions in conservations areas and to listed buildings. The new Planning Guidance is attached as Appendix One.

D4 Consultation arrangements

It is proposed that public consultation on the Planning Guidance will be commenced in March 2020 and will run for a period of six weeks. The Guidance will be published on the council's web site and invitations to comment will be issued to developers and agents who are active in West Lothian and also to all community councils. Comments will be reported to the Council Executive together with the council's draft responses at a later date and should further revisions be identified following consultation these will be similarly considered by the Council Executive.

E. CONCLUSION

The council last refreshed its guidance on House Extensions and Alterations in 2015. This guidance has now been refreshed and repackaged and is consistent with current Scottish Government policy, SDP 1 and the policies of the LDP. It has been produced with the intent of being adopted as non-statutory Planning Guidance in support of the West Lothian Local Development Plan.

F. BACKGROUND REFERENCES

- SPG 'House Extension and Alterations Design Guide (2015)
- Adopted West Lothian Local Development Plan (2018)

Appendices/Attachments: One

Appendix 1: Draft Planning Guidance: House Extension and Alterations Design Guide (2019)

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