

Meeting Name:	Cabinet
Date:	22 July 2024
Report title:	Householder Development Supplementary Planning Document
Cabinet Member:	Councillor Helen Dennis, New Homes and Sustainable Development
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	N/a

FOREWORD - COUNCILLOR HELEN DENNIS, CABINET MEMBER FOR NEW HOMES AND SUSTAINABLE DEVELOPMENT

Over recent years, we have focused in on how to make the planning system more accessible for our residents. The creation of the planning register has made it much easier to search for applications and find associated documents, whilst our digital tools now mean it is much easier to find the policies that apply in each particular circumstance.

With this Householder SPD, we have brought together all of the policies and guidance that might apply to those seeking amendment or extension of their home, into a format which we hope makes things easier to search and understand. This includes information about our climate & environment policies insofar as they apply to existing dwellings and it is our hope through this guidance to encourage homes of the highest design and environmental standards across Southwark.

RECOMMENDATIONS

Recommendation(s) for the Cabinet

1. To agree the Householder Development Supplementary Planning Document (SPD) for public consultation.
2. To note the consultation plan and supporting documentation.

Recommendation(s) for the Leader of the Council

3. Not applicable.

REASONS FOR RECOMMENDATIONS

4. Regulation 12 (1) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires a Local Authority to publicly consult on an SPD before it can be adopted.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

5. No alternative option has been considered as the proposed recommendation is a statutory requirement.

POST DECISION IMPLEMENTATION

6. Public consultation on the Householder Development SPD.
7. In accordance with Southwark's statement of community involvement (SCI), the draft SPD will be available for comment for a minimum of twelve weeks. Additional time will also be added to the consultation to account for the summer period. Full details of the public consultation can be found in Appendix 2: Consultation plan.
8. The consultation will run from 7 August 2024 until 27 November 2024.
9. Once the public consultation is complete, the SPD will then be prepared for adoption. Officers will review the public consultation responses and make any amendments to the SPD where necessary.
10. The recommendation to adopt the SPD will be brought before Cabinet in May 2025.

Key Activity	Target completion date
Public consultation of the Affordable Housing SPD begins	7 August 2024
Public consultation of the Affordable Housing SPD concludes	27 November 2024
Amendments to Householder Development SPD (where necessary) following public consultation responses	December 2024 / January 2025
Adoption of Householder Development SPD by Cabinet	May 2025

BACKGROUND INFORMATION

11. The Householder Development SPD will mostly replace the 2015 Technical Update to the Residential Design Standards (2011) relating to householders.

12. Summary of key changes from the 2015 Technical Update to the Residential Design Standards (2011):
 - This SPD reflects updates to the General Permitted Development Order (GPDO) since 2010
 - This SPD includes guidance on development types which were not covered by the 2015 Technical Update such as roof terraces
 - This SPD provides guidance on current Council priority areas such as green energy enhancements.
 - This SPD does not include guidance which is now covered by the Southwark Plan 2022.
13. Guidance which has not been included as part of the SPD or Southwark Plan will be retained in a saved version of the 2015 Technical Update to the Residential Design Standards (2011). This is very limited, as most guidance has been included elsewhere. This will allow officers to continue to reference the saved guidance in the determination of planning applications. This is an interim measure and will be resolved by future planning policy work.
14. Beyond this, it is likely that separate guidance will be necessary on the wider range of housing developments included in the Southwark Plan 2022 including design standards for Student Housing, Hotels and Apart-hotels, Co-living etc. A programme for this separate guidance will be circulated separately.

KEY ISSUES FOR CONSIDERATION

15. A large proportion of development in Southwark affects existing homes with residents seeking to make changes that suit their changing circumstances.
16. The Householder Development SPD seeks to clarify this approach, helping to prioritise adaptations and provide guidance on suitable and beneficial changes that residents can consider.
17. The guidance in the SPD is relevant to all residents and those who own or manage a home in the borough. This includes guidance for houses and flats as well as homes which are listed buildings or within conservation areas. The SPD is not relevant to the creation of new dwellings.
18. It is designed for a wide readership, including applicants, owners, residents, planners, community groups and developers.
19. The SPD has the following objectives:
 - To guide the improvement and adaptation of existing homes

- To ensure a high standard of housing for all, ensuring homes are enjoyable, liveable and accessible.
 - To encourage the refurbishment of homes looking to reduce energy demand, carbon emissions and adapt to the effects of climate change.
 - To ensure works to existing homes mitigate impact on the amenity, privacy and appearance of the surrounding area and neighbours.
 - To encourage sustainable technologies, healthy communities and to preserve Southwark's rich heritage.
20. The SPD covers a broad range of works which can be considered when looking to improve or extend a home. This includes:
- Improving the appearance of a home
 - Improving the thermal performance or energy efficiency of a home
 - How to find the most appropriate type of extension for a home
 - Whether planning permission or listed building consent is required
 - If any specialist information is required to support a planning application.

Policy framework implications

21. The Householder Development SPD provides guidance on how to apply the relevant policies of the Southwark Plan 2022. It gives guidance on how to conform to the additional national and local legislature and policies within which the council must operate.
22. The SPD will be a material consideration in the determination of a planning application.
23. The SPD principally provides further information on the following Southwark Plan policies:
- P13 Design of places
 - P14 Design quality
 - P15 Residential
 - P16 Designing out crime
 - P18 Efficient use of land
 - P19 Listed buildings and structures
 - P20 Conservation areas

- P21 Conservation of the historic environment and natural heritage
- P26 Local list
- P56 Protection of amenity
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P62 Reducing waste
- P66 Reducing noise pollution and enhancing soundscapes
- P68 Reducing food risk.

Community, equalities (including socio-economic) and health impacts

24. Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty (PSED). This requires public bodies to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.
25. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.
26. The council's [Approach to Equality](#) commits the council to ensuring that equality is an integral part of our day-to-day business. The [Equality Framework for Local Government](#) exists to help organisations, review and improve their performance for people with characteristics protected by the Equality Act 2010.
27. The Equalities Impacts and Needs Analysis (EINA) concluded that the Householder Development SPD would have no negative impacts on equalities in Southwark. The SPD does not create new policies but provides guidance on how existing policies should be implemented.
28. The EINA found that the SPD would benefit some groups more than others, as the guidance provided is simpler to implement if in home ownership.
29. The SPD will however have broad benefits for all borough residents. These include protection of built heritage and townscape, protection of neighbourhood amenity and climate change mitigation.
30. The SPD can also be of particular benefit to many protected groups who are more likely to experience fuel poverty or overcrowding and those groups who need to extend or alter their home.
31. There are no mitigating or improvement actions to be taken as a result of the EINA.

32. The full analysis can be found in Appendix 3: Equalities Impact and Needs Analysis.

Climate change implications

33. The Council has declared a Climate Emergency with the ambition to reach carbon neutrality by 2030.
34. Plan-making will contribute to this ambition through the preparation and implementation of planning policies, specifically in the development management process. Planning applications will be required to meet the policy requirements set out in the Southwark Plan 2022 and any supplementary planning documents.
35. This is supported by Southwark's Climate Change Strategy and Climate Change Resilience and Adaptation Strategy which sets out Action Points to meet this target.
36. The Householder Development SPD encourages the refurbishment of homes looking to reduce energy demand, carbon emissions and adapt to the effects of climate change.

Resource implications

37. There are no additional resource implications arising from the Householder Development SPD.
38. Staffing and any other resources connected to the SPD are to be contained within existing departmental capacity.

Legal implications

39. This report is being brought before the Cabinet under Part 3C of the Constitution. Paragraph 21 of the constitution states that the Cabinet has the power to adopt supplementary planning documents.
40. The Cabinet therefore has the power to agree the draft of the Householder Development SPD, which would include sending it out for consultation.
41. The Town and Country Planning (Local Planning) England Regulations 2012 states at regulation 12 that a local planning authority must undertake a process of public participation before it can adopt an SPD. Part of that process involves consulting with relevant persons, setting out the main issues raised by those persons and then explaining how those issues have been addressed in the SPD. This report is the first step towards beginning the public participation process and will help to inform the final draft of the SPD.
42. SPDs are not subject to independent examination in the same way that other planning documents are. However, as stated above there is still a process of consultation that must be undertaken in respect of such documents. Section 19(3) of the Planning and Compulsory Purchase Act 2004 specifically requires local planning authorities to comply with their adopted Statement of Community

Involvement (“SCI”).

Financial implications

43. There are no immediate financial implications arising from the Householder Development SPD.
44. Staffing and any other costs connected to the SPD are to be contained within existing departmental revenue budgets.

Consultation

45. Public consultation would commence if the recommendation proposed in this report is agreed.
46. In accordance with Southwark’s statement of community involvement (SCI), the draft SPD will be available for comment for a minimum of twelve weeks. Additional time will also be added to the consultation to account for the summer period.
47. The consultation will run from 7 August 2024 until 27 November 2024.
48. The consultation will be run on the consultation platform, Citizen Lab. Comments will also be accepted by email or post.
49. The full details of the public consultation are set out in Appendix 2: Consultation plan.

Strategic Environmental Assessment (SEA)

50. A Strategic Environmental Assessment (SEA) is a way of ensuring the environmental implications of a plan or programme for ‘town or country planning or ‘land use’ are taken into account. The need for environmental assessments is set out in the EU Directive 2001/42/EC. This has subsequently been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004.
51. A screening assessment has been undertaken to determine whether the Householder Development SPD requires a SEA. This is in accordance with Government’s Planning Practice Guidance (PPG) published in September 2023.
52. The screening assessment concluded that the Householder Development SPD is not likely to have significant environmental effects and as such, does not require a SEA.
53. The Householder Development SPD conforms with the adopted Southwark Plan 2022 and corresponding Site-Specific Allocations. The SPD provides guidance on these policies but does not create new policies. The policies and allocations therein have been subject to an SEA through the Southwark Plan 2022 Integrated Impact Assessment.

54. The full assessment can be found in Appendix 4: Strategic Environmental Assessment Screening (SEA).

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive, Governance and Assurance – NST050724

55. Under paragraph 7 of Part 3D Individual Cabinet Members have the power to agree significant policy issues in relation to their area of responsibility. The Cabinet Member for New Homes and Sustainable Development therefore has the power to agree the draft Householder Development SPD which would include approving a draft for consultation. However, given the significance of the Householder Development SPD, the draft is brought to Cabinet for approval.
56. Final approval of the SPD resides with full Cabinet under Part 3C of the Constitution paragraph 21 which states that only full Cabinet has the power to adopt supplementary planning documents taking account of comments from the planning committee.
57. Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in the adopted Southwark Plan 2022. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.
58. The National Planning Policy Framework states that SPDs add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites or on particular issues and are capable of being a material consideration in planning decisions but are not part of the development plan.
59. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents. The Householder Development SPD will not form part of the statutory development plan but will be an important material consideration in determining planning applications.
60. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects.
61. Before deciding whether significant environment effects are likely, the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 need to be taken into account. Officers have

considered this at paragraphs 48-52 and prepared a screening report (Appendix 4). They consider that it is unlikely that there are significant environmental effects.

62. Council Assembly on 14 July 2021 approved a change to the council's Constitution to confirm that all decisions made by the council will consider the climate and equality (including socio-economic disadvantage and health inequality) consequences of taking that decision. This has been considered at paragraphs 23-31 above.
63. The Public Sector Equality Duty ("PSED") is set out at section 149 of Equality Act 2010 and requires the council to have due regard in the exercise of its functions (including decision making), to the need to:
 64.
 - Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - Advance of equality of opportunity between persons who share a relevant protected characteristics and those who do not share it;
 - Foster good relations between those who share a relevant characteristic and those that do not share it.
65. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
66. Officers have considered the council's PSED under section 149 of the 2010 Act at paragraphs 23-31 of this report and the Equalities and Impact Needs Analysis (EINA) at Appendix 3. Officers have concluded that, at this stage, the draft Householder Development SPD is not considered to have any adverse impacts on persons with protected characteristics.
67. The report recommends that the draft Householder Development SPD is published for public consultation. Comments relating to equalities considerations will be considered following the consultation and Householder Development SPD updated as appropriate.
68. Section 19(3) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to comply with their adopted Statement of Community Involvement (SCI). The Council's SCI provides for a period of 6 weeks informal consultation followed by 6 weeks formal consultation.

Strategic Director, Finance (FC24/002)

69. The report requests approval from Cabinet to agree the Householder Development Supplementary Planning Document (SPD) for public consultation and to note the consultation plan and supporting documentation.
70. The strategic director of finance notes that there will be no immediate financial implications associated with the implementation of this SPD and notes other comments in the financial implications.

71. Staffing and any other costs associated with this recommendation are to be contained within existing departmental revenue budgets.

REASONS FOR URGENCY

72. Not applicable.

REASONS FOR LATENESS

73. Not applicable.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Southwark Plan 2022	Planning Policy 160 Tooley Street London SE1P 5LX Online here	Planning Policy team planningpolicy@southwark.gov.uk
2015 Technical Update to the Residential Design Standards (2011)	Planning Policy 160 Tooley Street London SE1P 5LX Online here	Planning Policy team planningpolicy@southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Householder Development Supplementary Planning Document
Appendix 2	Consultation Plan
Appendix 3	Equalities Impacts and Needs Analysis (EINA)
Appendix 4	Strategic Environmental Assessment Screening (SEA)

AUDIT TRAIL

Cabinet Member	Councillor Helen Dennis, New Homes and Sustainable Development	
Lead Officer	Gemma Williams, Team leader	
Report Author	Marco Chan, Graduate planner	
Version	Final	
Dated	9 July 2024	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive, Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		9 July 2024