

Report To:	CABINET	Date:	21 JANUARY 2019
Heading:	APPROVAL FOR THE ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENT – GUIDE FOR CONVERTING SHOPS TO RESIDENTIAL		
Portfolio Holder:	LEADER OF THE COUNCIL, COUNCILLOR JASON ZADROZNY		
Ward/s:	ALL		
Key Decision:	YES		
Subject to Call-In:	YES		

Purpose of Report

To adopt the Guide for Converting Shops to Residential; Supplementary Planning Documents.

Recommendations

That Cabinet:

1. Notes the representations made to the draft SPD and the Council's response in the 'Consultation Statement' as required by the Town & Country Planning (Local Planning) (England) Regulations 2012.
2. Adopts the Guide for Converting Shops to Residential; Supplementary Planning Document.

Reasons for Recommendations

This report seeks to address the issue of long term vacant retail premises in Ashfield and provides a mechanism for proprietors to apply for change of use to residential. It allows for the repurposing of vacant premises and facilitates conversion to more productive use, enabling and supporting vibrant communities.

The Supplementary Planning Document provides additional information to the "saved" policies on design in the Ashfield Local Plan Review 2002, in particular Policy ST1 – Development, which states that development must not adversely affect the character, quality, amenity and safety of the environment.

The guidance also supports the Government's clear direction to ensure that buildings and places are designed to a high quality.

Alternative Options Considered

Not to approve the SPD. Not recommended.

Detailed Information

Supplementary Planning Documents (SPDs) are local development documents brought forward under the Planning and Compulsory Purchase Act 2004 and in accordance with the Town & Country Planning (Local Planning) (England) Regulations 2012. They are a material consideration in planning decisions, but unlike Development Plan Documents (DPDs), they do not require independent examination before they are adopted.

SPDs provide local planning authorities with the opportunity to add guidance in specific policy areas. The SPD must relate to and set out further details of saved policies in the Ashfield Local Plan Review (ALPR) 2002 and must be consistent with national planning policy.

The SPD provides informal guidance that supports saved Policy ST1: Development of the ALPR, which states:

“development must not adversely affect the character, quality, amenity and safety of the environment”

The SPD also supports the Government's clear direction to ensure that buildings and places are designed to a high quality. The National Planning Policy Framework (NPPF) sets out in paragraph 130 that:

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”

In this context, the SPD sets out where the conversion of a shop to a home is acceptable in policy terms, and the Council's approach to ensuring high quality design is achieved. It will help applicants understand where this change of use may be appropriate and where it will not. It will also highlight the issues that the Planning and Building Control teams look for when considering applications.

The SPD was open to public consultation between 5th October and 19th November 2018. The responses and the Council's action following the responses are set out in the Consultation Statement. These responses demonstrate broad agreement with this policy.

No requirement for a Strategic Environmental Assessment has been identified in relation to the SPD.

Following approval of this Cabinet Report, a letter will be sent to all proprietors of vacant retail premises to advise them of this new policy and inviting them to discuss their intentions with us.

Implications

Corporate Plan: The adoption of the SPDs will facilitate the saved policies on design in the Ashfield Local Plan Review 2002. The Local Plan will assist in delivering the environmental, economic and

community objectives of the Corporate Plan and enable effective “place shaping” by guiding and facilitating development that accords with the strategy.

Legal: SPDs are local development documents under the Planning and Compulsory Purchase Act 2004 and the Town & Country Planning (Local Planning)(England) Regulations 2012 and will form part of the planning framework for the District. They are a material consideration in any planning decision.

Communications: this policy will be widely publicised to enable uptake by proprietors of vacant retail premises.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	No direct implications.
General Fund – Capital Programme	No direct implications.
Housing Revenue Account – Revenue Budget	No direct implications.
Housing Revenue Account – Capital Programme	No direct implications.

Risk:

Risk	Mitigation
No known risks.	N/A

Human Resources: There are no direct HR implications contained within this report.

Equalities: The Equality Act 2010 introduced a public sector equality duty and the Local Plan will have a direct impact on equality issues. Consequently, an Equality Impact Assessment of the Supplementary Planning Document has been undertaken which does not identify any issues.

Other Implications: No other implications.

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

The report is not exempt.

Background Papers

- Guide for Converting Shops to Residential Supplementary Planning Document.

- Consultation Statement.

A copy of the SPD and Consultation Statement are available in the Members Room and on the Council's website.

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