

CONSULTATION STATEMENT

Guide for Converting Shops to Residential Supplementary Planning Document

Town and Country Planning (Local Planning) (England) Regulations 2012

**Regulation 12, 13, 14 and 35 – Consultation Statement
Regarding Supplementary Planning Document**

January 2019

Introduction

The purpose of the Supplementary Planning Document (SPD) is to set 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. It is a District wide policy document, consistent with the National Planning Policy Framework 2018.

Upon adoption, the SPD will be taken into account as a material consideration in the decision making process.

This statement represents the 'Consultation Statement' for the SPD as required by the Town & Country Planning (Local Planning) (England) Regulations 2012.

This statement sets out details of the consultation that has taken place. It sets out the details of how, when and with whom the consultation with interested parties and organisations took place and how this has informed the SPD.

Consultation Regulations

The SPD is produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are explained below.

- *Regulation 12 (a)* requires the Council to produce a consultation statement before adoption of the SPD, this must set out who has been consulted, a summary of the issues raised, and how these issues were incorporated in to the SPD.

- *Regulation 12 (b)* requires the Council to publish the documents for a minimum of 4 week consultation, specify the date when responses should be received, and identify the address to which responses should be sent.
- *Regulation 13* stipulates that any person may make representations about the SPD and that the representations must be made by the end of the consultation date referred to in regulation 12. (This consultation statement sets out this requirement)
- *Regulation 14* relates to the adoption of the SPD. Upon adoption, the Council must make the SPD and adoption statement available under regulation 35. The Council should also send a copy of the adoption statement to any person who has asked to be notified of the adoption of the SPD.
- *Regulation 35* - Regulation 12 states that when seeking representations on an SPD, documents must be made available in accordance with regulation 35. This requires the Council to make documents available by taking the following steps:
 - Make the document available at the principal office and at other such places within the area that the Council considers appropriate, during normal office hours, and
 - Publish the document on the Council's website.

The Statement of Community Involvement

The Statement of Community Involvement (SCI) was originally adopted in 2006 and was then updated in 2010, July 2013 and August 2015. The procedures for consultation follow the guidelines in the SCI.

Pre-production Consultation

Pre-production consultation in connection with the SPD involved discussions with interested parties from within Ashfield District Council and external organisations who were considered to have a specific interest, including:

Ashfield District Council:

- Forward Planning Officer
- Development Management Officer
- Regeneration Officer
- Conservation and Design Officer
- Place and Projects Officer
- Town Centre Manager
- Interim Building Control Manager

External Organisations:

- East Midland Chambers
- Federation of Small Businesses
- D2N2 Local Enterprise Partnership Coordinator
- Mansfield and Ashfield 2020
- Historic England
- Kirkby and District Conservation Society
- Sutton Heritage Society
- Hucknall Tourism and Regeneration
- Sutton Town Centre Group
- Hucknall Business Voice

Internal consultations took the form of a meeting on the 31st July 2018 with the various council officers, as listed above. Other organisations were consulted by way of a consultation letter, sent on the 17th August 2018 which set out the purpose of the SPD and the proposed topics to be covered. Comments and suggestions were invited on the format and contents of the SPD.

In addition to the above, the Council's Planning Officers examined a number of similar SPDs from other local authorities around the country which were generally accepted to be best practice publications.

Summary of Issues Raised and the Council's Response

The majority of participants accepted the need for design guidance when converting a retail property to residential use.

The following Table lists the bodies involved in the pre-production stage and the main issues raised during the consultation period. It also provides the Council's response to each issue presented and an outline of the way in which this was reflected in the draft SPD, if appropriate.

Respondents Name	Comment	Council response
Conservation and Design Officer, Ashfield District Council (ADC)	Suggests putting a 'Basic Principles Check List' at the end of the document to act as a quick reference for applicants. A section on retaining original shopfronts features should be included.	Agree to include a Check List in the SPD. Agree to include a section on the retention of original shopfront features.
Regeneration Officer, ADC	No comments received.	N/A
Development Management Officer, ADC	Provided text setting out the requirements of Planning - Prior Approval.	Agree that the requirements of Prior Approval will be included in the SPD.
Place and Projects Officer, ADC	Highlighted the need to include good quality images in the SPD to show key design principles.	Agree to include good quality images to show key design principles.
Town Centre Manager, ADC	No comments received.	N/A
Interim Building Control Manager, ADC	Provided text setting out the requirements of Building Regulations.	Agree that the requirements of Building Regulations will be included in the SPD.
East Midland Chambers	No comments received.	N/A
Federation of Small Businesses	Welcome the proposals to help bring derelict and/or under-used properties back into use, provided such measures are focused on long term, holistic socio-economic stability and growth, rather than short term revenue generating expediency. Flanking policies regarding parking, planning, economic development, tourism and physical/digital infrastructure should be complimentary and mutually reinforcing to ensure that new occupiers are attracted to an area.	The Council welcomes the comments made. The Council recognises the important role that town centres and retail areas can play in the district. The Council's planning policies are designed to support and promote the role of town centres and local shopping centres, by taking a positive approach to their growth, management and adaptation.
D2N2 Local Enterprise Partnership Coordinator	No comments received.	N/A
Mansfield and Ashfield 2020	General support for the SPD. Considers the SPD to be an important document for getting	The Council welcomes the comments made.

	the 'look/vernacular' right for Ashfield.	
Historic England	<p>Recommended that the document explores ways in which original shopfront features could be retained and incorporated into a conversion scheme.</p> <p>Recommend that Locally Listed Buildings are considered as part of the SPD in addition to Listed Buildings and Conservation Areas, where relevant.</p> <p>The SPD could also consider including reference to possible tools to assist conversion schemes e.g. Local Development Orders setting out additional permitted development rights e.g. advocating Living Over the Shop through preferential business rates at ground floor level.</p>	<p>The Council welcomes the comments made and agree to include a section on the retention of original shopfront features.</p> <p>Agree that Locally Listed Buildings will be referred to in the SPD, alongside Listed Buildings and Conservation Areas.</p> <p>It is not considered appropriate to refer to Local Development Orders in the SPD. This matter can be addressed as a separate issue if the Council considers it appropriate to do so in a particular area.</p>
Kirkby and District Conservation Society	No comments received.	N/A
Sutton Heritage Society	No comments received.	N/A
Hucknall Tourism and Regeneration	No comments received.	N/A
Sutton Town Centre Group	No comments received.	N/A
Hucknall Business Voice	No comments received.	N/A

Draft SPD and SEA Consultation

On the 5th October 2018 the Council published a draft Guide for Converting Shops to Residential SPD and draft Strategic Environmental Assessment Screening Determination (SEA) for consultation. The consultation ended on 19th Nov. 2018.

The draft SPD and SEA was available to view on the Council's website:

www.ashfield.gov.uk

Paper copies of the document were also made available to view during the consultation period at the following locations:

- Main District Council Offices at Urban Road, Kirkby-in-Ashfield on Mondays to Fridays 8.30am to 5.00pm (4.30 Fridays).
- District Council Offices at Watnall Road, Hucknall, and Brook Street, Sutton in Ashfield, during normal opening hours.
- Kirkby in Ashfield, Sutton in Ashfield, Selston and Hucknall libraries, during normal opening hours.

Press Coverage: A statutory public notice was placed in the following newspapers:

- Ashfield Chad (October 2018)
- Hucknall Dispatch (October 2018)
- Eastwood and Kimberly Advertiser (October 2018)

A press release regarding the consultation was also released (October 2018) to:

- Ashfield Chad
- Hucknall Dispatch
- Nottingham Evening Post
- Radio Mansfield
- Radio Nottingham
- Notts TV
- ADC social media pages.

A letter/email was sent to the pre-consultation respondents and other interested parties. A full list of all parties who were contacted directly can be seen in Annex I.

Representations on the Draft SPD

A total of 8 representations were received following the formal consultation exercise. The respondents were made up as follows:

- Forward Planning Officer, ADC
- Environment Agency
- Historic England
- Natural England
- Severn Trent
- Conservation and Design Officer, ADC
- Housing Development Officer, ADC
- Sutton Heritage Society

Summary of Issues Raised on the Draft SPD and the Council's Response

The following Table lists the bodies who made representations on the draft SPD and the main issues raised during the formal consultation period. It also provides the Council's response to each issue presented and an outline of the way in which this is reflected in the final SPD, if appropriate.

Respondents Name	Comment on SPD	Council's Response
Forward Planning Officer, ADC	<p>Section 1, para 1 – remove 'the' from 'vital to the Ashfield's economy'</p> <p>Section 2.1, para 2 – change to 'If the shop is in a Conservation Area, is a Listed Building or is a Locally Listed Building'.</p> <p>Section 2.2, para 1 – change to 'When the use of a building changes from non-residential to residential, Building Regulations Consent will always be required'.</p> <p>Page numbers - incorrect.</p> <p>Section 4.2 – para 1 – change 'match' to 'matched'</p> <p>Section 6 – Incorrect postcodes.</p>	The Council welcomes the comments made and will make the necessary corrections in the final SPD prior to adoption.
Environment Agency	Confirmed that they agreed with the conclusions of the SEA, i.e. the SPD is unlikely to have significant environmental impacts.	The Council welcomes the comments made.
Historic England	Welcomes the commitment to the SPD as a supplement to the policies of the existing Local Plan and has no concerns with the draft document.	The Council welcomes the comments made.
Natural England	No comments to make.	N/A
Severn Trent	No comments to make.	N/A
Conservation and Design Officer, ADC	Typographical error in section 2.1 – change to 'Locally Listed Buildings'.	The Council welcomes the comments made and will make the necessary corrections in the final SPD prior to adoption.
Housing Development Officer, ADC	Very helpful to those interested in conversions and the inclusion of design principles	The Council welcomes the comments made.

	will give people a good start. The advice on retaining the shop front features and relating the upper and lower floors are important too as there are plenty of ugly conversions up and down the country.	
Sutton Heritage Society	<p>Period features should be kept, and special consideration given to conservation areas.</p> <p>We would like to see Listed and locally listed buildings protected</p>	<p>The Council welcomes the comments made, but does not consider that any alterations are necessary to the SPD as a consequence of the comments made.</p> <p>The SPD sets out in paragraph 4.1 the importance of retaining original shop features.</p> <p>Paragraph 2.1b sets out that additional controls will apply to Conservation Areas, Listed Buildings and Locally Listed Buildings to ensure any alterations do not harm the character and appearance of these areas.</p>

Summary of Issues Raised on the Draft SEA and the Council's Response

The following Table lists the consultation responses to the draft SEA from the three statutory consultation bodies required by the SEA Regulations 2014. It also provides the Council's response.

Respondents Name	Comment on SEA	Council response
Historic England	On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required.	The Council welcomes the comments made.
Natural England	No comments to make.	N/A
Environment Agency	Confirmed that they agreed with the conclusions of the SEA, i.e. the SPD is unlikely to have significant environmental impacts.	The Council welcomes the comments made.

ANNEX I

List of Respondents at Formal Consultation Stage

Consultee Name

Environment Agency
Historic England
Natural England
Coal Authority
Network Rail
Highways England
Amber Valley Borough Council
Broxtowe Borough Council
Erewash District Council
Gedling Borough Council
Newark and Sherwood District Council
Bolsover District Council
Mansfield District Council
Nottingham City Council
Rushcliffe Borough Council
Nottinghamshire County Council
Derbyshire County Council
Selston Parish Council
Annesley & Felley Parish Council
Ault Hucknall Parish Council
Bestwood St Albans Parish Council
Blackwell Parish Council
Brinsley Parish Council
Greasley Parish Council
Ironville Parish Council
Linby Parish Council
Newstead Parish Council
Nuthall Parish Council
Papplewick Parish Council
Pleasley Parish Council
Pinxton Parish Council
Ravenshead Parish Council
Somercotes Parish Council
South Normanton Parish Council
Tibshelf Parish Council
Nottinghamshire Police and Crime Commissioner
Derbyshire Police and Crime Commissioner
Western Power Distribution
Vodafone and O2
EE
Three
Area Team - Derbyshire and Nottinghamshire,
NHS England

NHS Mansfield and Ashfield Clinical
Commissioning Group
Community Health Partnerships
Nottingham North & East Clinical Commissioning
Group
Nottingham North & East Clinical Commissioning
Group
NHS Property Services Ltd
Severn Trent Water Ltd
National Grid Gas Plc
National Grid
National Grid
Homes and Communities Agency
Civil Aviation Authority
Office of Rail Regulation
D2N2 Local Enterprise Partnership Coordinator
Lowland Derbyshire and Nottinghamshire LNP
Kirkby District & Conservation Society
Sutton Heritage Society
Hucknall Tourism & Regeneration
Hucknall Business Voice
Sutton Town Centre Group
East Midlands Chamber
Federation of Small Businesses
Mansfield and Ashfield 2020