



## **Consultation Statement**

### **Supplementary Planning Document: Shop Fronts and Commercial Properties March 2019**

#### **REGULATION 12 OF THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012**

1. This statement sets out who was consulted in the preparation of the draft Supplementary Planning Document: Shop Fronts and Commercial Properties, how they were consulted, what issues were raised and how those issues influenced the preparation of the document.

2. Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In 2005 the District Council formally adopted the Supplementary Planning Document on Shop Fronts and Commercial Properties Design Guidance, it was updated in November 2012. This has, since that time, sought to provide complementary guidance and advice for owners, occupiers, managers, agents and developers about how Local Plan policies should be applied when considering a planning application for changes to their property. The SPD has operated well since that time, however following the adoption of the Derbyshire Dales Local Plan in December 2017 it can no longer be used as a “material consideration” in the determination of planning applications.

3. To ensure that the Supplementary Planning Document on Shop Fronts and Commercial Properties can continue to be given statutory weight in the determination of planning applications it has been necessary to refresh its contents to reflect changes to the Local Plan policies and legislation. Once adopted it can be used in the determination of planning applications as a “material consideration”.

#### **Consultation: Stage One**

4. The revised draft Shop Fronts and Commercial Properties SPD was subject to an internal consultation, in October 2018, with officers from the following teams:

- Development Management team
- Planning Policy team
- Economic Development team

This took the form of email and meetings. No substantive issues were raised.

## Consultation: Stage Two

5. A six week consultation period ran from 18<sup>th</sup> January to 1<sup>st</sup> March 2019. A direct email or letter was sent to targeted contacts contained on the Council Local Plan consultation database. This included the statutory consultees, Parish and Town Councils, neighbouring authorities, agents and developers and landowners.
6. In addition, the consultation documents were available online and in the following locations:
  - Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
  - The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
  - Matlock Library, Steep Turnpike, Matlock DE4 3DP
  - Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
  - Ashbourne Library, Compton, Ashbourne DE6 1DA
  - Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
  - Wirksworth Library, Town Hall, Wirksworth DE4 4EU
7. People were invited to submit comments online or in writing to ensure that representations could be registered and considered by the Council. See [www.derbyshiredales.gov.uk/ShropfrontsSPD](http://www.derbyshiredales.gov.uk/ShropfrontsSPD)
8. In accordance with the Derbyshire Dales District Council Statement of Community Involvement a press release was issued regarding the consultation.
9. A summary of the main issues raised and how the issue was addressed is included in the Appendix One. Proposed amendments to the SPD are shown in italics.

March 2019

## Appendix One

This table sets out a summary of the main issues raised by the persons consulted and how those issues have been addressed. This approach complies with regulation 12 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The text that the Council propose to delete from the SPD is ~~crossed out~~. The new text that the Council propose to include in SPD is in *italics*.

	Section	Summary of main issue	How the issue has been addressed
Q4	Introduction	I have no detailed comments to make on the draft SPD, as built environment conservation is not my area of expertise. The presentation of the document and the advice within it is clear and concise however and will be very useful for reference purposes, particularly in relation to planning applications for works in the historic cores of Derbys Dales villages and towns. I would recommend that the World Heritage Site team be consulted on the document if they have not had sight of it already.	The comments are welcomed. The Derwent Valley World Heritage Site panel were informed of the consultation by email and no response was received. No change is necessary.
Q5	Planning Policy	If this policy comes on to effect hopefully you will ensure that it is adhered to in the area! e.g. no purple shopfronts such as Cancer Research in Bakewell!	The Shop Fronts and Commercial Properties SPD applies to the area of the Derbyshire Dales which lies outside the Peak District National Park. Therefore it will not be applied to commercial properties in Bakewell. No change is necessary.
Q6	Sustainability	I am continually contacting Planning regarding breach of planning in Ashbourne Town Centre Shops all listed as well as the Market Place with listed setts which the District Council are guilty of painting which I feel is against the principle of planning regarding listed items.	The District Council is happy for people to report perceived breaches of planning and will assess the need for further action in all instances. No change is necessary.
Q7	Status of shopfronts & legislation	Please take more note of the people who are in the know namely local councillors.	The District Council is happy for people to report perceived breaches of planning and will assess the need for further action in all instances. No change is necessary.
Q8	Evolution of shopfronts	Make shops more aware of rules regarding alterations.	The SPD will be made widely available and once adopted can be distributed through the Business Support networks. No change is necessary.

Q9	Quality	Some alterations are of poor quality and I feel not in keeping with the period of the building.	The District Council is happy for people to report perceived breaches of planning and will assess the need for further action in all instances. No change is necessary.
Q10	Relationship to the building	No comments received.	
Q11	Scale & proportion	No comments received.	
Q12	Context	No comments received.	
Q13	Existing shopfronts	Not happy with the length of time it is taking for work wrongly done to be changed.	The District Council is happy for people to report perceived breaches of planning and will assess the need for further action in all instances. Enforcement action follows a set process of investigation and rectification dependant on the nature of the potential breach this can take time depending on the circumstances. No change is necessary.
Q14	New shopfronts	Take more notice again of our comments.	All comments on planning applications are considered by the case officer on a case by case basis. All comments are also available on the website to ensure an open and transparent approach. No change is necessary.
Q15	Elements, details, materials & colour	Keep to the list and again insist shopkeepers do so.	Planning conditions will specify that elements, details, materials colour are submitted for approval prior to the commencement of work. If the approved schemes are not adhered to then there may be a case for enforcement action. This will depend on the case and will be assessed accordingly. No change is necessary.
Q16	Materials	No comments received.	

Q17	Paint colour	<p>RE: Matlock Bath</p> <ul style="list-style-type: none"> <li>• Colours in the Article 4 are limited and only dark colours are permitted. The requirements to seek permission deters shopkeepers from seeking changes with a cost to the business, costs that may be prohibitive, resulting in deterioration of the shopfront as painting is delayed.</li> <li>• The colours permitted under Article 4 should be changed.</li> <li>• The Victorian photographs show the use of sombre colours was far from universal.</li> <li>• It has a resort character.</li> <li>• Commercial frontages are shaded, especially out of season.</li> <li>• Increased range of colours would lead to more distinctive premises.</li> <li>• The public disconnect with the system that restricts in Matlock Bath but allows variety in nearby towns.</li> <li>• Article 4 should be amended to reflect all colours mentioned in the SPD.</li> </ul>	<p>The public consultation carried out is relating to the SPD on Shopfronts and Commercial Properties and is not a consultation on the Matlock Bath Article 4 Direction. The review of the Matlock Bath Article 4 direction was undertaken in 2007 with enhanced range of paint colours to the previous Article 4 Direction. On that basis there is no intention to review the Matlock Bath Article 4 Direction.</p> <p>The colours under the Article 4 Direction and those within the SPD for historic shop fronts have been based on research of colours available between circa 1800-1920 by Historic England. Historic photographs (black and white) have shown that dark colours were prevalent and this is shown in the research done by Historic England.</p> <p>Matlock Bath is located in a deep valley and the shading of properties is a result of this topography.</p> <p>The restrictions in paint colour for historic shop fronts is as a result of the research that is referred to above. With regard to other towns in the Local Plan Area (Wirksworth and Ashbourne) there is a predominance of Listed buildings where statutory control is exercised.</p> <p>No change is necessary.</p>
Q18	Advertisements	<p>Too many and we need to be able to have the power to ask for them to be removed. They are all over the town in some instances</p>	<p>Some advertisements benefit from Deemed Consent allowing a variety of signage to be installed without consent. Where this is not the case advertisements are likely to require Advertisement Consent and where buildings are Listed approval is also required. Unauthorised advertisements are investigated through the enforcement process.</p> <p>No change is necessary.</p>

Q19	Public Houses	They are a law unto themselves in some cases they erect tents in summer and have tables outside without consent. Namely Nat West Bank pop up pub for two days of Shrovetide has this got permission?	The District Council is happy for people to report perceived breaches of planning and will assess the need for further action in all instances. The forecourt of buildings may belong to the property but in most circumstances this is land owned by the Highway Authority and approval should be sought from them. No change is necessary.
Q20	Illumination	No comments received.	
Q21	Security	No comments received.	
Q22	ATMs	No comments received.	
Q23	Access	No comments received.	
Q24	Steps to application	No comments received.	
Q25	Appendix A Planning Policies	No comments received.	
Q26	Appendix B sustainability checklist	No comments received.	