



Town and Country Planning Act 1990 (as amended)
The Neighbourhood Planning (General) Regulations 2012 (as amended)

Draft Neighbourhood Development Order

Biddulph Town Centre

Date



Introduction

This Neighbourhood Development Order (the Order) has been prepared by Biddulph Town Council. The Neighbourhood Development Order relates to changes of use of upper floors of commercial properties to business and enterprise space (Use Class B1) and the replacement of shopfronts. The Order grants planning permission for these types of development in Parts 1 and 2, providing it meets the conditions and parameters set out.

The Order is a response to the analysis of outcomes from community engagement and gathering of local evidence and the intention is to support the regeneration and economic development of Biddulph Town Centre. This includes supporting enterprise and improving the environment of the town.

The Order has been prepared against the context of meeting the Basic Conditions and other legal requirements.

The Order will be monitored during its period of application. If necessary, the Order may be revised and/or remade in the future.



Application

Period of Application

The Neighbourhood Development Order (the Order) is in force for a period of four years from the date it is made.

Development permitted by the Order, that has been started within the period of the Order being in force, will be allowed to be completed following the expiry of the Order or if the Order is revoked.

Area of Application

The Order applies to part of the Biddulph Neighbourhood Area, as shown on Plan 1. The Order does not apply to the parts of the Biddulph Neighbourhood Area outside of the area shown on Plan 1.

Development Permitted

Part 1 and Part 2 of this Order grant planning permission for the development specified, subject to compliance with the conditions and parameters set out.



Definitions

The following words and terms, as used in this report, are defined as follows:

Development: The legal definition is “the carrying out of a building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land.”

Fascia: Deep board over a shop-front on which lettering is placed.

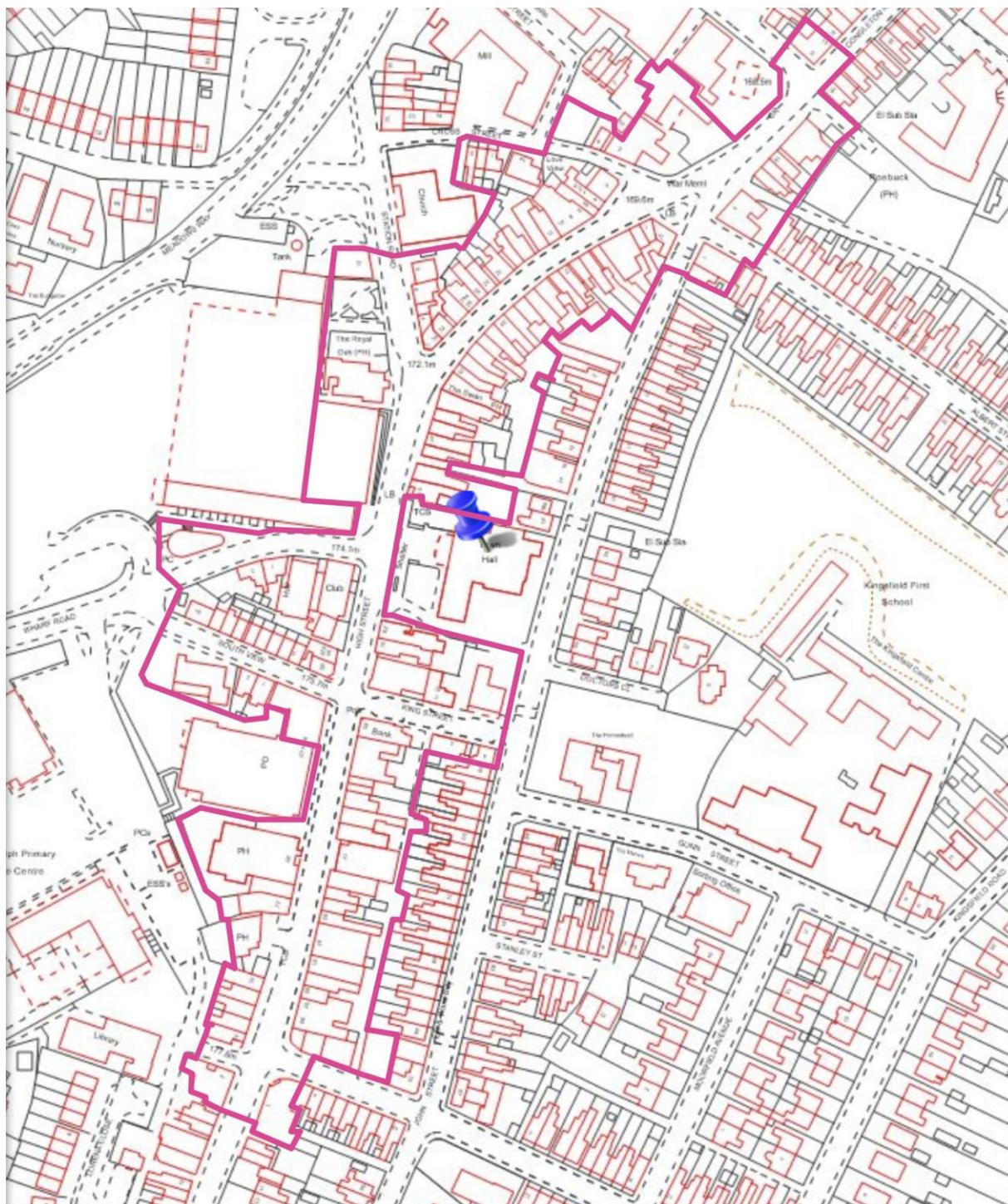
Neighbourhood Development Order: An order introduced by a parish or town council, or a neighbourhood forum, as part of the neighbourhood planning process, which grants planning permission for a specific development or type of development.

Paneling: Flat plane surface surrounded by mouldings or channels, or by other surfaces in different planes.

Permitted development: Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

Pilaster: Roman version of the anta, except that generally it conforms to the order used elsewhere, with capital, shaft, base, and entablature. It is attached to a wall from which it projects only slightly and is rectangular on plan.

Stallriser: In a traditional shop front, the material installed between the window sill and the ground.



Plan 1 – The Area of Application of the Biddulph Neighbourhood Development Order

This plan needs to be replaced with one containing a key and proper accreditations (also remove pin image). Must be marked NTS.



Part 1: Use of Upper Floors for Business Purposes

Development permitted by Part 1

Change of use of the upper floors of commercial properties to any purpose falling within Class B1 (Business) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Conditions

- I. A valid planning permission must be in place for any external works, to accommodate the new use, that constitute operational development, including the creation of any new access, unless those works are permitted development under the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any order revoking and re-enacting that statutory instrument.
- II. The new use must not cause any significant nuisance to adjacent and nearby properties by reason of noise, disturbance, dust, vibration or odour.
- III. Activities falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 do not include offices falling within Class A2 and would only include light industry appropriate in a residential area.

Limitations

Part 1 applies only to the change of use of upper floors and not the change of use of ground floors or to any form of operational development, including elevational alterations, extensions or redevelopment.

Part 1 does not grant advertisement consent, listed building consent or any other consents under the planning acts.

Part 1 does not grant any consent, permissions or licenses required under other legislation, including under highways, environmental health, health and safety and building regulations.

Part 2: Replacement of Shopfronts

Development permitted by Part 2

The replacement of a shopfront in an existing opening on the ground floor frontage of commercial premises, providing the new shopfront meets the following design parameters.

Design Parameters

- A. The shopfront design must include a shop window, doorway, stallriser, fascia, and pilasters.
- B. The shopfront must comply to one of the 'types' (Type 1 or Type 2) set out in the 'Shopfront Types and Details' section.
- C. Constructional detailing must be in accordance with the 'Shopfront Types and Details' section.
- D. The design of the shopfront must meet the following design parameters:
 - I. **Stallriser**

A stallriser must be incorporated into the design for the full width of the shopfront, except for the door opening. The height of the stallrise must be between 0.3 metres and 1.0 metre.
 - II. **Materials**

Window frames, doors, pilasters and fascias must be of timber construction with a painted finish and not a stained finish. Stallrisers must be of timber, metal or masonry construction.
 - III. **Paneling**

Any timber paneling used in doors, stallrisers, pilasters or other elements of the shopfront must comprise a constructional timber panel and must not comprise the application of timber beading to a flat timber surface.
 - IV. **Fascia**

The shopfront design must include a full-width projecting fascia of height between ** metres and ** metres. The fascia must include a surrounding frame, creating an area for a shop-sign.
 - V. **Lighting**

If lighting is incorporated into the design of the shopfront, then it must comprise projecting lighting to create external illumination of the shop sign area, and not comprise internal lighting for a transparent shop sign.
 - VI. **Shutters**

If shutters and shutter boxes are incorporated into the design, then they must be placed internally, behind the shopfront. When in an open position, shutters must not block the shop window opening. Shutters must be perforated or of such construction so as to allow vision to the interior beyond.



VII. Canopies

If a canopy is incorporated into the shopfront design, it must be of retractable fabric and metal design.

Conditions

- I. The shopfront design must include a shop window, doorway, stallriser, fascia, and pilasters.
- II. For development to be permitted by Part 2, commercial premises include only those falling within Use Class A1, A2, A3, A4, or A5 of the Town and Country Planning (Use Classes) Order 1987, as amended.
- III. The shopfront must meet the design parameters set out in Part 2.
- IV. The shopfront opening must not be modified, enlarged or made smaller.

Limitations

Part 2 does not grant planning permission if the works include the modification, enlargement or making-smaller of the existing shopfront opening.

Part 2 does not grant advertisement consent, listed building consent or any other consents under the planning acts.

Part 2 does not grant any consent, permissions or licenses required under non-planning legislation, including those under highways, environmental health, health and safety and building regulations.

Responsible Construction

Responsible construction is encouraged, ensuring that installation works take place during normal daytime hours only.

Shopfront Types and Details:

[These plans will be prepared by an architect following the evidence base report from AECOM which is helping us identify the most common shopfront types. Please note the images used here are for indicative purposes only]

Type 1: Shopfront with Side Doorway

Elevation

Plan with recessed door

Plan with flush door

Type 2: Shopfront with Centre Doorway

Elevation

Plan with recessed door

Plan with flush door

Shopfront Details

Elevations and sections of:

Pilasters

Fascia

Panel

Detailing Examples

Historical (preferably based on local evidence)

Contemporary

Example of Type 1 Shopfront:



Example of Type 2 Shopfront:

