

Staffordshire Moorlands District Council – Informal Officer Comments

Biddulph Neighbourhood Development Order Regulation 16 Consultation Response August 2021

These comments are in the same format as those made by the District Council at the Reg 14 consultation stage in November 2019. It is noted that the Town Council has responded to the comments made at this previous stage in its consultation statement and made amendments to this latest version to address most of the points made and this is welcomed. There are, however, a small number of outstanding issues from these previous comments which have not been addressed.

Use of Upper Floors for Business Purposes

It is noted that this section has now been deleted from the Reg 16 version and this is welcomed as the Council had previously raised a number of issues with the wording.

Part 1: Replacement of Shop Fronts

The Council previously (at Reg 14 stage) expressed concern about the wording contained within the NDO being vague and open to interpretation, highlighting that this will create problems when it is being used. The following points were made:

- Permitted development needs to be written in a way that the public and case officers can understand without the need for interpretation, for example: “new shop fronts will be permitted unless: (insert criteria)”.
- The enforcement of unauthorised shopfronts also requires consideration when writing the NDO as this cannot successfully be undertaken without precise wording.
- Without clarity, unintended consequences could occur by leading to the replacement of good quality shopfronts with worse ones as occupiers change.

The previous advice has led to a number of amendments being made to produce the Reg 16 document. Only two points of clarity are outstanding:

- Definition of lighting – it needs to be more precise as to the type of external lighting – for example a rash of swan neck lights may not be desirable.
- Definition of fascia – It states that the fascia board should be timber but what about the signage to be placed on it? For example, the wording as it stands would allow for plastic signs. Would this be acceptable?