

DESIGN & ACCESS STATEMENT

PROPOSED REDEVELOPMENT 23 WOOD STREET HINCKLEY

**FOR
ONYXROSE LTD**

JOB REF:19/28

March 2019
Rev. A - May 2021



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- 1.01 This Design & Access Statement is in support of the Outline Planning Application made by Onyxrose Ltd for the redevelopment of 23 Wood Street, Hinckley.
- 1.02 The role of this document is to provide information regarding the process employed to determine the developable areas, to describe the broad design principles that have lead to the form and type of development proposed and to set the application site in context with its surroundings.
- 1.03 The proposed development expressly seeks to:
- Establish a Change of Use from industrial to residential.
 - Establish the major design criteria for a development of a high quality sustainable residential environment which makes a positive contribution to the conservation area.
 - Ensure the proposed development integrates with the existing settlement.
 - Provide a coherent set of proposals which protect and enhance the site's visual amenities to create an attractive place to live.
- 1.04 The structure of the document is based on guidance produced by the DCLG (March2010) "*Development Management Policy Annex: Information required and validation for planning applications*". Guidance is also taken from CABE's "*Design & Access Statements - 2006*" and "*By Design: Better Places to Live*".
- 1.05 This statement is divided into the following sections:
- Planning
 - Contextual Analysis
 - Design Concept
 - Development Proposals
 - Access
- which demonstrates that the design process has followed the path of **assessment - involvement - evaluation - design**.

1.05a **ASSESSMENT**

Appraising the Content

The site and its context has been assessed in terms of the key issues which have a bearing on the development such as planning policies, topography, access, existing buildings, ecology, landscape etc.

1.05b **INVOLVEMENT**

Consultation

This full application follows on from two full approvals obtained previously (ref. 04/01472/FUL and 07/00443/FUL) and a previous refusal of Outline planning application ref. 19/00464/OUT. All available consultation documents relating to this previous application have been read and included in this application.

1.05c **EVALUATION**

Opportunities and Constraints

The evaluation of the site's context providing an understanding of the strengths and weaknesses which guide the design philosophy.

1.05d **DESIGN**

Development Strategy and Vision

The evidence gathered through the assessment and evaluation is formulated into a development concept which seeks to balance the technical constraints against the key community benefits arising from the scheme.

Layout

Describes the different components of the development and their arrangement, vehicular and pedestrian routes and the arrangement of the built form.

Scale

Provides detail of the design parameters which guide the scale, including the height, width and length of new buildings.

Landscape

Outlines the character and design of the proposed green infrastructure including the structural landscape and open spaces.

Appearance

Describes the design objectives for the visual appearance and form of the new buildings.

- 2.01 A review of guidance published by CABI and other organisations has ensured that the development has been designed to the highest standards and that the development will have regard to best practice.
- 2.02 “By Design” is a reference document by CABI and the following objectives will be included within the proposed scheme’s design strategy:
- **Character** - creating a place with its own identity building upon good local examples.
 - **Continuity & Enclosure** - where public and private spaces are clearly defined, to include a green infrastructure framework.
 - **Quality of the public realm** - a place with attractive, enduring and successful outdoor areas that have a clear purpose.
 - **Diversity** - where there is variety and choice of routes, dwelling types and tenure.
 - **Movement** - a clearly defined hierarchy of routes and spaces.
 - **Legibility** - a place that has a strong image and a layout which is easy to understand.
- 2.03 The National Planning Policy Framework (NPPF) emphasises the role of design in improving the lives of people and communities.
- Achieving high quality design and a good standard of amenity is now a core planning principle for both plan making and decision making.
- 2.04 Although this submission is an Outline Application it includes information which illustrates the principles for the design of the buildings themselves to demonstrate how a residential scheme will compliment and respect the policies applicable to a conservation area. The submitted documents establish the framework for the overall scale, density, massing, height, landscape, layout and access; by focussing on the connections between people & places and the integration of the natural, built and historic environment, it addresses the fundamental criteria of NPPF.
- 2.05 Planning law requires that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise; NPPF is a material consideration in planning decisions.
- 2.06 The NPPF sets out the Government’s objectives for the planning system and how there should be a ‘Presumption in Favour of Sustainable Development’ and the planning system should facilitate and promote sustainable patterns of development, avoiding flood risk and accommodating the impacts of climate change.
- The supporting evidence and reports submitted with this application will provide the necessary justification for the development of this site in accordance with NPPF.

- 2.07 The access section of this statement will summarise the circulation and movement detailed within ‘development proposals’ and will consider access for all users up to and through the development with the objective of providing equal and convenient access to spaces, streets and buildings.
- 2.08 The development embraces the design objectives set out in National Policy and follows the core best practice studies including the Urban Design Compendium (English Partnerships 2007), Manual for Streets 2 (2010), and Safer Places (ODPM 2004).

Local Planning Policies

- 2.09 Local references are the adopted Core Strategy (2009), the adopted Hinckley Town Centre Area Action Plan (HTCAAP) (2011), the adopted Site Allocations & Development Management Policies (SADMP) Development Plan Document (2016), Employment Land & Premises Review (ELPR) (2020) and Good Design Guide SPD 2020.
- 2.10 Policy DM19 of SADMP states “The Borough Council will take a more flexible approach to Category C sites for alternative uses, in accordance with the most up-to-date Employment Land and Premises Review and other Local Plan policies.”
- 2.11 The 2020 ELPR notes the following: “Low quality outdated buildings, although premises appear to be well occupied at present..... Based on quality of premises, protection is not a high priority.” This has been updated from the 2013 ELPR which stated that the “premises appear to be well occupied, housing several established local businesses”.
- 2.12 The site is not suitable for the modern needs of industrial or commercial businesses. Apart from this site, Wood Street is predominantly residential and not suitable for commercial vehicles. HGV access is precarious as can be seen from the photographs opposite.

Planning History

- 2.13 In 2007 planning permission was granted (Ref:07/00443/FUL) for the demolition of a redundant industrial building and erection of 12 apartments and the conversion of existing industrial building to form 10 apartments (see appendix C). The building proposed to be demolished was subsequently removed but no further part of the development has been implemented.
- 2.14 Unfortunately the cost of implementing the approved scheme proved unviable with having to convert the existing older building and retaining the existing industrial use in the remaining building.
- 2.15 For over a decade the owners of the site have endeavoured to find a viable solution and have struggled to find tenants to keep the buildings occupied. In 2016 a tenant running a dog care and dog



Wood Street is a narrow road that is not conducive to modern commercial traffic. Servicing of the industrial unit has to be carried out on the street due to inadequate access into the site: this is hazardous to pedestrians, drivers and delivery personnel.



The access into Wood Street is substandard with tight radii into a narrow road. It does not provide adequate turning space for large commercial vehicles accessing the site.

- grooming centre was refused planning permission (planning ref:16/00883/COU) and was forced to leave.
- 2.16 The owners have also liaised with the council’s Estates & Assets department to seek a solution but to no avail.
- 2.17 Over the years many different developers have looked at taking on the site. Last year a developer came forward with a mixed use development but following a less than supportive pre-app consultation with the LPA and carefully considering the financial implications the scheme was deemed unviable.
- 2.18 Planning permission was granted in 2007 (ref:07/00443/FUL) for

the demolition of one factory with erection of new apartment block and the conversion of a second building to apartments.

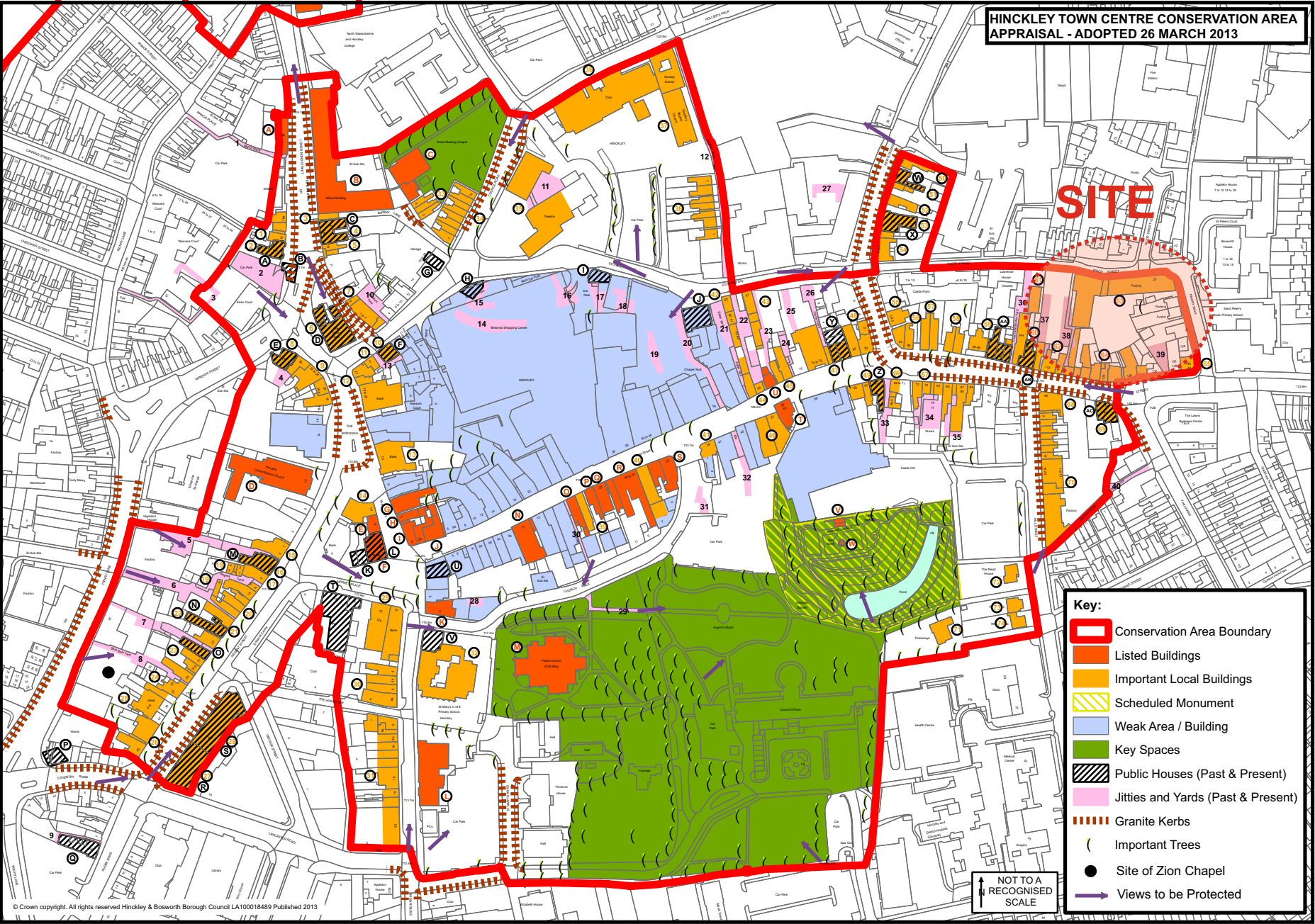
- 2.19 The years of stagnation has taken its toll on the condition of the site, and the buildings in particular, such that the cost of redevelopment using the existing buildings has increased. Equally important is that the continued decline means the site is now detrimental to the quality of the conservation area.
- 2.20 The most recent outline planning application for access, layout and scale (19/00464/OUT) was refused at committee, despite being

recommended for approval by officers “due to the proximity of block A in relation to the existing residents opposite, would result in an unacceptable level of overlooking which is contrary to Policy DM10 of the Site Allocations and Development Management Plan DPD 2016 and the Good Design Guide SPD 2020.” (See appendix D).

- 2.21 Further to the refusal of application 19/00464/OUT the applicant was approached by another party regarding the purchase of the area of site to the West of the Cross Keys Yard which previously houses Block A. This area has now been sold and has been excluded from this application.

Conservation Area

- 2.20 The site forms the far eastern corner of the Hinckley Town Centre Conservation Area and is covered in the 2013 Appraisal. Of specific importance are the jitties which link Wood Street with Castle Street and the industrial buildings which mark the history of the town’s hosiery industry.
- 2.21 A Historic Building Survey prepared by Groundworks Archaeology is included with this application and provides a detailed background to the two buildings identified within the Council’s Conservation Area Appraisal.
- 2.22 It is proposed that the 20th century building be retained, but the earlier 19th century building will be rebuilt due to its very poor structural condition. The overall scale and proportion of the building will be maintained and the materials and architectural detailing will be replicated.
- 2.23 Cross Keys Yard is adjacent to the site and this will be retained.
- 2.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character of or appearance of a conservation area.
- 2.25 DM11 & DM12 of the Council’s SADMP also seek to protect and enhance the historic environment.
- 2.26 As previously explained the owners and other developers have sought many alternative solutions to making use of the site and existing buildings: all have failed to come to fruition by proving to be unviable. As a consequence the site has continued to decline such that it now has a negative impact on the conservation area. This proposal will rejuvenate this area and therefore be in full compliance with Section 72 and DM11 & DM12.



Conservation Area Map (2013) courtesy of HBBC

Site Location

- 3.01 The application site is 0.18ha and located at the eastern end of Wood Street which is a back street on the fringe of Hinckley Town Centre. It also falls within the town's central Conservation Area.
- 3.02 Although Wood Street is predominantly residential this site is designated an Employment site (HIN147) in HBBC's adopted SADMP.

Local Amenities

- 3.03 Cross Keys Yard means pedestrians are only 30m from Castle Street, one of the principle shopping streets in Hinckley. This site is therefore conveniently located close to the town's major amenities which include:
- Shopping and commercial centre - 300m
 - Swimming Pool & Leisure Centre - 350m

- The Crescent Precinct & multiplex cinema - 500m
- College - 300m
- Medical Centre - 300m
- Bus Station - 550m
- Railway Station - 1km

Communications

- 3.04 The historic jitties provide excellent pedestrian links to the amenities described in 3.03.
- 3.05 Wood Street is a one way back street linking Castle Street with New Buildings. These are local connector roads providing direct access to the towns major distributor roads providing links to Nuneaton and surrounding settlements and the national road network via the A5 and M69.
- 3.06 The town's central bus station and railway station are within easy

walking distance and provide regular public transport communications with the surrounding area and the major cities of Leicester, Coventry and Birmingham. .

Landscape Character

- 3.10 The site is industrial in character although the rest of Wood Street is residential. The surrounding area is very urban with little soft landscape features.
- There is a perceptible rise in the first part of Wood Street which then flattens slightly across the site frontage. The site has a fall from front to back.
- The existing factory buildings dominate the site frontage and this end of the street. The adjacent site where a factory has previously been demolished was included in the previous application but has subsequently been sold and is being re-developed independently of this application.

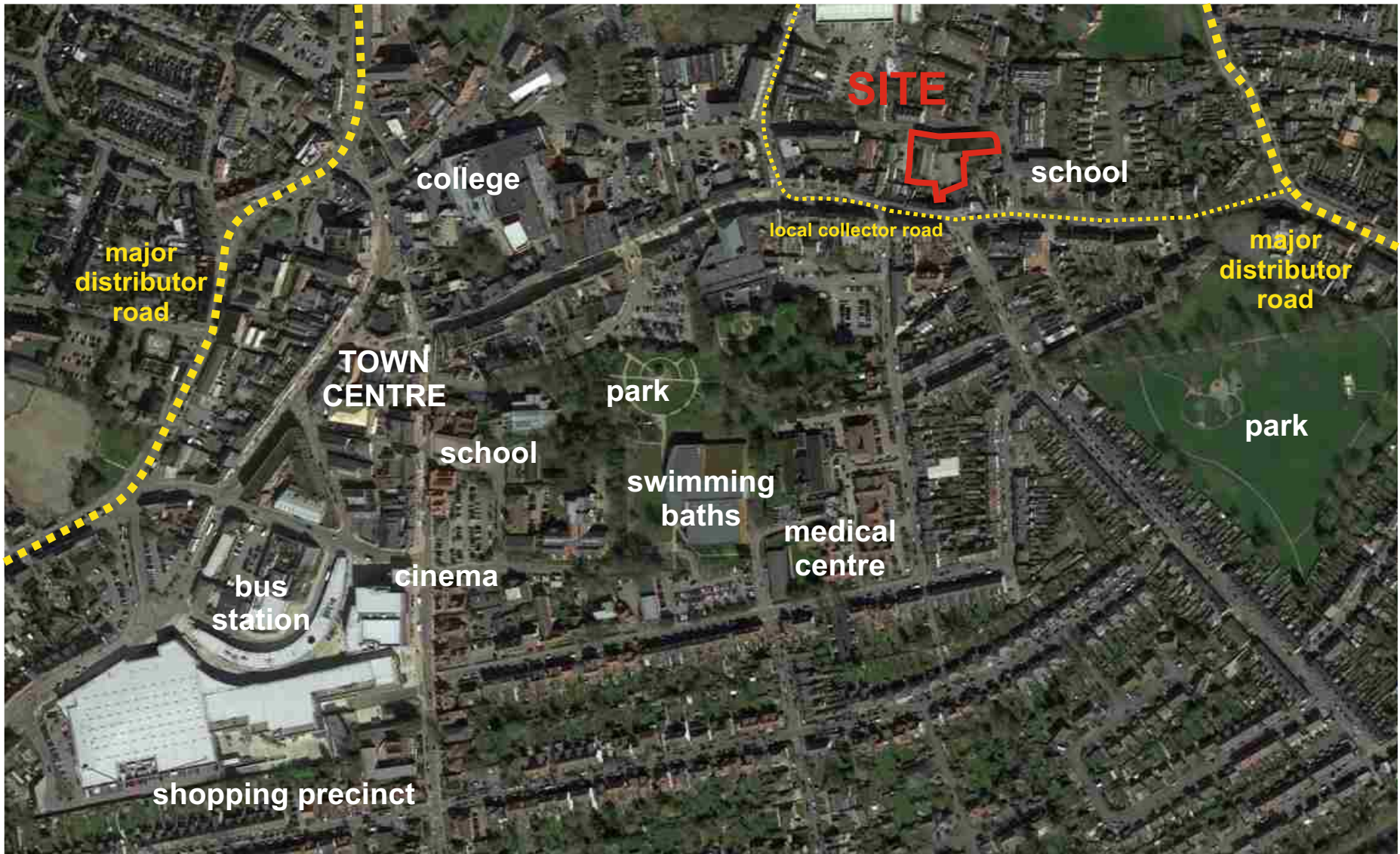
Constraints

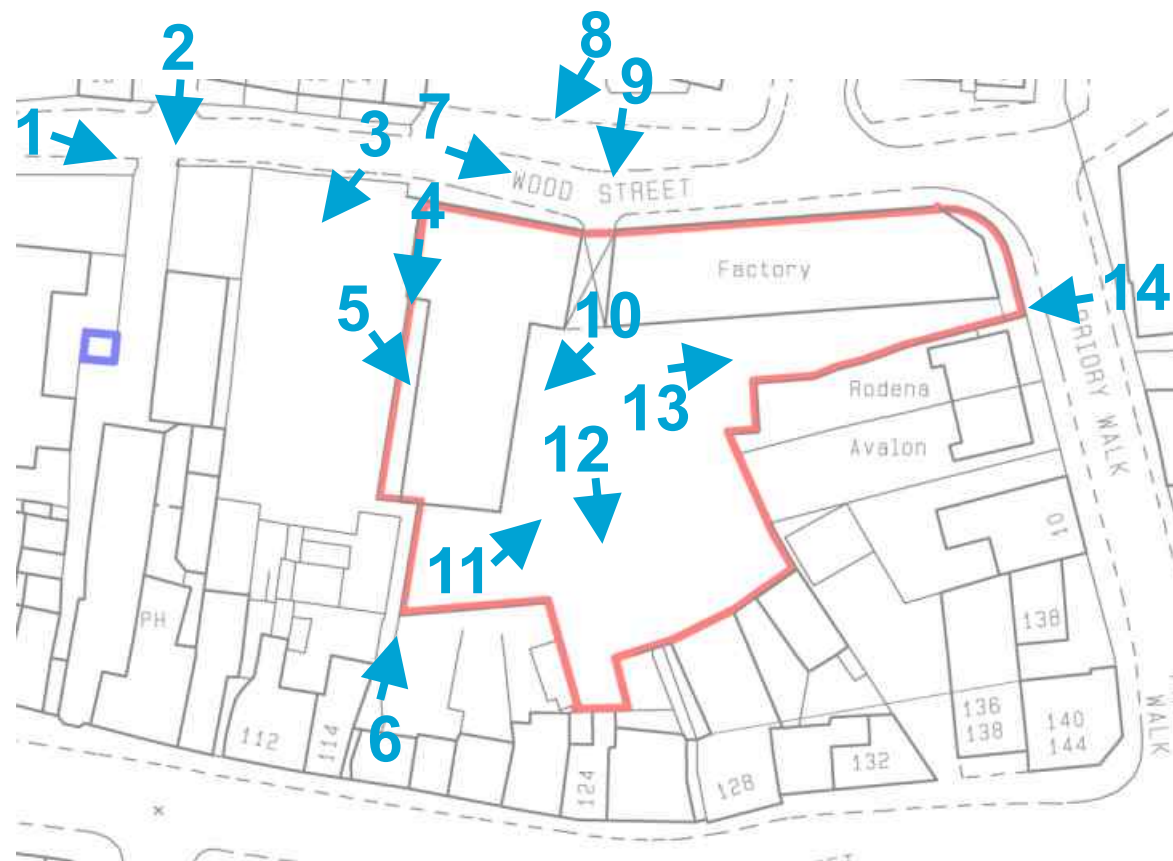
- Conservation Area.
- The two existing factory buildings which are identified as having local importance.
- Cost of converting existing buildings.
- Maintaining historic jitty which runs adjacent to the site.
- Rear of existing properties on Castle Street which back onto the site limit outlook..
- Existing industrial site with potential contamination.
- Narrow street.
- Potential overlooking over existing residential properties along Priory Walk.

Opportunities

- To significantly improve the character and appearance of this part of the conservation area.
- Planning Policy which supports the redevelopment of the site for non-employment use.
- Prevent the continued deterioration of the site which has become blighted by lack of viable investment.
- Remove uses which are incongruous with what is essentially a residential street.
- Deliver housing in a highly sustainable location within the town centre.
- Remove the risk of large commercial vehicles using a substandard access road that serves residential properties.

I





1 empty factory building now in desperate need of repair the cost of which has made it unviable



2 pedestrian link from Wood Street to Castle Street - providing a direct link to the main shopping area.



3 the derelict building referred to in photo 2 has now been sold and is in the process of being renovated



4 jitty alongside empty factory is an unwelcoming route for pedestrians



5 fly tipping of rubbish along the jitty continues the deterioration of this pedestrian route



6 view of jitty from Castle Street end - the blind corners bins and blank elevations do not encourage pedestrian use



7 later factory building with flat roof behind parapet extended off original factory - ground floor currently in use but first floor is unlettable and in need of significant repair



8 original factory typical Victorian character - very poor condition and repairs are no longer viable - the local authority accepted as part of the previous application that demolition of this building would be acceptable



9 junction between the two factory elements showing the only access to the rear car park and service area - the width and poor pedestrian visibility makes it unsuitable for service vehicles



10 rear of original building with original single glazed metal windows - roller shutter door a later addition



11 rear of factory - note upper floor windows boarded up



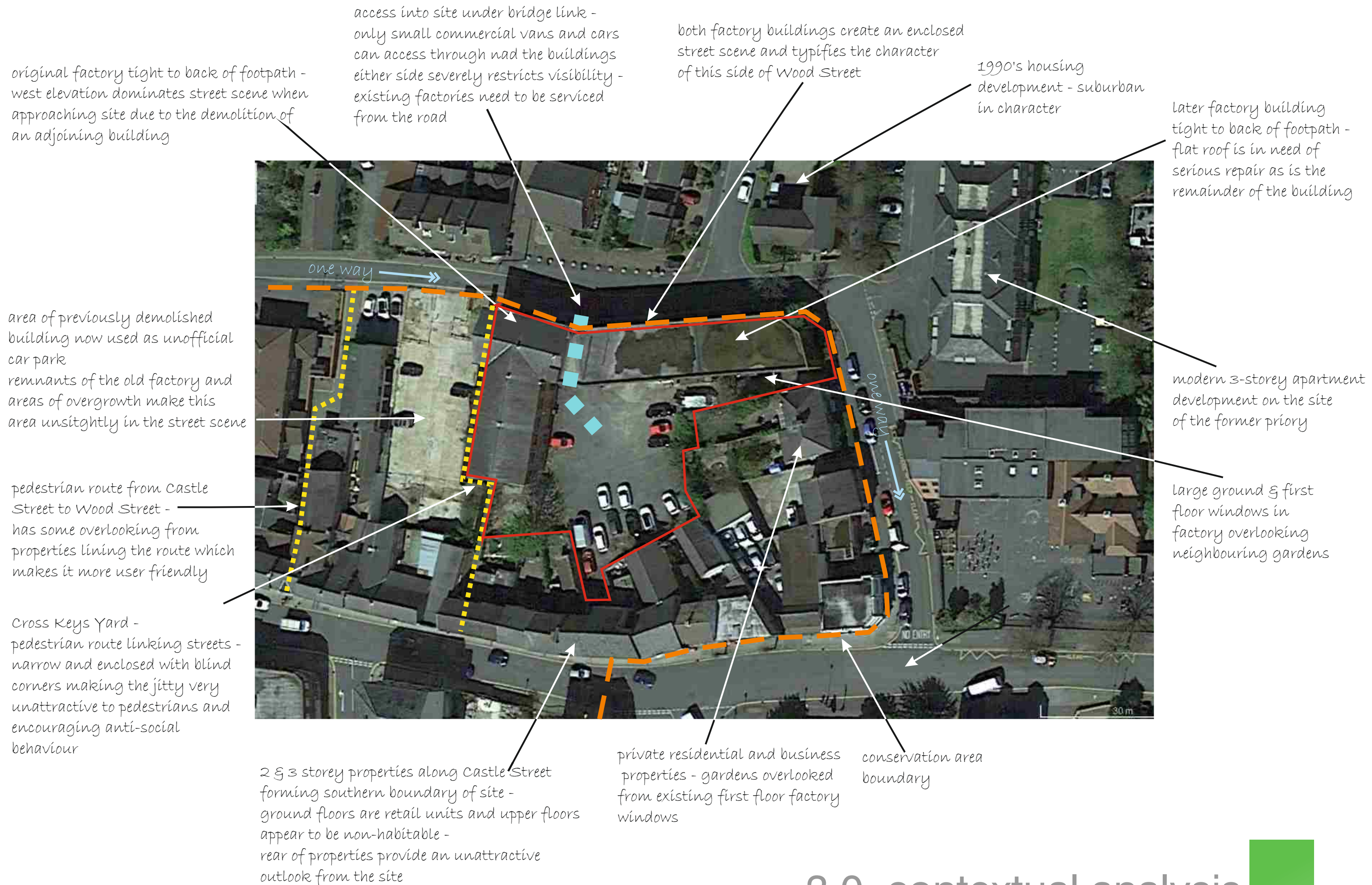
12 view across service area towards rear of Castle Street properties - rear windows appear to be to non-habitable spaces



13 view through gap between factory and house - dense hedge screening on boundary helps privacy



14 note number of large windows in factory overlooking neighbouring house



3.0 contextual analysis

existing building demolished but rebuilt in matching materials and replicating architectural style, proportion & details -
this will provide new dwellings to modern standards but respect the heritage value of the original building

existing access widened

convert existing factory into apartments.

new projections act as screens to help reduce overlooking into neighbours gardens

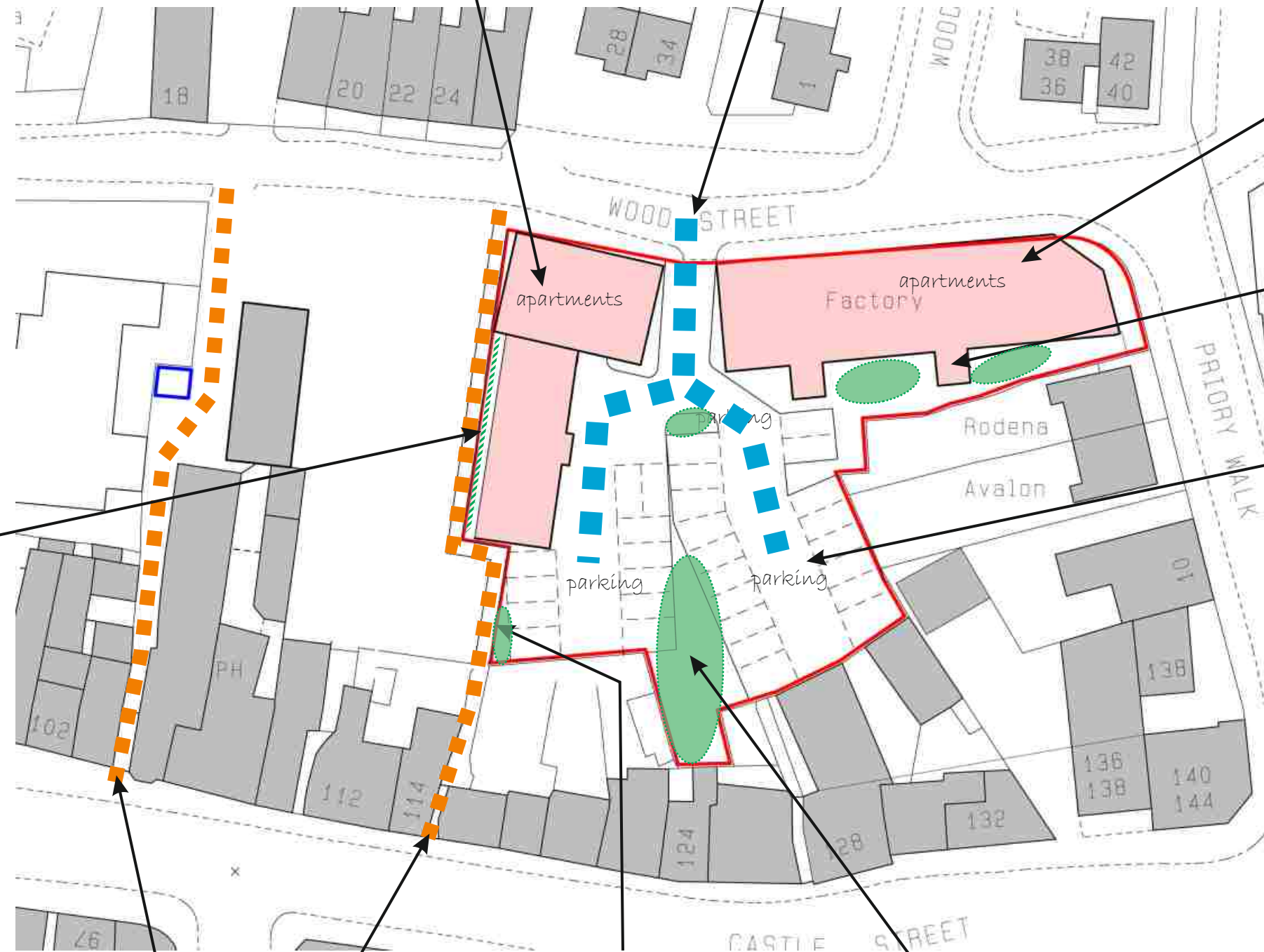
communal parking providing a minimum of 100%

New apartment building replicating footprint of existing factory fronting Cross Keys Yard will improve the jitty making it more user friendly providing passive surveillance

pedestrian accesses maintained onto Castle Street

low wall with railings and screen planting to line jitty

landscaping and tree planting will break up the parking area & soften and enhance the central area



4.0 design concept



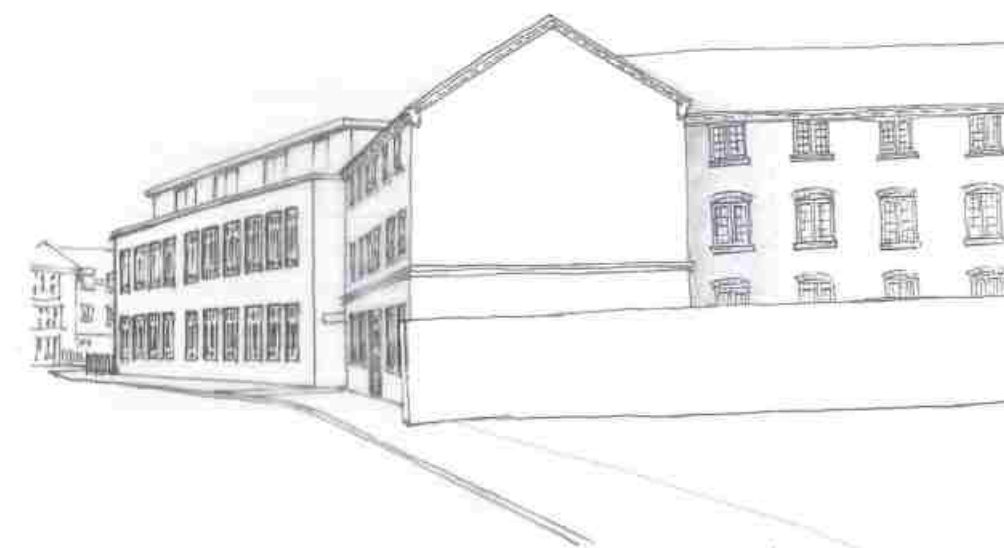
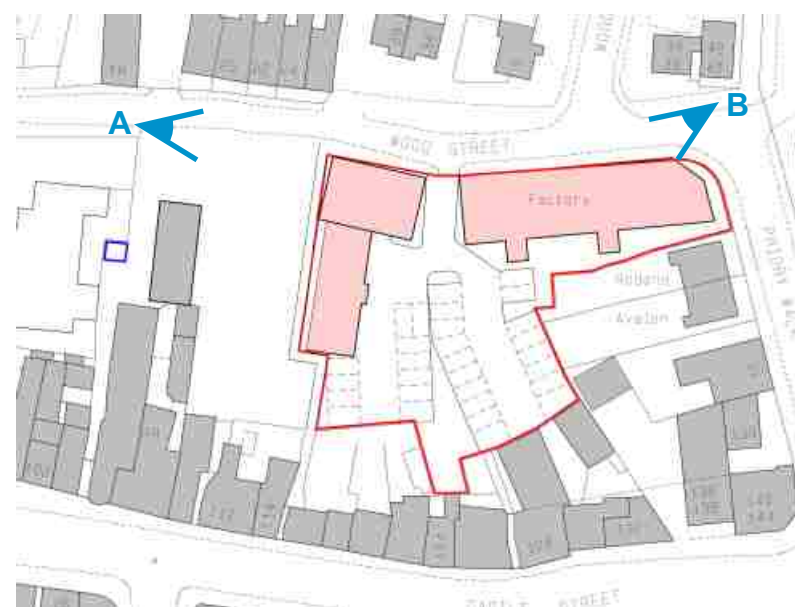
The essence of the proposal is to maintain a tight street scene with buildings tight to the back of the footpath.

The Victorian factory is in poor condition making conversion commercially unviable. It is proposed to replace this with a new building which copies the scale and proportion of the original.

Rebuilding will enable the new building to be eased back slightly from the road increasing the width of the footpath and thereby improving pedestrian safety and visibility from the site access.

The reduced individual storey height of the proposed residential use means a third storey can be incorporated without noticeably increasing the overall height. The fenestration will follow the original industrial character.

The bricks and slates from the demolition will be salvaged and re-used to build the replacement building. Brick detailing will also replicate the original.



VIEW A - looking eastwards along Wood Street



The 1930's building with flat roof behind a parapet is proposed to be converted into residential apartments. A contemporary penthouse added to the top is set back from the perimeter of the existing building to reduce its visual impact without detracting from the original character.

The addition of the penthouse is enabling development to finance the refurbishment of the original building which is in need of repair and improvement to bring it up to modern standards.

Losing the bridge link is necessary to improve the existing access which is too restricted to satisfy highway safety standards. It also separates the individual buildings which belong to differing periods and architectural styles.

Railings and planting replace the close boarded fence and will enhance the street corner and the use of Victorian style lamps will add to the character of this conservation area.



VIEW B - looking westwards along Wood Street



View up Wood Street from junction with New Buildings.



View up Wood Street with old factory building dominating.
Note narrowness of road



Existing access into site very tight with inadequate visibility for vehicles leaving site - particularly hazardous for pedestrians crossing.

Proposal removes bridge link and widens access to provide safer arrangement for both vehicles and pedestrians.

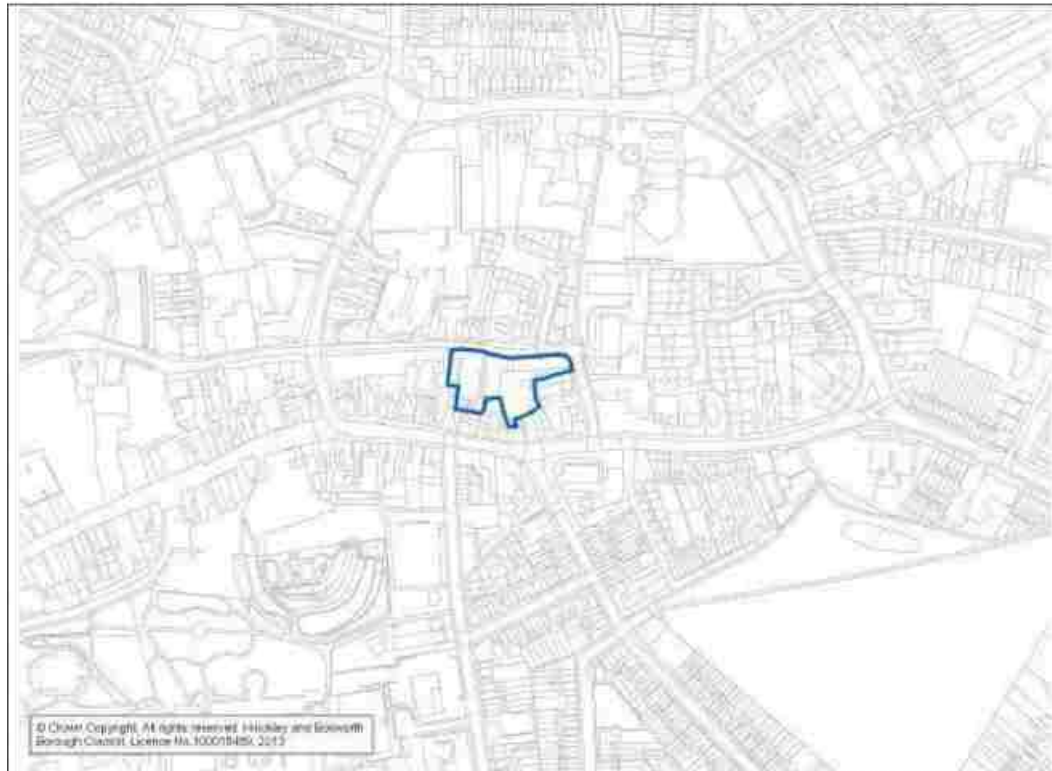
- 5.01 The access statement relates only to the access to the development and does not extend to the internal aspects of individual buildings which is covered by the Building Regulations.

Access to the site

- 5.02 The vehicular access will be from Wood Street where an existing access exists. This is very restricted and will therefore be increased in width to comply with current highway standards. This can be facilitated by the rebuilding of the Victorian factory.
- 5.03 Repositioning the old factory enables a wider footpath to be provided thereby improving the safety of pedestrians on Wood Street.
- 5.04 Wood Street is a narrow one way street with a tight junction with New Buildings, therefore changing the use on the site from industrial to residential will improve highway safety and remove the potential for heavy commercial vehicles to the benefit of existing residents along Wood Street and Priory Walk.
- 5.05 There is one jitty along the western boundary of the site and another, Crown and Anchor Yard 250m to the West of the site. These provide excellent pedestrian links onto Castle Street which runs directly into the town centre with all major amenities.
- 5.06 The site is essentially level therefore all users will equal and convenient access from the public highway.
- 5.07 Bin stores are positioned to provide direct access to public road or footpath.
- 5.08 Entrances to all dwellings are within the maximum distance to the highway to ensure emergency services will have convenient and direct access.

Access Within The Site Area

- 5.09 Approaches to all the ground floor dwellings will be level, therefore access to and within the proposed development, is fully inclusive and allows people to get to the place on equal terms regardless of age or disability.
- 5.10 The proposed parking and access layout is designed to complement the proposed development and will be in accordance with Local Planning Guidance Regulations offering the minimum car parking sizes and distances between spaces.



Address	Factory/Works, South of Wood Street, Hinckley
Original Local Plan 2001 Category	B - Urban
Description	Mixed business area on edge of town centre surrounded by housing
Occupier(s)	Various, including Country Knit, Business Print
Prominence	Low
Current Use	Light industrial
Size, ha	0.26
Building Age	Historic
Building Quality	Moderate
Access Constraints	Town centre access
Distance to Motorway, km	4
Distance to A-road, km	2
Distance to Rail Station, km	1
Distance to Bus Stop, km	1
Car Parking	Poor
Servicing	Poor
Constraints	Conservation Area
Critical Mass	No
Limited other Employment Space in Settlement	No
Other Information	In the Town Centre Conservation Area Despite the low quality outdated buildings, premises appear to be well occupied, housing several established local businesses. The buildings should therefore be protected for employment uses, allowing any refurbishment proposals which seek to enhance the quality of the area.
Recommendation	B
Percent Employment Use Retained	100
Percent Other Uses Allowed	0



Address	Factory/Works, South of Wood Street, Hinckley
Employment Land and Premises Review (2013) Category	B
Site Allocations DPD 2016 Ref. (Policy DM19)	HIN147
Description	Mixed business site on edge of town centre surrounded by housing
Occupier(s)	Various, including Barry Lager Fabrics, Colour Flex Labels
Percentage Occupied	50%
Prominence	Low
Current Use	Light industrial
Size, ha	0.26
Building Age	Historic
Building Quality	Poor
Access Constraints	In residential/services area
Distance to Motorway, km	4
Distance to A-road, km	2
Distance to Rail Station, km	1
Distance to Bus Stop, km	1
Car Parking	Poor
Servicing	Poor
Constraints	Conservation Area
Critical Mass	No
Limited other Employment Space in Settlement	No
Other Information	In the Town Centre Conservation Area Low quality outdated buildings, although premises appear to be well occupied at present. Outline consent for redeveloping the site for housing is being sought however (App. No. 19/00464/OUT). Based on quality of premises, protection is not a high priority.
Recommendation	C
Percent Employment Use Retained	0
Percent Other Uses Allowed	100

OUTLINE APPLICATION FOR PROPOSED REDEVELOPMENT

7 to 23 WOOD STREET HINCKLEY

The whole site extends to 0.20ha. It is located on the edge of the Town Centre Conservation Area and as noted in the Appraisal (Feb 2013) Wood Street is in effect a back lane to the upper part of Castle Street. Several jitties link directly from Wood Street to Castle Street and the HTCCA Appraisal notes that the existing factories at the eastern end of Wood Street are an important remnant of the town's industrial past.

In 2007, planning permission 07/00443/FUL was given for the redevelopment of the site. The scheme included to demolish the existing premises between the "Crown & Anchor Yard" jitty and the "Cross Keys Yard" jitty and build a new 9 storey block of 11 flats. The scheme also included to convert to residential use the early C20 factory which is described in this 2013 Appraisal as being T shaped on plan with English bond brickwork and having small paneled metal casements in segmental headed openings. This property has a natural slated roof which is also noted as being of special interest. The scheme then retained for industrial use the existing mid C20 factory described in the Appraisal as having characteristic metal framed windows and a large ground floor rear yard entry bay. The Appraisal (Feb 2013) notes the factory units and their extent along the street is of special interest and this is pictured in the Appraisal & Management Plan Photographic Record 1 on pages 47 – 49.

Pursuant to the planning consent, the existing premises between the Crown & Anchor and the Cross Keys Yard jitties was demolished in 2009 but with the onset of the recession, work did not proceed further. The planning consent would lapse in 2010 and whilst renewing the consent was contemplated, a structural report was commissioned which showed the property was affected by many defects. The report dated 25 Feb 2010 was carried out by P K Nalbritt & Partners and it concluded: "Each individual defect will be quite costly to correct and taken together the cost of bringing the building up to a good structural condition will be many tens of thousands of pounds. Furthermore, the additional renovation costs of bringing the insulation, glazing, architectural hardware, decorations, etc up to modern requirements will be high. The structural repairs necessary for any refurbishment are extensive and are considered to be rather excessive for this type of property. It is probably not cost-effective to attempt to renovate the building up to current standards. Financially, it would no doubt be better to demolish the existing building and use the land for new buildings. With the recession continuing and considering the condition of the existing building it was evident it would not be viable to continue with the scheme that had been approved and after discussion with the planners consent 07/00443/FUL was allowed to lapse.

The condition of the property dictates that in the future it will have to be redeveloped, whether by demolition and the construction of new buildings or very extensive refurbishment. It refurbishing this would be very expensive to carry out because, particularly the early C20 building, it would include everything from underpinning the foundations, rebolting the gable walls which are bulging, supporting and rebuilding the arches over the windows and reconstructing the floor at every level and reconstructing the roof as well. The situation was discussed with the planners as long as 7 years ago including whether application might be made for permission to demolish the existing buildings. The response by email dated 15 Feb 2012 (see appendix) was that "the primary consideration of the planning authority is to preserve the character of the conservation area" and to demolish the existing buildings without future development would not do that so an application for demolition would be "resisted, refused and defended at appeal if necessary". Thus, it was established very strongly that the planners were not going to permit the site being cleared in preparation for redevelopment.

23 Wood Street comprises the linked early and mid C20 factories. The combined property is divided into 5 hereditaments, four at ground floor and the fifth comprises the whole of the first floor as the following table;

1806 RU (V2.2)

UNIT	COUNCIL TAX REFERENCE	SIZE
E1A	101300760220	167.9 sq.m
23B	101300760221	175.3 sq.m
23C	101300760656	153.38 sq.m
23D	101300760640	178.35 sq.m
FIRST FLOOR	101300760171	776.5 sq.m

Knowing that the property had significant structural problems and that redevelopment of the site or property was ultimately unavoidable, long term tenancies were unmarketable. In the meantime, occupiers were needed to take on the liability to pay non-domestic rates;

"Tenancy at Will" agreements were exchanged with the various occupiers of the ground floor units but the first floor area was not capable of being let because there was no fire separation from the ground floor units nor noise separation nor adequate toilet facilities and etc.. It was realised that to carry out the work needed to bring the first floor to a tenable standard would not be viable when set against the amount of rent that could be achieved. Application was made to the Value Office Agency (VOA) to have the first floor hereditament 101300760171 removed from the rating list. This was supported with the requisite information and the VOA subsequently agreed and instructed that it should be removed from the rating list back-dated to have effect from 1 April 2010

In 2007 when the earlier planning application had been made the then current Employment Land and Premises Review (ELPR) which had been adopted in 2004 had listed the premises as being 25 - 50% employment use recognising the outdated buildings, lack of demand for commercial reuse and suitability for alternative redevelopment.

ELPR studies are evidence based, so it is not understood how it came to be that despite the whole of the first floor i.e. about 7700 sq.ft having been removed from the rating list, the 2013 ELPR study categorised the site as retaining 100% employment use? After taking account of the un-occupiable first floor, "100%" employment use could at best be only 48.5% of the premises. A new study was due to have been adopted last year which we anticipated would categorise the site differently but the study that was commissioned has not been adopted and consequently, the 2013 study is still the current policy under DM10 with the site listed as Category B with uses B1, B2 and B8.

These are currently the occupiers. They each have liability to pay non-domestic rates but since the rateable value of each unit is below the threshold they each obtain relief.

UNIT	REFERENCE	SIZE	TENANT	USE	LICENCE FEE
E1A	101300760220	167.9 sq.m	Calsonics Labatts	drinking	£5,000 pa inclusive of insurance and water charges. Tenant pays gas and electricity charges.
23B	101300760221	175.3 sq.m	St Taylor	storage	£2,400 pa inclusive of insurance and water charges. Tenant pays electricity charges (gas not).
23C	101300760656	153.38 sq.m	Mr Kahreem	storage	£1,300 pa inclusive of insurance, water and electricity.
23D	101300760640	178.35 sq.m	Maxwell & van	parking	£1,418 pa inclusive of insurance, water and electricity.
FIRST FLOOR	101300760171	776.5 sq.m	TAIEN OFF THE RATING LIST 1st APRIL 2010		Not applicable

There are now further complications with these tenancies because of the introduction of regulations concerning the energy performance of a property. These set "Minimum Energy Efficiency Standards" (MEES). The existing premises has an Energy Performance Rating of 174 which interprets that it has a Category "G" EPC. Under the MEES regulations which

1828 RU (V2.2)

come into effect in April next year, an owner cannot lawfully renew or grant new tenancy agreements unless the premises are upgraded to a minimum EPC threshold of "E" rating between 101 - 125.

The implication is that investment has to be made in the property at a minimum to raise the EPC to an "E" but the circumstances are that the condition of the building continues to deteriorate and the viability of simply investing to raise the EPC for these 4 units where the passing rents are very low anyway ignores the fact that the site desperately needs redeveloping and has done for years.

It was established nine years ago when the VOA took the whole of the first floor off the rating list that it was not viable to carry out the works necessary to return it into tenable repair. There are major structural problems in this building which were evident and identified in the 2010 structural report and recently noted is that the roof is falling in water.

As noted previously the use of the site under DM10 is a category B employment site for uses B1, B2 and B8. Examining all the factors, it is evident that the site is no longer suitable to be utilised as an employment site. When the premises were designed and built, it was for hosiery manufacturing. That was labour intensive and the workforce would have lived close by and walked or cycled to work. The historical plans show there were no parking provisions for the workforce at all. Times have changed and current requirements of an industrial development starts with meeting the need of servicing the industrial units and parking for employees and visitors.

The access is not suitable to service the site for industrial use as can be seen from the photographs below and neither can the parking standards be met.



Putting the first floor to B1 office use would require 39 parking spaces and the ground floor units to B2 use would require a further 31 parking spaces.

Demand for office use is met adequately elsewhere in Hinckley both in the town and in out of town office parks. The Old Condiational Club, Yorkshire Bank and Stockwell House each have offices available that have been marketed for over 9 months and there are other offices including recently refurbished offices in Castle Street which are currently being advertised. Out of town, there is a variety of office space available at Jacknoll Road and Ballistrey House and elsewhere too all with plenty of parking facilities and competitive rents.

We would also question whether industrial use is appropriate anyway in this back street surrounded by houses and flats and with a junior school just round the corner. When there was a "Dog Day Care" business occupying Unit 23D there were complaints over noise which ultimately led to the occupier being evicted.

1828 RU (V2.2)

To conclude this section, we submit that the importance of the Conservation Area "top-trumps" the industrial use of this site which cannot continue in its present form anyway. Were it the other way round, we could demolish the existing factory buildings, construct new modern factory units that would pass the EPC with a top rating; there would be a circulation yard area for goods handling and the employment use as prescribed by DM10 would be met.

It is acknowledged the application site is designated a Category "B" employment site however it is noted the Borough Council will give positive consideration to proposals for partial, or, as with this application, total loss of a Category "B" site where the site is no longer suitable or reasonably capable of being redeveloped for employment purposes and where there will be a significant community benefit which outweighs the impact of losing the employment site.

We submit we have demonstrated both here and in previous meetings with the LPA planners that the site/premises are no longer suitable of being redeveloped for employment purposes and the proposed scheme has been carefully designed to maintain the character of the Conservation Area and by any measure, including community benefit, the proposal outweighs the impact of losing the existing employment site/premises.

Historical information confirms that in the last 100 years there was housing on part of the site. Numbers 7 and 9 Wood Street stood on the corner of the Crown & Anchor Yard jitty and behind these, on the side of the jitty is a derelict building that was once residential. Back on Wood Street, 11, 13, 15 and 17 were houses taken over and converted to become the offices of the hosiery factory of Flaxton Hosiery Mfg Ltd. This subsequently became Capital Fashions then Capital Leisurewear which later closed. The premises were vacant when we bought it in 2002. As noted, this was demolished in 2009. The proposed scheme restores the derelict building on the Crown & Anchor Yard jitty and provides residential development back on Wood Street between the Crown & Anchor Yard jitty and the Cross Keys Yard jitty. The proposed scheme then provides residential development built on the side of the Cross Keys Yard jitty.

It has been established that the early C20 factory is beyond economic restoration so the proposed scheme provides to demolish this property and rebuild a new building maintaining the industrial appearance and scale with metal windows and slated roof and unobstructed access to the carparking set out in the courtyard within the site.

The scheme recognises the opportunity of restoring the mid C20 industrial building. This is the factory building shown in the foreground of the photographs on pages 47 and 48 of the Photographic Record 1 of the Conservation Area Appraisal and Management Plan. There is no evidence of structural movement in this building so whereas the property will still require stripping back to a bare brick shell and replacement of links over window openings this building does not appear to have the inherent defects evident in the older building.

Restoring this building and with the new property aligned on the back of the pavement the large linked factory flavour which is a characteristic of the Conservation Area will be maintained.

Both jitties are retained in the proposal although the Cross Keys Yard jitty has been realigned to make it safer for pedestrians.

The proposed scheme retains the access to the site in the same location as existing as the sightlines are as existing. Policy DM17 requires that a development proposal shall have no adverse impact on highway safety. A recent pre-app response 17/0170/PTE/MAJ quoted Leicestershire County Council (Highways) commenting on a different proposal for the same site as requiring the layout meets their 6Cs Design Guide which would not be possible whilst maintaining the character of the conservation area but removing commercial vehicle traffic from the site and the street will have a positive impact on highway safety.

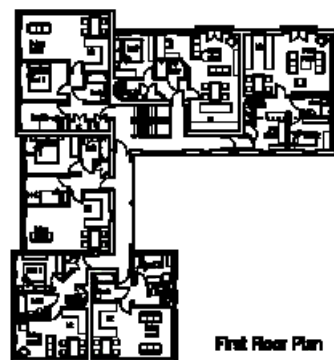
1806 RU (V2.2)

The proposed scheme shows the parking and refuse arrangements. Policy DM18 requires that there is an appropriate level of parking provision and Leicestershire County Council, in the same pre-app response, quoted that due to the sustainable town centre location of this site, they would be prepared to accept 1 parking space per 2 bed dwelling. The proposed scheme meets the set criteria including the sizes of the spaces.

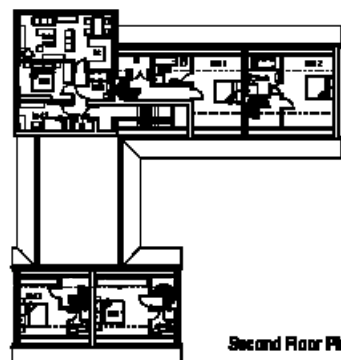
The parking area is largely screened from the street. This is reflective of the Druid Street Conservation Area Appraisal 2009 where it states that parking should be hidden from the street in courtyards. There will be access from the Cross Keys Yard jitty in the carpark for use by the residents/occupiers.

The scheme submitted for outline planning permission includes a lot of detail and thought in meeting and fulfilling the character of the conservation area which we have been told is the primary consideration of the planning authority and which Mr Hicks, when Senior Planning Officer, said the LPA would be mindful to support. We hope very much that the planners will give this proposal their full support.

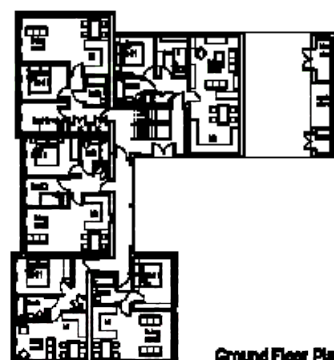
Robert Jeffcoat, Director
Chryxrose Ltd.



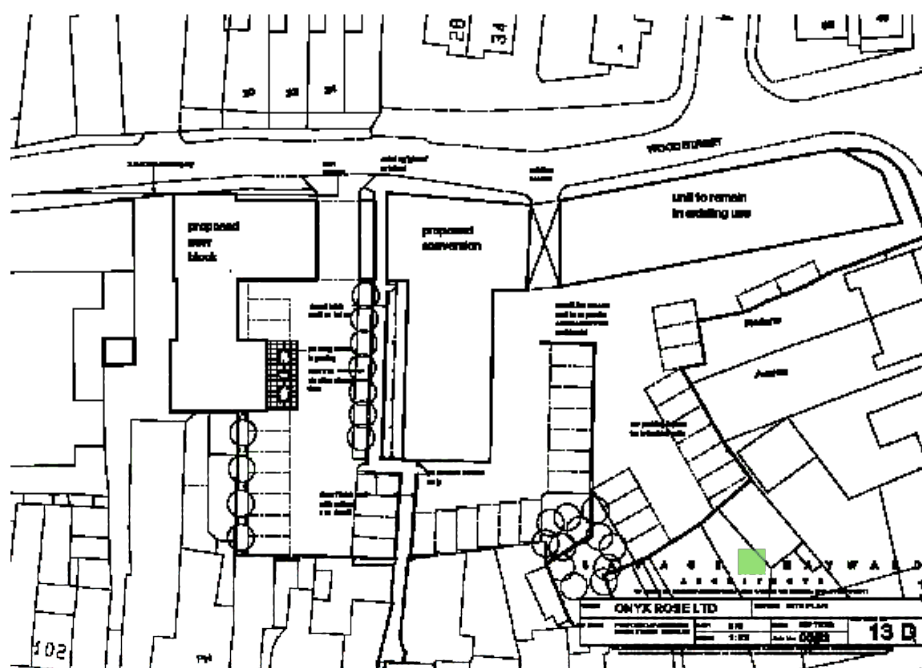
First Floor Plan



Second Floor Plan



Ground Floor Plan



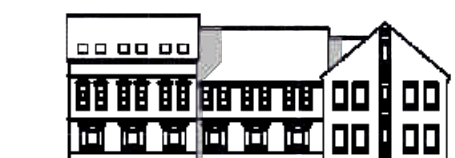
FIRST FLOOR PLAN



SECOND FLOOR PLAN



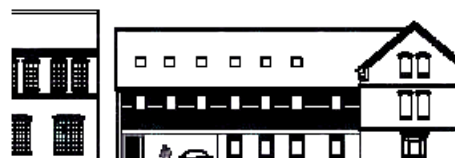
GROUND FLOOR PLAN



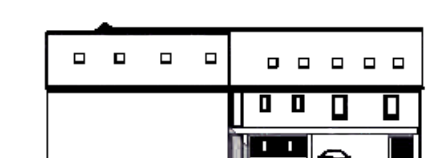
West Elevation



East Elevation



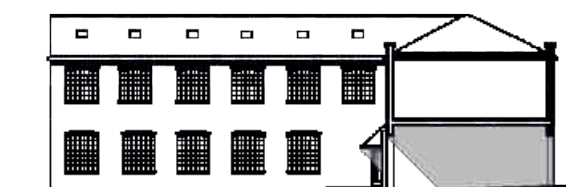
North Elevation



South Elevation



South Section



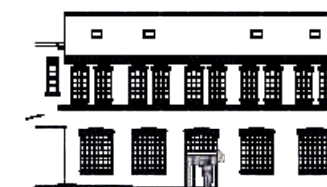
Courtyard Elevation & Plot Section



East Elevation



Cross Edge Yard Elevation



Wood Street Elevation

SCHEME APPROVED IN 2007 - APPLICATION REF:07/00443/FUL

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Refusal of Planning Permission

Name and Address of Applicant
Onyxrose Ltd
c/o agent

Name and Address of Agent (if any)
Hayward Architects Ltd
19 Station Road
Hinckley
LE10 1AW

Part I - Particulars of Application

Date of Application

Application No.

26 April 2019

19/00464/OUT

Particulars and location of development:

Residential development of existing industrial site (Outline- access, layout and scale only)

Factory Units 23 Wood Street Hinckley Leicestershire LE10 1JQ

Part II - Particulars of decision

In dealing with the application, through ongoing dialogue and the proper consideration of the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority have attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application as required by the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). However, in this instance, it has not been possible to overcome the concerns raised and the proposal remains in conflict with the provisions of the Development Plan and therefore the application has been refused.

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason:-

1. The development, due to the proximity of block A in relation to the existing residents opposite, would result in an unacceptable level of overlooking which is contrary to Policy DM10 of the Site Allocations and Development Management Plan DPD 2016 and the Good Design Guide SPD 2020.

Nicholsmith

Nicola Smith
Planning Manager
Development Management

Date :4 March 2021

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

19/00464/OUT

Page 1 of 2

REOUTZ

