



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

Adopted October 2007

Local Development Framework

# Shopping & Shop Fronts

Supplementary Planning Document



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## i. Shopping and shop fronts supplementary planning document

This Supplementary Planning Document (SPD) is intended to provide further guidance to Policies BE1, 9, 10, 11, RETAIL 2, 3, 4, 6 and 8 of the adopted Hinckley and Bosworth Local Plan and is a revision of the Council's previous Supplementary Planning Guidance (SPG) on Shopping and Shop Fronts (adopted in January 2003). The existing guidance has formed the basis of the new document, however revisions have been necessary to ensure the document is consistent with the provisions of the Planning & Compulsory Purchase Act 2004 and recent amendments to the Use Classes Order 1987 which disaggregates the former A3 Uses into A3, A4 and A5 Uses. The opportunity has also been taken to review and update the previous SPG to reflect other changes in approach, for example as a result of appeal decisions and to ensure it is consistent with the objectives of the Hinckley Town Centre Renaissance Masterplan, which has been identified as a corporate priority through the Council's Corporate Plan (2007 - 2012).

The guidance is in three parts:

- Part 1 sets out the Council's strategy for securing quality shop fronts and advertisements, and applies across the Borough;
- Part 2 aims to address proposals for change of use which affect retail activity within the primary and secondary shopping frontages of Hinckley Town Centre;
- Part 3 deals with criteria to be taken into account when assessing applications for Class A3 (restaurants and cafes), A4 (drinking establishment) and A5 (hot food takeaways) Uses and applies throughout the Borough.

The guidance forms the basis for negotiating with developers on the quality of shop fronts and associated advertisements and the location and mix of retail and non-retail uses, such as pubs and bars.

### Sustainability Appraisal and Strategic Environmental Assessment

A Sustainability Appraisal (SA) is a mandatory requirement for all Supplementary Planning Documents. This is to ensure that plans contribute to the achievement of sustainable development objectives. Additionally, a Strategic Environmental Assessment (SEA) must also be undertaken. This document is supplemented by a combined SA and SEA which is available on request.

## Consultation

This SPD is based on a significant consultation base which included feed back from the Core Strategy Preferred Options/Community Plan consultation in July/August 2006, the Hinckley Town Partnership Business Survey in November 2006, the Hinckley & Bosworth Borough Council Citizens Panel Survey in October 2006 and the Leicestershire Town and Village Centres Survey in October 2006, in conjunction with the findings from the town centre monitor.

The Council carried out a public consultation on the document and accompanying Sustainability Appraisal over a 6-week period from Thursday 5th April 2007 until 5pm Monday 21st May 2007.

The Council considered all representations made within this period when preparing the adopted Shopping & Shop Fronts SPD. Full details of the public consultation can be found in the separate document 'Statement of Consultation Responses', available on request.

## Monitoring & Review

The effects of this SPD will be monitored through the Annual Monitoring Report and Town Centre Monitor, produced by the Council each year. The monitoring indicators for this SPD are:

1. Number of vacant retail units within Hinckley Town Centre.
2. Percentage of non-A1 uses in the primary retail frontage.
3. Percentage of non-A1 uses in the secondary retail frontages (east and west).
4. Pedestrian flows at 6 locations in Hinckley Town Centre.

If required, a review of the SPD will be timetabled into the Council's Local Development Scheme. The SPD will need to be further revised on adoption of the Council's Core Strategy, Generic Development Control Policies and Hinckley Town Centre Area Action Plan Development Plan Document (DPD), which will contain the Council's new detailed policies.

## ii. Background

The Government's key objective for town centres is to promote their vitality and viability by:

- Planning for the growth and development of existing centres; and
- Promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.



Town centres are key to the economy and prosperity of any area. Not only do they provide a focus for retail and employment activity but they are also a reflection and showcase of any administrative area. The quality, vitality and viability of town centres are therefore of critical importance.

Hinckley and Bosworth Borough Council is committed to improving the quality, vitality and viability of Hinckley town centre and the Borough's other shopping centres in accordance with the Government's objectives. In this respect, a number of key documents are relevant including national planning guidance (PPS6 and PPG19), the Regional Spatial Strategy (RSS8) and draft East Midlands Regional Plan, the Leicestershire, Leicester and Rutland Structure Plan (1996 to 2016), the Hinckley and Bosworth Local Plan (adopted 2001), the Hinckley Town Centre Renaissance Masterplan (adopted May 2006), the Corporate Performance Plan (2007 to 2012) and the Community Plan for Hinckley and Bosworth (2007 to 2012).

Reflecting the aims of the above documents and local circumstances, the key objectives of the Shopping & Shop Fronts SPD are to:

- Improve the quality of town centres by ensuring that new shop fronts and signage are of the highest quality to enhance town centres.
- Ensure that the balance and mix of retail and non-retail uses in the town and district centres retains the vitality and viability during the day, and ensures an appropriate mix of A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) to provide a vibrant evening economy without detriment to the safety and security of town centres.
- Set out criteria that achieve consistency of approach to the provision of new shop fronts, but which does not stifle innovative shop front design.
- Encourage good quality shop front advertisements that enhance the public realm and are not detrimental to visual amenity or highway safety.
- Improve the quality of shop security measures to balance the needs of crime prevention with visual amenity.
- To help towards achieving the Council's overall planning vision for the regeneration of Hinckley Town Centre.



Cluttered piecemeal signage and shop fronts detrimental to street scene

## PART 1 - Shop front design and advertisements

### 1.1 Policy background

#### 1.1.1

This part of the guidance supplements policies BE1 BE9, BE10, BE11 and RETAIL 6 of the Hinckley and Bosworth Local Plan (see Appendix 3) and is relevant to shops both outside and within Conservation areas.

#### 1.1.2

Planning Policy Guidance 19: Outdoor Advertisement

Control (PPG19) gives further advice stating that "The main purpose of the advertisement control system is to help everyone involved in the display of outdoor advertising to contribute positively to the appearance of an attractive and cared for environment in cities, towns and the Countryside".

### 1.2 Good shop front design

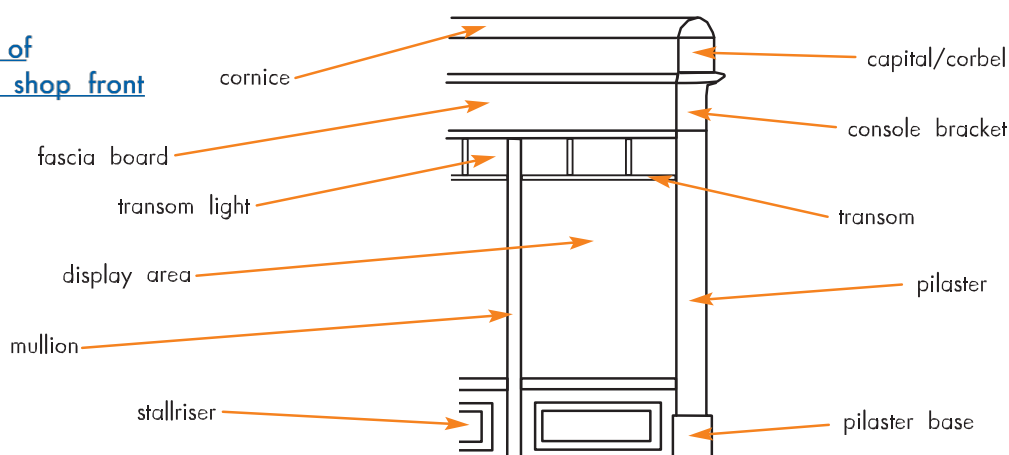
#### 1.2.1

Shop fronts play a key part in our perception of shopping streets because they are at eye level. When proposing a new shop front it should not be viewed in isolation but in the wider context of the building it is in and the street in which it is located. This is important both in Conservation Areas as well as outside of Conservation Areas.

#### 1.2.2

Whilst the document title refers specifically to shop fronts, the design principles set out below are equally applicable to restaurants, bars, public houses, clubs and other buildings with uses containing a shop like frontage and/or signage. Shop front proposals outside Conservation Areas will be assessed against Policy BE1 and RETAIL 6 of the adopted Hinckley and Bosworth Local Plan, but there are specific controls for those within Conservation Areas in Policy BE9.

### Components of a traditional shop front



#### 1.2.3

The guidance not only focuses on the area of the shop front that is capable of change through the addition of a new shop front, but also that area above the shop front that still has an impact on the street scene. In addition a well-designed shop front can draw attention away from a poor quality building. Successful shop front design will take account of both the changeable area and upper floors, which can set a context for the shop front. An inappropriate modern shop front placed within a traditional building will detract seriously from the character of the building. Use of inappropriate rendering or painting can be equally detrimental.

#### 1.2.4

Traditional shop fronts incorporate a number of key design features; these are indicated above. The guidance will refer to a number of these features but will also set out guidance for more innovative approaches that will be considered acceptable.



Inappropriate depth fascia

#### 1.2.5

Traditional shop fronts are constructed of timber and usually painted to match the remainder of

the shop front. Timber panels can be versatile, durable, easily maintained and altered. Reflective, glossy materials such as acrylic or Perspex are not recommended.

#### 1.2.6

If a unit occupies more than one building, the vertical division should be retained in the shop front. The scale and proportion of the shop front and the elements within it need to correspond with the building above.

#### 1.2.7

Where an existing shop front contributes significantly to a Conservation Area, it should be refurbished rather than replaced. Where new shop fronts are considered necessary, their design and detailing should enhance the building itself and the street scene in general. Particular care should be taken with shop fronts in listed buildings to ensure that the design solution is not at the expense of the character of the special architectural or historic character of the building.

#### 1.2.8

Existing decorative features such as stone pilasters should be retained and incorporated into the design of the building. The use of reconstructed stone cladding, brick slips, glazed tiles and mosaics will be resisted although marble, terrazzo and other better quality facing materials will be encouraged in new shop fronts or retained where they exist. Burglar alarms should not be in overly conspicuous locations. Electrical cables for alarms or for other purposes should be discreetly located, following the line of architectural features wherever possible. Each shop should have its street number displayed. Hanging baskets are encouraged although planning advice should be sought on the fixing of any brackets to shop fronts.

### 1.2.9

Whilst traditional shop fronts of the type referred to above are desirable in most locations, there are occasions where modern or innovative design approaches will be encouraged. Such designs will be acceptable where they are not out of scale or character within the buildings or street scene within which they are located.

### 1.2.10

Forecourts should be maintained and finished with materials that complement the street paving, and a litter bin will normally be required outside the premises, where appropriate (particularly in the case of hot food takeaways).

## 1.3 Fascias and cornices

### 1.3.1

The fascia is a key component of any shop front. It is the area that normally frames the shop advertisement and draws the attention of the shopper to the services within. Traditional shop fronts would, as a rule, be no deeper than one fifth of the shop front depth (or more than 400 mm). Deep or over-large fascias can result in over dominance to the detriment of the shop front. Too many or over-large signs detract from the quality of the building and give a sense of brash impermanence.



Fascia fits within architectural detailing of building

### 1.3.2

New fascias should reflect the following principles.

- They should be no deeper than one fifth of the shop front depth as measured from its top to street level (or more than 400 mm).
- They should not normally extend across two or more individual shop fronts.
- They should align with, and be of the same depth as, neighbouring fascias where they are located in a terrace. Where this is not possible a suitable alternative should be agreed with the Local Planning Authority.
- They should fit within and not conceal any

defined architectural features of a traditional shop front building including corbels/capitals and cornice.

- Cornices should be retained or reinstated as part of proposals affecting the fascia.



Fascia fits between pilasters

## 1.4 Pilasters

### 1.4.1

Pilasters and consoles / capitals have a dual purpose of reinforcing the visual rhythm of the high street and defining individual shop units. Sometimes these architectural details have a strong uniformity of character in terms of width or design particularly where they are part of a more comprehensive development; others have variety where shopping areas have developed in a piecemeal fashion over time. New pilasters and development affecting existing pilasters should meet the following design principles: -

- Consoles and Pilasters should be treated as a single coherent feature and should not be treated / painted in two halves where they serve two properties.
- Consoles/capitals should not be removed or altered to accommodate a wider advertisement than that defined by the fascia.



The stallriser reflecting use of shop

## 1.5 Stallrisers

### 1.5.1

Stallrisers are common to most traditional shop



fronts. They provide a strong visual base to the shop front and can serve a practical function of reducing the chance of breakage or damage to glazed areas and can be reinforced to prevent ram raiding. Through the use of materials and design, stallrisers can create a distinctive character to the shop front and a strong horizontal emphasis to the street scene. The use of local stone or brick stallrisers can help to reinforce local character. Whilst they will vary in height depending on the use proposed, they must generally be high enough to give a visual anchor to the street.



Recessed doorway with ramped non slip entrance

#### 1.5.2

New stallrisers should meet the following design principles: -

- They should be faced with appropriate materials to match the remaining shop front, usually this will be painted timber panels, but the use of brick, stone, tiles or render may be appropriate in some circumstances.
- They should be no greater in height than 700 mm and not less than the height of the adjacent pilaster base.



First floor display inappropriate

## 1.6 Windows and doors

### 1.6.1

The design of windows and doors are key components in the context of the building and street scenes within which they are situated. If

windows are inappropriately designed they can have an unbalancing effect on the building and street scene.

### 1.6.2

Window frames, mullions, transoms and glazing bars frame the display area and articulate the shop front to provide visual interest. Metal frames or poorly constructed / finished wooden frames should be avoided, as should large expanses of glass that add little value or interest to the street scene. It is important that the method of sub-dividing windows suits the character of the shop front and the building within which it is situated.

### 1.6.3

The glazed areas of shop fronts are important as they allow a display of the goods for sale and views into the shop. It is also the weakest point in terms of security and should be constructed in laminated glass in the interests of safety and security to comply with Building Regulations and insurance requirements.

### 1.6.4

Doors should be sympathetic to the design of the shop front. Traditional entrances were often recessed. Whilst this introduces security issues it allows a further display area. Where such recesses are deeper than 600mm or not sited within a well lit, well-used street (out of shopping hours) a security grille may be required. This is acceptable, subject to the design principles for shutters (see 1.9 below) being achieved. Any recess should, therefore, be retained, as well as separate doors within shop fronts that provide access to upper floors.

## 1.7 Doorways and access for people with disabilities

### 1.7.1

Doorways should be level or have a gentle 1:20 (but no more than 1:12) ramped entrance with a non-slip finish to allow easy access for people in wheelchairs or with pushchairs. Where possible ramped entrances can be achieved by raising/blending the footway into the shop entrance. This will avoid unsightly ramps in the street, or wasting valuable floorspace through the need to provide internal ramps. An ability to insert stop-logs across a shop front should be considered to mitigate against flood risk. Unless recessed, doors must be of a type other than outward opening. Doors should generally be a minimum of 840 mm wide. Door handles should be at waist height and door wells should not impede wheelchairs. A doorbell should be provided. A glazed panel should be provided and kept clear, for disabled people to see and be seen. Fully glazed doors should have a logo or



other image to assist visually impaired people.

### 1.7.2

In summary, new windows and doors should meet the following design principles: -

- They should respect the scale and proportions of existing shop front features including the fenestration on upper floors. Windows that are too large in relation to the frontage will not be permitted.
- They should be suitably articulated with glazing bars and transoms to add character to the shop front.
- Display windows should normally be restricted to the ground floor. Proposals to enlarge upper floor windows for display purposes will not normally be accepted.
- Doors should have a glass panel but not normally be wholly glazed. In traditional shop fronts, it may be more appropriate to incorporate a solid base panel to match the height of the stallriser.
- Doorways should be designed to allow easy and safe access for all users.



Traditional blind

## 1.8 Blinds and canopies

### 1.8.1

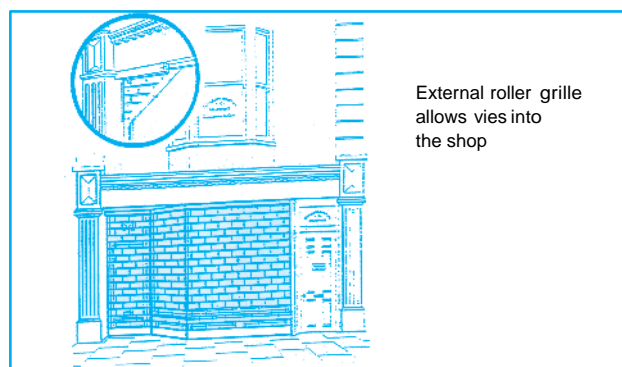
Blinds and canopies can be a welcome addition to the street scene where they are appropriately designed. They offer shelter from rain and protect displayed goods from the sunlight. Where they are proposed they should fit within, and not obscure, existing architectural features and fascia signage. The use of traditional materials (usually canvas) can enhance the shop front and street scene.

### 1.8.2

New Blinds and canopies and doors should meet the following design principles: -

- Blind boxes should be located sensitively within the shop front and should not obscure architectural features or project forward of the fascia sign.

- Canopies should not be provided above the fascia level.
- Where blinds are proposed on traditional shop fronts, they should be canvases.
- Retractable blinds should be non-reflective.
- When not in use, canopies and blinds should be stored in a blind box.
- To be allowed by the Highways Authority, any opened canopy (or part thereof) over a footway must have at least 2.4 metres clearance above the level of the footway and 0.5 metres clearance from the edge of the carriageway.



## 1.9 Security shutters and grilles

### 1.9.1

Whilst the perception of criminal activity is often greater than the reality in shopping centres, there are occasions where security measures may be appropriate. These can have a major impact on the visual appearance of the shop front, particularly during evenings and weekends when the use of some security measures can result in a fortress feel to shopping centres. This detracts from the visual appearance and welcoming atmosphere that such areas wish to portray outside of main shopping hours. Solid shutters are particularly problematic because they can attract graffiti and do not allow views into the shop or allow light to show through.



Solid shutters give "fortress like" feel whilst poorly positioned signage and shutter box detract from visual character

### 1.9.2

Where security is an issue, appropriate design solutions should be discussed at the earliest opportunity with the local planning authority. This is particularly important where proposals relate to buildings that also lie within Conservation Areas (Policy BE10 of the Hinckley and Bosworth Local Plan refers (see Appendix 3)).

### 1.9.3

Solid shutters, or those with micro perforations can create a dead frontage whilst grilles and punched lath shutters can give a more acceptable appearance. Punched lath shutters can be further strengthened by polycarbonate sheeting.

### 1.9.4

Whilst a CCTV system operates in Hinckley Town Centre, shop owners may require physical security measures to help protect shop fronts. Where security shutters are provided they should not be detrimental to the character of the shop front or street scene by use of inappropriate shutter boxes or impermeable blinds that restrict views into shop fronts.



Well designed fascia sign that fits with architectural features and is of appropriate colour/lettering

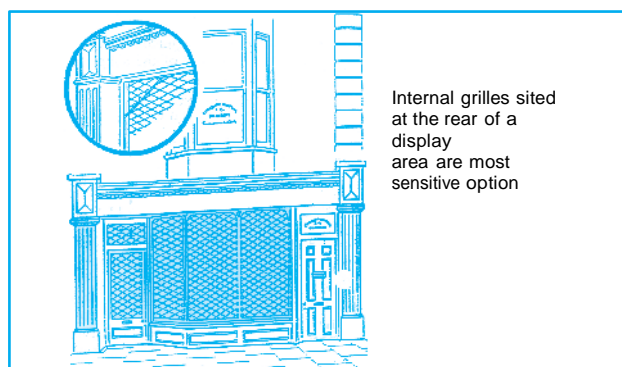
### 1.9.5

New security shutters and grilles should meet the following design principles: -

- Only the minimum area required to secure the shop frontage should be protected. Shutters should not be provided where they cover blank walls or other impenetrable areas.
- Grilles or shutter boxes should not project forward of the line of the fascia or where housed behind the fascia sign result in advertisement fascia signage projecting forward unacceptably.
- Shutters and grilles should ideally be located behind the glass and display, with any valuable items removed from windows when the premises are closed.
- Shutters and grilles should be an open design to allow views in to, and light out of, the interior of the shop. Solid shutters or those with micro

perforations will not normally be allowed except a) In isolated locations or in special circumstances where evidence, supported by the Police, has shown that security poses a special problem and all other security measures as advised by the Police have already been taken, or b) Where the shop front is of an open type such as traditional fishmongers, butchers and greengrocers, and where no alternative solution would be possible. Solid shutters will not be an acceptable approach in town centres.

- The shutter and its housing should be painted or treated in a colour that is sympathetic to the character of the existing shop. Treatments that allow easy removal of graffiti will be encouraged.
- The need for external security shutters should be reduced when shops are located within a well-lit and busy street as is most of Hinckley Town Centre. A properly monitored and effective CCTV system can also be of assistance.



## 1.10 Fume extraction

### 1.10.1

Fume extraction and ventilation equipment installation will be a condition of any permission. The Council will insist that the design, positioning and capacity of this equipment are appropriate to the size and location of the premises, particularly if it is in a Conservation Area, where external flues and equipment will need to be discreetly sited. The external finish needs to be carefully considered in order to minimize its visual impact. Such equipment should be correctly maintained to avoid creating a statutory nuisance. Failure to obtain the Council's approval and to satisfy its requirements could lead to enforcement action.

## 1.11 Shop front advertisements

### 1.11.1

The provision of high quality shop fronts will be meaningless unless the advertisements that adorn them are of equally high quality. Whilst the 'Advertisement Regulations' allow the provision

of some shop signage, some signs (particularly illuminated signs) require the consent of the planning authority. Applications for signage can be resisted where they are of detriment to visual amenity or highway safety. This section aims to guide the design of shop front advertisements so that they are sympathetic to their context. The guidance primarily relates to retail units but is equally applicable to all commercial buildings that involve signage, whether they are free standing or within a defined shopping area.



Internally illuminated box sign, unsympathetic to shop front design, proportions and detailing

### 1.11.2

In all cases, consideration will be given to the appropriateness of the proposed sign, bearing in mind the architectural character and quality of the existing building. Advertisement proposals outside Conservation Areas will be assessed against Policy BE1 of the adopted Hinckley and Bosworth Local Plan, but there are specific controls for those within Conservation Areas in Policy BE11.

## 1.12 Fascia signs

### 1.12.1

Fascia signs are the most widely used shop front advertisements. It is crucial to the quality of the appearance of the shop fronts that signage is of sympathetic dimensions, colours, lettering/illustration and illumination. Good quality advertisements can attract custom by projecting a quality image. Many retailers wish to trade on the basis of a corporate or house colour and style. This must be reconciled with the unique character of the shop and street, particularly in Conservation Areas where such signs may need to be modified in terms of using non-standard materials and smaller lettering and logos.

### 1.12.2

New fascia advertisement signs should meet the following design principles: -

- They should fit within and not extend beyond the depth or width of the shop fascia as defined by the architectural features (pilasters, corbels / capitals and cornices).

- They should not project forward more than 15cm of the shop fascia. Internally illuminated boxes that are used to light fascia signs should be avoided where they do not meet these objectives.
- They should be of appropriate lettering, colours design and materials.
- They should be appropriately illuminated with any illumination being fully in accordance with the Institution of Lighting Engineers Technical Report No. 5. Over-illumination contributes to light pollution and can be a source of glare to drivers, leading to highway safety concerns.

## 1.13 Hanging and projecting signs

### 1.13.1

Hanging signs are features that can be found in many traditional shopping areas. Whilst a good standard of hanging sign can provide interest to the street scene, signs that are poor by reason of siting or design can detract from the design quality of the shop front and can result in clutter in the street scene. Size, siting, design and illumination need to be sensitively treated. In traditional shopping areas, flat painted signs supported from hanging brackets are appropriate. Innovative hanging signs or projecting signs will be accepted, provided they are of appropriate scale and do not detract from the character of the shop unit.

### 1.13.2

New hanging/projecting advertisement signs should meet the following design principles:-

- They should not be out of scale with the shop front. Generally they should be no wider than the shop fascia.
- Where there is a uniformity of shop frontage, fascia signs should respect this uniformity in terms of scale and siting on the building.
- They should generally be sited at the fascia level.
- They should generally be externally illuminated using discreet lighting. Deep internally illuminated projecting boxes should be avoided.
- To be allowed by the Highways Authority, any hanging/projecting advertisement signs (or part thereof) over a footway must have at least 2.4 metres clearance above the level of the footway and 0.5 metres clearance from the edge of the carriageway.

## 1.14 Illumination

### 1.14.1

The quality of illumination can have an extreme impact on the quality of a shop front. Internally



illuminated box signs that do not respect the architectural features of the building are the worst kind of advertising. Illumination should be bright enough to draw attention to the shop front but should be subtle in terms of light fittings and the level of illumination.



Effective use of hanging sign

#### 1.14.2

The illumination of signs should meet the following design principles: -

- Light housings should be of a design that fits with the character of the shop front. Large projecting or swan neck lights will be resisted where they are out of scale or character with the shop front.
- Where signs are to be internally illuminated, only the lettering should emit light or halo effect lettering should be used.
- To be allowed by the Highways Authority, any signs (or part thereof) over a footway must have at least 2.4 metres clearance above the level of the footway and 0.5 metres clearance from the edge of the carriage way.

## PART 2 - Change of Use, Hinckley Town Centre

### 2.1 Policy background

#### 2.1.1

This document supplements policies RETAIL2, 3 and 4 (Primary, Secondary Retail Frontages, and Other shopping areas, Hinckley Town Centre) of the adopted Hinckley and Bosworth Local Plan (Appendix 3 refers). It aims to provide information and advice to applicants who wish to submit a planning application for a change of use that affects retail uses (Class A1) within the Primary and Secondary Shopping Frontages and Other Shopping Areas of Hinckley Town Centre.

#### 2.1.2

The Council is required to take a balanced view

of all planning applications in order to safeguard the amenities of the local community and to protect the vitality and viability of existing shopping centres. Each application is decided on its own merits within the national, strategic and local policy framework.

#### 2.1.3

This guidance provides a broad outline of the issues that need to be taken into account. Applicants are advised to contact the Development Control section to seek an informal opinion on any proposals before an application is submitted and/or financial commitments are entered into. Applicants should be aware that any advice given is not legally binding on the council.

### 2.2 Planning controls

#### 2.2.1

In seeking to enhance the vitality and viability of Hinckley Town Centre, the Local Plan defines areas of Primary and Secondary Shopping Frontages that aim to retain retail dominance of A1 uses within the defined frontages. Whilst Policies Retail 2 and 3 allow for change of use to A2 and A3 (now including A4 and A5) uses in the Primary and Secondary Shopping Frontages, proposed developments should not have an adverse effect through the over concentration of such uses whether on any continual frontage or on the overall retail function and character of the town centre.

#### 2.2.2

In addition, the Local Plan defines other Shopping Areas where there is greater mix of uses. Policy Retail 4 indicates that changes of use to non-retail will be considered favourably providing such applications can satisfy the list of criteria detailed in RETAIL 4.

#### 2.2.3

On 21st April 2005, the Statutory Instrument 2005/84, which amends the Town & Country Planning (Use Classes) Order 1987, came into force. The Town and Country Planning (General Permitted Development) Order 1995 was also amended by Statutory Instrument 2005/85 to reflect the changes to the Use Classes Order.

#### 2.2.4

It should be noted that the 2005 amendments to the Use Classes Order 1987 will require that references to A3 Uses in the adopted Local Plan Policies will now also include A4 and A5 Uses.

#### 2.2.5

The Town and Country Planning (Use Classes) Order 1987, as amended on 21st April 2005, defines relevant categories of use as follows:

**A1 Shops** - Use for all or any of the following

purposes:

- For the retail sale of goods other than hot food
- As a post office
- For the sale of tickets or as a travel agency
- For the sale of sandwiches or other cold food for consumption off the premises
- For hairdressing
- For the direction of funerals
- For the display of goods for sale
- For the hiring out of domestic or personal goods or articles
- As a dry cleaners
- Where the sale, display or service is to members of the public
- As an internet cafe
- As an off-license

**A2 Financial and Professional Services** - Use for provision of:

- Financial services, or
- Professional services (other than health or medical), or
- Any other services (including use as a betting office) which is appropriate to a shopping area where the services are provided principally to visiting members of the public

**A3 Restaurants and Cafes** - Use for the sale of food and light refreshments for consumption on the premises. Planning permission may be required to change the use from one lawful use to another use.

**A4 Drinking Establishments** - This class is the second of three new classes replacing the former A3: Food and Drink class. It caters specifically for pubs and bars, i.e. places where the primary purpose is the sale and consumption of alcoholic drink on the premises.

**A5 Hot Food Takeaways** - The A5 class is the last of the newly-created classes from the former Food and Drink class. It caters specifically for takeaways and fast-food premises, i.e. premises where the existing primary purpose is the sale of hot food to take away.

**D2 Assembly and Leisure** - Use as

- A cinema
- A concert hall
- A bingo hall or casino
- A dance hall
- A swimming bath, skating rink, gymnasium or area for other indoor or outdoor sports or

recreations, not involving motorised vehicles or firearms

### 2.2.6

The new use classes (disaggregation of A3 into A3, A4 & A5) are intended to enable local planning authorities to secure a satisfactory balance in an area between the numbers of restaurants/cafés, pubs/bars, and takeaways/fast food premises. This will help to ensure that one use does not predominate to the detriment of local amenity or the vitality of the area. Local planning authorities will need to treat applications on their merits with regard to the potential environmental impacts. However, the new, more specific, use classes will mean greater clarity in determining the effects on amenity of particular uses.

The amended Order also confirms that nightclubs do not fall specifically into any use class and are sui generis. Previously, nightclubs were not referred to within the Use Class Order. Confirming that nightclubs are sui generis provides an element of certainty over use as a nightclub and ensures that such premises, which can have significant environmental impacts, are subject to planning considerations before development can take place.

### 2.2.7

The following are examples of the type of uses that require planning permission that could be applied for:

- a Change of use of an existing property in Class A1 to Class A2, A3, A4 or A5. This is the form of planning permission most often required and may involve the alteration or extension of the premises. In addition, change of use from Class A3 to A4 or A5 will also now require planning permission.
- b The creation of a new unit that would require the submission of detailed plans. The advice of a professional agent should be sought for this type of application.
- c A request to change or relax any planning conditions that were imposed on an original permission, such as limitations on the hours of opening.

### 2.2.8

The Council, as the Local Planning Authority, has the power to grant approval, refuse permission and/or authorise enforcement action against any breach of planning control.

### 2.2.9

Planning consents are normally issued with conditions, all of which must be complied with to

meet the terms of the permission. In addition to the previous examples, permission can be granted for a temporary period and/or specific person. Where permission is granted in relation to A3, A4 or A5 use, conditions will often require the submission and approval of details of the proposed treatment and extraction of fumes.

#### 2.2.10

The reasons why an application is likely to be refused permission could include:

- An over concentration of non-A1 uses along a continuous shopping frontage;
- An adverse detrimental affect on the retail character of the area within which it is located;
- A negative impact on the amenity enjoyed by residents of adjoining properties;
- An adverse impact on the character and appearance of shopping or special areas such as a Conservation Area; and
- Adverse additional traffic generation and/or increased dangers for road users, including pedestrians.

An applicant has the right of appeal to The Planning Inspectorate against a refusal of planning permission or the conditions imposed.

### 2.3 Planning policy guidelines

#### 2.3.1

Central government guidance in respect of A2 and A3 uses can be found in Planning Policy Statement 6: Planning for Town Centres (2005). However, the guidance provides general advice and can be difficult to relate to individual cases. It also does not reflect the changes in the Use Classes Order as amended on 21st April 2005.

#### 2.3.2

For Development Control purposes, the main shopping areas of the town centre have been broadly divided into Primary and Secondary Shopping Frontages. The Primary Shopping Frontage is where the floorspace is generally retail in character. The Secondary Shopping Frontage area tends to be more mixed in character with uses including banks, public houses, offices and cafes interspersed within the retail units.

#### 2.3.3

Detailed guidance for the Primary and Secondary Shopping Frontages and other Shopping Areas within Hinckley Town Centre are contained within the Local Plan and are aimed at protecting and enhancing the vitality and viability of these areas. The guidance contained in this document emphasises that intention and expands on the provisions of these

policies. A map of the Primary and Secondary Frontage areas is included at Appendix 1.

#### 2.3.4

The Council will consider the individual and cumulative impacts of proposals for A2, A3, A4 and A5 uses on the local environment, in terms of highway safety, car parking, retail viability, townscape character and residential amenity in accordance with the national and local policy framework.

### 2.4 Primary Shopping Frontage - Hinckley Town Centre

#### 2.4.1

The Primary Shopping Frontage is the main retail core of the town centre. It extends along Castle Street from Market Place to the end of the pedestrianised area at New Buildings and includes the Britannia Centre.

#### 2.4.2

In relation to proposals for non-A1 uses within the Primary Shopping Frontage, Policy Retail 2 of the Local Plan seeks to prevent the decline of the overall retail function by curbing the over concentration of non-retail uses (those other than Class A1). To supplement this policy, proposals for non-A1 uses, which includes A2, A3, A4 and A5 uses, for the whole Primary Shopping Frontage will be restricted to not more than 12% (of all shop units) to include existing, committed and proposed. In addition, not more than 3 adjoining shop units or 15 metres in length of the continuous frontage should be occupied by non-A1 uses. Permission is unlikely to be granted if the location of the proposed premises does not meet these requirements.

### 2.5 Secondary Shopping Frontage - Hinckley Town Centre

#### 2.5.1

The Secondary Shopping Frontage comprises several streets in two areas, to the west and to the east of the Primary Shopping Frontage, namely:

Secondary Shopping Frontage (west)

- |                 |                |
|-----------------|----------------|
| • Regent Street | • Market Place |
| • The Borough   | • Station Road |
| • George Street | • Regent Court |
| • Hansom Court  | • Rugby Road   |

Secondary Shopping Frontage (east)

- |                        |               |
|------------------------|---------------|
| • Castle Street (east) | • Crown Court |
| • Church Walk          |               |

#### 2.5.2

Policy Retail 3 states that within the Secondary



Shopping Frontages there will be a presumption in favour of A1 uses. However, non-A1 uses, including Class A2 and A3 (now including A4 and A5) will be allowed as long as they:

- Do not compromise the amenities of adjoining residential properties;
- Do not have an adverse impact on traffic patterns; and
- Include a traditional shop frontage.

### 2.5.3

In addition, however, consideration will be given to the effect of a concentration of non-A1 uses on the retail function of the town centre's secondary areas, as a high concentration of non A1 uses grouped together, can generate an imbalance between shopping and other uses. For example, a profusion of non-A1 uses that operate in the evening would create a deserted and inactive shopping frontage during the day, which will not attract shoppers.

### 2.5.4

To ensure a balance is maintained between A1 and non-A1 uses in the secondary shopping frontages, the total proportion of non-retail units along any Secondary Shopping Frontage, should not exceed 50% of the total shopping frontage and will take into account both existing and committed changes of use. Furthermore, not more than 3 adjoining shop units or 15 metres in length of any continuous frontage should be occupied by non-A1 uses. For clarity, when calculating percentages all shop fronts within the secondary shopping frontage area will be included (ie. For the west Secondary Shopping Area all shops along Regent Street, Market Place, The Borough, Station Road, George Street, Regent Court, Hansom Court and Rugby Road will be included in the calculation). As the number of non-retail units in the east secondary shopping frontage is already above the 50% limit, no further loss of retail units in this location will be allowed unless the criteria set out in para. 2.5.5 below are met.

### 2.5.5

It is recognized, that some non-A1 uses, such as A3 uses (restaurants and cafes), that operate during the day, have a traditional shop frontage and bring activity and life into the street, can actually enhance the town centre. In particular, the main Secondary Shopping Frontage (to the west), which is also largely within the Town Centre Conservation Area, is considered an attractive place for businesses and shopping, with the development of a 'café-style' culture that works in harmony with the area's shopping function. In the Secondary Shopping Areas, proposals for non-A1 use that meet the requirements set out in the adopted Local Plan, but

which do not meet the criteria set out above will be considered if it can be satisfactorily demonstrated by the applicant, with an appropriate full justification, that:

- There will be no significant adverse detrimental affect on the retail character of the particular Secondary Frontage area within which it is located. As part of this justification, the applicant will need to demonstrate that there is a lack of demand for that site/premises for A1 use.
- The proposal contributes to the aims of the regeneration of the town centre.
- The proposal contributes to an active shopping frontage during the day and will draw people into the town centre.

In these instances, each case will be treated on its individual merits.

## 2.6 Other Shopping Areas

### 2.6.1

In the town centre's Other Shopping Areas (Policy Retail 4 of the adopted Hinckley and Bosworth Local Plan refers), there is a greater mix of uses in addition to retail. It should be noted that these designations are 'areas' and not solely 'frontages'. Therefore, some of these areas lie to the rear of a primary or secondary shopping frontage. Streets included in this designation are as follows:

- |                  |                     |
|------------------|---------------------|
| • Blockleys Yard | • Lower Bond Street |
| • Brunel Road    | • Mansion Street    |
| • Castle St      | • New Buildings     |
| • Coventry Road  | • Stockwell Head    |
| • George Street  | • The Horsefair     |
| • Hill Street    | • Trinity Lane      |
| • King Street    | • Waterloo Road     |
| • Lancaster Road |                     |

### 2.6.2

Policy Retail 4 advocates that planning permission for uses falling within use classes A1, A2, A3 (now including A4 and A5), and D2 (assembly and leisure) will be granted subject to satisfying a series of criteria attached to the policy.

### 2.6.3

Many of the streets defined within Other Shopping Areas contain residential properties; therefore D2 uses may not be acceptable here. It is important to retain a mix of uses in these areas and prevent an over concentration of non-retail uses which may prove detrimental to the visual amenities and vitality of the area. Where a continuous shopping frontage remains, this should be retained unless there are

strong justifications for proposing non-retail uses.

## 2.7 Retail gateways

### 2.7.1

There are prominent and pivotal areas within the Town Centre that are vital to creating and sustaining the image of the shopping area. They should be designed to attract and welcome shoppers and establish the retail nature of the Town Centre.

### 2.7.2

Several key areas have been identified around the retail core of the Town Centre that the Council will seek to protect and enhance as retail cornerstones. In these locations there will be a presumption against non-retail development unless it can be demonstrated that the proposed use will compliment the surrounding retail uses and will not detract from the prominence of these areas. In addition, the Council will encourage proposals for reversion of non-A1 uses to retail in these areas.

### 2.7.3

These key areas are illustrated on the Town Centre map at Appendix 1.

## PART 3

### 3.1 Considerations specific to Class A3, A4 and A5

#### 3.1.1

The best location for hot food takeaways, pubs, bars and restaurants and cafes is normally within main and local shopping centres. However, the Borough has several neighbourhood centres serving long-established communities that are vulnerable to changing retail patterns. The increasing trend away from retail towards food, drink and entertainment uses does have positive aspects, but can still result in a number of impacts that need to be controlled through land use policy.

#### 3.1.2

The following sets out the further considerations that will be looked at when determining proposals for Class A3, A4 and A5 uses throughout the Borough, but is primarily focused on proposals relating to local shopping areas and other areas outside Hinckley town centre. The relevant policies in this case are BE1 and RETAIL8 of the adopted Hinckley and Bosworth Local Plan. These policies allow for non-retail uses, including food and drink uses, subject to considerations of amenity, traffic and parking, storage, its overall impact on the retail development and the retention of a shop type frontage.

#### 3.1.3

Local shopping centres are usually interspersed with, or in close proximity to, residential properties and therefore require greater consideration in terms of noise levels, disturbance, fumes and cooking smells that are likely to have a negative impact on the amenities of residents. Furthermore, the location and relative size of smaller neighbourhood centres such as shopping parades within housing estates are, in addition, sensitive to changes in retail patterns and their physical setting. They aim to serve the daily needs of the immediate community and are, usually, located in the core of the residential area.

#### 3.1.4

Drinking establishments and hot food takeaways (Class A4 and A5 respectively), can be harmful to adjoining neighbours, and are not likely to be favourably considered in a predominantly residential area or in locations where existing houses are adjoining or are in close proximity to the proposed premises. This principle will be strictly applied to the type of food and drink outlets that intend to serve customers into the late evening/early morning.

#### 3.1.5

Where existing premises are seeking to expand into an adjacent unit it must be demonstrated that no harm to nearby residential properties will result or adverse impact to the retail balance would occur. Should any justifiable complaints exist relating to the operation of the existing outlet, these will be taken into account when determining an application for intensification of this use.

#### 3.1.6

It is recognised that the new Class A4 (bars / pubs) and A5 (hot food takeaway) uses have the potential to cause more amenity impacts than A3 (restaurant / café) uses although all uses can have a greater amenity impact if they operate late at night. It is considered, therefore, that in some areas, pubs and bars and hot food takeaways may be seen as more of a concern than restaurants and cafes, and that different controls can therefore be applied to the latter uses. Proposals for change of use from A1 to A3 use which is in conformity with the relevant Local Plan policies will be considered if the applicant can demonstrate that the proposal will not:

- Cause significant fumes and noise nuisance.
- Adversely affect the retail character of an area.
- Isolate shops and result in a section of the centre no longer being viable for retailing.
- Create a deserted and inactive shopping frontage during the day.

In these instances, each case will be treated on its individual merits.

### 3.1.7

Where an A3, A4 or A5 use is considered acceptable, opening hours will be controlled by the imposition of conditions and in the majority of cases, the hours of service to the public will be restricted to 11:30pm, or earlier where the proposed use is in a primarily residential area, and such a restriction would be in the interests of residential amenity. Opening hour restrictions will be more flexible in town centres.

### 3.1.8

In terms of highway considerations, those that are generally taken into account when evaluating the merits of an application for A3, A4 or A5 use are:

- The alignment and width of the carriageway;
- The location of pedestrian crossing facilities;
- The location of road junctions; and
- Whether the site is within the commercial area where on-street parking can be expected and accommodated
- The availability of off-street parking provision
- Existing road and traffic conditions in the area including consideration of the record of accidents

### 3.1.9

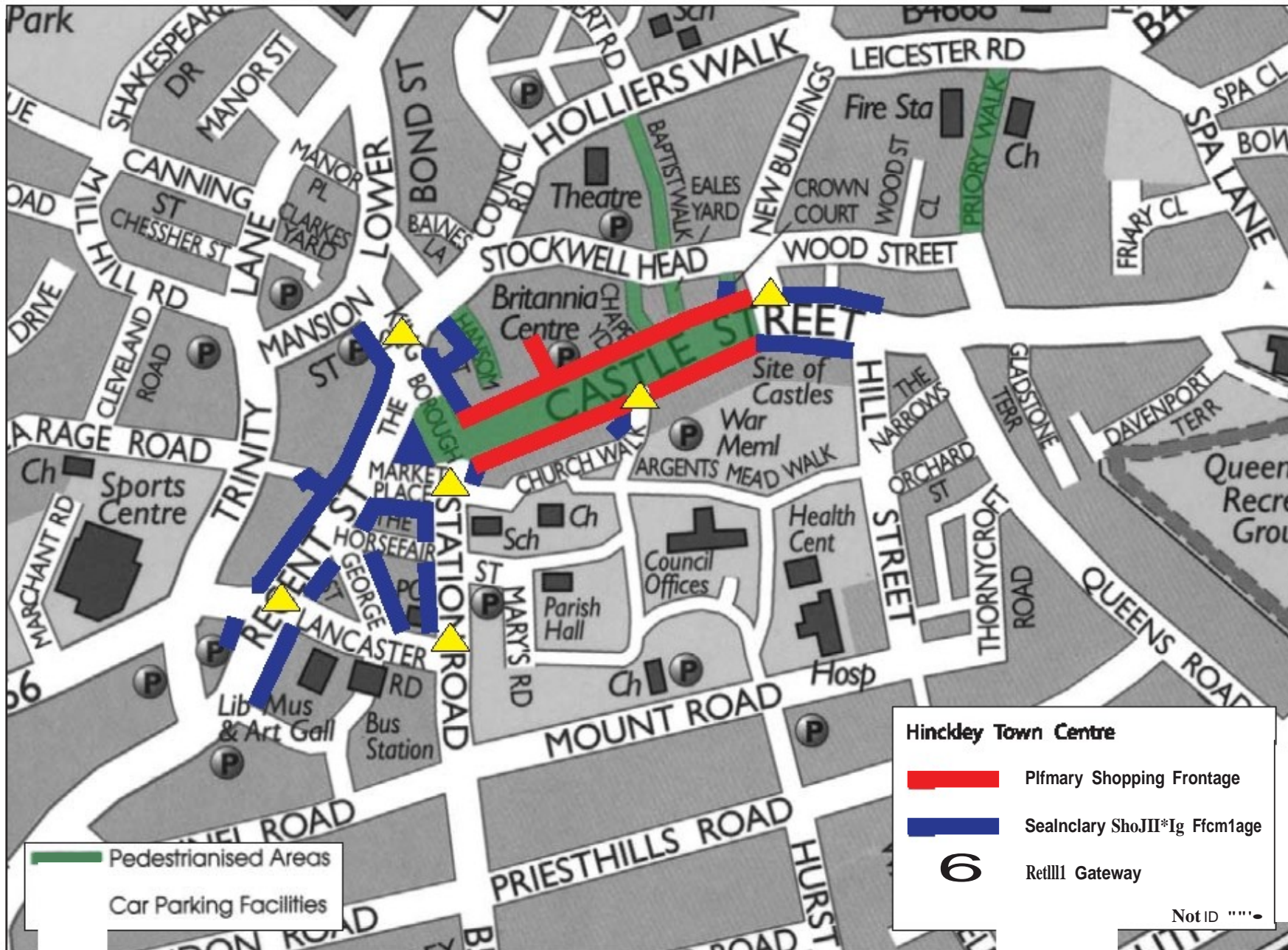
The parking habits of car-borne customers of hot food takeaways require special consideration. Vehicles left on carriageways and/or footpaths can be dangerous and inconsiderate to pedestrians. They can affect the free flow of traffic and highway safety. Applications may be refused if it is deemed that no off-street or suitable on-street parking is available, either on site or close by, and where parking on the highway would be detrimental to highway safety.

## 3.2 Other considerations

### 3.2.1

Part 3 of this guidance deals with the most common issues related to proposals for A3, A4 and A5 uses. Many existing shopping centres are located in Conservation Areas and in some cases the premises may be located within Listed Buildings, which raise additional considerations and procedural requirements. In such cases reference should be made to the specific policies contained in the Local Plan related to Conservation and the Built Environment (Chapter 4). It is also advisable to contact the Borough's Conservation Officer at the earliest convenience.





- For Other Shopping Areas please refer to the Local Plan Proposals Map.

## APPENDIX 2

### Shop front design

Guild of Mastercraftsmen,  
Castle Place  
166 High Street  
Lewis  
East Sussex  
Tel: (01273) 478449

### Shop security

Door and Shutter manufacturers Association  
42 Heath Street  
Tamworth  
Staffs  
B79 7JH  
Tel: (01827) 52337

Laminated glass information centre  
299 Oxford Street  
London  
W1R 1LA  
Tel: (0171) 499 1720

### Shop blinds and canopies

British Blind and Shutter Manufacturers  
Association  
42 Heath Street  
Tamworth  
Staffs  
B79 7JH  
Tel (01827) 52337

### Advertising

Guild of Mastercraftsmen,  
Castle Place  
166 High Street  
Lewis  
East Sussex  
Tel: (01273) 478449

### Insurance

Association of British Insurers  
51 Gresham Street  
London  
EC2 7HQ  
Tel: (0171) 600 3333

### Highway Authority

Leicestershire County Council  
County Hall  
Glenfield  
Leics  
LE3 8RJ  
Tel: (0116) 232 3232

### Planning Authority

Hinckley and Bosworth Borough Council  
Council offices  
Argents Mead

Hinckley Leics  
LE10 1BZ  
Tel: (01455) 238141

## APPENDIX 3

### Policy Background

#### Central Government - Planning Policy

The Government's main planning objectives for retailing activity are contained in PPS6: Planning for Town Centres (June 2005) whilst advice on signage is contained in PPG19 Outdoor Advertisement Control (March 1992).

### Hinckley and Bosworth Local Plan (Adopted Feb 2001)

#### Relevant Policies:

#### POLICY BE1 - DESIGN AND SITING

#### OF DEVELOPMENT

THE BOROUGH COUNCIL WILL SEEK TO ENSURE A HIGH STANDARD OF DESIGN IN ORDER TO SECURE ATTRACTIVE DEVELOPMENT AND TO SAFEGUARD AND ENHANCE THE EXISTING ENVIRONMENT. PLANNING PERMISSION WILL BE GRANTED WHERE THE DEVELOPMENT:

- a COMPLEMENTS OR ENHANCES THE CHARACTER OF THE SURROUNDING AREA WITH REGARD TO SCALE, LAYOUT, DENSITY, MASS, DESIGN, MATERIALS AND ARCHITECTURAL FEATURES;
- b AVOIDS THE LOSS OF OPEN SPACES, IMPORTANT GAPS IN DEVELOPMENT, VEGETATION AND FEATURES WHICH CONTRIBUTE TO THE QUALITY OF THE LOCAL ENVIRONMENT;
- c HAS REGARD TO THE SAFETY AND SECURITY OF BOTH INDIVIDUALS AND PROPERTY;
- d INCORPORATES DESIGN FEATURES WHICH REDUCE ENERGY CONSUMPTION, ENCOURAGE RECYCLING AND MINIMISE THE IMPACT OF THE DEVELOPMENT ON THE LOCAL ENVIRONMENT;
- e INCORPORATES LANDSCAPING TO A HIGH STANDARD WHERE THIS WOULD ADD TO THE QUALITY OF THE DESIGN AND SITING;
- f TO WHICH THE GENERAL PUBLIC WOULD HAVE ACCESS, HAS REGARD TO THE NEEDS OF WHEELCHAIR USERS, OTHER PEOPLE WITH DISABILITIES, ELDERLY PEOPLE AND THOSE WITH YOUNG CHILDREN;
- g ENSURES THAT THERE IS ADEQUATE HIGHWAY VISIBILITY FOR ROAD USERS AND ADEQUATE PROVISION FOR ON AND

OFF STREET PARKING FOR RESIDENTS AND VISITORS, AND MANOEUVRING FACILITIES;

- h** IS NOT ADVERSELY AFFECTED BY ACTIVITIES IN THE VICINITY OF THE SITE WHICH ARE UNLIKELY TO CAUSE A NUISANCE TO THE OCCUPIERS OF THE PROPOSED DEVELOPMENT.

- i** DOES NOT ADVERSELY AFFECT THE OCCUPIERS OF NEIGHBOURING PROPERTIES; AND

- j** THE DEVELOPMENT OF THE SITE IS NOT PREJUDICIAL TO THE COMPREHENSIVE DEVELOPMENT OF THE LARGER AREA OF LAND OF WHICH THE DEVELOPMENT FORMS PART.

IN ADDITION FOR RESIDENTIAL PROPOSALS, PLANNING PERMISSION WILL BE GRANTED WHERE THE DEVELOPMENT:

- i** PROVIDES A STRONG COMMON LINK BETWEEN THE PROPOSED BUILDINGS, SPACES AND LANDSCAPE FEATURES AND THE CHARACTER OF THE LOCAL AREA;
- ii** ENSURES AN ADEQUATE DEGREE OF AMENITY AND PRIVACY IS PROVIDED BY THE SPACE BETWEEN THE BUILDINGS; AND
- iii** PROVIDES SUFFICIENT GARDEN AREA WITH BOUNDARY TREATMENTS THAT REFLECTS EXISTING FEATURES IN THE AREA.

#### **POLICY BE9 - SHOP FRONTS IN CONSERVATION AREAS**

SHOP FRONTS WITHIN CONSERVATION AREAS THAT ARE ATTRACTIVE, OF HISTORIC IMPORTANCE OR ARCHITECTURAL INTEREST, OR WHICH CONTRIBUTE TO THE GENERAL CHARACTER OF THE AREA, SHOULD BE RETAINED.

PERMISSION WILL ONLY BE GRANTED FOR THE REPAIR OR RESTORATION OF THESE SHOP FRONTS OR THEIR COMPONENT FEATURES. WHERE REPLACEMENT IS UNAVOIDABLE, ONLY AUTHENTIC AND CAREFULLY DETAILED TRADITIONALLY STYLED SHOP FRONTS WILL BE PERMITTED.

PROPOSALS FOR NEW SHOP FRONTS OR THE REPLACEMENT OR ALTERATION OF EXISTING SHOP FRONTS WHICH ARE OF INSUFFICIENT QUALITY TO WARRANT THEIR RETENTION WILL BE PERMITTED, PROVIDED THAT THE DESIGN IS OF A HIGH QUALITY, APPROPRIATE TO THE CHARACTER OF THE BUILDING, THE STREET SCENE AND THE WIDER TOWNSCAPE.

#### **POLICY BE10 - SHOP SECURITY IN CONSERVATION AREAS**

IN CONSERVATION AREAS AND ON LISTED

BUILDINGS, PERMISSION WILL BE GRANTED FOR THE INSTALLATION OF SECURITY FITTINGS WHERE THIS DOES NOT HAVE AN ADVERSE EFFECT ON THE CHARACTER OR APPEARANCE OF A LISTED BUILDING OR CONSERVATION AREA.

#### **POLICY BE11 - ADVERTISEMENTS IN CONSERVATION AREAS**

WHERE EXISTING ADVERTISEMENTS, SIGNS AND FASCIAS MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OF A CONSERVATION AREA, THEY SHOULD BE RETAINED. REPLACEMENT ADVERTISEMENTS, SIGNS, AND FASCIAS SHOULD BE TRADITIONALLY STYLED AND CAREFULLY DETAILED.

PROPOSALS FOR NEW ADVERTISEMENTS, SIGNS AND FASCIAS OR THE REPLACEMENT OF EXISTING FEATURES WHICH ARE OF INSUFFICIENT QUALITY TO WARRANT THEIR RETENTION WILL BE PERMITTED, PROVIDED THAT THE DESIGN OF THE REPLACEMENT IS OF A HIGH QUALITY, APPROPRIATE TO THE CHARACTER OF THE BUILDING, THE STREET SCENE AND WIDER TOWNSCAPE.

#### **POLICY RETAIL 2 - PRIMARY SHOPPING FRONTAGES, HINCKLEY TOWN CENTRE**

WITHIN THE PRIMARY SHOPPING FRONTAGES OF HINCKLEY TOWN CENTRE, SHOWN ON THE PROPOSALS MAP, DEVELOPMENT OR CHANGE OF USE OF GROUND FLOORS WILL BE RESTRICTED TO SHOPS (AS DEFINED BY CLASS A1 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987). IN THE CASE OF PREMISES FOR FINANCIAL AND PROFESSIONAL SERVICES (CLASS A2) AND THE SALE OF FOOD AND DRINK (CLASS A3) \* PLANNING PERMISSION WILL ONLY BE GRANTED PROVIDING THAT:

- a** THE PROPOSED DEVELOPMENT WOULD HAVE NO ADVERSE EFFECT, THROUGH THE OVER CONCENTRATION OF SUCH A USE ON ANY CONTINUOUS FRONTAGE, ON THE OVERALL RETAIL FUNCTION AND CHARACTER OF THE TOWN CENTRE;
- b** THE PROPOSED DEVELOPMENT WOULD NOT HAVE A SERIOUSLY DETRIMENTAL EFFECT ON THE AMENITIES ENJOYED BY THE OCCUPIERS OF ADJOINING PROPERTY BY REASON OF HEIGHT, MASS, DESIGN, PROXIMITY, NOISE, LITTER OR SMELL;
- c** THE PROPOSED DEVELOPMENT WOULD NOT INVOLVE THE REMOVAL OF AN EXISTING SHOP TYPE FRONTAGE OR, IN THE CASE OF NEW DEVELOPMENT, FAIL TO PROVIDE A



## SHOP TYPE FRONTAGE.

**POLICY RETAIL 3 - SECONDARY SHOPPING FRONTAGES, HINCKLEY TOWN CENTRE**

WITHIN THE SECONDARY SHOPPING FRONTAGES OF HINCKLEY TOWN CENTRE, SHOWN ON THE PROPOSALS MAP, DEVELOPMENT OR CHANGE OF USE OF GROUND FLOORS WILL BE RESTRICTED TO SHOPS (AS DEFINED BY CLASS A1 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987).

IN THE CASE OF APPLICATIONS FOR CHANGE OF USE PREMISES FOR THE SALE OF FOOD AND DRINK (CLASS A3) \*, FINANCIAL AND PROFESSIONAL SERVICES (CLASS A2) AND LAUNDERETTES, PLANNING PERMISSION WILL BE GRANTED PROVIDING THAT THE DEVELOPMENT PROPOSED WOULD NOT:

- a HAVE A SERIOUSLY DETRIMENTAL EFFECT ON THE AMENITIES ENJOYED BY THE OCCUPIERS OF ADJOINING RESIDENTIAL PROPERTY;
- b GENERATE ADDITIONAL TRAFFIC WHICH WOULD BE DETRIMENTAL IN TERMS OF HIGHWAY SAFETY OR CAPACITY;
- c REMOVE AN EXISTING SHOP TYPE FRONTAGE OR, IN THE CASE OF NEW DEVELOPMENT, FAIL TO PROVIDE A SHOP TYPE FRONTAGE.

**POLICY RETAIL 4 - OTHER SHOPPING AREAS, HINCKLEY TOWN CENTRE**

WITHIN THE OTHER SHOPPING AREAS OF HINCKLEY TOWN CENTRE, SHOWN ON THE PROPOSALS MAP, PLANNING PERMISSION WILL BE GRANTED FOR SHOPS, FINANCIAL AND PROFESSIONAL USES, FOOD AND DRINK AND ASSEMBLY AND LEISURE USES (AS DEFINED BY A1, A2, A3 \* AND D2 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987) ON GROUND FLOORS, PROVIDING THE DEVELOPMENT PROPOSED WOULD NOT:

- a HAVE A SERIOUSLY DETRIMENTAL EFFECT ON THE AMENITIES ENJOYED BY THE OCCUPIERS OF ADJOINING RESIDENTIAL PROPERTY;
- b GENERATE ADDITIONAL TRAFFIC WHICH WOULD BE DETRIMENTAL IN TERMS OF HIGHWAY SAFETY OR CAPACITY;
- c BE DETRIMENTAL TO THE VISUAL AMENITIES OF THE AREA;
- d RESULT IN AN UNDER-PROVISION OF OFF STREET PARKING, ACCESS AND SERVICING FACILITIES;
- e REMOVE AN EXISTING SHOP TYPE

FRONTAGE OR IN THE CASE OF NEW DEVELOPMENT, FAIL TO PROVIDE A SHOP TYPE FRONTAGE.

**POLICY RETAIL 6 - SHOP FRONTS**

PLANNING PERMISSION WILL BE GRANTED FOR NEW OR REFURBISHED SHOP FRONTS WHERE:

- a THE SHOP FRONT RESPECTS LOCAL STYLE, MATERIALS, AND THE SCALE AND PROPORTION OF THE BUILDING AND ITS NEIGHBOURS;
- b THE FACIA REFLECTS THE SCALE OF THE SHOP FRONT AND UPPER FLOORS AND IS NOT OVER DOMINANT;
- c SIGNAGE ILLUMINATION HAS BEEN SENSITIVELY LOCATED AND IS NOT DETRIMENTAL TO ROAD SAFETY;
- d THE SECURITY OF THE SHOP HAS BEEN CONSIDERED AND ANY SECURITY DEVICES HAVE BEEN CAREFULLY INTEGRATED INTO THE DESIGN;
- e THE DESIGN OF BLINDS AND CANOPIES LEAVE THE STREET SCENE UNCLUTTERED, PARTICULARLY OUT OF HOURS;
- f THE LOCAL AUTHORITY WILL SEEK TO NEGOTIATE TO ENSURE ADEQUATE PROVISION HAS BEEN MADE FOR ACCESS FOR THE DISABLED;
- g WHERE THE SHOP FRONT FORMS A SMALL PART OF A VERY LARGE ELEVATION, AS IN A RETAIL WAREHOUSE, IT IS IMPORTANT THAT THE MAIN PUBLIC ELEVATIONS ADD INTEREST TO THE BUILDING AND ARE ON A HUMAN SCALE

**POLICY RETAIL 8 - CHANGE FROM RETAIL USE WITHIN LOCAL CENTRES**

WITHIN EXISTING AND PROPOSED LOCAL SHOPPING CENTRES APPLICATIONS FOR CHANGE OF USE FROM RETAIL USES TO NON-RETAIL SERVICES SUCH AS BANKS, BUILDING SOCIETIES, CAFES, RESTAURANTS AND HOT FOOD TAKEAWAYS WILL BE GRANTED UNLESS:

- a THE PROPOSED DEVELOPMENT WOULD HAVE AN ADVERSE EFFECT ON THE OVERALL RETAIL DEVELOPMENT OF THE CENTRE;
- b THE PROPOSED DEVELOPMENT WOULD HAVE A SERIOUSLY DETRIMENTAL EFFECT ON THE AMENITIES ENJOYED BY OCCUPIERS OF ADJOINING RESIDENTIAL PROPERTY AND THE GENERAL CHARACTER OF THE LOCALITY, IN TERMS OF NOISE, SMELL, LITTER OR DISTURBANCE;
- c THE PROPOSED DEVELOPMENT WOULD BE

LIKELY TO GENERATE ADDITIONAL TRAFFIC WHICH WOULD BE DETRIMENTAL IN TERMS OF HIGHWAY SAFETY OR CONGESTION OR TO THE AMENITIES ENJOYED BY OCCUPIERS OF ADJOINING RESIDENTIAL PROPERTY; AND

d THE DEVELOPMENT PROPOSED TO REMOVE AN EXISTING SHOP FRONTAGE OR IN THE CASE OF NEW DEVELOPMENT FAILED TO PROVIDE A SHOP TYPE FRONTAGE.

\* Following amendments in April 2005 to the Town & Country (Use Classes) Order 1987, Class A3 Uses have been disaggregated into Class A3 (restaurants and cafes), Class A4 (drinking establishments) and Class A5 (hot food takeaways).

## Further copies, versions in alternative languages and larger print or audio versions

Further copies, versions in alternative languages and larger print or audio versions are available from the following address:

Corporate Performance and Strategy Team, Hinckley and Bosworth Borough Council, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. Telephone: 01455 238141. Email: [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)

অন্যান্য ভাষায় অনুবাদ এবং বড় ছাপা অক্ষর বা অডিও'তে আরো কপি নিম্নের ঠিকানায় পাওয়া যায় :  
Corporate Performance and Strategy Team, Hinckley and Bosworth Borough Council, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. টেলিফোন : 01455 238141. ই-মেইল : [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)

બીજી ભાષાઓના ભાષાંતરમાં અને મોટા અક્ષરોમાં અથવા ઓડિઓના રૂપમાં વધારાની નકલો નીચેના સરનામા ઉપર ઉપલબ્ધ છે: Corporate Performance and Strategy Team, Hinckley and Bosworth Borough Council, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. ટેલિફોન: 01455 238141. ઇમેઇલ: [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)

ਦੂਸਰੀਆਂ ਭਾਸ਼ਾਵਾਂ ਵਿੱਚ ਅਨੁਵਾਦ ਅਤੇ ਵੱਡੇ ਅੱਖਰਾਂ ਵਿੱਚ ਛਾਪੇ ਜਾਂ ਆਡੀਓ ਦੇ ਰੂਪ ਵਿੱਚ ਅਤੇ ਹੋਰ ਕਾਪੀਆਂ ਅੱਗੇ ਲਿਖੇ ਸਰਨਾਵੇਂ ਤੇ ਉਪਲੱਬਧ ਹਨ: Corporate Performance and Strategy Team, Hinckley and Bosworth Borough Council, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. ਟੈਲੀਫੋਨ: 01455 238141. ਈਮੇਲ: [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)

متبادل زبانوں میں ترجمہ اور بڑے حروف یا آڈیو میں ترجمہ کی مزید کاپیاں درج ذیل پتہ سے حاصل کی جاسکتی ہیں:

Corporate Performance and Strategy Team, Hinckley and Bosworth Borough council,

Argents Mead, Hinckley, Leicestershire, LE10 1BZ.

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Dalsze kopie, wersie w innych jezykach i drukowane wiekszymi literami lub wersie audio sa dostepne pod nastepujacym adresem: Corporate Performance and Strategy Team, Hinckley and Bosworth Borough Council, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. Telephone: 01455 238141. Email: [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)