

Hinckley and Bosworth Borough Council

Reasons for removal of permitted development rights on the former D.M. Rock and Sons building

Making the Direction

On 22 January 2018 the Borough Council made an immediate direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) on the former D.M. Rock and Sons building, Rugby Road, Burbage, Leicestershire, LE10 2ND.

The direction removed the permitted development rights for the painting of the exterior of the building and its demolition for a period of six months and such development could not be carried out unless planning permission has been granted.

The building subject to the Article 4 Direction formed part of the Sketchley Dye Works, founded in 1885. The largest units associated with the dye works were constructed on the opposite side of Rugby Road from the building during the late 19th century. The subject building forms part of a wider collection of buildings on the eastern side of Rugby Road, all being constructed during the period around World War 1 (1914-1918). It first operated as stables and then subsequently transport offices for the company. To the rear is a small single storey attached extension and larger building, located at 90 degrees to the frontage. The larger building operated as garaging for the company, with the buildings collectively being known as the "Old Sketchley Garages".

By the 1950s Sketchleys was the largest commissioned hosiery dyers and finishers in Europe and between the three Sketchley hosiery factories at Burbage, Nottingham and Market Drayton, around one million pairs of stockings were processed each week. However the company were in difficulty by the end of the 20th century and the factory buildings to the west of Rugby Road were demolished in 2012 with the site being subsequently redeveloped.

The Borough Council have commenced the process of compiling a local heritage list to identify heritage assets that contribute to local character and distinctiveness and have a degree of significance meriting consideration in planning decisions. A selection criteria to identify potential local heritage assets was endorsed by the Planning Committee on 7 November 2017, and the development and endorsement of the criteria has formed the basis for the compilation of a draft list across the borough which includes local heritage assets located within Burbage, as suggested by interested stakeholders including the Burbage Neighbourhood Plan Group.

Based against the selection criteria, the subject building has been identified as being a local heritage asset for the reasons listed below:

- *Historic interest.* The building is a physical illustration of the local hosiery industry which made an important contribution to the identity and character of the area

- *Architectural interest:* Although primarily a functional building it retains features of interest including a canted brick base, segmental window arches, pillars, a tall gable end chimney stack, eaves detailing, a hipped roof with hipped half gable incorporating a loading door. It is constructed of materials typical for the area including blue and red brick with a slate roof
- *Communal value:* The Sketchley Dye Works company was a major employer in the area, the remaining standing buildings once part of the company provide a physical reminder of the contribution the company made to the collective memory of the area, being a source of identify and distinctiveness
- *Rarity:* The “Old Sketchley Garages” complex are the only remaining structures of the large Sketchley Dye Works complex and are a rare survival of something (a hosiery industry building) that was once common in the area
- *Landmark Quality:* The prominent position of the subject building, being located directly at the back edge of the pavement and having a wide frontage means it is highly visible within the wider street scene

For the reasons listed above the subject building was identified within the public consultation version of the Draft Burbage Neighbourhood Plan as local heritage asset. The development of the Neighbourhood Plan has been progressing positively.

The Borough Council consider that the building should be identified as a “non-designated heritage asset” in terms of the National Planning Policy Framework (NPPF) and a Locally Important Heritage Asset in terms of the Site Allocations and Development Management Policies Development Plan Document. For the reasons listed above the heritage asset contributes positively to the distinctiveness and character of the local area. Such a conclusion is supported by the draft Neighbourhood Development Plan. Therefore the use of an Article 4 Direction to remove permitted development rights is necessary to protect local amenity and the wellbeing of the area, and it should be considered expedient that a planning application is required to consider the principle of demolition and/or the effect of any development proposals on the significance of the asset. Due to the architectural interest of building including its simple red brick finish, the removal of the permitted development rights for the painting of the exterior of the building have also been removed.

The single storey extension and garages attached to the subject building are of some heritage interest, but are not considered to be of the level required to warrant the removal of permitted development rights and therefore the focus of the Article 4 Direction is on the frontage building only.

The submission of a prior approval application (planning reference 17/01332/GDOD) meant that the subject building was under threat of demolition and that an Article 4 Direction made with immediate effect was the only option available to require the applicant to submit an application for planning permission and give the local planning authority some control over any proposed development. Such a threat to local amenity, as described above, would be immediate, in addition to the demolition of the subject building prejudicing the proper planning of the area.

Confirming the Direction

The Article 4 Direction expires at the end of the period of 6 months from the making of the Direction unless confirmed so the Borough Council had until 23 July 2018 to confirm the Direction. In deciding whether to confirm the Direction the Borough Council must take into account representations received during a period of 21 days from the Direction being made.

During the consultation period a total of four representations were received. Three representations supported the making of the Direction due to the local heritage importance of the building and its capacity for adaptation or conversion into an alternative viable use whilst still retaining its significance. One representation objected to the making of the Direction on the grounds that the Direction does not take into account previous planning permissions on the site, planning policy and the benefits of any proposed redevelopment scheme for the site (a planning application for redevelopment has not yet been submitted).

On balance and taking into account the representations received it is considered that the use of the Article 4 Direction remains necessary to protect local amenity and that its confirmation is justified to allow for the proper planning of the area. Therefore the Direction was confirmed by the Borough Council on 18 July 2018. It must be noted however that the confirmation of the Direction does not protect the building from demolition or painting in perpetuity and the local heritage significance of the building is a material consideration to be balanced against others when considering the merits of any planning proposal.