

Delegated Report

Planning Reference 26/00472/CLP

Applicant(s) Mr L Rama

Ward Groby



Hinckley & Bosworth
Borough Council

Application Site 250 Markfield Road, Groby

Proposal Certificate of proposed lawful development for the erection of a detached timber-clad outbuilding in the rear garden

Case Officer Rudi Simpson (Technical Planning Assistant)

1. Recommendations

1.1. Grant Certificate of Lawful Proposed Development

2. Planning Application Description

- 2.1. This application seeks a Certificate of Lawful Proposed Development to confirm that for the erection of a detached timber-clad outbuilding in the rear garden would represent lawful development at 250 Markfield Road, Groby.

3. Description of the Site and the Surrounding Area

- 3.1. The application site relates to a bungalow to the northwest of, and within the settlement boundary of, Groby. The property is in an elevated position and is accessed via a service road on the north-eastern side of Markfield Road. The property is set back from the highway with a distinct parking area separated by a low-level boundary wall. The street is host to a row of bungalows, falling along a similar building line and elevated to reflect the sloping ground levels.

4. Relevant Planning History

- 4.1 There is no relevant planning history within this application site that is applicable to the current development proposals.

5. Publicity and Consultation

- 5.1 There is no statutory requirement to consult third parties on an application for a lawful development certificate and therefore no formal consultation was undertaken.

6. Policy

- 6.1 Section 192 of the Town and Country Planning Act 1990.

- 6.2 Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

7. Appraisal

- 7.1 Section 192 of the Town and Country Planning Act 1990 enables any person with the opportunity to ascertain whether any proposed use of buildings or other land, or any operations proposed to be carried out in, on, over or under land would be lawful. Planning Practice Guidance confirms that the planning merits of the proposal are not relevant at any stage of this particular form of application.

- 7.2 Buildings incidental to the enjoyment of a dwellinghouse can represent Permitted Development under Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). The main consideration for this application would therefore be whether the proposal would be considered to comply with the limitations and conditions of Class E. Development is not permitted by Class E if

- a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Permission to use the existing property as a dwellinghouse has not been granted by virtue of Class G, M, MA, N, P, PA or Q of Part 3.

- b) The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.

- d) the building would have more than a single storey;

The building would be single storey.

- e) the height of the building, enclosure or container would exceed
 - (i) 4 metres in the case of a building with a dual-pitched roof,
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - (iii) 3 metres in any other case;

The building would be situated within 2 metres from the boundary of the curtilage of the dwellinghouse and would feature a 2.5-metre-high flat roof.

- f) The height of the eaves of the building would exceed 2.5 metres;

The height of the eaves would not exceed 2.5 metres.

- g) The building, enclosure, pool or container would be situated within the curtilage of a listed building;

The proposal would not be situated within the curtilage of a listed building.

- h) It would include the construction or provision of a verandah, balcony or raised platform;

The building would not the construction or provision of a verandah, balcony or raised platform.

- i) It relates to a dwelling or a microwave antenna; or

The building does not relate to a dwelling or a microwave antenna

- j) the capacity of the container would exceed 3,500 litres.;

The proposal would not be for a container.

- k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

The dwellinghouse was not built under Part 20 of this Schedule (construction of new dwellinghouses).

7.3 No part of the development would be on land within an area of outstanding natural beauty, the Broads, a National Park, a World Heritage Site, or Article 2(3) Land. As such, Paragraphs E.2 and E.3 of the Class E would not be applicable in these site-specific circumstances.

7.4 Given the above, the proposed would comply with the relevant provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 7.5 Therefore, the development proposal would be considered to be lawful, and a certificate for the Proposed Lawful Development should be granted.

8. Equality Implications

- 8.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; and
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 8.3 There are no known equality implications arising directly from this development.

- 8.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

9. Conclusion

- 9.1 The proposed development the erection of a detached timber-clad outbuilding in the rear garden 250 Markfield Road, Groby would be considered to represent lawful development, and therefore, a certificate for the Proposed Lawful Development is granted. This conclusion is made on the basis of details provide by the Applicant, and as shown on the following documents received by the Local Planning Authority:

- Application Form (submitted: 22.05.2026)
- Planning Statement (submitted: 22.05.2026)
- Proposed Plans (SC/OB/14/05/26/02A) (submitted: 09.07.2026)
- Site Block & Location Plan (SC/OB/14/05/26/0A) (submitted: 09.07.2026)

10. Recommendation

10.1 Grant Certificate of Proposed Lawful Development