

## Delegated Report

**Planning Ref: 26/00426/FUL**  
**Applicant: Mr David Cooper**  
**Ward: Groby**



Hinckley & Bosworth  
Borough Council

**Site: 203 Markfield Road, Groby, Leicester**

**Proposal: Excavation to the front of the property and installation of retaining wall, dropped kerb and hardstanding for vehicle parking. Installation of step lift and ramped access to the property.**

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### 1. Recommendations

- **Grant planning permission** subject to Planning conditions outlined at the end of this report

### 2. Planning application description

- 2.1. The application proposes works to the front to improve accessibility to the house, by means of alterations to the front garden to create a front drive and access onto the highway and a step lift with ramped access to the front entrance of the house.

### 3. Description of the site and surrounding area

- 3.1. The application comprises a detached bungalow that fronts an A-classified road – A50. The front garden of the house is enclosed with an approx. 1m high boundary wall and hedgerow fronting the highway. The application site appears to be one of few houses with no vehicular access onto the highway. The surrounding area is residential in character comprising of circa 1930 semidetached and bungalow dwellings, the vast majority of which have vehicular access onto the highway.

### 4. Relevant planning history

**83/00179/4**

- REAR EXTENSION AND CONSERVATORY
- PER
- 26.04.1983

### 5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. One comment received:
- Suggestion for the dropped kerb and access to be extended to improve access for a neighbouring dwelling.

### 6. Consultation

- Groby Parish Council: No comments received
- HBBC Waste Management: No comments received
- HBBC Pollution: No objection
- HBBC Drainage: Informative – Sustainable water drainage
- LCC Ecology: Informative – Nesting bird season
- LCC Highways (LHA): Conditions – gradient/splays/obstructions & Informatives – Highways works/Contact LHA

## **7. Policy**

### **7.1. Site Allocations and Development Management Policies DPD (2016)**

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

### **7.2. National Planning Policies and Guidance**

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

### **7.3. Other relevant guidance**

- Good Design Guide (2020)
- National Design Guide (2019)

## **8. Appraisal**

### Design and impact upon the character of the area

- 8.1 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.
- 8.2 The proposed alterations would be visible on the street scene and are broadly in keeping with the existing dwelling and character of the wider area. It is acknowledged that the proposed step lift would be utilitarian in appearance. However, this is accepted due to its functionality. In any event, the step lift is reasonably set back from the highway and to one side of the front elevation, ensuring that the front elevation of the existing bungalow remains dominant.
- 8.3 Overall, the proposed alterations are sympathetic to the design and form of the existing dwelling and character of the wider area and would appear as subservient elements to the main house.
- 8.4 The proposal is therefore considered to comply with Policy DM10 of the SADMP.

### Impact upon neighbouring residential amenity

- 8.5 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users. Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.6 The proposal comprises of alterations to the front garden with no extensions. It is acknowledged that the step lift would be sited to the side of the dwelling adjacent to no.5 Markfield Road and would project forward of the front elevation of the dwelling. However, given the overall limited scale and massing of the step lift and separation distance to the closest habitable window to no.5, it is considered that the proposal would not result in any adverse upon neighbouring amenity in all respects.

- 8.7 The proposal is therefore considered to accord with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.8 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety.
- 8.9 Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed.
- 8.10 The LHA would usually expect 2m x 2m pedestrian visibility splays to be provided given the access is on to a shared use footway/ cycleway. However, the splays have not been detailed on the drawing. In addition, the gradient of the driveway has not been detailed on a drawing and whilst this appears to be proposed as a level driveway, the LHA advise the gradient must not exceed 1:20 for the first 5.5m. The LHA advises pedestrian visibility, and gradients could be secured by appropriately worded conditions. The submitted drawing states that the access would be made up of permeable block paving and that drainage would be provided at the highway boundary. This is welcomed by the LHA. Turning is not provided within the site to allow for vehicles to ingress and egress in a forward gear.
- 8.11 The property is the one of the only existing dwellings along this section of the A50 which does not already have a driveway access. Despite the absence of turning provision, this is not uncommon for other private drives for existing properties on both sides of this section of the route. Drivers travelling along the route will also be aware they are travelling through a residential area with the potential for turning traffic on to and off private drives.
- 8.12 Given all the above, the LHA consider it would be unreasonable to resist the proposals due to the absence of turning provision, or on the grounds of highway safety under these site-specific circumstances.
- 8.13 The proposal is therefore considered to accord with Policies DM17 and DM18 of the SADMP, subject to conditions in relation to gradient, splays and obstructions and notes to the applicant in relation to works on the highway.

Other Matters

- 8.14 The representation received suggests that the dropped kerb be extended across the front drive of a neighbouring dwelling. This would be outside the application site and would require a separate application. It is therefore considered unreasonable to request the applicant to undertake this under this application.
- 8.15 An informative has been suggested by HBBC drainage in relation to water run-off. Proposed plans indicate that this may well be the case. To ensure that the proposal does not result in water run-off, a condition is recommended instead for the front drive to be constructed of porous materials, or provision made to direct run-off water to a permeable/porous area/surface within the curtilage of the property.

**9. Equality implications**

- 9.1 **Where No Known Implications** 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;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 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.
- 9.3 There are no known equality implications arising directly from this development.

## **10. Conclusion**

- 10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

## **11. Recommendation**

- **Grant planning permission** subject to Planning conditions outlined at the end of this report

### **11.1 Conditions and Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed Elevations and Floor Plan – Drg. No. 6010/2, received 31 May 2026

Proposed Ground Floor Plan – Drg. No. 6010/3, received 31 May 2026

Site Location Plan – Drg. No. 6010/4, received 31 May 2026

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the proposed development shall accord with the information submitted within the application documentation.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The driveways and parking area shall be constructed of porous materials, or provision shall be made to direct run-off water to a permeable or porous area or surface within the curtilage of the property.

**Reason:** To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policies DM7 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the submitted plans, the proposed access shall have a gradient of no more than 1:20 for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a 6.4 metre dropped crossing. The access once provided shall be so maintained at all times.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

6. No part of the parking area hereby permitted shall be first used until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

**Reason:** In the interests of pedestrian safety and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

7. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

**Reason:** To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

## 11.2 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk).

4. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.