

Delegated Report

Planning Reference: 25/01206/HOU
Applicant(s): Miss B Sankey
Ward: Barlestone Nailstone and Osbaston



Hinckley & Bosworth
Borough Council

Application Site: 2 Orchard Close, Hinckley

Proposal: Replace boundary wall with a new timber fence and base gravel boards

Case Officer: Gwion Russell (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks planning permission for the replacement of part of a property boundary brick wall with a timber fence and base gravel boards and the erection of 2m high piers interspersed against the existing brick wall, which fronts the highway.
- 2.2. The timber fence element is proposed to be replace the 1.75m high wall finished in facing brick. The section of the wall, in question, to be replaced has previously collapsed and is in a poor state of repair.
- 2.3. The current brick wall is positioned within the side garden area of the corner property, running parallel to the eastern side elevation of the host dwelling. It spans approximately 8.2m away from the dwelling and lies adjacent to the curving eastern boundary, forming part of the side enclosure between the dwelling and the boundary line and providing a distinct boundary separation its front and rear gardens. The wall extends to the rear of the property, adjoining a detached garage of a perpendicular neighbouring property.
- 2.4. The timber fence is proposed to replace the existing wall along the element that is sited adjacent to the host dwelling and not fronting the highway. The high close board timber fence would be 1.8m in height and would span the 8.2m distance from the dwelling. The remaining perimeter of the property boundary, fronting the highway, would retain its brick wall with the addition of 8 piers, 2m in height, tied into the wall to give stability to the brick wall that remains standing. These concrete piers would be spaced roughly 2.7m apart.

- 2.5. This application has been amended, with the original submission proposing a closeboard timber fence to replace the existing brick wall in its entirety. Following concerns raised by Officers regarding the design and character of the street scene, this was later amended.

3. Description of the Site and the Surrounding Area

- 3.1. The application property occupies a prominent corner plot at the junction of Orchard Close and Spinney Drive. It forms part of a mid-century residential estate, characterised by two-storey dwellings finished in buff brick with shallow-pitched tiled roofs, typical of residential development from the 1960s period.
- 3.2. The semi-detached host dwelling sits behind a well-established front and side garden containing mature vegetation, some of which has grown onto the principal elevation of the dwelling.
- 3.3. The boundary treatment is defined by a distinctive low brick wall that follows the curved alignment of the corner of the front garden. The wall has decorative open-block features – typically of 1960s design. This feature is visually prominent in the street-scene due to the plot's corner position.
- 3.4. The application site is located within the settlement of south Barlestone. The wider estate is characterised predominantly by residential development to the south of the village centre, forming cul-de-sac streets branching off from arterial roads, of which Orchard Close is one.

4. Relevant Planning History

- 4.1. There is no planning history associated with this property.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents..
- 5.2. No responses have been received.

6. Consultation

- 6.1. There have been no objections from the following consultees:
- Barlestone Parish Council
- 6.2. No further responses have been received.

7. Policy

- 7.1. Core Strategy (2009):

- No relevant policies
- 7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
- 7.3. Barlestone Neighbourhood Plan (2022):
- Policy H6: Design Standards
- 7.4. National Planning Policies and Guidance:
- National Planning Policy Framework (NPPF) (2024)
 - National Design Guide (2019)
 - Planning Practice Guidance (PPG)
- 7.5. Other Relevant Guidance:
- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
 - Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

- 8.1. The key issues in respect of this application are therefore:
- Design and impact upon the character of the area
 - Impact upon residential amenity

Design and Impact upon the Character of the Area

- 8.2. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 8.3. Policy DM10 of the SADMP (2016) seeks to ensure that development is well-designed, contextually appropriate, and respectful of both the host dwelling and the visual quality of the wider street-scene. Policy H6 of the Barlestone Neighbourhood Plan states proposals should respect the character and historic context of nearby existing development within the village.
- 8.4. The Good Design Guide states that corner plots play an important role and occupy visually prominent positions within the street-scene. It also states that boundary

treatments are also key generators of character within the public realm that can help to integrate new development into a context or simply define the quality of a new development.

- 8.5. The Good Design Guide provides guidance on boundary treatment and states that fencing is often considered a cost-effective means of creating a boundary treatment and considerations should be made to reduce its potential negative impact and resultant potential 'dead frontages'.
- 8.6. The height of the fence represents an additional modest height of 5cm to the existing 1.75m high brick wall.
- 8.7. The use of 2m high piers along the retained wall provide stability for the existing wall. Whilst this addition would detract from the overall design, it is not considered unacceptable given the requirement for reinforcements.
- 8.8. Although replacing the original buff brick wall with a timber fence is not typically considered high quality design as per The Good Design Guidance, particularly given the plot's prominent corner location, the poor condition of the existing wall forms part of the assessment. On balance, the proposed timber fence is an improvement over the deteriorated brick structure and would only replace the section that has collapsed.
- 8.9. There are examples of property boundaries utilising timber fences in the vicinity, such as No. 44 Spinney Drive. Officers do not consider that this represents good design, and whilst it provides context in design terms, does not provide justification for this type of boundary treatment to be replicated.
- 8.10. By virtue of the above, on balance, the proposal would respects the character of the existing dwelling and street scene and is in accordance with Policy DM10 of the SADMP, Policy H6 of the Barlestone Neighbourhood Plan, and the Good Design Guide.

Impact upon Residential Amenity

- 8.11. 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.
- 8.12. 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, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.13. The additional 5cm height to the timber fence and the addition of 2m piers would not result in any amenity impact for neighbouring properties. The proposed fence is adjacent to the host property's front garden to its south and by virtue of the highway sufficient separation distances are maintained from nearby properties.

- 8.14. By virtue of the above the proposal does not result in any adverse residential amenity impacts and is in accordance with Policy DM10 of the SADMP and the Good Design Guide.

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;
 - (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.

- 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.

9. Conclusion

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

10. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report.

11.2 Conditions

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 received by the Local Planning Authority as follows:

- Application Form – received by the Local Planning Authority on 15/12/26
- Proposed Elevations – Drg No. Sankey-S-2a-04
- Proposed Plans – Drg No. Sankey-S-2a-02
- Proposed Block Plan - Drg No. Sankey-S-2a-03
- All received by the Local Planning Authority on 11/02/26

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).

a. **Notes to Applicant:**

1. Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026

2. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.