

Delegated Report

Planning Reference: 26/00455/HOU
Applicant(s): Miss Barbara Anthony
Ward: Markfield Stanton &
Fieldhead



Hinckley & Bosworth
Borough Council

Application Site: 12 The Rushes, Markfield

Proposal: Replacement boundary wall and gate, repositioning along the boundary line of the property.

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 a boundary wall at the western property boundary at 12 The Rushes, Markfield.

2.2. The wall would adjoin the rear elevation of the host property with a composite gate flush with the wall. The wall would span the entire western property boundary and part of the south boundary, resulting in a total width of 18m and height of 1.8m. The wall would be sited adjacent to the roadside pavement and be finished with brick that would match the main dwelling.

3. Description of the Site and the Surrounding Area

3.1. The application site is located at 12 The Rushes within the settlement boundary of Markfield. The property is a single-storey detached dwelling, finished in facing 'buff' brick and situated on a plot measuring approximately 220m².

3.2. The principal elevation of the property is sat perpendicular to the main arterial highway, Chitterman Way, as such the property's rear garden is also sited

perpendicular to the highway. The Rushes is a small cul-de-sac that branches off from Chitterman Way.

4. Relevant Planning History

4.1. 94/00066/FUL

- Extension to bungalow
- Permitted
- 09.03.1994

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the area of the site.

5.2. No responses have been received.

6. Consultation

6.1. There have been no objections from the following consultees:

- Markfield Parish Council;

‘The Parish Council would like to support the comment from LCC Highways on this application.’

- Leicestershire Highways;

‘1m x 1m pedestrian visibility should be considered. Splays should be free from obstructions above 0.6m from ground level in accordance with the Leicestershire Highways Design Guide (LHDG).

<https://www.leicestershirehighwaysdesignguide.uk/highway-layouts-and-design/developments-served-private-drives-and-area>.’

6.2. No further responses have been received.

6.3. The responses can be read in full on the Council’s website.

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
 - Policy DM18: Vehicle Parking Standards
- 7.3. Markfield Neighbourhood Plan 2020 – 2039 (MNP) (2021):
- Policy M10: Design
- 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:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2. 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.

- 8.3. It is noted the application property, is prominently located along the intersections of Chitterman Way and The Rushes, occupying a corner plot.
- 8.4. The Good Design Guide also 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'. The application sees the removal and replacement of the existing walled structure. The new wall structure would be similar in appearance to the existing and would complement the street scene.
- 8.5. The proposed 1.8m height of the brick wall represents a similar height to the current wall and is considered that the impact negligent in design terms.
- 8.6. The facing brick material proposed accords with the main dwelling and surrounding area where facing brick is predominantly used for boundary walls and houses. Furthermore, the proposed composite gate is considered appropriate in design terms.
- 8.7. By virtue of the above the proposal respects the character of the existing dwelling and street scene and is in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Residential Amenity

- 8.8. The proposed location maintains a 17m separation distance from the nearest residential elevation. The 1.8m height of the brick wall would not result in any amenity impact for neighbouring properties.
- 8.9. 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.

Impact upon Parking Provision and Highway Safety

- 8.10. The scheme results in no loss of on or off-street parking allocated for the property and does not disrupt the public footpath. The Local Highway Authority has referred the LPA to standing advice, with a specific comment regarding pedestrian visibility splays of 1m x 1m which would be preserved by this proposal. the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP and the LHDG.

9. Equality Implications

9.1. 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.

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 to be granted, subject to the imposition of appropriate conditions.

11. 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
- Proposed Side Elevation
- Site Location Plan
- Existing rear elevation with replacement wall position indicated by red line
- All received by the Local Planning Authority on 19/05/26

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).

3. The materials to be used in the construction of the external surfaces of the boundary wall, hereby permitted shall match those of the existing dwellinghouse in terms of type, colour and texture, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development preserves the character and appearance of the existing dwellinghouse and the surrounding area and to ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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 building.control@blaby.gov.uk or call 0116 272 7533.
-