

Delegated Report

Planning Reference: 26/00182/FUL
Applicant(s): Oscroft
Ward: Ambien



Hinckley & Bosworth
Borough Council

Application Site: Hornsey Rise, Wellsborough

Proposal: Erection of automatic gates between existing gate posts

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 full planning permission for the erection of electric gates.
- 2.2. The proposed gates comprise a pair of metal gates set between two existing brick pillars. The gates are designed with vertical metal bars and feature a central arch. They would measure approximately 2.1m at the centre and 1.8m at the sides.
- 2.3. The proposed electric gates are set back approximately 10.5m from the boundary of the adopted highway. The opening measures approximately 5.4m in width between the pillars, spanning a single-carriageway and two pedestrian footpaths either side.
- 2.4. The proposals also include a steel post, which would allow vehicular and pedestrian entry to the site.

3. Description of the Site and the Surrounding Area

- 3.1. Hornsey Rise is a recently built residential cul-de-sac accessed from Bosworth Road. The development comprises substantial detached dwellings of similar scale, massing and design, set within generous plots. The site benefits from open agricultural land to the west and a wooded area to the west. The site is not located within a designated conservation area and there are no listed buildings nearby.
- 3.2. The village of Market Bosworth is sited 3 miles to the east.

4. Relevant Planning History

17/01050/OUT

- Demolition of care home and erection of 20 dwellings with associated works
- Permitted
- 11.01.2018

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.
- 5.2. Nine neighbours wrote in support of the proposals mainly siting improved security within the residential development. Two objectors raised highway safety concerns and limited space.
- 5.3. The full responses can be seen in full on the Council's website.

6. Consultation

- 6.1. There have been no objections from the following consultees:
- Market Bosworth Parish Council
 - Local Highway Authority (LHA)
- 6.2. The full responses can be seen in full on the Council's website.

7. Policy

- 7.1. Core Strategy (2009):
- Policy 12: Rural Villages
 - Policy 13: Rural Hamlets
 - Policy 14: Rural Areas: Transport
 - Policy 16: Housing Density, Mix and Design
- 7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. Market Bosworth Neighbourhood Plan 2020 – 2039 (MBNP) (2025):
- Policy CE1: All new development within Market Bosworth
 - Policy CE4: Trees and Hedgerows

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. Extensions to existing domestic properties are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- 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. Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. There is no specific guidance within the Market Bosworth Neighbourhood Plan that provides guidance on boundary treatments.

8.3. The brick pillars already exist; therefore the electric gates would be the only element assessed as part of this application.

8.4. The proposed electric gates are consistent with the character of the nearby dwellings and the established design of the residential estate. The Good Design Guide advises against the use of timber boundary treatments near to the highway, and the proposed dark metal finish would provide a high quality and appropriate design.

8.5. The gates would be set back approximately 10m from the highway boundary, resulting in limited public visibility especially as there is no public right of way or pedestrian footpath nearby. In addition, the height of the gates would remain subordinate to the two brick pillars between which they are positioned, at a maximum height of 2.1m.

8.6. The erection of the gates does not result in any loss of established vegetation or hedgerows.

- 8.7. By virtue of the above the proposal respects the character of the residential estate and surrounding area and is in accordance with Policy DM10 of the SADMP, Policy CE1 of the Markt Bosworth Neighbourhood Plan and the Good Design Guide.

Impact upon Residential Amenity

- 8.8. 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.
- 8.9. Ordinarily, electric gates would not be expected to impact nearby residents by way of amenity.
- 8.10. The two nearest residential dwellings to the electric gates are Nos. 1 and 2 Hornsey Rise. No. 2 Hornsey Rise maintains a minimum separation distance of 5.5m from the proposed gates.
- 8.11. Given the gaps between the gates, they would not result in loss of light for any residential property nearby. The electric gates would not result in excessive noise for either Nos. 1 or 2 Hornsey Rise due to the adequate separation distance maintained. The perpendicular and set-back positioning of Nos. 1 and 2 Hornsey Rise, mean that any vehicles waiting for entry/exit would not result in excessive light intrusion for the nearest habitable rooms.
- 8.12. By virtue of the siting, small scale, design and separation distances to all neighbouring dwellings, the proposal would have no significant adverse impacts on the residential amenities of the occupiers of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.13. Bosworth Road is rural highway with a maximum speed limit of 50mph. The proposed gates would open inward toward the residential units and away from the highway. Visibility from the access is limited by the existing 2 established trees either side which would be retained; however, this is mitigated by the 10m separation distance from the highway.
- 8.14. The scheme adds a gate near the highway, this however exceeds 10m and allows for vehicles to idle and await the opening of the gates. LCC Highways have not objected to the proposals and therefore, the scheme is regarded as in accordance with Policy DM17 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 – received by the Local Planning Authority on 26/02/26
 - Block Plan – Drg No. 25 112 03B – received by the Local Planning Authority on 23/03/26

- Proposed Gate Plans, 3D View, Elevations, Ground Floor Plan - Drg No. 25/112 01b – received by the Local Planning Authority on 26/02/26

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. 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.