

Delegated Report

Planning Reference: 25/01010/FUL
Applicant(s): Mr Brian Ninnes
Ward: Dadlington



Hinckley & Bosworth
Borough Council

Application Site: Applegarth, 2 Stapleton Lane,
Dadlington

Proposal: Erection of 3 brick pillars and 2 timber gates, widening of existing access and erection of gazebo and hardstanding to front garden (part retrospective)

Case Officer: Gwion Russell (Planning Officer)

1. Recommendations

- 1.1. **Grant retrospective planning permission** subject to conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for the retrospective erection of 3 brick pillars at a height of 1.4m, two timber gates with a height of 0.9m (one pedestrian gate measuring a width of 0.8m and a vehicular access time gate measuring 2.6m in width), widening of existing tarmac vehicular and pedestrian access (by 3.2m where the access meets the highway; a modest 0.8m increase in width for the majority of the driveway) and the erection of a timber-framed gazebo and associated hardstanding.
- 2.2. The timber gates and three brick pillars are proposed to be positioned and sited at the front property boundary only which fronts a highway. The gazebo is positioned in the front property curtilage.
- 2.3. The gazebo is proposed as an open-sided timber structure with a square footprint, supported by four vertical wooden posts and topped with a hipped roof finished in black roof shingles. It stands on a tiled base and measures approximately 3.6m wide across the front and 3m deep from the side. The roof sits 2m above the floor at the eaves, rising to a total height of 2.6m at its ridge. There is a 2m separation between the nearest wall of the host dwelling and the closest edge of the gazebo.

3. Description of the Site and the Surrounding Area

- 3.1. The application dwelling is a three-bedroomed detached dormer bungalow on Stapleton Lane within the south section of the settlement boundary of Dadlington. In recent years, the property has undergone extensive alterations and extensions,

most prominently a substantial increase in the footprint of the dwelling and resultant addition of dormer style windows and the change of facing brick to an off-white render. The property curtilage has significantly changed as a result, with the addition of a projected timber front entranceway and change in boundary treatment.

- 3.2. In its current state, the property is set back approximately 13m from the highway, has a dual-pitched gabled roof, two dormers and a projecting timber entrance gable and the whole facades of the dwelling are finished in an off-white render with timber detailing. The dwelling fenestration is finished in grey uPVC windows and a red/brown tiled roof.
- 3.3. Dadlington is a semi-rural hamlet, as defined by Policy 13 of the Core Strategy. There are no properties to the rear of the application site, and it is noted the site sits at the end of the street, with no dwelling adjacent to the east. To the north of the application site, opposite, Nos. 5 and 7 Stapleton Lane, are substantial properties, sited on substantial plot sizes. No. 4 Stapleton sits adjacent to the west of the application site with soft vegetation boundary treatment and a generous setback from the highway.

4. Relevant Planning History

23/00898/HOU

- Single storey side extension, front extension, and loft conversion with front dormer windows and other alterations
- Permitted
- 10.11.2023

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 No responses have been received.

6. Consultation

- 6.1 There have been no objections received from Sutton Cheney Parish Council, LCC Minerals and HBBC's Pollution team.
- 6.2 Leicestershire Highways have provided the following comments:

'The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

The LHA would also advise that aside from the requirement for planning permission, the creation or widening of a vehicular access and works within the public highway requires separate approval from the LHA prior to undertaking works

in the highway. Further information can be found using the Leicestershire County Council Vehicle Access (Dropped Kerbs) Information Pack, available at:

<https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>

In order to facilitate a wider access, it is noted that the Applicant would be required to remove a section of grass verge. There may be statutory undertaker apparatus located within the verge / footway fronting the site; should an application be forthcoming and the LPA minded to grant the proposals, the Applicant would need to undertake surveys and potentially works to relocate any services if found. Any additional cost that arises because of this, would be entirely at the Applicant's expense.

The Applicant should note that the access subject to these proposals should not interfere with accesses currently in situ at neighbouring properties.'

7. Policy

7.1 Core Strategy (2009):

- Policy 13: Rural Hamlets

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 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4 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

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. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.3 Guidance Point I1 of the NGD highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.
- 8.4 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.
- 8.5 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.6 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. It suggests that boundary treatments are a significant feature of local character, the loss of which can have a highly detrimental impact on local distinctiveness and can be critical to the overall character and quality within a scheme. Soft landscaping can provide a more sensitive form of delineation of boundaries and reduce the sense of oppression often created by long runs of fences.
- 8.7 In accordance with the HBBC Good Design Guide (2021) boundary treatments are a significant feature of local character and the retention of existing trees and hedgerows and the reflection of local boundary treatments are critical in the overall creation of street character. Given the presence of timber fencing and bricked boundary walls along the immediate street scene, the proposed timber fence and wall pillars are not out of keeping with the surrounding context. It is noted that many of the boundary treatments present are brick walls encapsulated by hedgerows, vegetation and established foliage/shrubs, for example Nos. 5 and 7 Stapleton Lane opposite benefit from a half-bricked, half-metal fencing with established trees at its outer perimeter. The proposed fence retains the existing established vegetation at the left elevation of the boundary which softens the design contrast.

- 8.8 Given that the wall pillars are proposed to be finished in a facing brick, this significantly softens the appearance of these pillars in line with the surrounding context and rural backdrop.
- 8.9 In addition to its external materials, the height of the proposed brick wall pillars and timber gates is not unusual at 1.4m. Given their location at the front of the property boundary, the brick pillars and timber gates do not detract from the verdant open rural landscape to the west of the application property. These are not dissimilar in height from the existing brick pillars at Nos. 5 and 7 Stapleton Lane, opposite.
- 8.10 The brick pillars and timber gates which is proposed on the boundary frontage does not extend the boundary perimeter of the property – the shrubbery remains at the left side elevation which softens the design contrast and supports the separation distance of new build form in a rural setting, complying with Policy DM4 of the SADMP.
- 8.11 The widening of the vehicular access road to serve the dwelling is considered to have minimal impact on the established design of the street scene. The additional 0.85m is modest in increase and is in keeping with the widths of the access roads in the immediate area. The use of tarmac does not result in any design inconsistency.
- 8.12 Due to the rural siting of the application property, the proposals are largely seen from the highway. The proposed gazebo is only seen from the agricultural land adjacent, however given that this is proposed to be finished in timber, this would not be considered to detract from the rural backdrop. Although there are no frontage gazebos within the immediate area, the gazebo proposed is largely screened from public view.
- 8.13 By virtue of its design which complements and is consistent with the local street-scene, it is compliant with guidance as set out in the Good Design Guide and Policies DM4 and DM10 of the SADMP.

Impact upon Residential Amenity

- 8.14 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.
- 8.15 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. The wall is 1.6m in height which can normally be erected under the provisions of householder permitted development if not adjacent to a public highway.

- 8.16 Given the location of the gazebo at the eastern boundary, adjacent to rural landscape, this structure will not result in loss of light or result in the appearance of an oppressive structure for neighbouring properties. This structure is located 28m from the nearest neighbouring property elevation (at its nearest). The gazebo would not result in loss of light for the occupiers of the host property.
- 8.17 The timber gate and brick pillars will not result in loss of light or result in the appearance of oppressive structures, by virtue of their modest height.
- 8.18 The widening of the access road would not result in any residential impact for any neighbouring property.
- 8.19 Given there are no proposed windows within this application, the proposals will not result in loss of privacy for any neighboring dwelling or encourage further vantage points.
- 8.20 By virtue of these factors, the proposal does not impact on amenity on neighbouring properties and complies with Policy DM10 (a) and (b) of the SADMP and the Good Design Guide.

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 be approved subject to conditions.

11. Recommendation

11.1 **Grant retrospective planning permission** for the reasons detailed at the end of this report.

11.2 Conditions

1. 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 16/10/2025
- Proposed Gazebo STL/4 – received by the Local Planning Authority on 12/11/2025
- Proposed Driveway STL/3 – received by the Local Planning Authority on 12/11/2025
- Proposed Front Elevation STL/2 – received by the Local Planning Authority on 12/11/2025
- Proposed Site Layout STL/1 – received by the Local Planning Authority on 12/11/2025
- Site Location Plan – received by the Local Planning Authority on 12/11/2025
- Site layout DRW NO: STL/ 1 – received by the Local Planning Authority on 16/10/2025
- Works to drive/access - DRW NO: STL/ 3 – received by the Local Planning Authority on 16/10/2025
- Front Elevation - DRW NO: STL / 2 – received by the Local Planning Authority on 16/10/2025
- Updated application form S25-30 – received by the Local Planning Authority on 12/11/2025
- Site layout DRW NO: STL/ 1 – received by the Local Planning Authority on 16/10/2025

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.