

Delegated Report

Planning Ref: 25/00697/NMA
Applicant: Mr Samuel Driver
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 10 Lawnwood Road, Groby

Proposal: Non-material amendment to 25/00453/HOU. Alterations to master bedroom and additional projection to depth of proposals.

1. Recommendations

1.1. Grant planning permission subject to:

- Previously imposed conditions on planning permission **25/00453/HOU** except condition 2 which will be amended to reflect the amended plans.

2. Planning application description

2.1. This application proposes a non-material amendment to planning permission 25/00453/HOU, which was for the approval of a single-storey side and rear extension.

2.2. The proposed non-material amendment seeks to amend the approved plans by adding an additional depth of 1.7m to the proposed frontage of the extension, which sits further back from the principal frontage of the dwelling. The non-material amendments are in accordance with the proposed floor plans and elevations (Drg No. 214-02 Rev C) and site location and block plans (Drg No. 214-03 Rev C) received by the Local Planning Authority on 15th July, 2025.

3. Description of the site and surrounding area

3.1. The application dwelling is a single-storey, semi-detached property on Lawnwood Road, Groby. Although there is an existing wooden garage structure connecting the property to the neighbouring semi-detached building, giving the impression of a link-terrace, the property remains classified as semi-detached. The property is set back 6m from the highway and has a hipped roof structure incorporating the main dwelling.

3.2. The host dwelling is currently finished in render with 'red' brick detailing at the base of each elevation. Dwellings along Lawnwood Road are wholly residential and mostly uniform in layout, scale and massing but differ in external finish. The property is located within the settlement boundary of Groby and within the perimeters of the National Forest.

4. Relevant planning history

- **25/00453/HOU**
- Single-storey side and rear extension
- Permitted
- 11.07.2025

5. Publicity

- 5.1. No publicity is required for a non-material Section 96A application, and none has been undertaken.

6. Consultation

- 6.1 A Section 96A application is not an application for a new planning permission, therefore, the existing Town and Country Planning (Development Management Procedure) Order, 2015, provisions outlined in Article 13 and Schedule 5 relating to publicity and statutory consultation do not apply. The Local Planning Authority can exercise discretion in whether and how they choose to inform interested parties or seek their views. In this instance, no publicity or consultations have been undertaken.

7. Policy

- 7.1. Greater Flexibility for Planning Permissions Guidance (non-material amendments) states that the local planning authority must have regard to the effect of the change, together with any previous changes made under this section.
- 7.2. Since the original planning permission was issued there have been no significant changes to the policies within the development plan that would be material to the outcome of the assessment of the application in this case.

8. Appraisal

- 8.1. The key issues in respect of this application are therefore:
- Assessment against strategic planning policies
 - Design and impact upon the character of the area

Assessment against strategic planning policies

- 8.2 Section 96A of the Town and Country Planning Act, 1990, allows a non-material amendment to be made to an existing planning permission. There is no statutory definition of “non-material”; this is because it is so dependent on the context of the overall scheme. That which may be non-material in one context may be material in another. It is for the Local Planning Authority to be satisfied that the amendment sought is non-material in order to grant an application under Section 96A.
- 8.3 With the above in mind, it is necessary to consider the approved planning application 25/00453/HOU was for a single-storey rear and side extension, with matching materials. The non-material amendment seeks to alter the internal configuration of the proposals by adding a utility room to the front of the side extension element and increasing the footprint from 23m² to 27.3m².

Design and impact upon the character of the area

- 8.4 The amendments introduce a projection with a depth of 1.7m to the side front elevation, which is set back from the principal frontage. These changes are minimal in nature as they do not impact the wider street-scene and do not impinge upon the neighbouring habitable window at No. 12 Lawnwood Road. As such, they do not provide any additional neighbouring amenity considerations. Given that the changes are limited in scale and location, they are not considered to be material.

9. Overall, due to the modest nature of the amendments and their limited visual and amenity impact, the changes are considered a non-material amendment.

10. Equality implications

- 10.1 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.
- 10.2 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.
- 10.3 There are no known equality implications arising directly from this development.

11. Conclusion

- 11.1 In line with the provisions of Section 96A of the Town and Country Planning Act, 1990, it is considered that the proposed amendments to the approved plans originally approved under 25/00453/HOU, are a non-material amendment in the context of the overall scheme and complies with Policy DM10 of the SADMP.

12. Recommendation

Grant Non-Material Amendment subject to:

- Previously imposed conditions on planning permission 25/00453/HOU except condition 2 which is amended below to reflect the amended plans.

13 Conditions and Reasons

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:
- Proposed floor plans and elevations - Drg No. 214-02 Rev C
 - Site location and block plans - Drg No. 214-03 Rev C
 - Application form
 - All received by the Local Planning Authority on 15.07.25

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14 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.