

Delegated Report

Planning Ref: 26/00703/NMA
Applicant: Mr James Huckerby
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 63 Sapcote Road Burbage Hinckley

Proposal: Non material amendment to planning application 19/00955/HOU. To change detached garage roof orientation to allow south facing PV panels and change from two individual garage doors to a single door.

Case Officer: Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant Non-Material Amendments subject to:

- The original conditions attached to planning permission 19/00955/HOU and amended planning condition 2 (plans) outlined at the end of this report.

2. Planning application description

- 2.1. This application seeks a non-material amendment to planning permission 19/00955/HOU, which was for Canopy porch, new pitched roof to front, single storey rear and side extension and detached garage to front to 63 Sapcote Road Burbage.
- 2.2. The proposed non-material amendment seeks permission to change detached garage roof orientation to allow south facing PV panels and change from two individual garage doors to a single door.
- 2.3. The proposed single door would have a width of 4.88 and a height of 2.33 metres.
- 2.4. There will be 12 proposed Solar Panels, and they would have the same size, measuring approximately 1 meter by 1 meter sitting on the southeast elevation.

3. Description of the site and surrounding area

- 3.1. The application site comprises a detached two storey dwelling in the settlement boundary of Burbage. The property has a pitched roofscape, including a large m-gable to its front. The property is finished in red brick, grey roof tiles, white render and white UPVC windows and doors. The site is set back from a busy classified road, and partly screened to its front by hedgerows. The property is set down from the highway, benefitting from a large area of off-street parking space to its front. The rear of the property is accessed along the west elevation of the host dwelling. Rear garden amenity space is vast, and land across is stable. An existing outbuilding is located to the rear of the dwelling, along with a conservatory and pitched extension on the property's north elevation. The latter two would be replaced as a result of the proposed side and rear extension. Boundaries around the site are marked by a mix of hedgerows and high timber fencing. There is a long single storey projection along the western shared boundary at no.61 Sapcote Road.
- 3.2. Properties along Sapcote Road are a mixture of detached and semi-detached dwellings similar in finish but varied in scale and design.

4. Relevant planning history

00/00302/FUL

- ERECTION OF REAR CONSERVATORY
- PER
- 18.05.2000

19/00955/HOU

- Canopy porch, new pitched roof to front, single storey rear and side extension and detached garage to front
- PER
- 18.10.2019

25/00569/NMA

- Non material amendment to planning application 19/00955/HOU. Amendment to change garage door to a window and resize the front windows and porch.
- PERNMA
- 08.07.2025

92/00855/4

- EXTENSION TO DWELLING
- PER
- 07.10.1992

91/00139/4

- SINGLE STOREY REAR EXTENSION
- PER
- 21.03.1991

88/01305/4

- PORCH AND CANOPY TO THE FRONT OF DETACHED HOUSE
- PER
- 09.11.1988

81/01032/4

- ERECTION OF A REAR PORCH
- PER
- 26.10.1981

78/02034/4M

- ALTERATIONS AND EXTENSION TO DWELLING
- PER
- 14.12.1978

5. Publicity

- 5.1. A Section 96A application is not an application for a new planning permission and the existing Town and Country Planning (Development Management Procedure) Order (DMPO) provisions (Article 13 and Schedule 5) relating to publicity and statutory

consultation do not apply. Therefore, local planning authorities can exercise discretion in whether and how they choose to inform interested parties or seek their views.

5.2. In this case no publicity has been undertaken.

6. 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 local development plan or national planning policies that would be material to the outcome of the assessment of the application in this case.

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2026)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

7. Appraisal

8.1. Key Issues

- Assessment
- Conditions

Assessment

7.2. Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.

7.3. The amendments are limited to the change in orientation of the garage roof and installation of solar panels. Owing to the siting of the garage to the front of the dwelling the changes will be visible, however, the design amendments are minor in the context of the development and do not introduce additional harm. As there is no change to the scale or siting of the garage no additional highways or residential amenity considerations would be introduced. The amendments are therefore non-material.

Conditions

7.4. Under Section 96A of the Town and Country Planning Act 1990 any decision issued should only relate to the non-material amendments sought and is not a reissue of the original planning permission, which still stands. It is however necessary to determine if additional conditions are required or whether existing conditions need to be removed or altered.

- 7.5 Planning permission 19/00955/HOU was subject to three conditions. Condition 2 (Approved Plans) would need to be amended to refer to the development being carried out in accordance with the approved JH 003B Garage Planning Drawing. This non-material amendment application does not impact any other conditions.
- 7.6 By virtue of the above, the proposal is therefore considered acceptable subject to conditions as imposed on application 19/00955/HOU, and amended condition detailed below;

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- JH 003B Garage Planning Drawing as received by the Local Planning Authority on the 04th August 2026;
- Site Location Plan and Proposed Block Plan Drg No: JH-003 as received by the Local Planning Authority on 04 September 2019; and
- Extension Proposed Floor Plans and Elevations Drg No: JH-002 (1:100 scale) received by the Local Planning Authority on 23 August 2019A

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

- 7.7 This non-material amendment should be read in conjunction with the decision notice for 19/00955/HOU.

8. 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 In line with the provisions of Section 96A of the Town and Country Planning Act 1990, the proposed amendment to planning permission reference 19/00955/HOU has been considered in the context of the overall scheme. It is considered that the proposed amendment would not have any adverse impacts on the main dwelling and garage design and character of the surrounding area. It would further not have any material impacts upon the residential amenity or privacy of any neighbouring occupiers.

- 9.2 It is therefore considered to be non-material to, and acceptable in the context of, the overall scheme in planning terms subject to previously imposed conditions on

planning permission 19/00955/HOU and the revised wording for condition 2 (plans) at the end of this report.

10. Recommendation

3.1. Grant Non-Material Amendments subject to:

- The original conditions attached to planning permission 19/00955/HOU and amended planning condition 2 (plans) outlined at the end of this report.

11.1 Conditions and Reasons

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- JH 003B Garage Planning Drawing
as received by the Local Planning Authority on the 04 August 2026;
- Site Location Plan and Proposed Block Plan Drg No: JH-003
as received by the Local Planning Authority on 04 September 2019; and
- Extension Proposed Floor Plans and Elevations Drg No: JH-002 A
As received by the Local Planning Authority on 10 June 2025

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