

Delegated Report

Planning Ref: 26/00625/NMA
Applicant: Mr and Mrs Surti
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 4 Lancaster Court, Groby

**Proposal: Non-material amendment to planning permission 25/01079/HOU.
Amendment to roof.**

1. Recommendations

1.1. Grant planning permission subject to:

- Previously imposed conditions on planning permission **25/01079/HOU** and additional condition requiring compliance with the approved plans.

2. Planning application description

2.1. This application proposes a non-material amendment to planning permission **25/01079/HOU**, which was for a first-floor extension and single-storey rear extension.

2.2. The proposed non-material amendment seeks to amend the approved plans by reducing the scale and form of the roof. This involves amending the roof design of the approved extension by lowering the previously approved hipped roof element (as part of the first-floor extension) with a lower hipped structure, subservient to the main hipped roof.

2.3. The roof would continue to be finished with tiles to match the existing dwelling, with the remainder of the building unchanged.

2.4. The alterations are in line with the submitted details below:

- Application Form
- Proposed Elevations Drg No.3394/2
- Both received by the Local Planning Authority on 09/07/26

2.3 The proposed plans which have been approved in the original planning application **25/01079/HOU** are:

- Application Form – received by the Local Planning Authority on 07/11/25
- Site Location Plan, Block Plan, Drg No. 3349/3 - received by the Local Planning Authority on 10/11/25
- Proposed Elevations and Floor plans - Drg No. 3394/02 Rev A - received by the Local Planning Authority on 22/01/26

3. Description of the site and surrounding area

2.5. The application site is located at 4 Lancaster Court, which is currently a three bedroom, two-storey detached dwelling constructed using buff brick. It features white uPVC windows and a single-bay integrated garage. 4 Lancaster Court is the only dwelling within the cul-de-sac with a hipped roof configuration as part of the original design.

- 2.6. The dwelling sits at the end of a cul-de-sac which is amid several dwellings which are similar in design, massing and scale and uniformly feature facing brick. The dwelling is part of a larger residential estate which sits at the southwest corner of the settlement boundary of Groby.

4. Relevant planning history

25/01079/HOU

- First floor side extension and single storey rear extension
- Permitted
- 10.02.2026

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:
- Character and appearance of the area
 - Impact upon residential amenity

Character and appearance of the area

- 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 The roof scale remains similar in form to the previously approved scheme and represents only a minor change in scale. The roof scale would be reduced and remain subservient to the main hipped roof structure. This change would comply with the Good Design Guidance on set down distances and would help to further relieve any terracing effect.
- 8.4 Given the above, the amendments would not have a material impact on the character and appearance of the area and would comply with Policy DM10 and the Good Design Guide.

Impact upon residential amenity

- 8.5 The roof results in a reduction in massing and would, therefore there would be no negative impact on residential amenity when compared to the originally approved proposal. The proposal would therefore comply with Policy DM10 in this regard.

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. 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 **25/01079/HOU**, are a non-material amendment in the context of the overall scheme.
- 10.2. The proposal will result in the need to vary the approved plans on the original scheme and add a condition relating to the proposed amendments.

11. Recommendation

- 11.1 **Grant Non-Material Amendment** subject to:
- The previously approved conditions
 - Amendments to the approved plans condition
- 11.2 **Amended conditions and reasons**

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
- Proposed Elevations Drg No.3394/2
- Both received by the Local Planning Authority on 09/07/26

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).

11.3 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.