

Our ref: Q250737
Your ref: PP-14693235
Email: [REDACTED]
Date: 4th March 2026



Hinckley and Bosworth Council
Planning Department
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

Submitted via Planning Portal

Dear Sir/Madam,

**Wood Farm, Stanton Lane, Ellistown, Coalville, Leicestershire, LE67 1FF
Application under S96A of the Town and Country Planning Act 1990 (as amended)
for a Non-Material Amendment to 21/00531/HYB**

On behalf of Firethorn Trust ('Firethorn') ('the Applicant'), please find enclosed a non-material amendment ('NMA') application to planning permission 21/00531/HYB pursuant to Section 96A ('S96A') of the Town and Country Planning Act 1990 (as amended) in relation to the above site ('the Site').

This application ('the Application') seeks approval for a non-material amendment to planning permission ref. 21/00531/HYB. The proposed changes arise from design development undertaken following the Applicant's acquisition of the Site in March 2026. The amendments relate to improvements in design quality and technical matters that are required to support deliverability and ensure alignment with Firethorn's operational requirements.

In accordance with best practice, the application has been submitted via the Planning Portal (PP). The requisite planning application fee of £383 (including the £85 service charge) has been paid to the Council via the Planning Portal.

1 Background

A detailed planning application (21/00531/HYB) was submitted to Hinckley and Bosworth Council ('HBBC') ('the Council') on 21st April 2021 and was granted approval at appeal (ref: APP/K2420/W/21/3279939) on 22nd November 2021. The approved Description of Development ('DoD') is copied in full below:

"Hybrid application comprising of Outline permission for the erection buildings for storage and distribution uses (Class B8), general industry (Class B2) and associated infrastructure including the formation of a new access (All matters reserved except for access) and Full planning

[REDACTED]

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permission for the demolition of existing farmstead and relocation, including the erection of 2 replacement farm managers dwellings and associated agriculture buildings and structures.”

The hybrid planning permission (ref: 21/00531/HYB) has previously been varied under a S73 application (ref: 23/00954/CONDIT) and subject to subsequent NMA's. For clarity, this application relates solely to the original hybrid permission and does not seek to amend the S73 permission. The most relevant NMA applicable to this Application is summarised below:

- **25/00936/NMA** - Removal of condition 16 (as permitted under 23/00954/CONDIT), amendment to the roof pitches and stanchion heights of building 3 and building 4 (as permitted under 24/00171/NMA), amendment to height of building 1 permitted under (24/00820/NMA) and relocation of the grain store (as permitted under 24/00919/NMA) to regularise previously approved amendments. Approved 29th October 2025.

All relevant pre-commencement conditions relating to the Outline element have been discharged, along with several conditions associated with the hybrid permission.

2 Proposed Amendment

Following the grant of hybrid planning permission, the Applicant acquired the Site in February 2026 and has since undertaken extensive due diligence and detailed design development to address technical and design matters. The proposed amendments respond to identified discrepancies in levels across the Site and seeks to increase permitted finished floor levels by 200mm (from 177.5m AOD to 177.7m AOD). As a result, the maximum building height would reduce from 21.0m to 20.8m. The proposed modifications have been carefully considered to ensure they do not comprise the integrity of the original planning permission and continue to support the economic and strategic goals of the Site.

To secure the proposed amendments, it is proposed to amend the approved plans listed in Condition 4 pursuant to application 21/00531/HYB, as set out in **Annex 1** of this letter.

3 Justification

S96A of the Town and Country Act 1990 (as amended) provide power to local planning authorities (in England) to make NMA's to planning permissions. Section 96A(2) states:

“In deciding whether a change is material a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted”

Further guidance on making a S96A NMA to planning permission is provided in the Planning Practice Guidance ('PPG') 2014 (as amended). When considering the definition of a NMA the guidance states:



“There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under Section 96A of the Town and Country Planning Act 1990.”

The above amendments are minor in nature and are required to support the practical delivery of the approved development following detailed technical review. There is no increase in overall height, scale or massing, and the assessed envelope is unchanged. For the avoidance of doubt, these amendments have no material change to the effect of the original planning permission, or the remaining conditions attached to it.

It is therefore considered that the revisions represent a non-material amendment to the hybrid planning permission and will not conflict with the principles of the approved development or adopted planning policy including Site Allocations and Development Management Policies **DM10 (Development and Design)** and **DM1 (Presumption in Favour of Sustainable Development)**.

On this basis of the above, it is considered that this Application is acceptable and should be approved without delay.

4 Drawing Schedule

A drawing schedule is provided at **Annex 1** of this letter which sets out the drawings hereby submitted, and the drawings proposed to be superseded as part of the previous application secured by Condition 4 as approved (ref: 21/00531/HYB).

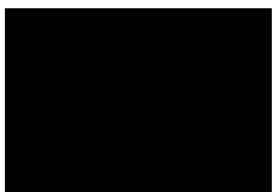
5 Future Planning Strategy

Following the determination of the enclosed NMA, it is proposed to prepare and submit one NMA to the approved Reserved Matters application (ref: 23/00080/REM) to ensure approved plans are consistent with the updated hybrid permission parameters. This will include revisions to FFL's, façade details and roof structures, reflecting the minor changes in building heights and site levels. This application will be submitted once the final design is confirmed, ensuring alignment with the amended hybrid parameters and will seek to regularise the change in compliance with planning requirements.

6 Summary

We trust that the enclosed information is sufficient to allow you to validate and consider this submission, however please do not hesitate to contact me or my colleague Hannah Swainston [REDACTED] should you require any additional information at this stage.

Yours Sincerely



James Guthrie
Director

enc. As above
cc. Firethorn Trust



Annex 1 – Drawing Schedule

Submitted Drawings for Approval	Approved Drawings Secured by Condition 2 of 21/00531/HYB
Development Parameters Plan (ref: 30865-PL-202X)	Development Parameters Plan (ref: 30865- PL-202W)