

Delegated Report

Planning Ref: 26/00444/NMA

Applicant: Mr Adam Blake

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 12 Sketchley Lane Ratcliffe Culey Atherstone

**Proposal: Non material amendment to planning permission 23/00150/CONDIT.
Amendment to include the installation of solar panels on plot 1 and 2**

Case Officer: Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant Non-Material Amendments subject to:

- The original conditions attached to planning permission 23/00150/CONDIT 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 23/00150/CONDIT, which was for Variation of conditions 2 of planning permission 22/00639/FUL. Amendment to erect a single storey rear extension to plots 1 and 2, remove and replace detached garage for plot 1 with hardstanding to 12 Sketchley Lane Ratcliffe Culey Atherstone.
- 2.2. The proposed non-material amendment seeks permission for the installation of five solar panels on the front roof slope and ten solar panels on the rear roof slope of both Plot 1 and Plot 2.
- 2.3. All of the proposed solar panels would be the same size, measuring approximately 0.50 metres by 1.25 metres. The number, size, and arrangement of the panels would be identical on both Plot 1 and Plot 2.

3. Description of the site and surrounding area

- 3.1. The application site is located within Ratcliffe Culey, at the end of a short lane that serves a few other residential properties. The plot previously accommodated a two storey property, set within a large plot, and in a state of some disrepair. The character of the area is residential and rural in character, typical of this part of the District.

4. Relevant planning history

22/00639/FUL

- Erection of 2no. dwellings with associated parking, landscaping and amenity space
- PER
- 03.10.2022

22/01088/DISCON

- Application to discharge condition 4 (CEMP) attached to planning permission 22/00639/FUL
- DISCHA
- 13.12.2022

23/00150/CONDIT

- Variation of condition 2 and 7 of planning permission 22/00639/FUL. Amendment to erect a single storey rear extension to plots 1 and 2, remove and replace detached garage for plot 1 with hardstanding.
- PER
- 26.04.2023

23/00233/DISCON

- Application to discharge conditions 8 (Bat Boxes), 9 (Materials) attached to planning permission 22/00639/FUL
- DISCHA
- 29.06.2023

23/00645/DISCON

- Application to discharge condition 10 (Electric vehicle charging points) attached to planning permission 23/00150/CONDIT
- DISCHA
- 05.09.2023

26/00138/DISCON

- Application to re-discharge condition 9 (materials) attached to planning permission 22/00639/FUL
- DISCHA
- 02.03.2026

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. Core Strategy (2009)

- Policy 13: Rural Hamlets
- Policy 14: Rural Areas: Transport
- Policy 16: Housing Density, Mix and Design

- Policy 24: Sustainable Design and Technology
- 7.4. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM10: Development and Design
- 7.5. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2026)
 - Planning Practice Guidance (PPG)
- 7.6. 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 proposed solar panels would be installed on the front and rear roof slopes of both dwellings. Given the location of the plots surrounded by the green area, the panels would not appear excessively prominent within the streetscene. The proposal is also consistent with the similar solar panel installations in the surrounding area. given their number, scale, and positioning, the solar panels are considered to complement the design of the dwellings and would not have a harmful impact on the character or appearance of the surrounding area.
- 7.4 It is considered that the proposal would not materially alter the design of the dwellings nor character of the area.

Conditions

- 7.5 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.
- 7.6 Planning permission 23/00150/CONDIT was subject to ten conditions. Condition 2 (Approved Plans) would need to be amended to refer to the development being carried out in accordance with the approved amended/revised proposed plans. This non-material amendment application does not impact any other conditions.
- 7.7 By virtue of the above, the proposal is therefore considered acceptable subject to conditions as imposed on application 23/00150/CONDIT, and amended condition detailed below;

2. This non-material amendment is approved in accordance with the approved:

- Floor Plans and Elevations Dwg. No. 220/PL02 rev D;
- Site Plan As Proposed Dwg no. 220 PL01 rev E;

as received by the Local Planning Authority on the 14th August 2026. And

- Bat Report

As received by the Local Planning Authority on 29th June 2022

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).

7.8 This non-material amendment should be read in conjunction with the decision notice for 23/00150/CONDIT.

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 23/00150/CONDIT has been considered in the context of the overall scheme. It is considered that the amendment proposed would not have any adverse impacts on the main dwelling 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 23/00150/CONDIT and the revised wording for condition 2 (plans) at the end of this report.

10. Recommendation

3.2. **Grant Non Material Amendments** subject to:

- The original conditions attached to planning permission 23/00150/CONDIT and amended planning condition 2 (plans) outlined at the end of this report.

11.1 Conditions and Reasons

2. This non-material amendment is approved in accordance with the approved:

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