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Wednesday, 23 April 2025

Mr Christopher Brown
Head of Planning
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leics
LE10 0FR

Dear Christopher,

Land Off Wood Lane Higham on the Hill Leicestershire

Section 73 of the Town and Country Planning Act (as amended) application to amend the description of the Reserved Matters Application ref. 23/00712/REM and amend the wording of Conditions 1 and 4 to reflect the removal of the shop / retail unit and additional dwelling.

Please find enclosed an application for Section 73 (s73) of the Town and Country Planning Act to amend the description of the Reserved Matters application ref. 23/00712/REM and amend the wording of Condition 1 and 4 at Land Off Wood Lane Higham on the Hill Leicestershire.

The current description reads as follows:

'Approval of reserved matters (Appearance, Landscaping, layout and scale) of outline permission 21/01147/OUT (residential development of up to 61 dwellings, including a shop, open space, new access and associated works).'

The application seeks to amend the description to the following:

'Approval of reserved matters (Appearance, Landscaping, layout and sale) of outline permission 21/011417/OUT (residential development of up to 62 dwellings, including open space, new access and associated works).'

Additionally, the application seeks to amend the wording of condition 1 which states:

'The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application drawings as detailed on the Drawing List received 19th October 2023.

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).'

The following plans are proposed to be updated as part of this application:

- a. 1023-AD-002B (Site Layout)
- b. 1023-AD-003A (Coloured Presentation Layout – Low Res)
- c. 1023-AD-004A (Materials Plan)
- d. 1023-AD-005A (Means of enclosure)
- e. 1023-AD-007B (CEMP)
- f. 1023-AD-009A (Surface Materials Plan)
- g. 1023-AD-012A (Storey Heights Plan)
- h. 1023-AD-013A (Parking Plan)
- i. 1023-AD-014A (Refuse Storage and Collection)
- j. 1023-AD-015A (Character Areas Plan)
- k. 1023-AD-021A (POS Typologies Plan)

The application seeks to update the following drawings to reflect the removal of the shop / retail unit which is to be replaced by an additional dwelling:

'The development hereby permitted shall not be carried out otherwise than in complete accordance with the following drawings:

- a. 1023-AD-001 (Location Plan)
- b. LL1583-001 (Street Lighting Layout)
- c. 9882-FPCR-XX-XX-DR-L-0002 Detailed On-plot Planting Plan – P03
- d. 9882-FPCR-XX-XX-DR-L-0003 Detailed On-Plot Planting Plan – P03
- e. 9882-FPCR-XX-XX-DR-L-0004 Detailed On-Plot Planting Plan – P03
- f. 9882-FPCR-XX-XX-DR-L-0001-0004 Detailed Planting Plan – P04
- g. 1023-AD-002J (Site Layout)
- h. 1023-AD-003B (Coloured Presentation Layout – Low Res)
- i. 1023-AD-004B (Materials Plan)
- j. 1023-AD-005E (Means of Enclosure)
- k. 1023-AD-007D (CEMP)
- l. 1023-AD-009B (Surface Materials Plan)

- m. 1023-AD-012B (Storey Heights Plan)
- n. 1023-AD-013B (Parking Plan)
- o. 1023-AD-014B (Refuse Storage and Collection)
- p. 1023-AD-015B (Character Areas Plan)
- q. 1023-AD-021B (POS Typologies Plan)
- r. AT-HTR-01 (Proposed Plans and Elevations (The Heather))
- s. 23021-1-K-J – Site Appraisal
- t. 23031-5-A – Visibility Splays Plan
- u. 23031-6-A – Refuse Vehicle Tracking
- v. 23021-7 – Indicative Attenuation Pond Cross Sections
- w. House Type Pack Rev C

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).'

Condition 4 will also be required to be updated to reflect the revised submitted drawing showing the parking and turning facilities.

This approach has been agreed with the LPA (without prejudicing the acceptability of such an application) and is sought to be the best approach going forward as there has been no interest in the shop / retail unit, as set out in the concurrent s73 application and NMA application pertaining to the outline permission.

To provide some context, Owl Homes are seeking to remove the retail unit at Wood Lane Higham on the Hill Leicestershire. As per the consent and associated S106 obligations, Owl Homes were required to agree a marketing strategy and timescales which have been discharged and have now completed the marketing.

There have been no interest/offers in the purchase of the serviced retail site.

The S106 sets out should there be no interest in the shop, the council will consider applications for alternative uses – the only obvious and suitable use for this location would be an additional dwelling.

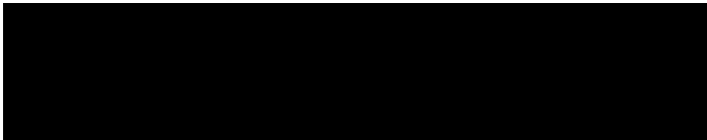
As part of the concurrent s73 and NMA to the outline permission Owl Homes will draft a Deed of Variation for the S106 to be amended to remove all references to the requirement for the shop / retail unit.

The submitted plans are listed on **appended schedule**. Including reference to those plans to be replaced by those now submitted (as required by the application forms). That list can be to you as a Word document if it would help from an administrative point of view.

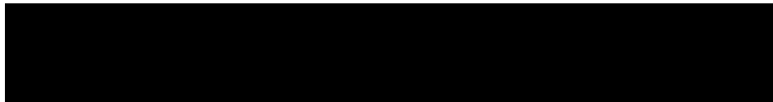
The application has been submitted via the Planning Portal (ref: PP-13966160) and the fee of £2085 has been paid direct by the applicant.

I trust this letter and the submitted documents are in order. However, if there are any queries, please do not hesitate to contact me.

Yours sincerely



RICHARD WEST BA (Hons) MRTPI
Director



Document Schedule – list of new plans and those to be replaced/amended
Application reference 23/00712/REM

Approved Plan ref	Plan Title	Comments	Amended (or new) plan Ref and Title
1023-AD-002B	Site Layout	Pursuant to Reserved Matters Condition 1	1023-AD-002J
1023-AD-003A	Coloured Presentation Layout	Pursuant to Reserved Matters Condition 1	1023-AD-003B
1023-AD-004A	Materials Plan	Pursuant to Reserved Matters Condition 1	1023-AD-004B
1023-AD-005A	Means of enclosure	Pursuant to Reserved Matters Condition 1	1023-AD-005E
1023-AD-007B	CEMP	Pursuant to Reserved Matters Condition 1	1023-AD-007D
1023-AD-009A	Surface Materials Plan	Pursuant to Reserved Matters Condition 1	1023-AD-009B
1023-AD-012A	Storey Heights Plan	Pursuant to Reserved Matters Condition 1	1023-AD-012B
1023-AD-013A	Parking Plan	Pursuant to Reserved Matters Condition 1	1023-AD-013B
1023-AD-014A	Refuse Storage and Collection	Pursuant to Reserved Matters Condition 1	1023-AD-014B
1023-AD-015A	Character Areas Plan	Pursuant to Reserved Matters Condition 1	1023-AD-015B
1023-AD-021A	POS Typologies Plan	Pursuant to Reserved Matters Condition 1	1023-AD-021B