



**Hinckley & Bosworth
Borough Council**

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Rugby Road
Hinckley
Leics
LE10 0FR

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	
Street Record	
Address Line 1	
Address Line 2	
Address Line 3	
Town/city	
Postcode	

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)

Description

Applicant Details

Name/Company

Title

Mr

First name

Lewis

Surname

Monksfield

Company Name

Vistry South East Midlands

Address

Address line 1

Vistry South East Midlands

Address line 2

Penman House

Address line 3

1 Penman Way

Town/City

Enderby

County

Leicestershire

Country

United Kingdom

Postcode

LE19 1SY

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Approval of reserved matters (appearance, landscaping, layout, scale) for 140 dwellings and associated infrastructure pursuant to 21/00135/OUT (Residential development for up to 140 dwellings, with public open space, landscaping and sustainable drainage system)

Reference number

21/00135/OUT

Date of decision (date must be pre-application submission)

03/02/2021

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 21 & 23 OUTLINE

Has the development already started?

☒ Yes

☐ No

If Yes, please state when the development was started (date must be pre-application submission)

23/06/2025

Has the development been completed?

☐ Yes

☒ No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Condition 21:

The approved access arrangement shown on the original planning drawing 'P21008-100-2D' is no longer deliverable because the design of the permanent access has been significantly amended through the S278 technical approval process. To allow lawful and safe access to the site whilst the permanent S278 works are being delivered, we request that Condition 21 is updated to reference the approved S184 access drawings; 24000-190D-Section 184 Detail Plan (1/3), 24000-191C-Section 184 Detail Plan (2/3) & 24000-192A-Section 184 Detail Plan (3/3). This provides a safe, deliverable, and fully agreed temporary access solution prior to completion of the S278 works, to avoid hold up of occupation of much needed affordable homes.

Condition 23:

We request that the drawing reference is updated from 'P21008-100-2D' to reflect the amendments required by Leicestershire County Council Highways through the S278 technical approval stage. These changes are necessary to avoid encroachment into the adjacent development's S278 works and to prevent overlapping, unimplementable works. Following 12 months of engagement with all stakeholders to finalise a deliverable design, we now require a variation to the timing trigger. To ensure the off site works can be delivered reasonably and without delaying the occupation of the affordable housing, we propose that these works are required prior to 80% occupation of the dwellings.

Taken together, the revised Conditions 21 and 23 secure safe interim access, ensure delivery of the permanent mitigation works, and provide a deliverable implementation sequence that reflects the approved highway designs.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Condition 21 - No part of the development hereby permitted shall be occupied until the approved Section 184 access Ref 24000-190D/191C & 192A has been fully implemented to allow access to the site.

Condition 23 - No more than 80% of the dwellings hereby permitted shall be occupied until the off-site works, including the shared-use footway and the uncontrolled pedestrian crossing point, as shown in general accordance with drawing 09924.GA.01 Rev A, have been implemented in full.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

S73 Application - Earl Shilton 21/00135/OUT

Date (must be pre-application submission)

19/11/2025

Details of the pre-application advice received

Informal discussion with Lesley Keal to explain the issues with our inability to complete works inside another developers S278 extents. Discussed a way forward to enable development to be occupied and the majority of off site S278 works completed at the earliest opportunity, without the reliance of the adjoining development.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- ☒ Yes
☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ☐ Yes
☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ☒ The Applicant
☐ The Agent

Title

Mr

First Name

Lewis

Surname

Monksfield

Declaration Date

23/12/2025

☒ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Lewis Monksfield

Date

19/01/2026