Hinckley & Bosworth Borough Council

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01455 238141

Hinckley Hub
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

Address Line 1

Land South of Sapcote Road

Address Line 2

Burbage

Address Line 3

Town/city

Postcode

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

Easting (x)

445035

Northing (y)

293312

Description

Agricultural land to the south of Sapcote Road, Burbage

Applicant Details

Name/Company

Title

Mr

First name

Mitesh

Surname

Rathod

Company Name

Jelson Limited

Address

Address line 1

370 Loughborough Road

Address line 2

Address line 3

Town/City

Leicester

County

Leicestershire

Country

United Kingdom

Postcode

LE4 5PR

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Applicant 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

Residential development of up to 343 dwellings (Class C3), including provision of public open space, associated infrastructure and all matters (access only) (re-submission of 22/01037/OUT) reserved except access.

Reference number

23/00673/OUT

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

08/04/2026

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

Condition number(s)

29, 30, 31 and 32

Has the development already started?

◯ Yes
⊘ No

Condition(s) - Variation/Removal

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

Conditions 29, 30, 31 and 32 of the Decision Notice indicate a requirement for four off-site highway mitigation schemes to be delivered prior to first occupation.

A critical threshold of 30 Passenger Car Unit (PCU) development trips during peak hours has been identified as an appropriate trigger point for the delivery of off-site mitigation highway schemes at the Sapcote Road / Hinckley Road junction and along the B4669 corridor.

A development trip generation and distribution exercise has been undertaken that demonstrates that the critical threshold of 30 PCU trips is reached during peak hours at 75 and 125 dwellings at the Sapcote Road / Hinckley Road junction and along the B4669 corridor respectively. Noting that LCC has indicated that the works associated with the four schemes cannot all take place at the same time, it is proposed that footway widening on the southwestern edge of Burbage Road (Condition 32) has a later trigger point.

The trigger point for off-site highway mitigation has therefore been identified as the occupation of the 75th dwelling for the Sapcote Road / Hinckley Road junction. Trigger points of the 125th and 150th dwelling have been identified for the B4669 corridor improvement schemes.

These trigger points are deemed appropriate given the low level of traffic impact that the development will have during peak times on the network at these thresholds.

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

Condition 29 - No development shall commence until a scheme of highway improvements for the junction of Burbage Road/Hinckley Road/ Sapcote Road have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in broad accordance with the details shown on (Drawing No. A109159-TTE-XX-XX-DR-H-014-P01). No more than 75 dwellings shall be occupied until improvements have been made to the Burbage Road/ Sapcote Road/ Hinckley Road Junction in accordance with the approved details, unless by the time at which a scheme is to be submitted for approval or is due to be delivered, a scheme to improve the Burbage Road/ Sapcote Road/ Hinckley Road junction has already been constructed, or is being constructed by another party.

Condition 30 - No development shall commence until a scheme of highway improvements for the junction of Brookside/ Elm Tree Road / Burbage Road have been submitted to and approved in writing by the Local Planning Authority. The improvements shall be designed in broad accordance with the details shown on (Drawing No. A109159-TTE-00-ZZ-DR-H-0033-P01). No more than 125 dwellings shall be occupied until improvements have been made to the Brookside/ Elm Tree Road / Burbage Road Junction in accordance with the approved details.

Condition 31 - No development shall commence until a scheme of highway improvements at the Park Road/ London Road junction has been submitted and approved in writing by the Local Planning Authority. The improvements shall be designed in general accordance with the details shown on (Drawing No. A109159-TTE-00-ZZ-DR-H-0034-P01). No more than 125 dwellings shall be occupied until the approved scheme has been implemented in accordance with the approved details.

Condition 32 - No development shall commence until a scheme of footway widening on the western side of Burbage Road between Hinckley Road and Brookside has been submitted to and approved in writing by the Local Planning Authority. The proposed improvements shall be designed in broad accordance with the details shown on (Drawing No. A109159-TTE-00-ZZ-DR-H-0031-P01). No more than 150 dwellings shall be occupied until the scheme has been provided in accordance with the approved details.

Site Visit

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

- [x] Yes
- [ ] No

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

- [ ] The agent
- [x] The applicant
- [ ] Other person

Pre-application Advice

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

◯ Yes
⊘ No

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

E.g. All the land is owned by a single individual who is the applicant; or multiple individuals who are all listed as applicants.
Answer 'No' if any of the land has any owner who is not an applicant.

Is the land owned by another person or multiple individuals, and/or has agricultural tenants, where the details of all these individuals are known by the applicant?

⊘ Yes
◯ No

E.g. The land is owned by 2 people and the applicant can provide both their names and addresses in this application.

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

⊘ **I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or**
◯ **The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.**

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

**** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant:
***** REDACTED ******

House name:
Cottage Farm

Number:

Suffix:

Address line 1:
Lytchgate Lane

Address Line 2:
Aston Flamville

Town/City:
Hinckley

Postcode:
LE10 3AQ

Date notice served (DD/MM/YYYY):
16/11/2026

Person Family Name:

Name of Owner/Agricultural Tenant:
***** REDACTED ******

House name:
Manor Farm

Number:

Suffix:

Address line 1:
Church Street

Address Line 2:
Burbage

Town/City:
Hinckley

Postcode:
LE10 2DB

Date notice served (DD/MM/YYYY):
16/11/2026

Person Family Name:

Name of Owner/Agricultural Tenant:
***** REDACTED ******

House name:
Manor Farm

Number:

Suffix:

Address line 1:
Coventry Road

Address Line 2:
Pailton

Town/City:
Rugby

Postcode:

CV23 0QA

Date notice served (DD/MM/YYYY):
16/11/2026

Person Family Name:

Person Role

- [x] The Applicant
- [ ] The Agent

Title

Mr

First Name

Mitesh

Surname

Rathod

Declaration Date

16/11/2026

- [x] 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.

- [x] I / We agree to the outlined declaration

Signed

Mitesh Rathod

Date

16/11/2026