

**OAKLEY ARCHITECTS LTD**

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Ref: OAL 202305/2023/H&BPlanning/SCO/008

6th December 2023

Emma Baumber
Team Leader
Development Management
Hinckley & Bosworth Borough Council
Hinkley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

Dear Emma

RE: HILL TOP FARM, ASHBY HOUSE, HILL TOP, EARL SHILTON, LEICESTER, LEICESTERSHIRE, LE9 7DP
APPLICATION REFERENCE: 20/00961/FUL
PLANNING PORTAL REF: PP – 12568073

Further to the recent various meetings and e-mail exchanges with Tom Hall at Tricas Construction, please find enclosed the Application for Removal or Variation of a Condition following Grant of Planning Permission.

As noted on the application form the purpose of this 'Application for Variation of a Condition following Grant of Planning Permission' is to obtain approval to the variation of the proposed layout plan, presentation layout plan, boundary treatment plan, landscape character plan, site sections and drainage strategy drawings approved under condition 2 and 19 to amend the location of plots 31-32 & 38-50 and to adjust the proposed site levels, to suit the actual site topography on site and mitigate/re-design some of the extensive retaining structures that were impractical to construct on site.

The application has been submitted on the Planning Portal and comprises the following.

1. The Application for removal or variation of a condition following grant of planning permission for Approval of Details Reserved by Condition duly completed.
2. The fee of £298.00 payable to Planning Portal has been sent electronically to the Planning Portal to cover the application fee and their £64.00 service charge.
3. The following information with regards to conditions to be varied.

To provide a background to the need to vary the site layout and site levels, following the site clearance at former Hill Top Farm it became apparent that the section drawings that were approved under Condition 2 of the granted planning permission could not realistically be built to. Following correspondence between Tricas Construction with Emma Baumber and Sullivan Archer including a site visit with the full project design team and MS 'Teams' meetings, it has been agreed that the best way forward is to change the site plan and site section drawings

under a Variation of Condition application for the drawings approved under Condition 2 (\$73 application). The decision to raise the levels on the south portion of site would reduce the risk of undermining adjacent properties and existing retaining walls and the amount of earth being transported from site, some homes have also been repositioned to move them away from the current boundary reducing the impact of retaining features further.

The new levels and retaining scheme for the project has taken into careful consideration the view when approaching the village from the North on Leicester Road, using a range of embankments and hedgerow to reduce the impact of any retaining walls on this elevation. The levels to the new houses adjacent to Leicester Road have been adjusted to match the existing ground levels to keep the impact on the existing hedgerow on this elevation to a minimum.

Unfortunately the original section drawings were strategically positioned and did not show the full extent and proximity of new retaining features to the existing properties so we would want to change these drawings to minimise any impact on such structures. The project design team have worked hard to minimise any changes to the two elevations that are visible when approaching the village of Earl Shilton whilst achieving a less intrusive level design with our neighbours.

For completeness and as requested, we have also provided a new Detail Landscape design drawing, which is submitted as part of the variation to Condition 2 and Condition 19.

For clarity and as agreed during your discussion with Tricas, we have also submitted the Planning Levels Strategy drawing Layout drawing no. **HTF-PPC-00-XX-DR-C-0630 P1**, for information and reference, albeit there were NOT approved level plans included as part of the approved drawings under condition 2.

CONDITION 2 – APPROVED PLANS

- Oakley Architects External Works Plan drawing no. **202305/01H** (to replace approved Proposed Layout Plan drawing no. 40963/008L and Presentation Layout Plan drawing no. 40963/031G).
- Oakley Architects External Works Plan drawing no. **202305/01H** and Boundary Treatment drawing no. **202305/05** (to replace approved Boundary Treatment Plan drawing no. 40963/009G)
- PDP Associates Detailed Landscape Proposals drawing no. **C-2191-01** (to replace approved Landscape Character Plan drawing no. 40963/041C).
- Oakley Architects Site Sections drawing no. **202305/04** (to replace approved Site Sections drawing no. 40963/042A).
- Patrick Parsons S104 Approval Drainage Layout drawing no. **HTF-PPC-00-XX-DR-C-0501-P5** (to replace approved Drainage Strategy drawing no. P05-1001563-ARC-XX-XX-S-C-0006).

CONDITION 19 – HARD AND SOFT LANDSCAPING SCHEME

- Oakley Architects External Works Plan drawing no. **202305/01H** and PDP Associates Detailed Landscape Proposals drawing no. **C-2191-01** (to replace approved Landscape Character Plan drawing no. 40963/041C).

In conclusion, we trust that the proposed drawings and background statement above are acceptable to you and we look forward to hearing from you shortly. However, should you

have any queries or require anything further at this stage please do not hesitate to contact us.

Yours sincerely



SIMON OAKLEY

Enc

Cc Tom Hall – Tricas Construction Ltd

