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Hinckley and Bosworth Borough Council
Planning Department
The Hinckley Hub
Rugby Road
Hinckley
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Ref: 5975LE/L002

Date: 10th September 2024

Dear Sir/Madam,

SUBMISSION OF A SECTION 96A 'NON-MATERIAL AMENDMENT' APPLICATION TO VARY THE APPROVED PLANS AS LISTED UNDER CONDITION 3 OF OUTLINE PLANNING PERMISSION 22/00527/OUT DATED 26TH JUNE 2024 TO REFLECT THE ACCURATE LAND OWNERSHIP BOUNDARY OF 295 MAIN STREET AT LAND OFF MAIN STREET, STANTON UNDER BARDON.

On behalf of our client, Allison Homes Ltd, we hereby submit a Non-Material Amendment (NMA) application under Section 96A of the Town and Country Planning Act (1990) (as amended) to vary the approved plans listed under condition 3 of planning permission 22/00527/OUT.

Payment for the requisite application fee of £363.00 has been paid via Planning Portal under reference PP-13353032.

Background

Outline planning permission was granted under reference 22/00527/OUT on 26th June 2024 for the proposed development of up to 50 dwellings (All Matters Reserved, except access) at land south of 295 Main Street, Stanton Under Bardon, Leicestershire.

This application seeks to amend the approved site access plan to reflect the correct land ownership boundary of 295 Main Street to ensure work is undertaken wholly within the highway extents.

Through the progression of the Section 278 works, it has been raised by Leicestershire County Council highways department that they have incorrectly provided the land ownership boundary of 295 Main Street to the north and northeast of the site's boundary. This has, in turn, meant that the extent of the adopted highway is less than initially anticipated and therefore it is impossible to deliver the access as drawn within the approved plans listed in Condition 3. For context, the drawings with the dimensions as proposed against the approved plan is provided below:

As approved ref: T21521.001

Proposed

Cardiff

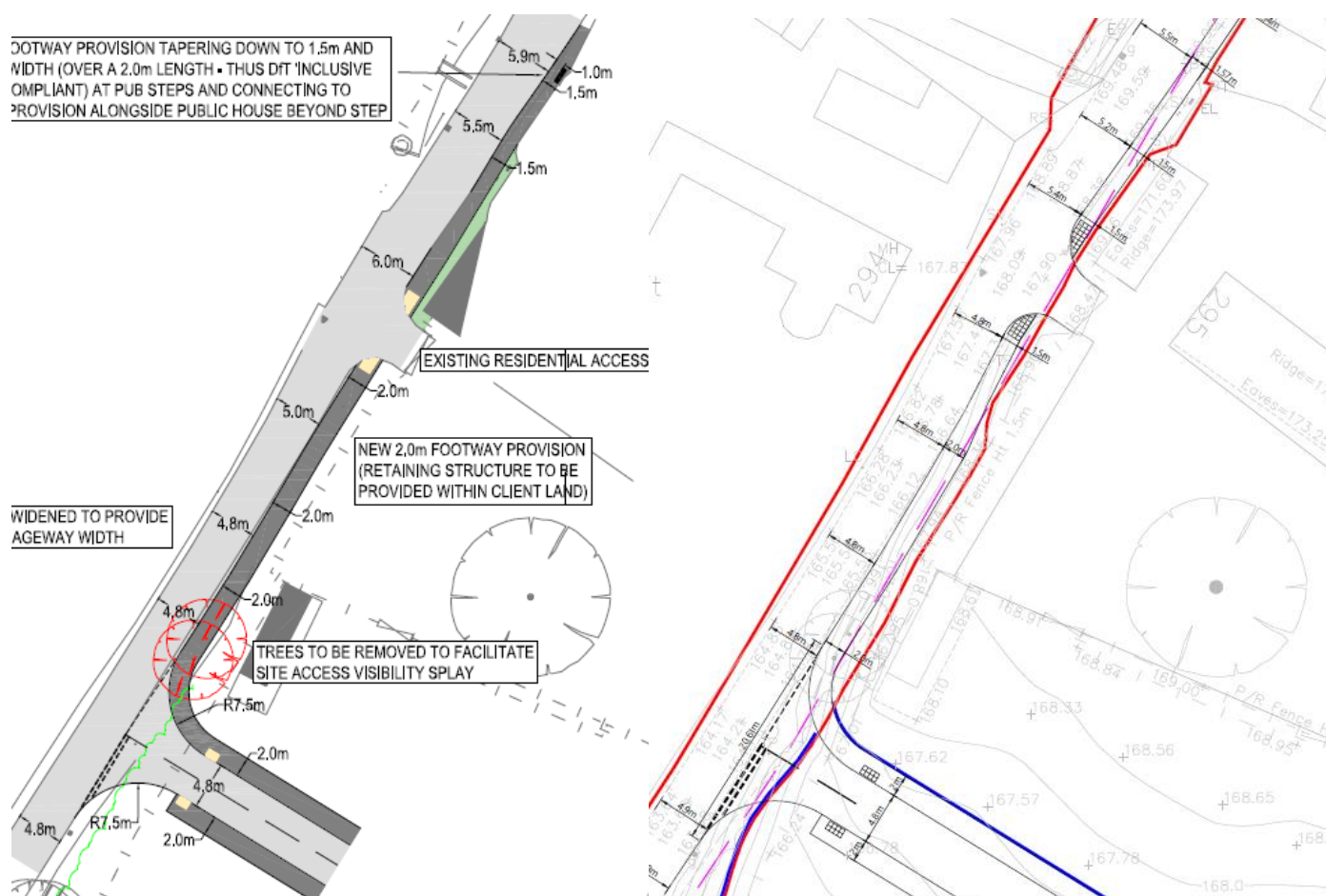
Leeds

London

Manchester

Newcastle upon Tyne

DPP One Limited
Company number 08129507
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As can be seen in the images above, the impact of the correct ownership boundary coming to light is that the road and attached footpath needs to become narrower to the north of the entrance. However, the widths of both will remain as approved immediately surrounding the junction and the changes do not lower the minimum width of the road overall; this will remain at 4.8 metres.

The main change in order to reflect the correct land ownership boundary of property 295 Main Street is a maximum total loss of 600mm of the width of the access road is required and 0.5 metres of footpath. However, again, this loss is considered minor as both are narrower north and south along Main Street is narrower.

The footpath as approved also tapers to 1 metre adjacent to the public house and this will remain.

As a result, there will be no impact to the main access to the site, nor the vehicular access, and will only alter the footpath and road immediately north of the identified boundary.

Amendments Sought

Given the above, it is necessary to update the following drawing as listed under condition 3:

- Site Access + Visibility Splays dwg no T21521 001 Rev B (submitted: 21.03.2023)

The above will be replaced with the following:

- 24005-BMC-24-XX-DR-C-SK01A Section 278 Alterations

All other approved documents will remain the same.

Summary

In summary, the application seeks to amend condition 3 of planning permission 22/00527/OUT to reflect the correct land ownership boundary of 295 Main Street in relation to the approved access which subsequently results in the narrowing of the access road. As this change will not materially alter the parameters of the scheme (i.e., the main access into the site and the widths immediately adjacent) it is considered acceptable to be dealt with by way of an NMA. Such an approach was also considered appropriate when discussing informally with the Council ahead of this application.

We trust that this is enough information to determine the application, however, should you require anything further then please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Harriet Whalley', with a stylized flourish at the end.

Harriet Whalley

Planner

DPP

E: harriet.whalley@dppuktd.com