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For the attention of: Simon Smith, Planning Manager

14 August 2026

Dear Mr Smith,

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 73

APPLICATION FOR VARIATION OF CONDITION 13 ATTACHED TO PLANNING PERMISSION PL/2024/09058 (Original Permission 20/03487/FUL, Approved by Appeal Ref: APP/Y3940/W/21/3285458)

LAND AT SUTTON LANE, SUTTON BENDER, WILTSHIRE SN15 4RR

I refer to the above and to your letter to Mark Tinson, Divisional Managing Director – Hills Homes Developments Ltd ("Hills"), dated 29th July 2026. Hills has instructed OG Planning Ltd to submit a S.73 application for the variation of condition 13 attached to planning permission PL/2024/09058 (original permission 20/03487/FUL, approved by Appeal Ref: APP/Y3940/W/21/3285458), in connection with the above site and the following development.

Residential development of 21 dwellings with associated infrastructure, landscaping and construction of new access onto Sutton Lane.

Accompanying this application is the following documentation:

- Application form, duly completed
- Drawing No: 16.096.001 U – Site Plan and Location Plan
- Drawing No: SUTT-ICS-01-XX-DR-C-501 Rev.P07 – Off-Site Works: Site Clearance
- Drawing No: SUTT-ICS-01-XX-DR-C-502 Rev.P09 – Off-Site Works: General Arrangement
- Drawing No: SUTT-ICS-01-XX-DR-C-503 Rev.P05 – Off-Site Works: Levels Design
- Drawing No: SUTT-ICS-01-XX-DR-C-504 Rev.P05 – Off-Site Works: Surface Finishes and Kerb Spaces
- Drawing No: SUTT-ICS-01-XX-DR-C-505 Rev.P07 – Off-Site Works: Legal Plan
- Drawing No: SUTT-ICS-01-XX-DR-C-506 Rev.P05 – Off-Site Works: Drainage Design
- Drawing No: SUTT-ICS-01-XX-DR-C-510 Rev.P05 – Off-Site Works: Gully Catchments

Supporting information

This S.73 application relates solely to the provisions contained within Condition 13 of the planning permission, which states:

No part of the development hereby permitted shall be occupied until a new footway along Sutton Lane has been provided in accordance with following plans:

Offsite Works Site Clearance; DR-C-501 Rev P05, received on 21.01.2025

Off-site Works General Arrangement; DR-C-502 Rev P07, received on 21.01.2025

Off-site Works Levels Design; DR-C-503 Rev P04, received on 21.01.2025

Offsite Works Surface Finish & Kerb Specs; DR-C-504 Rev P04, received on 21.01.2025

Offsite Works Legal Plan; DR-C-505 Rev P04, received on 21.01.2025

Offsite Works Drainage Design; DR-C-510 Rev P03, received on 10.03.2025

It has recently transpired that the S.278 off-site works approved under permission PL/2024/09058, cannot be completed as per the approved design and therefore some minor revisions are required. The footpath cannot be extended around Chestnut Road from Sutton Lane, because it conflicts with a sub-station located at this junction. In addition, a gully that was going to be relocated will be retained as existing.

The plans enclosed with this application indicate these changes. In addition, a slight error has been spotted in the wording of condition 13 attached to PL/2024/09058. The existing condition lists the 'Off-Site Works: Drainage Design' as numbered 510 when in fact it is numbered 506. Drawing 510 is an "Off-Site Works: Gully Catchment" plan, which should also be included within this condition.

These minor revisions have been discussed with Nicola Tilley at Wiltshire Council Highways and have already received approval in principle.

Unfortunately, the delay to the completion of the off-site footway works is causing Hills significant financial and logistical issues due to their inability to complete sales of the dwellings that have since been built on the main application site. Therefore, this S.73 application is seeking additional flexibility within condition 13, to allow a percentage of the dwellings to be first occupied prior to completion of the off-site footpath works. This is considered to provide the Council with sufficient comfort that the footpath works will be completed, whilst also allowing Hills to begin home sales.

Taking all of the above into account, this application seeks variation of condition 13, to read as follows:

"No more than 50% of the dwellings hereby permitted shall be first occupied until a new footway along Sutton Lane has been provided in accordance with following plans:

SUTT-ICS-01-XX-DR-C-501 Rev.P07 – Off-Site Works: Site Clearance, received on XXXX

SUTT-ICS-01-XX-DR-C-502 Rev.P09 – Off-Site Works: General Arrangement, received on XXXX

SUTT-ICS-01-XX-DR-C-503 Rev.P05 – Off-Site Works: Levels Design, received on XXXX

SUTT-ICS-01-XX-DR-C-504 Rev.P05 – Off-Site Works: Surface Finishes and Kerb Spaces, received on XXXX

SUTT-ICS-01-XX-DR-C-505 Rev.P07 – Off-Site Works: Legal Plan, received on XXXX

SUTT-ICS-01-XX-DR-C-506 Rev.P05 – Off-Site Works: Drainage Design, received on XXXX

SUTT-ICS-01-XX-DR-C-510 Rev.P05 – Off-Site Works: Gully Catchments, received on XXXX"

I trust that the above is satisfactory but please do not hesitate to contact me if you have any queries.

Yours sincerely,

Andy Shepley

Director

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Enc.