



% affordable LE

From Stephen Holme [REDACTED]

Date Thu 9/19/2024 10:36 AM

To Andrew Senior [REDACTED] Mark Patterson [REDACTED]
David Atkinson [REDACTED]

Cc Daniel Robinson-Wells [REDACTED]

Andrew, Mark, David

Following our discussion yesterday I can confirm we are happy to accept the following;
The affordable % is based on a minimum of 10% and a maximum of 50% on phases 1 -3
A minimum of 10 % and a maximum of 40% on phase 4.
Obviously this is all subject to further viability assessments on the 4 phases.
Do you want me to update the HOTs accordingly?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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Outlook

I'll arrange HDC pay this. Lutterworth East Urban Extension FVA Review - AspinallVerdi

From Adrian Eastwood [REDACTED]

Date Mon 4/29/2024 3:06 PM

To David Atkinson [REDACTED]

Cc Mark Patterson [REDACTED]

Andrew Senior [REDACTED]

1 attachment (125 KB)

240429 Lutterworth East Urban Extension FVA_Harborough DC_ Invoice v1.pdf;

Hi David

I'll arrange HDC pay this.

I'll ask finance for a receipt for subsequent forwarding/invoicing to LCC which said by email to you it will meet this cost.

Adrian Eastwood MRTPI

Head of Service Development Management
[REDACTED]

From: Molly Toon**Sent:** Monday, April 29, 2024 2:23 PM**To:** Adrian Eastwood**Cc:** Parminder Dosanjh ; Julie Vincent ; Max King ; Noa Van de Riet**Subject:** Lutterworth East Urban Extension FVA Review - AspinallVerdi

Hi Adrian,

I hope you are well.

I have attached AspinallVerdi's invoice for instruction.

I trust that everything is in order but should you have any queries, do not hesitate to contact me.

Regards,

Molly Toon BA MSc**Consultant**AspinallVerdi – Property Regeneration Consultants
[REDACTED]www.aspinallverdi.co.uk

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Outlook

New Tech 1 order please. - to Aspal Verdi of £26,000 from 1011 DGA for LEAST viability work

From Adrian Eastwood [REDACTED]**Date** Tue 1/30/2024 9:05 AM**To** Jemma Parker-Louth [REDACTED]**Cc** Andrew Senior [REDACTED]

Hi Jemma

Can you raise this please. I cannot see Debs had time before her holiday.

Thanks

Adrian Eastwood MRTPI

Head of Service Development Management
[REDACTED]

From: Adrian Eastwood**Sent:** Friday, January 19, 2024 9:57 AM**To:** Debbie Lansdell**Cc:** Mark Patterson ; Andrew Senior**Subject:** New Tech 1 order please. - to Aspal Verdi of £26,000 from 1011 DGA for LEAST viability work

Hi Deb

New order to Aspal Verdi of £26,000 from 1011 DGA for LEAST viability work.

Thanks

Adrian Eastwood MRTPI

Head of Service Development Management
[REDACTED]



16th June 2023 is the up-to-date assessment : Aspinall Verdi advice to HDC on Lutterworth East.

From Adrian Eastwood [REDACTED]**Date** Mon 1/29/2024 11:48 AM**To** Max King [REDACTED]**Cc** Andrew Senior [REDACTED] Mark Patterson [REDACTED]

1 attachment (8 MB)

230616 Lutterworth - Financial Viability Assessment Full.pdf;

Hello Max

Yes. 16th June 2023 is the up-to-date assessment provided on behalf of LCC.

Has AV got an order from HDC (a new finance system has recently begun causing some issues...) ?

Thanks

Adrian Eastwood MRTPI

Head of Service Development Management
[REDACTED]

From: Max King**Sent:** Monday, January 29, 2024 11:15 AM**To:** Adrian Eastwood**Cc:** Parminder Dosanjh ; Noa Van de Riet**Subject:** RE: Update : Aspinall Verdi advice to HDC on Lutterworth East.

Hi Adrian,

I trust you are well.

Along with my colleague Noa in copy I am assisting Parm with the Lutterworth FVA.

We've kicked things off on our side but before we dive into the details, please can you confirm that the attached is the latest FVA in respect of the site?

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants
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From: Parminder Dosanjh [REDACTED]**Sent:** 09 January 2024 12:05**To:** Adrian Eastwood [REDACTED]**Cc:** Max King [REDACTED]**Subject:** RE: Update : Aspinall Verdi advice to HDC on Lutterworth East.

Thanks for the update Adrian and look forward to hearing from you in due course.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

www.aspinallverdi.co.uk

T: 020 7183 7580

M: [REDACTED]

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From: Adrian Eastwood [REDACTED]

Sent: 09 January 2024 10:50

To: Parminder Dosanjh [REDACTED]

Cc: Max King [REDACTED]

Subject: Update : Aspinall Verdi advice to HDC on Lutterworth East.

Dear Parm

LCC has agreed to meet HDC costs.

There is an Exempt report to HDC 16th January planning committee updating on the option to assess viability and potentially vary the s106. Also, the report confirms HDC is not compelled to vary the s106 in its first five years.

Subject to that meeting I expect HDC will contact you further.

Regards

Adrian Eastwood MRTPI

Head of Service Development Management

From: Parminder Dosanjh [REDACTED]

Sent: Monday, January 8, 2024 4:53 PM

To: Adrian Eastwood [REDACTED]

Cc: Max King [REDACTED]

Subject: RE: FYI : Aspinall Verdi advice to HDC on Lutterworth East.

Hi Adrian

Happy New Year!

Following on from our exchange of emails below, I was wondering if you had heard anything further on this from Leicestershire CC.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

www.aspinallverdi.co.uk

T: 020 7183 7580

M: [REDACTED]

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From: Parminder Dosanjh

Sent: 02 November 2023 14:39

To: Adrian Eastwood [REDACTED]

Cc: Max King [REDACTED]

Subject: RE: FYI : Aspinall Verdi advice to HDC on Lutterworth East.

Hi Adrian

Thanks for the update, I am on leave from the back end of next week until the 27th November; however, my colleague Max King will be around, if this needs to kick off whilst I am away.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

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From: Adrian Eastwood [REDACTED]

Sent: 02 November 2023 14:26

To: Parminder Dosanjh [REDACTED]

Subject: FYI : Aspinall Verdi advice to HDC on Lutterworth East.

FYI

Adrian Eastwood MRTPI

Head of Service Development Management

From: Stephen Holme [REDACTED]

Sent: Thursday, November 2, 2023 2:19 PM

To: Adrian Eastwood [REDACTED]

Subject: RE: FYI : Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

Hi adrian – ive instructed our solicitor to draft this

Hopefully get it back to you next week.

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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From: Adrian Eastwood [REDACTED]

Sent: 01 November 2023 15:51

To: Stephen Holme [REDACTED]

Subject: RE: FYI : Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

Ok please submit draft PPA to HDC.

Thank you

Adrian Eastwood MRTPI

Head of Service Development Management

From: Stephen Holme [REDACTED]

Sent: Wednesday, November 1, 2023 3:28 PM

To: Adrian Eastwood [REDACTED]

Subject: RE: FYI : Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

We will reimburse within their required payment timings – 30 days is fine

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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From: Adrian Eastwood [REDACTED]

Sent: 01 November 2023 15:22

To: Stephen Holme [REDACTED]

Subject: FYI : Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

FYI

Adrian Eastwood MRTPI

Head of Service Development Management

From: Adrian Eastwood

Sent: Friday, October 20, 2023 3:31 PM

To: Stephen Holme [REDACTED]

Cc: Mark Patterson [REDACTED]

Subject: RE: Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

Hello Stephen

This seems ok.

There is no actual application to vary the s106.

Need to include at what point LCC will reimburse. I think AV quote included monthly settlement or something up front if you check back please?

Regards

Adrian Eastwood MRTPI

Head of Service Development Management

From: Stephen Holme [REDACTED]

Sent: Monday, October 16, 2023 10:06 AM

To: Adrian Eastwood [REDACTED]

Cc: Clare Sinnott [REDACTED]

Subject: RE: Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

Hi adrian we will need to do the as a PPA

Can you confirm you are happy with the HOT's I proposed previously?

- HDC to appoint an independent assessor to review the information provided within a 3-week time period commencing from the completion of the PPA (review period). As this needs to be an independent assessment of LCC's viability assessment, HDC will need to appoint the independent assessor.
- LCC to respond to requests for information with a 2-week time period of any request.
- Both parties shall work to a target date of 3 months from completion of the PPA to finalise the assessment.
- HDC to determine the application to vary the existing section 106 agreement within 4 weeks of the viability assessment being finalised.
- HDC will provide LCC with the quote for costs related to the appointment of the independent assessor.
- LCC will reimburse HDC with all reasonable costs associated with the instruction of the independent assessor.

Let me know your thoughts.

Kind Regards

Stephen Holme
Development Consultant
Strategic Property Services
Corporate Resources Department
Leicestershire County Council
County Hall, Glenfield, Leicester.
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From: Stephen Holme

Sent: 10 October 2023 15:41

To: Adrian Eastwood [REDACTED]

Subject: RE: Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

That's fine – I'll get one drafted

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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From: Adrian Eastwood [REDACTED]

Sent: 10 October 2023 13:46

To: Stephen Holme [REDACTED]

Subject: Can you please submit - : Aspinall Verdi advice to HDC on Lutterworth East.

Hello Stephen

Can you please submit a legal undertaking for HDC to secure the reimbursement.

Thank you.

Adrian Eastwood MRTPI

Head of Service Development Management

From: Stephen Holme [REDACTED]

Sent: Wednesday, October 4, 2023 1:43 PM

To: Adrian Eastwood [REDACTED]

Subject: FW: Progress. : Aspinall Verdi advice to HDC on Lutterworth East.

Hi adrian as discussed LCC are happy to reimburse HDC for the cost of their instruction but we cannot instruct them – therefore you will need to fill the form out with your details.

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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From: Adrian Eastwood [REDACTED]
Sent: 29 September 2023 11:22
To: Stephen Holme [REDACTED]
Subject: Progress. : Aspinall Verdi advice to HDC on Lutterworth East.

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Hello Stephen

David Atkinson has asked AV is instructed.

I have checked and AV confirm the attached quote stands, and it has capacity to commence.

Can you please confirm LCC will meet costs and provide relevant details to populate below for issuing to AV (HDC shall be the client main contact)

If the Applicant is to pay our fees directly, then we would seek to invoice (and receive payment) upfront before commencing our analysis. We will require the Applicant's billing details, with the following information to be provided for our records:

Client Main Contact Name	
Accounts Contact Name	
Accounts Email address	
Company Name (& Invoicing Name if different)	
Project Purchase Order Number	
Email Address	
Telephone number	
Mobile number	
Postal address	
Postcode	
Applicant Contact Details for Invoicing	

Thank you.

Adrian Eastwood MRTPI

Head of Service Development Management
 [REDACTED]

From: Parminder Dosanjh [REDACTED]
Sent: Friday, July 14, 2023 3:21 PM
To: Adrian Eastwood [REDACTED]
Cc: Matthew Olive [REDACTED] Adam Baker [REDACTED]
Subject: RE: FYi : Potential work : Aspinall Verdi advice to HDC on Lutterworth East.

Hi Adrian

Further to my email below, please see updated fee letter, including input from the QS who has now had sight of the supporting evidence.

Please note that I will be on leave from the end of next week until the 8th August and therefore if the instruction is confirmed whilst I am away, then my colleagues Mat Olive and Adam Baker will be able to pick this up in my absence.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants
 [REDACTED]

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From: Parminder Dosanjh

Sent: 30 June 2023 15:33

To: Adrian Eastwood [REDACTED]

Subject: RE: FYi : Potential work : Aspinall Verdi advice to HDC on Lutterworth East.

Hi Adrian

Please see attached our fee proposal for reviewing the Applicant's viability statement. The fee include input from a QS to review the S1076 costs; however, due to the lack of available information they have not provided a fee to review the infrastructure costs and therefore if further evidence becomes available then additional fees will be required. I did approach a couple of QS firms and the feedback was the same i.e. lack of information to benchmark the infrastructure costs.

I look forward to hearing from you in due course. I am on leave from the 21st July for a couple of weeks; however, my colleagues will be able to crack on with the analysis whilst I am away.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

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From: Adrian Eastwood [REDACTED]

Sent: 16 June 2023 10:09

To: Parminder Dosanjh [REDACTED]

Subject: FYi : Potential work : Aspinall Verdi advice to HDC on Lutterworth East.

FYI

Adrian Eastwood MRTPI

Head of Service Development Management

From: Adrian Eastwood

Sent: Friday, June 16, 2023 10:08 AM

To: Stephen Holme [REDACTED]

Cc: Mark Patterson [REDACTED]

Subject: Potential work : Aspinall Verdi advice to HDC on Lutterworth East.

Hello Stephen

The AV contact is:

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

www.aspinallverdi.co.uk

T: 020 7183 7580

M: [REDACTED]

If LCC please discuss with Parminder an approach whereby LCC funds AV to report directly to HDC with advice and recommendations on viability report LCC submit.

If agreed the principles of that can be set out in a simple PPA between HDC/LCC. That will provide transparency in all persons interest.

This will be the informed and expedient way to deal with viability issues.

Thanks

Adrian Eastwood MRTPI

Head of Service Development Management

[REDACTED]

From: Stephen Holme [REDACTED]

Sent: Wednesday, June 7, 2023 10:14 AM

To: Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]

Cc: Jon Bennett [REDACTED]

Subject: Aspinall Verdi contact

Morning Mark / Adrian

As discussed we are proposing to submit the viability assessment next week, just wondering if you have a contact at AV to send the report to?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

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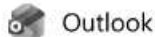
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24/01135/s106 - : Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]

From Adrian Eastwood [REDACTED]
Date Thu 9/5/2024 1:56 PM
To Simon Galton [REDACTED]
Cc Mark Patterson [REDACTED] Andrew Senior [REDACTED] David Atkinson [REDACTED]
 [REDACTED] Amanda Burrell [REDACTED]

1 attachment (132 KB)

Covering Letter - S106 DoV 3 Sep 24.pdf;

Hello Cllr Galton

Further to this thread & attachments the following submission should soon appear online as an application.

Application No.	24/01135/S106	Pre-App	☐	U.P.R.N.	[REDACTED]
Type	S106 - Variation of S106	Address			
Status	REC - Application Received	Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire			
Appeal Status					
District Ref.		Map Ref (E)	455352	(N)	285414
Proposal	Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing				

It shall be reported to planing committee for a decision.
 I shall update Cllr Bannister as shadow portfolio holder.
 Adrian Eastwood MRTPI
 Head of Service Development Management
 [REDACTED]

From: Daniel Robinson-Wells
Sent: 03 September 2024 16:32
To: Andrew Senior ; Stephen Holme
Cc: Mark Patterson ; Adrian Eastwood ; David Atkinson ; Tess Nelson ; Claire Berry
Subject: RE: Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]
Importance: High

Hi Andrew,
 Please find the attached application in relation to the Section 106 DoV.
 If you have any queries let me know.
 Kind Regards,
 Dan

Dan Robinson-Wells
 Associate Director
 M [REDACTED]

From: Andrew Senior [REDACTED]
Sent: 28 August 2024 15:03
To: Stephen Holme [REDACTED] Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED] Adrian Eastwood [REDACTED] David Atkinson [REDACTED]
 [REDACTED] Tess Nelson [REDACTED] Claire Berry [REDACTED]
Subject: Deeds of variation Lutterwoth East
This Message originated outside your organization.

Hi Stephen,
 Further to our telephone conversation earlier today. As the Section 73 applications, such as the one to lift the unit size on the B8 site, will result in a new planning permission being issued we need to agree a deed of variation to the existing 106 agreement to tie this 106 to the new planning permission. In general terms this just needs to cross reference the planning permission number to the existing 106 agreement.
 I would also remind you of my email of 15 August about the additional information needed in support of the application to vary the unit size on the B8 site.
 Reducing the numbers of affordable housing also needs a deed of variation. Because this variation is for an element of the application which was covered by the EA the original evidence submitted in the EA needs to be addressed and a revised impact assessed. Because this is an EA part of the original application this has, by statute, to be advertised for 30 days. The applicant's desire to vary the amount of affordable housing because of issues of viability needs to be supported by evidence.
 There is no application form for this type of application in practice it is done by letter. The additional information set out above can be incorporated into the letter, or more conveniently, appended to it.

The draft committee report must be completed by 27 September.
If you have any questions, please contact either Mark or myself.
Andrew Senior
Interim Strategic Development Officer
Tel: [REDACTED]
My working day is Wednesday

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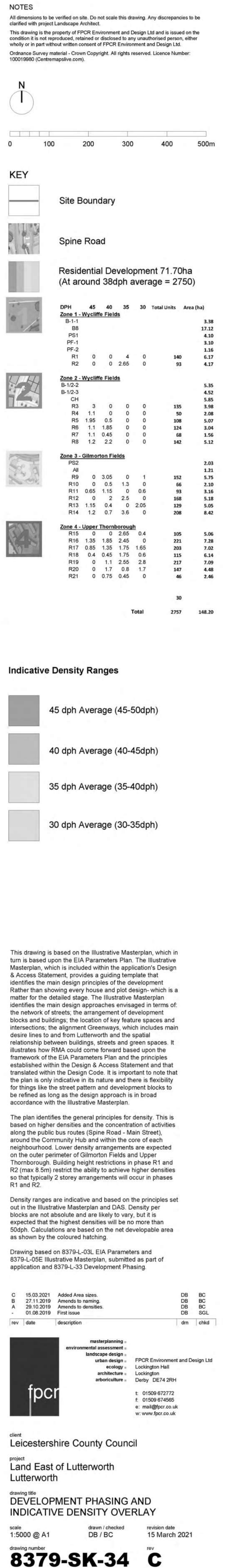
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Outlook

Agenda for Lutterworth East SDA Delivery Meeting 15 Feb 2024

From Claire Berry [REDACTED]**Date** Wed 2/14/2024 3:12 PM**To** David Atkinson [REDACTED] Tess Nelson [REDACTED]
[REDACTED] [REDACTED] Stephen Holme [REDACTED]
Adrian Eastwood [REDACTED] Mark Patterson [REDACTED]
Andrew Senior [REDACTED] Keith Keeley [REDACTED]

Dear all,

Please find below the agenda for the Lutterworth East SDA Delivery meeting at 3.30 pm tomorrow (15 February):

1. Introductions and Welcome (David Atkinson, HDC)
2. New Harborough Local Plan (Tess Nelson, HDC)
 - Scope and Timetable
 - Issues and Options Representation
3. SDA Delivery Progress (David Atkinson, HDC)
 - Matters for discussion as set out in the letter to Leicestershire County Council dated 9 February 2024
4. Agreed Actions and Timetable (David Atkinson, HDC)
5. Date of next meeting (David Atkinson, HDC)

Regards Claire.

**Claire Berry, Planning Policy Consultant**

[REDACTED] / [REDACTED]

Harborough District CouncilThe Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AGwww.harborough.gov.uk

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Outlook

Application for : Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]

From Adrian Eastwood [REDACTED]**Date** Wed 9/4/2024 8:50 AM**To** Mark Patterson [REDACTED] Andrew Senior [REDACTED]**Cc** Claire Berry [REDACTED] David Atkinson [REDACTED]

2 attachments (1 MB)

Covering Letter - S106 DoV 3 Sep 24.pdf; ADDENDUM - Lutterworth East (August 2024) - FINAL.pdf;

Hi Mark/ Andrew

Please create an application. We have a s106 suffix (need to add that to the weekly list template Mark please). I have attached the AV report. Can you add the Gerald Eve report please.

Description =

Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing.

General press notice and site notice.

Consult LTC and parishes may be sufficient.

I appreciate there is no 'application' as such and this is effectively a request.

I anticipate report to committee will include a recommendation around options (1) agree variation (2) refuse variation (3) not compelled to vary as < 5 years old.

Adrian Eastwood MRTPI

Head of Service Development Management
[REDACTED]

From: Daniel Robinson-Wells [REDACTED]**Sent:** 03 September 2024 16:32**To:** Andrew Senior [REDACTED] Stephen Holme [REDACTED]**Cc:** Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]

[REDACTED] David Atkinson [REDACTED] Tess Nelson [REDACTED]

[REDACTED] Claire Berry [REDACTED]

Subject: RE: Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]**Importance:** High

Hi Andrew,

Please find the attached application in relation to the Section 106 DoV.

If you have any queries let me know.

Kind Regards,

Dan

Dan Robinson-Wells

Associate Director

M [REDACTED]

From: Andrew Senior [REDACTED]**Sent:** 28 August 2024 15:03**To:** Stephen Holme [REDACTED] Daniel Robinson-Wells <Daniel.Robinson-Wells@shma.co.uk>**Cc:** Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]

David Atkinson [REDACTED] Tess Nelson [REDACTED] Claire Berry [REDACTED]

Subject: Deeds of variation Lutterwoth East**This Message originated outside your organization.**

Hi Stephen,

Further to our telephone conversation earlier today. As the Section 73 applications, such as the one to lift the unit size on the B8 site, will result in a new planning permission being issued we need to agree a deed of variation to the existing 106 agreement to tie this 106 to the new planning permission. In general terms this just needs to cross reference the planning permission number to the existing 106 agreement.

I would also remind you of my email of 15 August about the additional information needed in support of the application to vary the unit size on the B8 site.

Reducing the numbers of affordable housing also needs a deed of variation. Because this variation is for an element of the application which was covered by the EA the original evidence submitted in the EA needs to be addressed and a revised impact assessed. Because this is an EA part of the original application this has, by statute, to be advertised for 30 days. The applicant's desire to vary the amount of affordable housing because of issues of viability needs to be supported by evidence.

There is no application form for this type of application in practice it is done by letter. The additional information set out above can be incorporated into the letter, or more conveniently, appended to it. The draft committee report must be completed by 27 September.

If you have any questions, please contact either Mark or myself.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday

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Committee Report

Applicant: Leicestershire County Council

Application Ref: 24/00932/VAC

Location: Land East Of Lutterworth, Gilmorton Road, Lutterworth

Proposal: Hybrid planning application comprising Outline application for development (including demolition) of up to 2,750 dwellings, business, general industrial and storage and distribution uses, two primary schools, neighbourhood centre, public open space, greenspace, drainage features, acoustic barrier, and other associated infrastructure (some matters reserved), and full application for the development of a spine road and associated junctions with the A426 north of Lutterworth, Gilmorton Road, Chapel Lane (including the partial closure and realignment of Chapel Lane to motor vehicles and horse riders), and the A4304 east of M1 Junction 20, comprising carriageway, footway, cycleway and associated infrastructure to include earthworks, bridge structures, services, drainage, landscaping, lighting and signage. (Variation of condition 50 (Traffic Signage), 51 (PRoW Strategy) and 54 (Pedestrian Crossings) and Removal of condition 20 (B8 limitation) of 19/00250/OUT)

Parish/Ward: Lutterworth and Misterton with Walcote / Lutterworth East and Misterton

Application Validated: 25/07/24

Application Target date: 24/10/24

Extn. of time:

Reason for Committee Consideration: Due to the nature of the application and the scale of the original application

Recommendation

Planning Permission is **APPROVED**, for the reasons set out in the report, subject to Deed of Variation to tie this consent to the original S106 agreement.

1. Introduction (including Site & Surroundings)

- 1.1 The site lies predominantly to the east of the M1 Motorway, with built development only being proposed to the east of the M1. The site also includes land to the west of the M1. This comprises land north of Gloster Road, on the northern edge of Lutterworth, alongside the A426 (Leicester Road) and Bill Crane Way. The site also includes land to the east of Station Road and Misterton Way. This land is bordered by a dismantled railway line and the M1 Motorway. The site adjoins the town of Lutterworth to the west, is near to the hamlet of Misterton to the southeast.
- 1.2 The site is circa 225ha and is predominantly agricultural land in both pastoral and arable use. There are a small number of residential and agricultural buildings within the site, and high voltage overhead power lines cross the site. The site contains the Misterton Marshes Site of Special Scientific Interest (SSSI), Thornborough Spinney, and smaller pockets of woodland and hedgerows of local ecological value.
- 1.3 The River Swift and its tributaries run through the site, along with a network of drains and ditches. The majority of the site falls within the Flood Zone 1. The site is not designated for its landscape value, has a relatively limited visual envelope due to the

presence of the M1 and tree planting. Part of the site falls within the setting of Grade II* listed Misterton Church.



Figure 1: Site Location Plan

- 1.4 The site can be accessed from the A4304 to the south, the Gilmorton Road, the A426 to the north, and numerous footpath connections along the western and eastern boundary. Whilst the individual parcels within the application site have a considerable planning history, none of this is relevant to this planning application.



Figure 2: Aerial Photo of site

2. Site History

- 2.1 19/00250/OUT – Hybrid planning application comprising Outline application for development (including demolition) of up to 2,750 dwellings, business, general industrial and storage and distribution uses, two primary schools, neighbourhood centre, public open space, greenspace, drainage features, acoustic barrier, and other associated infrastructure (some matters reserved), and full application for the development of a spine road and associated junctions with the A426 north of Lutterworth, Gilmorton Road, Chapel Lane (including the partial closure and realignment of Chapel Lane to motor vehicles and horse riders), and the A4304 east of M1 Junction 20, comprising carriageway, footway, cycleway and associated infrastructure to include earthworks, bridge structures, services, drainage, landscaping, lighting and signage – Approved 17/05/2022.
- 2.2 24/01135/S106 – Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing – Pending Consideration at this meeting of the Planning Committee

3. The Application Submission

a) Summary of Proposals

- 3.1 The application seeks to vary the planning conditions which are currently written so they relate to the whole of the site so that they can be discharged in a phase by phase basis. The application also seeks to remove a condition relating to the B8 element of the site.
- 3.2 The application has been made under section 73 of the Town and Country Planning Act 1990 (as amended). This section of the act is to allow development to proceed without complying with conditions attached to the original grant of planning permission or for the imposition of different conditions. If such an application is granted it amounts to a new planning permission and consequently a Deed of Variation to the S106 agreement will be required. Despite being a new consent, this will not extend the life of the planning permission.

b) Plans and Documents submitted in support of the application

- 3.2
- Detailed phasing plan
 - Illustrative Masterplan
 - Parameters Plan
- 3.3 Revised plans submitted on 26.10.24, correcting drafting errors and omitting the new bus stop on Kettering Road and enhancing the two bus stops further down Kettering Road (on the same side of the road).

4. Consultations and Representations

- 4.1 Firstly, a summary of the technical consultees' responses received is set out in **Figure 3** below. Where appropriate the responses will be discussed in more detail within the main body of the report. If you wish to view the comments in full, please go to: www.harborough.gov.uk/planning

Consultee	Date	Summary
<i>National / Regional Bodies</i>		
Environment Agency	02.08.24	No comment
National Gas	05.08.24	No National Gas assets affected in this area
Historic England	20.08.24	No objections

Natural England	13.08.24	No comment
Active Travel England	28.08.24	ATE is content with the development as proposed
Integrated Care Board	12.08.24	No comments
Canal and Rivers Trust	02.08.24	No comments
Sport England	20.08.24	No comments
Leics Police	22.08.24	No objections
National Grid	21.08.24	No objections
<u>LCC</u>		
Highways	23.08.24	<u>Condition 20:</u> The applicant tested the impact of the development on the local and strategic highway as part of the 2019 application. The comprehensive modelling exercise included testing several future year scenarios including with and without the spine road, identifying a package of highway measures and then re-running the scenarios to confirm that the interventions will mitigate the impact of the development. In the model runs the applicant tested the number of employees / trips associated with 21.5hectare employment land. The land use was split between 2.5hectares of business park, up to six hectares of B1/B2 industrial estate and 13hectares of Distributional Storage and Distributional (B8). The LHA did not advise the condition to limit the size of B8 as part of the proposals however in the event all the employment land was allocated as B8 the LHA is content that there will be no additional development trips on the network. Therefore the LHA offers no objection to removal of Condition 20. <u>Condition 50:</u> The LHA advised this condition was included on the Decision Notice in its final response to the Hybrid application in March 2020. However, the applicant has now indicated that they do not think it is appropriate for a traffic and direction signing strategy to be submitted and approved prior to the commencement of any part of the development or the need for a signing strategy is removed all together. The LHA is content that a signing strategy is submitted and approved prior to commencement of each phase or sub phases of the development. <u>Condition 51:</u> There are no Public Rights of Way (PROWs) to the south of the River Swift, therefore the applicant would like the condition to be amended to refer to the commencement of development north of the River Swift rather than north of the A4304. Based on the evidence submitted, the LHA does not object to the proposed amendment to the wording of the Condition 51. <u>Condition 54:</u> Given the condition has no trigger point the applicant has asked the LPA to amend the wording of the condition so that details of the pedestrian crossing should be provided prior to the commencement of development north of the River Swift e.g. around the community hub. The LHA offers no objection to the proposed amendment of Condition 54. <u>Closing</u> After a review of the information submitted, the LHA would not object to the removal of condition 20. Furthermore LHA does not consider that the proposed variation of the conditions 50, 51, and

		54 would have an unacceptable impact on highway safety and nor would the residual cumulative impacts on the highway network be severe, in accordance with paragraph 115 of the NPPF (2023).
Archaeology	29.08.24	No comments
LLFA	08.08.24	No comments
Ecology	22.08.24	These conditions to not refer to ecological matters, therefore I have no comments to make
<u>HDC</u>		
Conservation Officer	16.08.24	No objections. Impact of size of buildings can be dealt with via Reserved Matters
Neighbourhood and Green Spaces Officer	12.08.24	No comments
<u>MP's / Cllrs / PC's</u>		
Cllr Bateman	06.09.24	I must object in the strongest terms to this application for the following reasons:- 1. There is no evidenced need for any additional B8 warehousing in this area, as detailed in the Strategic Warehousing document covering both Leicestershire and the larger geographical area. 2. The original permitted application was approved based on the smaller units proposed at that time, and despite local reservations, the smaller size was considered acceptable to assist LCC in marketing the adjoining Lutterworth East residential development. Whilst I accept that the market has changed since that application was approved, I cannot agree that changing the size of the warehousing simply to enable the LCC to better market their development is acceptable. 3. The enlargement of the warehouses would in my opinion increase substantially the volume of articulated HGV traffic into and out of the site, which together with the Lutterworth East development, and potentially the Misterton Quarry (if approved) would significantly increase the traffic levels at this already heavily used and regularly congested location. 4. If approved, this application would be a 'foot in the door' for further expansion of the site, along the south-east corridor of the M1 motorway, allowing more unnecessary and unrequired warehousing, which as previously stated is not required according to approved studies. 5. I note that the improved marketability of this site would allow the LCC to invest any funds raised into the further marketability of Lutterworth East, however I have seen no evidence that this is to be mandated, which could lead to LCC simply banking the monies, leaving Lutterworth East to languish undeveloped. In closing there is no evidenced need or requirement for this increase in size to be permitted and I would encourage the authority to refuse the application
Lutterworth Town Council	11.10.24	Lutterworth Town Council strongly objects to the application. Lutterworth Town Council would ask that the following points are considered in light of the fact that the original planning application (19/00250/OUT) was passed by a single vote, having received significant opposition relating to warehousing, spine road location, predicted noise levels and impact to the local heritage and environment. 1. As part of the original planning process there was significant opposition to the building of any warehousing as part of the development, given the proximity of Magna Park and other logistics

		facilities nearby. However, residents of Lutterworth were given the clear commitment that the warehousing concerned would not be of the Magna Park variety, as all Strategic B8 warehouses (i.e. above 9,000 sqm each) would be restricted to sites such as Magna Park. This was a significant point in the consideration of the planning application, and the restriction in size would certainly have been a contributory factor in some members voting in favour of the application. To now vary that condition would be wrong, as had that variation been part of the original application there is a strong possibility that the outline planning permission would not have been granted approval. 2. The Employment Land Needs Assessment on which the premise of the removal of the 9000sqm size limit is based is misleading. Firstly, it has been created by Marrons themselves who, in acting on behalf of Leicestershire County Council, are hardly likely to bring forward a document that does anything other than support their own application. There has been NO independent study of land needs as part of this application. Secondly, reference is made to an accompanying letter from Gerald Eve which supposedly supports the conclusions of the Land Needs Assessment. In that letter Gerald Eve give reasons why the size cap should be removed, the first of which is that all but one of the plots at Magna Park have been speculatively developed or let, thereby removing the need for Magna Park to be protected. This is factually incorrect. Even the briefest investigation reveals that there are currently 3 newly constructed buildings available at Magna Park South with a combined floorspace of 41,156sqm (none of which have been let) and there are also 3 further plots to be developed at Magna Park North with capacity for 198,000 sqm, one of which is currently being developed with a speculative 70,600 sqm unit (again, no customer identified). In terms of constructing and then leasing all the remaining plots and buildings that currently benefit from planning permission, it is obviously difficult to apply a timeline as it is very much dependent on prevailing market conditions. There is no indication whatsoever that either the development is in any way complete, nor that there is an approximate date in mind when it is believed that it will be complete. Further, a cursory glance at the market reveals that there are currently 5 sites available at Europark Rugby (A5), 3 sites available at DIRFT, and 1 site available at Hinckley Park, all in the Strategic B8 category. There is therefore no evidence whatsoever that the supply of Strategic B8 warehousing is, or is about to be, exhausted. Finally, the report Warehousing and Logistics in Leicester and Leicestershire: Managing Growth and Change which was sponsored by both HDC and LCC and was updated in 2022 looks at land needs from 2020 to 2041. It states very clearly that between now and 2041 (i.e. the next 17 years) there is a shortfall of only 392,000sqm (112 ha) at non-rail (i.e. road served) sites after taking into account existing supply. For scale, this is less than the extension of Magna Park North of over 400,000sqm. We expect submissions to be made to HDC as part of the new Local Plan process to extend Magna Park further, and as the shortfall does not manifest itself for a considerable period of time there is no reason to accept developments that breach the current local plan, and every reason to continue to focus Strategic B8 in or adjacent to the existing areas. 3. The covering letters to the application are interesting. Contrary
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		to the comment made in the covering letter from Marrons, and the comment referring to it within the letter from Gerald Eve, there is absolutely no reference in Policy BE2 to the comment that the purpose of the policy was to protect strategic locations identified for growth. The purpose of the policy, very clearly, was to ensure that Strategic Warehousing was confined to those already identified areas, thus avoiding widespread speculative development in areas that were not suitable. 4. The remainder of the reasons given by Gerald Eve in support of the removal of the condition are all about value, i.e. the amount of money that Leicestershire County Council will be able to get from the development. There is nothing about value to the local community, this is all about how much money the county council can get out of Lutterworth. Which brings us on to the next point. In the Local Plan itself, Explanation 15.2.13 clearly states that there is no requirement for this level of B8 development at this location, and that its creation is merely there to generate the cash flow required to fund road junctions that will serve the Strategic Development Area. In other words, the creation of the housing itself does not have a viable business case, and it is dependent on the provision of an unnecessary warehousing area to make the numbers balance. The fact that Leicestershire County Council can't balance the books should NOT be a reason to change either the planning permission nor to breach Local Plan policies, notably BE2. 5. The covering letter goes on to say that the provision of Strategic B8 warehousing will provide economic benefit of £17m to £23m, and job creation of between 550 and 740 FTEs. The implication here is that this will be the cost of refusal to remove the condition. There are two points to address here. Firstly, the economic benefit is not supported by the letter from Gerald Eve. They state that warehousing built to the existing conditions will already generate an economic benefit of circa £24m, potentially rising to £30m should the condition be lifted. Therefore, at worst case the cost of refusal would be £6m, not the implied £17m to £23m. Secondly, the addition of 550 to 740 full time equivalent jobs, in the logistics sector, is simply not required in Lutterworth. Unemployment in Lutterworth is currently below 1% and were those sub 1% attracted to employment within the logistics sector there is plenty of opportunity for employment at Magna Park due to the high level of agency staff that are employed there on a long-term basis. As a result, the 550 to 740 additional employees will have to travel to Lutterworth from distance, adding to the already significant commuter traffic to the town, and adding further to Leicestershire County Council's own predicted 17% increase in traffic through Lutterworth town centre. This is in no way a benefit to the town there will be no increase in commercial activity for the shops in Church Street or surrounding areas, there will merely be an increase in through traffic and congestion. 6. A natural consequence of sizable warehouses is the scale of inbound and outbound commercial vehicle activity. While smaller units can attract the use of smaller vehicles, Strategic B8 tends to operate around the 38 to 44 tonne gross vehicle weight levels, simply because of the economies that they bring to the operation. We do not accept that all of the inbound and outbound traffic will only access the site directly from the M1, and as a result it is inevitable that Lutterworth town centre will see a significant
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		increase in heavy goods vehicle traffic if the condition is removed. It must be made clear that there are no access or weight restrictions that are being applied, can be applied, or are being planned to be applied to the A426 that runs straight through the centre of the town. Therefore, no promises, commitments or good intentions will have any impact on the issue. If any one of these additional vehicles is driven through the town centre, there is nothing that can be done to stop them. For clarity, Local Plan Policy L1 refers to the situation. In explanation note 15.2.9, it clearly states that the development will deliver a spine road to alleviate pressure upon Lutterworth High Street and the Air Quality Management Area, and in 15.2.24 it states that Following completion of the spine road, traffic management measure and public realm improvements will be developed to remove or minimise the passage of HGVs through the centre of Lutterworth. It must be stated that despite years of lobbying there is no commitment from Leicestershire County Council to guarantee that these elements of the Local Plan will be complied with, and that officers of Harborough District Council do not have any idea how the requirements of 15.2.24 (above) can be enacted. Indeed, given the details of the planning permission for the spine road, the only solution to comply with the above two requirements would result in the traffic being directed through the centre of the new development, past two schools, directly through the lower cost housing area, and effectively moving the problem from one area to another. Lutterworth Town Council asks that the Planning Committee take the above points as a demonstration that the application to remove Condition 20 should be refused.
Other Local Groups		
Welford Action Group	18.10.24	No mitigation plans have been proposed to prevent a significant increase in HGV traffic in villages to the East of the site during construction or operation. Only by applying the most stringent traffic routing on traffic to and from the development will prevent a free-for-all use of local roads rather than the strategic road network. Specifically, may we, once again, make it clear that the A5199 at Welford is significantly under 6m in width and two HGV's are unable to pass without one or both mounting the pedestrian pavement. Any increase in HGV traffic generated as a result of this planning variation has the potential to put more HGV's in Welford and therefore more on the pavement with increased risks to the safety of pedestrians, other vehicles and roadside homes.

Figure 3: Summary of responses from technical consultees

b) Local Community	
1.	Objections
4.2	Approximately 140 letters were distributed to properties within Lutterworth and the surrounding locality, with a site notice also being posted in the vicinity. 8 letters have been received from properties in Lutterworth, Gilmorton, Swinford and Great Bowden. Officers note that several of the representations are very detailed and whilst regard has been had to these in assessing this application, it is impractical to copy these verbatim and therefore a summary of the key points is provided at Figure 4 below. Full copies of all representations can be viewed at www.harborough.gov.uk/planning. It should be noted that some of the representations refer to issues related to 24/01135/S106, and some also relate to the principle of the development which has already been approved as part of 19/00250/OUT

Issues of Principle raised through representations	1) this adjustment to the original planning application breaks the local planning policy, has no real economic benefit to the local area and will provide nothing but significant problems to Lutterworth and its surrounding areas. 2) The creation of a Spine Road could open up the possibility of further developments branching off it, such as trade estates and retail complexes. Adding further disruption and unknown issues. This could possibly be on the small amount of land between our home and the Spine Road 3) The development is hugely out of proportion to the locality. 4) It will take out valuable land currently used for agriculture and recreation. 5) As of 2025 Gas or other fossil fuels will not be permitted as the means of heating new build houses, how does the developer intend to satisfy the legislation of the required percentage of new builds as "affordable" if they have to be constructed to the very highest EPC rating?
Layout issues raised through representations	1) If it goes ahead the so-called spine road needs to be sufficiently wide to divert traffic from Lutterworth Town Centre and should be located next to the M1 so that access is not to and from both sides of the road 2) We object to the planning application for the Spine Road which will run directly behind our home and overlook our garden. Leicester Road is already too busy to cross in the morning and afternoons when doing the school runs. The proposed Spine Road would increase the flow of traffic making it much busier and dangerous to what it is now. 3) At present, there is a constant humming from the M1 motorway and the A426, both 4) during the day and night. This does have an impact on our daily life and mental health, effecting quality of life, sleep and enjoying relaxing in our garden during the summer. The completed spine road will have a greater impact by increasing the level of noise from cars and heavy good vehicles, causing large amounts of disruption, increased traffic and congestion resulting in higher levels of pollution.
Socio-Economic issues raised through representations	1) It is also concerning that the developer appears to be prioritizing the profitability of warehousing instead of fostering community growth, this proposal seems driven by financial gain from warehousing, without adequate consideration for the local impact. 2) The lack of local labour will mean increased car journeys let alone the freight transport required. 3) Whilst the provision of housing so close to the M1 is unacceptable because of the noise from the Motorway - especially when the wind is from the West (as it usually), reducing the percentage of affordable housing from the already low 40% would be against the national plan for 50% affordable homes. 4) We do not need any more large warehouses. Are any of the warehouse at Magna Park filled with employment? why are they always looking for staff to be employed at magna park? 5) Our NHS/Local Dr's surgeries are at full capacity. Local residents are unable to get appointments or get to see the same Dr. Why put these facilities under more strain. Leicester Royal and General are also extremely flat out having to cater for the entire county. having more houses built this would mean more strain on the facilities. 6) The spine road has the potential to attract further criminal elements with access/exit to Lutterworth and the surrounding areas. Gloster Road will sit on the back of the Spine Road, which causes concerns around to our property and easier access for burglaries 7) There are plans for new schools but none for health centres 8) The Government has stressed the new approach to such developments to have the infrastructure in place before the housing elements are commenced. Is this the plan for this proposal and where does the 1,000 plus over 11year old children go for their Secondary Education?

Highways issues raised through representations	1) The addition of more warehouses, as proposed by the developer, will intensify existing issues with increased HGV movements and traffic congestion 2) The lack of planned improvements to traffic infrastructure in this area is troubling. Adding large warehouses without enhancing roads and traffic management systems will worsen congestion and increase road hazards, bringing no benefit to local people but only harm to our community. 3) There is no provision for ameliorating the excess traffic that will have to go through the town centre, both while the development is being built and subsequently 4) As there is no access to the M6 Westbound from the M1 the increased traffic on the A4304, The Whittle Roundabout, the A426 and at the Gibbet roundabout on the A5 will be chaotic. 5) The proposed Tarmac Quarry at Misterton which was not considered when the original planning permission was granted exacerbates the road traffic issues.
Air Quality issues raised through representations	1) The addition of more warehouses, as proposed by the developer, will intensify existing issues with increased HGV movements, traffic congestion, and pollution, leading to further deterioration of air quality and negatively impacting the health and wellbeing of residents. 2) There is no provision for increasing the provision of health services 3) There is no economic, business or actual need for the extra warehousing planned, especially given the size of the planned new units 4) There is no one in Lutterworth or the surrounding areas available to work in the new units so the employment benefits are unrealistic 5) The evisceration of the provision for affordable housing in the application will do nothing to solve the shortage of available housing in the area and will actually make it worse.
Appearance issues raised through representations	1) In short, this development is unsupported by any need - economic or otherwise - and will only serve to surround Lutterworth with massive boxes that are unlet, unused and unwelcome No issues raised

Figure 4: Issues raised in Objection through consultation with local residents

5. Planning Policy Considerations

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the development plan (hereafter referred to as the 'DP') (this is the statutory presumption), unless material considerations indicate otherwise.

a) Development Plan

- 5.2 The DP for Harborough comprises:
- The Harborough District Local Plan adopted April 2019
 - Made Neighbourhood Plans.

b) Statutory Duties, Material Planning Considerations and other relevant documents

- 5.3 Material considerations include any consideration relevant in the circumstances which has a bearing on the use or development of land:
- The National Planning Policy Framework ('the Framework') Dec. 2023
 - Planning Practice Guidance
 - National Design Guide
 - Community Infrastructure Levy Regulations
 - Circular 11/95 Annex A - Use of Conditions in Planning Permission

- Leicestershire Planning Obligations Policy (July 2019)
- Leicestershire County Council 'Local Transport Plan 3' 2011-2026;
- Market Harborough Transport Strategy 2017 – 2031
Planning Obligations Developer Guidance Note
- Development Management SPD (December 2021)

6. Officer Assessment

a) Removal of Condition 20 (B8 floorspace restriction).

6.4 Original Condition:

The floor space of any single building constructed on the land that lies to the south of the A4304 identified for B8 uses, Storage and Distribution as defined by the Town and Country Planning (Use Classes Order) 1987 as amended, shall be restricted to 9000m².

REASON: The site is not designated as a site for strategic scale units which are considered in Local Plan policy BE2 to exceed 9000m² to ensure compliance with Policies SS1 and BE1 of the Harborough Local Plan

6.7 Assessment:

The applicant is seeking to vary the condition as set out above. The outline permission allows for a total floorspace of 52,000m². The application does not seek to increase the amount of floorspace but the size of unit into which it is distributed. The application site could potentially accommodate a unit of up to 40,375m² and a further unit of 15,580m².

6.8 It will be noted a paragraph XXX there is no evidence that there is no demand for smaller units. It is the applicant's contention that relaxing the condition would provide greater flexibility in the size of unit that could be constructed.

6.9 To explain why the condition was imposed. The adopted Local Plan directed that strategic scale B8 development be directed to Magna Park. B8 development is broadly uses related to 'storage and distribution' and strategic scale development is defined in the local plan as development over 9,000m² floorspace. At the time that the condition was imposed the purpose of the policy was to ensure that Magna Park was the focus of strategic scale B8 uses, and that development was not drawn away from it.

6.10 The original application required an Environmental Statement, and this application needs to consider the issues raised in that statement which are relevant to this application. These matters relate to the increased floor area of the buildings, and which could potentially affect its visual impact. The original assessment considered the whole of the site as a single mass of buildings with a maximum height of 18.5m. Consequently, the original Environmental Statement was sufficiently broad in its scope to include the impact of the current proposal. As the only Environmental Statement matter this has been dealt with in a supporting submission. This concludes that the impact would be the same as originally assessed. **Figure 5** indicates the parameters upon which the ES and LVIA were considered. **Figure 6** sets out how the development could proceed were the cap to be lifted. Officers have considered this, and the submissions made by the applicants on this matter and concur with their assessment that the visual impact would be the same as that assessed within the original submissions as part of 19/00250/OUT.

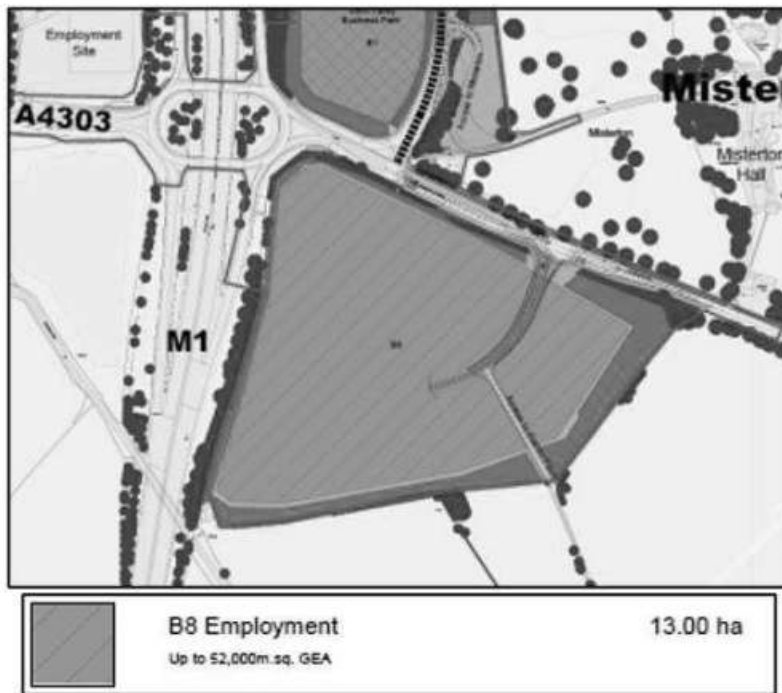


Figure 5: Approved Parameters Plan extract

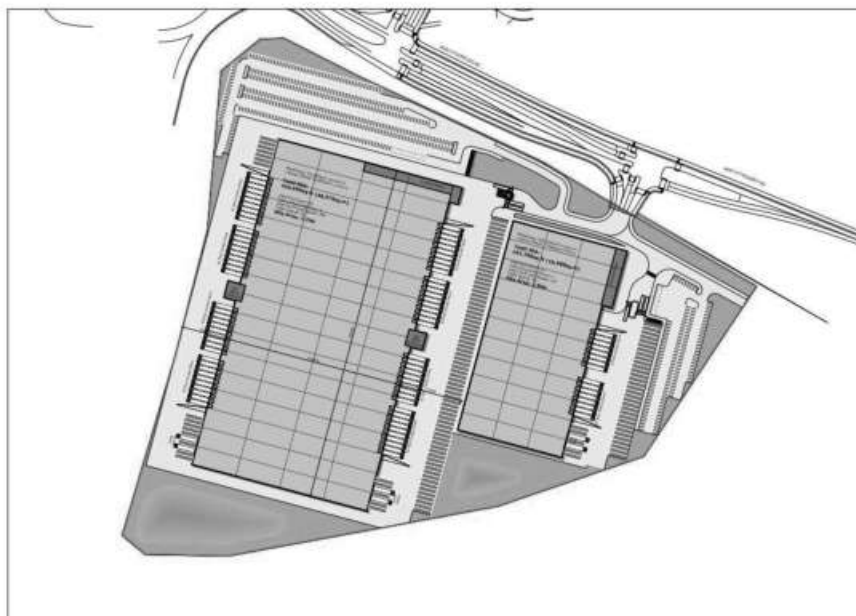


Figure 6: Indicative layout demonstrating how development could be laid out

- 6.11 A Transport Assessment accompanied the original planning application. The current application has been accompanied by supplementary information which examines the methodology used to calculate traffic impacts from HGV and employee movements. In terms of employee movements these are calculated on the total floor area, this was part of the original application, and therefore, for the purposes of the calculation, the impact is the same for a number of smaller units as for fewer larger units. A related methodology was used to calculate HGV movements, based on floor area and the number of employees. Again, because it is a floor area / employee calculation the way in which the floorspace is arranged, fewer larger units have the same impact as a larger number of smaller ones. It is therefore concluded that the impact would be the same as originally assessed.

- 6.12 the nub of the issues in this application are matters relating to Magna Park and more broadly B8 development.
- 6.13 There have been changes in circumstances since the condition was originally imposed. Three factors need to be considered, the current position of development at Magna Park, the broader context that has affected the need for storage and distribution uses and the local context.
- 6.14 Magna Park is substantially completed. Whilst there are vacant units it is understood that there is occupier interest in these. There are some plots for development, specific occupiers are being sought for these, as opposed to speculative development. As with any development there is an element of occupiers moving in and out.
- 6.15 Turning to the need for strategic scale storage and distribution uses. There have been significant changes in the scale of demand since the local plan was adopted. COVID and Brexit have increased floor space demands which would not have been apparent at the time of the local plan. The context at the time of the local plan has been set out in paragraph 6.7. The purpose of what follows is to set out the current context for the need for strategic B8 uses, this discussion is focused on road served distribution as opposed to rail served demand.
- 6.16 To accompany the application the applicant has submitted an Employment Land Needs Assessment. This identifies the need for different types and scales of development including strategic and non-strategic Use Class B8 (storage and distribution).
- 6.17 The Harborough Local Plan Review Issues and Options consultation document was published in January 2024. This document explains that the Leicester and Leicestershire Housing and Economic Needs Assessment (HENA) published in 2022 identifies a need for industrial and distribution, excluding strategic warehousing, of 194,1000 sq. m (48.6ha) over the period 2021 – 2041. After accounting for completions and net commitments there is a residual supply to 2041 of 0.9ha.
- 6.18 The Local Plan Issues and Options document also explains that the Leicester and Leicestershire local authorities commissioned an Employment Distribution Paper to consider providing for Leicester City's unmet industrial need to 2036. This paper identified that there should be no increase to Harborough's employment requirement to 2036. The situation regarding any unmet employment needs beyond 2036 is unknown as is the future status of Magna Park
- 6.19 In relation to strategic storage and distribution the Local Plan Issues and Options document explains that the Warehousing and Logistics in Leicester and Leicestershire Study (2021) has identified the need to provide about 2,570,000 sq. m of additional floorspace between 2020 and 2041 across Leicester and Leicestershire, of which 1,466,000 sqm is for non-rail served sites. As at April 2021, after accounting for supply, the residual requirement to 2041 is 301,293 sq. m for non-rail served sites. The Study identifies Areas of Opportunity where strategic warehousing could be located including Area of Opportunity 6 (M1 corridor south of Leicester) which includes parts of Harborough District, including the location of the Lutterworth East SDA, and is identified for non-rail served provision only. The amount of development to be apportioned to each local authority or area of opportunity is yet to be agreed. Preparation of the New Local Plan continues and the amount and location of strategic storage and warehousing in the New Local Plan is yet to be determined.

- 6.20 Therefore, across Leicestershire there is an outstanding requirement for 301,293 sqm. The applicant's research has suggested that this requirement could be greater due to considerable change in the logistics sector since the study was undertaken, including the Covid pandemic and Brexit which both increased the need for strategic warehousing floorspace and supply chain resilience. The applicant's research has also identified that there is only a small number of units available over 23,225m² across the south Midlands region - which is the location of this site. It is therefore the applicant's contention that at present there is a need for units of more than 9,000sqm that could be accommodated on this site.
- 6.21 What needs to be borne in mind is that the site has permission to be developed as a non-strategic site. It is the applicant's contention that within the period of the emerging local plan there will a marginal surplus of provision of the approved smaller size units.
- 6.22 The applicant has not been able to supply any evidence that there is not a demand for this smaller non-strategic form of development. Indeed, in the applicant's Employment Land Needs Assessment it is stated that it is clear that there remains a need for all forms of logistics floorspace within Harborough [paragraph 7.18]. It is also stated in that report that the relaxation of the floorspace condition will not necessarily translate to 100% occupation of the site by strategic logistic operators, but it will provide occupiers with flexibility which will inevitably increase the attractiveness and marketability of the site and lead to a better/more intense utilisation of the site [paragraph 7.19]
- 6.23 The final factor driving the applicant's desire to relax the condition is that sites on which larger units can be constructed attract a premium. Larger sites and larger units have less development costs as for example there is less need for access roads, strategic scale development sites have a wider investor appeal and larger units attract higher rents.
- 6.24 Taking into account these factors Gerald Eve for the applicant have stated that they believe the indicative value for the c.30 acres of B8 land as per the current outline consent is c.£24 million (on a gross basis) and in the order of c.£30 million with the restriction lifted. [see Gerald Eve's letter to Stephen Holme dated 25/06/24 and submitted with the VAC]. This means the relaxation of the condition would increase the value of the site by in the region of £6 million.

The purpose behind the application is to make it more flexible and to provide funding to enable the remainder of the site to be opened for development. This application will achieve this by making the B8 development more attractive to developers, increasing the value of the site, making it easier to develop and let as fewer large units rather than a number of smaller ones.

- 6.25 The release of funds from the sale of this site would contribute towards the junction and access works from the A4304 and north into the main part of the site as far as the river Swift crossing and planned improvements to M1 junction 20, therefore improving the deliverability of the residential element of the Development.
- 6.26 Summary
The site for a B8 use was included within Policy L1 as such a development would help facilitate the development of the site as a whole. As set out previously the purpose of this application is to make the site more attractive to the market to bring it forward for

development which would then enable the applicant to carry out works to bring forward the first phase of development and open the wider site.

b) Variation of Condition 50 (Traffic signage)

6.27 Original condition:

Prior to the commencement of any part of the development hereby permitted, a traffic and direction signing strategy shall be submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of each phase or sub phase of the development traffic and directions signing proposals for that phase or sub phase shall be submitted and approved in writing by the District Planning Authority. The development shall thereafter be signed in accordance with the approved details.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework and to accord with Policy L1 of the Harborough Local Plan

6.28 Proposed Condition (words in ***italics and bold*** are the proposed amended text, words that are ~~struck through~~ are to be removed from the condition):

~~Prior to the commencement of any part of the development hereby permitted, a traffic and direction signing strategy for the phase or sub-phase within which development is due to commence shall be submitted to and approved in writing by the Local Planning Authority.~~ Prior to the commencement of ***development*** ~~each of any~~ phase or sub phase ***details*** of the development traffic and directions signing proposals for that phase or sub phase shall be submitted and approved in writing by the District Planning Authority. The development shall thereafter ~~be signed~~ ***be carried out*** in accordance with the approved details.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework and to accord with Policy L1 of the Harborough Local Plan

6.29 Assessment:

This condition refers to temporary signage for the direction of building traffic etc. during construction and permanent signage as the development is completed. Rather than dealing with the whole of the site and subsequently each phase the applicant is seeking to agree signage on a phase-by-phase basis.

6.30 It will be noted that the reason for the condition relates inter alia Policy L1 of the Adopted Local Plan. Section six of the policy, which relates to the whole of the development, refers to traffic management measures to remove or minimise the passage of HGV traffic through Lutterworth town centre. Traffic signage would be an integral part of these traffic management measures. In order to ensure that there is not a proliferation of signage, and that any signage is most appropriate to the development being undertaken at that time a revised condition be imposed. This is set out in the recommendation.

c) Variation of condition 51 (PRoW Strategy)

6.31 Original condition:

Prior to the commencement of any part of the development north of the A4304 hereby permitted, a Public Rights of Way Strategy detailing improvements to Public Rights of Way within the site including a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The improvements as set out in the strategy shall be implemented in accordance with the approved details and timetable.

REASON: To improve access for all in the interests of protecting and enhancing Public Rights of Way and access and providing better facilities for users in accordance with

the National Planning Policy Framework and to accord with Policy L1 of the Harborough Local Plan

- 6.32 Proposed Condition (words in ***italics and bold*** are the proposed amended text, words that are ~~struck through~~ are to be removed from the condition):

Prior to the commencement of any part of the development north of the **A4304 River Swift** hereby permitted, a Public Rights of Way Strategy detailing improvements to Public Rights of Way within the site including a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The improvements as set out in the strategy shall be implemented in accordance with the approved details and timetable.

REASON: To improve access for all in the interests of protecting and enhancing Public Rights of Way and access and providing better facilities for users in accordance with the National Planning Policy Framework and to accord with Policy L1 of the Harborough Local Plan.

- 6.33 Assessment:

In dealing with the changes the applicant is seeking to condition 20 referred to in paragraph 6.7 to this report it was explained that in order to improve the viability and deliverability of the site the applicant is seeking to develop the site to the south of the A3404 and also in part to the north first. In the case of this condition there are no public rights of way to the north of the A4304 and south of the river Swift. Restricting the condition to the development north of the river Swift will effectively have no impact on the effectiveness of the condition. A revised wording is included in the recommendation.

d) Variation of condition 54 (Pedestrian Crossings)
--

- 6.34 Original Condition

Notwithstanding the details shown on the submitted plans details of the pedestrian crossings on the spine road shall be submitted to and approved in writing by the Local Planning Authority the crossings shall be implemented in accordance with those details and retained thereafter.

REASON: To ensure that crossings over the spine road do not pose a barrier to eases of crossing for pedestrians and cyclists and to accord with Policy L1 of the Harborough Local Plan

- 6.35 Proposed Condition (words in ***italics and bold*** are the proposed amended text, words that are ~~struck through~~ are to be removed from the condition):

Notwithstanding the details shown on the submitted plans, ***prior to the commencement of any development north of the River Swift***, details of the pedestrian crossings north of the River Swift on the spine road shall be submitted to and approved in writing by the Local Planning Authority the crossings shall be implemented in accordance with those details and retained thereafter.

REASON: To ensure that crossings over the spine road do not pose a barrier to eases of crossing for pedestrians and cyclists and to accord with Policy L1 of the Harborough Local Plan

- 6.36 Assessment:

The spine road serving the development extends north from the A4304 passing through the entire length of the site. As referred to in respect of condition 51 the applicant is proposing that development north of the A4304 and south of the river Swift would be an early element of the development. It is the section of the spine road north of the river which serves predominantly residential development that the highway authority has a particular interest in the provision and placement of any pedestrian crossings. In the light of this a revised condition is recommended.

e) S106 Obligations

6.37

This application if approved would result in a new consent being issued, therefore the application should be accompanied by a deed of variation linking this application to the previous legal obligations approved under the original ref:19/00250/OUT.

7. Conclusion / Planning Balance

- 7.1 The variation of Conditions 50, 51 and 54 do not significantly affect highway and pedestrian safety and the amendments are therefore considered to be acceptable.
- 7.2 Whilst it is accepted that the proposed removal of Condition 20 is controversial not ideal and is the cause of concern within the local community, Officers have assessed the proposal from a pragmatic viewpoint, with an eye to the delivery of housing on the site. It has been demonstrated that the landscape, visual, economic and highway impacts of the removal of the restriction would be negligible. Furthermore, the Applicants have demonstrated that the removal of the restriction would generate additional income which could be used to aid the deliverability of the residential element site of the site. Lutterworth East forms a key housing site within the 2019 Local Plan. Furthermore, the delivery of housing from the site plays a key role in the identification of housing need, and the distribution of housing across the District through the allocation of new sites within the emerging Local Plan. As such, it is considered that the housing delivery which can be achieved from this site remains a very significant positive material consideration in favour of this proposed variation of the conditions in the Planning Balance.
- 7.3 To decide contrary to the Officer recommendation outlined above would likely mean that the scheme would – at the very least – stall until such time that the financial elements of the scheme became more positive, and therefore it is highly unlikely that the site would deliver any housing within the first five years of the emerging Local Plan, therefore throwing into question the quantum of housing provision which has been provided for within the emerging plan.

In respect of the relaxation of condition 20. It has been demonstrated that the landscape, visual, economic and highway impacts of the removal of the restriction would be negligible. In the context of the current position with regard to Magna Park it can be argued that the condition no longer fulfils its original purpose i.e. ensuring that Magna Park continues to be developed in preference to other locations. When the site was designated in the Local Plan, the purpose was to help facilitate the development of the residential element of the site. It also has to be borne in mind that the broader context in which development is taking place has changed significantly since the permission was granted and not for the best.

Lutterworth East forms a key housing site in the adopted Local Plan. The emerging Local Plan is predicated on the ongoing delivery of sites designated in the existing plan. The site's delivery has therefore to be considered in the broader context of housing provision within the District.

The proposed amendments would help facilitate delivery of the residential element of development which would be in accordance with the reasons for allocating the B8 development in the first instance.



GERALDEVE
A NEWMARK COMPANY

Stephen Holme
Development Consultant
Strategic Property Services
Corporate Resources Department
Leicestershire County Council
County Hall, Glenfield, Leicester.
LE3 8RE

12th Floor
45 Church Street
Birmingham B3 2RT
Tel. [REDACTED]
geraldve.com

Date: 23/09/2024

Dear Stephen

B8 Land at Lutterworth

Further to our exchange of emails and a brief conversation you have asked Gerald Eve to consider the merits of removing the current floor space restriction of 9,000 sq m for any single building on the land that lies to the south of the A4304 identified for B8 uses, as set out in condition 20 of the outline planning consent reference 19/00250/OUT.

The reason given for the restriction is that the site is not designated as a site for strategic scale units which are considered in Local Plan policy BE2 to exceed 9000m2 to ensure compliance with Policies SS1 and BE1 of the Harborough Local Plan.

There are several reasons we believe the floor space cap should be removed:

- 1) GLP Magna Park: We understand, in part, the restriction was put in place to protect the development plots at Magna Park. All but one plot has now been speculatively developed and so the 'protection' is no longer required.
- 2) Value: As per previous correspondence, we believe the indicative value for the c.30 acres of B8 land as per the current outline planning consent is c.£24 million (on a gross basis) and in the order of c.£30 million with the restriction lifted. The reasons for the valuation uplift include:
 - i) The average size of occupational deals agreed in the Midlands (buildings over 100,000 sq ft in size) between Q1 and Q2 2024 has increased further to 330,000 sq ft. This is driven by the Southern East Midlands in particular, where the average size of building taken-up by occupiers has been trending upwards for around three years. Deals driving this increase this year include Yusen Logistics pre-letting 1.2m sq ft of space at SEGRO's Northampton Gateway scheme, Nike pre-letting 1.3m sq ft / Bleckman Logistics letting 588,000 sq ft at GLP's Magna Park Corby scheme and Open Box Logistics letting 450,000 sq ft at Campus 450 at DIRFT. This looks to have continued into Q3 also, with ID Logistics taking 340,000 sq ft at DC7 Prologis Grange Park and Greggs pre-letting 311,000 sq ft at Symmetry Way Kettering. The strong location / motorway network in the Midlands lends itself to occupiers with larger National Distribution Centre (NDC) requirements, and larger buildings tend to offer tenants enhanced operational efficiency, which is a key requirement of occupiers in the current market.

The market (developers and investors) will pay more for sites where single large units can be developed. This has been recently demonstrated by Pannatoni recently acquiring 30 acres at

Wilson's Lane Coventry (funded by a Japanese Investor) - [Logistics Matters](#) - [Pannattoni secures Coventry logistics site](#)

- b) With large unit/s development there is less common areas (estate roads etc) which saves costs and allows for more density which in turn drives value.
- c) Larger units are likely to attract more international capital and investment which will view the development in a wider global context compared to a more regional developer who will be attracted to a smaller multi let scheme.

Examples of International Capital looking to invest into Midlands Logistics:

- Mitsui - [MITSUI & CO., LTD.](#)
- JD.com
- Clarion - [Home](#) | [Clarion Partners Real Estate](#)
- Brookfield Capital
- Cain International
- Nuveen

- d) So far in 2024 the bigger units are attracting rental premiums, an international company has just agreed a new headline rent of £9.75 psf in Corby on a 582k sq ft unit. Again, investors and developers are seeking sites which can accommodate larger units.

3) Tenant Profile: Larger units will more likely attract larger companies which in turn are likely to employ more staff within the units.

4) Market Demand and Supply

In terms of current supply, there are currently 111 buildings between 50,000 – 250,000 sq ft – 84% of all Midlands supply above 50,000 sq ft. There is a relative shortage of buildings above 250,000 sq ft so the market will react better to opportunities which can provide development opportunities above 250,000 sq ft.

Availability by Midlands region and size bracket, Q2 2024, number of buildings

	50-100k sq ft	100-150k sq ft	150-250k sq ft	250-500k sq ft	+500k sq ft	Grand Total
Northern East Midlands	9	9	6	6	2	32
Northern West Midlands	12	9	2	2	1	26
Southern East Midlands	7	3	11	5		26
Southern West Midlands	23	10	10	5		48
Grand Total	51	31	29	18	3	132

The below table shows that there is 1.08 years supply of units between 250 – 500,000 sq ft and just 0.41 years supply of units over 500k.



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A NEWMARK COMPANY

12th Floor
45 Church Street
Birmingham B3 2RT
Tel. [REDACTED]
geraldev.com

Years of supply, based on 5 year annual average take-up, Q2 2024

	50-100k sq ft	100-150k sq ft	150-250k sq ft	250-500k sq ft	+500k sq ft	Grand Total
Northern East Midlands	0.69	2.05	1.65	1.26	0.39	0.84
Northern West Midlands	1.68	1.80	0.50	0.61	9.48	1.44
Southern East Midlands	1.16	1.10	2.26	1.26	0.00	0.96
Southern West Midlands	1.17	1.13	1.79	1.05	0.00	1.02
Grand Total	1.12	1.49	1.62	1.08	0.41	1.00

Accordingly, it is our recommendation that the floor space cap is removed.

Yours sincerely

Charles Spicer

Partner - National Head of Industrial and Logistics Agency

[REDACTED]
Direct tel. [REDACTED]
Mobile [REDACTED]



B8 site values

From Stephen Holme [REDACTED]
Date Thu 9/5/2024 12:49 PM
To Andrew Senior [REDACTED] Mark Patterson [REDACTED]
Cc Daniel Robinson-Wells [REDACTED]

Andrew/ Mark we discussed yesterday that you need evidence regarding the uplift in values relating to the B8 site limit being removed. I've attached an extract of the options report produced by Gerald Eve for the LE site. Obviously this is a confidential document and we don't want this in the public domain. See below section on financial returns. Note that these are gross figures and do not take into account the estimated £25m of highway works. Let me know if you have any queries

Lutterworth East FINAL 05.04.24

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Draw 9 of 32

OPTIONS ANALYSIS

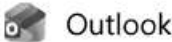
Option 2	Comments	Attractiveness to the market	Financial returns	Risks	App
Sale of the B8 element part of the site with existing planning consent (subject to S.73 application removing size restriction). This area is approximately 30 acres and would generate a substantial amount of interest. The current planning consent would require a purchaser to carry out highways works on the M1 junction leading to the site – the approximate cost is £20-25m. The works should include access to Swift Valley. The developer would be obligated to complete the works which would also unlock the northern site and would contribute to the overall servicing of the scheme.	Market engagement has confirmed that there are very few (if any) parties that could deliver the whole scheme given the scale of investment required (peak debt) and the mix of uses. Partnerships/ consortiums would be required e.g. housebuilders/ developers would need to find a partner to deliver the industrial (B8) or sell off to a third party. The current consent has a 9,000 sqm limit on unit sizes. It is understood that LCC has had favourable discussions with HDC regarding removing this condition, and LCC should seek planning advice for how best to proceed and where possible assurances from HDC should be sought to confirm this position.	The industrial (B8) element, is a very attractive opportunity for the market and although there is a restriction on the size of individual units, limiting the market and value, a disposal of this part of the site would attract significant interest and could generate a land receipt early on. There is also an opportunity to dispose of the Swift Valley Business Park (B1) to generate maximum early land receipts for LCC. Housebuilders/ developers have confirmed they would still be interested in the remaining residential and commercial element if the industrial (B8) and Swift Valley Business Park (B1) element were sold off.	A gross land receipt of c.£24m may be generated from a sale of the industrial (B8). If the restriction on unit sizes is successfully removed then the gross land receipt may be c.£30m. This is evidenced by informal bids received for the industrial (B8) site. With a full marketing campaign, these bids could improve. Current assumed value for B1 is £0. Significantly more value could be created (£2.5m) if the existing B1 consent for Swift Valley were varied to allow B8/ roadside uses. Potential surplus <£12.5m could be realised early (day one). Any deferred payments would be limited, if at all. LCC may either retain any proceeds or reinvest into the project. See 'Option 2' in the cashflow.	If managed carefully, this could facilitate the commencement of development on the wider site but would require careful management to ensure the developer delivered the infrastructure works within the necessary timescales. This approach would ensure that peak debt carried by one party would be limited and LCC would be able to select the developer best placed to deliver the highways works quickly and the housebuilder/ developer best placed to deliver the rest of the scheme. Any variation to use on Swift Valley carries significant risk and given the need to progress quickly then a disposal of Swift Valley could follow separately to the industrial (B8) element.	If an LCC 1 presi to se inver Futu gene parti (resk site, the e restr be lif A con time woul attra to de great This secu the c capt

Kind Regards
Stephen Holme
Development Consultant
Strategic Property Services
Corporate Resources Department
Leicestershire County Council
County Hall, Glenfield, Leicester.
LE3 8RE
[REDACTED]
[REDACTED]
www.leics.gov.uk

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Comments for Planning Application 24/01135/S106

From pa2@harborough.gov.uk <pa2@harborough.gov.uk>
Date Wed 11/13/2024 8:59 AM
To Andrew Senior [REDACTED]

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 13/11/2024 8:59 AM from Mr Richard Nunn.

Application Summary

Address:	Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire
Proposal:	Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing
Case Officer:	Mr Andrew Senior

[Click for further information](#)

Customer Details

Name:	Mr Richard Nunn
Email:	[REDACTED]
Address:	[REDACTED]

Comments Details

Commenter Type:	Other
Stance:	Customer objects to the Planning Application

Reasons for comment:

Comments: Planning Application 24/01135/S106 - Application For a Deed of Variation to the Section 106 Agreement relating to planning application 19/00250/OUT, East of Lutterworth.

OBJECTION TO PLANNING APPLICATION 24/01135/S106

We note an application for a Deed of Variation to the Section 106 Agreement relating to planning application 19/00250/OUT. This application deals with the request to reduce the provision of affordable housing from the required 40% to a figure "between 10% and 40%".

We object strongly to this application, and again we ask that the Planning Committee uphold the Local Plan and refuse this application.

Policy H2 states quite clearly that developments in excess of 10 dwellings must include at least 40% affordable homes. This was one of the key elements of the Local Plan that made the concept of the East of Lutterworth SDA in any way

acceptable to local residents, in that there was clearly going to be an opportunity for locals to buy local in the face of increasing average house prices in the area.

The reduction or removal of the requirement for a minimum of 40% affordable homes actually makes no sense, especially in light of the published comment by Leicestershire County Council of a "stagnant" housing market. If the market is stagnant, a key reason is that potential purchasers cannot afford to buy. Affordable homes are one way to enliven the market, however their reduction or removal actually has a detrimental effect on the stagnation. The average house price in Lutterworth over the last 12 months is £318,927, and affordable homes can cost no more than 80% of the average in the area, therefore £255,141. If the 40% affordable homes target is reduced or removed, the homes that are built in their place will inevitably cost more. Any of these new homes that cost in excess of £318,927 will contribute to a steady increase in the average house price in the area. Therefore, we would have a situation where the number of affordable homes reduces, the average house price increases, and therefore the price of the few affordable homes that are provided will also increase. For those trying to get on the housing ladder, supply will reduce while the cost increases.

The letter from Dan Robinson-Wells dated 3rd September 2024 and dealing with this issue states that "...the planning permission is not viable in its current form...", and to make it viable the only way forward is to reduce the supply of housing to those that can afford it least. It is not only the Section 106 agreement that requires that a minimum of 40% affordable dwellings are provided as part of the development, but also Local Plan Policy H2 requires it, and it is indeed the sole purpose of Policy H2.

We are very concerned that two key elements of planning application 19/00250/OUT which mitigated the overall impact of the Lutterworth East development (restriction on warehouse size and provision of substantial affordable housing) are now being cherry picked for change, and in the process removing the safeguards and benefits that contributed to the original application being accepted. Had the original application contained these two amendments then we have no doubt that it would not have been successful. If Leicestershire County Council feel strongly enough to request these changes, then we would ask that they unilaterally abandon the planning permission that they have received for the development, and re-submit the entire scheme with these amendments included, and this time engage in meaningful consultation. This will allow the Planning Committee to review the entire scheme in its revised context.

Kind regards



Outlook

committee reports

From Andrew Senior [REDACTED]**Date** Wed 10/30/2024 2:54 PM**To** Mark Patterson [REDACTED]

Claire Berry [REDACTED]

Cc David Atkinson [REDACTED]

Tess Nelson [REDACTED]

2 attachments (84 KB)

106 variation.docx; Section 73 applications.docx;

Dear Both,

Attached are the latest drafts of the reports for Lutterworth East. I am proof reading and making changes, any comments etc please feel free.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday



Conditions for road stub

From Stephen Holme [REDACTED]
Date Wed 7/3/2024 11:32 AM
To Andrew Senior [REDACTED]
Cc Mark Patterson [REDACTED] Daniel Robinson-Wells <Daniel.Robinson-[REDACTED]>

1 attachment (16 KB)

LE delivery programme 25.6.24.xlsx;

Andrew as discussed see attached what we believe are the conditions to be discharged (row 25 onwards) for the road stub construction.

Can you confirm you are in agreement?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

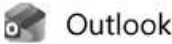
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Consultee Comments for Planning Application 24/01135/S106

From pa2@harborough.gov.uk <pa2@harborough.gov.uk>
Date Wed 11/13/2024 5:30 PM
To Andrew Senior [REDACTED]

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 13/11/2024 5:30 PM from Mrs Cathy Walsh (Not Available) on behalf of Misterton With Walcote Parish Council.

Application Summary

Reference:	24/01135/S106
Address:	Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire
Proposal:	Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing
Case Officer:	Mr Andrew Senior

[Click for further information](#)

Comments Details

Comments: Misterton with Walcote Parish Council is concerned that it has not been consulted on the application despite the land in question forming part of the parish. However, it would like to make the following observations:

The original application, 19/00250/OUT, proposed the inclusion of 40% affordable housing within the development. The amount of affordable housing was then in accordance with the adopted Harborough Local Plan and was considered financially viable when the application was submitted. Local plan guidance has not changed and very little affordable development has occurred within the district. Misterton with Walcote Parish Council feels strongly that the need for affordable housing remains. Our parish has been directly affected. Although there is an identified local need, no new affordable housing has been developed and a number of young people who hoped to secure homes have now left the area as no suitable accommodation is available locally.

The price of housing locally continues to climb. If no affordable housing is included in the mix, the average house price will be further inflated. Thus the affordable element, pegged at 80% of the local average price, will become dearer, making even affordable housing more expensive and less accessible to those on modest and average incomes.

If, as is claimed, the housing market is sluggish, it seems unlikely that building more expensive property will generate the boost needed to reignite the market. Without first time buyers, the chain of house moves falters, so surely it makes sense to ensure the foundations of the local market remains healthy. The provision of affordable housing can only help.

For these reasons, Misterton with Walcote Parish Council urges Harborough District Council to retain the existing 40% requirement for affordable housing on the Lutterworth East development ref 19/00250/OUT

Kind regards



Outlook

Consultee Comments for Planning Application 24/01135/S106

From pa2@harborough.gov.uk <pa2@harborough.gov.uk>**Date** Mon 10/7/2024 3:38 PM**To** Andrew Senior [REDACTED]

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 07/10/2024 3:38 PM from Mrs Carol Mobbs (Not Available) on behalf of Lutterworth Town Council.

Application Summary

Reference:	24/01135/S106
Address:	Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire
Proposal:	Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing
Case Officer:	Mr Andrew Senior

[Click for further information](#)

Comments Details

Comments: Lutterworth Town Council also notes an application for a Deed of Variation to the Section 106 Agreement relating to planning application 19/00250/OUT. This application deals with the request to reduce the provision of affordable housing from the required 40% to a figure "between 10% and 40%".

Lutterworth Town Council objects strongly to this application, and again we ask that the Planning Committee uphold the Local Plan and refuse this application. Policy H2 states quite clearly that developments in excess of 10 dwellings must include at least 40% affordable homes. This was one of the key elements of the Local Plan that made the concept of the East of Lutterworth SDA acceptable to local residents, in that there was clearly going to be an opportunity for locals to buy local in the face of increasing average house prices in the area. The reduction or removal of the requirement for a minimum of 40% affordable homes actually makes no sense, especially in light of the published comment by Leicestershire County Council of a "stagnant" housing market. If the market is stagnant, a key reason is that potential purchasers cannot afford to buy. Affordable homes are one way to enliven the market, however their reduction or removal actually has a detrimental effect on the stagnation. The average house price in Lutterworth over the last 12 months is £318,927, and affordable homes can cost no more than 80% of the average in the area, therefore £255,141. If the 40% affordable homes target is reduced or removed, the homes that are built in their place will inevitably cost more. Any of these new homes that cost in excess of £318,927 will contribute to a steady increase in the average house price in the area. Therefore, we would have a situation where the number of affordable homes reduces, the average house price increases, and therefore the price of the few affordable homes that are provided will also increase. For those trying to get on the housing ladder, supply will reduce while the cost increases.

The letter from Dan Robinson-Wells dated 3rd September 2024 and dealing with this issue states that "...the planning permission is not viable in its current form...", and to make it viable the only way forward is to reduce the supply of housing to those that can afford it least. It is not only the Section 106 agreement that requires that a minimum of 40% affordable dwellings are provided as part of the development, but also Local Plan Policy H2 requires it, and it is indeed the sole purpose of Policy H2.

We are very concerned that two key elements of planning application 19/00250/OUT which mitigated the overall impact of the Lutterworth East development (restriction on warehouse size and provision of substantial affordable housing) are now being cherry picked for change, and in the process removing the safeguards and benefits that contributed to the original application being accepted. Had the original application contained these two amendments then we have no doubt that it would not have been successful. If Leicestershire County Council feel strongly enough to request these changes, then we would ask that they unilaterally abandon the planning permission that they have received for the development, and re-submit the entire scheme with these amendments included, and this time engage in meaningful consultation. This will allow the Planning Committee to review the entire scheme in its revised context.

Kind regards



Cost queries - Lutterworth East

From Stephen Holme [REDACTED]

Date Wed 6/19/2024 11:46 AM

To Max King [REDACTED]

Cc Andrew Senior [REDACTED]

Mark Patterson [REDACTED]

Jessica Nevin [REDACTED]

1 attachment (1 MB)

8379-SK-34C Development Phasing and Indicative Density Overlay.pdf;

Hi max – with regard to Quantem comments below – the majority of these are evidenced in the s.106 – ive added the table below which identifies which page in the s.106 the costs are specifically identified. The only costs which stands outside of the s.106 is the requirement for 4.7 acres on land for the playing fields (highlighted in my table). We have allocated a land value of circa £330k per acre. Let me know when your available to meet to review the highways costs. Any queries let me know

Spine Road and S106 Cost Breakdown

Spine Road costs

Off site sport and rec pitches

Off site sport and rec changing

On site pavilion/pitches

Community facility

Gilmorton Traffic Calming Scheme

GRAND TOTAL

Developer		Quantem		Difference
Total	ft2	Total	ft2	
£ 101,720,000				
£ 1,311,641	Unknown	£1,311,641	Unknown	Refer Notes
£ 780,792	Unknown	£780,792	Unknown	Refer Notes
£ 1,557,534	Unknown	£1,557,534	Unknown	Refer Notes
£ 3,410,000	Unknown	£1,365,000	£249.91	-£ 2,045,000
£ 696,922		£696,922.00		
£ 109,476,889				-£ 2,045,000

Notes

Rates of been provided for the majority of the works in the Sections 1 to 4 of the Spine Road. These are generally considered reasonable but there are some large sums of money included in detail that are without substantiation and there are some inconsistencies in the rates used in Section 1 that require clarification. Quantem have used the rates common to the pricing of Sections 2, 3 and 4 as the basis for pricing the Spine Road works

Sport pitches and facilities will vary according to the brief. The allowances included in the GE FVA are sufficient to provide substantial facilities - Refer Section 4 and Appendix B for what might be reasonably provided for the sums included in the FVA. The construction cost will be dependent on the area and specification of the facilities. The Developer should provide transparency as to what will be provided through the S106.

There is no information on the area or specification of the community facility. Quantem have benchmarked the costs using a mid-range facility which is far less than the sum used by GE in their FVA. The Developer should provide transparency as to what will be provided through the S106.

The Spine Road Sections 1 - 4 were provided at Q3 2020 rates. These have been increased in accordance with the BCIS indices to Q2 2023 - a 31% uplift. The GE FVA includes £18,408,268 for the impact of inflation. This equates to approximately 35% on what appears to be their allowance for construction costs but the matter needs further clarification.

Developer			
Item	GE indexed figure	S.106	Comment
Off site sports and rec facilities	£1,311,641	£1,263,190	See s.106 3 rd schedule Part1 p.16

Off site sports and rec changing	£780,792	£751,950	See s.106 3 rd schedule Part1 p.16
On site pavilion/ Pitches	£1,557,534	Land cost	This is a land value attributed to the 4.7 acres of land allocated to PF 1 & 2 (circa £331,000 per acre)
Community Facilities	£3,410,000	£3,285,755	See s.106 3 rd schedule part 3 p. 26
Gilmorton Traffic Calming scheme	£696,922	£672,959	See s.106 4 th schedule part 2 p.43

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

[REDACTED]

[REDACTED]

[REDACTED]

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Deed of Variation - Land East of Lutterworth

From Mark Patterson [REDACTED]
Date Wed 4/16/2025 9:51 AM
To Alex Strickland [REDACTED] Legal <Legal@harborough.gov.uk>
Cc Andrew Senior [REDACTED]

1 attachment (650 KB)

Fw: Section 106 deed of variation: Lutterworth East ;

Dear all,

Could you provide us with an update on this that we can go back to the Site Promotor with

Many thanks

Mark



Mark Patterson BA(Hons) Dip TP MRTPI
Strategic Growth Manager (Development Management)

E: [REDACTED]
T: [REDACTED] / [REDACTED]

Harborough District Council
The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG
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From: Stephen Holme [REDACTED]
Sent: 16 April 2025 09:29
To: Andrew Senior [REDACTED] Rebecca Henson [REDACTED]
Cc: Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]
David Atkinson [REDACTED]
Subject: RE: Secretary of State Call In, Land East of Lutterworth

Thanks for chasing Andrew

As a quick update we are starting the Soft Market Testing of the B8 site – next week.

Which will be followed by the launch of the site – early June.

Hopefully the 'call in' will have been resolved by then.

Any update on the Deed of Variation??

Kind Regards

Stephen Holme
Development Consultant

Strategic Property Services
Corporate Resources Department
Leicestershire County Council
County Hall, Glenfield, Leicester.
LE3 8RE

[REDACTED]
[REDACTED]
[REDACTED]
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From: Andrew Senior [REDACTED]
Sent: 16 April 2025 09:18
To: Stephen Holme [REDACTED] Rebecca Henson [REDACTED]
Cc: Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]
David Atkinson [REDACTED]
Subject: FW: Secretary of State Call In, Land East of Lutterworth

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Dear both,

For info'

Andrew Senior
Interim Strategic Development Officer
Tel: [REDACTED]
My working day is Wednesday

From: Maria Bowen [REDACTED]
Sent: 15 April 2025 09:19
To: Andrew Senior [REDACTED]
Cc: Mark Patterson [REDACTED] David Atkinson [REDACTED]
Adrian Eastwood [REDACTED]
Subject: RE: Secretary of State Call In, Land East of Lutterworth

OFFICIAL - HMG ONLY

Hi Andrew,

In terms of an update – the case is with the Minister for consideration, I do not have a definitive timeframe for a decision however Ministers do work as expediently as possible.

Kind regards,
Maria



Ministry of Housing,
Communities &
Local Government

Maria Bowen
Head of Crown Casework
Ministry of Housing, Communities & Local Government
Chief Planners Directorate
Mob: [REDACTED] | gov.uk/mhclg | @mhclg

OFFICIAL - HMG ONLY

From: Andrew Senior [REDACTED]
Sent: 09 April 2025 09:55
To: Maria Bowen [REDACTED]
Cc: Mark Patterson [REDACTED] David Atkinson [REDACTED]
Adrian Eastwood [REDACTED]
Subject: Secretary of State Call In, Land East of Lutterworth

Dear Maria,

I'm following up on your earlier email and am wondering if there is any update for a decision from the Secretary of State?

Many thanks.

Andrew

Andrew Senior
Interim Strategic Development Officer
Tel: [REDACTED]
My working day is Wednesday

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The Symington Building

Email: customer.services@harborough.gov.uk

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Outlook

Consultee Comments for Planning Application 24/01135/S106

From pa2@harborough.gov.uk <pa2@harborough.gov.uk>**Date** Wed 11/13/2024 5:30 PM**To** Andrew Senior [REDACTED]

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 13/11/2024 5:30 PM from Mrs Cathy Walsh (Not Available) on behalf of Misterton With Walcote Parish Council.

Application Summary

Reference: 24/01135/S106

Address: Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire

Proposal: Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing

Case Officer: Mr Andrew Senior

[Click for further information](#)

Comments Details

Comments: Misterton with Walcote Parish Council is concerned that it has not been consulted on the application despite the land in question forming part of the parish. However, it would like to make the following observations:

The original application, 19/00250/OUT, proposed the inclusion of 40% affordable housing within the development. The amount of affordable housing was then in accordance with the adopted Harborough Local Plan and was considered financially viable when the application was submitted. Local plan guidance has not changed and very little affordable development has occurred within the district. Misterton with Walcote Parish Council feels strongly that the need for affordable housing remains. Our parish has been directly affected. Although there is an identified local need, no new affordable housing has been developed and a number of young people who hoped to secure homes have now left the area as no suitable accommodation is available locally.

The price of housing locally continues to climb. If no affordable housing is included in the mix, the average house price will be further inflated. Thus the affordable element, pegged at 80% of the local average price, will become dearer, making even affordable housing more expensive and less accessible to those on modest and average incomes.

If, as is claimed, the housing market is sluggish, it seems unlikely that building more expensive property will generate the boost needed to reignite the market. Without first time buyers, the chain of house moves falters, so surely it makes sense to ensure the foundations of the local market remains healthy. The provision of affordable housing can only help.

For these reasons, Misterton with Walcote Parish Council urges Harborough District Council to retain the existing 40% requirement for affordable housing on the Lutterworth East development ref 19/00250/OUT

Kind regards



Outlook

Deeds of variation Lutterwoth East

From Andrew Senior [REDACTED]**Date** Wed 8/28/2024 3:02 PM**To** Stephen Holme [REDACTED] Daniel Robinson-Wells <Daniel.Robinson-[REDACTED]>**Cc** Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]
David Atkinson [REDACTED] Tess Nelson [REDACTED] Claire
Berry [REDACTED]

Hi Stephen,

Further to our telephone conversation earlier today. As the Section 73 applications, such as the one to lift the unit size on the B8 site, will result in a new planning permission being issued we need to agree a deed of variation to the existing 106 agreement to tie this 106 to the new planning permission. In general terms this just needs to cross reference the planning permission number to the existing 106 agreement.

I would also remind you of my email of 15 August about the additional information needed in support of the application to vary the unit size on the B8 site.

Reducing the numbers of affordable housing also needs a deed of variation. Because this variation is for an element of the application which was covered by the EA the original evidence submitted in the EA needs to be addressed and a revised impact assessed. Because this is an EA part of the original application this has, by statute, to be advertised for 30 days. The applicant's desire to vary the amount of affordable housing because of issues of viability needs to be supported by evidence.

There is no application form for this type of application in practice it is done by letter. The additional information set out above can be incorporated into the letter, or more conveniently, appended to it.

The draft committee report must be completed by 27 September.

If you have any questions, please contact either Mark or myself.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday



Draft HOT's s.106 deed of variation for affordable homes

From Stephen Holme [REDACTED]
Date Tue 8/27/2024 3:27 PM
To David Atkinson [REDACTED]
Cc Declan Keegan [REDACTED] Julie Thomas [REDACTED] Rebecca Henson [REDACTED] Mark Patterson [REDACTED] Andrew Senior [REDACTED] Andrea Hopkins [REDACTED]

2 attachments (44 KB)

S.106 Affordable Homes Deed of Variation HOT's 4.7.24 (003) updated.docx; S.106 Affordable Homes Deed of Variation HOT's 4.7.24.docx;

David, just to follow on from our call

Attached are the two sets of HOTs (set one is my suggested HOT's set two are HDC's with my comments in track changes).

Just to clarify:

1. We have discussed a catch up mechanism on the site which LCC is not supportive of. We will accept a minimum of 10% affordable homes, but it needs to be capped at 40%.
2. HDC's suggested wording on capturing the contributions from the b8 site increase in value is not accepted as they are not cil compliant, legally this would be exceedingly difficult to achieve and in any event these are captured in the viability assessment.

Can I suggest we have a meeting asap to review and finalise?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

[REDACTED]
[REDACTED]
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Outlook

Draft Lutterworth East committee report

From Andrew Senior [REDACTED]**Date** Tue 11/19/2024 2:05 PM**To** Mark Patterson [REDACTED] Claire Berry [REDACTED] David Atkinson [REDACTED]**Cc** Tess Nelson [REDACTED]

1 attachment (1 MB)

B8 cap variation Cttee report.docx;

Dear All,

Please find attached the latest draft of the above. I have focused on B8 aspect and will look at the rest now. I have added an alternative summary and planning balance.

David you may want to look at the summary and balance in the context of what you may wish to add at the meeting.

Any comments let me know tomorrow.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday



email address please for Richard Nunn : Lutterworth East Report

From Adrian Eastwood [REDACTED]

Date Tue 1/9/2024 1:26 PM

To Mark Patterson [REDACTED]

Cc Andrew Senior [REDACTED]

Hi Mark

Do you have Richard Nunn's email address please?

Thank you.

Adrian Eastwood MRTPI

Head of Service Development Management
[REDACTED]

From: David Atkinson

Sent: Tuesday, January 9, 2024 1:19 PM

To: Adrian Eastwood

Subject: Lutterworth East Report

Hui Aderian.

It came up in CMT this morning whether Lutterworth Town Council are aware of the report on Lutterworth East going to planning committee in exempt session on 16 1 24.

If they are not could you please confidentially brief someone like Richard Nunn at LTC about it and that we are taking a report for the information of the committee and there has been no application yet on this but we are giving the committee advance heads up without prejudice to any future application to vary the S106 that may or may not come in from county.

Thank you.

Regards,

David



David Atkinson, Director of Planning

[REDACTED] / [REDACTED]

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Outlook

FW: 24/00932/VAC Lutterworth East .& Planning Committee

From Adrian Eastwood [REDACTED]
Date Mon 8/19/2024 9:26 AM
To Andrew Senior [REDACTED]

Adrian Eastwood MRTPI
Head of Service Development Management
[REDACTED]

From: Adrian Eastwood
Sent: Monday, August 19, 2024 9:26 AM
To: David Gair
Cc: Simon Galton
Subject: 24/00932/VAC Lutterworth East .& Planning Committee

Hello Cllr Gair

24/00932/VAC shall be reported to planning committee for a decision.

October is the earliest practical date for that report.

September has not been a target date and is infeasible (amongst other things sites notices yet to be posted).

Regards

Adrian Eastwood MRTPI
Head of Service Development Management
[REDACTED]

From: David Gair [REDACTED]
Sent: Monday, August 19, 2024 9:15 AM
To: Adrian Eastwood [REDACTED]
Subject: RE: Members Information - 3rd September 2024 Planning Committee

Good Morning Adrian,

I think I am correct in saying that the proposed changes to the industrial units that are part of the Lutterworth East development were supposed to be brought to the 3rd September Planning meeting. Can you let me know when these proposed changes will now come before the Planning Committee.

Regards Councillor David Gair

From: Adrian Eastwood [REDACTED]
Sent: Friday, August 16, 2024 12:48 PM
To: Councillors <Councillors@harborough.gov.uk>
Cc: DemocraticServices [REDACTED] David Atkinson [REDACTED] James Felton [REDACTED]

Subject: Members Information - 3rd September 2024 Planning Committee

Dear Councillor

There is currently no business to list to the 3rd September 2024 planning committee meeting. The draft schedule is usually issued in advance today, to be confirmed at publication the following week.

It is therefore likely the 3rd September planning committee meeting shall not be required.

Democratic Services or I shall confirm in the following week if the 3rd September planning committee meeting is cancelled.

Thank you.

Adrian Eastwood MRTPI
Head of Service Development Management
[REDACTED]



Fw: 24/00932/VAC

From Mark Patterson [REDACTED]

Date Mon 9/9/2024 2:47 PM

To Andrew Senior [REDACTED] Adrian Eastwood [REDACTED]

FYI

Many thanks

Mark



Mark Patterson BA(Hons) Dip TP MRTPI

Strategic Growth Manager (Development Management)

E: [REDACTED]

T: [REDACTED] / [REDACTED]

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From: planning@harborough.gov.uk <planning@harborough.gov.uk>

Sent: 09 September 2024 14:11

To: Mark Patterson [REDACTED]

Subject: FW: 24/00932/VAC

Hi Mark,

Please see below consultation response. This has been logged on Uniform and to IDOX.

Many thanks and kind regards,

Jemma Parker-Louth BA (Hons) she/her

Planning Admin – Development Management

I usually work between 8am-4pm, Mon-Fri

[REDACTED]
planning@harborough.gov.uk

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From: Deputy Clerk - Lutterworth TC [REDACTED]

Sent: 03 September 2024 11:13

To: planning@harborough.gov.uk

Subject: 24/00932/VAC

Importance: High

Good Morning,

Please see below Lutterworth Town Councils comment on the above application.

Lutterworth Town Council's objections to this scheme, in its current form, have been well documented, and centre on the dismissal of the views expressed by the local community, in particular on the lack of a relief road, as first promised, and the use of a spine road running through the housing estates to take the bulk of traffic generated.

This particular application for Strategic B8 warehousing to the south of the A4303 is also opposed. Firstly, Lutterworth Town Council have made a number of attempts, involving Leicestershire County Council and Harborough District Council to have the plan for this area reconsidered, only to be told, that it cannot be reopened. It would appear that this is not the case.

If built, this development will create 500 new jobs in an area which has extremely low levels of unemployment. These workers will therefore be travelling to the site. The largest provider of labour to Magna Park, at the last count, was Leicester. At the moment those workers coming down the A426 turn off down Bill Crane Way and Brookfield Road (the relief road left incomplete). There are major congestion and speeding issues created by this traffic. Traffic for the strategic B8 development would need to continue south on the A426 through the centre of Lutterworth, which was recently released from AQMA status.

We have been unable to access detailed maps of the proposed road developments on the A4303 and the M1 and the Whittle roundabouts.

We therefore oppose this development on the grounds of lack of effective support to the infrastructure.

Kind Regards,

Anna Masters

Deputy Clerk

Lutterworth Town Council

Tel: [REDACTED]

E: [REDACTED]

Web: www.lutterworth.org.uk

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Fw: Application for : Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]

From Mark Patterson [REDACTED]**Date** Thu 9/5/2024 12:08 PM**To** planning@harborough.gov.uk <planning@harborough.gov.uk>**Cc** Adrian Eastwood [REDACTED] Andrew Senior [REDACTED]

4 attachments (10 MB)

Covering Letter - S106 DoV 3 Sep 24.pdf; ADDENDUM - Lutterworth East (August 2024) - FINAL.pdf; 230616 Lutterworth - Financial Viability Assessment Full.pdf; 240901 Lutterworth SUE_FVA Addendum_HBC_v1.pdf;

Hi all,

Could the attached please be made up as a new application as per Adrian's email below. In terms of consultation, it will need to have a General Site Notice and Press Notice then just consult Lutterworth Town Council and Misterton with Walcote PC, Cllr Gair, Cllr Sarfas and Cllr Bateman. There is no fee required, and the information submitted does constitute a valid application. The site boundary will be the same 19/00250/OUT . If the Aspinall Verdi (Lutterworth SUE_FVA) could be titled as "HDC review of Viability Assessment" it would be much appreciated.

Any further queries, please let me know.

Many thanks

Mark

**Mark Patterson BA(Hons) Dip TP MRTPI**

Strategic Growth Manager (Development Management)

E: [REDACTED]

T: [REDACTED] / [REDACTED]

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From: Adrian Eastwood [REDACTED]**Sent:** 04 September 2024 08:45**To:** Mark Patterson [REDACTED] Andrew Senior [REDACTED]**Cc:** Claire Berry [REDACTED] David Atkinson [REDACTED]**Subject:** Application for : Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]

Hi Mark/ Andrew

Please create an application. We have a s106 suffix (need to add that to the weekly list template Mark please). I have attached the AV report. Can you add the Gerald Eve report please.

Description =

Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing.

General press notice and site notice.

Consult LTC and parishes may be sufficient.

I appreciate there is no 'application' as such and this is effectively a request.

I anticipate report to committee will include a recommendation around options (1) agree variation (2) refuse variation (3) not compelled to vary as < 5 years old.

Adrian Eastwood MRTPI

Head of Service Development Management

From: Daniel Robinson-Wells [REDACTED]

Sent: 03 September 2024 16:32

To: Andrew Senior [REDACTED] Stephen Holme [REDACTED]

Cc: Mark Patterson [REDACTED] Adrian Eastwood

[REDACTED] David Atkinson [REDACTED] Tess Nelson

[REDACTED] Claire Berry [REDACTED]

Subject: RE: Deeds of variation Lutterworth East [SHMA-ACTIVE.FID200866]

Importance: High

Hi Andrew,

Please find the attached application in relation to the Section 106 DoV.

If you have any queries let me know.

Kind Regards,

Dan

Dan Robinson-Wells

Associate Director

M [REDACTED]

From: Andrew Senior [REDACTED]

Sent: 28 August 2024 15:03

To: Stephen Holme [REDACTED] Daniel Robinson-Wells <Daniel.Robinson-

Cc: Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]

David Atkinson [REDACTED] Tess Nelson [REDACTED] Claire Berry

Subject: Deeds of variation Lutterwoth East

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Hi Stephen,

Further to our telephone conversation earlier today. As the Section 73 applications, such as the one to lift the unit size on the B8 site, will result in a new planning permission being issued we need to agree a deed of variation to the existing 106 agreement to tie this 106 to the new planning permission. In general terms this just needs to cross reference the planning permission number to the existing 106 agreement.

I would also remind you of my email of 15 August about the additional information needed in support of the application to vary the unit size on the B8 site.

Reducing the numbers of affordable housing also needs a deed of variation. Because this variation is for an element of the application which was covered by the EA the original evidence submitted in the EA needs to be addressed and a revised impact assessed. Because this is an EA part of the original application this has, by statute, to be advertised for 30 days. The applicant's desire to vary the amount of affordable housing because of issues of viability needs to be supported by evidence.

There is no application form for this type of application in practice it is done by letter. The additional information set out above can be incorporated into the letter, or more conveniently, appended to it.

The draft committee report must be completed by 27 September.

If you have any questions, please contact either Mark or myself.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

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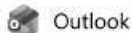
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FW: Clarification : REPLY : Lutterworth East Report to 16th January 2024 planning committee.

From Adrian Eastwood [REDACTED]
 Date Tue 1/9/2024 4:13 PM
 To Mark Patterson [REDACTED] David Atkinson [REDACTED] Andrew Senior [REDACTED]

Adrian Eastwood MRTPI
 Head of Service Development Management
 [REDACTED]

From: Adrian Eastwood
 Sent: Tuesday, January 9, 2024 4:13 PM
 To: 'Richard Nunn LTC [REDACTED]'
 Subject: Clarification : REPLY : Lutterworth East Report to 16th January 2024 planning committee.

Hello Richard

To clarify if statutory consultation does not apply I would nevertheless expect if major changes are proposed to a large scheme, such as Lutterworth East & s106, the Planning Authority would use its discretion to consult stakeholders such as LTC.

I hope that helps.

Adrian Eastwood MRTPI
 Head of Service Development Management
 [REDACTED]

From: Richard Nunn LTC [REDACTED]
 Sent: Tuesday, January 9, 2024 4:07 PM
 To: Adrian Eastwood [REDACTED]
 Subject: Re: REPLY : Lutterworth East Report to 16th January 2024 planning committee.

Dear Adrian,

Many thanks for that insight.

My concern is obviously that a potentially major change to the S106 could go ahead without any form of public awareness or input, and while I accept that it is not subject to consultation at least representations could be made to the Planning Committee.

Thanks again,

Richard

On 9 Jan 2024, at 15:57, Adrian Eastwood [REDACTED] wrote:

Dear Richard

If an application is made to vary the S106 agreement I anticipate it would be made public and discussed at planning committee.

I caveat that anticipation is subject:

- The format of any application (ie only planning applications are statutorily subject to consultation)
- considering should sensitive (ie commercial / viability) information is submitted if that can be made available.

My expectation is that any s106 variation in context of Lutterworth East beyond very minor (eg modest changes to delivery triggers), shall be referred to planning committee as the original decision maker to consider any variation if proposed.

Regards

Adrian Eastwood MRTPI
 Head of Service Development Management
 [REDACTED]

From: Richard Nunn LTC [REDACTED]
 Sent: Tuesday, January 9, 2024 3:33 PM
 To: Adrian Eastwood [REDACTED]
 Subject: Re: Lutterworth East Report to 16th January 2024 planning committee.

Dear Adrian,

Firstly, thanks very much for letting me know, it is greatly appreciated.

While I understand that the report is an exempt item, and I appreciate you telling me that at present there has been no application to vary the S106 agreement, would I be right in saying that should an application to vary the S106 agreement be made, this would be made public and would be discussed in public by the Planning Committee?

Thanks again,

Kind Regards,

Richard

Richard Nunn

Chair of Admin and Finance

Chair of Lutterworth East Committee

Lutterworth Town Council

On 9 Jan 2024, at 13:43, Adrian Eastwood [REDACTED] wrote:

Dear Mr Nunn

As a matter of courtesy, I write to let LTC know that there is a Lutterworth East Update report scheduled to this council's 16th January 2024 planning committee.

The report is an exempt item and not therefore available to read, and that part of the meeting cannot be watched.

The update report is for information of the committee. It is giving the committee advance notice that the applicant may in future apply to vary the existing S106 Agreement. There has not yet been an application to vary the s106.

Thank you.

Adrian Eastwood MRTPI
 Head of Service Development Management
 [REDACTED]

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FW: Comment re Lutterworth Town Council objections

From Stephen Holme [REDACTED]**Date** Tue 10/29/2024 9:04 AM**To** Andrew Senior [REDACTED] Mark Patterson [REDACTED]

1 attachment (38 KB)

Revised Objection Letter East Lutterworth (002) SM comments.docx;

Andrew/ mark some initial thoughts from Dan and the agents.

Unfortunately Dan is on leave this week – and there are a few outstanding items for him to respond to .

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

[REDACTED]
[REDACTED]
[REDACTED]
www.leics.gov.uk

From: Sebastian Moseley [REDACTED]**Sent:** Monday, October 28, 2024 6:16 PM**To:** Stephen Holme [REDACTED]**Cc:** [REDACTED] Charles Spicer [REDACTED]**Subject:** Comment re Lutterworth Town Council objections

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Evening all,

I think there was only the one comment for us to review, which I have made some comments on the attached. The response they have given is correct in terms of availability in Lutterworth at Magna Park however the point being is there is interest in two of those buildings and we expect them to be let fairly soon. Once these are out of the market there is no planned speculative development and so not enough buildings to keep up with occupier demand which has increased again this quarter and year on year back to pre-pandemic levels, which is positive signs.

Kind regards,

Seb

Sebastian Moseley

Senior Associate

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

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FW: Confidential - Lutterworth East - Further Information - 24-00932-VAC [SHMA-ACTIVE.FID200866]

From Andrew Senior [REDACTED]**Date** Wed 9/25/2024 8:55 AM**To** Claire Berry [REDACTED] Joanna Ellershaw [REDACTED]**Cc** Mark Patterson [REDACTED] Adrian Eastwood [REDACTED]
David Atkinson [REDACTED] Tess Nelson [REDACTED]

2 attachments (137 KB)

Further Information - Lutterworth East - 24-00932-VAC 24.09.24.docx; B8 Land at Lutterworth - Gerald Eve Letter 23.09.24.docx;

Dear Both,

Please see attached. Any comments let me know. If it's easier we could meet to go through any issues etc. rather than exchanging emails.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday

From: Daniel Robinson-Wells**Sent:** 24 September 2024 14:52**To:** Andrew Senior ; Mark Patterson**Cc:** Stephen Holme**Subject:** Confidential - Lutterworth East - Further Information - 24-00932-VAC [SHMA-ACTIVE.FID200866]

Hi Both,

Please see attached a couple of letters in relation to the Section 73 for your consideration. If you could provide any comments as soon as possible we can finalise.

Please treat in confidence for the time being. We can discuss what precisely you need to publish tomorrow.

Kind Regards,

Dan

Daniel Robinson-Wells

Associate Director

D [REDACTED]

M [REDACTED]

F [REDACTED]

E [REDACTED]

Main T [REDACTED] ext 1116



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Fw: Confidential Assurance Letter - Principles to Discuss at 14.30 13 11 24

From David Atkinson [REDACTED]
Date Wed 11/13/2024 11:10 AM
To Andrew Senior [REDACTED]

Fyi

Sent from [Outlook for Android](#)

From: David Atkinson
Sent: Tuesday, November 12, 2024 5:15:00 pm
To: Declan Keegan ; Julie Thomas ; Rebecca Henson [REDACTED]
[REDACTED] Mark Patterson
Cc: John Richardson
Subject: Confidential Assurance Letter - Principles to Discuss at 14.30 13 11 24

Hi everyone.

CONFIDENTIAL

Many thanks for the chat earlier.

As promised, here is my first stab starter for 10 at the principles that we could look to embed in a high-level assurance letter relating to affordable housing and the B8 variations at planning committee on 3 12 24:

AFFORDABLE HOUSING

- Lutterworth East is an SDA allocated in HDC Local Plan
- It has expensive infrastructure requirements to fulfil in order to secure delivery of the site
- HDC need to secure delivery of the site to ensure the significant number of new homes from the site are brought forward in a timely way to support the councils 5-year housing land supply and thereby support plan-led development
- House prices have stagnated or dropped in real terms
- Infrastructure costs have gone up
- Therefore, there is a need to adjust expectations around what the site can deliver to enable the viable delivery of this important strategic site
- Key to this adjustment is moderating expectations on affordable housing delivery
- The site will still deliver an important and significant 10% - which is an NPPF compliant level
- The Government are coming forward with a new Affordable housing support delivery fund
- It is envisaged that HDC and the site promoter, LCC, will work collaboratively on accessing funding from this new fund to support higher levels of affordable housing early on in the delivery of the site

B8 WAREHOUSING

- LCC as site promoter intend to make proactive use of the uplift in values and proceeds to be gained from the removal of the B* warehouse unit size threshold to deliver 2 larger units as opposed to 4 smaller ones
- They intend to invest those uplift in proceeds in starting to bring forward the necessary infrastructure to enable the subsequent delivery of the major residential component of the Lutterworth East SDA site – this is also set out in the accompanying committee report

The above principles and any additional ones we consider may be needed when we meet tomorrow to bring a high-level letter assurance letter around the delivery of the Lutterworth East SDA site which we prepare jointly.

Looking forward to discussing further when we meet tomorrow.

Thank you for all your help.

Regards



David Atkinson, Director of Planning

Harborough District Council

The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG

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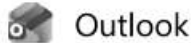
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FW: Confidential Assurance Letter - Principles to Discuss at 14.30 13 11 24

From David Atkinson [REDACTED]

Date Wed 11/13/2024 3:37 PM

To Andrew Senior [REDACTED] Claire Berry [REDACTED]

Cc Mark Patterson [REDACTED]

FYI
Confidential –
Ty
David



David Atkinson, Director of Planning

Harborough District Council

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From: David Atkinson

Sent: 13 November 2024 15:33

To: Declan Keegan [REDACTED]

Cc: Rebecca Henson [REDACTED] Julie Thomas <Julie [REDACTED]>

Stephen Holme [REDACTED] Mark Patterson [REDACTED]

Subject: RE: Confidential Assurance Letter - Principles to Discuss at 14.30 13 11 24

Importance: High

Sensitivity: Confidential

Hi Declan.

I have added the two additional bullet points to the list as we discussed a few moments ago in blue. Could you please review those with the team and suggest any amends you feel are needed and please either confirm all is OK or make any amends.

Then could you and the team please prepare the letter we discussed based on the final list of bullet points and send that to myself and Mark as soon as possible with a backstop date of CoP on 19th November 2024 so that we have the letter to discuss in the Planning Committee chairman's pre-planning committee briefing on 20th November.

It would be great if the dual signature could be added as we discussed in the meeting.

Many thanks Declan and everyone for all your help and support in this – it is very much appreciated by everyone at this end.

Kind regards,

David



David Atkinson, Director of Planning

Harborough District Council

The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG

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From: Declan Keegan

Sent: 13 November 2024 14:24

To: David Atkinson

Cc: Rebecca Henson

Julie Thomas <Julie.T>

Stephen Holme

Subject: FW: Confidential Assurance Letter - Principles to Discuss at 14.30 13 11 24

Sensitivity: Confidential

David

Some amends to your draft, can we also cover when the letter will be provided to the committee thanks

Principles that we could look to embed in a high-level assurance letter relating to affordable housing and the B8 variations at planning committee on 3 12 24:

AFFORDABLE HOUSING

- Lutterworth East is an SDA allocated in HDC Local Plan
- It has expensive infrastructure requirements to fulfil in order to secure delivery of the site
- HDC need to secure delivery of the site to ensure the significant number of new homes from the site are brought forward in a timely way to support the councils 5-year housing land supply and thereby support plan-led development
- House prices have stagnated or dropped in real terms
- Infrastructure costs have gone up - increased significantly since the grant of planning permission for the development
- Therefore, there is a need to adjust expectations around what the site can deliver to enable the viable delivery of this important strategic site
- This is not a unique Lutterworth East issue, but a number of sites throughout the Country, including in Leicestershire, are facing significant viability challenges.
- Key to this adjustment is moderating expectations on affordable housing delivery, although a 40% affordable homes provision remains a requisite of the consent – provided it is deliverable
- The site will still deliver an important and significant 10% minimum & 40% maximum - which even at the minimum level is NPPF compliant
- The actual level of affordable housing are subject to a review mechanism, which will be incorporated into the S106 agreement.
- The principles of the mechanism have been agreed and will increase the level of affordable housing should site viability improve
- The Government are coming forward with a new Affordable housing support delivery fund
- It is envisaged that HDC and the site promoter, LCC, will work collaboratively on accessing funding from this new fund to support higher levels of affordable housing early on in the delivery of the site
- The site promoter and the district council will continue to work together proactively with Homes England to identify opportunities for future funding for affordable homes and infrastructure delivery support to ensure the development of a sustainable and quality place

B8 WAREHOUSING

- LCC as site promoter intend to make proactive use of the uplift in values and proceeds to be gained from the removal of the B8 warehouse unit size threshold to support delivery of the wider scheme ~~deliver 2 larger units as opposed to 4 smaller ones~~
- The development of the B8 units is conditional on building the initial section of road infrastructure that creates access to the residential area
- Any proceeds from the sale of the B8 site in excess of the infrastructure development will be captured by the review mechanism to support the level of affordable homes
- The site promoter is heavily incentivised and are committed to investing the additional proceeds from the uplift in B8 floorspace value enabled by the variation application into the delivery of infrastructure to enable the residential part of site to come forward. Furthermore, they are committed to doing this within the first five years following receipt of those proceeds. This should be seen in the light of the site promoter having already invested a substantial amount of resource into enabling the delivery of the site to date to the extent that they are committed to bringing forward the delivery of the whole site.
- ~~They intend to invest those uplift in proceeds in starting to bring forward the necessary infrastructure to enable the subsequent delivery of the major residential component of the Lutterworth East SDA site — this is also set out in the accompanying committee report~~

The above principles and any additional ones we consider may be needed when we meet tomorrow to bring a high-level letter assurance letter around the delivery of the Lutterworth East SDA site which we prepare jointly.

Looking forward to discussing further when we meet tomorrow.

Thank you for all your help.

Regards



David Atkinson, Director of Planning

Harborough District Council

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Outlook

Fw: Consultee Comments for Planning Application 24/01135/S106

From Andrew Senior [REDACTED]
Date Tue 11/19/2024 8:39 AM
To Mark Patterson [REDACTED]
Cc David Atkinson [REDACTED] Claire Berry [REDACTED] Tess Nelson [REDACTED]

Hi Mark,

In the light of this and I think the TC it might be worth putting something into the report setting out that this isn't a planning application and how 106 are dealt with. I'll have a look tomorrow.

Andrew

Sent from [Outlook for Android](#)

From: pa2@harborough.gov.uk
Sent: Wednesday, November 13, 2024 5:30:33 pm
To: Andrew Senior
Subject: Consultee Comments for Planning Application 24/01135/S106

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 13/11/2024 5:30 PM from Mrs Cathy Walsh (Not Available) on behalf of Misterton With Walcote Parish Council.

Application Summary

Reference:	24/01135/S106
Address:	Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire
Proposal:	Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing
Case Officer:	Mr Andrew Senior

[Click for further information](#)

Comments Details

Comments: Misterton with Walcote Parish Council is concerned that it has not been consulted on the application despite the land in question forming part of the parish. However, it would like to make the following observations:

The original application, 19/00250/OUT, proposed the inclusion of 40% affordable housing within the development. The amount of affordable housing was then in accordance with the adopted Harborough Local Plan and was considered financially viable when the application was submitted. Local plan guidance has

not changed and very little affordable development has occurred within the district. Misterton with Walcote Parish Council feels strongly that the need for affordable housing remains. Our parish has been directly affected. Although there is an identified local need, no new affordable housing has been developed and a number of young people who hoped to secure homes have now left the area as no suitable accommodation is available locally.

The price of housing locally continues to climb. If no affordable housing is included in the mix, the average house price will be further inflated. Thus the affordable element, pegged at 80% of the local average price, will become dearer, making even affordable housing more expensive and less accessible to those on modest and average incomes.

If, as is claimed, the housing market is sluggish, it seems unlikely that building more expensive property will generate the boost needed to reignite the market. Without first time buyers, the chain of house moves falters, so surely it makes sense to ensure the foundations of the local market remains healthy. The provision of affordable housing can only help.

For these reasons, Misterton with Walcote Parish Council urges Harborough District Council to retain the existing 40% requirement for affordable housing on the Lutterworth East development ref 19/00250/OUT

Kind regards



Outlook

FW: Consultee Comments for Planning Application 24/01135/S106

From planning@harborough.gov.uk <planning@harborough.gov.uk>

Date Thu 10/17/2024 11:40 AM

To Andrew Senior [REDACTED]

📎 1 attachment (30 KB)

Revised Objection Letter East Lutterworth.docx;

Hi Andrew

Please see attached comments I have filed

Kind Regards

Deb Lansdell

Planning Administration Assistant – Development Management

Harborough District Council

[REDACTED]
<http://www.harborough.gov.uk/>

From: Town Clerk - Lutterworth TC [REDACTED]

Sent: 11 October 2024 13:18

To: planning@harborough.gov.uk

Cc: Richard Nunn LTC [REDACTED]

Subject: FW: Consultee Comments for Planning Application 24/01135/S106

From: Town Clerk - Lutterworth TC

Sent: 11 October 2024 13:16

To: pa2@harborough.gov.uk

Cc: Richard Nunn LTC [REDACTED]

Subject: FW: Consultee Comments for Planning Application 24/01135/S106

Dear Andrew,

On the 7th October 2024 the Lutterworth Town Council submitted a Consultee Comment on application 24/01135/S106 and would like to make an amendment to the comment, please see the revised objection letter attached.

Can you advise if we are able to make these changes?

I look forward to hearing from you shortly.

Kind Regards,

Carol Mobbs

Town Clerk

Lutterworth Town Council

Tel: [REDACTED]

E: [REDACTED]

Web: www.lutterworth.org.uk

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From: pa2@harborough.gov.uk <pa2@harborough.gov.uk>

Sent: 07 October 2024 15:39

To: Town Clerk - Lutterworth TC [REDACTED]

Subject: Consultee Comments for Planning Application 24/01135/S106

Consultee comments

Dear Mrs Carol Mobbs,

You have been sent this email because you or somebody else has submitted a consultee comment on a Planning Application to your local authority using your email address. A summary of your comments is provided below.

Comments were submitted at 07/10/2024 3:38 PM from Mrs Carol Mobbs (Not Available) on behalf of Lutterworth Town Council.

Application Summary

Reference:	24/01135/S106
Address:	Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire
Proposal:	Varying the existing Section 106 Agreement for the East of Lutterworth SDA 19/00250/OUT to a minimum of 10% and a maximum of 40% affordable housing
Case Officer:	Mr Andrew Senior

[Click for further information](#)

Comments Details

Comments: Lutterworth Town Council also notes an application for a Deed of Variation to the Section 106 Agreement relating to planning application 19/00250/OUT. This application deals with the request to reduce the provision of affordable housing from the required 40% to a figure "between 10% and 40%".

Lutterworth Town Council objects strongly to this application, and again we ask that the Planning Committee uphold the Local Plan and refuse this application. Policy H2 states quite clearly that developments in excess of 10 dwellings must include at least 40% affordable homes. This was one of the key elements of the Local Plan that made the concept of the East of Lutterworth SDA acceptable to local residents, in that there was clearly going to be an opportunity for locals to buy local in the face of increasing average house prices in the area. The reduction or removal of the requirement for a minimum of 40% affordable homes actually makes no sense, especially in light of the published comment by Leicestershire County Council of a "stagnant" housing market. If the market is stagnant, a key reason is that potential purchasers cannot afford to buy. Affordable homes are one way to enliven the market, however their reduction or removal actually has a detrimental effect on the stagnation. The average house price in Lutterworth over the last 12 months is £318,927, and affordable homes can cost no more than 80% of the average in the area, therefore £255,141. If the 40% affordable homes target is reduced or removed, the homes that are built in their place will inevitably cost more. Any of these new homes that cost in excess of £318,927 will contribute to a steady increase in the average house price in the area. Therefore, we would have a situation where the number of affordable homes reduces, the average house price increases, and therefore the price of the few affordable homes that are provided will also increase. For those trying to get on the housing ladder, supply will reduce while the cost increases. The letter from Dan Robinson-Wells dated 3rd September 2024 and dealing with this issue states that "...the planning permission is not viable in its current form...", and to make it viable the only way forward is to reduce the supply of housing to those that can afford it least. It is not only the Section 106 agreement that requires that a minimum of 40% affordable dwellings are provided as part of the development, but also Local Plan Policy H2 requires it, and it is indeed the

sole purpose of Policy H2.

We are very concerned that two key elements of planning application 19/00250/OUT which mitigated the overall impact of the Lutterworth East development (restriction on warehouse size and provision of substantial affordable housing) are now being cherry picked for change, and in the process removing the safeguards and benefits that contributed to the original application being accepted. Had the original application contained these two amendments then we have no doubt that it would not have been successful. If Leicestershire County Council feel strongly enough to request these changes, then we would ask that they unilaterally abandon the planning permission that they have received for the development, and re-submit the entire scheme with these amendments included, and this time engage in meaningful consultation. This will allow the Planning Committee to review the entire scheme in its revised context.

Kind regards

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Outlook

FW: Cost queries - Lutterworth East

From Stephen Holme [REDACTED]**Date** Tue 6/25/2024 5:57 PM**To** Andrew Senior [REDACTED] David Atkinson [REDACTED] Mark Patterson [REDACTED]

Hi Andrew, mark, david,

Im struggling to get any traction with AV. We need a meeting asap to understand what are the outstanding queries regarding the costs.

Having reviewed max's recent emails I was a little concerned that they wanted our QS costs for items that were clearly documented in the s.106. Also some of the highway points they have raised are dealt with in the covering letter we sent them. It suggests they are not spending the time needed to review the information provided.

I've chased them several times this week – if you could do likewise it would be appreciated.

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

[REDACTED]
[REDACTED]
[REDACTED]
www.leics.gov.uk

From: Stephen Holme**Sent:** Wednesday, June 19, 2024 3:47 PM**To:** Max King**Cc:** Andrew Senior ; Mark Patterson ; Jessica Nevin**Subject:** RE: Cost queries - Lutterworth East

Max can you let me know if there are any other outstanding cost items you need clarification on please?

Can we get some dates for the highways meeting please?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

[REDACTED]
[REDACTED]
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From: Stephen Holme**Sent:** Wednesday, June 19, 2024 11:46 AM**To:** Max King [REDACTED]**Cc:** Andrew Senior [REDACTED] Mark Patterson [REDACTED]

Jessica Nevin

Subject: Cost queries - Lutterworth East

Hi max – with regard to Quantem comments below – the majority of these are evidenced in the s.106 – ive added the table below which identifies which page in the s.106 the costs are specifically identified.

The only costs which stands outside of the s.106 is the requirement for 4.7 acres on land for the playing fields (highlighted in my table). We have allocated a land value of circa £330k per acre.

Let me know when your available to meet to review the highways costs.

Any queries let me know

Spine Road and S106 Cost

Breakdown

	Developer		Quantem		Difference
	Total	ft2	Total	ft2	
Spine Road costs	£ 101,720,000				
Off site sport and rec pitches	£ 1,311,641	Unknown	£1,311,641	Unknown	Refer Notes
Off site sport and rec changing	£ 780,792	Unknown	£780,792	Unknown	Refer Notes
On site pavilion/pitches	£ 1,557,534	Unknown	£1,557,534	Unknown	Refer Notes
Community facility	£ 3,410,000	Unknown	£1,365,000	£249.91	-£ 2,045,000
Gilmorton Traffic Calming Scheme	£ 696,922		£696,922.00		
GRAND TOTAL	£ 109,476,889				-£ 2,045,000

Notes

Rates of been provided for the majority of the works in the Sections 1 to 4 of the Spine Road. These are generally considered reasonable but there are some large sums of money included in detail that are without substantiation and there are some inconsistencies in the rates used in Section 1 that require clarification. Quantem have used the rates common to the pricing of Sections 2, 3 and 4 as the basis for pricing the Spine Road works

Sport pitches and facilities will vary according to the brief. The allowances included in the GE FVA are sufficient to provide substantial facilities - Refer Section 4 and Appendix B for what might be reasonably provided for the sums included in the FVA. The construction cost will be dependent on the area and specification of the facilities. The Developer should provide transparency as to what will be provided through the S106.

There is no information on the area or specification of the community facility. Quantem have benchmarked the costs using a mid-range facility which is far less than the sum used by GE in their FVA. The Developer should provide transparency as to what will be provided through the S106.

The Spine Road Sections 1 - 4 were provided at Q3 2020 rates. These have been increased in accordance with the BCIS indices to Q2 2023 - a 31% uplift. The GE FVA includes £18,408,268 for the impact of inflation. This equates to approximately 35% on what appears to be their allowance for construction costs but the matter needs further clarification.

Developer			
Item	GE indexed figure	S.106	Comment
Off site sports and rec facilities	£1,311,641	£1,263,190	See s.106 3 rd schedule Part1 p.16
Off site sports and rec changing	£780,792	£751,950	See s.106 3 rd schedule Part1 p.16
On site pavilion/ Pitches	£1,557,534	Land cost	This is a land value attributed to the 4.7 acres of land allocated to PF 1 & 2 (circa £331,000 per acre)
Community Facilities	£3,410,000	£3,285,755	See s.106 3 rd schedule part 3 p. 26
Gilmorton Traffic Calming scheme	£696,922	£672,959	See s.106 4 th schedule part 2 p.43

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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Fw: Decision Letter - Land East of Lutterworth

From Mark Patterson [REDACTED]

Date Wed 5/28/2025 11:51 AM

To Jonathan Bateman [REDACTED] Martin Sarfas [REDACTED]
David Gair [REDACTED] Simon Galton [REDACTED] Rosita Page
[REDACTED] Amanda Burrell [REDACTED] Peter James
[REDACTED] Sindy Modha [REDACTED] David Atkinson
[REDACTED]

Cc Adrian Eastwood [REDACTED] Andrew Senior [REDACTED]

1 attachment (36 KB)

250528 Decision Letter - Lutterworth Gilmorton Road.pdf;

Dear all,

Further to the December meeting of the Planning Cttee at which the Variation of Conditions in relation to Lutterworth East was considered, please see attached confirmation from the Planning Casework Unit at MHCLG that the SoS will **NOT** be calling in the application for consideration, and that HDC can continue to determine the application. To that end, ongoing work on the associated Deed of Variation will continue and the decision will be issued in due course, once the DoV has been agreed, finalised, signed and sealed.

I will ensure that the attached letter is uploaded to the application file for public viewing.

Many thanks

Mark



Mark Patterson BA(Hons) Dip TP MRTPI

Strategic Growth Manager (Development Management)

E: [REDACTED]

T: [REDACTED] / [REDACTED]

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From: Declan Lau [REDACTED]
Sent: 28 May 2025 10:33
To: Mark Patterson [REDACTED]
Cc: David Atkinson [REDACTED] planning@harborough.gov.uk
<planning@harborough.gov.uk>; Andrew Senior [REDACTED] James Felton
[REDACTED] Richardson [REDACTED] Nicola Parry
[REDACTED]
Subject: Decision Letter - Land East of Lutterworth

OFFICIAL

Dear Mark,

Please find attached decision letter regarding the proposal at the above site.

Regards,
Declan



Ministry of Housing,
Communities &
Local Government

Declan Lau MRTPI
Senior Casework Manager – Planning Casework Unit
Ministry of Communities & Local Government
Chief Planner's Directorate
gov.uk/mhclg @mhclg

OFFICIAL



FW: Deed of Variation - Land East of Lutterworth SDA

From Alex Strickland [REDACTED]
Date Thu 4/24/2025 11:27 AM
To Mark Patterson [REDACTED]
Cc Andrew Senior [REDACTED] Adrian Eastwood [REDACTED]

Hi Mark,
Hope you are keeping well.
Can we put in a slot next week to run through the background on this DOV please ? (Tues 29th/Wed 30th April may be best but I can be flexible on that).
I am aware that we are keen to return the DOV to the site promoter and have copied you in to my email to David on potential timescales.
I shall review in the interim.
Much appreciated.
Alex.
[REDACTED]

24 April 2025

From: Alex Strickland
Sent: Thursday, April 17, 2025 1:51 AM
To: Mark Patterson
Cc: Andrew Senior
Subject: RE: Deed of Variation - Land East of Lutterworth
Hi Mark,
Thanks for sending this over.
I shall review and update with you asap.
Much appreciated.
Alex.
[REDACTED]

17 April 2025

From: Mark Patterson [REDACTED]
Sent: Wednesday, April 16, 2025 9:51 AM
To: Alex Strickland [REDACTED] Legal <Legal@harborough.gov.uk>
Cc: Andrew Senior [REDACTED]
Subject: Deed of Variation - Land East of Lutterworth

Dear all,
Could you provide us with an update on this that we can go back to the Site Promotor with

Many thanks

Mark



Mark Patterson BA(Hons) Dip TP MRTPI

Strategic Growth Manager (Development Management)

E: [REDACTED]

T: [REDACTED] / [REDACTED]