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 Outlook

RE: 24/01135/s106 Deeds of variation Lutterworth East

From: Stephen Holme [REDACTED]
Date: Mon 9/9/2024 2:13 PM
To: David Atkinson [REDACTED]; Adrian Eastwood [REDACTED]; Daniel Robinson-Wells <Daniel.Robinson-Wells@nhs.uk>
Cc: Mark Patterson [REDACTED]; Andrew Senior [REDACTED]

1 attachment (3 MB)

ADDENDUM EXEC SUM - Lutterworth East (August 2024) - FINAL.pdf;

Please see attached

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

Stephen.
www.leics.gov.uk

From: David Atkinson [REDACTED]
Sent: Thursday, September 5, 2024 3:38 PM
To: Stephen Holme [REDACTED]; Adrian Eastwood [REDACTED]; Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED]; Andrew Senior [REDACTED]
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

Hi Stephen,
Can you separate out the Exec Summary and send that through as an independent document for going online and we will make the full document sensitive so it can only be seen internally, thereby making it confidential.
Mark is doing the latter now.

Thank you.
Regards,
David



David Atkinson, Director of Planning

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The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG
www.harborough.gov.uk

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From: Stephen Holme [REDACTED]
Sent: Thursday, September 5, 2024 2:56 PM
To: Adrian Eastwood <A[REDACTED]>; Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED]; Andrew Senior [REDACTED]; David Atkins [REDACTED]
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

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Kind Regards
Stephen Holme
Development Consultant
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Leicestershire County Council
County Hall, Glenfield, Leicester.
LE3 8RE

Stephen
www.leics.gov.uk

From: Adrian Eastwood [REDACTED]
Sent: Thursday, September 5, 2024 2:52 PM
To: Stephen Holme [REDACTED] Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED] Andrew Senior [REDACTED] David Atkinson [REDACTED]

Subject: Re: 24/01135/s106 Deeds of variation Lutterworth East
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Maybe you can provide a simplified summary version?
Thank you
Adrian
Sent from Outlook for Android

From: Stephen Holme [mailto:stephen.holme@usda.gov]
Sent: Thursday, September 5, 2024 2:48:19 PM

To: Adrian Eastwood [REDACTED] Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED] Andrew Senior [REDACTED] David Atkinson [REDACTED]
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East
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Corporate Resources Department
Leicestershire County Council
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From: Adrian Eastwood [REDACTED]
Sent: Thursday, September 5, 2024 2:28 PM
To: Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED]; Andrew Senior [REDACTED] Stephen Holme [REDACTED]
Subject: 24/01135/s106 Deeds of variation Lutterworth East

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Dear Dan
This submission is valid and available online as 24/01135/S106.

Planning – Planning Application Documents



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 affordable housing | Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire

Regards
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

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] Tess Nelson [REDACTED] Claire Berry [REDACTED]
Subject: Deeds of variation Lutterworth East
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The draft committee report must be completed by 27 September.
If you have any questions, please contact either Mark or myself.
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Interim Strategic Development Officer
Tel: [REDACTED]
My working day is Wednesday

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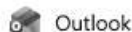
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RE: 24/01135/s106 Deeds of variation Lutterworth East

From David Atkinson [REDACTED]

Date Thu 9/5/2024 3:38 PM

To Stephen Holme [REDACTED] Adrian Eastwood [REDACTED] Daniel Robinson-Wells [REDACTED]

Cc Mark Patterson [REDACTED] Andrew Senior [REDACTED]

Hi Stephen.

Can you separate out the Exec Summary and send that through as an independent document for going online and we will make the full document sensitive so it can only be seen internally, thereby making it confidential.

Mark is doing the latter now.

Thank you.

Regards,

David



David Atkinson, Director of Planning

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Market Harborough, Leicestershire, LE16 7AG

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From: Stephen Holme

Sent: Thursday, September 5, 2024 2:56 PM

To: Adrian Eastwood ; Daniel Robinson-Wells

Cc: Mark Patterson ; Andrew Senior ; David Atkinson

Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

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Can you remove it and we can provide a redacted version.

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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[REDACTED]
[REDACTED]
[REDACTED]
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From: Adrian Eastwood [REDACTED]

Sent: Thursday, September 5, 2024 2:52 PM

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

Cc: Mark Patterson [REDACTED] Andrew Senior [REDACTED] David Atkinson [REDACTED]

Subject: Re: 24/01135/s106 Deeds of variation Lutterworth East

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From: Adrian Eastwood [REDACTED]

Sent: Thursday, September 5, 2024 2:28 PM

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Cc: Mark Patterson [REDACTED] Andrew Senior [REDACTED] Stephen Holme [REDACTED]

Subject: 24/01135/s106 Deeds of variation Lutterworth East

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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 20% affordable housing | Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire

Regards
Adrian Eastwood MRTPI
Head of Service Development Management

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,
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Dan Robinson-Wells
Associate Director
M

From: Andrew Senior
Sent: 28 August 2024 15:03
To: Stephen Holme; Daniel Robinson-Wells
Cc: Mark Patterson; Adrian Eastwood; David Atkinson; Tess Nelson; Claire Berry
Subject: Deeds of variation Lutterworth East
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Interim Strategic Development Officer
Tel: [REDACTED]
My working day is Wednesday

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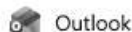
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From Daniel Robinson-Wells [REDACTED]
Date Thu 9/5/2024 3:12 PM
To Stephen Holme [REDACTED] Adrian Eastwood [REDACTED]
Cc Mark Patterson [REDACTED] Andrew Senior [REDACTED] David Atkinson [REDACTED]

Hi Adrian,

The NPPG ([Paragraph 021 Reference ID: 10-021-20190501](#)) does set out that the viability assessment (FVA) should be publically available other than in exceptional circumstances. It goes on to say that viability assessments do not *usually* contain commercially sensitive data.

In this instance the FVA (and AV's analysis) does. That, alongside the complex nature and importance of the Site warrants the exceptional circumstances the NPPG seeks to provide an aggregated FVA and executive summary as an appropriate substitute.

The full appraisals really ought to be taken down as soon as possible please. Interested parties, including those that LCC might be entering into commercial negotiation with, may be automatically notified of this application very shortly.

Kind Regards,

Dan

Dan Robinson-Wells
Associate Director
[REDACTED]

From: Stephen Holme
Sent: 05 September 2024 14:56
To: Adrian Eastwood ; Daniel Robinson-Wells
Cc: Mark Patterson ; Andrew Senior ; David Atkinson
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East
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Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

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Head of Service Development Management

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To: Stephen Holme <Stephen.Holme@leics.gov.uk>; Daniel Robinson-Wells <Daniel.Robinson-Wells@marrons.co.uk>
Cc: Mark Patterson <M.Patterson@harborough.gov.uk>; Adrian Eastwood <A.Eastwood@harborough.gov.uk>; David Atkinson <D.Atkinson@harborough.gov.uk>; Tess Nelson <T.Nelson@harborough.gov.uk>; Claire Berry <C.Berry@harborough.gov.uk>
Subject: Deeds of variation Lutterworth 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]
My working day is Wednesday

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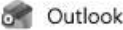
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RE: 24/01135/s106 Deeds of variation Lutterworth East

From Stephen Holme [REDACTED]
Date Tue 9/10/2024 4:45 PM
To Mark Patterson [REDACTED] David Atkinson [REDACTED] Adrian Eastwood <A [REDACTED]> Daniel Robinson-Wells [REDACTED]
Cc Andrew Senior [REDACTED]

2 attachments (3 MB)
240901 Lutterworth SUE_FVA Addendum_H8C_v1_Redacted.pdf; ADDENDUM - Lutterworth East (August 2024) - FINAL_Redacted.pdf;

Mark ive redacted the addendums for AV and GE
Are these ok?
Kind Regards
Stephen Holme
Development Consultant
Strategic Property Services
Corporate Resources Department
Leicestershire County Council
County Hall, Glenfield, Leicester.
LE3 8RE

www.leics.gov.uk

From: Mark Patterson [REDACTED]
Sent: Tuesday, September 10, 2024 12:16 PM
To: Stephen Holme [REDACTED] David Atkinson [REDACTED] Adrian Eastwood [REDACTED] Daniel Robinson-Wells [REDACTED]
Cc: Andrew Senior [REDACTED]
Subject: Re: 24/01135/s106 Deeds of variation Lutterworth East
Hi Stephen,
Yes, this is required for the consultation in order to make it a meaningful consultation.

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: 10 September 2024 11:57
To: Mark Patterson [REDACTED] David Atkinson [REDACTED] Adrian Eastwood [REDACTED] Daniel Robinson-Wells [REDACTED]
Cc: Andrew Senior [REDACTED]
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East
Its going to require a redacted document
Do you need this for the consultation?
Kind Regards
Stephen Holme
Development Consultant
Strategic Property Services
Corporate Resources Department
Leicestershire County Council
County Hall, Glenfield, Leicester.
LE3 8RE

www.leics.gov.uk

From: Mark Patterson

Sent: Tuesday, September 10, 2024 11:15 AM

To: Stephen Holme; David Atkinson; Adrian Eastwood; Daniel Robinson-Wells

Cc: Andrew Senior

Subject: Re: 24/01135/s106 Deeds of variation Lutterworth East

Hi Stephen,

Many thanks for this, however, this Exec Summary is not going to be sufficient for us to publicise in lieu of the full Appraisal. I have provided below an extract from the NPPG which, specifically the yellow highlighted sections, set out what should be included within an Exec Summary in those exceptional cases where the full appraisal can not be publicised. On the basis of the red highlighted section below, I would be grateful if you could confirm how the full appraisal triggers the confidential exemption as I am coming under increasing pressure from a range of parties to publicise the appraisal. I would also be grateful if you could confirm whether or not the AV review contains any sensitive information (as set out in the red section) or whether this can be publicised.

Should a viability assessment be publicly available?

Any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances an executive summary should be made publicly available. Information used in viability assessment is not usually specific to that developer and thereby need not contain commercially sensitive data. In circumstances where it is deemed that specific details of an assessment are commercially sensitive, the information should be aggregated in published viability assessments and executive summaries, and included as part of total costs figures. Where an exemption from publication is sought, the planning authority must be satisfied that the information to be excluded is commercially sensitive. This might include information relating to negotiations, such as ongoing negotiations over land purchase, and information relating to compensation that may be due to individuals, such as right to light compensation. The aggregated information should be clearly set out to the satisfaction of the decision maker. Any sensitive personal information should not be made public.

An executive summary prepared in accordance with the government's data format published by government ([draft available online](#)) will present the data and findings of a viability assessment more clearly so that the process and findings are accessible to affected communities. As a minimum, the government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in this guidance where applicable, and return to developer. Where a viability assessment is submitted to accompany a planning application, the executive summary should refer back to the viability assessment that informed the plan and summarise what has changed since then. It should also set out the proposed developer contributions and how this compares with policy requirements.

See related policy: National Planning Policy Framework [paragraph 57](#)

Paragraph: 021 Reference ID: 10-021-20190509

Many thanks

Mark



Mark Patterson BA(Hons) Dip TP MRTPI

Strategic Growth Manager (Development Management)

E: [REDACTED]

T: [REDACTED]

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From: Stephen Holme

Sent: 09 September 2024 14:12

To: David Atkinson; Adrian Eastwood; Daniel Robinson-Wells <[Daniel.Robinson-](#)

Cc: Mark Patterson; Andrew Senior

Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

Please see attached

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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From: David Atkinson
Sent: Thursday, September 5, 2024 3:38 PM
To: Stephen Holme; Adrian Eastwood; Daniel Robinson-Wells
Cc: Mark Patterson; Andrew Senior
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

Hi Stephen.

Can you separate out the Exec Summary and send that through as an independent document for going online and we will make the full document sensitive so it can only be seen internally, thereby making it confidential.

Mark is doing the latter now.

Thank you.

Regards,

David



David Atkinson, Director of Planning

Harborough District Council

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www.harborough.gov.uk

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From: Stephen Holme
Sent: Thursday, September 5, 2024 2:56 PM
To: Adrian Eastwood; Daniel Robinson-Wells
Cc: Mark Patterson; Andrew Senior; David Atkinson
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

I don't think it needs to be with all the commercial information when we are about to go to the market on the B8 site.

Can you remove it and we can provide a redacted version.

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
Sent: Thursday, September 5, 2024 2:52 PM
To: Stephen Holme; Daniel Robinson-Wells
Cc: Mark Patterson; Andrew Senior; David Atkinson
Subject: Re: 24/01135/s106 Deeds of variation Lutterworth East

Hi Stephen

It should be available, If you can check the NPPF, PPG to show otherwise please? In any event transparency is best.

Maybe you can provide a simplified summary version?

Thank you

Adrian

Sent from [Outlook for Android](#)

From: Stephen Holme
Sent: Thursday, September 5, 2024 2:48:19 PM
To: Adrian Eastwood; Daniel Robinson-Wells
Cc: Mark Patterson; Andrew Senior; David Atkinson
Subject: RE: 24/01135/s106 Deeds of variation Lutterworth East

Adrian – can you please remove the viability assessment from the planning portal please?

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
Sent: Thursday, September 5, 2024 2:28 PM
To: Daniel Robinson-Wells
Cc: Mark Patterson; Andrew Senior; Stephen Holme
Subject: 24/01135/s106 Deeds of variation Lutterworth East

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Dear Dan

This submission is valid and available online as 24/01135/S106.

Planning – Planning Application Documents



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 20% affordable housing | Land East Of Lutterworth Gilmorton Road Lutterworth Leicestershire

Regards
Adrian Eastwood MRTPI
Head of Service Development Management

From: Daniel Robinson-Wells
Sent: 03 September 2024 16:32
To: Andrew Senior <A. [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

From: Andrew Senior [REDACTED]
Sent: 28 August 2024 15:05
To: Stephen Holme [REDACTED] Daniel Robinson-Wells [REDACTED]
Cc: Mark Patterson [REDACTED] Adrian Eastwood [REDACTED] David Atkinson [REDACTED] Tess Nelson [REDACTED] Claire Berry [REDACTED]
Subject: Deeds of variation Lutterworth 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.
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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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Re: B8 site call in

From Mark Patterson [REDACTED]
Date Thu 3/27/2025 2:44 PM
To Stephen Holme [REDACTED]
Cc Daniel Robinson-Wells [REDACTED] Adrian Eastwood
[REDACTED] Andrew Senior [REDACTED]

Hi Stephen,

Nothing yet, other than a response last week to Andrew stating "*Our assessment is drawing to a conclusion, and I would hope to be able to inform you of a decision in about 2 weeks' time*", so fingers crossed for some news next week.....

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: Stephen Holme
Sent: 27 March 2025 14:39
To: Mark Patterson
Cc: Daniel Robinson-Wells ; Adrian Eastwood
Subject: RE: B8 site call in
Hi mark, any update ...almost 4 months!!
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: Mark Patterson
Sent: 29 January 2025 13:03
To: Stephen Holme
Cc: Daniel Robinson-Wells ; Adrian Eastwood
Subject: Re: B8 site call in

Hi Stephen,

No update i'm afraid. From experience, chasing doesn't really help. The only contact I have is at the Casework unit, and they tend to be in a similar position to use, waiting for a response from the SoS. If it was a delegated case for the Casework Unit to consider then I would happily chase them, but in these circumstances I really don't see any benefit in it

Many thanks

Mark



Mark Patterson BA(Hons) Dip TP MRTPI

Strategic Growth Manager (Development Management)

E: [REDACTED]

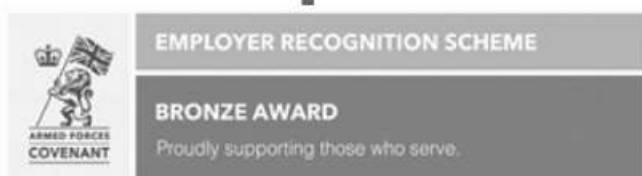
T: [REDACTED] / [REDACTED]

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From: Stephen Holme [REDACTED]

Sent: 29 January 2025 10:01

To: Mark Patterson [REDACTED]

Cc: Daniel Robinson-Wells [REDACTED]

Subject: RE: B8 site call in

Hi mark any update?

Is it worth a chase?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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[REDACTED]
[REDACTED]
[REDACTED]

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From: Mark Patterson [REDACTED]

Sent: 15 January 2025 15:16

To: Stephen Holme [REDACTED]

Cc: Daniel Robinson-Wells [REDACTED]**Subject:** Re: B8 site call in

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Hi Stephen,

All good here thank you, hopefully the same at your end.

No update so far from the Casework Unit regarding the potential Call In.

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:** Stephen Holme [REDACTED]**Sent:** 15 January 2025 13:27**To:** Mark Patterson [REDACTED]**Cc:** Daniel Robinson-Wells [REDACTED]**Subject:** B8 site call in

Hi mark – I hope you are well?

Any news on the B8 possible call in?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

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[REDACTED]

[REDACTED]

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RE: B8 Stub road

From Stephen Holme [REDACTED]

Date Wed 6/19/2024 11:48 AM

To Andrew Senior [REDACTED]

Cc Mark Patterson [REDACTED] David Atkinson [REDACTED]
Claire Berry [REDACTED] Tess Nelson [REDACTED]

Hi andrew – yes you are correct – apologies I didn't make that clear.

I've asked our highways team to produce a plan as required – it's a work in progress at the moment – but thought it would be worth sending this across just so we can agree which stub we are considering.

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: Wednesday, June 19, 2024 11:20 AM

To: Stephen Holme [REDACTED]

Cc: Mark Patterson [REDACTED] David Atkinson [REDACTED]

Claire Berry [REDACTED] Tess Nelson [REDACTED]

Subject: RE: B8 Stub road

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Hi Stephen,

I've had a look at the attached drawing. The approved plan which is in detail is reference A4304 / Employment Signalised Junction (LE-J3) General Arrangement LESRACM-XX-XX-DR-HW-00031 Aecom P05. There appear to be a number of differences between the approved plan and that which is attached to your email. My view is that these differences are sufficient that an access in accordance with that scheme would not constitute a deemed start as it's not in accordance with the approved plan. To constitute a start the access needs to be more than similar to the approved scheme.

Hope this is of help.

If you want to discuss I am available tomorrow and then I'm away for a week.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday

From: Stephen Holme [REDACTED]

Sent: Thursday, June 13, 2024 11:54 AM

To: Andrew Senior [REDACTED]

Cc: Mark Patterson [REDACTED] David Atkinson [REDACTED]

Subject: B8 Stub road

Hi Andrew – following our discussions last week regarding the possibility of creating an access road for the B8 site – please find attached an indicative plan which shows a possible access point to the site..

Just wondering if you have had any feedback/ thoughts as to whether this would constitute a commencement of development?

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

RE: committee reports

From Claire Berry [REDACTED]
Date Wed 11/6/2024 6:14 PM
To Andrew Senior [REDACTED]
Cc David Atkinson [REDACTED] Tess Nelson [REDACTED] Mark Patterson [REDACTED]

1 attachment (48 KB)

106 variation_Claire's Comments_06.11.24.docx;

Hi Andrew,
I have reviewed the latest draft of the 106 variation report and added some tracked changes – see attached.
In addition, I think there may be some repetition in the text between the 'Policy Background' and 'Viability' sections.
My comments on the Section 73 applications report are to follow.
Regards Claire.

From: Andrew Senior [REDACTED]
Sent: 30 October 2024 14:55
To: Mark Patterson [REDACTED] Claire Berry [REDACTED]
Cc: David Atkinson [REDACTED] Tess Nelson [REDACTED]
Subject: committee reports

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



Outlook

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

From Daniel Robinson-Wells [REDACTED]**Date** Thu 9/26/2024 1:53 PM**To** Andrew Senior [REDACTED] Mark Patterson [REDACTED]**Cc** Stephen Holme [REDACTED] Adrian Eastwood [REDACTED]
Claire Berry [REDACTED] Tess Nelson [REDACTED]

Hi Andrew,

Thank you for considering this further. Yes, this is all correct.

Bearing in mind in respect of the overall viability Aspinall Verdi has concluded that development is viable at 8% affordable housing and the Applicant is still offering a minimum of 10%. The first phase review should pick up the actual receipts for the B8 development and constructions costs to open the development up.

Kind Regards,

Dan

Dan Robinson-Wells

Associate Director

M [REDACTED]

From: Andrew Senior [REDACTED]**Sent:** 25 September 2024 14:24**To:** Daniel Robinson-Wells [REDACTED] Mark Patterson [REDACTED]**Cc:** Stephen Holme [REDACTED] Daniel Robinson-Wells <Daniel.Robinson-[REDACTED]>
[REDACTED] Adrian Eastwood [REDACTED] Claire Berry [REDACTED]
[REDACTED] Tess Nelson [REDACTED]**Subject:** RE: Confidential - Lutterworth East - Further Information - 24-00932-VAC [SHMA-ACTIVE.FID200866]

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Dear Dan,

Further to the above and our discussion this morning. I think I now understand the issues around the development that has permission and the applicant's desire to vary the condition restricting the floorspace of the B8 unit. In practice the single larger unit will be more attractive to developers as a form of development that will bring them a greater return. From the applicant's perspective this form of development will allow them to realise a greater profit and more quickly, the increased profit will help to cover any increase in the costs associated with making a start on the development. The permitted development, whilst there is a demand for smaller units, may take longer to realise a return which may not be as great and will not enable the development to be brought forward as quickly.

Underlying the above the purpose of the B8 development was to improve the viability of the development.

I trust this is of help.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Wednesday

From: Daniel Robinson-Wells [REDACTED]**Sent:** 24 September 2024 14:52**To:** Andrew Senior [REDACTED] Mark Patterson [REDACTED]

Cc: Stephen Holme [REDACTED]

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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RE: Confidential. Lutterworth East SDA

From David Atkinson [REDACTED]
Date Tue 2/20/2024 3:21 PM
To Andrew Senior [REDACTED] Mark Patterson [REDACTED]
Adrian Eastwood [REDACTED] Tess Nelson [REDACTED] Claire
Berry [REDACTED] Keith Keeley [REDACTED]

Thanks Andrew.

Looks good and comprehensive to me: I will let Mark come back on the detail.

Thanks again for pulling this together: kind regards,

David



David Atkinson, Director of Planning
[REDACTED] / [REDACTED]
Harborough District Council
The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG
www.harborough.gov.uk
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From: Andrew Senior [REDACTED]
Sent: Tuesday, February 20, 2024 2:27 PM
To: Mark Patterson [REDACTED] David Atkinson [REDACTED]
Adrian Eastwood [REDACTED] Tess Nelson [REDACTED] Claire
Berry [REDACTED] Keith Keeley [REDACTED]
Subject: Confidential. Lutterworth East SDA

Confidential.

Dear All,

I've had a brief look at the timetable proposed by LCC, I too am unsure what is meant by "Reserved Matters on site" and "Discharge condition". It may help if I set out what the planning application requires in the discharge of pre-commencement conditions and reserved matters that have to be submitted. Before I share this with LCC it would be helpful to have any feedback from yourselves. I have added some notes where certain conditions have constraints on their discharge. Whilst this council does not carry out public consultation on the discharge of conditions it is possible for the public to comment and applications can be called in by the planning committee. Depending on the nature of the condition to be discharged it may be necessary to consult statutory consultees.

The permission is essentially in two parts a detailed permission for the spine road and an outline for the remainder of the development. Consequently, there are pre-commencement conditions, these must be discharged before any work can commence, effectively the spine road and reserved matters conditions for everything else. The reserved matters include the standard matters and several more detailed areas. I have identified conditions on the basis that they are pre-commencement conditions or that the condition needs to be discharged to allow residential development to commence.

I have split the following into two sections pre-commencement and reserved matters. The conditions are numbered according to the planning permission.

Pre-commencement

- 6 Construction Environment Management Plan to be submitted before work north of the A4304, this includes measures to protect the SSSI. Natural England will have to be consulted and there is potential for protected species surveys to inform the management plan, for great crested newts etc these can only be carried out at certain times of the year.
- 10 Archaeological management Plan to be submitted and approved.

- 11 Programme of archaeological work in accordance with the above plan before construction of the spine road.
- 17 Construction management plan, prior to the construction of the spine road or any access into the site.
- 32 M1 Geotechnical details for the extent of the site adjacent to the M1 the discharge of this will require consultation with Highways England.
- 38 and 39 no development north or south of the A4304 until details of construction site access approved.
- 50 Traffic and direction signing strategy to be agreed.
- 51 Public rights of way strategy.
- 58 SSSI management plan, this is required to be submitted once the spine road crosses the river Swift, my comments about wildlife surveys and consultation applies here as well.

Some of these conditions require extensive or time sensitive surveys to be carried out and further consultation to be carried out.

Reserved matters

Before development can commence on the residential or commercial aspects of the development can commence these conditions have to be discharged and details of the for example housing have to be submitted and approved.

- 3 Reserved matters, siting, design etc. to be submitted for all reserved details.
- 5 Phasing a phasing plan for the site including sub-phases the condition has 14 individual matters to be addressed.
- 7 Hydrological data, I am unsure of whether to list this, the condition requires a hydrological survey to be carried out and the data to be submitted within two years of collection, whether this needs to be done before the development impacts the water flows is unclear.
- 8 SSSI management plan this must be discharged prior to the construction of the first phase of residential development.
- 9 Green Infrastructure and Biodiversity management plan for each phase includes surveys of protected species, see comments above.
- 12 Noise levels for development adjacent to the M1 this is required as part of reserved matters for residential development
- 14 Acoustic barrier details of the barrier along the eastern boundary of the M1 to be submitted before the spine road crosses the River Swift, this constrains when residential development can commence.
- 15 Design Code no development other than the spine road until this condition has been discharged. The condition identifies 48 issues that the code must address. The code is key to delivering a high quality development and, in my experience, takes some time to achieve a satisfactory outcome.
- 18 Construction management plan for each individual phase this will impact on the delivery of residential development.
- 22 Lutterworth town centre connectivity scheme to be submitted and approved prior to the commencement of residential development
- 25 Contaminated land survey and assessment by phase or sub-phase.
- 27 Surface water drainage scheme to be submitted by phase or sub-phase.
- 28 Infiltration testing by phase or sub-phase.
- 55 Renewable and low carbon technology details to be submitted by phase or sub-phase.
- 59 Ground levels finished ground levels by phase or sub-phase to be agreed.

I am assuming that the timetable drafted by LCC covering "reserved matters on site" through "discharge conditions" a period of ten months is to discharge all the above including the detailed first phase of residential development, if the timetable doesn't assume first phase residential then some conditions do not apply. There are some twenty four conditions listed. To be honest I don't think the proposed timetable is realistic. It is unlikely that the first submission of the details will be satisfactory, and it will take some time for consultees to respond. Given previous experience it is unlikely that the required information will be submitted in a timely manner.

The above comments are made notwithstanding the issues around viability I would also pose the question does the council want to discharge conditions if the applicant is arguing the site is not viable and the concern about viability relates to one area of the section 106 agreement.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Tuesday



RE: Confidential. Lutterworth East SDA

From Keith Keeley [REDACTED]

Date Tue 2/20/2024 2:45 PM

To Andrew Senior [REDACTED] Mark Patterson [REDACTED]
David Atkinson [REDACTED] Adrian Eastwood [REDACTED]
Tess Nelson [REDACTED] Claire Berry [REDACTED]

Andrew, many thanks for this analysis which confirms my initial scepticism. Would it be possible to set out a realistic timescale for discharging each condition? This should include an estimate of the time it would take the developer to prepare the supporting information required for each reserved matter.

I am happy to meet with you and Claire next Monday or Tuesday to work through each in Smartsheet.

Regards

Keith

From: Andrew Senior

Sent: Tuesday, February 20, 2024 2:27 PM

To: Mark Patterson ; David Atkinson ; Adrian Eastwood ; Tess Nelson ; Claire Berry ; Keith Keeley

Subject: Confidential. Lutterworth East SDA

Confidential.

Dear All,

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The permission is essentially in two parts a detailed permission for the spine road and an outline for the remainder of the development. Consequently, there are pre-commencement conditions, these must be discharged before any work can commence, effectively the spine road and reserved matters conditions for everything else. The reserved matters include the standard matters and several more detailed areas. I have identified conditions on the basis that they are pre-commencement conditions or that the condition needs to be discharged to allow residential development to commence.

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The above comments are made notwithstanding the issues around viability I would also pose the question does the council want to discharge conditions if the applicant is arguing the site is not viable and the concern about viability relates to one area of the section 106 agreement.

Andrew Senior

Interim Strategic Development Officer

Tel: [REDACTED]

My working day is Tuesday

LTC Comment	Applicant Response
PLANNING APPLICATION 24/00932/VAC	
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 (ie 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.	The Section 73 application presently before the LPA must be determined in accordance with the development plan, unless material considerations justify a departure. Significant material considerations are present now that were not at the determination of 19/00250/OUT. These include evidence in relation to the market, demand and supply alongside the viability and delivery of the Site.
2. The Employment Land Needs Assessment on which the premise of the removal of the 9000 sqm 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 41,156 sqm (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	As a general point, there will always be an element of churn in the market for commercial development as there is in the residential market. It is the case that there are currently vacant units at Magna Park. However, it is Gerald Eve's understanding that there is current occupier interest in two of these buildings. In regard to future development at Magna Park Lutterworth - there are plots available on a Build to suit basis however this would take at least 12 months to be built on which occupiers can often not build on. This market has historically traded well and especially of buildings 100,000 sq ft + and so the expectation is for the speculatively built buildings to let at Magna Park Lutterworth which, with no further planned spec development, will leave a lack of space available to meet occupier demand, which is anticipated to pick up again next year as it has year on year from last year, and is back to pre-pandemic levels. Therefore, it is important to ensure there is land coming through for the next phase of development in Lutterworth. The GL Hearn Report has identified clearly that there is a already shortfall of non-rail served logistics. The Lutterworth East Employment Needs Assessment Review (LEENAR),

LTC Comment	Applicant Response
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 “<i>Warehousing and Logistics in Leicester and Leicestershire : Managing Growth and Change</i>” 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 (ie the next 17 years) there is a shortfall of only 392,000 sqm (112 ha) at non-rail (ie road served) sites after taking into account existing supply. For scale, this is less than the extension of Magna Park North of over 400,000 sqm. 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.	submitted with the application, notes that the GL Hearn Study referenced by LTC (<i>Warehousing and Logistics in L&L</i>) is only based upon past completions upto 2019 and does not therefore take account of the significant rise in demand experienced more recently as evidence (e.g. see Section 5 of the LEENAR) No weight can be given to the potential that Magna Park <i>might</i> be extended in an emerging Local Plan.
3. The covering letters to the application are interesting. Contrary 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.	The submission documents for the application are responding to the published Reason for condition 20 of 19/00250/OUT, which states: <i>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</i> Lutterworth East already has permission for B8 development, and is a suitable location and was assessed at the application submission stage without reference to the subsequently imposed cap. It is not speculative development and will simply provide flexibility in the size of dwellings that could be delivered on site.
4. The remainder of the reasons given by Gerald Eve in support of the removal of the condition are all about value, ie 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,	The Local Plan allocated the land south of the A4304 for B8 development, which has subsequently has secured outline planning permission. The Local Plan recognised at the time the B8 site was necessary to help deliver the wider aspirations of the SDA. This premise has not

LTC Comment	Applicant Response
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.	changed. 15.2.13, is simply explanation, not policy; however it does recognise that the figures at the time were not maxima. Furthermore, as noted above evidence points to greater need for strategic warehousing compared to 7 years ago.
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 FTE's. 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.	LTC appear to have conflated several issues here. Primarily the economic benefits derived from delivery of the B8 site and its potential land value. In the fullness of time the B8 Site will be adjacent to 2,750 more homes.
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	The s73 application included a brief technical note regarding highways impact confirming that there would be no material change as consequence of the removal of the floorspace restriction. The local highway authority has not objected to this. Informative 25 of 19/00250/OUT states:

LTC Comment	Applicant Response
directly from the M1, and as a result it is inevitable that Lutterworth town centre will see a significant 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 <i>“deliver a spine road to alleviate pressure upon Lutterworth High Street and the Air Quality Management Area”</i>, and in 15.2.24 it states that <i>“Following completion of the spine road, traffic management measure and public realm improvements will be developed to remove or minimise the passage of HGV’s through the centre of Lutterworth...”</i>. 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.	<i>25. Following completion of the spine road, in partnership with the SDA promoters, County Highway Authority, the Council will develop traffic management measures that remove or minimise the passage of heavy goods vehicles through the centre of Lutterworth, as part of the implementation of an effective air quality mitigation strategy for the Air Quality Management Area in Lutterworth town centre.</i> There is nothing to suggest that this informative will not be carried forward in the new permission as a result of the Section 73. However, it is noted that HDC revoked the AQMA for Lutterworth Town Centre earlier this year since NO2 concentrations have been compliant with the standards for a considerable period of time. See below: Lutterworth Air Quality Air quality Harborough District Council
PLANNING APPLICATION 24/00932/VAC	

LTC Comment	Applicant Response
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 proposed development would be wholly in accordance with Local Plan Policy H2 despite an affordable housing provision lower than 40% due to criterion 5 which states: <i>5. Proposals which do not meet the above policy requirements will be acceptable where it is demonstrated to the Council's satisfaction that a different level or mix of affordable housing is required to make the development viable and the approach contributes towards creating mixed and balanced communities.</i>
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.	At present the impact of the affordable housing requirement has significant negative impact on the viability of the development. The value for affordable and social rented products are much lower than what is being quoted. LTC are obviously not party to the detailed financial viability appraisal. Hopefully the general values that Stephen will share should help.
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.	As above, H2 allows for variation.

LTC Comment	Applicant Response
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.	LTC do not seem understand how section 73 operates. Section 73 of the TCPA 1990 allows for applicants to vary conditions without the need to apply for permission again. That is entirely the point of it, to help provide speed and flexibility in order to assist in delivery. The consequences of non delivery of the key allocation Council's Local Plan and committed site in its housing trajectory would mean other parts of the District including Lutterworth would likely need to find further allocations for development. In the meantime it would put the Council at significant risk of less desirable speculative applications over the coming years.

RE: Lutterworth East - agree to AV producing a short addendum report addresses the key GE identified issues updating AV advice on viability.

From Max King [REDACTED]
Date Wed 8/21/2024 10:19 AM
To Adrian Eastwood [REDACTED]
Cc Andrew Senior [REDACTED] Mark Patterson [REDACTED]
Parminder Dosanjh [REDACTED] Noa Van de Riet [REDACTED]

 1 attachment (353 KB)
230714 Lutterworth FVA_Fee Proposal_v2.pdf;

Hi Adrian,

Thanks for confirming.

I just tried you on your mobile but was unable to get through. For transparency's sake, I wanted to clarify our position on fees to date.

You will remember that we had agreed an additional fee of £3,000 + VAT (in addition to £3,000 + VAT for Quantem to undertake an updated review) to amend our report previously in light of the new cost information that was sent over. This invoice has yet to be submitted.

If you would like us to produce a short addendum report which addresses the points raised in their latest report, then we will need to charge an additional fee for the time it will take to produce this. As per our initial fee proposal, I would expect this to take approx. 3 days at the Principal Consultant hourly rate of £100 per hour. Assuming 8 hours per day, this would equate to an additional fee of £2,400 + VAT.

We might be able to do a short letter format for a smaller fee, however there is a sizeable amount of information in their latest addendum to digest which should be reviewed in order to bring this to a close.

Do let me know if this above is acceptable or if you have any queries.

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants

www.aspinallverdi.co.uk

T: 0207 1837580

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From: Adrian Eastwood

Sent: 19 August 2024 14:05

To: Max King

Cc: Andrew Senior ; Mark Patterson

Subject: Lutterworth East - agree to AV producing a short addendum report addresses the key GE identified issues updating AV advice on viability.

Hello Max

Yes, I agree to AV producing a short addendum report addresses the key GE identified issues updating AV advice on viability.

Thank you

Adrian Eastwood MRTPI

Head of Service Development Management

From: Max King

Sent: Monday, August 19, 2024 1:43 PM

To: Adrian Eastwood

Cc: Mark Patterson Parminder Dosanjh Noa

Van de Riet

Subject: FW: Lutterworth

Hi Adrian,

I trust you're well.

We have just been sent the attached addendum report from the Applicant's advisor, Gerald Eve, which sets out their updated viability position following changes to a number of inputs which were subject to discussion post the submission of our draft FVA report.

Following the submission of our draft FVA, are you happy for us to produce a similar, shortened addendum report which addresses the key issues outlined in the attached and updates our position on viability?

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants

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From: Jessica Nevin

Sent: 19 August 2024 11:02

To: Max King

Cc: Noa Van de Riet Parminder Dosanjh James

Brierley

Subject: RE: Lutterworth

Hi Max,

Please see our Addendum attached.

Kind Regards,

Jess

Jessica Nevin

Senior Surveyor

Tel.

Mobile.

Gerald Eve LLP
45 Church Street
Birmingham, B3 2RT
www.geraldev.com



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From: Max King [REDACTED]
Sent: Monday, August 19, 2024 10:24 AM
To: Jessica Nevin [REDACTED]
Cc: Noa Van de Riet [REDACTED] Parminder Dosanjh [REDACTED]
Subject: Lutterworth

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Hi Jess,

Hope all well.

Do you have an update on when you are likely to be submitting your addendum report for Lutterworth?

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants

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Harborough District Council

www.harborough.gov.uk

The Symington Building

Email: customer.services@harborough.gov.uk

Adam and Eve Street

Contact Centre: 01858 82 82 82

Market Harborough

Text Messages: 07860 041908

Leicestershire

DX 27317 Market Harborough

LE16 7AG

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Lutterworth East Conditions Note

1. This Note has been prepared following a meeting between LCC and HDC regarding the commencement and implementation of the East of Lutterworth SDA held on 17th April 2024¹.
2. The following table sets out the conditions for 19/00250/OUT. It sets what conditions would be necessary to discharge:
 - a. Prior to the lawful commencement of development based on the construction of the Site Access as to the B8 Site on Plan A4304 / *Employment Signalised Junction (LE-J3) General Arrangement LESR-ACM-XX-XX-DR-HW- 00031 rev P05*
 - b. Prior to occupation of any part of the B8 Site
3. It should be noted that condition 41 requires access arrangements, north and south of the A4304 to be completed in full and available for all users prior to occupation. The following condition requirements have been considered on this basis.

Condition No.	Prior to Commencement of Full Element of Hybrid (Spine Road and Access)	Prior to Commencement of B8 Site	Prior to 1st Occupation of B8 Site
7 Hydrological Data	LCC to action. Speak to NE before submission to HDC.		
9 Green Infrastructure and Biodiversity Management Plan		Partial discharge acceptable	
10 Archaeological Management Plan	Discharge in full with stages tied to sub-phases		
11 Archaeological Works	Partial discharge acceptable		
13 Acoustic Barrier (Park Lodge)			To submit and approve within 1 month of commence of works to alter Chapel Lane
15 Design Code		Partial discharge acceptable (i.e. relevant Phase or Sub-Phase)	
17 CMP	Partial discharge acceptable		
18 CMP		Partial discharge acceptable	
23 Surface Water Discharge (separators)			Partial discharge (n.b. not a Grampian condition but should be prior to occupation)
25 Contaminated Land		Partial discharge acceptable	
26 Contaminated Land Verification			Partial discharge acceptable
27 Surface Water Drainage		Partial discharge acceptable	
28 Infiltration Testing		Infiltration testing for the Site <i>as a whole</i> other than Spine Road	
30 M1 Geotechnical Details			Prior to first occupation

¹ In attendance: Andrew Senior, Mark Patterson & Claire Berry (HDC); Stephen Holme (LCC); and Dan Robinson -Wells (Marrons)

Condition No.	Prior to Commencement of Full Element of Hybrid (Spine Road and Access)	Prior to Commencement of B8 Site	Prior to 1st Occupation of B8 Site
32 M1 Geotechnical Details		LCC to Speak to National Highways about partial discharge for B8 area only	
37 A4304 Layby Closure			Replacement layby in place alongside condition 41 works
38 Construction Site Access – North of A4304			Submit details Prior to starting condition 41 works north of A4304
39 Construction Site Access – South of A4304	Submit and approve details for development south of A4304		
41 Access arrangements north and south of A4304			Complete in full and available for use by all
48 Travel Plan			Partial discharge acceptable
49 Public Transport Strategy			Discharge in full with stages tied to sub-phases
50 Traffic Signage	High Level Strategy - Discharge in full with stages tied to sub-phases / generic strategy and review mechanism etc		
51 PROW Strategy	High Level Strategy - Discharge in full with stages tied to sub-phases / generic strategy and review mechanisms etc		
55 Renewable and Low Carbon Measures		Partial discharge acceptable	
59 Ground Levels		Partial discharge acceptable	
Timing Conditions			
1 Detailed Commencement	Commencement must begin by 17th May 2027		
2 Reserved Matters submission		1 st Reserved Matters must be submitted by 17th May 2027	
Conditions to Note – (Not required for purpose of commencement of occupation of B8)			
5 Phasing	Not required for spine road works		
6 CEMP	Not relevant to Spine Road or B8 Site (refers to any Phase or sub-phase, north of A4304, other than spine road)		
9 Green Infrastructure and Biodiversity Management Plan	Not relevant to Spine Road (refers to any Phase or sub-phase other than spine road)		
25 Contaminated Land	Not required for spine road works (refers only to phases)		
27 Surface Water Drainage	Not required for spine road works (refers only to phases)		
28 Infiltration Testing	Not relevant to Spine Road (refers to any Phase or sub-phase other than spine road)		
54 Pedestrian Crossings	There is no trigger associated with this condition. Agreement with HDC needed to confirm it applies to pedestrian crossings north of the River Swift only.		

DATED

2025

(1) LEICESTERSHIRE COUNTY COUNCIL

and

(2) HARBOROUGH DISTRICT COUNCIL

and

(3) HADRAJ LIMITED

DEED OF VARIATION

under Section 106 and Section 106A of the Town and Country Planning Act 1990 relating
to

Land East of Lutterworth, Gilmorton Road, Lutterworth

(Application Number: 19/00250/OUT)

2025

1. **LEICESTERSHIRE COUNTY COUNCIL** of County Hall, Glenfield, Leicester LE3 8RA (“the Owner” and “the County Council”);
2. **HARBOROUGH DISTRICT COUNCIL** of The Symington Building, Adam and Eve Street, Market Harborough, Leicestershire LE16 7AG (“the District Council”); and
3. **HADRAJ LIMITED** (Company number 12524856) whose registered office is situated at Warren Farm, Swinford Road, Lutterworth, Leicestershire LE17 4HP (“Hadraj”).

- a) The District Council is the local planning authority for the purposes of Section 106 of the Act for the area in which the Site is situated.
- b) The County Council is the local highway authority pursuant to the Highways Act 1980 (as amended) and is responsible for the provision of education, civic amenity and library facilities for the area within which the Site is located.
- c) For the purposes of this Deed of Variation, in the context of any reference to the County Council as "Owner", the "Owner" means the County Council acting strictly in its capacity as the freehold owner and not acting in any of its statutory capacities functions powers or duties and for the avoidance of doubt reference to the "County Council" shall be reference to the County Council acting in any of its statutory capacities functions powers or duties.
- d) The Owner is the freehold owner of the majority of the Site being the area of land registered at HM Land Registry with Title Number LT404672.
- e) Hadraj is the freeholder owner of that part of the Site registered at HM Land Registry with Title Number LT478551.
- f) Planning permission was granted by the District Council on 17 May 2022 under reference number 19/00250/OUT ("the Planning Permission") and an agreement dated 17 May 2022 was entered into under Section 106 of the Act between the parties hereto ("the Principal Agreement").
- g) The Owner has applied to the District Council to vary the affordable housing provisions set out in the Principal Agreement with this request being attributed an administrative reference number 24/01135/S106 by the District Council.
- h) On 3 December 2024 the District Council resolved to approve the above request subject to the Owner entering into this Deed of Variation.

2.1 The definitions in the Principal Agreement shall apply to this Deed of Variation unless stated to the contrary.

2.2 Where the context so admits:-

- 2.2.1 the masculine feminine and neuter genders include each of the other genders and the singular includes the plural and vice versa;
- 2.2.2 covenants, restrictions, obligations and liabilities of a party comprising more than one person are obligations of such persons jointly and severally;
- 2.2.3 reference to the Owner in this Deed of Variation shall include its successors in title and assigns and all persons deriving title under them except where expressly provided otherwise;
- 2.2.4 reference to Hadraj in this Deed of Variation shall include its successors in title and assigns and all persons deriving title under them except where expressly provided otherwise;
- 2.2.5 a covenant, restriction or obligation by any party to this Deed of Variation not to do something shall be construed as including a covenant, restriction or obligation not to permit or knowingly suffer it to be done by a third party;
- 2.2.6 reference to any statutory or other body shall include reference to its successors in function;
- 2.2.7 reference to a clause or schedule is a reference to a clause or schedule contained in this Deed of Variation;
- 2.2.8 references to statutes, acts, orders, directions, regulations and statutory instruments includes (where appropriate) reference to their amendments and replacements.
- 2.2.9 'Planning Application' shall mean that numbered 19/00250/OUT granted 17 May 2022 and 'Planning Permission' shall mean the permission granted pursuant to the Planning Application.

3 OPERATIVE CLAUSES

- 3.1 This Deed of Variation is supplemental to the Principal Agreement and is made pursuant to section 106A of the Act and the covenants restrictions and obligations contained mentioned or referred to in this Deed of Variation or agreed or completed pursuant to it are planning obligations for the purposes of that section.
- 3.2 In so far as any of the covenants, restrictions and obligations contained in this Deed of Variation are not planning obligations within the meaning of the Act they are entered into pursuant to the powers contained in section 111 of the Local Government Act 1972 (as amended), section 1 of the Localism Act 2011 (as amended) and all other powers enabling the parties hereto to enter into this Deed of Variation and in consideration of the covenants, restrictions and obligations hereinafter contained.
- 3.3 The covenants and obligations given by the Owner herein shall bind the Owner's interests in the Site and any successor in title thereto save that no person shall be liable for any breach of the covenants, restrictions or obligations contained or referred to in the Principal Agreement as applied by this Deed of Variation occurring after they have parted with all of their interest in the Site or the part of the Site in respect of which such breach occurs but without prejudice to their liability for any subsisting breach prior to parting with such interest.
- 3.4 This Deed of Variation shall be registered as a Local Land Charge by the Council.

- 3.5 Nothing in this Deed of Variation shall be construed or implied so as to prejudice or affect the rights discretions powers duties and obligations of the Council or the County Council under all statutes bylaws statutory instruments orders and regulations or any exercise of their functions as a local authority.
- 3.6 No terms of this Deed of Variation shall be enforceable under the Contracts (Rights of Third Parties) Act 1999 (as amended) by a third party.
- 3.7 The parties to this Deed of Variation covenant that the obligations and covenants in the Principal Agreement shall (save to the extent that they have already been satisfied) continue to bind the Site and continue to bind any development carried out on the Site whether in accordance with the Planning Permission from the date hereof.
- 3.8 The parties to this Deed of Variation agree that the Principal Agreement shall be varied from the date of this Deed of Variation in accordance with the terms of this Deed of Variation and the variations set out in the Schedule hereto.

4 DETERMINATION OF DEED

- 4.1 This Deed of Variation shall be determined and have no further effect if the Planning Permission :
- 4.1.1 Expires before Commencement of Development pursuant to the Planning Permission;
- 4.1.2 Is varied or revoked other than at the request of the Owner; or
- 4.1.3 Is quashed following a legal challenge.

5 LEGAL FEES

- 5.1 The Owner shall pay to the Council on completion of this Deed of Variation the reasonable legal costs of the Council in the sum of fourteen hundred pounds (£1400.00) incurred in the negotiation, preparation and execution of this Deed of Variation.

6 JURISDICTION

- 6.1 This Deed of Variation is governed by and interpreted in accordance with the law of England and the parties submit to the non-exclusive jurisdiction of the courts of England.

SCHEDULE
VARIATIONS TO PRINCIPAL AGREEMENT

5. Part Two of the Third Schedule of the Principal Agreement shall be deleted in its entirety and replaced with the following:

“THIRD SCHEDULE – PART TWO
AFFORDABLE HOUSING

DEFINITIONS

In this Part the following words and expressions have the following meanings:

“Affordable Dwellings”	means a minimum of 10% of the Dwellings on the Site and a minimum of 10% to be provided in each Sub Phase shall be Affordable Housing in accordance with an “Affordable Housing Scheme”;
“Affordable Housing”	has the meaning given to it in Annex 2 of the NPPF;
“Affordable Housing Provider”	either: i. a provider of Affordable Housing who is ii. registered with the Homes England (or such successor authority) under the Housing and Regeneration Act 2008 (as amended) and who operates within the borough of Harborough; iii. any other housing provider whose objective is the provision of Affordable Housing approved in writing by the Council; or iv. any other company or body approved in writing by the Council;
“Affordable Rented Dwellings”	Dwellings let by an Affordable Housing Provider at rent of not more than 80% of local market rent (inclusive of service charges where applicable) and which are to be transferred to an Affordable Housing Provider;
“AHP Affordable Dwellings”	those Affordable Dwellings which are to be transferred to an Affordable Housing Provider pursuant to this Agreement and which include the Affordable Rented Dwellings the Shared Ownership Dwellings and the Social Rented Dwellings;

"Affordable Housing Scheme"	a scheme for the provision of the Affordable Dwellings to be submitted by the Owner for approval by the Council acting reasonably pursuant to paragraph 1.1 of Part Two of the Third Schedule and containing the details required by paragraph 1.2 of Part Two of the Third Schedule together with details of any incentives being sought for the provision of bungalows;
"Discount Market Value Dwellings"	Affordable Housing which is to be transferred to qualifying occupiers at a discount of at least 30% of local market value with provisions to secure that the discount is secured in perpetuity;
"Specialist Housing Dwellings"	specialist housing providing independence and choice to adults with varying care and support needs with a flexible package of extra care and support being available;
"Low Cost Ownership Dwellings" "Open Market Dwelling"	together the Discount Market Value Dwellings; the Dwellings to be provided pursuant to the Planning Permission other than the Affordable Dwellings;
"Shared Ownership Dwellings"	Dwellings to be transferred to an Affordable Housing Provider under a shared ownership shared equity or similar scheme which provides for qualifying occupiers to purchase a minimum share of the equity in the Shared Ownership Dwelling and staircase up to full ownership in stages;
"Social Rented Dwellings"	Dwellings to be let by an Affordable Housing Provider at a social rent as defined by the NPPF and which are to be transferred to an Affordable Housing Provider;
"Viability Model"	the format for the Viability Reassessment using the model set out in paragraph 3 of Part Two of the Third Schedule;
"Viability Reassessment"	a reassessment of the viability of the Development upon reaching the Viability Reassessment Trigger to be carried out by the Owner in accordance with the Viability Model;
"Viability Reassessment Trigger"	prior to the Commencement of Development of each Sub Phase including Dwellings within a Phase.

1. Subject to paragraphs 2 and 3 below, the Owner covenants with the District Council :-
- 1.1 Prior to the submission of any Reserved Matters submission in relation to any Sub Phase which includes Dwellings to submit an Affordable Housing Scheme to the District Council.

- 1.2 The Affordable Housing Scheme submitted pursuant to paragraph 1.1 above shall include in relation to that Sub Phase:-
 - 1.2.1 the programme for the construction of the Affordable Housing in relation to the occupation of the Open Market Dwellings;
 - 1.2.2 the location of the Affordable Housing;
 - 1.2.3 the numbers housing types and sizes of the Affordable Housing to be provided;
 - 1.2.4 the tenure of the specific Affordable Dwellings; and
 - 1.2.5 details of the proposed Affordable Housing Provider, if known.
- 1.3 In the event that the District Council either does not approve or reject the submitted Affordable Housing Scheme within fifty six (56) Working Days of receipt the Affordable Housing Scheme shall be deemed to be approved ("the Approved Affordable Housing Scheme").
- 1.4 In the event that the District Council rejects the submitted Affordable Housing Scheme then the Owner shall submit an amended Affordable Housing Scheme to the District Council for approval.
- 1.5 In the event the District Council does not either approve or reject the amended Affordable Housing Scheme within fifty six (56) Working Days of receipt then the amended Affordable Housing Scheme shall be deemed to be approved ("the Approved Affordable Housing Scheme").
- 1.6 In the event that the District Council accepts either the Affordable Housing Scheme or the amended Affordable Housing Scheme then that scheme shall become "the Approved Affordable Housing Scheme".
- 1.7 Should the Council reject the submitted amended Affordable Housing Scheme in accordance with paragraph 1.4 above then the process set out in paragraphs 1.4 and 1.5 above shall be repeated until such time as the Affordable Housing Scheme is approved by the Council or it is deemed approved under paragraph 1.5 above.
- 1.8 To implement and observe the provisions of the Approved Affordable Housing Scheme approved in relation to each Sub Phase pursuant to this paragraph 1 or any approved variation thereto.
- 1.9 For the avoidance of doubt the Owner shall not be required to provide not less than 10% of Affordable Dwellings and not more than 1100 (eleven hundred) (40%) Affordable Dwellings or Specialist Housing Dwellings on the Site.
- 1.10 In the event that the Owner elects to provide Specialist Housing Dwellings in the Community Hub (up to a maximum of 80 (eighty) units) then those units shall be counted solely for the purposes of this Agreement as being Affordable Dwellings and the number of Affordable Dwellings required to be provided in the Affordable Housing Schemes for sub phases R1, R2 and R3 as shown on the Phasing Plan shall be reduced on a one for one basis equivalent to the number of Specialist Housing Dwellings provided.

- 1.11 The following trigger points shall apply;-
- 1.11.1 Not to Occupy more than sixty per cent (60%) of the Open Market Dwellings within any Sub Phase until:
 - 1.11.1.1 fifty per cent (50%) of the AHP Affordable Dwellings within that Sub Phase have been built out and transferred to an Affordable Housing Provider; or
 - 1.11.1.2 fifty per cent (50%) of the Low Cost Ownership Dwellings within that Sub Phase have been completed; and,
 - 1.11.2 Not to Occupy more than ninety per cent (90%) of the Open Market Dwellings within any Sub Phase until the remaining fifty per cent (50%) of the Affordable Dwellings on each Sub Phase has been built out and transferred to an Affordable Housing Provider in the case of AHP Affordable Dwellings or completed in the case of Low Cost Ownership Dwellings.
- 1.12 Subject to the provisions of paragraph 1.14 below, none of the Affordable Dwellings shall be Occupied other than as Affordable Housing of the type and tenure initially provided.
- 1.13 The Discount Market Value Dwellings shall only be transferred to purchasers who comply with the District Council's criteria (or criteria of any administering authority responsible for administering the Discount Market Value Dwellings) to occupy such Dwellings and on terms which secure that any percentage discount to market value applied to the first sale shall be secured in perpetuity on future transfer.
- 1.14 The provisions of Part 2 of the Third Schedule shall not be binding against:-
- 1.14.1 any mortgagee or chargee of the purchaser or lessee of any individual Affordable Dwelling exercising its power of sale in the case of an individual default, and any successor in title to such mortgagee or charge;
 - 1.14.2 any tenant of any of the Affordable Dwellings acquiring 100% of the equity of any such Affordable Dwellings whether this is acquired pursuant to the rights granted by the lease of such dwellings or pursuant to the provisions of the Housing Act 1985 or the Housing Act 1996 (or any legislation amending or replacing the same) or under any future legislation conferring such a right which is binding on any Affordable Housing Provider, and any successor in title to, mortgagee or charge of such tenant; or
 - 1.14.3 a disposal being required by:-
 - 1.14.3.1 any statutory provisions now or hereafter in force; or
 - 1.14.3.2 Homes England (or their successors); or
 - 1.14.3.3 a Court Order;
 - 1.14.4 a mortgagee or chargee of the Affordable Housing Provider (or any receiver (including an administrative receiver) appointed by such

mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a receiver)) of the whole or any part of the Affordable Dwellings or any person deriving such title through such mortgagee or chargee or receiver PROVIDED THAT:

1.14.4.1 such mortgagee chargee or receiver shall first give written notice to the Council of its intention to dispose of the Affordable Dwellings and shall have used reasonable endeavours over a period of not less than three (3) months from the date of the written notice to complete a disposal of the Affordable Dwellings to another Affordable Housing Provider or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including accrued principal monies, interest and costs and expenses; and

1.14.4.2 if such disposal has not completed within the three (3) month period, the mortgagee, chargee or receiver shall be entitled to dispose of the Affordable Dwellings free from the provisions of the Third Schedule, Part Two of this Agreement which provisions shall determine absolutely in regard to the relevant Affordable Dwellings”.

Viability Reassessment

2. The Owner and the District Council covenant as follows:
 - 2.1 The Owner covenants with the District Council to undertake a Viability Reassessment within 30 (thirty) Working Days of the Viability Reassessment Trigger being reached.
 - 2.2 The Viability Reassessment shall be in a format compliant with the Viability Model.
 - 2.3 The Owner must provide to the District Council any information reasonably required by it including a schedule of itemised capital costs and revenue items in relation to the Viability Reassessment.
 - 2.4 The Owner must provide further detailed information on individual cost elements within 20 (twenty) Working Days of receiving a written request from the District Council in relation to the Viability Reassessment.
 - 2.5 The Owner must undertake the Viability Reassessment on an open book basis by acting reasonably and in good faith by fully demonstrating that development costs and development values and any finance costs are all reflective of current market conditions.
 - 2.6 The Council or its appointed expert must carry out a Review of the Viability Reassessment (“the Review”) and confirm to the Owner the findings of the Review and whether or not the Viability Reassessment has been accepted within 40 (forty) Working Days of receipt of the Viability Reassessment from the Owner or in the event that the Council notifies the Owner that the Viability Reassessment is not compliant

with the Viability Model, within 40 (forty) Working Days of receiving a revised Viability Reassessment which is compliant.

- 2.7 If further information is required to complete the Review of the Viability Reassessment in accordance with paragraph 2.10 below, the Council must request this further information within the first 20 (twenty) Working Days of receipt of the Viability Reassessment. If such request is made, the time period for the Council to confirm to the Owner whether or not the Viability Reassessment has been accepted shall be extended to 30 (thirty) Working Days from the date that the Council receives all of the further information requested.
- 2.8 The Owner shall pay the reasonably and properly incurred costs of an appropriate expert appointed by the Council to undertake the Review.
- 2.10 In accordance with paragraph 2.7 of this Schedule, if further information is required to complete the Review of the Viability Reassessment the Owner shall provide any reasonably required information to the Council within 20 (twenty) Working Days of receiving the relevant written request and this process may be repeated until the Council is satisfied that it has all the information it reasonably requires to carry out and complete the Review of the Viability Reassessment.
- 2.11 In respect of any Viability Reassessment carried out which concludes that additional Affordable Dwellings can be provided then, subject to the following, the additional Affordable Dwellings will be provided in accordance with the provisions of this Schedule.:
 - 2.11.1 A minimum of 10% of the Dwellings to be provided on the Site will be Affordable Dwellings.
 - 2.11.2 A maximum of 40% of the Dwellings to be provided on the Site will be Affordable Dwellings.
 - 2.11.3 A maximum of 40% of the Dwellings to be provided on Phase 1 and on Phase 4 will be Affordable Dwellings.
 - 2.11.4 A maximum of 50% of the Dwellings to be provided on Phase 2 and on Phase 3 will be Affordable Dwellings.
- 2.12 If any conclusions in relation to the Viability Reassessment are disputed, these shall be determined in accordance with paragraph 3.5 below.

Viability Model

- 3. The Owner and the District Council covenant:
 - 3.1 The Viability Reassessment will calculate the amount of any additional Affordable Dwellings in accordance with the following formula:
$$\text{Development Value} - (\text{Development Cost} + \text{Development Profit}) = \text{additional Affordable Dwellings}$$

where the following definitions apply:
 - 3.2 Development Value

- 3.2.1 Development Value comprises the actual sale price of the relevant parts of the Site achieved plus the projected value of any remaining parts of the Site that have not been sold at the time of the Viability Reassessment.
- 3.2.2 Evidence of actual sale prices achieved will be provided to the Council within 20 (twenty) Working Days of written request.
- 3.2.3 The projected value of the remaining Dwellings will be calculated on a pro-rata basis, applying the £per sqm sales values of completed and sold Dwellings to the remaining Dwellings. The projected values shall be applied to comparable dwelling types (e.g. 2 bedroom dwelling sales price rates shall apply to remaining 2 bed Dwellings).
- 3.3 Development Cost
- 3.3.1 Development Cost shall comprise the following elements:
- 3.3.1.1 Land Value Allowance at £1,000,000;
- 3.3.1.2 Land Value Stamp Duty Allowance of £41,000;
- 3.3.1.2 Construction Costs;
- The construction costs shall comprise all of the actual construction costs and associated works at the time of the Viability Reassessment and the projected cost of any remaining Dwellings. These costs will include on plot and off plot infrastructure costs and any off-site infrastructure costs directly incurred in undertaking the Development.
- The construction cost of the remaining Dwellings and associated works will be calculated on a pro-rata basis, applying the £per sqm construction costs to the remaining Dwellings and associated works.
- 3.3.1.3 Professional Fees;
- Including architects, surveyors, engineers, solicitors fees and any other professional consultants fees directly incurred in undertaking the Development.
- 3.3.1.4 Statutory Fees and Ancillary Costs;
- Including planning and building regulation fees, construction warranties, insurances and any other cost directly incurred and required for the construction and disposal of the Development.
- 3.3.1.5 Sales and Marketing Fees;
- Including sales fees payable to sales agents and solicitors and direct costs of marketing the Development.
- 3.3.1.6 Section 106 Contributions
- All contributions due pursuant to the terms of this Agreement; and
- 3.3.1.7 Finance Costs

The finance costs will be calculated at 5% over the Bank of England base rate per annum (at the date of the Viability Reassessment) of all development costs.

- 3.3.2 Evidence of development costs incurred for the purposes of paragraph 3.3.1 above will be provided to the Council as soon as reasonably practicable and in any event within 20 (twenty Working Days) of written request from the Council in accordance with paragraphs 2.3 and 2.4 above.
- 3.4 Development Profit
 - 3.4.1 Development Profit will be calculated at 20% of the Development Value.
- 3.5 Expert Determination
 - 3.5.1 Any dispute between the Council and the Owner as to the inclusion or quantum of any individual sum referred to in paragraphs 3.1 – 3.4 above as part of the Viability Reassessment shall be referred to an expert for determination in accordance with clause 13 of this Principal Agreement.

DRAFT

IN WITNESS WHEREOF these presents have been duly executed as a deed by the parties hereto the day and year first before written

**THE COMMON SEAL of
LEICESTERSHIRE COUNTY COUNCIL**

was affixed in the presence of:

Authorised Signatory

**THE COMMON SEAL of
HARBOROUGH DISTRICT COUNCIL**

was affixed in the presence of:

Authorised Signatory

**EXECUTED AS A DEED by
HADRAJ LIMITED** acting by a Director

in the presence of a witness:

Signature of witness

Name of witness

Address of witness

RE: Lutterworth East - Viability Assessment

From Raj Patel [REDACTED]

Date Mon 4/29/2024 9:25 AM

To David Atkinson [REDACTED] Mark Patterson [REDACTED]
Andrew Senior [REDACTED] Claire Berry [REDACTED] Tess Nelson [REDACTED]
[REDACTED] Adrian Eastwood [REDACTED]

 1 attachment (13 MB)

240206 Lutterworth SUE_FVA_HBC_v1.pdf;

Dear All,

On my initial views - I will comment as follows:

The affordable housing element of the scheme is currently based on shared ownership and social rented; however, to assist viability we were wondering whether the Council would consider testing affordable rented and/or first homes as these tenures may help to improve viability. We haven't included this analysis within the report as we wanted to check whether this is something the Council is willing to consider. On this point I will say this needs to be fully appraised and tested in order to maximise every opportunity to deliver an affordable housing scheme on this site.

Whilst our analysis suggest that a policy compliant scheme is currently unviable, we do think that the scheme can deliver 10-20% affordable housing. However, our conclusions are subject to a major caveat, in that the Applicant has been unable to provide information to support their infrastructure and land assembly costs, and therefore we can't say for sure whether the scheme can afford policy or not. Their failure to provide / supply all relevant data should not detract from Av's assessment that based on data provided - the scheme can provide up to 20% affordable housing and this should be clearly stated.

Is it worth arranging a meeting to review this jointly?

Kind regards

Raj

From: David Atkinson [REDACTED]

Sent: Monday, April 29, 2024 9:18 AM

To: Mark Patterson [REDACTED] Andrew Senior [REDACTED]
Claire Berry [REDACTED] Tess Nelson [REDACTED] Adrian Eastwood [REDACTED]
[REDACTED] Raj Patel [REDACTED]

Subject: FW: Lutterworth East - Viability Assessment

Hi all.

Could you please work together to review this report. It seems from an glance at the covering e mail that the promoter has not provided some key information? If this is true how to we remedy this?

Please keep me posted on your review of the report.

Thank you.

Kind regards,

David



David Atkinson, Director of Planning

[REDACTED] / [REDACTED]

Harborough District Council

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

www.harborough.gov.uk

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From: Parminder Dosanjh [REDACTED]
Sent: Friday, April 26, 2024 4:27 PM
To: Adrian Eastwood [REDACTED] Mark Patterson [REDACTED]
Raj Patel [REDACTED] David Atkinson [REDACTED]
Cc: Max King [REDACTED] Noa Van de Riet [REDACTED]
Subject: Lutterworth East - Viability Assessment

Dear All

Please see attached our draft report reviewing the viability assessment for Lutterworth East. Whilst our analysis suggest that a policy compliant scheme is currently unviable, we do think that the scheme can deliver 10-20% affordable housing. However, our conclusions are subject to a major caveat, in that the Applicant has been unable to provide information to support their infrastructure and land assembly costs, and therefore we can't say for sure whether the scheme can afford policy or not.

The affordable housing element of the scheme is currently based on shared ownership and social rented; however, to assist viability we were wondering whether the Council would consider testing affordable rented and/or first homes as these tenures may help to improve viability. We haven't included this analysis within the report as we wanted to check whether this is something the Council is willing to consider.

We look forward to received your comments on the report in due course. It may be helpful to have a meeting once you have had an opportunity to review the report, let us know and we can try to get one organised.

Have a good weekend.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS
Executive Director

AspinallVerdi – Property Regeneration Consultants

[REDACTED]
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T: 020 7183 7580

M: [REDACTED]

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LE actions to deliver B8 site & Road Stub

27.6.24

Item
Procure Agent for B8 site
Project Manager - LCC to procure PM
Procure Highways Consultant
Procure Archaeologist
SI procurement
Submit s73 variation B8 Unit sizes
Submit s.73 conditions 50, 51, 54
Produce marketing documents
Viability Assessment
HDC Planning committee s.73/ VA
Draft variation
Marketing of B8 Site
Finalise preferred Developer/ Bids in
Agree HOT's
Procure Solicitor
Draft contracts with Developer
Exchange contracts
Developer to discharge conditions
Developer commence works
LCC Road stub
Discharge of planning conditions
7 Hydrological Data
10 Archaeological Management Plan
11 Archaeological Works
17 CMP
32 M1 Geotechnical Details

39 Construction Site Access – South of
A4304

50 Traffic Signage

51 PROW Strategy

54 Pedestrian Crossings

Action
review GE contract with procurement
Required to manage design team and works package
condition 39 design road stub junction
condition 10/11
Condition 32
Marrons Planning to produce documents
Highway information, site information, Utilities information
To be uploaded to data room
HDC/AV to finalise VA - planning committee - SH Chasing
HDC to present s.73 & VA to same committee
To include conditions 50,51, 54 (see shedule below)
solicitors to draft deed of variation to the s.106 affordable homes
Agents to produce marketing information and manage tender process
Review
Discussed with GJ
Highways technical approval Discharge of pre-commencement conditions
Highways and B8 start on site

Discharge Pre-commencement planning conditions
LCC to discharge pre-commencement conditions for Road stub
LCC to action. Speak to NE before submission to HDC.
Discharge in full with stages tied to sub-phases
Partial discharge acceptable
Partial discharge acceptable
LCC to Speak to National Highways about partial discharge for B8 area only

Submit and approve details for development south of A4304.

Full construction site access plan is necessary

High Level Strategy - Discharge in full with stages tied to sub-phases / generic strategy and review mechanism etc

High Level Strategy - Discharge in full with stages tied to sub-phases / generic strategy and review mechanisms etc

There is no trigger associated with this condition. Agreement with HDC needed to confirm it applies to pedestrian crossings north of the River Swift only.

Comments	Timing	Budget Estimates
Agent to be in position by August	June - August 2	
Procure pm	July -Aug	
Procure Highways Consultant	July -Aug	
Procure Archaeologist	July -Aug	
Procure SI	July -Aug	
	July	
Review highways team road design	June - August	
Draft s.106 review mechanism	June - September	
s.73 deed of variation required prior to marketing B8 site	October 15th	
Deed of variation	October	
Check standing order for tenders	October	
Check if this is a cabinet decision	November - December	
	December	
external socicitor to draft once HOTs agreed)	January	
	January - April	
	May	
	June 25- May 26	
	July 24 - July 25	
Condition schedule	June - May 25 (?)	
SH has instructed Stantec	May	
SH to check timing for draft report (likely to be within a month)	July	
A Note from FCPR may be necessary from an Ecological perspective as well as Stantec work in order to discharge the condition		
Either agree content / draft report with Natural England prior to submission or deal with post submission		
To be procured		
SH has contacted James Meek	July	
Agreed with HDC that this can be a staged plan, discharged in full, scope with Richard Clark (LCC Archaeologist)		
SH to action procurement of archaeologist		
Review detailed CMP submitted with application to consider what needs amending.	Contractor?	
Scope with LCC LHA and HDC EHO		
DRW to check NH original response and reason for it. SI will need to be procured	RH has contacted	
RH to speak to NH about partial discharge		

LCC to procure highways design team (paring down to show minimum in order to commence development)	July24 - March 25?	
Works package to be procured		
A full drawing is still necessary to discharge		
Submit s73 application to Vary wording for clarity	July24 - March 25?	
Agree Scope with LCC LHA		
Submit s73 application to Vary wording for clarity	July24 - March 25?	
Agree Scope with LCC PROW Team		
Consider submitting s73 application to Vary wording for clarity	July24 - March 25?	

Months from planning approval (May 2022)	Date	Duration (Months)
23	Jun-24	1
24	Jul-24	1
27	Aug - Oct 24	3
29	Nov - Dec 24	2
33	Jan - Apr 25	4
34	May-25	1
46	June-25 - May-26	12
64	June 25 -Nov 26	18
67	Jan-27	3
79	Jan-29	12

Stage
Cabinet – decision as to the preferred delivery option
Instruct disposal agent
Market launch of site
finalise preferred purchaser
Draft contract
Exchange contract
Reserved Matters submission Subphase 1 (B8 Site) Highways technical approval Discharge of pre-commencement conditions 19/00250/OUT
Discharge remaining relevant conditions and reserved matters conditions
Commence on site infrastructure & Discharge of condition 1
Possible Commencement of residential development

RE: Lutterworth East Catch up - Meeting 3

From Declan Keegan [REDACTED]
Date Fri 8/23/2024 3:47 PM
To David Atkinson [REDACTED] Rebecca Henson [REDACTED]
Julie Thomas [REDACTED] Andrew Senior [REDACTED]
Cc Andrew Senior [REDACTED] Claire Berry [REDACTED] Mark Patterson
[REDACTED] Stephen Holme [REDACTED]

 3 attachments (400 KB)

19_00250_OUT 19_08_24.pdf; LE delivery programme 12.7.24.xlsx; LE delivery programme 29.2.24 amended for June Date.xlsx;

David

A handful of items to add/incorporate into the agenda:

- Attached are the project 2-plans, having HDC input into the relevant parts would be helpful to ensure that we are aligned.

Linked to the plan we are concerned that October committee is starting to look challenging. Aspinall Verdi's performance is a particular cause for concern, but we would also like to discuss the resources HDC have available

- Initial thoughts on the S73 application
-
- The pdf is the drawing of the proposed road stub, ca we discuss HDC expectations, which appear to be higher than we expected
-
- Communications
 - Update you on initial reaction
 - Notice time before publication
- Is the intention for the Local Plan to continue under the current system?

Regards

Declan

-----Original Appointment-----

From: David Atkinson [REDACTED]
Sent: Tuesday, May 21, 2024 1:54 PM
To: David Atkinson; Rebecca Henson; Declan Keegan; Julie Thomas; Andrew Senior
Cc: Andrew Senior; Claire Berry; Mark Patterson; Stephen Holme
Subject: Lutterworth East Catch up - Meeting 3
When: 27 August 2024 14:00-15:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.
Where: Microsoft Teams Meeting

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Hello again everyone,

As promised here is the next in out sequence of Lutterworth East Catch-up meetings. The key topics to discuss this time can neatly be split between the Development Management S73 work and the programming/local planning work.

A. On the DM/S73 side: we should catch up on:

- Communications around the S73 application

- Progress on the S73 committee report
- Consultation responses
- Pre-commencement conditions (including the evidence needed to discharge them)

B. On the Programming/Local Plan side we should pick up:

- Update on the B8 delivery programme
- Update on the Residential delivery programme (including increasing levels of detail and precision similar to the B8 delivery programme)
- Progress on preparing the LCC/HDC Statement of Common Ground/Memorandum of Understanding
- Update on the Affordable Housing Review Mechanism

Thank you very much for your time in these meetings and for really generating significant momentum with this project.

See you all on the 27th August.

Kind regards,

David

•

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Lutterworth East Strategic Development Area – Harborough District Council meeting with Leicestershire County Council, 7 June 2024

Attendees:

David Atkinson, Harborough District Council

Andrew Senior, Harborough District Council

Declan Keegan, Leicestershire County Council

Rebecca Henson, Leicestershire County Council

Julie Thomas, Leicestershire County Council

Agenda

1. Harborough New Local Plan – Confidence of SDA delivery by 2041
2. Lutterworth East SDA – Delivery progress to date & Current planning permission
3. Delivery options – LCC Cabinet report
4. Delivery timetable
5. Discharge of conditions
6. Site viability

Re: Lutterworth East FVA

From Mark Patterson [REDACTED]
Date Wed 3/20/2024 9:08 AM
To David Atkinson [REDACTED] Andrew Senior [REDACTED]
Cc Adrian Eastwood [REDACTED]

 2 attachments (270 KB)

Lutterworth East Spine Road costs; RE: Lutterworth East;

Hi David,

this has already been superseded by the attached emails

Many thanks
Mark



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

E: [REDACTED]

T: [REDACTED] / [REDACTED]

Harborough District Council

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EMPLOYER RECOGNITION SCHEME

BRONZE AWARD

Proudly supporting those who serve.

From: David Atkinson
Sent: 19 March 2024 18:02
To: Mark Patterson ; Andrew Senior
Cc: Adrian Eastwood
Subject: FW: Lutterworth East FVA

Hi Mark/Andrew,

Could you advise me on this query please so I can go back to Stephen Holme of LCC.

Please contact me if you need to.

Thank you.

Regards,

David



David Atkinson, Director of Planning

Harborough District Council

The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG
www.harborough.gov.uk

Please do not print this email unless you really need to

From: Stephen Holme

Sent: Monday, March 11, 2024 5:00 PM

To: David Atkinson

Cc: Mark Patterson ; Andrew Senior

Subject: FW: Lutterworth East FVA

Hi David, see email below from AV.

Im not aware of any queries outstanding on the casts are you?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

www.leics.gov.uk

From: Jessica Nevin

Sent: 11 March 2024 16:22

To: Stephen Holme

Subject: FW: Lutterworth East FVA

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Stephen,

Please see below.

Thanks,

Jess

Jessica Nevin

Surveyor

Tel.

Mobile.

Gerald Eve LLP

45 Church Street

Birmingham, B3 2RT

www.geraldeve.com



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From: Jessica Nevin

Sent: Monday, March 11, 2024 10:29 AM

To: Parminder Dosanjh [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED] James Brierley [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Parm,

Thank you for the update. If there are any further questions or queries do let us know.

Kind Regards,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

Gerald Eve LLP
45 Church Street
Birmingham, B3 2RT
www.geraldeve.com



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From: Parminder Dosanjh [REDACTED]

Sent: Monday, March 11, 2024 9:46 AM

To: Jessica Nevin [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED] James Brierley [REDACTED]

Subject: RE: Lutterworth East FVA

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Hi Jess

Weekend was good, trust you had a good one.

My understanding is that Harborough DC are in dialogue with Leicestershire CC regarding further evidence to support the infrastructure costs. Once this further information is available, Quantem should be able to complete their analysis and we will need a couple of weeks thereafter to complete our report.

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: Jessica Nevin [REDACTED]

Sent: 11 March 2024 09:28

To: Parminder Dosanjh [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED] James Brierley [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Parm,

I hope you had a good weekend.

Do you have an update on your report, please?

Kind Regards,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]

Gerald Eve LLP
45 Church Street
Birmingham, B3 2RT
www.geraldeve.com



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From: Parminder Dosanjh [REDACTED]

Sent: Wednesday, February 21, 2024 10:46 AM

To: Jessica Nevin [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED]

Subject: RE: Lutterworth East FVA

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Hi Jess

Thank you for your voice message earlier; the request for the additional information has come from our cost consultants. Stephen – can you give Jess a call (number is below) to discuss exactly what you need.

Thanks

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

[REDACTED]

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From: Parminder Dosanjh

Sent: 15 February 2024 11:48

To: Jessica Nevin [REDACTED] Max King [REDACTED] James Brierley

Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Jess

I believe it is the spine road costs primarily; however, I think it will be useful to also see the land assembly costs build up.

Thanks

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: Jessica Nevin [REDACTED]

Sent: 15 February 2024 11:31

To: Parminder Dosanjh [REDACTED] Max King [REDACTED] James Brierley [REDACTED]

Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Parm,

Just to confirm, are you after a build up of the land assembly and the spine road costs?

Thanks,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

Gerald Eve LLP

45 Church Street

Birmingham, B3 2RT

www.geraldeve.com



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From: Parminder Dosanjh [REDACTED]
Sent: Thursday, February 15, 2024 9:42 AM
To: Jessica Nevin [REDACTED] Max King [REDACTED] James Brierley [REDACTED]
Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]
Subject: RE: Lutterworth East FVA

CAUTION: This email originated from a sender outside the Firm. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Jess

I have been asked by our cost consultants if a 'price build up' for the infrastructure costs could be provided. Hopefully this information is readily available.

Thanks

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: Jessica Nevin [REDACTED]
Sent: 13 February 2024 16:49
To: Max King [REDACTED] James Brierley [REDACTED]
Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]
Parminder Dosanjh [REDACTED]
Subject: RE: Lutterworth East FVA

Hi Max,

I have spoken to the client regarding your queries and have added comments in red below.

This table is taken from p.56 of the transport assessment.

Land Use	Employees	AM		PM	
		Arrivals	Departures	Arrivals	Departures
BP/Offices	2,000	618	68	50	470
B8	693	122	234	253	270
B1/B2	3,067	902	442	221	773
Sub Total	5,760	1,642	744	524	1,513
Two Primary Schools	82	19	9	9	16
Community Hub	382	86	43	43	76
Grand Total	6,224	1,747	796	576	1,605

I hope this helps.

Kind regards,
Jess

Jessica Nevin
Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

Gerald Eve LLP
45 Church Street
Birmingham, B3 2RT
www.geraldev.com



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From: Max King [REDACTED]
Sent: Monday, February 12, 2024 5:20 PM
To: Jessica Nevin [REDACTED] James Brierley [REDACTED]
Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]
Parminder Dosanjh [REDACTED]
Subject: RE: Lutterworth East FVA

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Hi Jess,

Thanks for the below.

I was hoping that you could also shed some light on the below with regards to the S106 costs.

Travel Pack Contribution - £474,328 (un-indexed): Can I ask how this has been calculated? I note the S106 agreement states a contribution of £52.85 per dwelling and per employee. What has this been applied to?

Bus Pass Contribution - £4,221,000 (un-indexed): Same question as above. I note that there is a contribution of £360 per pass. 2 passes per dwelling is $(2 \times 2,750) \times £360 = £1,980,000$ – correct. Is the remaining contribution linked to employee passes? Yes. If so, how has this been calculated? 6225 jobs – but this could be as high as 6300 – which would be £4,248,000

On-Site Pavilion/Pitches - £1,500,000 (un-indexed): It's not clear to me from Appendix 4 of your report how this has been calculated. Any further information much appreciated. Playing field land value, pavilion is an estimate.

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants
[REDACTED]

www.aspinallverdi.co.uk

T: 0207 1837580

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From: Jessica Nevin [REDACTED]

Sent: 08 February 2024 15:57

To: Max King [REDACTED] James Brierley [REDACTED]

Cc: Fiona Kilminster [REDACTED] Parminder Dosanjh [REDACTED] Noa Van de Riet [REDACTED] Adrian Eastwood [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Max,

Thank you for your email.

Please see our comments in red below and appraisals attached.

Do let me know if you have any further questions.

Kind Regards,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

Gerald Eve LLP
45 Church Street
Birmingham, B3 2RT
www.geraldeve.com



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From: Max King [REDACTED]

Sent: Thursday, February 8, 2024 2:41 PM

To: James Brierley [REDACTED]

Cc: Fiona Kilminster [REDACTED] Jessica Nevin [REDACTED] Parminder Dosanjh [REDACTED] Noa Van de Riet [REDACTED] Adrian Eastwood [REDACTED]

Subject: Lutterworth East FVA

CAUTION: This email originated from a sender outside the Firm. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi James,

I trust this finds you and the team well.

We are undertaking a review of the attached FVA on behalf of Harborough District Council.

Below are a list of questions / clarifications which I'm hoping you will be able to assist with:

- i. Please can you share with us your live Argus appraisals for all phases/elements of the scheme. Attached the policy compliant, 0% AH, 0% AH inc. growth and the industrial land value. Apologies, the commercial appraisal seems to have corrupted so I am unable to send.
- ii. How have you calculated your affordable housing values? Unless I've completed overlooked it, I can't seem to see any reference to this within the report. Shared ownership / intermediate @ 70% of MV, social rent @ 44% of MV.
- iii. With regards to your private values, I note that you have indexed them from the date of sale to present day using the House Price Index. It would be good to get a bit more information on how this has been done. I.e, have you taken the average sale date across the sample and indexed it from that point? Or indexed each transaction individually? We were able to download sales data from Land Insight which also includes a Market £ psf value. Land Insight apply the Land Registry HPI from the date of the transaction to the most recent date available.
- iv. We might be able to deduce this from the live appraisals but please can you let us know how you have phased all the infrastructure costs, namely the spine road, within your appraisals? Live appraisals attached for your information.

Look forward to hearing from you.

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants

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Re: Lutterworth East FVA

From Mark Patterson [REDACTED]
Date Wed 3/20/2024 9:08 AM
To David Atkinson [REDACTED] Andrew Senior [REDACTED]
Cc Adrian Eastwood [REDACTED]

 2 attachments (270 KB)

Lutterworth East Spine Road costs; RE: Lutterworth East;

Hi David,

this has already been superseded by the attached emails

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

www.harborough.gov.uk

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From: David Atkinson
Sent: 19 March 2024 18:02
To: Mark Patterson ; Andrew Senior
Cc: Adrian Eastwood
Subject: FW: Lutterworth East FVA

Hi Mark/Andrew,

Could you advise me on this query please so I can go back to Stephen Holme of LCC.

Please contact me if you need to.

Thank you.

Regards,

David



David Atkinson, Director of Planning

Harborough District Council

The Symington Building, Adam & Eve Street,
Market Harborough, Leicestershire, LE16 7AG
www.harborough.gov.uk

Please do not print this email unless you really need to

From: Stephen Holme

Sent: Monday, March 11, 2024 5:00 PM

To: David Atkinson

Cc: Mark Patterson ; Andrew Senior

Subject: FW: Lutterworth East FVA

Hi David, see email below from AV.

Im not aware of any queries outstanding on the casts are you?

Kind Regards

Stephen Holme

Development Consultant

Strategic Property Services

Corporate Resources Department

Leicestershire County Council

County Hall, Glenfield, Leicester.

LE3 8RE

www.leics.gov.uk

From: Jessica Nevin

Sent: 11 March 2024 16:22

To: Stephen Holme

Subject: FW: Lutterworth East FVA

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Stephen,

Please see below.

Thanks,

Jess

Jessica Nevin

Surveyor

Tel.

Mobile.

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Birmingham, B3 2RT

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From: Jessica Nevin

Sent: Monday, March 11, 2024 10:29 AM

To: Parminder Dosanjh [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED] James Brierley [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Parm,

Thank you for the update. If there are any further questions or queries do let us know.

Kind Regards,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

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From: Parminder Dosanjh [REDACTED]

Sent: Monday, March 11, 2024 9:46 AM

To: Jessica Nevin [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED] James Brierley [REDACTED]

Subject: RE: Lutterworth East FVA

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Hi Jess

Weekend was good, trust you had a good one.

My understanding is that Harborough DC are in dialogue with Leicestershire CC regarding further evidence to support the infrastructure costs. Once this further information is available, Quantem should be able to complete their analysis and we will need a couple of weeks thereafter to complete our report.

Kind regards

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

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T: 020 7183 7580

M: [REDACTED]

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From: Jessica Nevin [REDACTED]

Sent: 11 March 2024 09:28

To: Parminder Dosanjh [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED] James Brierley [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Parm,

I hope you had a good weekend.

Do you have an update on your report, please?

Kind Regards,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]

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From: Parminder Dosanjh [REDACTED]

Sent: Wednesday, February 21, 2024 10:46 AM

To: Jessica Nevin [REDACTED]

Cc: Max King [REDACTED] Stephen Dunkley [REDACTED]

Subject: RE: Lutterworth East FVA

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Hi Jess

Thank you for your voice message earlier; the request for the additional information has come from our cost consultants. Stephen – can you give Jess a call (number is below) to discuss exactly what you need.

Thanks

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

AspinallVerdi – Property Regeneration Consultants

[REDACTED]

www.aspinallverdi.co.uk

T: 020 7183 7580

M: [REDACTED]

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From: Parminder Dosanjh

Sent: 15 February 2024 11:48

To: Jessica Nevin [REDACTED] Max King [REDACTED] James Brierley

Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Jess

I believe it is the spine road costs primarily; however, I think it will be useful to also see the land assembly costs build up.

Thanks

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

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From: Jessica Nevin [REDACTED]

Sent: 15 February 2024 11:31

To: Parminder Dosanjh [REDACTED] Max King [REDACTED] James Brierley [REDACTED]

Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Parm,

Just to confirm, are you after a build up of the land assembly and the spine road costs?

Thanks,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

Gerald Eve LLP
45 Church Street
Birmingham, B3 2RT
www.geraldeve.com



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From: Parminder Dosanjh [REDACTED]
Sent: Thursday, February 15, 2024 9:42 AM
To: Jessica Nevin [REDACTED] Max King [REDACTED] James Brierley [REDACTED]
Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]
Subject: RE: Lutterworth East FVA

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Hi Jess

I have been asked by our cost consultants if a 'price build up' for the infrastructure costs could be provided. Hopefully this information is readily available.

Thanks

Parm

Parminder Dosanjh BSc (Hons) DipTP MSc MRTPI MRICS

Executive Director

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From: Jessica Nevin [REDACTED]
Sent: 13 February 2024 16:49
To: Max King [REDACTED] James Brierley [REDACTED]
Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]
Parminder Dosanjh [REDACTED]
Subject: RE: Lutterworth East FVA

Hi Max,

I have spoken to the client regarding your queries and have added comments in red below.

This table is taken from p.56 of the transport assessment.

Land Use	Employees	AM		PM	
		Arrivals	Departures	Arrivals	Departures
BP/Offices	2,000	618	68	50	470
B8	693	122	234	253	270
B1/B2	3,067	902	442	221	773
Sub Total	5,760	1,642	744	524	1,513
Two Primary Schools	82	19	9	9	16
Community Hub	382	86	43	43	76
Grand Total	6,224	1,747	796	576	1,605

I hope this helps.

Kind regards,
Jess

Jessica Nevin
Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

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Birmingham, B3 2RT
www.geraldev.com



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From: Max King [REDACTED]
Sent: Monday, February 12, 2024 5:20 PM
To: Jessica Nevin [REDACTED] James Brierley [REDACTED]
Cc: Fiona Kilminster [REDACTED] Adrian Eastwood [REDACTED]
Parminder Dosanjh [REDACTED]
Subject: RE: Lutterworth East FVA

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Hi Jess,

Thanks for the below.

I was hoping that you could also shed some light on the below with regards to the S106 costs.

Travel Pack Contribution - £474,328 (un-indexed): Can I ask how this has been calculated? I note the S106 agreement states a contribution of £52.85 per dwelling and per employee. What has this been applied to?

Bus Pass Contribution - £4,221,000 (un-indexed): Same question as above. I note that there is a contribution of £360 per pass. 2 passes per dwelling is $(2 \times 2,750) \times £360 = £1,980,000$ – correct. Is the remaining contribution linked to employee passes? Yes. If so, how has this been calculated? 6225 jobs – but this could be as high as 6300 – which would be £4,248,000

On-Site Pavilion/Pitches - £1,500,000 (un-indexed): It's not clear to me from Appendix 4 of your report how this has been calculated. Any further information much appreciated. Playing field land value, pavilion is an estimate.

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants
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From: Jessica Nevin [REDACTED]

Sent: 08 February 2024 15:57

To: Max King [REDACTED] James Brierley [REDACTED]

Cc: Fiona Kilminster [REDACTED] Parminder Dosanjh [REDACTED] Noa Van de Riet [REDACTED] Adrian Eastwood [REDACTED]

Subject: RE: Lutterworth East FVA

Hi Max,

Thank you for your email.

Please see our comments in red below and appraisals attached.

Do let me know if you have any further questions.

Kind Regards,

Jess

Jessica Nevin

Surveyor

Tel. [REDACTED]

Mobile. [REDACTED]
[REDACTED]

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From: Max King [REDACTED]

Sent: Thursday, February 8, 2024 2:41 PM

To: James Brierley [REDACTED]

Cc: Fiona Kilminster [REDACTED] Jessica Nevin [REDACTED] Parminder Dosanjh [REDACTED] Noa Van de Riet [REDACTED] Adrian Eastwood [REDACTED]

Subject: Lutterworth East FVA

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Hi James,

I trust this finds you and the team well.

We are undertaking a review of the attached FVA on behalf of Harborough District Council.

Below are a list of questions / clarifications which I'm hoping you will be able to assist with:

- i. Please can you share with us your live Argus appraisals for all phases/elements of the scheme. Attached the policy compliant, 0% AH, 0% AH inc. growth and the industrial land value. Apologies, the commercial appraisal seems to have corrupted so I am unable to send.
- ii. How have you calculated your affordable housing values? Unless I've completed overlooked it, I can't seem to see any reference to this within the report. Shared ownership / intermediate @ 70% of MV, social rent @ 44% of MV.
- iii. With regards to your private values, I note that you have indexed them from the date of sale to present day using the House Price Index. It would be good to get a bit more information on how this has been done. I.e, have you taken the average sale date across the sample and indexed it from that point? Or indexed each transaction individually? We were able to download sales data from Land Insight which also includes a Market £ psf value. Land Insight apply the Land Registry HPI from the date of the transaction to the most recent date available.
- iv. We might be able to deduce this from the live appraisals but please can you let us know how you have phased all the infrastructure costs, namely the spine road, within your appraisals? Live appraisals attached for your information.

Look forward to hearing from you.

Kind regards

Max King MRICS

Principal Consultant

AspinallVerdi – Property Regeneration Consultants

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