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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 17 January 2024

To: Members of the Planning Committee

Cllr MJ Crooks (Chair)	Cllr C Gibbens
Cllr J Moore (Vice-Chair)	Cllr CE Green
Cllr CM Allen	Cllr E Hollick
Cllr RG Allen	Cllr KWP Lynch
Cllr CW Boothby	Cllr LJ Mullaney
Cllr SL Bray	Cllr H Smith
Cllr MA Cook	Cllr BR Walker
Cllr DS Cope	Cllr A Weightman
Cllr REH Flemming	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 16 JANUARY 2024** at **6.30 pm**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Manager

PLANNING COMMITTEE - 16 JANUARY 2024

SUPPLEMENTARY AGENDA

7. 23/01119/DOV - LAND OFF BEECH DRIVE, THORNTON

Application for deed of variation to remove clause 3 of original deed and replace with alternative provision.

Late items received after preparation of main agenda:

Evidence of Affordable Housing Registered Provider (RPs) feedback emails

As is outlined in paragraph 7.2 of the Committee Report the applicant sought offers from 14 different RPs several different, these are set out below:

RPs stating they have no interest in purchasing affordable units:

1. Future Housing Group

Dated: 25 April 2023

Good morning, Louise,

I hope that you are well and apologies for the delay in responding formally on this potential opportunity.

I have received a response from our housing management colleagues as follows 'Having reviewed the bids from applicants with a village connection – these are very low (7 out of 244) therefore would agree that just S106 would not be desirable. Furthermore, the demand for 1 and 2 bed properties is much higher for this area – with significantly lower demand for 3 beds, therefore the proposal of 30 x 3 bed houses would not be desirable either, due to the likely demand issues we are likely to encounter'.

In view of the above comments, we are unable to consider this opportunity further at this stage.

regards

Paul Wootton

Interim Development Consultant

Mobile: [REDACTED]

Web: www.futureshq.co.uk | **Email:** [paul.wootton@\[REDACTED\]](mailto:paul.wootton@[REDACTED])

Postal Address: FHG, PO BOX 141, Innovation House, Coniston Court, Blyth, NE24 9FQ

Registered Office: Futures House, Building 435, Argosy Road, Castle Donington, England, DE74 2SA

Further email

Dated: 18 July 2023

Hi Louise,

I am very well thank you, apologies for missing your call earlier.

Unfortunately, due to feedback from our lettings team in respect of local demand and lack of amenities this is not one that we are able to consider submitting an offer on at this time.

regards

Paul Wootton

Interim Development Consultant

Mobile: [REDACTED]

Web: www.futureshg.co.uk | **Email:** [paul.wootton@\[REDACTED\]](mailto:paul.wootton@[REDACTED])

Postal Address: FHG, PO BOX 141, Innovation House, Coniston Court, Blyth, NE24 9FQ

Registered Office: Futures House, Building 435, Argosy Road, Castle Donington, England, DE74 2SA.

2. Orbit Homes

Dated: 7 July 2023

Hi Louise,

Thank you for forwarding the opportunity, however on this occasion we decline to offer, as our Sales Team have confirmed we have no other scheme within the LA, and as such it would be difficult to manage the sale of the S/O units.

We also have HE Funding for AR in this LA, and our Letting Team are not keen on mixed rental tenure schemes.

I have pencilled a catch up call in for Tuesday, I hope this works for you, as I've been called into a meeting today.

Have a nice wknd.

Jason

3. Midland Hart

From: Chris Miller <[Chris.Miller@\[REDACTED\]](mailto:Chris.Miller@[REDACTED])>

Sent: Tuesday, July 11, 2023 1:02 PM

To: Louise Caves <[Louise.Caves@\[REDACTED\]](mailto:Louise.Caves@[REDACTED])>

Subject: RE: Thornton, Hinckley, 106 plus additionality: 28 units with detailed planning permission

Thanks for sending through Louise, I've asked Anna-Maria to have a look through.

Are you sure the first completions will be that fast? – 8 months from start etc??
We are still looking for completions prior to March 25.

Kind regards

Chris

Chris Miller
Director of Development

4. EMH Group

From: Victoria Robb <Victoria.Robb@[REDACTED]>

Sent: Thursday, May 11, 2023 5:21 PM

To: Louise Caves <Louise.Caves@[REDACTED]>

Subject: RE: Thornton

Here you go Louise, I've managed to increase the offer slightly but I know it won't be where you need it to be.

Vicky

Victoria Robb | Head of New Business | emh group

M: [REDACTED]

Further email:

Dated: 6 July 2023

Louise so sorry I didn't get to call you back. Unfortunately we are just not going to have space in our pipeline for Thornton anymore we are completely full in those years. We have secured quite a few schemes since I last offered. Such a shame! Thanks for coming back to me anyway!

Sent from Outlook for iOS

5. NCHA

Dated: 11 July 2023

Hi Louise

I've just appraised this site- I'm afraid it is as we suspected- the costs here are prohibitively high for NCHA, for either a whole scheme or s106 units. We have a target loan rate per unit that cannot be exceeded and I wouldn't be able to get near your target figure.

*Thanks,
Fran*

Fran Cropper
New Business and Development Manager

Please note my working days are Monday to Thursday.

*Nottingham Community Housing Association
12-14 Pelham Road, Sherwood Rise, Nottingham, NG5 1AP*

Hinckley Hub • Rugby Road • Hinckley • Leicestershire • LE10 0FR

Telephone 01455 238141 • MDX No 716429 • Fax 01455 251172 • www.hinckley-bosworth.gov.uk

Mobile: [REDACTED]

Website: www.ncha.org.uk

Facebook: www.facebook.com/nottinghamcommunityhousingassociation

Twitter: www.twitter.com/NottsCommHA

6. Platform

Officer note this was for a 100% affordable scheme and not the 20 units as approved, therefore is not comparable.

Hi Louise,

I just done this for you now and the £13.2m offer still stands. However, I need these to have ASHP within the price.

Many thanks,

Chiv. (Platform Housing Group)

7. Riverside

Dated: 19 July 2023

Hi Louise,

Hope you are well. Sorry there is currently nothing left in the pot for anything outside our current programme for the present – difficult times.

Kind Regards

Ian

Ian Woodland

Regional Development Lead (Midlands & South)

The Riverside Group

Mobile [REDACTED]

8. Places for People

Dated: 30 July 2023

Hi Louise,

Thanks for this, though I'm afraid it doesn't quite suit us. We have very limited appetite for S106 units at the moment and the balance of additionality to S106 isn't weighted as we'd like, preferring the additionally to out number the S106 by circa 2:1.

Happy to have a catch up and run through what we're looking for at some point in the future though.

Martin

Martin Edwards
Development Director, Central and North

9. Muir

Dated: 11 July 2023

Hi Louise,

This one is out of area for us.

But thank you.

Alex

10. Longhurst

Dated: 20 July 2023

Hi Louise

Thanks for sending this across. I thought the site was in Charnwood, as it's in Hinkley, I'm afraid it's not for us as we aren't actively developing in this area.

Thanks again for giving us the opportunity to consider.

Jyoti

11. Stonewater

Dated: 1 August 2023

Hi Louise,

As just discussed, on review and given the proposed timescales for this development this is not a site Stonewater would look to offer on at this time. We have secured a strong pipeline of completions for 2023/24 and 2024/25 and therefore looking for opportunities in the longer term in this region.

Apologies for the delay in coming back to confirm our position on this.

Kind regards,

Nicola Hillier

Head of Development (East)

Stonewater

Mob: [REDACTED]

12. Midland Rural Housing

From: Neil Gilliver <neil.gilliver@[REDACTED]>

Sent: 06 July 2022 15:45

To: Louise Caves <Louise.caves@[REDACTED]>;
n.gilliver@[REDACTED]

Subject: RE: Introduction and Invite to offer: on land secured at Billesdon, Harborough, Leics

Hi Louise

Many thanks for your email.

We are currently only working on Rural Exception sites based on Housing Needs Surveys.

Kind regards

Neil Gilliver | Development Services Manager | Midlands Rural Housing
T: 0300 1234 009 | neil.gilliver@midlandsrural.org.uk

13. Tuntum

Dated: 5 July 2023

Hi Louise

Thanks for the communication. Whilst we have properties in Hinckley and Bosworth we are no longer looking at doing any new development in those areas or indeed Leicestershire. We are currently focussing our efforts on the Nottingham City area.

Regards

14. Legal and General Affordable Homes

Dated: 30 March 2023

Hi Louise,

All good thank you. Hope you're well too?

Appreciate you sending this through. We're still not bidding at the moment however likely to be back out soon focussing on our grant funded programme. Appreciate this site might be secured but if its available in the next few months, happy to have a look.

Kind Regards,

Priya Vadgama

Development Manager

priya.vadgama@

Legal & General Affordable Homes, 12 Cock Lane, London, EC1A 9BU

RPs with offers:

1. Sage Homes

Hi Louise,

We can make an indicative offer of £3,700,000 (plus spec extra £86,500) for the 28 units based on the conditions outlined in your email.

Find attached the completed proforma with each tenure type.

Please note that this is an indicative bid, and a formal offer is subject to further due diligence, full board approval and red book valuation. This offer is valid for 2 weeks from today as we review our underwriting fortnightly.

Kind regards,

Niall Marshall
Senior Acquisitions Analyst

T: [REDACTED]
E mail: niall.marshall@[REDACTED]

2. St Arthur

Dated: 25 July 2023

Hi Louise,

Subject to Contract and the attached Condition of Purchase & Specification

Following our call, please our revised offer below.

I am pleased to confirm that we can offer a total package price of **£5,050,000** for the 28 units. This is split **£3,450,000** for the shared ownership units and **£1,600,000** for the affordable rent units. I have allowed for Homes England grant on the 8 shared ownership additionality units. Please see my assumptions on housing mix and OMVs below.

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Once again, apologies for this and the inconvenience caused, as I know you had a meeting earlier today. My email below regarding land split remains as per below, with potential to increase the land split to 22.5%.

I hope this offer is of interest and I look forward to hearing from you.

Kind regards,

Will

Will Manders | MRICS | Senior Partnerships & Acquisitions Manager

London Office: [REDACTED] / **Mobile:** [REDACTED]
www.starthurhomes.com

Consultations:-

Summary of Parish Council Objection to 23/01119/DOV Dated 10 January 2024

Members of the Bagworth & Thornton Parish Council are extremely concerned and dismayed that the applicant, CORA, are seeking this variation.

This development was refused twice by HBBC with approval finally granted at appeal in January 2022, fighting the appeal by both the Borough and Parish Council came at considerable cost.

The approval required the delivery of 20 affordable homes, comprising 15 affordable rent & 5 shared ownership dwellings. The alteration seeks to vary the affordable housing delivered on the site to be 4 gifted units to the Borough Council.

Provision is made to permit the owner to sell these 4 gifted units as discounted market sale housing units at a discounted price, should the Borough not accept the gifted units. Also, if after 3 months the owner can't sell these 4 units the units can be sold on the open market, with a commuted sum then payable to the Borough Council.

The main argument put forward by the developer to support the variation is that no party has put forward an offer to secure the affordable homes.

Following discussion with HBBC it was confirmed that the option preferred by HBBC was the delivery of 4 x Affordable homes as gifted units. How can this be agreed to without being debated at a Planning Committee where public opinion is also considered?

Parish Councils main issue is whether the variation would provide adequately for the provision and delivery of affordable housing within the site.

According to Policy 15 'Affordable Housing' the starting point for affordable housing in rural areas such as Thornton is 40%. These figures may be negotiated depending on viability. In areas where there is a high proportion of affordable homes a commuted sum may be acceptable instead of on-site affordable housing.

HBBC Council's housing register shows there is an exorbitant need for local affordable housing within the Parish. When will the needs of the community come before the needs of a developer only interested in profit? If the developer can't afford to build the scheme as agreed then they should not be allowed to profit on the back of this Community.

Much of the original support for the development of the site was based on bringing forward much needed affordable housing and was given very significant weight by the Inspector. It could be argued that had not this level of affordable housing been

included the appeal decision would have been different.

Regard also needs to be paid to the Government's policy concerning boosting the supply of homes and, in that, ensuring the needs of groups with specific housing requirements are assessed, including affordable housing (paras 60, 21 and 63 of the NPPF).

Paragraph 64 of the NPPF states the local planning authorities should expect affordable housing to be provided on site unless in special specified circumstances. The profit of a developer is not a special specified circumstance.

The proposed reduction in affordable housing is not supported. There is already a lack of affordable homes in this area. Reducing the number of affordable homes from 20 to 4 is a significant reduction. The requirement for 20 affordable homes was one of the main reasons the Inspector allowed this scheme in the first place.

To grant this application would seriously undermine the current due process as well as make the democratic elements superfluous and redundant.

The variation of Condition 3 would not provide adequately for the provision and delivery of affordable housing and is contrary to national and local planning policies, especially Policy 15 'Affordable Housing' and the principles of sustainable development.

We implore the elected members of HBBC Council to vote against this proposal.

Appraisal:-

Commuted Sum Option

As is set out in the Committee Report and Key Policy Principle AH7 of the Affordable Housing SPD 2011, the Council's over-riding priority is 'to have affordable homes provided on-site as the easiest way of ensuring mixed and balanced communities from the outset, and only in exceptional circumstances and where it can be robustly justified will off-site provision or commuted sums be acceptable. Acceptance of commuted sums is at the Council's discretion'.

For completeness a hypothetical process has been undertaken to determine the approximate potential commuted sum instead of providing the four gifted units. This exercise produced an estimated commuted sum of £1, 262, 522.80.

Conversely, the market value of the 4 gifted units on the development site (with no cost) is approximately £855, 620.

8. 23/01047/FUL - 5A DRAGON LANE, NEWBOLD VERDON

Application for change of use from residential dwelling (C3) to a 10-bedroom HMO (Sui-Generis).

Late items received after preparation of main agenda:

Consultations:-

Further to the Committee Report being published one additional objection has been received from a local resident who had already objected to the proposal. No new issues are raised.

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