
From: Planning Folder New
Sent: 01 September 2025 15:47
To: Lesley Keal
Subject: FW: Breach of Section 106 Agreement – Barns Way Development (1 Cortanis Lane)

From: Chris Webb <chriswebb329@googlemail.com>
Sent: 01 September 2025 11:42
To: Planning Folder New <PlanningFolderNew@hinckley-bosworth.gov.uk>
Subject: Breach of Section 106 Agreement – Barns Way Development (1 Cortanis Lane)

Dear Sir/Madam,

I am writing to formally raise a concern regarding Miller Homes' failure to comply with their obligations under the Section 106 Agreement dated 4 October 2019 in relation to the Barns Way development.

On 17 June 2025, I contacted Miller Homes regarding defective turf to the lawn area at the front of my property (1 Cortanis Lane). Despite a follow-up email sent eight weeks later, Miller Homes has chosen to ignore my correspondence. I have persistently contacted them in the past regarding the condition of this land, but no acknowledgement, response, or remedial action has ever been provided.

As you will be aware, under the Section 106 Agreement, Miller Homes remains responsible during the 12-month maintenance period (commencing 11 April 2025) for ensuring that all planting, including turfing, is properly established, healthy, and maintained. Where turf has failed, it must be replaced or reinstated. Their continued lack of engagement and failure to act constitutes a clear breach of this agreement.

In light of this, I respectfully request that Hinckley & Bosworth Borough Council intervene to chase this matter with Miller Homes and, if necessary, take enforcement action under the terms of the Section 106 Agreement.

Please find below my correspondence with Miller Homes to assist with your investigation.

Thank you for your attention to this matter. I look forward to your reply.

Yours faithfully,

Christopher Webb

1 Cortanis Lane,
Desford
Leicestershire
LE99QR

Tel: 07795 806839

Begin forwarded message:

From: EM Customer Care <emcustomercare@miller.co.uk>
Subject: RE: Urgent: Open Space Area - Development at Land Off Barns Way, Desford. Case: 00430529
Date: 11 August 2025 at 15:11:03 BST
To: "chriswebb329@googlemail.com" <chriswebb329@googlemail.com>

Good afternoon Mr Webb,

Thank you for your email.

I apologise that you haven't had a response of yet regarding the maintaining of the POS.

This was passed to our Technical Department who deal with the POS areas within Miller developments.

I have chased them for an update on this. As soon as we have received a reply, we will update you asap.

Kind Regards,

JK

Customer Services Coordinator | Miller Homes
T : 0800 954 8424 | emcustomercare@miller.co.uk
2 Centro Place, Pride Park, Derby. DE24 8RF



From: chriswebb329@googlemail.com <chriswebb329@googlemail.com>
Sent: 11 August 2025 14:09
To: EM Customer Care <emcustomercare@miller.co.uk>
Subject: Fwd: Urgent: Open Space Area - Development at Land Off Barns Way, Desford

Dear Sir/Madam,

I refer to my email of 17th June 2025, sent eight weeks ago, regarding the defective turf to the lawn area at the front of my property (1 Cortanis Lane) within the Barns Way development.

To date, I have not received the courtesy of an acknowledgment or a substantive response to my correspondence, nor has any action been taken to address the matter. This continued lack of engagement is unacceptable, particularly given Miller Homes' obligations under the Section 106 Agreement dated 4 October 2019.

For the avoidance of doubt, during the 12-month maintenance period — which commenced on 11 April 2025 — Miller Homes remains fully responsible for ensuring all planting, including turfing, is properly established, healthy, and maintained. Where turf has failed, it must be replaced or reinstated.

I now require written confirmation within 10 working days of the steps you will take to resolve this matter, and the timescale for doing so.

If I do not receive a satisfactory response by this deadline, I will have no option but to refer the matter to the relevant officers at Hinckley & Bosworth Borough Council for enforcement action under the Section 106 Agreement, and to consider all other avenues available to me.

I trust you will treat this matter with the seriousness it deserves and look forward to your prompt reply.

Kind Regards

Chris Webb

Sent from my iPhone

Begin forwarded message:

From: Chris Webb <chriswebb329@googlemail.com>
Date: 17 June 2025 at 09:27:24 BST
To: EM Customer Care <emcustomercare@miller.co.uk>
Subject: Open Space Area - Development at Land Off Barns Way, Desford

Dear Sir/Madam,

I am writing in reference to the public open space at the development off Barns Way, Desford, and the recent communication issued by the Borough Council, dated 6th June 2025 (attached below), confirming that the 12-month maintenance period commenced on 11 April 2025 in

accordance with Planning Permission Ref: 19/00149/OUT and the Section 106 Agreement dated 4 October 2019.

As a resident of this development, I have repeatedly raised concerns regarding the condition of the turf laid on the lawn area to the front of my property, which is defective and fails to meet acceptable standards. Despite submitting multiple photographs and requests for rectification, Miller Homes has persistently refused to accept responsibility for this issue.

Under the terms of the Section 106 Agreement, during the maintenance period, Miller Homes remains fully responsible for ensuring that all planting, including turfing, is properly established, healthy, and maintained. Where any planting has failed, become diseased, or died, Miller Homes is obligated to replace or reinstate it accordingly.

I am formally requesting that you fulfil this obligation and resolve the issue without further delay. Failure to do so will result in the matter being referred to the relevant officers at Hinckley & Bosworth Borough Council for enforcement under the Section 106 Agreement.

I trust that this matter can be resolved promptly and without the need for further escalation.

Yours faithfully,

Chris Webb















Begin forwarded message:

From: Lian Webb <lian@hstalks.com>

Subject: Fw: Dukes Field

Date: 17 June 2025 at 09:00:43 BST

To: Chris Webb <chriswebb329@gmail.com>

To: All Residents

Development at Land Off Barns Way, Desford

Dear Residents,

Re: Open Space Area - Development at Land Off Barns Way, Desford

Planning Permission Ref: 19/00149/OUT

Section 106 Agreement dated 4 October 2019

Following a series of site inspections at the above development, the Borough Council is pleased to confirm that,

as of 11 April 2025, the open space area has been laid out and made available for resident use in accordance with the Section 106 Agreement.

This marks the commencement of the 12-month maintenance period, during which Miller Homes remains responsible for the management and upkeep of the open space areas. This includes ensuring that all trees, shrubs, plants, seeding, and turfing remain healthy and properly established. Should any of the planting die, become diseased, or otherwise fail to take hold, Miller Homes is obligated to reinstate or replace it as necessary.

The Council is also aware that measures have been introduced to assist with surface water drainage on the pathways during wet weather. These measures will be monitored and reviewed at the end of the 12-month period to assess their effectiveness.

Kind Regards

Miller Homes Limited Registered in Scotland - SC255429
2 Lochside View, Edinburgh Park, Edinburgh, EH12 9DH

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