

UNILATERAL UNDERTAKING

Section 106 Town and Country Planning Act 1990 (as amended)

THIS DEED is made the 7TH day of May 2026

BETWEEN:

(1) JACK OLIVER LAWRANCE

of 40 Coventry Road,

Burbage,

Leicestershire,

LE10 2HP

("the Owner")

and

(2) GEORGE ROBERT DENNY

of Old House Farm,

Sutton Lane,

Cadeby,

Nuneaton,

CV13 0AR

("the Developer")

RELATING TO:

Land off Barwell Lane, Kirkby Mallory, Leicestershire
("the Site")

PLANNING REFERENCE:

Application Ref: 23/00824/OUT

Appeal Ref: APP/K2420/W/25/6005892

BACKGROUND

(A) The Owner is the freehold owner of the Site known as Land off Barwell Lane, Kirkby Mallory, Leicestershire.

(B) The Developer is promoting the Site pursuant to an option agreement and has coordinated the planning and appeal process relating to the Site.

(C) Outline planning permission was sought under Application Ref: 23/00824/OUT for the erection of up to seven dwellings including self-build plots.

(D) The Delegated Officer Report prepared in relation to the application assessed the proposal on the basis that the self-build component formed part of the development and stated that a planning obligation securing those units “could readily be supplied”.

(E) This Deed is entered into for the purpose of securing the self-build component already assessed as part of the proposal.

1. DEFINITIONS

In this Deed:

“Self-build Dwelling” means a dwelling which is built or commissioned by an individual or individuals for their own occupation and which complies with the definition of self-build and custom housebuilding under the Self-build and Custom Housebuilding Act 2015 (as amended).

“Development” means the development authorised by any planning permission granted pursuant to Appeal Ref: APP/K2420/W/25/6005892.

2. OWNER AND DEVELOPER COVENANTS

The Owner and Developer covenant with Hinckley & Bosworth Borough Council as follows:

2.1 Self-build Provision

Not fewer than three (3) dwellings within the Development hereby permitted shall be provided as Self-build Dwellings.

2.2 First Occupation

No Self-build Dwelling shall be first occupied unless:

- (a) it has been constructed by, or on behalf of, a person who has had primary input into the design and layout of the dwelling; and
- (b) that person intends to occupy the dwelling as their principal residence.

2.3 Occupation Restriction

Each Self-build Dwelling shall be occupied as the principal residence of the person who commissioned its construction for a minimum period of three (3) years from first occupation.

2.4 Notification

The Owner shall notify the Council in writing:

- (a) of the identity of the person(s) intending to occupy each Self-build Dwelling; and
- (b) no later than two (2) months prior to first occupation.

3. TRIGGER POINT

The obligations contained in this Deed shall take effect upon the implementation of any planning permission granted pursuant to Appeal Ref: APP/K2420/W/25/6005892.

4. ENFORCEABILITY

This Deed is a planning obligation enforceable by Hinckley & Bosworth Borough Council pursuant to Section 106 of the Town and Country Planning Act 1990.

5. MORTGAGEE CLAUSE

The obligations contained in this Deed shall not be binding on a mortgagee or chargee in possession.

6. LOCAL LAND CHARGE

This Deed shall be registered as a local land charge.

7. GOVERNING LAW

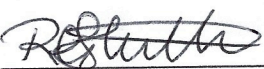
This Deed shall be governed by and construed in accordance with the law of England and Wales.

EXECUTION

SIGNED as a Deed by JACK OLIVER LAWRANCE

in the presence of:

Signature: J O Lawrance

Witness Signature: 

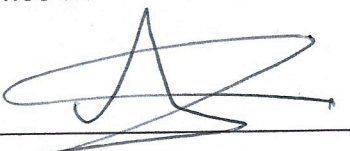
Witness Name: MRS REBECCA STUBBS

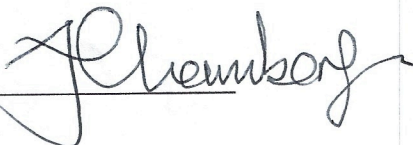
Address: 42 COVENTRY RD, BURBAGE
LE10 2HP

Occupation: Director

SIGNED as a Deed by GEORGE ROBERT DENNY

in the presence of:

Signature: 

Witness Signature: 

Witness Name: MR. ALASDAIR CHAMBERS

Address: HORSESHOE BARN, SUTTON LANE, CADEBY, NR. NUNEATON. WARKS
CV13 6AR

Occupation: SENIOR ENTERPRISE AR FOR OMNISSA UK.