

Chris Brown
Hinckley and Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
LE10 0FR

22nd November 2023

Dear Mr Brown,

Re: Land off Beech Drive, Thornton

Following detailed discussions with the Council's Strategic Housing and Enabling Officer (Valerie Bunting), Cora Homes and the Landowners are submitting a s106a application to vary the existing s106 agreement (unilateral undertaking) in respect of the above site.

Planning permission was granted on the 12th May 2022 (Application reference number: 20/00511/FUL and Appeal Reference Number: APP/K3430/W/21/3285060) for the *'residential development of 49 dwellings with associated infrastructure, access and areas of open space.'*

The Application sought to deliver a total of 20 affordable homes in accordance with policy requirements, comprising of 15 affordable rent and 5 shared ownership dwellings. Unfortunately, despite considerable attempts to identify a Registered Provider of affordable housing, no party has put forward an offer to secure the affordable homes. It is understood that a number of developers operating within Hinckley and Bosworth are facing similar challenges in delivering policy compliant affordable housing and the Council has previously approved similar alterations for the delivery of affordable housing.

In response, Cora and the Landowners have been in discussion with Valerie Bunting to agree an alternative route for delivering the development.

A Deed of Variation has been prepared which seeks to alter the following:

1. Delete the following defined terms:
 - a. "Affordable Dwellings"
 - b. "Affordable Rented Dwellings"
 - c. "Affordable Housing Scheme"
 - d. "Registered Provider"
 - e. "Shared Ownership Dwellings"
2. Update the following defined term:
 - a. "Market dwellings" delete "Which is not an Affordable Dwelling"
3. Add the following defined terms:
 - a. "Affordable Housing Commuted Sum"
 - b. "Discounted Market Sales Housing Unit"
 - c. "Discounted Price"

- d. "Eligible Person"
- e. "Title Restriction"

Furthermore, the Deed of Variation proposes to delete Clause 3 of the original deed and replace with alternative provisions as set out in detail in the attached Deed of Variation.

The alterations seek to vary the affordable housing delivered on the site to be four units 'gifted' to the Council. The 4 units are identified on the attached plan (drawing reference 02419 – 001).

The Deed of Variation also includes provisions, in the form of a cascade, to permit the Owner to sell the four gifted units as Discounted Market Sale Housing Units at a discounted price, should the Council determine not to accept the gifted units. If after a 3 month period, the Owner is unable to sell the Discounted Market Housing Units in accordance with the terms of the Deed of Variation, there is a further provision for these plots to be sold on the open market, with a commuted sum then payable to the Council, reflecting the difference between the residual market value of the plots and the residual value of the plots as affordable units. Further detail on the cascade is provided within the Deed of Variation.

The proposed Deed of Variation is the culmination of detailed discussions with representatives of Hinckley and Bosworth Borough Council and subject to its completion, will permit Cora and the landowners to deliver the scheme.

Yours sincerely

Robbie Locke MRTPI



Head of Planning & Strategic Land

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