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By Planning Portal

16 April 2021

Our Ref: L&Q002/FP/DL

CDC Ref:
14/01932/OUT &
20/03702/REM

Planning Portal ref:
PP-09746279

Dear Linda,

Wykham Park Farm Planning Application, Local Planning Authority Reference 14/01932/OUT: Submission to Discharge Condition 8: Levels; Condition 11: Drainage Phasing; Condition 19: Protection of PROW, Condition 20: Details of Footpath, bridleways & Tracks relevant to RM, Condition 22: Spoil Management, Condition 23: Soil Management, Condition 25: Street Lighting, Condition 32: Trees, Condition 41: Alternative PROW route, Condition 48: Access during Construction and Condition 49b: Site Specific CMP, all associated with the spine road works.

On behalf of our clients, L&Q Estates Limited (previously known as Gallagher Estates), we write to formally discharge Conditions **8, 11, 19, 20, 22, 23, 25, 32, 42, 48** and **49b** of the above Planning Permission, specifically in relation to the spine road arrangements for the site, which is the subject of a reserve matters approval submitted under planning reference 20/03702/REM.

Please note, as also agreed in our meeting of the afternoon of 20th January, this discharge of conditions submission has been submitted in parallel to the amended spine road reserve matters. These conditions are all those required to be formally discharged to enable the spine road works to the site to proceed.

The specific conditions details and information provided in support of those conditions, will now be considered for each condition in turn. The conditions to which this condition discharge application relates to include:

Condition 8 states:

"No development (with the exception of works undertaken in accordance with condition 50) shall take place on any phase until full details of proposed site and floor levels in comparison to existing site levels, including those that have been approved and implemented pursuant to condition 50, within that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out only in accordance with the approved levels, unless otherwise agreed in writing by the Local Planning Authority."

Condition 8 therefore requires full details of existing and proposed levels to be submitted to and approved in writing by Cherwell

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District Council prior to commencement. The following plans are formally submitted to discharge this condition:

- General Arrangement drawings:
 - WPF-HYD-XX-XX-DR-C-0005-P11-Spine Road General Arrangement Sh1
 - WPF-HYD-XX-XX-DR-C-0006-P12-Spine Road General Arrangement Sh2
 - WPF-HYD-XX-XX-DR-C-0007-P12-Spine Road General Arrangement Sh3
 - WPF-HYD-XX-XX-DR-C-0008-P11-Spine Road General Arrangement Sh4
 - WPF-HYD-XX-XX-DR-C-0009-P11-Spine Road General Arrangement Sh5
- Sections drawings:
 - WPF-HYD-XX-XX-DR-C-0221-P04 Long Sections Sh1
 - WPF-HYD-XX-XX-DR-C-0222-P05 Long Sections Sh2
 - WPF-HYD-XX-XX-DR-C-0223-P03 Long Sections Sh3
 - WPF-HYD-XX-XX-DR-C-0224-P04 Long Sections Sh3

Condition 11 states:

"No development (with the exception of works undertaken in accordance with condition 50) shall take place on a phase until a drainage scheme detailing the foul and surface drainage works for that phase, having regard to its wider relationship to the site-wide drainage strategy has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from any phase of the development shall be accepted into the public system until the approved drainage works related to that phase, have been completed."

Condition 11 therefore requires confirmation of how the proposed drainage strategy for the spine road, accords with the approved site wide drainage strategy approved under condition 10. The following plans/information are formally submitted to discharge this condition:

- Drainage Layout drawings:
 - WPF-HYD-XX-XX-DR-C-0601 P07 Drainage Layout
 - WPF-HYD-XX-XX-DR-C-0602 P07 Drainage Layout
 - WPF-HYD-XX-XX-DR-C-0603 P07 Drainage Layout
 - WPF-HYD-XX-XX-DR-C-0604 P07 Drainage Layout
 - WPF-HYD-XX-XX-DR-C-0605 P10 Drainage Layout
- Drainage Note:
 - WPF-HYD-XX-XX-RP-C-0010-P01 (Drainage Planning Statement)

Condition 19 states:

"No development shall take place within 10m of an existing or new public right of way until the affected public right of way is protected during development to accommodate a width of a minimum of 5m in accordance with details to be first submitted to and approved in writing by the Local Planning Authority except where the affected public right of way has the prior authorisation of the local planning (or highway) authority to be diverted or extinguished. Thereafter, the public right of way shall remain protected and available for use at all times in accordance with the approved details throughout the construction of the development unless otherwise agreed in writing by the local planning authority."

Condition 19 therefore requires details of works within 10m of public rights of way which have been included in Part B of the Construction Management Plan prepared for the spine road works which is also to be submitted to and approved in writing by Cherwell District Council prior to commencement. The following reports are formally submitted to discharge the condition:

- Phase 1 Framework Construction Management Plan (Part B) – Paragraph 4.14 (pg 15)

Condition 22 states:

"Prior to the commencement of any development within an approved phase (with the exception of works undertaken in accordance with condition 50) on the site, details for the management, storage and/or disposal of spoil resulting from associated construction works within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only take place in accordance with the approved details."

Condition 22 therefore requires details of spoil management which have been included in Part B of the Construction Management Plan prepared for the spine road works which is also to be submitted to and approved in writing by Cherwell District Council prior to commencement. The following reports are formally submitted to discharge the condition:

- Phase 1 Framework Construction Management Plan (Part B) – Paragraph 4.15 (pg 16) and appendix D

Condition 23 states:

"Prior to the commencement of the development within an approved phase (with the exception of works undertaken in accordance with condition 50), a soil management plan relating to the soil arisings generated by development in that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details."

Condition 23 therefore requires a soil management plan which has been included in Part B of the Construction Management Plan prepared for the spine road works which is also to be submitted to and approved in writing by Cherwell District Council prior to commencement. The following reports are formally submitted to discharge the condition:

- Phase 1 Framework Construction Management Plan (Part B) - Paragraph 4.15 (pg 16) and appendix D

Condition 25 states:

"No dwelling shall be occupied within any phase until full details of the street lighting to be provided within that phase together with a programme for installation, has been submitted to and approved in writing by the local planning authority. Thereafter the street lighting shall be provided within that phase as approved and retained as such thereafter unless otherwise agreed in writing by the local planning authority."

Condition 25 therefore requires details of street lighting to be submitted to and approved in writing by Cherwell District Council prior to commencement. The following General Arrangement drawing was designed in line with OCCs technical requirements and is formally submitted to discharge the condition:

- General Arrangement drawings:
 - WPF-HYD-XX-XX-DR-C-0005-P11-Spine Road General Arrangement Sh1
 - WPF-HYD-XX-XX-DR-C-0006-P12-Spine Road General Arrangement Sh2
 - WPF-HYD-XX-XX-DR-C-0007-P12-Spine Road General Arrangement Sh3
 - WPF-HYD-XX-XX-DR-C-0008-P11-Spine Road General Arrangement Sh4
 - WPF-HYD-XX-XX-DR-C-0009-P11-Spine Road General Arrangement Sh5

Condition 32 states:

"No trees or hedgerows on the site (as existing at the date of this decision) shall be lopped, felled, uprooted or wilfully damaged unless otherwise directly necessary to lay out either the approved new vehicular access from Bloxham Road (including visibility splays) or approved Link Road (as set out in plans listed in condition 5) or is otherwise directly necessary to facilitate the carrying out of the detailed elements of the development as approved within any subsequent reserved matters approval."

Condition 32 therefore requires details of the extent of trees and hedgerows to be removed to facilitate the spine road works to be submitted to and approved in writing by Cherwell District

Council prior to commencement. The following Site Clearance drawing is formally submitted to discharge the condition:

- AIA Ref: edp5378_r011-B-Arboricultural Impact Assessment - Spine Road

Condition 42 states:

"Prior to the commencement of development (with the exception of works undertaken in accordance with condition 50) within any phase that includes a part of bridleway Bodicote 11, details shall be submitted of measures to protect and enhance that part of the bridleway within the phase together with a timetable for such protection/enhancement measures to be carried out."

Condition 42 therefore requires the details for the protective measures of the Bodicote 11 bridleway which are as a result of the spine road works, to be submitted and approved in writing by Cherwell District Council prior to commencement. The following reports are formally submitted to discharge the condition:

- Phase 1 Framework Construction Management Plan (Part B) - Paragraph 4.14 (pg 15)

Condition 48 states:

"Prior to the commencement of the development, details of means by which any vehicular traffic would access Wykham Park Farm through the site during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and during the construction phase of the development, vehicular access to Wykham Park Farm shall take place only in accordance with the approved details."

Condition 48 therefore requires details of Wykham Park Farm access which have been included in Part B of the Construction Management Plan prepared for the spine road works which is to be submitted to and approved in writing by Cherwell District Council prior to commencement. The following reports are formally submitted to discharge the condition:

- Phase 1 Framework Construction Management Plan (Part B) – Section 3

Condition 49b States:

"Prior to the commencement of development on any phase a Site Specific Construction Management Plan, which shall confirm compliance with the Framework Construction Management Plan (Part A) shall be submitted to and approved in writing by the Local Planning Authority."

Condition 49b therefore requires a site specific construction management plan which reconciles the management of the works in relation to the spine road works, to be submitted and approved In writing by Cherwell District Council. The following reports are formally submitted to discharge the condition:

- Phase 1 Framework Construction Management Plan (Part B)

The application herein has been submitted via Planning Portal along with the requisite fee of £116.00. We trust that the enclosed information is sufficient to allow Conditions **8, 11, 19, 20, 22, 23, 25, 32, 42, 48 & 49b** to be discharged, however if you require any further information please do not hesitate to contact either myself or my colleague Colette Portway (CPortway@davidlock.com).

Yours sincerely,



DONNA LAVENDER
Associate

Cc: Sarah Griffiths L&Q Estates;

Enc:

Document Number	Title	Relevant conditions
WPF-HYD-XX-XX-DR-C-0005-P11-Spine Road General Arrangement Sh1	Spine Road General Arrangement Plan	8 & 25
WPF-HYD-XX-XX-DR-C-0006-P12-Spine Road General Arrangement Sh2	Spine Road General Arrangement Plan	8 & 25
WPF-HYD-XX-XX-DR-C-0007-P12-Spine Road General Arrangement Sh3	Spine Road General Arrangement Plan	8 & 25
WPF-HYD-XX-XX-DR-C-0008-P11-Spine Road General Arrangement Sh4	Spine Road General Arrangement Plan	8 & 25
WPF-HYD-XX-XX-DR-C-0009-P11-Spine Road General Arrangement Sh5	Spine Road General Arrangement Plan	8 & 25
WPF-HYD-XX-XX-DR-C-0221-P04 Long Sections Sh1	Spine Road Long Sections Plan	8
WPF-HYD-XX-XX-DR-C-0222-P05 Long Sections Sh2	Spine Road Long Sections Plan	8
WPF-HYD-XX-XX-DR-C-0223-P03 Long Sections Sh3	Spine Road Long Sections Plan	8
WPF-HYD-XX-XX-DR-C-0224-P04 Long Sections Sh3	Spine Road Long Sections Plan	8
WPF-HYD-XX-XX-DR-C-0601 P07 Drainage Layout	Drainage Layout Plans	11
WPF-HYD-XX-XX-DR-C-0602 P07 Drainage Layout	Drainage Layout Plans	11
WPF-HYD-XX-XX-DR-C-0603 P07 Drainage Layout	Drainage Layout Plans	11
WPF-HYD-XX-XX-DR-C-0604 P07 Drainage Layout	Drainage Layout Plans	11
WPF-HYD-XX-XX-DR-C-0605 P10 Drainage Layout	Drainage Layout Plans	11
WPF-HYD-XX-XX-RP-C-0010-P01 (Drainage Planning Statement)	Drainage Planning Statement	11
Phase 1 Framework Construction Management Plan (Part B)	Site Specific Construction Management Plan	19,22,23,42,48 & 49b
edp5378_r011-B-Arboricultural Impact Assessment - Spine Road	Arboricultural Impact Assessment	32