

Linda Griffiths  
Principal Planning Officer  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

By Planning Portal

27 January 2021  
Our Ref: L&Q002/FP/DL

CDC Ref:  
14/01932/OUT

Planning Portal ref:  
PP-09398334

Dear Linda,

**Wykham Park Farm Planning Application, Local Planning Authority Reference 14/01932/OUT: Submission to Discharge Condition 19: Works within 10m of a PROW; Condition 22: Spoil Management; Condition 23: Soil Management; Condition 48: WPF Access; Condition 49A: Site Wide CMP; and Condition 49B: Phase CMP.**

On behalf of our clients, L&Q Estates Limited (previously known as Gallagher Estates), we are pleased to be able to provide you with the information relating to the discharge of Conditions **19, 22, 23, 48, 49A and 49B** of the above Planning Permission, to resolve pre-commencement planning conditions relating to the site access works for the development site.

The proposed highway works to form the site access (S278 works) have been technically approved through a Section 278 Agreement with Oxfordshire County Council (OCC) as the highway authority. Technical approval for the works was issued as of the 11<sup>th</sup> September 2020 and the approval certificate is enclosed as part of this submission.

Planning conditions which relate specifically to the technical matters of the access have already received technical approval and those relatable planning conditions have been submitted via a separate discharge of condition application for conditions 8, 11, 25 and 32 through the planning portal, ref PP-09398334.

Notwithstanding the technical details of the site access, the site access works constitute a "Phase" of the overall development site and therefore it is necessary to discharge the relevant, phased pre-commencement conditions before these site works can proceed in planning terms. These conditions including 19, 22, 23, 48, & 49 and are referred to in more detail below.

#### **Conditions to be discharged:**

*"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*

**DAVID LOCK ASSOCIATES LIMITED**  
50 North Thirteenth Street  
Central Milton Keynes  
Buckinghamshire  
MK9 3BP

☎ +44 (0) 1908 666276  
✉ mail@davidlock.com  
🌐 www.davidlock.com

VAT Reg. No. 486 0599 05.  
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Registered Office as above.

*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 s278 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:

- Framework Construction Management Plan (Part B)

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 s278 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:

- Framework Construction Management Plan (Part B)

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 s278 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:

- Framework Construction Management Plan (Part B)

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 s278 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:

- Framework Construction Management Plan (Part B)

Condition 49A states:

*"No development shall take place until a site-wide Framework Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority."*

*The Framework CMP shall include details relating to the following matters:*

- Measures to reduce noise, environmental nuisance and disruption for nearby residents;
- Measures to avoid undue impact on ecology during construction work;

- *Construction traffic management (to include a restriction on construction vehicles using Wykham Lane);*
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- *Methods of working including site compound and contractor parking;*
- *Contact details of the site manager and procedures for complaints as well as details of communication with neighbouring residents.*

*Thereafter, the development on that phase shall be carried out in accordance with the approved Framework CMP at all times."*

Condition 49A therefore requires a Construction Management Plan, which has been prepared as part of the s278 works, 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:

- Framework Construction Management Plan (Part A) – Site Wide

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. The Site-Specific Construction Management Plan shall include but not limited to the following:*

*Construction access including details of the measures to ensure that all construction vehicles can enter the site immediately upon arrival and also the method of segregating construction traffic from general traffic/pedestrian and cyclists (as required);*

- *A scheme for parking of contractor's vehicles and details of the location of contractor's welfare/site office facilities;*
- *A scheme for access and deliveries showing adequate space for vehicles to park, turn, load and unload clear of the public highway.*
- *Details of the location and layout of all materials storage and plant storage compounds; and*
- *Details of the means of enclosure of the application site for the construction phase including details of all types of fencing proposed and a plan showing the location of all the fencing.*

*Thereafter, the development shall be carried out in accordance with the Site Specific Construction Management Plan at all times."*

Condition 49B therefore requires a Phased Construction Management Plan, which has been prepared as part of the s278 works, 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:

- Framework Construction Management Plan (Part B) – Site Specific

The discharge of the above conditions will collectively enable the S278 works to proceed, and are therefore submitted together as one application.

The application 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 19, 22, 23,48, 49A and 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](mailto:CPortway@davidlock.com)).

Yours sincerely,



DONNA LAVENDER  
Associate

Cc: Sarah Griffiths L&Q Estates;  
Enc:

<b>Document Number</b>	<b>Title</b>	<b>Relevant conditions</b>
Issue 1, Jan 2021 (25.01.21)	Framework Construction Management Plan (Part A) – Site Wide	49A
Issue 1, Jan 2021	Framework Construction Management Plan (Part B) – Site Specific	49B
8686 068	Construction Management Plan (Appendix C)	19, 22, 23, 48
10.2.120.250	OCC Technical Approval Certificate	All