

From: Linda Griffiths <Linda.Griffiths@Cherwell-DC.gov.uk>
Sent: 17 February 2021 17:10
To: Sam Merry Taylor <Sam.MerryTaylor@Cherwell-DC.gov.uk>; dcregistration
<dcregistration@Cherwell-DC.gov.uk>
Subject: FW: Wykham Park Farm - DoV [SHMA-Active.FID3535354]

Good Afternoon
Please could you register the above deed of variation request.

Thank you
Kind Regards
Linda

Linda Griffiths BA (Hons) MRTPI
Principal Planning Officer (Major Developments)
Place and Growth Directorate
Cherwell District and South Northamptonshire Councils
Direct Tel: 01295 227998
Email: linda.griffiths@cherwellandsouthnorthants.gov.uk
Web: www.cherwell.gov.uk or www.southnorthants.gov.uk

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From: Darren Mace (L&Q Estates) <Darren.Mace@lqestates.co.uk>
Sent: 15 February 2021 09:46
To: Linda Griffiths <Linda.Griffiths@Cherwell-DC.gov.uk>
Cc: White, Joy - Communities <joy.white@oxfordshire.gov.uk>; Barrett, Adam - Communities
<Adam.Barrett@Oxfordshire.gov.uk>; Stratos Constantinou (L&Q Estates)
<Stratos.Constantinou@lqestates.co.uk>
Subject: FW: Wykham Park Farm - DoV [SHMA-Active.FID3535354]

Linda
Please see attached deed of variation as discussed earlier.
The intention of this is to de-link Implementation (Including S278 Works) from technical approval of the S38 so we can get on with the S278 works in June.
Thanks
Darren

Darren Mace
Projects Director
Tel: 01926 339 339
Mobile: 07976 178819
Email: Darren.Mace@lqestates.co.uk
Web: www.lqestates.co.uk

L&Q Estates

L&Q Estates Limited (Company Registration No. 11800258)

Gallagher House, Gallagher Way, Warwick CV34 6AF

Developers and promoters of residential, commercial and mixed-use developments

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From: Darren Mace (L&Q Estates)

Sent: 05 February 2021 12:22

To: White, Joy - Communities <Joy.White@Oxfordshire.gov.uk>

Cc: Stratos Constantinou (L&Q Estates) <Stratos.Constantinou@lqestates.co.uk>; Barrett, Adam - Communities <Adam.Barrett@Oxfordshire.gov.uk>; Oliver, Richard - Communities <Richard.Oliver@Oxfordshire.gov.uk>

Subject: FW: Wykham Park Farm - DoV [SHMA-Active.FID3535354]

Joy

Please see attached and below.

Hopefully you can agree to this trigger.

Please do call if you wish to discuss.

Thanks

Darren

From: Paul Wakefield <paul.wakefield@shma.co.uk>

Sent: 04 February 2021 14:05

To: Darren Mace (L&Q Estates) <Darren.Mace@lqestates.co.uk>

Subject: Wykham Park Farm - DoV [SHMA-Active.FID3535354]

Dear Darren,

Please find attached an updated draft Deed of Variation to the s.106 for Wykham Park Farm. As discussed, I've brought the trigger forward from Occupation so that it is prior to Construction of any Commercial Unit or Dwelling. "Construction" includes footings or foundations, so in reality you won't be able to start work on any of the buildings across the entire Development until the obligations relating to the Link Road in para 2.2 of the Seventeenth Schedule are discharged.

With regard to the process, as the obligations in the Seventeenth Schedule are only between Gallagher Estates Ltd (as Owners) and the County Council there is no need for the District to be a party to the Deed of Variation, and certainly no need to make a formal application to them.

Section 106A of the Town and Country Planning Act makes clear that a planning obligation which is less than five years old may not be modified except by agreement between the appropriate authority and the person or persons against whom the obligation is enforceable (and in this context 'appropriate authority' is the local planning authority by whom it is enforceable, which in the case of the obligations in the Seventeenth Schedule is only the County Council).

I trust that is clear, but if you have any questions, please don't hesitate to contact me.

Kind regards,

Paul Wakefield

Partner

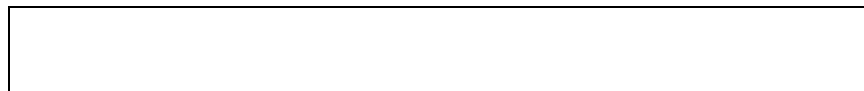
D 0115 945 4648

M 07711 387 167

F 0115 948 0234

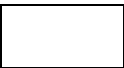
E paul.wakefield@shma.co.uk

Main T 0115 945 3700 ext 6910



Shakespeare Martineau

Waterfront House, Waterfront Plaza, 35 Station Street, Nottingham, NG2 3DQ
DX10004 Nottingham 1



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