

# Planning and Development

David Peckford, Assistant Director – Planning and Development



**Cherwell**

DISTRICT COUNCIL  
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Please ask for: **Will Anstey**

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## TOWN AND COUNTRY PLANNING ACT 1990

**Application No.:** 22/01621/OBL

**Applicant's Name:** Crest Nicholson Midlands

**Proposal:** Notification of Completion of Play Area as per Section 2.5.1 of the Second Schedule of S106 attached to 14/02156/OUT

**Location:** Land South of Cotefield Business Park Phase 2 Adj To  
Blossom Field Road  
Bodicote

**Parish(es):** Bodicote

24th June 2022

Dear Mr Harrison

I write further to your letter of 30 May 2022 notifying of completion of the Play Area as per Section 2.5.1 of Part 1 of the Second Schedule of the Section 106 agreement attached to outline planning permission 14/02156/OUT. Your letter was accompanied by Post Installation Report from the Play Inspection Company.

The Council inspected the Play Area on 10 June 2022 and noted that it has not been constructed in accordance with the approved plan '1908 08 I Detailed LEAP / LAP Proposals' listed as an approved document on the reserved matters consent for this part of the site, 18/00193/REM. The equipment provided does not accord with the equipment identified on the approved plan and the layout is substantially different from that shown on the plan. As such the Council does not consider that the Play Area has been provided to our 'reasonable satisfaction' and therefore cannot issue a Practical Completion Certificate.

In the circumstances, section 2.5.2 of Part 1 of the Second Schedule of the Section 106 agreement allows for the Council to issue a 'Defects Notice' stating that the Play Area has not been provided to the District Council's reasonable satisfaction and setting out details of the work required to reach that standard. This letter should be taken as the Defects Notice.

The works required to reach an acceptable standard are to remove the play equipment and any ancillary equipment and surfacing installed on the play area that does not accord with approved plan '1908 08 I

Detailed LEAP / LAP Proposals' and install new play equipment and ancillary equipment and associated surfacing in accordance with the design and layout shown on approved plan '1908 08 I Detailed LEAP / LAP Proposals'.

In accordance with section 2.5.3 of the Section 106 agreement you have 8 weeks from receipt of this Defects Notice to complete the required works unless a longer period is agreed by the Council.

Yours sincerely

Will Anstey

Authorised by Paul Ihringer