

## Rachel Tibbetts

---

**From:** Chris Wentworth  
**Sent:** 15 June 2023 11:52  
**To:** DC.Consults  
**Subject:** FW: Berry Hill Adderbury - 23/01417/S106

Hi,

Can the consultation response below be attached to the current application please.

Thanks

**Chris Wentworth MRTPI**  
**Principal Planner – Major Projects (North)**  
Development Management Division  
Communities Directorate  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
OX15 4AA

Working Days: Monday – Thursday Only

Tel: 01295 221 750  
Email: [chris.wentworth@cherwell-dc.gov.uk](mailto:chris.wentworth@cherwell-dc.gov.uk)  
Web: [www.cherwell.gov.uk](http://www.cherwell.gov.uk)  
Facebook: [www.facebook.com/cherwelldistrictcouncil](http://www.facebook.com/cherwelldistrictcouncil)  
Twitter: @cherwellcouncil

Planning and Development services can be contacted as follows:  
Development Management - [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk);  
Planning Policy - [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk);  
Building Control - [building.control@cherwell-dc.gov.uk](mailto:building.control@cherwell-dc.gov.uk);  
Conservation - [design.conservation@cherwell-dc.gov.uk](mailto:design.conservation@cherwell-dc.gov.uk).  
For the latest information on Planning and Development please visit [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

---

**From:** Ewan Stewart <Ewan.Stewart@Cherwell-DC.gov.uk>  
**Sent:** Monday, June 5, 2023 2:35 PM  
**To:** Andy Bateson <Andy.Bateson@cherwell-dc.gov.uk>  
**Cc:** Chris Wentworth <Chris.Wentworth@cherwell-dc.gov.uk>  
**Subject:** FW: Berry Hill Adderbury

Hi Andy

As discussed, I am emailing to confirm that Strategic Housing have no objection to this Deed of Variation request from Sovereign Housing.

As the national standard wording for Mortgagee in Possession clauses is now being used in CDC documents I am happy for this to be progressed with Legal, particularly as the scheme has now started on site.

Thank you for agreeing to progress this one, please let me know if you need anything else from me.

Kind regards  
Ewan

---

**From:** Alex Brooks <[Alex.Brooks@sovereign.org.uk](mailto:Alex.Brooks@sovereign.org.uk)>  
**Sent:** Monday, May 15, 2023 3:25 PM  
**To:** Katherine Daniels <[Katherine.Daniels@Cherwell-DC.gov.uk](mailto:Katherine.Daniels@Cherwell-DC.gov.uk)>  
**Cc:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>; Daniel Campbell <[Daniel.Campbell@sovereign.org.uk](mailto:Daniel.Campbell@sovereign.org.uk)>; Jasmine Bradford <[Jasmine.Bradford@sovereign.org.uk](mailto:Jasmine.Bradford@sovereign.org.uk)>; Laura Cooke <[laura.cooke@osborneclarke.com](mailto:laura.cooke@osborneclarke.com)>  
**Subject:** RE: Berry Hill Adderbury

**CAUTION:** This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Katherine

Further to my pervious email please could you update me on the progress on the variation request for the S106 on Berry Hill for the Mortgagee clause, we on site and are due to start commence the marketing of the shared ownership properties. It would be very beneficial for this process if the variation was in progress whilst we market so the potential shared owners are able to secure the best mortgages they are able to.

Please do contact me if you have any questions on the matter, in the meantime I look forward to hearing from you.

Kind regards

Alex

**Alex Brooks**  
Project Manager (preferred pronouns: she/her/hers)  
T 01635 277870  
M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)



[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

**From:** Alex Brooks  
**Sent:** 21 April 2023 10:09  
**To:** [Katherine.Daniels@Cherwell-DC.gov.uk](mailto:Katherine.Daniels@Cherwell-DC.gov.uk)  
**Cc:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>  
**Subject:** FW: Berry Hill Adderbury  
**Importance:** High

Good Morning Katherine

Further to the email chain below I understand from Ewan that you are now dealing with the Berry Hill Scheme. Sovereign are looking from a DoV on the Mortgagee Clause in the S106 to enable the future

residents to secure mortgages on the SO properties. We are keen to get this matter resolved so we are in a position to look to market them.

Our Solicitor has drafted the attached proposal, we would look for this valuation to be entered into as per below as we complete on the Golden Brick contracts on the site which is due to be reached over the next month now, and so we are keen to be able to move this forward.

Please contact me if you have any questions.

Kind regards

Alex

**Alex Brooks**

Project Manager (preferred pronouns: she/her/hers)

T 01635 277870

M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)



[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

**From:** Alex Brooks

**Sent:** 03 March 2023 11:21

**To:** [Andy.Bateson@cherwell-dc.gov.uk](mailto:Andy.Bateson@cherwell-dc.gov.uk)

**Cc:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>; Laura Cooke <[laura.cooke@osborneclarke.com](mailto:laura.cooke@osborneclarke.com)>; Daniel Campbell <[Daniel.Campbell@sovereign.org.uk](mailto:Daniel.Campbell@sovereign.org.uk)>

**Subject:** RE: Berry Hill Adderbury

**Importance:** High

Good morning Andy

Further to my last email, we have been working further on the S106 DoV and our solicitor has made some amendment to the document, which I have attached. The reasoning for the amendment is so the Deed would only seek to vary the MIP clause for the "Affordable Housing Land" as opposed to the development as a whole.

It is very important that the wording of the DoV is agreed, so when we are on site the sales team for the Shared Ownership units can provide our customers with a clear picture to enable them to seek Mortgages from lenders who can lend against the Homes. Currently with the S106 wording we are not likely to be able to gain the support from lenders for the shared ownership mortgages and so will struggle to secure nomination for the units on the site. We are looking to start the to sales process for the units this month

Sovereign remain keen to work with yourselves, if you have any questions, or comments and counter proposals please do contact me to discuss so we can move this matter forwards.

Kind regards

Alex

**Alex Brooks**

Project Manager (preferred pronouns: she/her/hers)

T 01635 277870  
M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)



[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

**From:** Alex Brooks  
**Sent:** 17 February 2023 10:02  
**To:** [Andy.Bateson@cherwell-dc.gov.uk](mailto:Andy.Bateson@cherwell-dc.gov.uk)  
**Cc:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>; Laura Cooke <[laura.cooke@osborneclarke.com](mailto:laura.cooke@osborneclarke.com)>; Daniel Campbell <[Daniel.Campbell@sovereign.org.uk](mailto:Daniel.Campbell@sovereign.org.uk)>  
**Subject:** RE: Berry Hill Adderbury

Good Morning Andy

Further to my email below I am keen to know if you have any questions on the variation request attached. We would like to get wording agreed so the agreement the agreement can be engrossed as part of our Golden Brick contract which is likely to be reached by the end of March

Kind regards

Alex

**Alex Brooks**  
Project Manager (preferred pronouns: she/her/hers)  
T 01635 277870  
M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)



[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

**From:** Alex Brooks  
**Sent:** 10 February 2023 16:26  
**To:** [Andy.Bateson@cherwell-dc.gov.uk](mailto:Andy.Bateson@cherwell-dc.gov.uk)  
**Cc:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>; Laura Cooke <[laura.cooke@osborneclarke.com](mailto:laura.cooke@osborneclarke.com)>; Daniel Campbell <[Daniel.Campbell@sovereign.org.uk](mailto:Daniel.Campbell@sovereign.org.uk)>  
**Subject:** RE: Berry Hill Adderbury

Good Afternoon Andy

Further to the email chain below with Ewan Stuart, please find attached the deed of variation proposal for S106 relating to the Land on the North side of Berry Hill Road, Adderbury, Banbury. This variation is related to the wording and definitions associated with paragraph 3 of the second schedule.

If you have any question on this please contact me to discuss.

Kind regards

Alex

**Alex Brooks**

Project Manager (preferred pronouns: she/her/hers)

T 01635 277870

M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)



[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

**From:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>

**Sent:** 26 January 2023 14:07

**To:** Alex Brooks <[Alex.Brooks@sovereign.org.uk](mailto:Alex.Brooks@sovereign.org.uk)>

**Cc:** Paul France <[Paul.France@Cherwell-DC.gov.uk](mailto:Paul.France@Cherwell-DC.gov.uk)>

**Subject:** RE: Berry Hill Adderbury

**INFO:** The sender of this email was successfully validated and should match the person in the "From" field.

**CAUTION:** This email originated from outside of the organization and/or is not authenticated. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Many thanks Alex,

The planning officer is Andy Bateson, [Andy.Bateson@cherwell-dc.gov.uk](mailto:Andy.Bateson@cherwell-dc.gov.uk) if you email him when you receive the draft.

Based on a few recent internal conversations regarding legal matters, we are now operating on the basis that the Planning Officer instructs Legal then other teams are consulted as necessary. If something is going to affect the delivery of affordable housing then the Strategy & Development team will make comments accordingly when consulted.

If the planning officer can have clear, detailed information on what exactly needs to be changed and why, what the implications are etc then that will help the process. I'm just mentioning that from recent experience!

I hope this helps and I will look out for this one coming through.

Kind regards

Ewan

---

**From:** Alex Brooks <[Alex.Brooks@sovereign.org.uk](mailto:Alex.Brooks@sovereign.org.uk)>

**Sent:** 26 January 2023 13:51

To: Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>  
Cc: Paul France <[Paul.France@Cherwell-DC.gov.uk](mailto:Paul.France@Cherwell-DC.gov.uk)>  
Subject: RE: Berry Hill Adderbury

**CAUTION:** This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Ewan

I have attached the decision notice for the site for information. We have not submitted a DoV on this particular clause as yet, once we have the draft through from our solicitors then if you could advise who it would be best send to that would be appreciated. Lynne L mentioned discussing it with the enabling team in the first instance but I am happy to move it forward as you require.

I look forward to hearing from you.

Kind regards

Alex

**Alex Brooks**

Project Manager (preferred pronouns: she/her/hers)  
T 01635 277870  
M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)

**SOVEREIGN** 

[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

**From:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>  
**Sent:** 26 January 2023 12:51  
**To:** Alex Brooks <[Alex.Brooks@sovereign.org.uk](mailto:Alex.Brooks@sovereign.org.uk)>  
**Cc:** Paul France <[Paul.France@Cherwell-DC.gov.uk](mailto:Paul.France@Cherwell-DC.gov.uk)>  
**Subject:** RE: Berry Hill Adderbury

**INFO:** The sender of this email was successfully validated and should match the person in the "From" field.

**CAUTION:** This email originated from outside of the organization and/or is not authenticated. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Alex

Thank you for your email. This matter would be dealt with via an instruction to Legal from the planning officer, then usually Strategic Housing are consulted as necessary.

I'm not sure who the planning officer is on this one, it sounds as though the case may already be with Legal, I haven't had any involvement as yet. What is the scheme name and I will check who the planning officer is and if Legal have had an instruction.

Thanks  
Ewan

---

**From:** Alex Brooks <[Alex.Brooks@sovereign.org.uk](mailto:Alex.Brooks@sovereign.org.uk)>  
**Sent:** 26 January 2023 12:44  
**To:** Ewan Stewart <[Ewan.Stewart@Cherwell-DC.gov.uk](mailto:Ewan.Stewart@Cherwell-DC.gov.uk)>; Paul France <[Paul.France@Cherwell-DC.gov.uk](mailto:Paul.France@Cherwell-DC.gov.uk)>  
**Subject:** Berry Hill Adderbury

**CAUTION:** This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Ewan and Paul

I have taken over from Lynne Leavey on the site at Adderbury. I understand that the matter of the S106 and in particular the Mortgagee In possession Clause has been discussed with yourselves in the context that we will be looking for a deed of variation on it to ensure it works for all sides, including the lenders on the Shared ownership units.

I am currently waiting on the draft wording from our solicitors which I will then be keen to review with yourselves so we can look to conclude the matter. Please could you let me know who I should be directing the draft variation to once I receive it?

If you have any question please do contact me.

Kind regards

Alex

**Alex Brooks**  
Project Manager (preferred pronouns: she/her/hers)  
T 01635 277870  
M 07768 775349

[alex.brooks@sovereign.org.uk](mailto:alex.brooks@sovereign.org.uk)



[sovereign.org.uk](http://sovereign.org.uk)

Sovereign House, Basing View, Basingstoke, RG21 4FA

---

#### **Email disclaimer**

Please avoid printing this email and help us reduce our impact on the environment.

This email and any attachment is confidential and for the use of the named recipient(s) only. If you're not the intended recipient, please don't copy, forward, print, use or disclose this email or attachment(s). Instead, please delete and let the sender know immediately.

Please note that email transmission cannot be guaranteed to be secure or virus free. Please make sure you take any necessary measures when sending us sensitive information or when opening emails from us. Cybercrime and fraud is also on the increase. If you receive an email claiming to be from Sovereign Housing Association or Sovereign Living and seeking further information from you (including any financial details) and you're concerned that it isn't legitimate, don't reply or act on any information contained in it. Instead, you should contact us immediately.

Your privacy is important to us, please click [here](#) for more information. We reserve the right to read any email or attachment entering or leaving our systems from any source, to make sure they comply with our policies and to protect our business.

Any views or opinions expressed in the email may not necessarily represent those of Sovereign Housing Association Limited and we accept no responsibility for personal content or content unrelated to our business.

Sovereign Housing Association Limited is a charitable Registered Society under the Co-operative and Community Benefit Societies Act 2014, registered with the Financial Conduct Authority No. 7448 and with the Regulator for Social Housing No. 4837. (Registered office: Sovereign House, Basing View, Basingstoke, RG21 4FA.)

Its subsidiaries include: Sovereign Living Limited, registered in England, a non-profit but non-charitable Registered Society (FCA Registered No. 26400R HCA Registered No. L3933). Spectrum Property Care Limited, a company registered in England (Registration No. 08758536). Spectrum Premier Homes Limited, a company registered in England (Registration No. 2914932). Spectrum Property Ventures Limited, a company registered in England (Registration No. 7954841).

---

Attention: This email (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage you may sustain due to such viruses. It would be best if you conducted your own virus checks before opening the email (and any attachments).

Unless expressly stated otherwise, the content of this email represents only the sender's views. It does not impose any legal obligation upon the Council or commit the Council to any course of action.

Attention: This email (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage you may sustain due to such viruses. It would be best if you conducted your own virus checks before opening the email (and any attachments).

Unless expressly stated otherwise, the content of this email represents only the sender's views. It does not impose any legal obligation upon the Council or commit the Council to any course of action.