

Our ref: OXF7993

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Date: 15 April 2024

Ms K Daniels  
Public Protection & Development Management  
Bodicote House  
Banbury  
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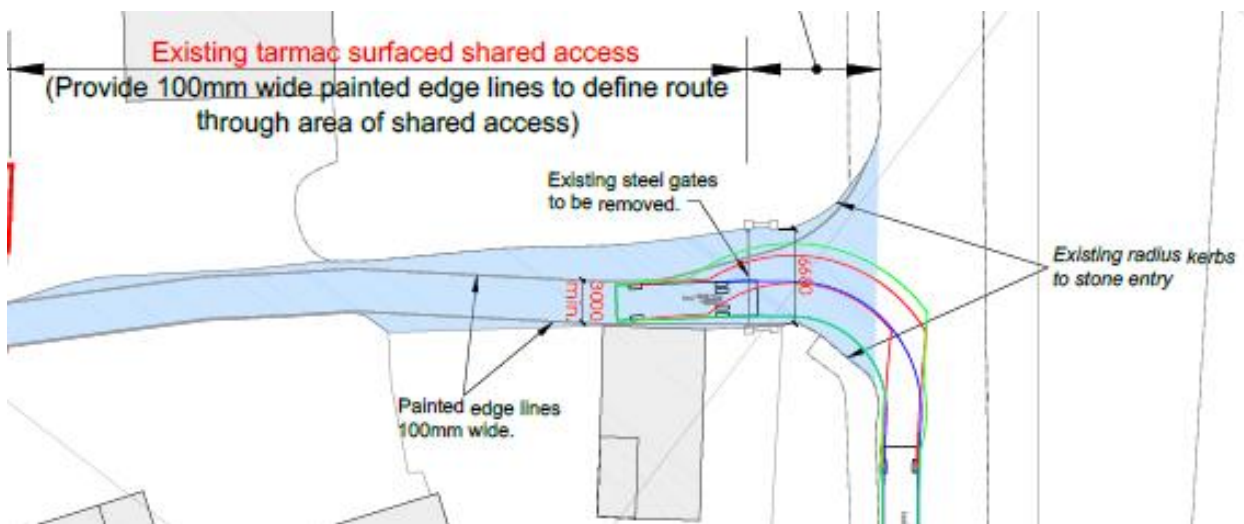
Emailed to: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk)

Dear Ms Daniels

**Cotefield House, Oxford Road, Bodicote, Banbury, OX15 4AQ. Application 24/00725/DISC.  
Discharge of Conditions pertaining to planning permission 21/03947/F.**

I am writing to you on behalf of my client, Mr Rowland Bratt, who is the owner of land affected by the above application, which seeks to discharge several pre-commencement conditions pertaining to a planning permission, which was granted by the council on 24<sup>th</sup> November 2021.

Regarding the discharge of conditions 3 and 4, the applicant has submitted drawing number P1095-01, dated February 2024. The drawing shows access to the development site across an access road that is shaded blue – see below:

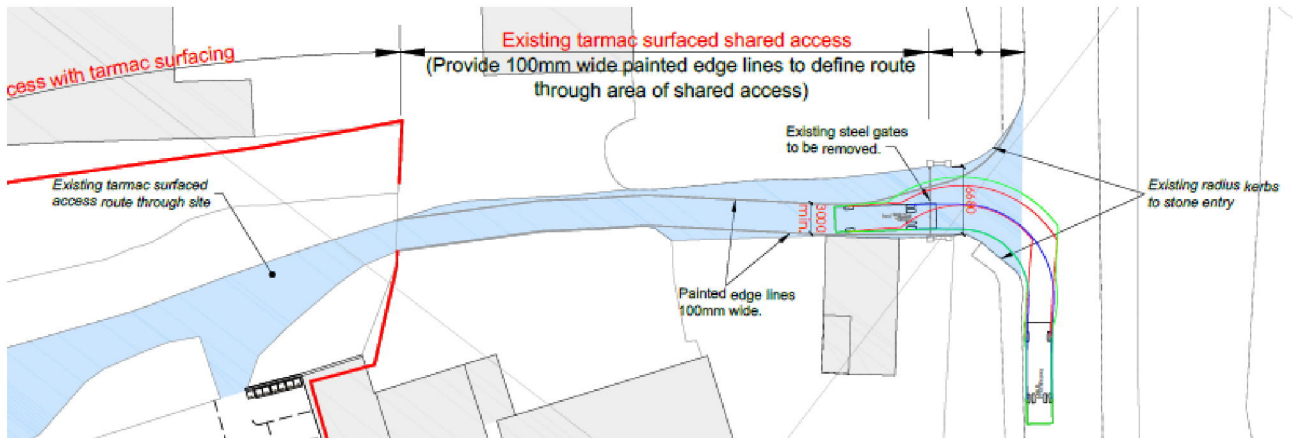


The land shaded blue on the above extract from the drawing is owned by my client. The applicant has not approached my client for permission to use this access road for his development. Consequently, the applicant does not have permission from the owner to “provide 100mm wide painted lines to define route through area of shared access” nor does he have consent to remove the “existing steel gates”, which are also owned by my client.

Consequently, the applicant will not be able to implement the proposed white lining or the removal of the gate to facilitate access to the development site. The applicant needs to amend his drawing to remove these

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elements of the proposal. The private access road needs to be shown as it is in its existing condition, as the owner has not agreed to any alterations.



It is noteworthy that the red line around the application site (on the left hand side of the above plan extract) has not been continued around the whole of the blue shaded access road. Perhaps this is because the applicant knows that this land is not in his ownership, or under his control, but he doesn't want to admit to this fact on his plans. Furthermore, the applicant has not served notice on the owner, making the current application unlawful.

Turning to the Construction Management Plan for planning condition 3, drawing A-030-COND3 raises a number of concerns, as follows:

1. The contractors Compound and Storage area seem to be ridiculously small for a development of this size. It is considered highly unlikely that the necessary plant, machinery and materials will all be able to be kept within such small areas. Inevitably, this will lead to plant, machinery and materials being stored all over the site and potentially beyond its boundaries. Alternatively, the plan needs to be amended to show a more realistic area for the contractors compound and storage.
2. No toilet facilities are indicated on the plan for the use of staff working on the project. These need to be added to the plan.
3. The plan states that "co-ordination of works to ensure that no access is impeded will be the responsibility of the site manager. The client through their advisers will ensure that all their immediate neighbours are informed." Quite frankly, this statement is not believable. The applicant has a track record of not engaging with neighbours. As stated above, he has not even approached the owners of the access road to discuss arrangements. He has also not served notice on current owners. Therefore, this statement carries no weight and should be disregarded.

We consider that this application, specifically in relation to the discharge of conditions 3 and 4, should be refused, because the applicant has not served notice on the owner of the access road; he has not secured the agreement of the owner to use the access road, let alone paint lines on it or remove the gates and he has made statements in his CTMP, which do not stand up to scrutiny based upon his previous track record.

This application should be refused.

Yours sincerely,  
for R P S Group Limited



**Jim Bailey**  
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