**From:** Trevor Dixon
**Sent:** 20 August 2018 17:01
**To:** Bob Duxbury
**Subject:** RE: Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester

Bob,

Based on the submitted Noise Assessment, referenced A108033, submitted by WYG and following a discussion with the Consultant, there would be no objection to the discharge of condition 23 subject to the satisfactory completion of the recommended mitigation works.

Can we require post scheme verification?

Trevor

**Trevor Dixon**

**Environmental Protection Manager**

Cherwell District and South Northamptonshire Councils

Direct dial: 01327 322279

trevor.dixon@cherwellandsouthnorthants.gov.uk

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**From:** Bob Duxbury
**Sent:** 10 August 2018 14:47
**To:** Trevor Dixon
**Cc:** Rebekah Morgan
**Subject:** FW: Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester
**Importance:** High

Trevor,

You have been consulted on proposed noise mitigation measures for the last phase of a new development on Skimmingdish Lane in Bicester – namely acoustic fencing to protect the adjacent care home from noise nuisance from the use of car parking and loading bays on the adjacent warehouse. I have undertaken that we will determine this submission by the due date of 20 August. This matter is now the last item requiring a response from consultees. Can you respond asap

Bob

**From:** Emma Lancaster [mailto:emma.lancaster@quod.com]
**Sent:** 08 August 2018 14:43
**To:** Bob Duxbury
**Cc:** Rebekah Morgan; joy.white@oxfordshire.gov.uk; Kelvin Pearce; Laura Precious
**Subject:** RE: Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester

Bob

Thanks for coming back to me and for your reassurance that this application will be determined in advance of 20 August.

As per my email of Monday (attached) the OCC response has been returned now. The only matter outstanding relates to the acoustic screen (condition 23).

If you can do what you can to move the application along in Rebekkah’s absence it would be much appreciated. As I mentioned in my original email, we really do not wish to head down the Deemed Discharge route again unless we must.

For your information, we are also chasing your validation team regarding Condition 25 (public art) – given the pre-application engagement we had with the Council we are hopeful this can be determined in the same timescales, but are yet to receive confirmation of the officer who is dealing with it (we have spoken with the validation team about this matter on a couple of occasions).

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**From:** Bob Duxbury [mailto:Bob.Duxbury@cherwellandsouthnorthants.gov.uk]
**Sent:** 08 August 2018 14:15
**To:** Emma Lancaster <emma.lancaster@quod.com>
**Cc:** Rebekah Morgan <Rebekah.Morgan@cherwellandsouthnorthants.gov.uk>; joy.white@oxfordshire.gov.uk
**Subject:** RE: Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester

Emma,

I acknowledge receipt of your e-mail below, which I read upon returning from leave yesterday.

I am aware that Rebekah chased Joy White of OCC before going on leave , and I will repeat that chasing this week.

I can confirm that it is our intention to ensure that the application is determined as soon as possible , and in any event by 20 August.

**Bob Duxbury**

**Major Projects Manager**

Development Management Division

Place & Growth Directorate

Cherwell and South Northamptonshire Councils

Direct Dial 01295 221821

Bob.duxbury@cherwellandsouthnorthants.gov.uk

[www.cherwell.gov.uk](http://www.cherwell.gov.uk/)

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**From:** Emma Lancaster [mailto:emma.lancaster@quod.com]
**Sent:** 02 August 2018 18:18
**To:** Rebekah Morgan
**Cc:** Bob Duxbury; Laura Precious; Kelvin Pearce
**Subject:** RE: Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester

Bob

In Rebekah’s absence I would be grateful if you could pick this up.

The submissions have been with the Council for a considerable period of time (since 30th May in fact), and we have been in touch with Rebekah on a number of occasions to check that she was following up with consultees to secure their timely responses.

From our perspective, it’s simply not acceptable to be asked to agree an extension of time after the target determination date has already passed because of consultees’ failure to respond to the submissions without any explanation whatsoever, and no certainty about when the responses will be received from them. Consultees are given 21 days to return comments on the submissions and they have failed to do so without first agreeing a longer period to respond – the local planning authority is free to determine the application in these circumstances.

You will be aware that this is not the first time that we have experienced difficulties in securing the timely discharge of planning conditions on this strategic employment site, and that we have received assurances on a number of separate occasions from Adrian and Jim that the Council want to do everything they can to support delivery.

We do not want to be forced to bring this to Adrian or Jim’s attention, or have to go down the Deemed Discharge route again here but may be left without any alternative. My client (Albion Land) has been corresponding with Adrian about the programme for delivery on Zone 1, and in that correspondence it was confirmed that the intention was to commence development on Zone 1 on 20 August 2018. The ability to commence development is clearly jeopardised by the Council’s failure to determine this application, which may have implications for the sale of the Site (and therefore its delivery overall).

With all of the above in mind, I would be grateful if you could come back to me to confirm (i) this matter is receiving your urgent attention and (ii) the Council will work with us to ensure that it is possible to positively determine the application prior to 20 August to enable development on Zone 1 to commence as intended.

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**From:** Rebekah Morgan [mailto:Rebekah.Morgan@cherwellandsouthnorthants.gov.uk]
**Sent:** 01 August 2018 14:19
**To:** Emma Lancaster <emma.lancaster@quod.com>
**Cc:** Bob Duxbury <Bob.Duxbury@cherwellandsouthnorthants.gov.uk>
**Subject:** Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester

Good afternoon Emma,

**Re: Application 18/00239/DISC: Link 9, Land North East of Skimmingdish Lane, Bicester**

Unfortunately I have not received a response from either consultee with regards the discharge of conditions application that you have made.  I have chased both consultee’s today; I have advised them to contact you directly if they require any further information or have any concerns with the submitted details.

Please note I will be on annual leave from Friday 3rd August to Wednesday 22nd August (inclusive).  If you need to contact the consultee’s directly, they can be contacted on the following e-mail addresses (I don’t have details of the specific person with the requests):

Oxfordshire County Council – Condition 9 (drainage) and Condition 14 (Parking and manoeuvring details)

planningconsultations@oxfordshire.gov.uk

Cherwell District Council Environmental Protection Team – Condition 23 (Acoustic screening details)

DLPPBusSupportAssistants@Cherwell-DC.gov.uk

I am also aware that we need to agree an extension of time for this application.  Due to my annual leave, I would suggest an extension until Monday 27th August 2018.  I would hope by this point that I will have received responses from all consultee’s and you would have had the opportunity to address any issues (should they arise).  Please could you confirm you agreement to the proposed extension of time.

*With kind regards*

*Rebekah Morgan*

*Rebekah Morgan (Mrs)*

*Senior Planning Officer – Major Projects Planning Team*

*Development Management*

*Place and Growth Directorate*

*Cherwell and South Northamptonshire Councils*

*Direct Dial tel: 01295 227937*

*Department tel: 01327 322237*

*Email:* *rebekah.morgan@cherwellandsouthnorthants.gov.uk*

[*www.southnorthants.gov.uk*](http://www.southnorthants.gov.uk/)

Please note that South Northamptonshire Council adopted the Community Infrastructure Levy (CIL) on 21 October 2015.  This means that all liable developments granted planning permission**,** including those allowed by an appeal decision, on or after **1st April 2016** will need to pay the levy.  The CIL will not apply to liable developments that receive permission before this date.  **The CIL will also apply to some developments that do not need planning permission if they are commenced on or after 1st April 2016.**  Charges will apply to developments of new houses AND to new residential and retail developments of over 100sqm.  More information about the CIL (including the Charging Schedule, definitions of what developments are liable and what developments are exempt) can be viewed by clicking here: <http://www.southnorthants.gov.uk/7143.htm>

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