

Planning & Regulatory Services

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Managing Director
(C/o Lewis Simpson)
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Century House, Roman Road
Blackburn
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Date: 5 January 2016

Without prejudice

Dear Sirs,

INSTALLATION OF ENERGY TRANSFER EQUIPMENT, PIPEWORK AND CABLING ON BEHALF OF OXFORD UNIVERSITY HOSPITALS NHS TRUST, HEADINGTON OXFORD

Thank you for the information that you have supplied about the above project. I confirm the council as local planning authority has so far been sent copies of s.50 licences that you have obtained from the Highway Authority and a set of plans showing alignment and other details of the energy infrastructure you intend to install in the highway between the two hospital sites. I have also had a number of conversations with your Project Manager over the last two weeks.

The council has reviewed the information supplied. Based upon that we remain unclear that you have the necessary planning permission or are able to rely upon specific permitted development rights to undertake the works you are now implementing on behalf of the hospital trust.

The s50 licences copied to us do not absolve a developer or contractor from the need to obtain planning permission. They sanction, amongst other things, the works proposed but from the perspective of needing the consent of the body responsible for maintenance/control of the street. S50 itself provides that a street works licence does allow the works without the need for consent from anyone affected as an owner of existing apparatus in the street. It goes on to say (s50 (3)), "*A street works licence does not dispense the licensee from obtaining any other consent, license or permission which may be required.....*".

Each of the street works licences is subject to a number of standard conditions, number 12 of which is that "The Licensee shall liaise with anyPlanning Authority which may be affected by the works proposed under this licence and shall obtain any consents required from these authorities prior to the commencement of any work under this licence".

This makes it absolutely clear that other permissions may be required in addition to the s.50 licence. The council as local planning authority has no record of specific planning



permission being sought or given for the proposed works between the two hospital sites (outside of the works within the hospital sites itself).

At the current time our position is that planning permission appears necessary for the proposed works and I would urge you and the Trust to address this situation by the submission of a full planning application at the earliest opportunity. I would also advise you to seek an urgent screening opinion under the environmental assessment regulations as to whether an environmental impact assessment will be necessary in addition.

Please don't hesitate to contact me for any further discussion about the contents of this letter.

Yours faithfully,

Patsy Dell

Patsy Dell, Head of Planning and Regulatory Services

Copies to:

[1] OUHNHST c/o Mark Bristow Locum Project Manager, Oxford University Hospitals NHS Foundation Trust, Operational Estates, John Radcliffe Hospital. OX3 9DU.
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