# PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Wednesday, 27 September 2023 commencing at 10.00 am and finishing at 4.05 pm

**Present:**

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| **Voting Members:** | Councillor Geoff Saul – in the Chair |
| | Councillor Richard Webber (Deputy Chair)<br>Councillor Yvonne Constance OBE<br>Councillor Imade Edosomwan<br>Councillor Mohamed Fadlalla<br>Councillor Stefan Gawrysiak<br>Councillor Judy Roberts<br>Councillor Ian Snowdon<br>Councillor John Howson<br>Councillor Ian Middleton |
| **Other Members in Attendance:** | Councillor Robin Bennett (Registered Speaker)<br>Councillor Duncan Enright (Registered Speaker)<br>Councillor Charlie Hicks (Registered Speaker)<br>Councillor Liz Leffman (Registered Speaker)<br>Councillor David Rouane (Registered Speaker) |

**Officers:**

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| Whole of meeting | Paul Grant, Head of Legal<br>Rachel Wileman, Director of Planning, Environment and Climate Change<br>Nicholas Perrins, Head of Strategic Planning<br>David Mytton, Legal Advisor<br>David Periam, Development Management Team Leader<br>Jason Sherwood, Growth Manager South and Vale<br>John McLauchlan, Application Team, OCC<br>Dan Townsend, Application Team, OCC<br>Sean O'Connell, Transport Planner, AECOM<br>Penny Taylor, Landscape/Arboriculture Advisor<br>Alick Natton, Environmental Health Officer, VOWH & SODC |

*The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with [a schedule of addenda tabled at the meeting ][the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports and schedule/additional*

*documents], copies of which are attached to the signed Minutes.*

## 6/23 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 1)

Apologies for absence were received from Councillors Ted Fenton, Les Sibley, David Rouane and Robin Bennett.

Councillor John Howson substituted for Councillor David Rouane and Councillor Ian Middleton for Councillor Robin Bennett.

## 7/23 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE BELOW
(Agenda No. 2)

There were none.

## 8/23 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 3)

There were 17 requests to address the Committee.

The speakers were as follows:

Charlie Hopkins (Neighbouring Parish Councils Joint Committee)
Debbie Davies (Oxfordshire Roads Action Alliance)
Mark Beddow (East Hendred Parish Council)
Victoria Shepherd
Caroline Baird (Read by Victoria Shepherd)
Richard Tamplin
David Pryor (Chair of Didcot First)
Sue Scane (Deputy Chair of Didcot First)
Iain Wallace (Head of Campus and Property Development – UK Atomic Energy Authority)
Peter Canavan (Partner Carter Jones) on behalf of CEG (promotors of allocated site STRAT9: Land Adjacent to Culham Science Centre)
Bethia Thomas (Leader of Vale of White Horse District Council)
David Rouane (Leader of South Oxfordshire District Council)
Cllr Charlie Hicks (Oxfordshire County Council)
Cllr Robin Bennett (Oxfordshire County Council)
Cllr Duncan Enright (Oxfordshire County Council)
Cllr Liz Leffman (Leader, Oxfordshire County Council)
John McLauchlan (Applicant)

## 9/23 DIDCOT GARDEN TOWN HIF 1 SCHEME
(Agenda No. 4)

Legal Advisor, David Mytton, read out the following statement:

“This meeting is for the Committee to decide how it wishes to respond to the Secretary of State’s decision to call in the HIF1 planning application for his own determination and the four questions the Secretary of State has asked to be informed about.

This is a new decision for the Committee in a new context. It is not a continuation of the meeting that took place on 17 and 18 July, nor is it a reconsideration of the application. For that reason, all Members of the Committee have been invited to this meeting in the normal way. It is not restricted to those Members who took part in the meetings on 17 and 18 July.

We have received legal advice that the call-in decision of the Secretary of State is valid unless and until there is a successful challenge to it and that the Council must comply with it.

We have also received legal advice that the Committee is entitled to revisit its earlier decision in the light of the new context and to consider afresh in the light of all material considerations whether it wishes to continue with the existing reasons for refusal and how it wishes to proceed.

We have considered the various legal points raised by the Parish Councils and others and have concluded that there is nothing in those points which requires any amendment to the report to committee or the recommendations in it.

The Local Planning authority is entitled to and is now required to reach a view as to how it wishes to proceed in the light of the call-in of this application. It is not bound by its earlier decision and can come to a different view if it wishes.”

Councillor Howson asked for clarification on the point at which a decision is made on an application. He also asked if there was a time limit for issuing a decision notice.

The Legal Advisor responded that in his view the point at which a decision was made was the point at which the decision notice was issued. The Secretary of State had called the application in under Section 77 and concluded that he had the ability to do so. Thereby the Council was bound by that decision and had to comply. There was nothing written in law on how long after a decision was made, a decision notice had to be issued. The Secretary of State decided that the decision notice was not issued and therefore he could call it in.

Councillor Middleton asked if the Council had queried the call-in with the Secretary of State as he did not understand by which auspices the Secretary of State can call-in a decision after a two-day meeting, a number of addresses from the public, a day deliberating the application and reasons given for the decision. Councillor Middleton felt that it set a dangerous precedent.

The Legal Advisor responded that the Secretary of State had called it in and had concluded that he had the power to do so.

Councillor Gawrysiak asked for clarification on the purpose of the meeting. He asked if the Committee could conclude that the 8 reasons for refusal had been addressed

by officers and could therefore reverse the original decision. He also asked if a new decision could be made with amendments, thereby negating the need for the Secretary of States involvement.

The Legal Advisor responded that the Committee was making a new decision and not reversing the previous decision. There were 8 reasons for refusal and the Committee was required to consider these reasons in light of the 4 questions asked by the Secretary of State.

The Chair added in response to a point by Councillor Constance that the Committee was no longer making a decision on the application itself. It was deciding what representations to make to the Secretary of State.

The Director of Planning, Environment and Climate Change, Rachel Wileman, read out the following statement:

"The application before members today is for a major highway development, comprising four parts.

- The dualling of the A4130 to the east of Milton Gate towards Didcot
- The construction of a bridge, known as Didcot Science Bridge, and a single carriageway road that will connect the A4130 to Collett Roundabout via a route that crosses the former Didcot A Power Station Site
- A new, single carriageway road between Didcot and the A415 which would include a bridge over the Appleford Rail sidings and a bridge and viaduct over the River Thames and Bridge Farm Quarry, and
- A Bypass for Clifton Hampden, which would connect the A415 with the B4015 via a new route to the north west of Clifton Hampden
- The proposed development also includes a new, continuous walking and cycling network along its length as well as related highway infrastructure such as roundabouts, bus stops, lighting, and drainage infrastructure, as well as landscaping.

As the committee is aware, the application was reported to the meeting of this committee on 17th and 18th July 2023 where the committee resolved to refuse the application for the eight reasons set out in today's committee report. The July committee report is attached as Annex 2 to today's committee report.

Before the decision notice was finalised and issued, by letter dated 25th July 2023, which is attached as Annex 1 to today's committee report, the application was called-in by the Secretary of State for his own decision. Therefore, the application has not been determined and the Secretary of State is now the determining planning authority. Nonetheless, the County Council as Local Planning Authority is required by the Secretary of State to provide a Statement of Case as a Written Statement for the Local Inquiry which will now be held by an inspector appointed by the Secretary of State. The County Council as Local Planning Authority is also required by the Secretary of State to work with the applicant to produce a Statement of Common Ground. The purpose of today's committee meeting is therefore for the committee to decide as Local Planning Authority what it wishes to include in its Written Statement and to authorise me to carry out any related work on its behalf.

The Secretary of State has set out in his letter of 25th July 2023 that he particularly wishes to be informed about

a) The extent to which the proposed development is consistent with Government policies for delivering a sufficient supply of homes as set out in chapter 5 the NPPF; and

b) The extent to which the proposed development is consistent with Government policies for building a strong, competitive economy as set out in chapter 6 of the NPPF; and

c) The extent to which the proposed development is consistent with the development plan for the area; and

d) any other matters the Inspector considers relevant.

The Written Statement should therefore address the four areas which the Secretary of State has stated he particularly wishes to be informed about. The committee therefore needs to consider how it wishes to respond to the four questions raised by the Secretary of State and whether and if so how its previously intended reasons for refusal now fit with its answers to those questions.

The planning application is supported in principle by the Vale of White Horse Local Plan and the South Oxfordshire Local Plan, which taken together are the principle documents that set out the spatial strategy for the application area. The proposed development is required to address existing severe congestion, poor access and air quality issues in Science Vale, which have arisen because the existing highway infrastructure has failed to keep pace with housing and other development. These impacts affect all modes of travel, including walking, cycling, public transport and private car use. They are also difficult to address due to the severance caused by the Great Western Mainline and the River Thames. As set out in today's committee report, no objection in principle to the development in terms of its delivery of the spatial strategy was raised in the previously intended reasons for refusal. In the absence of the required infrastructure which the planning application seeks to provide, it will be impossible for the planned housing and economic growth to be delivered as envisaged in the spatial strategy. The short point is that there will have to be a highway of broadly this scale and nature in broadly this location to enable the housing and employment strategy for the area.

The proposed development would though cause localised harms and impacts that are of concern to affected residents and communities.

The proposal would cause significant harm to the occupants of some individual properties, schools, and commercial developments through adverse noise effects that, for some, would not be fully mitigated and this would be a permanent harmful effect.

The landscape and character of the local area would be changed, and this would cause localised harmful effects through changes to views, urbanisation, loss of trees

and other vegetation, and the impact of associated infrastructure such as lighting. Whilst the applicant has sought to minimise these effects as far as is practicable, it remains the case that there are aspects of the development where there are limited opportunities available to soften its impact and to integrate it fully with its surroundings.

The development would also cause less than substantial harm to the significance of the Grade I Nuneham Courtenay Registered Park and Garden, the Nuneham Courtenay Conservation Area, the Sutton Courtenay Conservation Area, and the Grade II Listed Fullamoor Farmhouse due to changes to the asset's settings. The development would also cause less-than-substantial harm to the significance of the Scheduled Monument 1006345, due to changes within its setting. The harms to designated heritage assets should be given great weight and importance when weighed against the public benefits of the development. There would also be harm to non-designated heritage assets, including Hill Farm and New Farm as well as to archaeological deposits.

Finally, the proposed development would cause harm to the Green Belt by way of its inappropriateness and impact on openness. This harm should only be allowed in very special circumstances and where the harm to the Green Belt and all other harms are outweighed by the benefits of the scheme. It remains my advice that very special circumstances are present in this instance and therefore that the development is in accordance with national and local policies that seek to protect the Green Belt.

Turning to the benefits of the development, both the Vale of White Horse and South Oxfordshire District Councils and the Highway Authority are clear that the development underpins the spatial strategy for the Science Vale area, and is essential for the delivery of homes on allocated land adjacent to Culham Science Centre, at Berinsfield Garden Village, and in and around Didcot in South Oxfordshire; and land at East of Sutton Courtenay, Milton Heights, Valley Park and North West of Valley Park in the Vale of White Horse. The development would enable jobs growth and would support the social and economic prosperity of the Science Vale area.

The proposed development is the cornerstone of mitigation that is required to enable planned growth to occur without severe harm being caused to the highway network. Without the development, planned housing and employment development of the anticipated scale will not be possible. Opposing the proposed development will therefore undermine the spatial strategy for both South Oxfordshire and the Vale of White Horse districts. Members are advised that principle of development should be accepted and should carry very strong weight in the Secretary of State's decision-making process.

Other benefits of the development would include the delivery of a high quality, near continuous, segregated footway and cycleway route that would provide a genuine alternative to private car travel. The beneficial impacts on the road network in terms of improved connectivity across the Great Western Mainline and the River Thames would ease congestion and reduce journey times and reliability for bus travel. Additionally, there would be reductions in traffic volumes through some local villages including Clifton Hampden and Appleford which would improve the quality of the environment and bring associated reductions in noise levels to some properties.

Since the July committee meeting, the applicant was invited [by me] to respond to the eight intended reasons for refusal of the application and in particular to the sustainability aspects, specifically to address concerns over the carbon emission impacts of the scheme and the alignment of the scheme with the Council's Local Transport and Connectivity Plan 2022-2050; and a perception of the Committee in July that the scheme was too car dominated and lacks prioritisation for public transport to encourage modal shift, such as bus priority measures or integration with local area transport plans. This request and the applicant's response are attached as Annex 5 to today's committee report. The responses made by the applicant are addressed in the main body of today's committee report against each of the eight previously intended reasons for refusal of the application. Whilst any amendments to the application can only now be made with the agreement of the inspector appointed by the Secretary of State, the applicant has stated that it will commit in its evidence to the Local Inquiry to conditions being attached to any planning permission that may be granted by the Secretary of State including:

i) To secure a carbon management plan;

ii) To promote modal shift by seeking to deliver a scheme of bus priority measures to be in place when the road is opened;

iii) Exploring the possibility of relocating the proposed noise barrier closer to the proposed carriageway adjacent to Appleford Village, by relocating it between the No-Motorised Users provision and the carriageway.

iv) Installing noise monitoring equipment at a location in the proximity of Appleford Village for the duration of the construction works of the Didcot to Culham River Crossing.

v) Upgrading up to 50 proposed new trees to semi-mature specimens in the following areas: Didcot Science Bridge, River Thames Area, Culham Science Centre Roundabout Area, Clifton Hampden Conservation Area.

vi) To enhance the design of the bridge during development of the detailed design for the structure

The applicant has also provided further information including:

- A signposting document with regard to the assessment of the health impacts and concludes a robust health assessment has been made;

- that it remains of the view that the traffic modelling carried out is robust and that the proposed development does accord with LTCP policies; and

- that very special circumstances exist for the development in the Green Belt.

Taking all of the above into consideration, it is clear that members will need to balance the planning merits of the proposed development in reaching a decision on the position it wishes to take as Local Planning Authority to put forward in its Written

Statement. The officer advice to Members, is that, notwithstanding the conflict with some policies in relation to noise, the proposal accords with the development plan when read as a whole and is consistent with Government policies for delivering a sufficient supply of homes as set out in the NPPF (Chapter 5); and with Government policies for building a strong, competitive economy as set out in the NPPF (Chapter 6).

At the July committee meeting thorough consideration was given to the development proposed in the application in arriving at the eight intended reasons for refusal. The Committee should now consider whether it believes it wishes to continue with any or all of those eight reasons as reasons for now opposing the development proposed in the planning application at the local inquiry. I have set out in today's committee report my advice on each of these eight reasons and how they contribute to the assessment of the matters which the Secretary of State has stated he particularly wishes to be informed. I am concerned that some of these reasons will not stand up to the robust examination which they are likely to receive by the inspector when taken in the context of the matters which the Secretary of State has stated he particularly wishes to be informed about. In particular, I recommend that the development is not opposed on the basis of the conflict with Green Belt policy.

The applicant is proposing a series of enhancements to the proposals that can be secured by conditions. I consider that this is a material change in circumstances and potentially resolves the intended reasons for refusal and could enable the local planning authority to adopt a neutral stance and not oppose the application in its Written Statement.

If, however, members disagree, I have also set forward an alternative approach of clearly setting out the concerns with regard to the reasons for refusal in a Written Statement to the local inquiry, asking that the inspector consider each matter carefully and accord it relevant weight in the planning balance, and their assessment against the development plan's spatial strategy for the area and with regard to how the proposed development is consistent with Government policies for delivering a sufficient supply of homes as set out in the NPPF (Chapter 5); and the extent to which the proposed development is consistent with Government policies for building a strong, competitive economy as set out in the NPPF (Chapter 6)".

The Development Management Team Leader, David Periam, presented and explained the Didcot Garden Town HIF 1 Scheme in detail.

The Head of Strategic Planning, Nicholas Perrins, updated the Committee on the addendum to the report which summarised a further 11 representations received and the officers' responses to these.

The Committee were addressed by the following registered public speakers:

Debbie Davies, representing the Oxfordshire Roads Action Alliance (ORAA), spoke against the application and made the following points:

- The impact of traffic had not been assessed.
- What happened to traffic when it reached the Golden Balls end of the road?

- It was raised by three Councillors during the meeting of 18 July 2023, that it was a road to nowhere.
- The applicant stated that traffic congestion would be relieved and the re-routing of HGV's from the A34 would be minimal but this would not have been subjected to traffic modelling.
- With the enquiry focused on points A, B, C and D, points A and B were not reasons for roads to be built if it increased road safety risks and the risks were unknown.
- The Committee was correct to refuse the application and the decision should be robustly defended.

Councillor Snowdon asked the speaker if ORAA were opposed to the scheme in its entirety and if they felt it would make the roads safer after the development was completed.
The speaker replied that they were concerned about the traffic modelling. The scheme had been assessed as a road for developments rather than part of the Highways network.

Councillor Roberts commented that there was a report in the original papers, that stated the building of the road would not increase traffic at the junction going into Abingdon and the only increased traffic would be due to the new housing estates. Councillor Roberts asked if ORAA disagreed with those findings.

The speaker said it was a concern and the modelling had not been done as a road that was part of the Highways network as agreed by three councillors at the meeting on 18 July 2023.

Mark Beddow from East Hendred Parish Council spoke against the application and made the following points:

- Oxfordshire County Council have a fixed, unlimited time, government grant and the liability for delay and escalating cost would lie with the Council and taxpayers.
- East Hendred Parish Council had no faith in Oxfordshire County Council Highways and particularly in the HIF1 project.
- The appeal to the Secretary of State should be withdrawn.

Charlie Hopkins representing the Joint Committee of the Neighbouring Parish Councils, spoke against the application and raised the following points.

- The Committee was urged to reject all of the recommendations set out in the officer's report and to uphold the decision of July's committee. A decision notice should be issued and the applicant requested to withdraw the application.
- The Article 31 Direction made by the Secretary of State in the call-in letter clearly stated that Oxfordshire County Council was prohibited from granting planning permission. There was nothing in Article 31 that permitted the Secretary of State to prohibit the Council from refusing permission. Consequently, as granting permission was not the decision of the Committee in July, there was no reason for the Council not to issue a decision notice.

- If the Committee voted in favour of the recommendations today, it would effectively reverse the decision of the July committee. The reasons for refusal remain as valid now as then.
- Five neighbouring Parish Councils were opposed to the scheme.
- The Committee should instruct the applicant to withdraw their application.
- Legal advice should be released, in full, to all Committee members and to the public.

Victoria Shepherd, a local resident of Appleford, spoke against the application and made the following points:

- Why had the Council not challenged the Secretary of States call-in?
- Local residents remained concerned about the inadequate and outdated traffic modelling and increased traffic into Abingdon.
- A legally and binding decision to refuse HIF1 was made on the 18 July and the purpose of today's meeting should be to withdraw the application.
- With rising interest and inflation rates, now was the time to develop more affordable and sustainable housing that would not destroy the local Green Belt.

Victoria Shepherd read out a statement prepared by local resident Caroline Baird who was against the application. The following points were made:

- There were increasing concerns about the public's role in the democratic process.
- A motion should be proposed to withdraw the application thereby making the Secretary of State's proposed intervention redundant.

Richard Tamplin spoke against the application and made the following points:

- If the Council did not have a dedicated appeals officer, it would need to appoint outside consultants at the inquiry. There was no possibility of a costs claim against the Council by the applicant. Outside consultants involved substantial costs, substantial staff-time, and embarrassing publicity. This could simply be avoided by asking the applicant to withdraw the application.

David Pryor, Chair of Didcot First and a local businessman in Didcot, spoke in support of the application and made the following points:

- Didcot lived on the edge of Oxford and had the power station and the railway built there. Didcot had waited 40 years for a new town centre and was now waiting for a significant infrastructure to be put in place.
- Didcot lived on the edge of wealth, contained some of the poorer pockets of Oxfordshire and needed support. Didcot was at leading edge of science and technology, and there was no other town in the UK surrounded by three innovation parks. The potential was there for Didcot to grow, to make Didcot a place where world class scientists would want to come to live and work and this required the HIF1 infrastructure.

Councillor Howson confirmed with the speaker that the three science sites mentioned were Milton Park, Harwell and Culham.

The speaker informed the Committee that Didcot was at the forefront of technology and that 80% of start-up companies collaborated with other companies on the three sites. They all worked together, and the potential was vast.

Sue Scane, Deputy Chair of Didcot First and the Chair of Didcot Volunteer Drivers, spoke in support of the application and made the following points:

- The residents of Didcot were promised the infrastructure alongside the housing, yet it still had not happened.
- All the reasons for refusal had been addressed in the original committee papers.
- Houses would bring more cars to Didcot and therefore more infrastructure would be required to deal with it. The building of the A1430 and Science Bridge would help steer traffic around the town reducing the usual bottlenecks.
- The two single lane bridges cannot cope with the volume of traffic and if either bridge were closed for repair, the result would be catastrophic. A modern bridge was required to take the pressure off of the old ones and provide linkage to South Oxford.
- It would allow cyclists a much safer option.

Councillor Roberts pointed out that there was not a Health Impact Assessment available at the previous committee meeting and the traffic modelling did not cover Golden Balls.

The speaker explained that she had focused on the impact of traffic at Didcot and the two bridges which created bottlenecks and as a volunteer driver, she had experienced people missing medical appointments because of them. It can take 25 minutes to get over the bridges.

Councillor Middleton commented that the speaker had implied that a development would bring in more cars, in a climate where reduction in car use was the aim and asked if the speaker had considered the principle of induced demand.

The speaker responded that there was a plan, 25 years ago, where each person could not have more than one parking space per person whereas actually, there are more cars coming. Public transport did not take people to where they wanted to be at the times they needed to be there. Infrastructure was required. Many of the people that volunteer drivers took to hospital were unable to use buses or bikes as they were not physically able to.

Councillor Webber asked if the speaker thought that the committee had got it wrong last time because they had been badly informed. The speaker said that having reviewed the reasons for refusal, she felt that all of those reasons had been addressed in the original report and in the original HIF bid. With better information, the proper process should be followed, and the application supported. This is the best scheme that has ever been put forward.

Councillor Webber asked if the speaker felt that as the scheme had been around for a long time, as far as the environment was concerned, things had moved on and was told that there were improvements to cycling, walking and bus transport, but cars were still causing traffic jams and pollution.

Councillor Edosomwan commented that it was unfair to suggest that the Committee had made the wrong decision last time when there was new information available in the reports.

Councillor Snowdon asked the speaker if she thought that this scheme would improve bus times and make it safer for cyclists. The speaker responded that she absolutely agreed with that view. Bus companies would increase their services if they had a reliable route.

Iain Wallace, Head of Campus & Property Development – UK Atomic Energy Authority, spoke in support of the application and made the following points:

- Having worked for many years on the redevelopment of Culham, the HIF1 scheme played an integral role in this and a planning application for infrastructure on the campus. The Culham Campus was a globally recognised research hub for technology with 4,000 people employed there.
- The UK government launched a Fusion Strategy and the Culham Campus development was at the heart of the strategy. It had been requested that the campus had special designation to support growth and therefore UK Atomic Energy Authority were strongly in support of HIF1. If HIF1 did go ahead, delivery would be challenging.

Councillor Middlelton said he did not understand why the road was so vital to the Culham Campus when the road had been intended for houses and presumably, some of those houses would be occupied by staff. The speaker explained that there were huge problems with traffic congestion on the roads to the Campus and if the Campus doubled in size in 30 to 40 years, infrastructure would be needed to support that.

Councillor Roberts commented that in the report, Culham Nursery was one of the places that were going to be affected by the increase in noise pollution and asked if greater mitigation would be required. The speaker took the view that it would decrease the impact on the nursery as the roundabout would slow traffic and improve the situation.

Councillor Howson asked if congestion was predominantly during rush hour and if there was anything being done on Campus to alleviate the problem. The speaker explained that the focus was on future development and alleviating future congestion. Staff were encouraged to work flexibly.

Councillor Snowdon asked if UK Atomic Energy Authority had done any internal surveys on the volume of people that drive over the bridge from Didcot. The speaker said that surveys had been done and that more surveys were required.

Peter Canavan, spoke on behalf of CEG (promoters of allocated site STRAT9: Land adjacent to Culham Science Centre) in support of the application and made the following points:

- CEG were developing Culham Science Village, delivering 3,500 new homes. This was on a site allocated for this purpose in the South Oxfordshire Local Plan and would be supported by the HIF1 scheme.
- The HIF1 road scheme first emerged 10 years ago in Local Plan drafting exercises, designed to relieve pressure and support the new development of 14,000 homes and several thousand jobs.
- The HIF1 scheme was to promote active and sustainable travel, not just cars.

Bethia Thomas, Leader of the Vale of White Horse (VOWH) District Council, spoke in support of the application and made the following points:

- Vale of White Horse District Council strongly supported the HIF1 scheme.
- VOWH encouraged Members to withdraw the 8 reasons for refusal. It was noted that the Council had no principal objection to the application.
- HIF1 was essential in the delivery of VOWH Local Plan. Significant plans were underpinned by much needed transport infrastructure in and around Didcot.
- Without HIF1 there was significant risk to the VOWH Development Plan Strategy which may prevent the delivery of over 1,000 homes including 350 Affordable Houses and 300,000 metres of commercial floorspace.
- VOWH recognised delivery of the HIF1 in the Green Belt satisfied very special circumstances for the incursion.
- Members were advised to withdraw the reasons for refusal and support the additional conditions set out in the officer's report.

Councillor Snowdon asked the speaker to comment on the effect on the Joint Local Plan if the Secretary of State refused the plan.
The speaker responded by saying that it would have a significant effect on the ability to deliver the housing identified in the Local Plan, as well as employment sites.

Councillor Webber asked if the speaker accepted the arguments for refusing the applicant, to which the speaker responded that there was little reason for refusal.

Councillor David Rouane, Leader of South Oxfordshire District Council (SODC), spoke in support of the application and made the following points:

- South Oxfordshire County Council strongly supported the proposed Highways strategic infrastructure known as HIF1. It was essential to support the delivery of housing and developments in the SODC adopted Local Plan. 15,000 new homes were directly dependent on HIF1 being delivered to mitigate their impact. It also directed the key sources of employment to the Science Vale area with the Local Plan supporting the creation of approximately 10,000 jobs.
- SODC welcomed the improvements to the scheme which included sustainable modes of transport and upgraded landscape and design which would help mitigate the harmful effects of the development and the harmful effects of development on Didcot and surrounding areas.

Councillor Snowdon asked Councillor Rouane to explain to the Committee, how this scheme would affect other housing coming through speculative development. Councillor Rouane responded that speculative development was random and unpredictable and if the HIF1 scheme did not go through, it could be argued that it may stop speculative development in Didcot and move it somewhere else in the district.

Councillor Roberts asked if there was a large development planned in Berinsfield, with Section 106 money. Councillor Rouane confirmed that there was, and it was specifically mentioned in the HIF1 bid as one of the sites that would benefit from this proposal.

Councillor Hicks, Oxfordshire County Council, spoke against the application and made the following points:

- The legal advice at the start of the meeting appeared to be in contradiction with itself. To resolve this, the decision notice should be published separately to today's decision notice. The advice was that the July Committee made a decision; a decision was only formally made when a decision notice had been published and that the meeting today could only go ahead on the basis that the Committee in July had made a decision. Therefore, this was a new meeting with a new process and consideration and consideration needed to be given to the contradiction and the Committee should resolve to publish the decision made at July's Committee meeting.
- The application should continue to be rejected with reasons 1 & 8. The core claim of officers was that the highways were needed for housing development based on the assumption that they would be car dependent and would add new cars to the network. These claims were in conflict with material planning considerations of the Climate Change Committee report and the Council's LTCP Policy 36, specifically 'Decide and Provide'. The Climate Change Committees report referenced that the government needed to have policies to limit traffic growth and address private car demand. None of these things were addressed here. The recommendation stated that the UK should conduct a systematic review of current and future road building projects to assess consistency with the Governments environmental goals. This recommendation from the Climate Change Committee should be added to reason 1 if this were to go to the Inspectorate.
- 80% growth (paragraphs 83-90 of the officer's report) was not what was used for 'Decide & Provide' and the officer's advice should be rejected.

Councillor Constance commented that the Secretary of State was clearly not considering the 8 reasons given in July but was addressing 3 different points entirely – proposed development consistent with sufficient supply of houses, consistent with policies bringing a strong and effective economy, and consistent with plans for the area. Two District Councils had informed the Committee that their local plans depended on delivery of the proposed scheme.

The Legal advisor stated that there was a decision made in July, but it was not completed by the issue of a formal notice so it did not prevent the Secretary of State from calling it in.

Councillor Bennett, Oxfordshire County Council, spoke against the application and made the following points:

- If measures were taken to soften the decision made at the last Committee meeting, Councillor Bennett would be concerned about the message it would send about democracy. Residents expected the Council to stand behind their decisions.
- It was clear by the amendments that more could have been done to improve the scheme.
- Since the Secretary of State had become involved, the Committee had become somewhat powerless about the decision taken in July.
- Fully recognised that Didcot needed infrastructure.
- The Committee should support the decision previously made.

Councillor Gawrysiak asked that as Deputy Leader of the South Oxfordshire District Council, did Councillor Bennett support Councillor Rouane's comments that HIF1 was integral to SODC's Local Plan development. Councillor Bennett responded that at the recent SODC extraordinary Council meeting, a motion was passed saying that the Council recognised the importance of infrastructure funded by HIF1 and the delivery of housing and economic sites as in the Local Plan. HIF1 was a funding package, and the Committee was looking at was a planning application. The Committee could support the funding package but not agree with every detail of the planning application.

Councillor Enright, Oxfordshire County Council, spoke in favour of the application and made the following points:

- This plan was consistent with the Local Transport and Connectivity Plan which would move OCC to a net zero transport system by 2040.
- Didcot had been forgotten by the County for many years. Many Councillors had asked for infrastructure alongside development. This was the infrastructure and it supported significant economic activity in the area.
- Although the overall impact on the network transport system was not a planning consideration, the aim was to reduce congestion in other areas.
- 4 out of 5 houses in Appleton would receive less noise pollution.
- It would produce proper cycle routes across the area for the first time.

Councillor Roberts asked Councillor Enright how 'Decide and Provide' was being implemented in this case. Councillor Enright responded that officers were better able to answer questions on the 'Decide and Provide' policy and the area travel plan was critical in this regard. Councillor Enright said that he would like to see Heavy Goods Vehicles using this robust new route and the route being used in future by zero carbon transport modes. Overall, Oxfordshire did not currently have the infrastructure to deliver a net zero transport system by 2040.

Councillor Howson commented that there had been little discussion about the existing rail transport network. Councillor Enright responded that rail was an important part of the future for Oxfordshire but would take time to develop. Currently

the railway network was inadequate in Didcot for the support needed for the new development.

Councillor Leffman, Leader of Oxfordshire County Council and Chair of the Didcot Garden Town Board, spoke in favour of the application and made the following points:

- Thanked all for the immense consideration given to this planning application.
- The planning application was a scheme in its own right, but not separate from other schemes and part of a wider spatial strategy for the whole of the County. It would connect with other schemes as they come forward, including rail network.
- What was needed was a variety of different transport options for people across the county to leave their cars at home and travel in sustainable ways. A modal shift was required, and climate change must be at the heart of everything the Council did.
- The scheme was needed because there was massive congestion around Didcot and that part of the County. The Committee had made a decision to reject the planning application, but now had the opportunity to do something creative with it.
- One of the reasons for rejection was the construction methods and the effect it would have on the Council's carbon footprint. We could and should, tweak the construction methods and could bring forward new proposals to present to the inspector, which would have an effect on the outcome of the enquiry and we could address the balance between car, bus and rail travel. We want a scheme that could be adapted and modified over time as people's mode of transport changed.

John McLauchlan spoke on behalf of the applicant and made the following points:

- Expressed thanks for the letters of support, including a letter from FCC Environment. A large proportion of the scheme would be built on landfill sites.
- HIF1 would bring significant economic benefits. There had been mitigations added but fundamentally it was the same scheme and the key objectives were to support housing development, economic growth, a flexible transport network and sustainable travel. The scheme would address current congestion, improve road safety, partly by segregating cyclists and take congestion from village roads onto a more appropriate thoroughfare. Affordable housing developments were supported by the HIF1 scheme. Cycling and walking would be greatly enhanced and it was an exemplary cycling infrastructure. It formed part of a balanced transport strategy, helping the modal shift. The infrastructure would improve bus routes around the Didcot area.
- The scheme was endorsed by Cabinet and the funding was in place from Homes England, Central Government. The funding could only be used for this scheme.
- It was not unusual to bring forward improvements; traffic signals could be adjusted, the noise barrier would be relocated a bit closer, noise monitoring equipment would be installed and there would be 50 new trees. A landscaping Enhancement Fund would be established providing £50,000 for the local community. The applicant would work with the planning authority to enhance

the design of the bridge and would continue to work with colleagues to enhance the scheme.

The Oxfordshire County Council application team, technical officers from Aecom and officers from the Local Planning Authority answered the following questions:

- Councillor Roberts commented that if maps of the road were available alongside the strategic sites approved in the Local Plans, it would make it much more obvious why the road was situated where it was and what the road was designed to cope with.
- Councillor Howson asked for clarification on the Urban Traffic Control (UTC) based bus priority system and how this could speed up buses and was informed that it was an intelligent system and over time, the system learns what it needs to do and can prioritise buses or the junction.
- Councillor Webber had concerns that the scheme may solve present traffic problems but what would happen with future traffic growth. Officers informed the Committee that the modelling that was carried out looked at the future year of 2034, by which time the majority of the Local Plan growth would have been delivered. It did show that parts of the network would be close to capacity. By that time the 'Design and Provide' approach would have been running for 10 years and it was hoped that traffic would start to reduce. The HIF1 scheme was part of a puzzle but was not the only infrastructure improvement. The scheme included cycling, walking and bus provision. Officers also explained that it was important to look at future land use. 2040 was a long way off, many Local Plans would have been completed and allocation of sites would have changed fundamentally. There would be much better land use planning. The HIF1 scheme was future proofed and could cover all of the Local Plans it was associated with and emerging Local Plans.
- Councillor Middleton asked for further clarification on the UTC system and felt that there needed to be some bus enabling infrastructure in place to stop buses from causing congestion. Officers informed the Committee that the bus companies were in support of the scheme, but a bus lane could be added if necessary. Officers explained how the UTC system worked and how it would reduce bus journey time with limited impact on capacity.
- Councillor Constance raised concerns about; buses not being promoted sufficiently, introducing carbon management during the construction phase only and whether the traffic modelling was robust and accurate. Officers informed the Committee that the traffic modelling had been checked, challenged and was robust enough.

Councillor Gawrysiak stated that he fully respected the decision taken at the last meeting and respected that the Committee was concerned that not enough information had been supplied. He said that there was an opportunity to look further at the planning application. From the statement of the Director of Planning, Environment and Climate Change, there were conditions added to secure a carbon management plan, promote modal shift, traffic signalling etc and these should be included in the wording of the planning permission. The documents also covered the Secretary of States questions a) & b). The scheme was crucial to the SODC and the Vale Local Plans. Didcot had housing developments without critical infrastructure. OCC Cabinet had endorsed the scheme.

The Committee revisited its reasons for refusal in the light of the 4 questions posed by the Secretary of State and decided how it wanted its comments and concerns to be conveyed to the inspector dealing with the call-in inquiry.

**Reason 1 – The Climate Change Committee's June 2023 Report to Parliament had not been properly taken into account in the application.**

Members highlighted paragraph 36 of the officer's report and felt that it provided a practical element that should be flagged up and maintained:

*"To further address the concerns on climate change and sustainability raised at the July committee meeting, the applicant is now committing that the contractor will develop and implement a plan to reduce energy consumption and associated carbon emissions. This could include the consideration of renewable and/or low or zero carbon energy sources and record percentage of savings implemented. Energy consumption and materials used will be recorded and reported on an ongoing basis during the construction phase."*

Members requested that officers took into consideration whether non car modes and in particular the rail network, was adequately provided for in the proposals.

The Chair felt that paragraph 37 of the officer's report should be highlighted:

*"They have also now committed that all the proposed traffic signals (junctions and crossings) across the Scheme will be designed and implemented with an Urban Traffic Control (UTC) based bus priority system. This system has the ability to encourage modal shift by prioritising public transport over other modes such as private car."*

A named vote was carried out on not maintaining a concern that the Climate Change Committee's June 2023 Report to Parliament had not been properly taken into account in the application and accepting the recommendation in the officer's report. Councillors, Constance, Edosmwan, Fadlalla, Gawrysiak, Howson, Roberts, Saul, Snowdon and Webber voted for the motion. Councillor Middleton abstained.

**RESOLVED:** that overall, the Committee considered that subject to the applicant's commitment, that it would put evidence to the Inquiry that it was committed to conditions being attached to any planning permission granted to secure a carbon management plan and to promote modal shift by seeking to deliver a scheme of bus priority measures to be in place when the road was opened, then a clear improvement would have been secured since the July committee. It was evident that further work would be needed through the inquiry process by the applicant to ensure that the proposed conditions would ultimately be deliverable and achieve the required outcomes, but the principle of what had been proposed was considered to be a positive. The Committee considered that with the proposed new conditions, along with the walking and cycling measures already included and commitment that the Area Strategy Travel Plan was being brought forward at pace, reason for refusal 1 was capable of being addressed through the Inquiry. Therefore, the Committee would not pursue reason for refusal 1 at the Inquiry, subject to confirming to the Inspector,

that any planning permission granted should be subject to a condition to deliver a bus priority scheme and also to a condition requiring the submission, approval and implementation of a carbon management plan to provide further details on emissions and include details of how whole life carbon emissions will be reduced and consider opportunities to reduce emissions associated with the construction phase. This carbon management plan should be required to be submitted and approved prior to commencement of construction and should remain in place during construction and be updated as needed during that period.

**Reason 2 – Lack of Very Special Circumstances for the development set against Green Belt Policy.**

Councillor Constance and Councillor Gawrysiak highlighted paragraph 44 of the officer's report:

*"in the alternative, if growth were to come forward without the proposed development it would likely result in gridlock and severe harm to the local highway network. It was therefore the view of officers that very special circumstances do exist and that those circumstances clearly outweigh the harm that would be caused to the Green Belt through reasons of inappropriateness, and the other harms set out in the previous committee report."*

Councillor Roberts commented that the amount of Green Belt affected was minor.

A named vote was carried out on not maintaining a concern regarding the Green Belt. Councillors Constance, Edosmwan, Fadlalla, Gawrysiak, Howson Roberts, Saul, Snowdon and Webber voted for the motion. Councillor Middleton voted against the motion.

**RESOLVED:** that the concerns regarding the Green Belt were not maintained.

**Reason 3 – The impact of traffic on Abingdon and Didcot had not been assessed in the application.**

Councillors Webber and Roberts expressed ongoing concerns about the modelling.

Councillor Constance reminded the Committee that during the July meeting, the Traffic Development Officer, made it clear that there was a separate study on Abingdon and it would be considered in the light of development around it.

Jason Sherwood from OCC Highway Authority explained the traffic modelling was a complex science and explained in some detail how the modelling worked. Jason Sherwood reassured the Committee that the modelling dealt with all of the employment growth, all of the development growth, change in travel behaviour and it was all mapped into the Oxfordshire Strategic Model. The modelling was robust.

It was noted that the Inspectorate should be made aware of the new modelling study to look at the impact on the A415.

**RESOLVED:** that overall, it was advised that the local planning authority in its Statement of Case did not oppose the application on this point but instead to set out the committee's concerns with regard to the extent of traffic modelling undertaken by the applicant, ask that, in reaching their recommendation to the Secretary of State, the inspector only recommended approval if they were satisfied that the traffic modelling carried out had robustly examined the wider traffic impacts beyond the application area and that conditions for the provision of bus prioritisation as set out in the officers report were attached to any planning permission granted by the Secretary of State.

**Reason 4 – Noise impacts on Appleford.**

Councillor Howson commented that he would like the Inspectorate to consider other measures to reduce noise such as road surface and Councillor Roberts would like further mitigation measures.

Councillor Middleton commented that it should be put on record that the Committee did understand the concerns of the residents of Appleford.

Alick Natton, Environmental Health Officer for both the Vale of White Horse and South Oxfordshire District Councils, explained to Members that the noise data was broadly based on modelling and the modelling was primarily based on traffic data. Average noise levels were produced over an 8-hour period at night and a 16-hour period during the day. Close to a main road in Appleford, there would be a series of individual noise events. By moving the traffic onto the new road, the main noise source would be further away so there would be a qualitative difference and what would be heard was more of a drone. Aecom had identified 19 properties that would be significantly adversely affected and had looked at further mitigation measures. Moving the barrier would have an effect but calculations in decibels had not yet been completed and it would be misleading to speculate. Moving the barrier would have a negative effect on 19 properties and 79 properties would benefit significantly. None of the properties would be affected to the level that would trigger compensation.
Aecoms' report also considered other mitigation measures such as road surfaces, but other surfaces degrade over time and would have to be managed.

**RESOLVED:** that the local planning authority in its Statement of Case did not oppose the scheme in respect of noise, subject to the Inspector being satisfied that the benefits did outweigh the harms and that it was necessary therefore to accept them if the spatial strategy was to be delivered and the aims of chapters 5 and 6 of the NPPF were to be met and subject to conditions as set out in paragraph 49 of the officer's report. This position would be predicated on the Inspector, including the proposed conditions in the grant of any planning permission. The Committee understood concerns about noise and the application should look at other means of reducing noise including low road noise surfaces.

**Reason 5 – The absence of a Health Impact Assessment.**

Officers commented that in July's meeting, the information was not contained within a Health Impact Assessment but spread out amongst the application. Now the information had been brought together in one place, in Annex 5.

**RESOLVED:** that the health impacts of the development had been properly assessed in the documents as part of the Environmental Statement submitted with the planning application and clarified with the information provided in Annex 5. Therefore, this reason for refusal was not pursued through the Inquiry and resolved instead through the Statement of Common Ground with the applicant.

**Reason 6 – The harm to landscape.**

Councillor Howson had concerns regarding the bridge over the Thames being close to Green Belt and would like officers to consider mitigation measures for this sensitive landscape, such as, anti-graffiti paint.

Councillor Middleton commented that 50 new trees were not sufficient mitigation and that £50,000 was not going to go very far.

Officers explained to Members that the offer of 50 trees was welcomed but planting large trees was risky and their survival rate low. It would be preferred if this could be looked at in more detail. More trees of a smaller size or areas which could have a more extensive planting would be better. Reviewing the colour of the bridge could be added as a condition.

**RESOLVED:** that this proposal from the applicant as set out in Annex 5 was welcomed and demonstrated that it was seeking to address landscape concerns where possible. Subject to the proposed wording of conditions to secure the additional detail now proposed by the applicant, it was advised that this reason for refusal could now be resolved through the Statement of Common Ground with the applicant and not pursued thereafter at the Local Inquiry.

**Reason 7 – The Science Bridge was not of adequate design for a gateway feature to Didcot.**

**RESOLVED:** that this commitment by the applicant to enhance the design of the bridge was welcomed and acknowledged as a positive change to the scheme. Subject to the proposed condition, it was proposed that this reason for refusal is addressed in the Statement of Common Ground with the applicant and not pursued thereafter at the inquiry.

**Reason 8 – Conflict with policy of the Council's Local Transport and Connectivity Plan 2022-2050.**

Officers explained to Members the difference between 'Predict and Provide' and 'Decide and Provide'.

A named vote was carried out on not maintaining a concern that the scheme was in conflict with policy of the Council's Local Trasport and Connectivity Plan and to accept the officer's recommendation. Councillors, Constance, Edosmwan, Fadlalla, Gawrysiak, Howson, Roberts, Saul and Snowdon voted for the motion. Councillors Middleton and Webber voted against the motion.

**RESOLVED:** that whilst not directly opposing the application on this point, instead to set out the committee's concerns with regard to how the applicant had approached the traffic modelling for a new road scheme contrary to the policies of the LTCP and ask that, in reaching their recommendation to the Secretary of State, the inspector should only recommend approval to the application if they were satisfied that, having considered the evidence put forward, the traffic modelling for the proposed new road had adopted a 'Decide and Provide' approach or that, if it was concluded it had not or had done so inadequately, that this did not outweigh the strong support for the development provided in the development plan as a matter of principle and that it was necessary therefore to accept it if the spatial strategy was to be delivered and the aims of chapters 5 and 6 of the NPPF were to be met.

Councillor Gawrysiak formally proposed to accept recommendations A, B & C of the officer's report. This was seconded by Councillor Constance.

A named vote was carried out. Councillors, Constance, Edosmwan, Fadlalla, Gawrysiak, Howson, Roberts, Saul, Snowdon and Webber voted for the motion. Councillor Middleton voted against the motion.

**RESOLVED:** that

A) Following the eight resolutions above in respect of each of the eight reasons it resolved to refuse planning application no. R3.0138/21 at its meeting on 17 and 18 July 2023, the Committee adopts an overall neutral position and puts forward in its Written Statement to be put before the inspector at the Local Inquiry, its reasons for any remaining concern with regard to the impacts of the development on the local community and the environment.

B) DELEGATES to the Director of Planning, Environment and Climate Change to coordinate the preparation of relevant documents and information and participation at the inquiry as she considers appropriate to be submitted to the Local Inquiry on behalf of the County Council as Local Planning Authority.

..... in the Chair

Date of signing .....