

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS  
INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT ROUNDABOUT),  
A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON HAMPDEN BYPASS)  
COMPULSORY PURCHASE ORDER 2022**

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT TO CULHAM THAMES BRIDGE) SCHEME  
2022**

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS  
INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT ROUNDABOUT),  
A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON HAMPDEN BYPASS) (SIDE  
ROADS) ORDER 2022**

**THE CALLED-IN PLANNING APPLICATION BY OXFORDSHIRE COUNTY COUNCIL FOR THE  
DUALLING OF THE A4130 CARRIAGEWAY, CONSTRUCTION OF THE DIDCOT SCIENCE  
BRIDGE, ROAD BRIDGE OVER THE APPLEFORD RAILWAY SIDINGS AND ROAD BRIDGE OVER  
THE RIVER THAMES, AND ASSOCIATED WORKS BETWEEN THE A34 MILTON INTERCHANGE  
AND THE B4015 NORTH OF CLIFTON HAMPDEN, OXFORDSHIRE (APPLICATION NO:  
R3.0138/21)**

**APP/U3100/V/23/3326625 and NATTRAN/SE/HAO/286 (DPI/U3100/23/12)**

---

**OPENING STATEMENT**

**ON BEHALF OF OXFORD COUNTY COUNCIL**

**AS APPLICANT FOR PLANNING PERMISSION**

**AND ACQUIRING AUTHORITY FOR THE ORDERS**

---

1. Oxfordshire County Council (“**OCC**”) seeks planning permission for the HIF1 Scheme (“**the Scheme**”), which comprises multi-modal transport infrastructure required to transform the out of date and inadequate highway network in the area and unlock many thousands of homes and jobs. The homes and jobs are already planned and are premised on the Scheme coming forward. Such housing and economic growth, to be sustainable, depends on the necessary infrastructure being in place to support it. That is the role of the Scheme.

2. This short opening will outline OCC's case, as Applicant, for the grant of planning permission. OCC is also the Acquiring Authority for the purposes of the Orders necessary to deliver the Scheme. This opening will also outline the case for the Orders, although more briefly in light of the evidence in respect of the Orders being programmed to be heard later in the conjoined inquiries and the fact that negotiations are continuing with the aim of enabling objections to the Orders to be withdrawn. The Acquiring Authority will ask to present an update on those negotiations and any other related matters at the beginning of the session dealing with the Orders.

### **Development, objectives and benefits of the Scheme**

3. The Scheme comprises four interdependent components:
  - a. A4130 widening;
  - b. A bridge over the railway west of Didcot ("**the Science Bridge**");
  - c. A new Thames river crossing;
  - d. A bypass for Clifton Hampden.
4. The origin of the Scheme lies in the ambitious growth planned and already being delivered in the area known as Science Vale, which straddles the boundaries of Vale of White Horse District Council and South Oxfordshire District Council, includes the three centres for science and technology at Harwell Campus, Culham Science Centre and Milton Park, and is supported by the larger settlements of Didcot, Grove and Wantage. It is an area of advanced economic and innovation growth that is home to a significant proportion of the region's scientific research and development and high technology businesses. It includes two Enterprise Zones (Science Vale UK and the Didcot Growth Accelerator). It anchors the Oxfordshire Knowledge Spine, which is a key north-south corridor of employment growth that covers Bicester, Oxford and Science Vale. It is vitally important to the local, regional, and national economy. It is no exaggeration to say that the work undertaken in the area is of truly international significance.

5. Indeed, in a letter to the Planning Inspectorate, the Secretary of State for Energy Security and Net Zero emphasises the global significance of the Culham Centre and the importance of the Scheme in enabling it to grow.<sup>1</sup> The enormous importance of the Culham Centre to the UK and the role of the Scheme in delivering it is further endorsed by the evidence of Professor Sir Ian Chapman, the CEO of the UKAEA. The importance of the Culham Centre and the Scheme in its ability to grow simply cannot be overstated.
6. The Scheme has been developed alongside the Local Plans which have been adopted to drive this economic growth and complement it with significant housing growth. The Science Vale is a focus for growth in the Vale of White Horse Local Plan 2031 Part 1 (Strategic Sites and Policies, adopted December 2016) and Part 2 (Detailed Policies and Additional Sites, adopted October 2019), and the South Oxfordshire Local Plan (adopted December 2020). For this reason, policies in the Local Plans expressly support the Scheme and safeguard land for it.<sup>2</sup> Large strategic allocations, comprising thousands of homes and significant amounts of employment floorspace, are identified as being required to contribute to, and are dependent upon, the Scheme.<sup>3</sup>
7. These policies were scrutinised and found sound by the Inspectors examining the Local Plans. The Inspectors expressly endorsed (1) the need for the Scheme as mitigation for the development proposed, and (2) the robustness of the transport studies which

---

<sup>1</sup> In CDN.18 the SS for DESNZ states in terms (emphasis added) that “My department’s interest in this decision relates to the potential impact on the Culham Centre for Fusion Energy in Oxfordshire. This centre is run by the UK Atomic Energy Authority (UKAEA) and is central to the UK’s ambition to lead the world in the development of commercially viable fusion energy.”, that “A central part of the UK’s Fusion Strategy is to grow the Culham campus, taking advantage of its attractiveness as a centre for global fusion investment and firms that want to take advantage of the concentration of expertise and skills such a centre brings. As the campus grows it will become the natural home for global fusion R&D in the same way that Silicon Valley is the natural home of tech development. This supports wider economic growth across the UK given the geographical dispersal of the fusion technology supply chain in the UK.” and that “Any decision regarding new transport links in and around Abingdon is likely to have considerable implications for the ability of the Culham Centre for Fusion Energy to grow and capitalise on its globally unique position. I would be grateful if the potential impact on the UK’s Fusion Energy strategy, and consequently impact on potential economic growth, would be fully considered when the Planning Inspectorate undertakes its review.”

<sup>2</sup> Core Policies 17 and 18 of the VWHLP P1 (CDG.2.1); Core Policy 18a of the VWHLP P2 (CDG.2.7); Policies TRANS1B and TRANS3 of the SOLP (CDG.1).

<sup>3</sup> In the SOLP, STRAT8 Culham Science Centre, STRAT9 Land adjacent to Culham Science Center, and STRAT10i Land at Berinsfield Garden Village (CDG.1); in the VWHLP P1, Valley Park and North-West of Valley Park (CDG.2.1).

assessed the mitigation package. They found the Scheme to be integral to both Local Plans' spatial strategies.<sup>4</sup>

8. The scale of the growth is considerable. Evidence provided to the SOLP examination showed that the Scheme would directly underpin at least 19,319 homes within SODC and VHWDC areas.<sup>5</sup> If one considers housing growth more broadly in the area, both homes recently constructed and expected up to and beyond 2035, the figure is 29,714.<sup>6</sup> That is double the number of existing households in Abingdon.
9. The Local Transport Plan 4 ("Connecting Oxfordshire") for the period 2015 – 2031, adopted in October 2015 ("LTP4"), set out Area Strategies, including for the Science Vale. This included all four components of the Scheme, as part of an integrated transport strategy for the area.<sup>7</sup>
10. In July 2022 OCC adopted its latest local transport plan, entitled Local Transport and Connectivity Plan 2022-2050 ("LTCP"; CDG.4). The LTCP notes the ongoing work to deliver schemes from the LTP4 Area Strategies (p.24) and in Appendix 1 it reviews those Area Strategies. In respect of the Science Vale Area Strategy, it makes clear that the four components of the Scheme are in the course of being delivered.<sup>8</sup> In this way the Scheme is carried forward into the LTCP.
11. The Scheme is clearly embedded and supported in adopted policy, both development plan and transport plan policy. The Scheme is the cornerstone of the transport strategy to deliver the planned growth and the continued prosperity of the Science Vale. Without the Scheme, the Local Plans would not have been found sound. Policy does not just support the Scheme, but makes absolutely clear that it is necessary.
12. The Scheme takes its name from the Government's Housing Infrastructure Fund, from which OCC was awarded £218m after a competitive and formal bid process. The fund

---

<sup>4</sup> See VWHL P1 Inspector Report at paras. 144-145 (CDG.2.5); SOLP Inspector Report at paras. 74, 91, 93, 121, 136, 182, 200, 213-216 (CDG.1.8).

<sup>5</sup> See Emma Baker proof of evidence for SODC, which refers to CDG.16 "South Oxfordshire Local Plan Examination Note on Matter 10 – Didcot Garden Town – Explanation of traffic modelling figures" (para. 5).

<sup>6</sup> Aron Wisdom proof of evidence, para. 3.9 and Figure 3, pp.8-9.

<sup>7</sup> Proposal SV2 and Science Vale Figure 1 in Connecting Oxfordshire: Volume 8 Part ii, pp.45-51 (CDG.5.1)

<sup>8</sup> Policies SV2.6, 2.13 and 2.16.

was to provide for new infrastructure that sought to unlock homes in the areas of greatest housing need<sup>9</sup>. Unlocking housing growth is at the heart of the Scheme, but its role in facilitating significant and important employment growth should also be recognised. It enables the sustainable co-location of jobs and homes.

13. The Scheme is aligned with, and draws strong support from, national policy. The Scheme, by being rooted in development plan and transport plan policy, is *“genuinely plan-led”* (NPPF para. 15). In accordance with NPPF para. 11, the Scheme enables sustainable growth by *“align[ing] growth and infrastructure”*. Of specific relevance is NPPF policy encouraging larger scale housing development provided it can be *“supported by the necessary infrastructure”* (para. 74), and seeking to *“create the conditions in which businesses can invest, expand and adapt”*, including by addressing *“potential barriers to investment, such as inadequate infrastructure”* (paras. 85 – 86).
14. The local transport network in the area currently suffers from serious limitations and issues. There is considerable congestion, including on the A4130, on the roads around Didcot, and at the Culham Bridges and Clifton Hampden Bridge, where the network relies on listed C19 infrastructure. The age of the structures and the limited options for crossing the Thames result in severance and very little resilience in the highway network, with repairs and flooding regularly exacerbating already significant issues. Congestion impacts bus reliability, viability, and attractiveness. The Great Western Mainline provides further severance to the south, and the surrounding constraints and inadequate transport infrastructure inhibit Didcot’s potential and ambitions as a Garden Town.
15. There is a paucity of active travel provision across Science Vale. In Didcot and the wider Science Vale area the active travel network is fragmented and limited. For example, there is currently no direct cycle route between Didcot and Culham Science Centre, but only convoluted options including on narrow and congested roads which are not conducive to cycling even for the most experienced cyclists.

---

<sup>9</sup> See Emma Baker proof of evidence for SODC, paras. 7 – 11.

16. These fundamental problems exist now. The network is not fit for purpose currently, even leaving aside the impact of the substantial housing and employment growth that is coming forward. Objectors raise the robustness of highway modelling, which the Applicant's evidence will of course address, but this focus on the modelling, and the question of precisely how much worse the problems will get in the future, should not obscure the fact that the deficiencies are plain to see on the ground today.
17. The Scheme will address these issues in an integrated and effective way. It will alleviate congestion on the highway network and enable modal shift across Science Vale including by facilitating the enhancement of bus services and encouraging walking and cycling. It will improve accessibility across the River Thames and the Great Western Mainline, increase resilience on the network, and provide direct routes linking up the housing and employment sites, rather than forcing traffic to adopt circuitous routes and cut through villages. It will in future years take traffic out of villages and settlements, especially Appleford, Clifton Hampden, Sutton Courtenay, and Didcot. Its environmental effects are positive: reducing traffic noise in settlements and the air quality and climate change impacts of congestion. It will enable sustainable and hugely important housing and employment growth which would otherwise have to be refused due to severe transport impacts (NPPF para. 115).
18. The Applicant's evidence will show that the Scheme is genuinely multi-modal. The assumption underpinning a number of objections, that the Scheme is essentially a 'road only' scheme designed for the private car, bears no relation to what is actually proposed and what it will achieve. In particular:
  - a. The Scheme will enhance bus journey time reliability and enable new bus service links, as evidenced in the representation from the Oxford Bus Company<sup>10</sup>.
  - b. There are significant active travel benefits in the provision of approximately 20km of new and/or improved off-carriageway cycling and pedestrian infrastructure.

---

<sup>10</sup> Letter (26/9/23) CDN.7

- c. The Scheme also enables wider connectivity to footpaths, bridleways, and other cycle networks.<sup>11</sup>
- d. The Scheme does not aim to provide unlimited highway capacity for cars and has not been modelled and designed on this basis.
- e. The Scheme is fundamental to delivering the aims of the Didcot Garden Town. By reducing the impact of existing and forecast traffic within the area using a ‘decide and provide’ methodology, the Scheme will help to make walking and cycling more attractive and to realise the network of improvements identified in the adopted Didcot Local Cycling and Walking Infrastructure Plan (2023).<sup>12</sup>

### **Issues in the call-in inquiry**

19. The Applicant’s evidence will address the 14 ‘likely main issues’ identified by the Inspector.<sup>13</sup> A number of these issues relate to the eight proposed reasons for refusal resolved upon by the LPA’s Planning and Regulation Committee on 18 July 2023, contrary to the professional advice from LPA officers.<sup>14</sup> The Secretary of State’s exercise of his power to call-in the application means that the power to decide the application now lies with the Secretary of State, not the LPA. But in any event, it is important to note that matters were considered further by the Committee at a meeting on 27 September 2023, at which the Committee revised its position by resolving to adopt “*an overall neutral position*”.<sup>15</sup> In respect of the previous eight proposed reasons for refusal, the Committee resolved not to oppose the application on any of these points. In so far as the Committee still raised certain “*concerns*” in respect of proposed reasons 3 (traffic modelling) and 8 (LTCP compliance), the LPA has subsequently advised that those

---

<sup>11</sup> Indeed, the Didcot Local Cycling and Walking Infrastructure Plan (2023) (CDG.4.1) para 2.5.10 states (emphasis added) that HIF1 is “the cornerstone of a future wider active travel network that addresses the existing severe severance to walking and cycling created by road, rail and river in the Didcot and surrounding areas. It is the central ‘puzzle piece’ that unlocks a predominantly off-road walking and cycling route from Oxford to Harwell Science and Innovation Campus (and further afield in both directions) via Kennington, Radley, Culham Science Centre, multiple rail stations, and Didcot.”

<sup>12</sup> CDG.4.1. See paragraph 2.5.10 – 2.5.11 in particular.

<sup>13</sup> Inspector’s note dated 12 January 2024 (CDR.3).

<sup>14</sup> CDF.2: minutes of 17-18 July 2023 meeting.

<sup>15</sup> CDF.6: printed minutes of the 27 September 2023 meeting. See also the confirmation of this in the statement of common ground between the LPA and the Applicant dated 2 November 2023, at para. 15 (CDQ.1).

reasons have been addressed, in reliance on the review by Origin transport consultants.<sup>16</sup> A supplementary statement of common ground between the LPA and the Applicant dated 9 January 2024 confirms that *“The Applicant and the LPA do not have any matters of dispute between them”* (para. 6; CDQ.2). Further, both district LPAs are firmly behind the Scheme.

20. The Applicant’s case on issues 1 and 3 concerning the need for and benefits of the Scheme, and whether the proposal would make acceptable provision for sustainable travel, including walking and cycling, and accord with the LTCP, has been outlined already.
21. In respect of issue 2 concerning traffic modelling, the modelling approach has been developed over a number of years and has been carried out in three stages, each building on previous work and ensuring that the best available traffic data has been used in the decision-making process. First, high level strategic modelling was undertaken using the Oxfordshire Strategic Model (“**OSM**”), a model which considers Oxfordshire as a whole. Secondly, detailed microsimulation modelling of the entire Didcot area (including the area covered by the Scheme) was carried out using the Didcot Paramics Microsimulation Model. Thirdly, detailed assessment of specific junctions was undertaken using standalone junction models. The modelling is robust and has formed the basis for the comprehensive Transport Assessment supporting the Scheme. The Transport Development Control Team of OCC as Highway Authority scrutinised, and confirmed that they were satisfied with, the modelling as part of the planning application process. Since the call-in decision, OCC as LPA has commissioned further work from Origin, which again supports the robustness of the modelling approach.<sup>17</sup>
22. In respect of issue 4 concerning the consideration of alternatives, the Scheme is the product of a detailed and multi-stage optioneering process which took place between 2014 and 2021. Options Assessment Reports were produced in 2018 and 2019 (“**OAR**”)

---

<sup>16</sup> CDO.2: para. 14 of LPA’s Technical Note concerning proposed reasons for refusal 3 and 8, and attached Origin Technical Note dated December 2023.

<sup>17</sup> CDO.2: LPA’s Technical Note concerning proposed reasons for refusal 3 and 8, and attached Origin Technical Note dated December 2023.



and then a further OAR was produced in 2021 which reflected the updated evidence base.

23. On alternatives, it should be noted that this inquiry is concerned with the Scheme for which planning permission is being sought, not some other, alternative project. The question of whether to grant planning permission must be determined by reference to the planning merits of the Scheme. Case law indicates that the consideration of alternative sites or schemes will only be relevant to a planning application in exceptional circumstances.<sup>18</sup> In the present case, OCC will say that no such circumstances exist. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires the Environmental Statement to include a description of reasonable alternatives studied by the developer and an indication of the main reasons for the option chosen.<sup>19</sup> The ES plainly complies with that obligation.<sup>20</sup>
24. In respect of issue 5 concerning the effect of the proposal on the character and appearance of the surrounding landscape, including any loss of trees and/or hedges, OCC acknowledges that there will be certain adverse landscape and visual impacts, which are considered inevitable given the nature of the Scheme and the change in land use. Extensive landscape planting is provided as mitigation and every appropriate opportunity has been taken to enhance tree, hedgerow and other planting including along highway boundaries. The impacts are significantly outweighed by the need for and benefits of the Scheme.
25. In respect of issue 6, noise impacts, there will be some adverse noise impacts during construction and operation, but the construction impacts are temporary, and in terms of operation, overall considerably more residential properties will experience a reduction in noise levels than an increase. Embedded mitigation has been incorporated into the alignment of the Scheme and additional mitigation has been included in the

---

<sup>18</sup> See *R (Save Stonehenge World Heritage Site Ltd) v Secretary of State for Transport* [2022] PTSR 74 at [268-272] and *Bramley Solar Farm Residents Group v Secretary of State for Levelling Up, Housing and Communities* [2023] EWHC 2842 at [162-163].

<sup>19</sup> Regulation 18(3) and Schedule 4, para. 2

<sup>20</sup> See Chapter 3 – Assessment of Alternatives (CDA.15). See also OCC as Applicant's Technical Note dated 14 December 2023, which responds to POETS' concerns regarding assessment of reasonable alternatives in accordance with the 2017 Regulations (CDO.1, section 3).

form of low noise surfacing and noise barriers at key locations. The Scheme complies with national and local noise policy.

26. In respect of issue 7, air quality impacts, the assessment shows that there are no predicted exceedances of air quality objective values and there will be no significant air quality effects during construction or operation, such that the Scheme is compliant with policy.
27. Although not specifically identified in the Inspector's list of issues, the proposed reasons for refusal mentioned the absence of a health impact assessment. Impacts on health have, however, been properly assessed and reported, as now accepted by the LPA.<sup>21</sup>
28. In respect of issue 8, climate change and carbon emissions, the assessment shows that following the implementation of identified mitigation measures, the Scheme would have no significant residual effects on the climate or the Government's ability to meet its climate change 'target' for 2050 or its five-yearly 'budgets'. In fact, during operation there will be a beneficial effect due to a reduction in Greenhouse Gas emissions as a result of reduced congestion and journey times.
29. In respect of issue 9, concerning the design of the Didcot Science Bridge, the design is necessarily influenced to a significant degree by the engineering requirements of designing a bridge over a railway, including Network Rail's requirements. Other than at a site level, landscape and visual impacts of the bridge have been assessed to be non-significant. Appropriate landscaping and tree planting is proposed, and certain aesthetic enhancements are possible including illumination and finish treatments.<sup>22</sup>
30. In respect of issue 10, biodiversity, enhancements to biodiversity along with measures to avoid, mitigate and compensate biodiversity features will be implemented and a minimum biodiversity net gain of 10% will be attained.<sup>23</sup>

---

<sup>21</sup> CDQ.1 Statement of Common Ground dated 2 November 2023, para. 19.

<sup>22</sup> An appropriate planning condition has been agreed between the LPA and the Applicant dealing with this: Statement of common ground dated 2 November 2023, condition 8 on page 10.

<sup>23</sup> Appropriate conditions are included in the Statement of common ground between the LPA and the Applicant dated 2 November 2023 (para. 22). A screening assessment under the Conservation of Habitats and Species Regulations 2017 has also concluded that an appropriate assessment was not required on the basis that there would be no likely significant effects to Little Wittenham or Cothill Special Areas of Conservation. The screening

31. In respect of issue 11, heritage, the potential for some less than substantial harm is outweighed by the public benefits arising from the Scheme.
32. In respect of issue 12, flooding, work was undertaken during the application to address flood risk issues raised by the Environment Agency, and the Agency withdrew its flood risk objection on 13 March 2023.<sup>24</sup>
33. In respect of issue 13, Green Belt, the Applicant's position is that the Scheme is not 'inappropriate' development in the Green Belt by reason of falling within para. 155(c), i.e. "*local transport infrastructure which can demonstrate a requirement for a Green Belt location*", and because the Scheme satisfies the para. 155 provisos of preserving Green Belt openness and not conflicting with the purposes of including land within the Green Belt. Even if the Secretary of State were to conclude that para. 155(c) was not applicable, then the Applicant's alternative position is that very special circumstances clearly exist so as to make the Scheme policy compliant. Those circumstances derive from the Scheme's wide-ranging social, economic and environmental benefits, which together attract very substantial weight.
34. Finally in respect of issue 14, the Applicant will say that the Scheme is in accordance with the development plan for the purposes of s.38(6) of the Planning and Compulsory Purchase Act 2004, and that the planning balance comes down firmly in favour of granting permission.

### **The Orders**

35. Three orders are required to deliver the Scheme, for which the powers are all contained in the Highways Act 1980: a compulsory purchase order ("**the CPO**"); a side roads order ("**the SRO**"); and a bridge scheme ("**the Bridge Scheme**").
36. OCC as Acquiring Authority will say that a compelling case in the public interest exists for the CPO, in accordance with the CPO Guidance<sup>25</sup>, in light of the need for and

---

assessment is at Annex 2 of the July 2023 report to the Planning and Regulation Committee (see also paras. 62 and 209 of that report) (CDF.1).

<sup>24</sup> CDE.64 EA consultation response dated 13 March 2023. The Lead Local Flood Authority is also satisfied with the outline drainage strategy subject to conditions.

<sup>25</sup> Guidance on Compulsory Purchase Process and the Crichel Down Rules, July 2019 (CDH.10).

substantial benefits of the Scheme. All the land and rights are necessary to deliver the Scheme and the Acquiring Authority has sought, and continues to seek, to acquire the interests by negotiation.

37. The SRO, if confirmed, will authorise the Acquiring Authority to improve highways, stop up existing highways and private means of access to premises affected by the Scheme, and to construct new highways and provide new private means of access required as a consequence of the Scheme works. The Acquiring Authority will say that the tests in s.14(6) (another reasonably convenient route) and s.125(3) (no access reasonably required / another reasonably convenient means of access available) are satisfied.
38. The Bridge Scheme enables the construction of the new Thames crossing. In accordance with s.107(1), the new bridge will not impede the reasonable requirements of navigation.
39. There are 32 remaining objections to the Orders, of which 23 are statutory objections where the objector has a land interest impacted by the Scheme, and the Acquiring Authority will continue to engage with objectors with a view to resolving their objections.

### **Conclusion**

40. For all the above reasons, the Applicant will in due course ask that planning permission be granted for the Scheme and the Acquiring Authority will also ask that the Orders be confirmed.

**Michael Humphries KC**

**Hugh Flanagan**

20 February 2024

Francis Taylor Building

Inner Temple,

London EC4Y 7BY