

**IN THE MATTER OF A CALL-IN APPLICATION UNDER SECTION 77 OF THE
TOWN AND COUNTRY PLANNING ACT 1990**

PCU/RTI/U3100/3326455

**APPLICATION BY OXFORDSHIRE COUNTY COUNCIL FOR THE HIF1
SCHEME**

**OPENING SUBMISSIONS
ON BEHALF OF
THE COUNCIL**

Introduction

1. This inquiry follows a planning application (the “Application”) made by Oxfordshire County Council (“OCC”) for the construction of highways infrastructure (“HIF1 scheme”) summarised as follows: dualling of the A4130 carriageway, construction of the Didcot Science Bridge, construction of a new road between Didcot and Culham including a road bridge over the Appleford railway sidings and road bridge over the river Thames, construction of the Clifton Hampden bypass and associated works (the “Development”). The Application was called-in by the Secretary of State by virtue of a letter dated 25th July 2023 before a formal decision on the Application was issued by the local planning authority.
2. The location is a linear site which traverses both Vale of White Horse District Council (VWHDC) and South Oxfordshire District Council. Most of the Development that would take place within VWHDC is on land that is allocated/safeguarded in the adopted development plan and in the emerging Local Plan.
3. As set out in its Statement of Case, VWHDC strongly supports the principle of development¹. The Council’s decision to support this scheme has not been an ad-hoc decision taken lightly or indeed under pressure (as is suggested by some objectors).

¹ Para 1.2 CD L.3

The adopted local plan and the emerging local plan include extensive consideration of the need for new homes in the District which also includes meeting some of the need of the neighbouring authority Oxford City Council. This Development complies with local plan policies and is “critical to the delivery of the VWHDC development plan spatial strategy for planned housing and employment supply”².

The Council’s case

Policy and strategy of the Development Plan

4. The NPPF sets out Government policy in a concise framework. Para 15 tells us that “The planning system should be **genuinely plan-led**” and that “up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings”. Under the heading “Plan Making”, the NPPF sets out that “Strategic policies should set out an overall strategy for the pattern, scale and design quality of places (to ensure outcomes support beauty and placemaking) and make sufficient provision for (a) housing...employment, retail, leisure and other commercial development... ..”
5. The national context of up to date local plans is well-known to be poor. This Council benefits from a relatively recent development plan: Part 1 (setting out the spatial strategy and strategic policies) was adopted in December 2016³ and Part 2 (sets out policies and locations for housing) was adopted in October 2019. Part 1 was subject of a review in 2021⁴. The Local Plan is therefore post NPPF, Part 1 has been reviewed within 5 years and Part 2 is less than 5 years old. The contention by some objectors that the development plan for VWHDC is out of date is refuted. There is no such thing as an out of date development plan⁵. Together with South Oxfordshire District Council, VWHDC has also made considerable progress with a Joint Local Plan⁶ (JLP) which has reached Regulation 18 stage.

² Para 1.2 CD L.3

³ CD G.02.01

⁴ Para 4.3 SOC CD L.3 – Regulation 10A review completed and approved by the Council in December 2021

⁵ *Peel Investments (North) Limited v SoSHCLG* [2020] EWCA Civ 1175 para 55)

⁶ CD G.18

6. Both plans (current and emerging) set out a clear spatial strategy identifying, in particular, where homes and jobs are to be provided and makes provision for the infrastructure needed to support them. The strategy and the policies were examined and the plans LPP1 and LPP2 were found sound i.e. in accordance with para 35 of the NPPF. The JLP includes proposed policy IN3 to safeguard land for the proposed highways infrastructure the subject of this application within the Council's area.

Need for the scheme

7. Core Policy 4 of LPP1 and Core Policy 4a LPP2 set a combined housing requirement of at least 22,760 homes for the District and cross boundary needs. Total housing supply in Core Policy 4a is 25,359 dwellings and, if not completed, the same allocations (and more) exist in the JLP. Science Vale is a “*nationally and globally important hotspot for enterprise and innovation*”⁷. Overall, approximately 70% of the predicted jobs and 75% of the strategic housing are to be delivered within the Science Vale ringfenced area⁸. LPP1 para 4.44 states that “*Essential strategic highway infrastructure has been identified to support the identified growth across Science Vale*”. Core Policy 15 LPP1 sets out an employment provision of 208 acres for South-East Vale with much of this being within Science Vale. Core Policy 17 LPP1 lists the HIF1 scheme specifically as necessary to mitigate the impact of planned growth across Science Vale to secure the future economic viability of the area.
8. The Council “*stresses*” that there is a “*significant strategic need and multiple benefits of the HIF1 scheme*” and “*there is a relationship between significant levels of identified housing and employment in adopted and emerging Local Plans that are dependent on the delivery of the HIF1 scheme*”⁹. In short, it is critical to housing and employment in the area and to the future of economic growth at Science Vale.

⁷ Para 5.14 SOC CD L.3

⁸ LPP1 Para 4.44

⁹ Para 63 PoE EB

The benefits

9. The benefits of the Development are significant for the Council and the wider area. They include:

- a. Delivery of a significant amount of development meeting objectively assessed need allocated in the development plan and identified commercial land;
- b. Housing and employment opportunities;
- c. Investment in the local and wider economy through construction works;
- d. New residents and employees bringing economic benefits;
- e. Housing, including affordable housing;
- f. Sustainable travel links by public transport, cycling and walking between housing and commercial areas;
- g. New planting and biodiversity net gain;
- h. Much needed improvement to Didcot avoiding development moratoriums, enduring traffic pressures and poor connectivity.

10. The benefits are, in the opinion of the Council's planning witness, Mr Butler, "substantial"¹⁰. Importantly, not providing the proposals would exacerbate road congestion for permitted housing and employment in the Vale of White Horse district¹¹ and jeopardise future housing development. As Ms Baker sets out¹², a calculation undertaken in 2020 demonstrated that HIF1 would underpin at least 19,319 homes directly within South Oxfordshire and Vale of White Horse districts. That figure is now likely to be higher.

Conclusions

11. When all of this is considered, the Council's position is that the Development is compliant with the Development Plan and NPPF policies and granting permission would be consistent with the emerging JLP. The principle of the Development is in accordance with the Development Plan¹³ policies and, subject to conditions, there is

¹⁰ Para 5.3 PoE AB

¹¹ Para 6.3 PoE AB

¹² Para 17 PoE EB

¹³ Policies CP17, CP18 and CP18a LPP1 and LPP2

compliance with a number of other wide-ranging policies¹⁴ and there is no conflict with development plan policies in relation to flooding and drainage, air quality, contamination, watercourses and public rights of way.

12. There is some conflict with policy CP44 LPP1 in relation to landscape and visual impacts and some limited conflict with DP16b of LLP2 in relation to the design of the bridges. Whilst the Council is not calling expert evidence on these matters, it will listen to the expert evidence of others and update its position if necessary when planning evidence is provided.
13. But to the extent that there may be any conflict with the Development Plan, or other harm arising from this development, it is submitted that this is more than outweighed by its benefits.
14. For all those reasons, in due course, the Secretary of State will be respectfully invited to grant planning permission.

Appearances

Counsel	Emmaline Lambert (instructed by Vivien Williams, Head of Legal and Democratic & Monitoring Officer (interim), SODC and VWHDC)
Witnesses	Topic 1: Emma Baker, Planning Policy Team Leader, SODC and VWHDC Topic 14: Adrian Butler, Principal Major Applications Officer, VWHDC

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20th February 2024

¹⁴ Policy CP33 and CP35 LPP1 on sustainable travel, Policy CP 46 in relation to biodiversity, Policies DP36, 37, 38, 39 in relation to heritage assets