

Oxfordshire County Council (Local Planning Authority) Public Inquiry Opening
Statement 20th February 2024
HIF 1 Planning Application

Opening Statement by Director of Planning, Environment and Climate Change

I am Rachel Wileman, Director of Planning, Environment and Climate Change for Oxfordshire County Council. I am the senior officer responsible for the statutory functions of the County Council as Local Planning Authority (LPA) related to county matters (minerals and waste management developments) and the County Council's planning applications for its own developments e.g. schools and highway infrastructure schemes.

The planning application for the Didcot Garden Town HIF 1 scheme which is the subject of this Public Inquiry, was submitted to the County Council as Local Planning Authority for its determination in November 2021. It was duly advertised and consulted on and there were two subsequent periods of advertisement and consultation in relation to the receipt of further environmental information and amendments to the application.

The application was reported to the meeting of the County Council's Planning and Regulation Committee on 17th and 18th July 2023 with an officer recommendation for conditional planning permission to be granted subject to the application first being referred to the Secretary of State as in accordance with the Town and Country Planning (Consultation) (England) Regulations 2021 to enable him to consider whether the application should be called-in for his own determination.

The committee gave careful consideration to the application with regard to the development plan and other material considerations including national planning policies and guidance, its own statutory Local Transport and Connectivity Plan and non-statutory corporate strategies. The committee heard depositions against the application from 25 third parties who opposed the application as well as those in support from the applicant. The committee then debated the application at considerable length and, having taken the officer report and addenda and the representations made at the committee meeting into consideration, resolved to refuse the application for eight reasons:

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

Reason 2: Lack of Very Special Circumstances for the development set against Green Belt policy.

Reason 3: The impact of traffic on Abingdon and Didcot has not been assessed in the application.

Reason 4: Noise impacts on Appleford.

Reason 5: The absence of a Health Impact Assessment.

Reason 6: The harm to the landscape.

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

Reason 8: Conflict with policy of the council's Local Transport and Connectivity Plan 2022 – 2050 (LTCP).

However, before the decision notice could be issued, the application was called-in for the determination by the Secretary of State to follow consideration by the inspector at the Public Inquiry commencing today.

A further report on the application was presented to the Planning and Regulation Committee at its meeting on 27th September 2023 for the committee to consider its position with regard to the application at the Public Inquiry. Whilst not formally amending the application or Environmental Statement, the applicant provided information seeking to address the 8 reasons for refusal set out by the committee. Having considered the additional information provided by the applicant carefully, the committee instead of pursuing the previously identified reasons for refusal, resolved to adopt an overall neutral position to the development proposed subject to the inspector's consideration of its remaining concerns with regard to the impacts of the development on the local community and the environment. With regard to each of the previous reasons for refusal its position as at September 2023 was:

Reason 1 : It no longer opposes the proposal in terms of this reason subject to confirming to the Inspector that it believes 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 by condition to be submitted and approved prior to commencement of construction and to remain in place during construction and be updated as needed during that period and also that the operation of the carbon management plan should be extended beyond the construction period. It is also requested that the Inspector considers how the scheme will work alongside the rail strategy for the area to further enhance the most sustainable forms of transport.

Reason 2: Very special circumstances have been demonstrated and do exist. The LPA's position is therefore that it does not oppose or in any way object to the application on Green Belt grounds.

Reason 3: The application is considered to be in accordance with relevant development plan policies and national transport policies. However, the LPA is concerned whether the wider traffic impacts beyond the application area have been fully assessed. The LPA does not oppose the application on this point but is concerned with regard to the extent of traffic modelling undertaken by the applicant and asks that, in reaching their recommendation to the Secretary of State, the inspector only recommend approval if they are satisfied that the traffic modelling carried out has robustly examined the wider traffic impacts beyond the application area and that

conditions for the provision of bus prioritisation are attached to any planning permission granted by the Secretary of State.

Following the Pre-Inquiry meeting held on 9th November 2023, the previous inspector requested a technical note from the LPA with regard to this reason. Officers commissioned a technical review of the traffic modelling and a note was produced which concluded that it could not support the committee's concern that the traffic modelling carried out by the applicant had not robustly examined the wider traffic impacts beyond the application area. The Committee noted and did not dispute the findings within this technical review of the transport modelling at its meeting of 15th January 2024. The submitted technical note therefore represents the final position of the LPA in respect of the adequacy of the applicant's transport modelling.

Reason 4: The concerns raised about noise by the local community are understood. The applicant has proposed two conditions with regard to exploring the possibility of relocating the proposed noise barrier closer to the proposed carriageway adjacent to Appleford Village, by relocating it between the non-motorised user provision and the carriageway.; and 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.

It is recognised that there will be some noise impacts arising from the proposal but that overall, whilst these impacts are regrettable, they are outweighed by the benefits of the scheme. Subject to inclusion of the two proposed conditions in the grant of any planning permission, and the Inspector first being satisfied that the benefits outweigh the harms and that it is necessary therefore to accept them if the spatial strategy is to be delivered and the aims of chapters 5 and 6 of the NPPF are to be met, the LPA does not oppose the proposal in relation to noise.

Reason 5: The applicant provided a new document to address the Health Impact Assessment issue which highlights the relevant chapter in the Environmental Statement which provides information on human health. This was provided to the Planning and Regulation Committee at its meeting on 27th September 2023. Taken with the information formally submitted in the Environmental Statement, the updated clarification ensures the health impacts of the application have been properly assessed and the application is therefore not opposed in this regard.

Reason 6: The applicant has committed to improvements to the proposed landscape planting. Subject to conditions to secure this additional detail the application is not opposed.

Reason 7: The applicant has committed to enhance the design of the Didcot Science Bridge. Subject to the applicant, within the constraints of the Network Rail design requirements, working with the LPA to enhance the design of the bridge during development of the detailed design for the structure by way of a mutually agreeable planning condition for consideration by the Inspector should this be considered necessary, the development is not opposed.

Following the Pre-Inquiry meeting held on 9th November 2023, the previous inspector requested a note to explain how the LPA considers that the design of the Science

Bridge can be enhanced by way of a condition when the proposal is a full application. The provided note clarifies that it is intended that it is only the external appearance aspect of the design of the Science Bridge which is dealt with by condition through the submission of details of its external appearance, to which end the expectation would be that details are submitted of the materials to be used including their colours.

Reason 8: The application is not directly opposed on this point, but instead the LPA has concerns with regard to how the applicant has approached the traffic modelling for a new road scheme contrary to the policies of the Local Transport and Connectivity Plan (LTCP). In reaching their recommendation to the Secretary of State, the inspector should only recommend approval to the application if they are satisfied that, having considered the evidence put forward, the traffic modelling for the proposed new road has adopted a Decide and Provide approach or that, if it is concluded it has not or has done so inadequately, that this does not outweigh the strong support for the development provided in the development plan as a matter of principle and that it is necessary therefore to accept the proposal if the spatial strategy is to be delivered and the aims of chapters 5 and 6 of the NPPF are to be met.

Following the Pre-Inquiry meeting held on 9th November 2023, the previous inspector requested a technical note from the LPA with regard to this reason. The submitted note concluded that the applicant had approached the traffic modelling in accordance with the policies of the LTCP and that the applicant had in fact adopted a 'Decide and Provide' approach. The technical note sets out the final position of the LPA in respect of LTCP compliance.

Subject to these remaining concerns being addressed as I have highlighted, it is the position of the LPA that the planning application is supported in principle by the Vale of White Horse Local Plan and the South Oxfordshire Local Plan and chapters 5 and 6 of the National Planning Policy Framework.

In response to the inspector's further procedural letters sent between December 2023 and February 2024, the LPA provided a technical note on transport matters as well as a further note setting out where the various additional topics which the Inspector wishes to consider had been addressed in its written Statement of Case, Statements of Common Ground and the committee reports presented to its Planning and Regulation Committee and annexed to its Statement of Case.

In line with its position of overall neutrality, the LPA is not presenting evidence through witnesses to the Public Inquiry but relies on its written Statement of Case, the Statements of Common Ground and the technical and other notes provided to the inspector.

Nonetheless, officers of the LPA will of course be available to assist the inspector with any questions that may arise during the Inquiry on which she would wish to receive clarification and to engage in the discussion of any conditions which should be attached should planning permission be granted by the Secretary of State.