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Ms Emily Catcheside
Planning Department
Oxfordshire County Council

My Ref: CVH/OCC/HIF1

18th February 2022

SENT BY EMAIL

Dear Ms Catcheside

Re: Didcot HIF1 Scheme. Planning Application Ref. No. R3.0138/21.

Holding Objection – Pending receipt of further information and evidence.

I am instructed by and act for 5 Parish Councils (Appleford, Sutton Courtenay, Culham, Nuneham Courtenay and Burcot & Clifton Hampden) who are referred to throughout as the Neighbouring Parish Council Joint Committee (NPC-JC).

We have commissioned a team of technical experts to assess the planning application and they have reverted to us with a number of questions for the County Council. The questions relate in particular to the adequacy of the Environmental Statement (ES) accompanying the planning application. It is considered that, absent the further information requested, the ES fails to fully satisfy the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

It is noted and agreed that the development proposed is EIA development and requires full Environmental Impact Assessment. It is further noted and agreed that the development proposal is contrary to the adopted Development Plan and is therefore properly regarded by the County Council as a Departure Application.

We formally request that the County Council submit, pursuant to Regulation 25 of the 2017 Regulations, a request for further information and evidence. This further information should be produced and made available for further public consultation prior to any grant of planning permission.

We would remind the Council that, pursuant to Regulation 3 of the 2017, failure to fully comply with the requirements of the Regulations means that planning permission cannot lawfully be granted by the Council.

Pending receipt of this further information and evidence the NPC-JC object to the planning application on the following grounds, which are set out in summary form below:

- The application conflicts with a significant number of policies in the adopted Development Plan. Full details will be set out pending receipt of the further information and evidence requested.
- The application conflicts with national planning guidance as set out in the National Planning Policy Framework (NPPF) as revised in 2021 and Planning Policy Guidance (PPGs). Full details will be set out pending receipt of the further information and evidence requested.
- The application, if approved, will have the effect of undermining legally binding national targets for significant reductions in carbon emissions and carbon neutrality.
- The application, if approved, will have the effect of undermining policies and targets set out in the emerging Joint Strategic Spatial Plan (JSSP), the Oxfordshire Plan 2050.
- The application, if approved, will conflict with policies in the emerging Local Transport Plan – the Local Transport and Connectivity Plan January 2022 (LTCP).
- No Habitats Regulation Assessment (HRA) appears to have been undertaken in breach of the requirements of the Conservation of Habitats and Species

Regulations 2017. No planning permission may be granted until an HRA has been undertaken.

- A Climate Change Position Statement should accompany this planning application, given concerns relating to the cumulative impacts of the scheme.
- The Environmental Statement submitted with the planning application fails to comply with the Environmental Impact Assessment Regulations 2017.

Further Information and evidence.

We submitted an initial request for further information to you on 11th January 2022.

For the avoidance of any doubt these questions are set out here:

Consideration of options and alternatives.

1. Could OCC provide a list of all the options that emerged from the scoping exercise that led to the selection of the preferred scheme?
2. Could OCC provide copies of the documentation relating to how the options were evaluated and tested, together with the methodology used to compare the options identified?
3. Could OCC provide an explanation as to the reasons for the options identified in webTAG being rejected?
4. Could OCC provide a description of the methodology used to evaluate the life cycle carbon impacts of the options selected for inclusion in the scheme and those rejected?
5. Can OCC identify the full range of behavioural change options considered in the evaluation process, such as Workplace Travel Plans and Mobility as a Service (MaaS)?

Some 5 weeks later, this request has gone unanswered.

Traffic Modelling.

In addition to those matters we have specific questions relating to the traffic modelling. These are set out below:

Query A:

Substantial concerns arise from the reassignment of traffic from the A34 to using the upgraded HIF alignment and the subsequent impacts on the junctions into surrounding villages. Could Oxfordshire County Council confirm if junction reassignment has taken place and provide visual results of the demands along the HIF alignment in 2034?

Query B:

Could comparative modelling be undertaken to demonstrate the effects of traffic calming and speed restrictions on B4016 Drayton Road and Church Street through Sutton Courtenay, and B4016 Main Road Appleford when considering their links to the HIF1 proposal?

In addition, could OCC comparative modelling be undertaken to evaluate the traffic density (including queue lengths) within Sutton Courtenay along the Drayton Road, High Street and Church Street; and Appleford assuming no interconnection between the B4016 and the proposed HIF1 road, to prove whether traffic will increase or decrease through Sutton Courtenay under the present proposal?

Query C:

Traffic Modelling (Through Local Villages) – The Parish Councils have concerns around a lack of investigation of the traffic on existing local roads connecting to the proposed road, in particular:

- Rush hour capacity of the new river bridge and potential overspill impact on Culham, Burcot, Clifton Hampden and Sutton Courtenay.
- Rush hour density on the A415 at Culham and the effect on the adjacent Europa School.

- Rush hour density on the A415 at the Culham Science Centre and the effect on the adjacent residential properties.
- Rush hour density on the A4074 passing through Nuneham Courtenay.
- Rush hour density on the B4016 passing through Sutton Courtenay, including identifying traffic separately from the Drayton Road and the High Street directions.
- Rush Hour density on the B4016 passing from / to Appleford with queue analysis of traffic turning right at the T junction to access Sutton Courtenay.

Europa School – A safety audit should be undertaken at this junction at peak school times to ensure the safe operation of the school with revised flows.

Sutton Courtenay Primary School – a safety audit should be undertaken at the T junction on the B4016 at peak school times.

Traffic taking back routes between through Sutton Courtenay - Appleford, via Didcot Road to Long Wittenham to Clifton Hampden and onwards through Burcot to the A4074 (& vice versa) – rat run to avoid heavy traffic on new road at rush hour etc.

Nuneham Courtenay – Subject to a separate query – see below, but modelling should extend North to this village

Could comparative modelling be presented to demonstrate the effects in this area?

There is a need to understand the data that has been used to generate the results of the modelling before the conclusions from documents can be drawn. In explaining the above and help the PCs in understanding the data, could OCC provide details of:

- The proposed housing developments in the area whose completion hadn't been completed at the time of the above
- How many vehicles they had added bearing in mind the planning requirement for two-car parking spaces for each dwelling
- How many of those vehicles they have estimated will use river crossings to get to their place of work or schools north of the river

Query D:

HGV demands – Can OCC clarify the presumed breakdown number of HGV, light commercial and car traffic through Sutton Courtenay (B4016, Drayton Road-Church

Street and High Street-Church Street) and through Appleford (B4016 Main Road) for the two options; with HIF1 road in place, without the HIF1 road in place?

As local evidence, currently 100 HGVs access the Appleford Landfill and Hanson Gravel works sites daily & HGVs travel to the Gravel Works from North & East access the site at Amey Gate / Sutton Courtenay (B4016). These will all pass Appleford on the elevated road section to turn right (across northbound traffic) into the commercial site. Can OCC confirm these movements and demand have been factored in?

Query E:

When looking at the reassignment as per Query A, Can OCC extract figures to show overall peak demand in HGV, LGV and cars between Didcot to the Culham Science Centre?

Query F:

Culham Science Centre has significant growth plans to accommodate circa 5000 workers. Can OCC clarify if this demand has been accommodated?

Query G:

Looking at the impact of the scheme on surrounding villages (Query B), it would be helpful if OCC could present visual modelling extracts to show expected flows along the alignments of each of the roads highlighted in B in this area in a with and without scheme scenario. Any diversionary effects should also be set out as an example traffic diverting through Sutton Courtenay from Didcot to connect up to the new HIF road in Culham. (Ref Query B(1))

Query H:

Traffic Management – There appears to be a lack of analysis around developing local traffic management proposals for communities adjacent to the road, in particular:

- Traffic Calming Measures to constrain traffic flow arising from the proposed road, on the B4016 through Sutton Courtenay; through Appleford (over narrow railway hump back bridge) from east of Didcot; through Clifton Hampden and Burcot connecting to the A4074. Modelling should ideally be

undertaken to demonstrate the effects of traffic calming and speed restrictions on B4016 Church Street and along the High Street in Sutton Courtenay, and B4016 Main Road Appleford when considering their links to the HIF1 proposal.

Query I:

The Modelling appears to stop short of the Golden Balls Roundabout. Although it is understood that the roundabout is outside of the scope of the HIF scheme, for robustness and to demonstrate the impact, it is requested that modelling extends to this junction. The assessment should be made in a with and without investment scenario. This is particularly important given the reassignment / diversionary factors associated with a new HIF road.

Query J:

The modelling assessment has not extended to Nuneham Courtenay. The A4074 runs through the Village. Whilst it is understood the HIF improvements are not located in the village, the impact of the diversionary effects in traffic travelling from growth areas in Didcot etc and the A34 to Oxford need to be understood for the residents of the village, It is requested, that junction assessments are undertaken in the village. Of particular concern is the operation of the traffic to turn into / exit Baldons at the Grenoble Road junction.

Additionally, within Nuneham Courtenay any impact of additional traffic on noise and vibrations and pedestrian crossing safety and capacity should be assessed.

Landscape Issues.

We are aware of and endorse the many requests for further information and clarification in the 'Landscape Advisor' comments (Atkins to Emily Catchside) uploaded to the OCC web site on 27/1/22, and aim to avoid duplication in the questions set out below.

1. **Option identification:** Where is there evidence of any landscape assessment input into the identification of options to take forward for further consideration in the opening phase of optioneering? (ES Chapter 3) As noted in ES Ch3 paras 3.1.2

and 3.1.3 “*the Environmental Statement should include a description of the reasonable alternatives studied which are relevant to the proposed development and its specific characteristics and provide an indication of the main reasons for the choice made, including a comparison of the environmental effects*”. There is little if any evidence that comparison of environmental effects has been an input to the **identification** of options as opposed to assessment of options once they have been identified, and para 3.2.3 goes so far as to state that the need for new highway infrastructure to support development had already been ascertained in 2014, which would appear to pre-empt any meaningful comparison of environmental effects for the HIF 1 scheme in 2018.

2. **Route selection:** To what extent have landscape assessments influenced route selection following the decision to proceed purely with road-based options? There is a rather obvious statement that Option 5 is at a disadvantage as it runs within the North Wessex Downs AONB, in which case why was it even included as a reasonable option. There is also a rather sweeping statement that the agricultural landscape east of Appleford would be more adversely affected than the degraded landscape to the west, but this is at best only one aspect of landscape impact.
3. **Option refinement:** Is there any discussion of the relative weight of adverse landscape effects against other factors in the detailed alignment of the preferred option? Such amendments as have been made appear to be dictated by other factors such as highway performance, cost, inconvenience to commercial operations, with little or no weight attached to major adverse visual impacts, in particular relating to residents of Appleford.
4. **Green Belt:** Does OCC accept that the scheme amounts to inappropriate development in the Green Belt on landscape grounds, given that it compromises the openness of the rural landscape by building a large embankment and insensitive major bridge across the River Thames and its floodplain? If so, there needs to be more justification for why it should be disregarded: if not, more explanation is needed as to why not.
5. **Thames Bridge:** Has any assessment been made to ascertain the optimum location of the Thames Bridge, and if so, where is it to be found? We have seen no evidence to suggest that the bridge location has been selected to minimise

landscape and other environmental impact, such as loss of streamside vegetation, damage to nesting sites, visual impact on people travelling along the river by boat or on the riverside footpath (a National Trail)

6. **Rail sidings viaduct:** GLVIA requires clarity and transparency on the presentation of findings, and this is especially important at places where major adverse visual impacts occur, as in the impact of the rail sidings viaduct on residents of Appleford. Is the extent of this impact clearly and transparently expressed in the ES, and are there clear and transparent reasons to explain why the imperative to avoid such significant effects has been overridden? (This query relates to much of the LVIA, but is especially acute in the areas of greatest impact).
7. **Traffic impacts on feeder roads:** The LVIA refers on occasion to the visual impact of traffic on the new road, so why is there no assessment of the visual impact of traffic on roads in the area that are predicted to experience significant increases in traffic levels, and especially HGVs? This has been raised in several comments in relation to Nuneham Courtney with its Grade 1 listed parkland, but applies more widely.

Consultation responses.

A number of OCC internal consultation responses have now been submitted, with, at the time of writing, more anticipated. It is very surprising that, at this late stage, a number of these officers express concerns over the scheme. A significant number of responses request further information and amendments to the environmental assessment. These include matters relating to Biodiversity (including the lack of a Habitats Regulations Assessment (HRA), and concerns over Terrestrial and Aquatic Ecology, Climate effects, tree and hedgerow loss, and an apparent failure to minimise the loss of Best and Most Versatile (BMV) soils), Highways (a failure to extend the traffic modelling to Abingdon town centre) and Landscape (see above).

These concerns taken as a whole amount to significant criticism of the adequacy of the environmental impact assessment process and the accompanying ES and lend significant weight to our objections.

We have, in addition, also had sight of the statutory consultee responses from the Local Planning Authorities (LPAs), South Oxfordshire DC (SODC) and the Vale of White Horse DC (VoWHDC).

As with the County Council's internal consultees, we note that a significant number of the professional officers of both LPAs have also expressed concerns relating to a number of aspects of the ES and require further information and evidence in respect of a wide range of matters. These matters include Landscape, Biodiversity, Forestry, Heritage, Air Quality and Noise. It is further noted that a number of these consultees regard the development proposal as conflicting with both Local Plan and national policies.

Climate Change Position Statement.

Further, we would draw to the Council's attention that the Secretary of State for Transport (SoST) is requesting additional information on other highway projects (for example A1 Morpeth to Ellingham, A38 Derby Junctions scheme which was subject to High Court challenge, M25 Junction 28, and others) to assist a decision on climate change related impacts having regard to cumulative assessment concerns.

Given the characteristics of this application we are of the view that the Council should provide a Climate Change Position Statement which further addresses climate change and the cumulative assessment of climate impact information issues being referred to for this scheme.

The statement should provide an assessment of the cumulative effects of Greenhouse Gas emissions from the scheme with other existing and/or approved projects on a local, regional and national level on a consistent geographical scale (for example an assessment of the cumulative effects of the Roads Investment Strategy RIS 1 and RIS 2 at a national level). This should take account of both construction and operational effects; identify the baseline used at each local, regional and national level; and identify any relevant local, regional or national targets/budgets where they exist and how the assessment complies with these (including the carbon budgets, the 2050 zero target under the Climate Change Act 2008, and the UK's Nationally Determined Contribution under the Paris Agreement).

It should be accompanied by reasoning to explain the methodology adopted, any likely significant effects identified, any difficulties encountered in compiling the information, and how the assessment complies with the Environmental Impact Assessment Regulations. Confirmation should be given that the statement has been prepared by a competent expert. It is further requested that links be provided to any documents referenced and their relevance fully explained.

In light of all the matters set out above it is considered that the ES fails to satisfy the requirements of the 2017 EIA Regulations and the Conservation of Habitats and Species Regulations 2017 and that consequently planning permission for the scheme cannot lawfully be granted.

Please do not hesitate to contact me should you require any further clarification or any further information in respect of the matters set out above.

We look forward to hearing from you.

Sincerely,

Charlie Hopkins MA (Oxon) PG Dip Law
Solicitor (non-practicing), Planning & Environmental Consultant
18th February 2022