

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 77 AND THE TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND) RULES 2020

Application by Oxfordshire County Council

Proposal: Dicot Garden Town HIF1 Scheme

**Site Address: Land between A34 Milton Interchange,
and B4015 north of Clifton Hampden, Oxfordshire**

Proof of Evidence

Emma Bowerman BA (Hons) MSc

On behalf of South Oxfordshire District Council

In relation to the planning application

Covering issue 14 - Overall planning balance
including the extent to which the proposed development is consistent with the
development plan for the area in respect of development management policies

Planning Inspectorate reference: APP/U3100/V/23/3326625

South Oxfordshire District Council reference: P23/S2955/CM

January 2024

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1.0 QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Emma Bowerman and I am a Principal Major Applications Officer at South Oxfordshire and Vale of White Horse District Councils. I have a Master of Sciences Planning Degree and 20 years' experience working in planning. I have worked for the councils for the past 17 years in Development Management and have been in my current role in the shared major applications team since 2019.
- 1.2 The evidence which I have prepared and provide for this appeal reference APP/U3100/V/23/3326625 in this proof of evidence is true and I confirm that the opinions expressed are my professional opinions.

2.0 INTRODUCTION AND SCOPE OF EVIDENCE

Introduction

- 2.1 South Oxfordshire District Council ('the Council') was consulted on the planning application for the proposed HIF1 scheme and provided comments on the original proposal on 4 February 2022, and two sets of amendments on 23 December 2022 and 20 June 2023. These responses are at Appendix 1 of the Council's statement of case (CD L.4).

Scope of Evidence

- 2.2 In his letter dated 25 July 2023, the Secretary of State set out specific matters that he wished to be informed about and this included '*c) The extent to which the development is consistent with the development plan of the area.*' My evidence will consider this in relation to development management considerations.
- 2.3 Strategic policies are addressed on behalf of the council in my colleague Emma Baker's proof of evidence, and this refers to issues of national policy on homes and the economy covering matters a) and b) raised by the Secretary of State. The evidence presented by Emma Baker will demonstrate that the HIF1 scheme is an

integral component of the South Oxfordshire Local Plan ('SOLP') 2035 as it is required to deliver planned allocations and employment growth in the district.

- 2.4 The Inspector's note dated 12 January 2024 advises that all evidence will be heard in topics and my evidence will be in response to topic 14 in respect of the overall planning balance, with particular emphasis on the most important adopted SOLP development management policies.
- 2.5 As referred to in the council's statement of case, I will also refer to the meeting held on 29 August 2023 where elected members of the Council considered the potential implications of the HIF1 planning application process and its implications for development in the district. The relevant documents, including the minutes of the meeting, are attached at appendix 2 of the council's statement of case (CD L.4).
- 2.6 I am not expert on climate change, traffic modelling, traffic assessment or noise and I shall not address these matters in any detail. I will also not be providing detailed evidence on biodiversity, heritage matters or landscape and visual effects. However, I will reflect on those matters as necessary in the planning balance.

3.0 THE PLANNING POLICY CONTEXT

The development plan

- 3.1 Section 70 the Town and Country Planning Act 1990 makes clear that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'*.

3.2 The statutory development plan for South Oxfordshire is the SOLP (CD G.01), which was adopted on 10 December 2020. The made Culham Neighbourhood Plan 2020-2041 (CD G.07) also forms part of the development plan for proposals within the neighbourhood plan area. The Culham Neighbourhood Plan 2020-2041 was made 12 June 2023.

3.3 The parts of the development plan that I will address are the development management policies that are most important to the consideration of the proposals. These are:

South Oxfordshire Local Plan policies

- STRAT3: Didcot Garden Town
- STRAT6: Green Belt
- TRANS1b (Supporting Strategic Transport Investment)
- TRANS3: Safeguarding of Land for Sustainable Transport Schemes
- TRANS5: Consideration of Development Proposals
- ENV1: Landscape and Countryside
- ENV2: Biodiversity – Designated Sites, Priority Habitats and Species
- ENV3: Biodiversity
- ENV6: Historic Environment
- ENV7: Listed Buildings
- ENV8: Conservation Areas
- ENV10: Historic Battlefields, Registered Parks and Gardens and Historic Landscapes
- ENV12: Pollution – Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)
- DES1: Delivering High Quality Development
- DES2: Enhancing Local Character
- DES6: Residential Amenity
- DES7: Efficient Use of Resources
- DES8: Promoting Sustainable Design

Culham Neighbourhood Plan Policies

- CUL5: Design Code for Culham
- CUL6: Local Heritage Assets
- CUL8: Sustainable Travel
- CUL10: Light Pollution

Emerging Plans

South Oxfordshire and Vale of White Horse Joint Local Plan

- 3.4 The emerging Joint Local Plan has reached Regulation 18 consultation (its second Regulation 18 consultation) which launched on January 10 2024 for 6 weeks. The emerging Joint Local Plan contains options, preferred options, and full draft policies. The plan has not reached Regulation 19 stage yet, therefore limited weight can be afforded to the Joint Local Plan.

Burcot and Clifton Hampden Neighbourhood Plan 2011 - 2035

- 3.5 The publicity period on the Burcot and Clifton Hampden Neighbourhood Plan (CD G.08) concluded on 11 April 2023. The draft plan documents and comments received during the publicity period have been submitted for independent examination. The plan can therefore be afforded some weight.

Other material considerations

The National Planning Policy Framework (NPPF)

- 3.6 The NPPF as a whole is a material consideration. Specific paragraphs that are of relevance to the matters considered in this proof of evidence are referred to under the appropriate topic heading below.
- 3.7 Paragraph 47 of the NPPF acknowledges the legal requirement for applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Didcot Garden Town Delivery Plan

- 3.8 The Didcot Garden Town Delivery Plan (DGTDP) (CD G.06) was first published in 2017, with the list of proposed projects updated in 2022. Whilst the Delivery Plan is not a statutory planning document or part of the development plan, it is a material consideration. Its visions include strengthening the economic base of Didcot, providing supporting infrastructure including transport infrastructure particularly for sustainable modes of travel, and delivering a wide choice of homes. The Delivery Plan also includes a masterplan which seeks to bring about positive change for Didcot.

South Oxfordshire and Vale of White Horse District Councils' Joint Design Guide

- 3.9 The Joint Design Guide (CD G.13) is a Supplementary Planning Document adopted in June 2022 and is a material consideration when determining planning applications. The Joint Design Guide is intended to assist landowners, developers, applicants, agents, designers, and planners through all stages of the design and planning process to achieve high quality and sustainable development.

4.0 ASSESSMENT AGAINST DEVELOPMENT PLAN POLICIES

Principle of development

- 4.1 As evidenced in my colleague Emma Baker's Proof of Evidence, the HIF1 scheme is an essential component to unlock the delivery of planned housing and employment growth in South Oxfordshire.
- 4.2 The need to provide strategic infrastructure to support planned growth is reflected in several development plan policies, including SOLP policy STRAT3 (Didcot Garden Town), which states that the SOLP will '*require infrastructure to unlock development in Didcot Town Centre, Didcot and the wider area*' and adds that '*Significant infrastructure improvements are committed to under Policy TRANS1b (Supporting Strategic Transport Investment). Infrastructure will need to be in place to enable sites allocated in the Local Plan in and around Didcot to be delivered.*'

- 4.3 Policy TRANS1b (Supporting Strategic Transport Investment) outlines the council's commitment to work with Oxfordshire County Council to *'support the development and delivery of a new Thames River crossing between Culham and Didcot Garden Town, the A4130 widening and road safety improvements from the A34 Milton Interchange to Didcot, a Science Bridge over the A4130 and railway into the former Didcot A power station site and the Clifton Hampden Bypass.'*
- 4.4 The land necessary to deliver the HIF1 scheme is safeguarded in policy TRANS3 (Safeguarding of Land for Strategic Transport Schemes). The Joint Local Plan Preferred Options Consultation provides a draft policy 'Policy IN3 – Transport Infrastructure and Safeguarding' which would carry over the requirement to safeguard land for the proposed HIF1 scheme.
- 4.5 The development plan therefore specifically identifies that the strategic infrastructure that is included within the proposed HIF1 scheme is necessary to deliver the adopted spatial strategy for housing and employment growth in South Oxfordshire. And land is safeguarded in the SOLP for this purpose. The SOLP clearly sets out strong support for the development as a matter of principle and I consider that the principle of the HIF1 scheme is fully consistent with the development plan of the area.
- 4.6 Given that the proposed HIF1 scheme is needed to deliver the adopted spatial strategy for housing in the district, it is consistent with the Government's aim to boost the supply of homes (NPPF para 60). As recognized by para 74 of the NPPF, *'The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes).'* The HIF1 scheme will provide the necessary infrastructure to deliver a new settlement on land adjacent to

Culham Science Centre (SOLP policy STRAT9) and a significant extension to the village of Berinsfield (SOLP policy STRAT10i).

4.7 As outlined in Emma Baker's proof of evidence, the HIF1 scheme will support the delivery of employment growth in the district. As specified in paragraph 85 of the NPPF, *'Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'*.

4.8 I note that in the meeting held on 29 August 2023, elected members of the Council resolved that the inquiry should be made aware of the importance of infrastructure funded by HIF1 to the delivery of housing and economic sites allocated in the SOLP. The relevant documents are attached at appendix 2 of the council's statement of case (CD L.4).

Sustainable design

4.9 In the 29 August 2023 meeting, the elected members of the Council also resolved to highlight to the inquiry South Oxfordshire's target of becoming a net zero district by 2030. Taking action on the climate emergency is a key theme in the Council's corporate plan.

4.10 The most relevant development plan policy in respect of sustainable design is DES8 (Promoting Sustainable Design) of the SOLP. This policy requires that new developments *'should seek to minimise the carbon and energy impacts of their design and construction.'*

4.11 The Council welcomes the draft condition setting out a requirement to secure a carbon management plan to identify opportunities to support carbon reductions and emissions through the lifecycle of the development (draft conditions 20 and 37). Subject to the imposition of these conditions, I consider that the proposed HIF1 scheme is consistent with the relevant part of SOLP policy DES8 (Promoting Sustainable Design).

- 4.12 The delivery of a priority bus lane, as outlined in draft condition 8, is also welcome as this will help encourage modal shift by prioritising public transport over other modes such as the private car. In combination with the high-quality walking and cycling components that will be delivered as part of the development, the proposed HIF1 scheme will provide a genuine alternative to car travel. This infrastructure will be a significant benefit to occupiers and employees of the housing and employment allocations. The alternative sustainable travel choices that will be delivered as part of the HIF1 scheme will also contribute towards minimising the carbon emissions associated with lifespan of the new developments.
- 4.13 In my opinion the HIF1 scheme has been designed to encourage walking and cycling, in accordance with relevant part of SOLP policy TRANS2 (Promoting Sustainable Transport and Accessibility). The provision of safe and convenient routes for cyclists also complies with the relevant part of policy TRANS5 (Consideration of Development Proposals). The proposal has taken up *'appropriate opportunities to promote sustainable transport modes'* in accordance with NPPF paragraph 114(a).
- 4.14 The proposed HIF1 scheme will provide infrastructure for the strategic development adjacent to Culham Science Centre and will provide a section of cycleways and footpaths that will link to the village of Culham. As such, there is no conflict with policy CUL8 (Sustainable Travel) of the Culham Neighbourhood Plan (CD. G.07).

High quality design

- 4.15 The need for high quality design throughout, as set out in the Joint Design Guide and the DGTDP was also a matter highlighted by elected members of the council at the 29 August 2023 meeting.

- 4.16 Policy STRAT3 (Didcot Garden Town) requires proposals for development within the Didcot Garden Town Masterplan Area *‘to demonstrate how they positively contribute towards the Didcot Garden Town Masterplan Principles’*. The principles in the DGTDP (CD G.06) are broad and include reducing car use, encouraging sustainable travel modes, promoting pioneering architecture, and prioritising green infrastructure and green space over roads and parking. The proposed HIF1 scheme is largely compliant with these principles, but concern has been raised in relation to the design of the bridges. I return to this issue below.
- 4.17 The Joint Design Guide (CD G.13) also covers a wide range of topics in relation to the natural environment, movement and connectivity, and built form. It also provides design objectives for different types of development. The proposed HIF1 scheme is in accordance with the relevant sections of the Joint Design Guide including a requirement for street designs to cater for all users and modes of transport, and to encourage and prioritise active and sustainable transport choices.
- 4.18 Other relevant development plan policies in respect of design are DES1 (Delivering High Quality Design) and DES2 (Enhancing Local Character). Together, these policies expect development to be of a high-quality design that reflects and enhances local character. The Culham Neighbourhood Plan (CD G.07) also contains a relevant policy, CUL5 (Design Code for Culham), which sets out support for developments *‘provided that have full regard to the essential design considerations and general design principles set out in the Culham Design Code’*.
- 4.19 Although close to the border with South Oxfordshire, the proposed Science Bridge will be located within the Vale of White Horse and has been considered in my colleague Adrian Butler’s proof of evidence. I will not repeat his comments on the design of the Science Bridge. I agree with the views he has expressed about the proposed Science Bridge not fully meeting the aspirations of the DGTDP as it will not a pioneering design and that its appearance can be improved through the

imposition of conditions. Overall, I do not consider that planning permission for the scheme should be withheld because the Science Bridge will not be a pioneering design.

- 4.20 In respect of the Thames River Crossing Structure (viaduct and bridge), this serves the section of the HIF1 scheme within South Oxfordshire. The Council's landscape officer has commented that the viaduct supports are bulky and the design does not minimise the visual impacts of the structure. Although I agree with this assessment, for practical reasons, the structure will inherently be engineered in appearance and designed to reflect its use. Given that the Thames River Crossing Structure will be within a rural setting, a landmark feature would not be appropriate, and I am satisfied that the functional appearance of the structure, and its overall scale and form, are acceptable from a design perspective.
- 4.21 The Council's landscape officer raised concern that the use of light concrete on the bridges may make them more prominent when viewed against the landscape backdrop (appendix 1 of council's statement of case - CD L.4). In response to this concern, and others raised in relation to bridge design, the applicant has put forward a condition to secure details of the external materials and this is explained in the note on bridge design produced in response to the Inspector's pre-inquiry meeting summary note.
- 4.22 The suggested condition, which is included in the draft conditions (condition 24) circulated by Oxfordshire County Council as the Local Planning Authority, will help to mitigate the visual impact of the Thames River Crossing Structure. It will be important to ensure that the material colour that is agreed will, as far as possible, reduce the overall prominence of the structure in the landscape. Other conditions that will secure landscaping, and are referred to in the relevant section below, will also help to mitigate the visual impact of the structure.

- 4.23 Subject to the imposition of conditions, I am satisfied that the development will not conflict with SOLP policies DES1 (Delivering High Quality Design) and DES2 (Enhancing Local Character) in this respect. As required by Culham Neighbourhood Plan (CD G.07) policy CUL5 (Design Code for Culham) the proposed HIF1 scheme is also in general accordance with the Design Codes for development outside of the main village settlement, including enhancing pedestrian and cycle infrastructure.

Landscape and trees

- 4.24 As referred to in the minutes of the meeting held on 29 August 2023, elected members of the Council resolved that the inquiry should be made aware of the Council's views about the importance of *'minimising harmful impact of any scheme on our natural and historic landscape, including the River Thames, and maximising biodiversity'*.
- 4.25 With regards to landscape impact, the most relevant development plan policy is SOLP policy ENV1 (Landscape and Countryside). This seeks to protect the *'district's landscape, countryside and rural areas'* from *'harmful development'* including features that contribute to the nature and quality of landscapes such as trees and hedgerows. SOLP policy DES2 (Enhancing Local Character) requires *'all new development to be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings'*.
- 4.26 As outlined in the Council's responses to the consultations on the planning application in appendix 1 of the Council's statement of case (CD L.4), the Council's landscape officer raised several concerns with the proposals, particularly in respect of planting mitigation. The officer commented that the *'extent of mitigation appears to have been largely limited to within the engineering land take, rather than defined by an assessment of landscape and visual mitigation requirements.'* The officer also raised concern about the road design at the Culham Science Centre entrance, including its complicated layout, the loss of

trees that currently frame the entrance, and the limited space available to implement any meaningful replacement planting.

- 4.27 When assessing the final set of amended plans for the proposal, the Council's tree officer welcomed the revisions that allowed for the retention of more trees than the previous proposals, particularly those subject to a Tree Preservation Order, those located in the conservation area, and a veteran tree. However, the Council's tree officer did identify that *'the proposal will require a very significant amount of tree removal and will reduce canopy cover significantly'* and commented that *'It is therefore essential that new planting is maximised as part of the scheme.'*
- 4.28 The Council's landscape officer and tree officer both raised concern that, even in the final set of amendments, the documents submitted with the application did not show the level of detail required to be able to scrutinize the mitigation planting in any detail.
- 4.29 Given that the proposal will result in the loss of a significant number of trees that are of landscape value, and these losses will not be fully mitigated, the proposed HIF1 scheme will have an adverse impact on landscape character and views. The proposal is therefore not fully consistent with the development plan in this respect as there is conflict with policy ENV1 (Landscape and Countryside).
- 4.30 The conflict with policy ENV1 (Landscape and Countryside) is acknowledged in the 17 July 2023 report to Oxfordshire County Council's Planning and Regulation Committee (CD F.1), which advises that the loss of trees and hedgerows must be weighed against the benefits of the scheme. This balancing exercise is carried out below.
- 4.31 Given the concerns raised by the Council's landscape officer in relation to the harmful landscape and visual effects, the proposed HIF1 scheme is also not consistent with SOLP policy DES2 (Enhancing Local Character). This is because the proposed HIF1 scheme would not physically and visually enhance its

surroundings, particularly in relation to the entrance to the Culham Science Centre.

- 4.32 I consider that there has been a missed opportunity to design a scheme with a more sympathetic approach to the existing landscape, that included opportunities to provide mitigation that would better help to integrate the road into the landscape, through measures such as the use of false cuttings, embankments with shallower gradients and more extensive tree planting. However, I also acknowledge that it is inevitable that infrastructure of the scale required to deliver the housing and employment growth allocated in the SOLP will result in some adverse landscape and visual effects. Road infrastructure is inherently utilitarian and engineered in appearance, as it has to be, and this is also relevant in terms of the scope for mitigating the adverse effects.
- 4.33 Following the outcome of the 17 July 2023 Planning and Regulation Committee, the applicant sought to improve some aspects of the scheme and the measures proposed were reported back to the committee on 27 September 2023 (CD F.5).
- 4.34 The measures include a commitment to upgrade 50 new trees to semi-mature species at various locations including at the Culham Science Centre Roundabout. This will help reduce the immediate visual impact of the proposal and should be captured in a planning condition. The proposal to provide a fund for the local community to apply for additional landscaping work is welcomed by the Council.
- 4.35 The landscape impacts of the development can also be mitigated by way of planning conditions, and conditions can also be used to secure additional tree planting. Oxfordshire County Council as Local Planning Authority have shared draft conditions, and together, draft conditions 5, 9, 12, 17, 18 and 19 will help to mitigate the landscape and visual impacts of the development. I support the use of a condition requiring approval of existing and final ground levels (draft condition 11), as this was a matter that was not fully detailed in the application.

- 4.36 Draft condition 28 requires the approval of lighting details and this includes the location, height, type and direction of all light sources, including intensity of illumination, shields, sensors and timing of lighting use. This condition will help mitigate the impact of lighting and ensure that the proposal complies with Culham Neighbourhood Plan (CD G.07) policy CUL10 (Light Pollution), which requires proposals to *'be designed to minimise the occurrence of light pollution and employ energy-efficient forms of lighting that reduces light scatter.'*
- 4.37 Subject to securing suitable conditions, I am satisfied that the visual and landscape impacts of the development do not represent a reason to refuse the development, given that the benefits of the scheme will significantly outweigh the harm, as outlined in the planning balance section below.

Listed Buildings and Conservation Areas

- 4.38 There are several designated heritage assets in South Oxfordshire that are within 1km of the proposed HIF1 scheme. This includes the Registered Park and Garden at Nuneham Courtney, Conservation Areas, and numerous Listed Buildings. The Culham Neighbourhood Plan (CD G.07) also identifies some local, non-designated assets.
- 4.39 The development plan policies that seek to conserve and enhance these heritage assets include SOLP policies ENV6 (Historic Environment), ENV7 (Listed Buildings), ENV8 (Conservation Areas) and ENV10 (Registered Parks and Gardens). Policy CUL6 (Local Heritage Assets) of the Culham Neighbourhood Plan (CD G.07) is also relevant.
- 4.40 The assessment in the 17 July 2023 report to Oxfordshire County Council's Planning & Regulation Committee (CD F.1) sets out a detailed appraisal of the impacts on the various heritage assets. It concludes that the proposed HIF1 scheme will result in harm to some heritage assets, and this will amount to less-than-substantial harm, at the lower end of the scale.

- 4.41 The Council's conservation officer agrees with this assessment and, in accordance with para 208 of the NPPF, it is therefore necessary to attribute great weight to the conservation of these assets and weigh any harm against the public benefits. As outlined in the planning balance section below, the benefits of the development are substantial and, in my opinion, outweigh the less-than-substantial harm to the heritage assets identified.
- 4.42 As outlined in the Council's responses to the consultations on the planning application in appendix 1 of the Council's statement of case (CD L.4), the Council's conservation officer notes the importance of securing conditions to mitigate the impact on heritage assets, and this includes details of planting and acoustic barriers. These are captured in draft conditions 5 and 17 in relation to landscaping, and condition 32 for details of the barriers.
- 4.43 Subject to these conditions, I am satisfied that the proposed HIF1 scheme is consistent with the relevant development plan policies that seek to conserve and enhance heritage assets, including SOLP policies ENV6 (Historic Environment), ENV7 (Listed Buildings), ENV8 (Conservation Areas), and ENV10 (Registered Parks and Gardens), and policy CUL6 (Local Heritage Assets) of the Culham Neighbourhood Plan (CD G.07).

Biodiversity

- 4.44 Policy ENV2 (Biodiversity – Sites, Habitats, Species) of the SOLP is of most relevance and seeks to ensure that any harm to designated sites, priority habitats and species are avoided, mitigated, or compensated for. In the Council's responses to the consultations on the planning application in appendix 1 of the council's statement of case (CD L.4), the Council's countryside officer provides a review of the likely impacts and recommends that further surveys are carried out and mitigation measures secured.
- 4.45 In respect of biodiversity net gain, SOLP policy ENV3 (Biodiversity) seeks to provide a net gain in biodiversity where possible. The Council's countryside officer

raised some concerns in relation to the methodology of the Biodiversity Net Gain assessment but commented that, in the absence of part 6 of the Environment Act 2021 taking force, the level of net gain is compliant with the NPPF (para 180(d)).

- 4.46 The conditions recommended by Oxfordshire County Council as Local Planning Authority include a requirement to agree a Construction Environmental Management Plan (condition 9), and this includes several measures to avoid and mitigate impacts on species and habitats. Draft condition 12 will secure updated protected species surveys with revised mitigation and enhancement strategies, and a biodiversity mitigation and enhancement strategy is proposed under condition 14. A revised Biodiversity Net Gain Assessment and updated metric requiring a 10% increase in biodiversity is required under draft condition 3.
- 4.47 Subject to the imposition of these conditions, I am satisfied that the proposed HIF1 scheme is consistent with development plan policies ENV1 and ENV2 in relation to ecology and biodiversity.

Green Belt

- 4.48 Much of the land to the north of the River Thames lies within the Green Belt, although it is noted that land at Culham Science Centre, and land adjacent to the Science Centre, were removed from the Green Belt in the SOLP to accommodate strategic allocations in these locations.
- 4.49 The relevant development plan policy is STRAT6 (Green Belt), which seeks to protect the Green Belt from harmful development to ensure that it continues to serve its key functions. It adds that *'Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'*

- 4.50 The 17 July 2023 report to Oxfordshire County Council's Planning & Regulation Committee (CD F.1) is very clear in its assessment of the proposed HIF1 scheme against chapter 13 of the NPPF (Proposals affecting the Green Belt). This assessment outlines that the proposed HIF1 scheme represents '*local transport infrastructure which can demonstrate a requirement for a Green Belt location*' as the scheme is necessary to mitigate the impacts of planned housing and employment growth in and around an area designated as Green Belt. As such, I agree that proposed HIF1 scheme is a form of development that would not be inappropriate in the Green Belt, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (NPPF paras.155(c))
- 4.51 I agree with the conclusion in the Committee report (CD F.1) that, the proposal would fail to preserve openness and would conflict with some of the purposes the Green Belt serves. The development therefore falls outside the scope of paragraph 155(c) and represents inappropriate development in the Green Belt. As such, very special circumstances must exist to clearly outweigh the harm to the Green Belt and any other harm.
- 4.52 Following correspondence from the inquiry manager on 17 January 2024, I understand that the case Oxfordshire County Council (as applicant) will be advancing at the inquiry is that '*the proposed development properly falls within NPPF paragraph 155(c) such that it is not inappropriate development.*' At the time of writing, I have not seen the evidence that is being relied on. I will review it and comment as appropriate at the inquiry.
- 4.53 In my opinion there are very special circumstances to justify the development, including that the infrastructure is essential to deliver planned housing and employment growth, as set out Emma Baker's proof of evidence. Exceptional circumstances were found to exist to remove the allocated sites at Culham and Berinsfield from the Green Belt in the SOLP and those same circumstances, which

were fully evidenced and justified at the examination into the SOLP, are again relevant here.

- 4.54 I consider that these circumstances clearly outweigh the harm that would be caused to the Green Belt and other harms. I therefore consider that the proposed HIF1 scheme is fully consistent with policy STRAT6 (Green Belt).

Other matters

- 4.55 In my opinion, the matters set out above are of most relevance to the Council in its capacity as the District Council. Oxfordshire County Council is the relevant authority for highways and minerals and waste. The County Council also advise the district on matters of archaeology. I do not wish to challenge any of the conclusions that the County Council, in its capacity as Local Planning Authority for this application, has made on these matters. I am satisfied that the proposed HIF1 scheme is consistent with the development plan in respect of these matters.
- 4.56 With regards to the planning considerations that I have not touched on, including loss of agricultural land, flooding and drainage, air quality and noise, I have nothing to add that would provide the Inspector with any additional information to that presented in the 17 July 2023 report to Oxfordshire County Council's Planning and Regulation Committee (CD F.1). I am satisfied that the proposed HIF1 scheme is consistent with the development plan in respect of these matters.

5.0 THE PLANNING BALANCE AND CONCLUSION

- 5.1 There is strong policy support for the principle of the HIF1 scheme in the strategic policies of the SOLP, as evidenced by the inclusion of a specific policy to safeguard land for the delivery of this transport scheme. This includes policies:
- STRAT3: Didcot Garden Town
 - TRANS1b (Supporting Strategic Transport Investment)
 - TRANS3: Safeguarding of Land for Sustainable Transport Schemes

5.2 Several other Development Plan policies which are relevant to the HIF1 scheme are either complied with, or can be complied with, through the imposition of conditions. This applies to policies:

- STRAT6: Green Belt
- TRANS5: Consideration of Development Proposals
- ENV2: Biodiversity – Designated Sites, Priority Habitats and Species
- ENV3: Biodiversity
- ENV6: Historic Environment
- ENV7: Listed Buildings
- ENV8: Conservation Areas
- ENV10: Historic Battlefields, Registered Parks and Gardens and Historic Landscapes
- ENV12: Pollution – Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)
- DES1: Delivering High Quality Development
- DES6: Residential Amenity
- DES7: Efficient Use of Resources
- DES8: Promoting Sustainable Design
- CUL5: Design Code for Culham
- CUL6: Local Heritage Assets
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5.3 My proof of evidence has identified some harm in terms of adverse landscape and visual impacts that would result from the development and harm to the openness and purposes of the Green Belt. In my opinion, the proposed development would conflict with SOLP policies:

- ENV1 (Landscape and Countryside)
- DES2 (Enhancing Local Character).

5.4 Although some of the visual effects would lessen as planting becomes established, as referred to in para 200 of the 17 July 2023 report to Oxfordshire

County Council's Planning and Regulation Committee (CD F.1), they would remain significant adverse in the most part. I agree with this assessment.

- 5.5 This harm has to be considered in the context that the introduction of any strategic highways infrastructure of the scale proposed, into a predominately rural landscape, will inevitably have a harmful effect that could not be avoided completely through mitigation or changes in design.
- 5.6 Furthermore, the planned new growth in the SOLP is unlikely to be delivered if the strategic infrastructure proposed as part of the HIF1 scheme is not delivered. These planned developments will substantially benefit residents in providing much needed housing and employment opportunities. The benefits are both social and economic and I give them substantial weight.
- 5.7 The proposals will deliver sustainable travel links by public transport, cycling and walking between housing and commercial areas. This will encourage less reliance on journeys by motorized vehicles which can have health benefits, improve air quality, reduce carbon emissions and the causes of climate change, and reduce congestion.
- 5.8 New planting has an environmental benefit, although this has to be balanced against the loss of planting. A ten percent net gain in biodiversity is required by condition.
- 5.9 The proposals will provide employment opportunities during the construction period, investment in the local and wider economy through the construction works, and new residents and employees through their spending.
- 5.10 Overall, I consider that the benefits of the HIF1 scheme would outweigh the landscape harm. As I have already explained above, I consider that the benefits of the scheme also provide the very special circumstances necessary to clearly outweigh the harm to the Green Belt and any other harm. I am also of the opinion

that the substantial benefits of the development outweigh the less-than-substantial harm to the heritage assets identified.

- 5.11 I am satisfied that the proposal is in accordance with the development plan as a whole, given the strong support of the strategic policies, compliance with several other important policies and the fact that policy conflict is limited to two landscape/character policies which would inevitably be breached by a scheme of this nature. There are no material considerations of sufficient weight to suggest that it should not be permitted. As such, I respectfully request that the planning permission is granted for the proposed HIF1 scheme.
- 5.12 I will review the evidence presented by other parties on issues relevant to my conclusions and advise the Inspector if there is a need to update or revise my conclusions in any way.