

Town and Country Planning Act 1990 (as amended)

Appendices to Proof of Evidence on Five Year Supply of Housing On behalf of Cherwell District Council

In the following appeal:

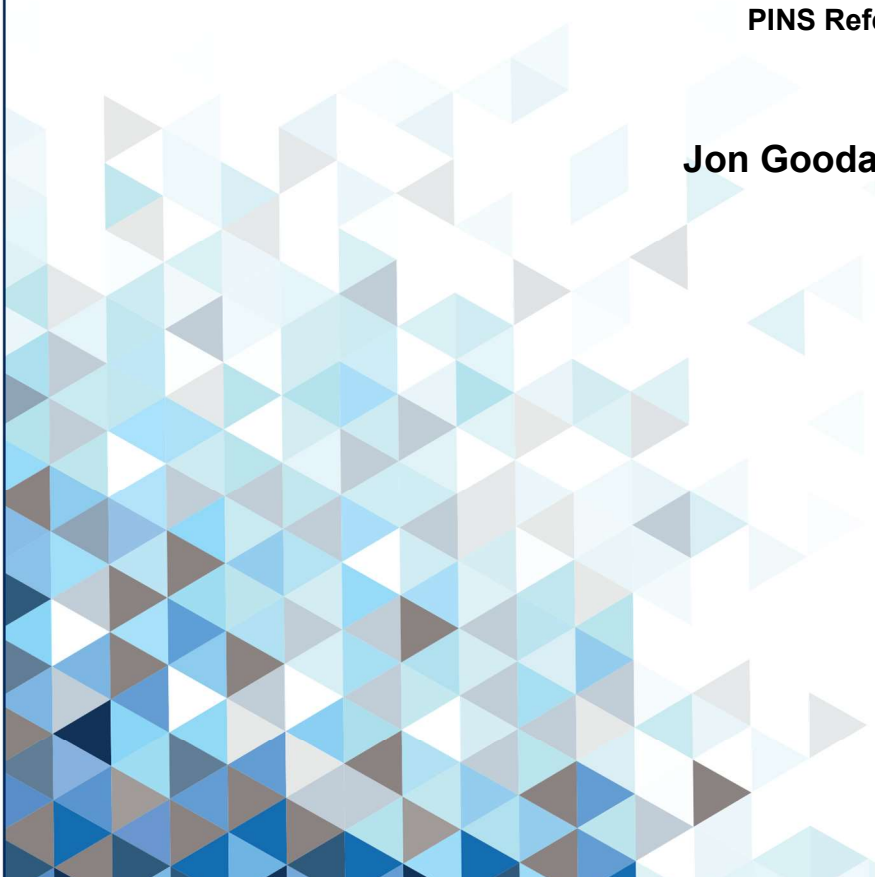
Outline application for up to 170 dwellings (Use Class C3) with associated open space and vehicular access off Warwick Road, Banbury; All matters reserved except for access

Land east of Warwick Road, Banbury, Oxfordshire

PINS Reference: APP/C3105/W/24/3338211

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May 2024



Inspectorate Ref: APP/C3105/W/24/3338211

Planning Application Ref: 23/00853/OUT

Appeal Site: Land east of Warwick Road, Banbury, Oxfordshire

**Town and Country Planning Act 1990
Section 78**

**Appendices to Proof of Evidence on the Five-Year Supply of Housing
in Respect of Cherwell District Council**

**Prepared on behalf of
Cherwell District Council**

**Evidence of
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May 2024

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Strategic Planning & Research Unit

Appendix 1

The Housing Delivery Test in Cherwell District

Technical Appendix Regarding Calculation of the Number of Homes Required and Unmet Needs Adjustment

Appeal Ref: APP/C3105/W/24/3338211

LPA Ref: 23/00853/OUT

On behalf of Cherwell District Council

Appeal Site: Land east of Warwick Road, Banbury, Oxfordshire

a) Background to the Calculation of the Number of Homes Required and Application of the HDT Rule Book

- A1.1 For both Cherwell and Vale of White Horse Districts the calculation of the number of homes required under the HDT in all years corresponds to the following provisions of the Rule Book:

“the minimum annual local housing need figure^{12 & 13} (and any need from neighbouring authorities which it has been agreed should be planned for, and which has been tested at examination¹⁴) for that authority calculated with a base date of 1st April each year¹⁵” (CD/13.12)

- A1.2 Footnote 14 is relevant and in relation to unmet needs states: “Where committed to within an adopted plan”.
- A1.3 Footnote 14 is deliberately broader and distinguished from the treatment of the treatment of unmet need where this forms part of the adopted housing requirement for the purposes of Paragraph 12 (bullet 1) of the Rule Book.
- A1.4 Conclusions relating to whether the housing requirement in adopted strategic policies requires updating are not relevant to either Cherwell District or Vale of White Horse District. The above provision produces the ‘lower of’ result for the number of homes required in any scenario where relevant strategic policies might be used (where they are less than five years old or have been reviewed). Local housing need provides the only measure for the number of homes required where this is not the case.
- A1.5 The Appellant further cannot draw any support from the HDT in terms of whether the calculation of the number of homes required provides any direction for the purposes of decision-taking or application of paragraph 77 of the NPPF(Dec)2023.
- A1.6 Plan Reviews are considered for the purposes of the HDT Measurement Technical Note (CD/13.11). Regard may be had to the adopted housing requirement, including identifying where it forms the ‘lower of’ the outputs to be assessed when calculating the number of homes required, provided that an authority must have:
- Published an assessment of the strategic housing requirement policy (or policies) within 5 years of adoption of such policies; and
 - As part of the review concluded that such policies do not require updating.
- A1.7 Footnote 6 of the Technical Note is relevant to the purpose of considering Plan Reviews for the HDT:

“Please note: any conclusion reached on a plan review relates solely to whether a review has been carried out, so that DLUHC can calculate the Housing Delivery Test (as set out in paragraph 12 and footnote 8 of the Housing Delivery Test Rule Book). Any such conclusion does not indicate that the Secretary of State for Housing, Communities and Local Government endorses or makes any other judgement on status of a particular plan, or review for decision or plan making purposes.”

- A1.8 The provisions of the HDT requiring regard to any commitment to provide towards unmet needs within an adopted Plan enable the calculation of an adjustment for net unmet needs that is to be applied in the same way for all local planning authorities in the circumstances where the provisions themselves are engaged.

A1.9 The provisions for a net unmet needs adjustment are separate from the calculation of local housing need itself. Again, this is deliberately distinct from the application of NPPF(Dec)2023 paragraph 77 and the treatment of the requirement in adopted strategic policies as set out in Paragraphs 3 and 4 of the HDT Measurement Technical Note:

3. Net unmet need is calculated for each authority by summing all the need taken (the authority becomes responsible for delivering this housing) and taking away all need given (the authority is no longer responsible for this housing).

*4. To convert this into an **annual figure**, the number of years the plan covers is calculated by taking the difference between the start date of the plan and the end date of the plan, by classifying both the start date and end date as days the plan covers. **The total net unmet need figure by authority is then divided by the total plan period.** (CD/13.11 my emphasis)*

A1.10 In neither Cherwell District nor Vale of White Horse District is the contribution towards part of Oxford's unmet needs within adopted strategic policies considered on the basis of annualised totals for the plan period. In both cases relevant policies for provision towards these needs were adopted after the 2011 base-date.

b) Agreed Calculation for the Number of Homes Required – Cherwell District

A1.11 The calculation of the HDT is agreed with the Appellant for the purposes of the Topic SoCG and therefore to add detail in Table 1 below I set out how this specifically includes the following calculation of the number of homes required, having regard to the summary of the HDT methodology provided above:

Table 1. 2022 HDT Number of Homes Required – Cherwell District

	Household		Difference	Local Housing Need	Net Unmet Needs Adjustment	Number of Homes Required[1]
	Projections		/10			
	2019	2029				
2019/20	61533	66997	546.4	742	220	881
	2020	2030				
2020/21	62135	67526	539.1	756	220	650
	2021	2031				
2021/22	62698	68063	536.5	714	220	934

A1.12 The net unmet needs adjustment is calculated on the basis of a 4,400 unit contribution towards part of Oxford's unmet needs (Partial Review Policy PR1) divided over 20 years.

A1.13 It is materially different to the contribution towards unmet needs identified under the Appellant's case (based on the approach to managing supply under adopted Policy PR12a of the Partial Review) (420dpa) (see CD/8.6 HLS Topic SoCG).

c) Calculation of the Number of Homes Required – Vale of White Horse District

A1.14 It follows that the calculation of the number of homes required in Vale of White Horse District, corresponding to the official published HDT, should be uncontroversial and is summarised in Table 2 below:

Table 2. 2022 HDT Number of Homes Required – Vale of White Horse District

	Household		Difference	Local Housing Need	Net Unmet Needs Adjustment	Number of Homes Required[1]
	Projections		/10			
	2019	2029				
2019/20	54104	59073	496.9	679	110	722
	2020	2030				
2020/21	54642	59545	490.3	661	110	513
	2021	2031				
2021/22	55157	60016	485.9	636	110	746

A1.15 The net adjustment for unmet needs is again not the same as that identified from Policy 4a of the VOWH Local Plan Part 2 as summarised at Paragraph 33 of the Grove Decision Letter:

“The Council state that a further 183 dwellings per annum should be added to the LHN figure to allow for Oxford’s unmet needs from Core Policy 4a. This addition is appropriate in this particular instance because it is an agreed figure which addresses the level of unmet housing need in Oxford, which was reassessed and confirmed in the up-to-date Oxford Local Plan 2036, adopted in June 2020.” (CD/10.21 my emphasis)

d) Calculation of the Number of Homes Required – Oxford City

A1.16 Finally, I illustrate below the calculation of the number of homes required under the HDT for Oxford.

A1.17 The net unmet needs adjustment is calculated as the reverse to the positions in Cherwell and Vale of White Horse (and reflects *all* the contributions towards parts of unmet need provided by all neighbouring authorities).

Table 3. 2022 HDT Number of Homes Required – Oxford City Council

	Household		Difference	Local Housing Need	Net Unmet Needs Adjustment	Number of Homes Required ^[1]
	Projections		/10			
	2019	2029				
2019/20	61129	66477	534.8	749	-715	30
	2020	2030				
2020/21	61621	67046	542.5	760	-715	30
	2021	2031				
2021/22	62094	67649	555.5	762 ¹	-715	47

A1.18 As illustrated by my calculation of the number of homes required for Oxford City the second limb of NPPF(Dec)2023 paragraph 77 (where local housing need applies) does not stipulate that the requirement against which supply is to be assessed is reduced to reflect provision for unmet need is policies provided by local planning authorities elsewhere.

A1.19 That would be the perverse and incorrect logic if applying the Appellant's proposition that the approach to the HDT relates to the application of paragraph 77. In some parts of the country where unmet needs are provided for by neighbouring authorities it would result in a negative requirement against which supply would be assessed.

¹ Based on 40% cap applied to annual adopted requirement in strategic policies of 544dpa



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Appendix 2

Joint Working In Oxfordshire

Plan-Making Implications and Outcomes for Addressing Unmet Needs

Appeal Ref: APP/C3105/W/24/3338211

LPA Ref: 23/00853/OUT

On behalf of Cherwell District Council

Appeal Site: Land east of Warwick Road, Banbury, Oxfordshire

APPENDIX 2

a) Context and Introduction

- A2.1 My main Proof of Evidence provides my position on the requirement against which supply is to be assessed in Cherwell for the purposes of this Appeal having regard to national policy and guidance and details of the adopted development plan. My Proof of evidence addresses the principles relied upon by the Appellant to suggest that a single figure must be used for the housing requirement to demonstrate that these are incorrect.
- A2.2 This Appendix provides further detail on plan-making in Oxfordshire to illustrate why the circumstances in other County authorities provide no support to the case advanced by the Appellant. The circumstances in neighbouring authorities further illustrate why the outcome of plan-making in Cherwell is to address contributions towards part of Oxford's unmet needs to be measured separately as part of the spatial strategy and adopted strategic policies of the Partial Review.
- A2.3 In summary, this Appendix addresses:
- a. Briefly, the background to joint working in Oxfordshire and its implications for plan-making;
 - b. Circumstances in West Oxfordshire relating to the housing requirement in adopted strategic Policy H1 (now more than five years old and no longer applied), which are not comparable to those in Cherwell district (CD/5.13 and CD/6.23); and
 - c. Circumstances in South Oxfordshire relating to the housing requirement in adopted strategic Policy STRAT2, which are not comparable to those in Cherwell district.
 - d. Circumstances in the Vale of White Horse District relating to the housing requirement in adopted strategic policies Core Policy 4 (Part 1 Local Plan – more than five years old) and Core Policy 4a of the Part 2 Local Plan, which are not comparable to those in Cherwell District in terms of the approach to addressing contributions towards part of Oxford's unmet needs.
- A2.4 I have proposed that these Plans and relevant aspects of their evidence base are introduced as Core Documents to this Inquiry.

b) Background to Joint Working and Site Selection in Oxfordshire

- A2.5 It is important to note that what is comparable in terms of the position of all Oxfordshire authorities contributing towards part of Oxford's unmet needs is that appropriate opportunities to achieve this were underpinned by sound planning principles and assessment of potentially suitable locations.
- A2.6 The site-specific nature of the approach governing the potential apportionment of unmet needs and guiding the relevant plan-making activities of each authority was outlined in detail within the Report 'A Countywide Approach to Meeting the Unmet Housing Need of Oxford' prepared for and subsequently agreed by the Oxfordshire Growth Board on 26 September 2016 (CD6.25).
- A2.7 A summary is provided at Paragraph 48 of the Part 1 Inspector's Report for the West Oxfordshire Local Plan:

"During the suspension of the examination the Oxfordshire Growth Board formally agreed that a 'working assumption' figure of 15,000 represents Oxford City's unmet housing need and that West Oxfordshire will accommodate 2,750 of these homes in the period 2021-2031. The 2,750 figure is based on extensive joint work on both capacity within Oxford City and on potential options for meeting the city's housing needs beyond the city boundary. The latter work includes a Green Belt study, a Spatial Options Assessment, a Transport Infrastructure Assessment and an Education Assessment." (CD/6.23)

- A2.8 It is important to note that the conclusions of the Growth Board's work expressly references that it would be role of individual Local Plans to address site selection and the relationship between options potentially suitable to address unmet needs and other spatial strategy considerations. Paragraph 55 of the Growth Board Report therefore states:

*"55) Each of the studies considered a set of thematic issues relating to the areas of search and in particular the relationship of the areas of search to Oxford City, given the Programme was concerned with considering how best to apportion the unmet need of Oxford. Reconciling the tension between a spatial strategy developed for each District with those options judged most appropriate to meet Oxford's unmet housing need, i.e., **the judgment about which areas and sites within them serve each District's needs and those which serve Oxford's, are matters for each District to address through the Local Plan making process after the apportionment has taken place.**" (CD/6.25 - my emphasis)*

- A2.9 On the basis that each authority was at a different stage in the plan-making process then the application of these sound planning principles would result in the justification for site selection and identification of the housing requirements in strategic policies being expressed differently.
- A2.10 Within this context it is relevant that the apportionment for Cherwell District to provide for part of Oxford's unmet needs was agreed following the Examination and adoption of the Cherwell Local Plan Part 1 (CD/5.1). Contributions towards

part of Oxford's unmet needs in Cherwell form a distinct part of an appropriate spatial strategy.

c) West Oxfordshire Local Plan 2031

A2.11 While no longer the approach applied by the authority for the purposes of NPPF2023 paragraph 77, Paragraph 5.45 of the adopted West Oxfordshire Local Plan (CD/5.13) confirms the rationale for measuring performance against a single figure:

“5.45 Oxford’s unmet needs are set out separately in the phased requirement table for illustrative purposes only. As Policy H2 makes clear, housing supply and delivery will be assessed against the combined totals which will be derived from annual completions across the District. Thus, whilst it is anticipated that Oxford’s unmet needs will be largely accommodated through delivery of the Oxfordshire Cotswolds Garden Village, the housing requirement is not disaggregated so that under or over supply at this location will not be treated separately when calculating the five year housing land supply.” (CD/5.13)

A2.12 For the reasons outlined below the position in adopted strategic policies does not conflate need and supply based on the spatial strategy adopted in West Oxfordshire.

A2.13 The implications for the approach in West Oxfordshire are not simply mathematical but reflect real world differences when compared with Cherwell. The West Oxfordshire Local Plan provides specific expectations for the scale, distribution and proposed phasing of housing provision.

A2.14 Specific sites identified to meet part of Oxford’s unmet needs for the period 2021-2031 cannot be distinguished separately from the wider strategy. The reality is that very similar considerations for the justification of site selection and overall distribution proposed were applied to justify the extent of supply identified within Eynsham-Woodstock part of the Plan Area. The was relevant to all allocations identified in this part of the Plan Area and where pre-existing committed and allocated supply informs the total distribution.

A2.15 This point on indistinguishability was relevant to preparation of the Development Plan in the Vale of White Horse. Paragraph 51 of the Inspector’s Report for the West Oxfordshire Local Plan (CD/6.23) summarises the similarity of circumstances in that authority:

“It has been argued that the Oxford City unmet housing needs requirement should apply immediately rather than being provided for only in the last ten years of the plan period (i.e., 2021-2031). However, this timescale is supported by all the local authorities, and it reflects the realities of delivery in the light of the strategy and lead-in times for the specific sites deemed most appropriate to meet these needs. Moreover, nothing in the plan prevents delivery of housing to contribute towards the city’s unmet housing needs before 2021. Indeed, notwithstanding the theoretical need that they are provided to meet, in reality, all homes built in the Eynsham – Woodstock sub-area (the part of West Oxfordshire closest to Oxford) will be as much available for households who would be considered to be an Oxford City housing need as to households who would be considered to be a West Oxfordshire need.”

A2.16 A simple summary is provided in Table 1 below. In summary even in the event that the adopted spatial strategy in West Oxfordshire made no contribution towards Oxford's unmet needs and removed provision specific through sites referenced for that purpose, around 22% of growth would still arise from the Eynsham and Woodstock sub-area reflecting its proximity to Oxford and contribution to sustainable development.

Table 1. Illustration of the Spatial Strategy and Relationship With Unmet Needs – West Oxfordshire

	Total Provision	% of Total	Contribution towards Oxford unmet needs)	Total provision Less Unmet Needs	% of Total
West Oxfordshire					
Witney sub-area	4702	30%		4702	36%
Carterton sub-area	2680	17%		2680	21%
Chipping Norton sub-area	2047	13%		2047	16%
Eynsham – Woodstock sub-area	5596	35%	2750	2846	22%
Burford – Charlbury sub-area	774	5%		774	6%
Total	15799	100%		13049	100%

A2.17 This is very different to circumstances in Cherwell. As shown in Table 2 below the contribution towards unmet needs within the sites specifically identified within the areas of the Partial Review are essentially a freestanding total and distinct from supply identified to meet the district's needs. I highlight this without prejudice to the point that the requirement in adopted strategic policies was never to be measured jointly in Cherwell.

Table 2. Illustration of the Spatial Strategy and Relationship With The Housing Requirement in Adopted Strategic Policies

	Total Provision (LPP1 and PR)	% of Total	Unmet Needs	Policy BSC1 Provision	% of Total
Cherwell					
Banbury Supply	7319	27%		7319	32%
Bicester Supply	10129	37%		10129	44%
Other Areas	5392	20%		5392	24%
Partial Review Area	4400	16%	4400	0	0%
Total	27240			22840	

A2.18 In the circumstances for Cherwell, need and supply would be conflated by monitoring supply identified towards meeting part of Oxford's unmet needs as part of a single figure for NPPF2023 paragraph 77 purposes. This is consistent with the outcomes of the Duty to Cooperate in Cherwell, where the authorities

agreed that sites within the Partial Review were identified with specific reference to Oxford's unmet needs – see CD/6.29 paragraph 3.27)

- A2.19 I therefore highlight the difference between the housing trajectories within the respective Development Plans.
- A2.20 In West Oxfordshire the housing trajectory is provided at Appendix 2, but this contains no specific definition of sites identified to address part of Oxford's unmet needs.
- A2.21 The Cherwell Local Plan Partial Review contains a separate housing trajectory at Appendix 3. This specifically identifies sites providing for part of Oxford's unmet needs and the requisite separate basis for measuring land supply in the Partial Review area. Reference to this housing trajectory used to inform delivery of the Plan's specific objectives is included in Policy PR12a and the supporting text to this at Paragraphs 5.164 – 5.165 (CD/5.2)
- A2.22 The following final observations regarding plan-making and the position of the development plan in West Oxfordshire further illustrate why the circumstances are not comparable:
- The overall housing requirement in Policy H2 of the West Oxfordshire Local Plan was 'phased' or stepped including the proposed contribution towards unmet needs. The delivery profile was effectively backloaded for the purposes of measuring supply. These considerations do not apply where LHN provides for the relevant five-year requirement;
 - Shortfall was to be assessed using the 'Liverpool' methodology. This itself may warrant assessment of whether this aspect of the requirement in adopted strategic policies is considered to accord with the latest versions of the NPPF and NPPG;
 - Paragraph 236 of the Local Plan Inspector's Report (CD/6.23) deals with the justification for a phased approach and management of shortfall over the plan period as appropriate in the circumstances of securing sound contributions towards unmet needs under the Duty to Cooperate. The reality is that the Plan indicates very little contribution from sites specifically identified to meet part of Oxford's unmet needs prior to the Plan becoming more than five years old.
- A2.23 Local housing need is now used to assess supply. This in-effect supersedes the provisions to review the phased approach outlined in Policy H2. However, neither the review provisions nor LHN result in a situation where continuing to measure total provision against the relevant five-year requirement would conflate need and supply given the strategy adopted.

d) South Oxfordshire Local Plan 2035

A2.24 The outcomes of plan-making in South Oxfordshire result in a single figure against which to measure the housing requirement within Policy STRAT2 (CD/5.14). This includes a proposed contribution towards unmet needs of 4,950 dwellings.

A2.25 A simple illustration of this is shown in Table 3 below. In summary, even in the event that the adopted spatial strategy in South Oxfordshire made no contribution towards Oxford's unmet needs and removed provision specific through sites referenced for those purposes around 22% of growth would arise from capacity released from the Green Belt (compared to 36% as identified through the provision to meet requirements as set out in POLICY STRAT2).

Table 3. Illustration of the Spatial Strategy and Relationship With Unmet Needs – South Oxfordshire

South Oxfordshire Local Plan	Total Provision	% of Total (excluding unspecified)	Unmet Needs	Total provision Less Unmet Needs	% of Total
New Strategic Allocations: GB Science Vale	3800	14%		3800	17%
New Strategic Allocations: Green Belt (Oxford's Unmet Needs)	5380	20%	4950	430	2%
New Strategic Allocations: Green Belt	500	2%		500	2%
Non-GB Strategic Allocations: Chalgrove	2105	8%		2105	10%
Didcot (CS and New Allocations)	6339	24%		6339	29%
Market Towns	3873	15%		3873	18%
Larger Villages	4673	18%		4673	22%
Windfall, Other Areas and Unspecified Commitments	3386			3386	
Provision Less Unspecified Completions, Commitments and Windfall	26670			21720	
Total Provision	30056			25106	

A2.26 As in West Oxfordshire this establishes a pattern of development where actual delivery that may provide for Oxford's housing needs is an indistinguishable component of what the Council has identified as an appropriate spatial strategy for the district's own needs.

A2.27 I outline further below observations on why these plan-making outcomes are not comparable to those in Cherwell:

- The approach to the housing requirement and proposed distribution of supply must have regard to the significant headroom in provision (27%) considered necessary to achieve this and supporting the identification of 7 strategic sites within the Plan (principally via release of land from the Green

Belt). This requires regard to the housing delivery policies of the Plan and further reinforces why the contribution of delivery towards Oxford's unmet needs is not distinguished separately as part of measuring need and supply. Paragraph 44 of the Local Plan Inspector's Report (CD/6.24) makes this point.

- The rationale for the spatial strategy adopted recognises a 42% uplift on needs identified in the previous Core Strategy. This is addressed in paragraph 81 of the Inspector's Report as justifying an evolution from the focus of growth at Didcot and informs the case for exceptional circumstances to amend Green Belt boundaries to sustainably meet all needs (CD/6.24).
- Paragraphs 70-79 of the Inspector's Report (CD/6.24) addresses support for the identification for sites within the Green Belt to meet overall needs supported by proximity to employment, delivery of infrastructure and proximity to Oxford.
- The rationale that a greater proportion of needs would be met in the Green Belt south of Oxford is not new. Though different in name, the justification for the strategy is not unrelated to the potential for the South of Oxford Strategic Development Area referenced in the previous Core Strategy.
- Paragraph 91 of the South Oxfordshire Local Plan Inspector's Report concludes that *"The plan seeks to meet overall development needs in the right places through a logical and evidence based spatial strategy."* (CD/6.24)
- The Housing Trajectory at Appendix 8 does not specify separately the sites selected on the basis of their ability to contribute towards Oxford's unmet needs.
- Strategic Allocations STRAT9 and STRAT10i within the South Oxfordshire Local Plan (within the Green Belt at Culham and Berinsfield) form options assessed by the Oxfordshire Growth Board (see CD/5.14 and CD/6.25) but rejected as options informing the apportionment of unmet needs. These sites were nevertheless selected in the Local Plan and would be measured towards the total requirement.
- This is expressly different to plan-making in Cherwell where, through the Partial Review, Site PR10 at Woodstock was identified but removed in the course of the Examination when found unsound against the criteria of sustainably providing for Oxford's unmet needs only. This reflects that potential contributions towards need and supply in Cherwell are not conflated and this is reflected in the separate requirement in adopted strategic policies.
- Similar to circumstances in West Oxfordshire, I note that the contribution towards unmet needs is effectively stepped and phased over a longer period of time than first anticipated in the work of the Growth Board.
- The phased requirement for the period 2011-2026 effectively includes measurement of 125 dwellings per annum in excess of objectively assessed needs ($900 - 775 = 125\text{dpa}$). Provision towards this total cannot be distinguished or measured separately within the plan period before adoption in terms of its relationship with unmet needs. The requirement of 900dpa is however also informed by strategy considerations seeking to make us past shortfall as quickly as possible. Beyond 2026 policy STRAT2 would be more than five years old.

- Because the components of the housing requirement in Policy STRAT2 are not distinguished, it could not be said that it is a failure to provide specific supply towards part of Oxford's unmet needs that engages paragraph 11(d) where a shortfall exists. There are no provisions to conflate the measurement of need and supply in that way as part of policies in South Oxfordshire.

A2.28 In summary, plan-making is a forward-looking exercise. In South Oxfordshire that exercise justified a single requirement. The measurement of the adopted strategy since the base date in South Oxfordshire is inclusive of requirements in addition to objectively assessed needs.

A2.29 The strategy adopted means that total need and supply would continue to be indistinguishable if measured as a single figure over the plan period or if measured against a different figure for the housing requirement under local housing need.

e) Vale of White Horse Local Plan 2031 Part 1 (Adopted December 2016) and Part 2 (Adopted October 2019)

- A2.30 In terms of background, Core Policy 4a of the adopted Part 2 identifies a requirement for the full plan period (Apr 2011 to Mar 2031) of 22,760. The policy is less than five years old. The text of this policy notes that this figure includes a contribution of 2,200 dwellings towards part of Oxford's unmet needs and further confirms *"the 2,200 dwellings for Oxford City are to be provided between 2019-2031 for 5YHLS purposes, increasing the annual requirement by 183 per annum for that period."*
- A2.31 The requirement identified in Core Policy 4a is therefore precisely 2,200 dwellings greater than that identified in Core Policy 4 of the Part 1 Local Plan of 20,560 dwellings. This relevant strategic policy is over five years old and has not been reviewed and found not to require updating. Local housing need therefore applies in terms of the requirement against which supply should be assessed.
- A2.32 It is necessary to assess the background to plan-making to understand those components of Core Policy 4a that continue to provide part of the requirement against which supply should be assessed.
- A2.33 To illustrate this the outcome of the inclusion of unmet needs as part of the requirement against which supply should be assessed in relation to the Grove Appeal Decision (APP/V3120/W/22/3310788) (CD/10.21) does not support the case advanced by the Appellant for Cherwell district. It is first necessary to address the point that as part of the Vale of White Horse District Council's evidence to that Inquiry it expressly relied on the housing requirement in adopted strategic policies as its starting point and expressly stated that there:

3.33. The Vale of White Horse District Council has agreed to take on unmet from Oxford City Council, which was planned for in Local Plan Part 2 Core Policy 4a. Local Plan Part 2 is less than 5 years old so Core Policy 4a is not subject to this local plan review.

3.34. Therefore, it is necessary to make an adjustment to the local housing need to add the 183 dwellings per annum set out in Core Policy 4a to accommodate Oxford's unmet need. Such an adjustment is not directly covered by advice in the NPPF, PPG or the Housing Delivery Test Measurement Rule Book, but the additional requirement in Core Policy 4a is less than 5 years old. There is nothing to indicate that the unmet need it addresses have fallen away. Indeed, the examination and adoption of the Oxford Local Plan in 2020 indicated this unmet need still existed. (CD/6.27)

- A2.34 Inspector Bore likewise indicated that the treatment of contributions towards Oxford's unmet needs was a function of the application of the strategic policies within the adopted Local Plan Part 2. Inspector Bore identified those parts of Core Policy 4a that apply separately (in relation to unmet needs) and against which use of the standard method is not applicable when assessing their function as part of the housing requirement in adopted strategic policies as distinct from those that require updating (Core Policy 4). Paragraph 12 of the Decision Letter summarises these conclusions:

12. Core Policy 4a of Local Plan Part 2 is only 3 years old and has not been reviewed. However, the housing requirement in that policy, apart from the City of Oxford allowance, is the same as that set out in Core

*Policy 4 of Local Plan Part 1. The provenance of Core Policy 4a and its derivation from the same figure and the same ageing statistical inputs and projections as Core Policy 4 are a clear indication that its housing requirement (**apart from the Oxford allowance**) is also out of date for the purposes of assessing the 5 year housing land supply. (CD/10.21 my emphasis)*

A2.35 This is a material difference in the planned approach to meeting Oxford's unmet needs between the Vale of White Horse (VOWH) and Cherwell District. I confirm this through identifying why the circumstances for how the contribution towards Oxford's unmet needs in the Vale of White Horse are distinct from those in Cherwell District.

A2.36 In contrast to Cherwell district, an appropriate strategy for sustainable development within the Vale of White Horse and part of the process of preparing the Local Plan Part 1 for that authority was underpinned by the identification of exceptional circumstances for the amendment of Green Belt boundaries. The Part 2 Local Plan itself quotes paragraph 20 of the Local Plan Part 1 Inspector's Report as to why this makes allocations within the Part 1 Plan indistinguishable from their relationship with Oxford's unmet needs (CD/5.12).

A2.37 Paragraph 26 of the VOWH Local Plan Inspector's Report (CD/6.21) provides an explanation for why the Plan's strategy was considered to be soundly based subject to recognition that this necessitated the review of Green Belt boundaries to provide for the levels of growth proposed within the Abingdon-on-Thames and Oxford Fringe Sub-Area in locations well-related to the city. Paragraph 26 of the VOWH Part 1 Local Plan Inspector's Report further explains why adopting the Plan on this basis and addressing in-part the proposed contribution towards unmet needs that had been agreed subsequently would accord with speeding up the delivery of housing consistent with the over-arching cross-boundary strategic priorities arising from Oxford:

"given these sites' current Green Belt status, it seems to me highly unlikely that planning permission would be granted for residential development on them until they are deleted from the Green Belt through adoption of this plan. Thus, whilst the plan as submitted does not provide for all the unmet needs of Oxford which have been agreed should be provided for in the Vale (with an assumed "start date" of 2021), its adoption now would allow for some housing suitable to meet these needs to come forward quickly. Delaying adoption of the plan would allow for it to provide for all the unmet needs which have recently been agreed to be appropriately accommodated in the Vale, but would inevitably also delay the actual provision of houses to meet any of these needs." (CD/6.21 – Paragraph 26)

A2.38 Paragraph 27 of the Inspector's Report explains why it would be appropriate in the circumstances to consider a further review of Green Belt boundaries to address remaining unmet needs. Paragraph 28 goes on to explain why, with this background to plan-making, it was appropriate to incentivise that:

"if an adopted plan is not in place to cater for these housing needs within two years of the adoption of this plan, the housing requirement figure for the Vale will be a plan period total of the Vale's own OAN plus its agreed share of Oxford's unmet needs. The rendering out of date of relevant policies of the plan (in line with paragraph 49 of the NPPF) if a five year supply of housing could not be demonstrated to cater for both the Vale's own and Oxford's unmet housing needs will be a suitably

strong, and thus sound, incentive for the Council to provide for its agreed share of Oxford's housing needs as soon as possible." (CD/6.21 – Paragraph 28)

A2.39 Main Modifications corresponding to these conclusions result in the specific provisions within Policy CP2 to facilitate rapid progress with the Part 2 Local Plan (CD/5.12). More importantly, those same provisions correspond exactly with the approach set out in Policy 4a, and followed in the Grove Appeal Decision, to treat an agreed position on unmet needs as part of the overall housing requirement. Plainly this only arises because of the starting point for provision and amendment of Green Belt boundaries covered in-part through the Part 1 Local Plan.

A2.40 As specified under Table 2.1 of the VOWH Part 2 Local Plan (CD/5.12) this process, following the approach outlined in Policy CP2, resulted in only one further specific strategic allocation necessitating amendment of Green Belt boundaries for land at Dalton Barracks in order to provide most sustainably for Oxford's unmet needs. Paragraph 36 of the Part 2 Local Plan Inspector's Report explains how the process for identifying exceptional circumstances for further Green Belt amendments was informed by the Part 1 Local Plan process:

"The NPPF makes clear that the essential characteristics of Green Belts are their openness and their permanence and, once established, their boundaries should only be altered in exceptional circumstances through a local plan. Four alterations to the Green Belt were made through the LPP1 to provide a range of housing allocations, but that plan envisaged further alteration(s) might be necessary in the LPP2. The quantum of additional housing now needed for Oxford City, and the locational requirement for this to be closely connected to Oxford, amounts to exceptional circumstances that justify the principle of one or more further alterations to the Green Belt. There are some opportunities for allocations in the Abingdon and Oxford Fringe sub area beyond the Green Belt and these are made in the LPP2 (see Issue 4). However, these are limited in extent and less well related to the City, which means they are only suited to meeting the housing needs of the Vale." (CD/6.22)

A2.41 It is further my view that national policy does not require an evaluative exercise of the merits or disbenefits of either approach to establish the relevance of policies to the requirement against which supply should be assessed.

A2.42 Within the VOWH Part 2 Local Plan this commits to delivering the 2,200 homes within the Abingdon on Thames and Oxford Fringe Sub-Areas. Additional allocations were made within this sub-area. However, the sites were not ring fenced.

"2.15. The Vale is not seeking to ring fence allocations for the purposes of addressing the agreed quantum of Oxford's unmet need to be met within the Vale. The unmet need is met by a combination of the Part 1 strategic allocations and the Part 2 additional allocations." (CD/5.12)

The plan goes on to expand on their approach and justifications (paragraphs 2.16-2.18) noting, "It is the case that whilst the sites listed above are allocated within the Part 1 plan with the primary intention of meeting the Vale's own objectively assessed need for housing, the sites are also well located to provide for Oxford's unmet housing need. Housing on these sites would be just as much available to those people falling into the category of Oxford's need as to those of the Vale". (CD/5.12 – Paragraph 2.18)

Appendix 3

Oxfordshire Growth Deal: Infrastructure Scheme List Via: futureoxfordshirepartnership.org

Appeal Ref: APP/C3105/W/24/3338211

LPA Ref: 23/00853/OUT

On behalf of Cherwell District Council

Appeal Site: Land east of Warwick Road, Banbury, Oxfordshire

Oxfordshire Growth Deal: Infrastructure Scheme List

District	Scheme	Scheme details	Year of Delivery	Estimated final cost	Growth deal contribution
Cherwell	Tramway Road accessibility improvement	The aim of the project is to deliver accessibility and sustainable transport improvements along Tramway Road in Banbury to create a new two-way bus lane and taxi link past Banbury railway station into the town centre and a new access to the railway station car park to the west.	2023	£3,990,000	£3,210,000
	Former RAF Upper Heyford phase 2 (M40-J10 Improvements)	The growth deal is part front funding the scheme which will provide capacity and safety improvements to Junction 10 of the M40 Motorway: - A43/B4100 Baynards Green Roundabout - A43 Padbury Roundabout This will support and allow for the acceleration of the on-going housing development taking place at the former RAF base at the Upper Heyford site (Heyford Park)	2023	£18,800,000	£18,800,000
	North West Bicester Realignment of the A4095	The Growth Deal is front funding the proposed realignment of the A4095 will support the NW Bicester Housing allocation. The scheme will provide a new, straight underpass of the railway line, increasing capacity and high quality for sustainable travel. The scheme will remove the constraint of the skewed low bridge and junctions on each side of the railway line. In addition to the realigned road, the project will include: - Provision of a bus only road link to the east of the railway connecting the new link with Bucknell Road south to the town centre - Retention of part of Howes Lane and Lords Lane to provide access to and from the existing residential areas to the southeast - Retention of Bucknell Road/ Howes Lane/ Lords Lane junction - New road link from Shakespeare Drive to extend in a one-way direction to connect to the realigned Howes Lane.	2023	£20,000,000	£15,750,000
	North West Bicester Underbridge and Underpass NW Bicester	The Growth Deal is front funding the construction of an Underbridge and Underpass through the embankment supporting the Railway line at Bicester to facilitate the realignment of the A4095 and bring better connectivity for pedestrians and cyclists across the NW Bicester housing and employment allocation. This will allow planned development to proceed	2021	£14,700,000	£7,800,000
	Access to Banbury (A4222 Hennef way, Banbury)	The Growth Deal is providing funding for a feasibility study only (£500K). The aim of this study to tackle the develop some measures to tackle then adverse impact of HS2 traffic between junction 10 and 11 of the M40 and poor air quality around the already congested Hennef Way area. These issues highlighted the need for number of infrastructure improvements in Banbury, including at and around Junctions 10 and 11. This study will contribute to the objectives of Cherwell District Council Local Plan as well as Banbury Vision and Master Plan.	2023 (Feasibility only)	£500,000	£500,000
	A361 Bloxham - Road Safety Improvements	The Growth Deal is part funding the A361 Improvements Project, which supports the safe movement of new and existing residents using the road and also creating a better environment for cyclist and pedestrians. The improvement measures include: Carriageway resurfacing •Drainage improvements •South Newington bend safety improvements •Bloxham Grove Road/(Ellis Lane) junction improvements •Wyckham Lane junction improvements •Shared footway (footpath improvements and conversion to a shared use facility for pedestrians and cyclists from Banbury to Bloxham Grove Rd.) •Signing and road marking (delineation on bends and intersections, speed limits reduction and vegetation clearance to improve sight lines)	2020	£4,569,000	£300,000
	North Oxford Corridor Phase 1B - Kidlington Roundabout	Growth Deal funding supports design work for the various measures to provide transport corridor route improvements along the A44/Woodstock Road and the A4260/Banbury Road. The aims are to increase bus transport usage into the city, reduce congestion and improve journey times. Measures will prioritise public transport, cycling and pedestrian movement along the A44 immediately north of Oxford and at the nearby Kidlington roundabout site. Phases 1A, 1D and 1B of this scheme are entering Preliminary Design Stages.	2023	£6,000,000	£6,000,000
	North Oxford Corridor Phases 1A & 1D - Peartree Roundabout and A44 Loop Farm to Cassington Road			£16,001,996	£16,001,996

Connecting Oxford (Business Case)	The Growth Deal is contributing £1.6m of funding to undertake technical work to develop the Outline Business Case for submission to the DfT in 2022. The OBC includes development of options including but are not limited to a Workplace Parking Levy (WPL), bus improvements, walking and cycling improvements and traffic filters. Once approved funding will be sought to develop the full business case to seek funding from the DfT to implement physical measures which will be supported by income generated from the WPL.	2021 (Feasibility Only)	£2,072,893	£2,072,893
Access to Headington	The road improvements, now complete, will help reduce the impact of congestion and move people around more efficiently along the B4495, and ultimately support housing and jobs growth in Headington and beyond. The work includes the creation of some additional highway capacity, bus priority and new and improved cycle lanes and priority at junctions.	2020	£16,627,000	£3,500,000
Oxford City Wide Cycle and Pedestrian Schemes	This project delivers a number of cycle and pedestrian access and safety improvements across Oxford, providing attractive alternative routes to key destinations often avoiding main route routes through the city. Locations for works include the canal towpath, Cuckoo Lane, the Thames path routes, Warneford Meadow, Boundary Brook and A40 to JR via Old Marston and Northway.	2024	£4,600,000	£4,600,000
Oxford Station Redevelopment	Growth Deal funding contribution will support feasibility work on widening the Botley Road railway bridge through replacement of the existing structure. This is required to support the Oxford rail station development, enabling more rail lines to be provided to increase capacity through Oxford. Widening the road underneath the bridge will improve headroom for vehicles and also provide more space for cycle lanes and wider pavements, complementing improvements along the length of Botley Road. The scheme is part of a wider improvement plan for Oxford station which includes additional track and platform capacity.	Not Major Infrastructure	£9,000,000	£500,000
Botley Road Corridor	The Botley Road corridor project will see journey time improvements and a better journey experience for travellers along this key arterial route in and out of Oxford. Measures are aimed at improving access to the Park & Ride, improving bus routes and facilities for both pedestrians and cyclists. A phased design and delivery approach has been adopted with construction of the first section (Park & Ride junction area) due for completion March 2021 and work to the second section (Westminster Way junction area) due to commence on site from late February 2021. Design of subsequent sections are ongoing and will follow in sequence. Full project specific details are available at https://www.oxfordshire.gov.uk/residents/roads-and-transport/roadworks/major-current-roadworks/botley-road-phase-1	2022	£9,100,000	£3,749,995
OFAS Contribution	The Growth Deal is contributing £5m of funding to the Environment Agency's planned Oxford Flood Alleviation Scheme, to help bring the scheme forward. The scheme is designed to significantly reduce the risk of flooding to homes and businesses in Oxford City and neighbouring areas in the Vale of White Horse. It will also protect the public highway and other transport infrastructure including the Botley Road and Abingdon Road. The Kennington Bridge replacement scheme has also been initiated to support the provision of two new culverts under the Southern By-Pass Rd.	Not Major Infrastructure	-	£5,252,000
Cowley Branch Line	Growth Deal funding will contribute towards complementary development work including a nine-day survey and risk assessment of the level crossings, signal sighting assessments, an assessment of structures and ground investigations for a new bridge span over the river near Oxpens. Initial output definition work for the Oxfordshire Rail Corridor Study has proven that it is technically feasible to reintroduce passenger trains on this freight-only branch line. The second stage of the Study is now nearing completion with Network Rail identifying likely estimated costs for infrastructure upgrades on the main line south of Oxford station needed to provide extra capacity for an increase in train services, including those that will serve Cowley. A package of further technical work has been agreed to provide more certainty on requirements and a better level of cost maturity, and includes track and signalling design between Kennington and Cowley, analysing topographical survey data and track bed investigations for new tracks on the branch and over key structures. Outline station design and master planning is also planned to define the type of station, the range of facilities and the land required for each of the new stations to ensure they integrate with the communities they serve and prioritise active travel.	Not Major Infrastructure	£29,000,000	£245,000
Oxpens to Osney Mead Bridge	Growth Deal has part front funded a new pedestrian and cycle bridge will be constructed to provide direct access between the Thames towpath and the city centre via the Oxpens site, and onwards to the Westgate Centre and Oxford Rail Station. The scheme will help to unlock much needed regeneration of this part of the city centre. A funding agreement has been secured with Oxford City Council to deliver the scheme. Feasibility design work is anticipated to commence in early 2021.	2023	£6,000,000	£6,000,000

South & Vale	Banbury Road Corridor	Growth Deal is part front funding development of the designs for the Banbury Road Corridor. Planned improvements are between St Giles and Cutteslowe roundabout, and along the Marston Ferry Road approach to Banbury Road. Improvements are focussed on prioritising sustainable transport measures (walking, cycling, public transport) to support anticipated growth both within the Oxford area and across identified areas of Southern Cherwell. Feasibility design work to commence in early 2021. Public consultation on proposals anticipated for later 2021. Works are being co-ordinated with improvements to the parallel Woodstock Road Corridor.	2023	£2,414,607	£2,414,607
	Woodstock Road Corridor	Growth Deal is part front funding the delivery of Woodstock Road corridor improvements between St Giles and Wolvercote roundabout. Improvements are focussed on prioritising sustainable transport measures (walking, cycling, public transport) to support anticipated growth both within the Oxford area and across identified areas of Southern Cherwell. Feasibility design work to commence in early 2021. Public consultation on proposals anticipated for later 2021. Works are being co-ordinated with improvements to the parallel Banbury Road Corridor.	2023	£12,500,065	£12,500,065
	Jubilee Way Roundabout and Didcot Central Corridor	This series of feasibility studies will inform corridor improvements that run across both districts. The Growth Deal is front funding the feasibility design of the improvements to Jubilee Way roundabout. The project combines transport and movement improvements with urban design and place-making aspirations within central Didcot. It will be led by Oxfordshire County Council, working in partnership with the Didcot Garden Town Delivery Group which consists of officers from South Oxfordshire District Council (SODC) and the Vale of the White Horse District Council (VoWHDC). The place-making strategy is to be informed by the Didcot Garden Town Delivery Plan (DGTDP) vision, as well as by the local community. Didcot was announced a Garden Town in 2015. The DGTDP was prepared in 2017 to identify the vision, masterplan and opportunities to recreate Didcot as a Garden Town. It is not planning policy but forms a backdrop to current and emerging development proposals for the town and wider area. Stemming from the DGTDP, this project covers three central routes within Didcot, known collectively as Didcot Central Corridors: •The Gateway Spine: A4130 from the proposed Science Bridge (near Sir Frank William's Avenue), B4493, Station Road, Hitchcock Way, Jubilee Way roundabout and Marsh Bridge Roundabout (junction of Broadway, B4016 and Hadden Hill) •The Cultural Spine: Broadway and Wantage Road (B4493) •Foxhall Road (B4493) Sustainable travel modes should receive particular attention as part of the scheme with the aim of helping to support Climate Action.	2023 (Feasibility only)	£1,000,000	£1,000,000
Oxfordshire	Didcot GWP Primary	The Growth Deal has front funded the building of Didcot Great Western Primary school, enabling it to be opened in good time before the children arrive in the surrounding housing developments	Not Major Infrastructure	-	£1,768,226
	Benson Relief Road	The Growth Deal is forward funding the building of the Benson relief road before the developer contributions come forward. The road will provide traffic with an alternative route from the A4074 and B4009 to the north of the village, particularly for HGVs. The road will help unlock development sites to the north of the village along the new route.	2022	£1,800,000	£1,800,000
	Watlington relief Road	The Growth Deal is part funding the construction of a relief road for Watlington providing an alternative route from the B4009 east and B4009 west, respectively to the west and north of the parish. This will provide a long term solution to traffic and associated air quality problems in Watlington by providing an alternative route for through traffic, LGVs and HGVs. This, in turn, will help create better conditions for walking and cycling in Watlington. By providing improved highway infrastructure the scheme releases capacity to support accelerated planned housing growth in Watlington and the surrounding area. Approximately 400 dwellings are planned and allocated through the neighbourhood plan to be delivered in the next 7 years. The project will be part funded by the developer.	2023	£12,500,000	£7,100,605

South	Golden Balls Junction Improvements	<p>Growth Deal is funding the feasibility study looking at the north-eastern periphery of the Science Vale area which forms a crucial part of the highway network at the confluence of the A4074 and the B4015, the former an important north-south corridor between Oxford and Reading, the latter a key route between Science Vale and the M40. Significant growth is planned across this area over the next fifteen years. As identified in the current Local Plans for the Vale of White Horse and South Oxfordshire district councils there are approximately 22,000 new jobs and 50,000 new homes planned, along with further background growth of an additional 40,000 jobs and 50,000 homes across the remaining three Oxfordshire local planning authorities (West Oxfordshire, Cherwell, and Oxford City).</p> <p>In order to support the Oxfordshire Growth Deal, as set out in the Local Plans, it is necessary to evaluate this area of the transport network to assess its ability to accommodate future traffic growth. A scheme (or combination of schemes) needs to be defined that addresses congestion issues at the Golden Balls roundabout.</p> <p>Growth Deal has forward funded the building of the Fitwaryn expansion to ensure it is ready to support the new children arriving the nearby housing developments, thus allowing the planned development to be accelerated</p> <p>The Growth Board has approved the funding for this project as two separate schemes as part of the Growth Deal programme. However, due to the close interrelationship of the two schemes, for the optioneering and feasibility they need to be investigated simultaneously. Growth Deal is funding the feasibility study looking into the junctions configuration and working.</p> <p>Frilford and Marcham are located on the north-western fringe of the Science Vale area. Significant growth is planned across this area over the next fifteen years. As identified in the current and emerging Local Plans for the Vale of White Horse and South Oxfordshire district councils, there are 22,000 new jobs and 50,000 new homes planned, along with further background growth of an additional 40,000 jobs and 50,000 homes across the remaining three Oxfordshire local planning authorities (West Oxfordshire, Cherwell, and Oxford City).</p> <p>This project is to identify a suitable scheme (or schemes) to address congestion issues at the A415/A338 junction at Frilford and the A415 through Marcham. As a result of their key location on the highway network there are presently capacity issues experienced in the AM and PM peaks, which are set to worsen in the future with the traffic generated by forthcoming growth. The appraisal report will consider options to improve journey times at Frilford and Marcham and also seek to improve air quality issues through Marcham, part of which is a designated Air Quality Management Area (AQMA).</p> <p>The options appraisal stage is planned to start in February 2021.</p>	2023 (Feasibility only)	£1,000,000	£1,000,000
	Fitzwaryn School Expansion	<p>Growth Deal has forward funded the building of the Fitwaryn expansion to ensure it is ready to support the new children arriving the nearby housing developments, thus allowing the planned development to be accelerated</p>	Not Major Infrastructure	-	£623,884
Vale of White Horse	Frilford Junction improvements and relief to Marcham	<p>The Growth Board has approved the funding for this project as two separate schemes as part of the Growth Deal programme. However, due to the close interrelationship of the two schemes, for the optioneering and feasibility they need to be investigated simultaneously. Growth Deal is funding the feasibility study looking into the junctions configuration and working.</p> <p>Frilford and Marcham are located on the north-western fringe of the Science Vale area. Significant growth is planned across this area over the next fifteen years. As identified in the current and emerging Local Plans for the Vale of White Horse and South Oxfordshire district councils, there are 22,000 new jobs and 50,000 new homes planned, along with further background growth of an additional 40,000 jobs and 50,000 homes across the remaining three Oxfordshire local planning authorities (West Oxfordshire, Cherwell, and Oxford City).</p> <p>This project is to identify a suitable scheme (or schemes) to address congestion issues at the A415/A338 junction at Frilford and the A415 through Marcham. As a result of their key location on the highway network there are presently capacity issues experienced in the AM and PM peaks, which are set to worsen in the future with the traffic generated by forthcoming growth. The appraisal report will consider options to improve journey times at Frilford and Marcham and also seek to improve air quality issues through Marcham, part of which is a designated Air Quality Management Area (AQMA).</p> <p>The options appraisal stage is planned to start in February 2021.</p>	2023 (Feasibility only)	£1,500,000	£1,500,000
	Relief to Rowstock	<p>"The project is to provide relief to the Rowstock roundabout. The roundabout is a key piece of infrastructure with the A4130 running to the North, the A417 east to west and the A4185 to the south. It currently suffers with severe congestion during the AM and PM peaks due to its location and key employment sites within its locality and improvements to this junction are required to allow planned development to be accelerated</p> <p>The project scope includes the Rowstock roundabout, Featherbed Lane / A417 junction, Featherbed Lane/A4130 Junction, Stevenon Lights, and the A4130 between Stevenon Lights and Milton Interchange.</p> <p>With the current growth to the west of the roundabout – Crab Hill, Wantage (1500 units), Grove Airfield (2700 units) and a number other smaller developments, and to the north and east – Great Western Park (3200 units), Milton Heights (458 units) and a number of smaller developments, the peak time congestion will be extended and the severity increased.</p> <p>OCC have money secured through the City Deal (£6.5m), Section 106 money and Housing and Growth Deal funding (£4.3m) totalling £10.8m.</p>	2023	£10,800,000	£4,800,000

West Oxfordshire	Milton enterprise pedestrian and cycle bridge	<p>The growth deal is front funding the delivery of the Milton Enterprise pedestrian and cycle bridge. The project is aimed to provide a pedestrian and cycle bridge over the A34 to connect a strategic housing site at Milton Heights with enterprise zones 1 & 2 (including Milton Park) as well as Didcot, its schools, station and services.</p> <p>The bridge will provide relief to Milton Interchange which suffers from significant congestion by encouraging local trips by sustainable modes.</p> <p>It will connect the strategic development site at Milton Heights with Enterprise zones at Milton park and Milton Gate via the recently completed Backhill Lane Tunnel. This scheme will support the development of new homes at Milton Heights, where approximately 450 dwellings have planning approval. Growth Deal forward funds the project ahead of developer contributions.</p> <p>The project is currently in Feasibility stage.</p>	2023	£3,000,000	£3,000,000
	Wantage Eastern Link Road	<p>Growth deal is part funding the delivery of the new Wantage Eastern link Road. The project is to provide a new link road known as the Wantage Eastern Link Road (WELR) between the A417, east of Wantage (West Locking junction) and A338, north of Wantage (Mabley Way/A338 Roundabout). This will provide the 'Crab Hill' (Kingsgrove) Development of 1,500 homes with direct access onto both the A338 and A417. It will also provide essential relief to the centre of Wantage Town Centre and surrounding road junctions by creating a 'bypass' route.</p> <p>The scheme would also decrease bus journey times and ease congestion around local schools, as well as delivering significant pedestrian and cycling schemes and access to the countryside. It is expected to be completed in 2023.</p>	2023	£8,000,000	£1,000,000
	Shrivenham new school	<p>This project covers shortfall in funding for a new Primary school site and building on Highworth Road, Shrivenham to facilitate a strategic school solution for the village. Work is ongoing with the Farringdon Academy of Schools, the Trust responsible for Shrivenham Primary School, to propose a relocation and expansion of the existing school to the new site, in line with the aspirations in the draft Shrivenham Neighbourhood Plan. There are potential alternative uses for existing school and it is estimated that the project will contribute to the delivery of 700 houses.</p>	Not Major Infrastructure	£2,500,000	£2,500,000
	Access to Carterton	<p>The Growth deal is funding the feasibility study looking at the upgrade of the route from the A40 into Carterton and RAF Brize Norton in order to relieve pressure on the surrounding rural road network. Included are, improvements to the B4477 Brize Norton Road and the construction of new west facing slip roads at the A40/Minster Lovell to enable traffic to travel west on the A40. It will also provide a dedicated route for freight including RAF traffic, as well as a dedicated two-way cycle and pedestrian facility from Carterton to Minster Lovell to encourage sustainable modes of travel. Improved highway infrastructure capacity into the Carterton will also support housing growth in the town.</p>	Not Major Infrastructure	£9,800,000	£709,560
	Rapid Transit Line 2	<p>The Growth Deal is funding the Science Transit scheme improving the A40 and providing more sustainable transport options along the corridor. These improvement include:</p> <ol style="list-style-type: none"> 1. A40 Eynsham Park & Ride 2. Eastbound bus lane, 3. Short sections of westbound bus lane <p>There is an adjacent scheme (A40 Smart Corridor) being delivered to complete and compliment the measures delivered by growth deal. These include:</p> <ol style="list-style-type: none"> 1. A40 dual carriageway between Witney and Eynsham 2. A40 westbound bus priority lane 3. A40 capacity and connectivity Improvements at Duke's Cut canal and railway bridges <p>The Science Transit measures will be completed alongside the A40 corridor and will be delivered by 2024</p>	2024	£12,000,000	£12,000,000
	Witney A40 Downs Road	<p>The A40 Downs Road junction is a new junction on the A40 at West Witney required to deliver 1,000 new homes and employment floorspace in West Witney and North Curbridge. The new junction is now fully operational.</p>	Not Major Infrastructure	-	£1,250,000
	Access to Witney at Shores Green	<p>The Growth deal is part front funding the development of a design for a new junction at to provide access to/from A40 at Shores Green and the Witney developments. Options being considered include slip roads, roundabout sustainable transport solutions.</p>	2024	£12,100,000	£5,900,000

Appendix 4

Proposed Transport and Works Act Order for the Closure of Yarnton Lane Level Crossing, Sandy Lane Level Crossing and Tackley Level Crossing as Part of the Oxford Phase 2A Enhancement Works. Screening Decision Ref TWA/2/2/0196

Appeal Ref: APP/C3105/W/24/3338211

LPA Ref: 23/00853/OUT

On behalf of Cherwell District Council

Appeal Site: Land east of Warwick Road, Banbury, Oxfordshire



Department for Transport

XXXX
Network Rail,
XXXX
Temple Point
Redcliffe Way
Bristol
BS1 6NL
XXXX

XXXX

Transport and Works Act Order Unit
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Our Ref: TWA/2/2/0196

27 April 2023

Dear XXXX,

**Transport and Works Act 1992 (“the 1992 Act”)
Transport and Works (Applications and Objections Procedure) (England and Wales)
Rules 2006 (as amended) (“the Applications Rules”)**

Proposed Transport and Works Act Order for the Closure of Yarnton Lane Level Crossing, Sandy Lane Level Crossing and Tackley Level Crossing as Part of the Oxford Phase 2A Enhancement Works.

1. Thank you for your email and attached documents dated 16 February 2023, together with your follow up emails dated 20 February and 27 February, in which you requested a screening decision under rule 7 of the Applications Rules to determine whether an Environmental Impact Assessment (“EIA”) is required in respect of your proposed application for a Transport and Works Act Order associated with the proposed closure of Sandy Lane Level Crossing, Yarnton Level Crossing & Tackley Level Crossing as part of the Oxford Phase 2A Enhancement Works.

2. As set out in my letter of 31 March 2023 (attached as annex 1), the deadline for a response to this request was extended to 28 April 2023 to allow more time for information to be provided regarding the likely significant effects on Oxford Meadows SAC following the response from Natural England dated 24 March 2023. Following your letter of 5 April 2023 Natural England provided a further response of 20 April 2023.

3. Based on the available information, including the responses from Consultees, the Secretary of State considers that the proposals described in your request are a project of a type mentioned in Annex II to Directive 2011/92/EU of the European Parliament and of the Council as amended by Directive 2014/52/EU. Having regard to the characteristics and location of the project and the type and characteristics of potential impact, the Secretary of State considers that this project will not have a likely significant effect on the environment.

4. In accordance with rule 7(13) of the Applications Rules, the Secretary of State's screening decision is that an **EIA is not required** in association with the proposed closure of Sandy Lane Level Crossing, Yarnton Level Crossing & Tackley Level Crossing as part of the Oxford Phase 2A Enhancement Works.

5. In reaching this screening decision, the Secretary of State, under rule 7(8), has consulted the bodies listed below and has considered their responses:

- Natural England
- Environment Agency
- Historic England
- Cherwell District Council
- Oxfordshire County Council
- West Oxfordshire District Council.

6. Responses were received from Natural England, Historic England, Cherwell District Council, Oxfordshire County Council and West Oxfordshire District Council. As stated above, a further response from Natural England was provided on 20 April 2023. Copies of the consultation responses are included with this letter, the contents of which should be noted.

7. The Secretary of State did not receive a response to his consultation from the Environment Agency. The Secretary of State would advise that you seek to engage with the Environment Agency during the application process.

8. In reaching his screening decision, the Secretary of State has had regard to the selection criteria referred to in rule 7(11) of the Applications Rules and has taken into consideration the information within the documentation supplied for the screening opinion request.

9. In accordance with rule 7(14) of the Applications Rules, the Secretary of State notes the features of the proposed works and measures proposed to be taken in order to avoid or prevent what might otherwise have been significant adverse effects on the environment as set out in your screening request letter dated 10 February 2023.

10. As acknowledged in your supporting documents an appropriate level of detail on the scheme's archaeological, drainage & flood risk assessment, and traffic impacts should be submitted with any subsequent application for an order under the 1992 Act.

11. The Secretary of State draws your attention to the comments made by Cherwell District Council which raise potential visual impact beyond the application site which may require appropriate mitigation. An appropriate level of detail on the scheme's visual effects and/or impacts on the landscape should be included with any subsequent application under the 1992 Act.

12. The Secretary of State also draws your attention to Natural England's consultation response dated 24 March 2023 and their advice regarding information that should be provided with any application in relation to biodiversity, landscape and other environmental information.

Distribution

13. Copies of this letter are being sent to those organisations which were consulted on the request for a screening decision, as listed at the beginning of this letter.

14. In accordance with Rule 7(15) a copy of this decision will be placed on our website at: <https://www.gov.uk/government/collections/twa-inspector-reports-and-decision-letters>.

Yours sincerely,

XXXX

Annex 1: The Secretary of State's response to the applicant dated 31 March 2023



Department
for Transport

XXXX
Network Rail,
XXXX
Temple Point
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BS1 6NL
XXXX

XXXX

Transport and Works Act Order Unit
Department for Transport
Great Minster House
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Web Site: www.dft.gov.uk

Our Ref: TWA/2/2/0196

31 March 2023

Dear XXXX,

Transport and Works Act 1992 ("the 1992 Act")

Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (as amended) ("the Application Rules")

Proposed Transport and Works Act Order for the Closure of Yarnton Lane Level Crossing, Sandy Lane Level Crossing and Tackley Level Crossing as Part of the Oxford Phase 2A Enhancement Works.

1. Thank you for your email and attached documents dated 16 February 2023, together with your follow up emails dated 20 February and 27 February, in which you requested a screening decision under rule 7 of the Application Rules to determine whether an Environmental Impact Assessment ("EIA") is required in respect of your proposed application for a Transport and Works Act Order associated with the proposed closure of Sandy Lane Level Crossing, Yarnton Level Crossing & Tackley Level Crossing as part of the Oxford Phase 2A Enhancement Works.
2. In accordance with rule 7(8) of the Application Rules, the Secretary of State has consulted with Natural England. Natural England's response, (reference 423139) dated 24 March 2023 is attached. The response sets out that, based on the material supplied with the consultation, there are potential likely significant effects on statutorily designated nature conservation sites or landscapes concerning the Oxford Meadows Special Area of Conservation (SAC), and that further assessment is required.
3. In accordance with rule 7(6) of the Application Rules, the Secretary of State requests that you provide any additional information in relation to the likely significant effects on Oxford Meadows SAC which would address the points raised by Natural England in their response. The additional information should be submitted in support of the EIA screening application by **14 April 2023**. Further information or an update on any discussions with Natural England would also be welcomed.
4. As a result of the above and in accordance with rule 7(13A) of the Application Rules, this letter should be taken as a notification that under rule 26, the Secretary of State has decided that further time is required to make a screening decision. The EIA screening deadline is therefore extended to **28 April 2023** to allow for consideration of any additional information submitted.

Yours sincerely,

XXXX

Appendix 5

Local Lead-In Timeframes

Based on Table 39 of the December 2023 AMR

Appeal Ref: APP/C3105/W/24/3338211

LPA Ref: 23/00853/OUT

On behalf of Cherwell District Council

Appeal Site: Land east of Warwick Road, Banbury, Oxfordshire

APPENDIX 5 LOCAL LEAD-IN TIMFRAMES FROM AMR TABLE 39

Planning Application	Reserved Matters of Application first permits development (and notes)	First Permission	Date Received	Date Validated	Date Approved First Permission	RM Date Received	RM Date Validated	Date Approved First Permits Development	First Completions (Estimate)	Site	Dwellings with planning permission
19/00963/OUT*	22/00959/REM	Outline	24/05/2019	24/05/2019	20/01/2020	30/03/2022	11/04/2022	12/11/2022	01/09/2023	OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of Berry Hill Road Adderbury	40
13/01768/F		Full	21/11/2013	25/11/2013	19/06/2014				01/03/2015	East of Deene Close, Aynho Road, Adderbury	60
14/00250/F		Full	17/02/2014	17/02/2014	01/12/2014				01/03/2017	Land North of Milton Road, Adderbury	37
21/01227/F		Full	08/04/2021	07/05/2021	08/12/2021				31/01/2018	Land off Banbury Road, Adderbury	25

Planning Application	Reserved Matters of Application first permits development (and notes)	First Permission	Date Received	Date Validated	Date Approved First Permission	RM Date Received	RM Date Validated	Date Approved First Permits Development	First Completions (Estimate)	Site	Dwellings with planning permission
13/00621/OUT	15/00480/REM	Outline	29/04/2013	08/05/2013	02/04/2014	18/03/2015	30/03/2015	13/10/2015	01/09/2016	Ambrosden Court, Merton Road, Ambrosden	44
16/02370/F		Full	23/11/2016	09/12/2016	25/01/2018				01/09/2018	Church Leys Field, Blackthorn Road, Ambrosden	85
18/01881/F		Full	30/10/2018	30/10/2018	28/03/2019				31/01/2018	Land North of Station Road, Bletchington	61
11/00617/OUT	16/01599/F	Outline	12/04/2011	13/04/2011	26/03/2012				31/01/2019	Cotefield Farm, Bodicote	4
16/01587/F 14/02156/OUT	18/00193/REM	Outline	29/12/2014	08/01/2015	03/10/2016	31/01/2018	06/02/2018	28/08/2018	01/07/2019	Cotefield Farm, Bodicote Phase 2, Bodicote	95

Planning Application	Reserved Matters of Application first permits development (and notes)	First Permission	Date Received	Date Validated	Date Approved First Permission	RM Date Received	RM Date Validated	Date Approved First Permits Development	First Completions (Estimate)	Site	Dwellings with planning permission
14/01737/OUT	16/00219/REM	Outline	13/10/2014	15/10/2014	02/02/2016	04/02/2016	17/02/2016	09/12/2016	31/01/2018	The Paddocks, Chesterton	45
20/02083/OUT*	22/02570/REM	Outline	31/07/2020	05/03/2021	16/08/2022	22/08/2022	22/08/2022	17/01/2023	01/09/2023	Hempton Gate Land North Of Hempton Road And West Of Wimborn Close Deddington	14
19/00831/OUT*	21/01278/REM	Outline	07/05/2019	20/05/2019	19/10/2020	09/04/2021	30/04/2021	23/12/2021	01/09/2023	Land South Of Home Farm House Clifton Road Deddington	15
18/02147/OUT	20/03660/REM	Outline	11/12/2018	11/12/2018	06/04/2020	21/12/2020	14/01/2021	23/08/2021	31/01/2022	Stone Pits, Hempton Road, Deddington	21

Planning Application	Reserved Matters of Application first permits development (and notes)	First Permission	Date Received	Date Validated	Date Approved First Permission	RM Date Received	RM Date Validated	Date Approved First Permits Development	First Completions (Estimate)	Site	Dwellings with planning permission
14/00844/OUT	17/00950/REM	Outline	27/05/2014	27/05/2014	08/12/2015	28/04/2017	10/05/2017	21/12/2017	01/09/2018	Land North of Hook Norton Primary School And South Of Redland Farm, Sibford Road, Hook Norton	54
17/02023/O56		Full	03/10/2017	10/10/2017	24/11/2017				01/09/2021	2-4 High Street, Kidlington	16
12/01321/OUT		Outline	17/09/2012	17/09/2012	22/11/2012				01/09/2015	4 The Rookery, Kidlington	20
17/01556/F		Full	21/07/2017	27/07/2017	02/07/2018				01/09/2021	British Waterways Site, Langford Lane, Kidlington	10
15/01872/F		Full	14/10/2015	16/11/2015	03/01/2018				31/01/2020	Co Op, 26 High Street, Kidlington	54

Planning Application	Reserved Matters of Application first permits development (and notes)	First Permission	Date Received	Date Validated	Date Approved First Permission	RM Date Received	RM Date Validated	Date Approved First Permits Development	First Completions (Estimate)	Site	Dwellings with planning permission
19/02341/F		Full	18/10/2019	18/10/2019	28/05/2021				01/07/2020	Kidlington Green Social Club 1 Green Road Kidlington	32
18/01388/F		Full	02/08/2018	02/08/2018	28/03/2019				31/10/2020	Kings Two Wheel Centre, 139 Oxford Road, Kidlington	10
17/01173/OUT*	19/02419/REM	Outline	26/05/2017	30/05/2017	18/09/2018	29/10/2019	11/11/2019	30/04/2020	01/07/2021	South East of Launton Road And North East of Sewage Works, Blackthorn Road, Launton	66
15/02068/OUT	19/00046/REM	Outline	11/11/2015	11/11/2015	27/10/2017	09/01/2019	09/01/2019	22/01/2020	31/05/2021	Land North of The Green and adj. Oak Farm Drive, Milcombe	44
19/02948/F		Full	19/12/2019	09/01/2020	28/06/2021				01/09/2022	Land to the South of South Side Steeple Aston	10

Planning Application	Reserved Matters of Application first permits development (and notes)	First Permission	Date Received	Date Validated	Date Approved First Permission	RM Date Received	RM Date Validated	Date Approved First Permits Development	First Completions (Estimate)	Site	Dwellings with planning permission
13/01796/OUT	16/00574/REM	Outline	27/11/2013	28/11/2013	07/04/2015	24/03/2016	15/04/2016	20/12/2016	01/09/2022	Land North of Oak View, Weston on the Green	20
20/01561/F*		Full	16/06/2020	30/07/2020	18/02/2021				01/09/2023	The Ley Community, Sandy Lane, Yarnton	10

* Reflects estimated date of first completions following commencement

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