

**The Oxfordshire County Council (Didcot Garden Town Highways Infrastructure  
– A4130 Improvement (Milton Gate to Collett Roundabout), A4197 Didcot to  
Culham Link Road, and A415 Clifton Hampden Bypass) Compulsory Purchase  
Order 2022 (“the CPO”)**

**-and-**

**The Oxfordshire County Council (Didcot Garden Town Highways Infrastructure  
– A4130 Improvement (Milton Gate to Collett Roundabout), A4197 Didcot to  
Culham Link Road, and A415 Clifton Hampden Bypass) Side Roads Order 2022  
 (“the Side Roads Order”)**

**Highways Act 1980**

**And**

**Acquisition of Land Act 1981**

**Statement of Case**

**submitted on behalf of LEDA Properties Limited**

**PINS Reference: NATTRAN/SE/HAO/286**

**December 2023**

## **1 Introduction and Background**

- 1.1 This Statement of Case is submitted on behalf of LEDA Properties Limited (“LEDA”). It is prepared for the public inquiry that been arranged to consider the confirmation of the CPO and Side Roads Order (together referred to as “the Orders”), and following the notice issued by the Inspector pursuant to Rule 7(3) of the Compulsory Purchase (Inquiries Procedure) Rules 2007 dated 19 October 2023.
- 1.2 The CPO and Side Roads Order were both made by Oxfordshire County Council (“the Council”) on 21 December 2022. The CPO and Side Roads Order have been made by the Council to facilitate the delivery of the Access to Didcot Garden Town Highway Improvements Scheme (“the Scheme”). As is discussed in paragraph 1.5 of the Council’s Statement of Case, the Scheme comprises a highway scheme approximately 11 kilometres in length, with single carriageway being dualled, and approximately 20 kilometres of new pedestrian and cycling infrastructure.
- 1.3 LEDA is a statutory objector both to the CPO and the Side Roads Order having submitted objections to the Secretary of State for Transport by way of written letter dated 21st March 2023. This Statement of Case reiterates and supplements those objections where relevant.

## **2 Role of LEDA**

- 2.1 LEDA is the owner of land at Culham No.1 Site, Station Road, Culham, Abingdon, registered at HM Land Registry under title numbers ON225257, ON208645 and ON196259 (“the Property”). The CPO includes powers for the acquisition of parts of the Property to deliver the Scheme. The Side Roads Order includes powers to stop up access from the Property to the public highway.
- 2.2 Culham No.1 Site offers a range of commercial units that are occupied by a variety of different tenants whose property needs are accommodated by LEDA.
- 2.3 LEDA also has development aspirations for the Property and has entered into a promotion / project management agreement with Commercial Estates Group Limited and CEG Land Promotions II Limited (“CEG”), who have developed a masterplan for an area including the Property (“the Proposed Development”).
- 2.4 An outline planning application for the first phase of CEG’s development, which is at Culham No. 1 site, is being finalised. It is anticipated that this will be submitted at the start of 2024, prior to the opening of this public inquiry. The first phase envisages the employment-led development of the part of the Promoted Land located to the east of the railway track.

## **3 Principle of the Orders and the Scheme**

- 3.1 LEDA does not object to the CPO or the Scheme in principle. LEDA acknowledges that additional highway capacity will support LEDA’s development aspirations, although modelling indicates that some development within the Culham No 1 development can be delivered and occupied before the highway improvements proposed by the Scheme are delivered.
- 3.2 LEDA is therefore supportive of the Scheme in principle, particularly as the proposed highway works offer an opportunity to assist in the realisation of the significant social and economic benefits that the Proposed Development will provide. LEDA agrees with the comments made at paragraph 6.2 of the Council’s Statement of Case in noting that the Scheme provides critical mitigation for the total planned growth in the South Oxfordshire area.

- 3.3 However, the current terms of the Orders extend beyond what is necessary to successfully deliver the Scheme. In their current form, the Orders risk delivery of the Proposed Development in a number of important respects, and therefore undermine the achievement of the Scheme's objectives. The basis upon which LEDA objects to the Orders in their current form is discussed below. However, it might be that these objections can be addressed through completion of a private agreement between the Council and LEDA.

#### **4 Objections to the CPO**

- 4.1 The parts of the Property proposed to be acquired by the CPO are shown shaded red on sheets 16 and 18 of the map referred to in the CPO.
- 4.2 A copy of a drawing overlaying the works shown on the relevant General Arrangement Plans upon sheet 16 of the CPO Map is enclosed at Appendix 1 to this Statement of Case for ease of reference, titled 'CPO Extents Overlay – Culham No 1 Site Access' (drawing number 8150529/6007) ("the Overlay Plan").
- 4.3 As can be seen from the Overlay Plan, the CPO proposes to acquire various land parcels within the Promoted Land that would not be utilised as part of the completed Scheme works, including land within plots 16/6a, 16/6b, 16/6c and 16/6z as shown on the CPO Map.
- 4.4 LEDA contends that either the CPO boundary should be amended to reflect that shown dashed green on the Overlay Plan or private agreement should be reached not to use compulsory powers of acquisition, subject to satisfactory rights for temporary use of a suitable compound area being granted by LEDA. Paragraph 16.102 of the Council's Statement of Case states that plots 16/6a, 16/6b, and 16/6z are all required for temporary use during the Scheme's construction period for the provision of works compounds. LEDA considers that any such compound should be sited in an alternative location given that acquisition and use of these plots by the Council would prejudice delivery of the Culham No 1 development.
- 4.5 Plots 16/6a, 16/6b, and 16/6z involve land upon which new employment buildings are expected to be constructed as part of the Culham No 1 development, as well as land identified for provision of drainage infrastructure intended to support that phase of the Proposed Development. The topography and ground conditions of the Culham No 1 site are particularly conducive to the provision of drainage infrastructure in this location, and it is unclear whether such infrastructure could be located elsewhere within the site without significantly impacting the currently proposed development quantum and layout.
- 4.6 If such plots remain within the scope of the CPO, then the order will unnecessarily reduce the amount of developable land that could be comprised within the Culham No 1 development. Not only would this frustrate the level of social, economic and environmental benefits that would otherwise be provided as part of the Proposed Development, but it also prejudices the policy expectations of the Local Plan and assumptions underlying the HIF grant. The Council has not demonstrated that any works compound needs to be sited in the currently proposed location, and LEDA considers that reasonable alternative locations are available.
- 4.7 As is discussed in paragraphs 16.104 to 16.106 of the Council's Statement of Case, discussions have taken place and are ongoing between the Council and LEDA with a view to agreeing the terms of a suitable agreement that would enable LEDA's objections on this point to be withdrawn.

- 4.8 Engagement with LEDA by the Council since the Orders were made has unfortunately not been at the frequency required to fully consider the matters in discussion, and the comments made at paragraph 11.11 of the Council's Statement of Case in suggesting that the authority has pursued all reasonable steps to acquire the necessary land and rights by private agreement prior to this time are not accepted. Notwithstanding, LEDA remains willing to discuss the terms of a voluntary agreement(s) with the Council in seeking to resolve its objections.
- 4.9 Paragraph 16.105 of the Council's Statement of Case indicates that land proposed for a new north-easterly access towards Culham Science Centre could also be removed from the scope of the CPO if sufficient alternative mechanisms were in place to ensure that private rights of access were granted over the road to the relevant premises. LEDA is willing to continue negotiations on the terms of a private agreement with the Council to grant such rights.
- 4.10 Paragraph 16.108 of the Council's Statement of Case similarly confirms that plot 16/c does not need to be permanently acquired by the Council, but would be utilised by the authority during the construction phase. LEDA is willing to continue discussions upon a suitable private agreement relating to plot 16/6c, and which would enable that land to be removed from the CPO boundary. Indeed, it might be that agreement upon an alternative location for the proposed construction compound would avoid the need for the currently envisaged turning head feature entirely, and for other plots to be removed from the scope of the CPO.

## **5 Objections to the Side Roads Order**

- 5.1 Site Plan 16 of the Side Roads Order identifies various private accesses and public highways that are proposed to be stopped up as part of the Scheme (given references 16/2 to 16/8 and 16/S1-S2). LEDA accepts that some of these highways will need to be stopped up as part of the Scheme, and it is noted that new means of access and highways are proposed to be provided along the routes shown on Site Plan 16A of the Side Roads Order.
- 5.2 However, it is unclear how the sequencing of the proposed works and how the Scheme design will ensure that access to the existing public highway is properly maintained for vehicles used by LEDA's tenants and for vehicles that need to access the Culham No 1 site (at all times) during the development construction phase. This is particularly important given that current modelling indicates that at least part of the Culham No 1 development can be accommodated by the existing highway network prior to the relevant Scheme works in this area being completed.
- 5.3 Paragraphs 16.112 and 16.113 of the Council's Statement of Case expresses an intention for the Council to grant sufficient access rights to beneficiary premises on the Culham No 1 site. However, whilst it is accepted that the Council would need to implement the Orders and come into title possession of the relevant land in order to formally grant such rights, no assurances are given as to timings and sequencing of the Scheme works. This is particularly important given that it is readily foreseeable that at least some development of the Culham No 1 site will come forward in advance of the Scheme works being undertaken.
- 5.4 As discussed in section 4 above, LEDA considers that the proposed north-easterly access towards Culham Science Centre (reference 16/b) could be removed from the scope of the CPO should an appropriate private agreement be completed with the Council and relevant landowners. In such circumstances the Side Roads Order would similarly need to be amended to remove reference to that access. Should the access continue to form part of the Side Roads Order, enforceable assurances should be given by the Council to ensure that appropriate rights for beneficiaries would be granted, and that the delivery programme would not prejudice existing access arrangements.

## **6 Costs**

- 6.1 LEDA considers that the lack of consultation by the Council upon the terms of the Orders prior to their being made, as well as sporadic engagement by the Council upon the terms of private agreements following the Orders being made, has resulted in LEDA incurring costs associated with these inquiry proceedings that might otherwise have been avoided. LEDA shall therefore seek its costs in objecting to the Orders, as well as preparing for and attending the inquiry.

## **7 Documents to be Referred to in Evidence**

- 7.1 The nature of any evidence presented by LEDA to the inquiry will depend upon how any discussions on private agreements to resolve its objections proceed. However, and in the absence of any such agreements being finalised, LEDA's evidence will refer to relevant documentation and plans associated with the Proposed Development, in particular the proposals for the Culham No 1 development. Reference will also be made to potential alternative locations for works compounds which the Council considers to be necessary during the construction phase.
- 7.2 LEDA's evidence will also refer to the application documentation for the Orders and any subsequent correspondence and/or revisions to the proposed Scheme. Reference will also be made to applicable statutory provisions and guidance, as well as relevant core documents.

## **8 Other Matters**

- 8.1 LEDA reserves the right to add to its arguments or introduce additional documents in responding to any amendments to the Scheme or the Orders. This is particularly relevant given that the Council is proposing various modifications to the Orders and their associated maps that are relevant to the Promoted Land (discussed in section 17 of the Council's Statement of Case), with the authority to supply modified documents in due course.





**NOTES**


1. This drawing is to be read in conjunction with all relevant documents and specifications.
2. Dimensions are not to be scaled.

Source: AECOM's drawing number  
GEN\_PD-AMC-GEN-DGT\_ZZ\_ZZ-DR-T-0016 Rev P02.  
Oxfordshire County Council drawing number  
GH-132861001-CPO-16-FINAL

**KEY**

- Current extent of CPO
- Suggested alternative CPO extents

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Project :		Culham	
Title :		CPO Extents Overlay - Culham No.1 Site Access	
Project Engineer :		T. Hart	Scale : 1:2000 @ A3
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