

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS
INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT
ROUNDAABOUT), A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON
HAMPDEN BYPASS) COMPULSORY PURCHASE ORDER 2022**

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT TO CULHAM THAMES
BRIDGE) SCHEME 2022**

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS
INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT
ROUNDAABOUT), A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON
HAMPDEN BYPASS) (SIDE ROADS) ORDER 2022**

**THE CALLED-IN PLANNING APPLICATION BY OXFORDSHIRE COUNTY
COUNCIL FOR THE DUALLING OF THE A4130 CARRIAGEWAY,
CONSTRUCTION OF THE DIDCOT SCIENCE BRIDGE, ROAD BRIDGE OVER
THE APPLEFORD RAILWAY SIDINGS AND ROAD BRIDGE OVER THE RIVER
THAMES, AND ASSOCIATED WORKS BETWEEN THE A34 MILTON
INTERCHANGE AND THE B4015 NORTH OF CLIFTON HAMPDEN,
OXFORDSHIRE (APPLICATION NO: R3.0138/21**

PLANNING INSPECTORATE REFERENCE:

APP/U3100/V/23/3326625 and NATTRAN/SE/HAO/286 (DPI/U3100/23/12)

**Appendices to the Rebuttal Proof of Evidence of
STEVEN JOHN MOON
(Negotiations and Acquisition)**

Appendix SM4.1

Trustees of the WE Gale Trust

Landowner Engagement Record

Trustees of the WE Gale Trust

Date	Participants	Correspondence Type	Details
25/03/21	IM, GG	Email	IM emailed GG thanking him for permission and his code. IM also proposes survey works to be completed in April
29/03/21	GG, IM	Email	GG emailed IM stating he needed more information before granting permission for further survey works
31/03/21	IM, GG	Email	IM emailed GG revised trenching plans for access to continue
31/03/21	GG, IM	Email	GG emailed IM granting permission except in National Grid Wayleave areas, also wanted confirmation that compensation and agent's fees would be paid
31/03/21	IM, GG	Email	IM emailed GG and proposed an on-site meeting
31/03/21	GG, IM	Email	GG emailed IM providing next week as a time to have an on-site meeting
31/03/21	IM, GG	Email	IM emailed GG with availability on next Thursday for a meeting
31/03/21	GG, IM	Email	GG emailed IM asking for a time for an on-site meeting
07/04/21	IM, GG	Email	IM emailed GG with a proposed time for the meeting
08/04/21	GG, IM	Email	GG confirmed time for meeting
08/04/21	IM, GG	Meeting	Landowner meeting on site
20/04/21	IM, GG	Email	IM emailing to request access for additionally borehole locations
22/07/21	IM, GG	Phone Call	IM call with GG regarding survey access
23/07/21	IM, GG	Email	IM emailed regarding the details of the GPR survey equipment
23/07/21	IM, GG	Email	GG emailed to query the damage the crop that is in the field.
23/07/21	IM, GG	Email	IM emailed to question whether it would be best to postpone survey till after harvest
24/07/21	IM, GG	Phone Call	IM phoned GG to discuss crop compensation. Site visit arranged for 02/09/21
02/09/21	IM, GG	Site visit	IM site visit.
30/09/21	IM, GG	Email	Survey works request

HIF 1 Land Acquisition

04/10/21	IM, GG	Email	Survey works request
11/10/21	IM, GG	Email	Survey works granted approval
03/11/21	IM, CG	Email	Survey works granted approval
04/01/22	IM, GG, CG	Email	Chaser email for comments on the plans issued
06/01/22	IM, GG, CG	Email	Crop Loss compensation following surveys
23/03/22	IM, GG, CG	Email	Scheme update provided
24/06/22	IM, GG, CG	Email	Scheme update provided
26/06/22	IM, GG	Email	Crop Loss compensation following surveys
04/07/22	IM, GG, CG	Email	Scheme update provided
12/07/22	IM, GG, CG	Email	Scheme update provided
21/07/22	IM, GG, CG	Email	Scheme update provided
15/09/22	IM, GG, CG	Email	Survey works request
21/09/22	IM, GG, CG	Email	Survey works granted approval
30/09/22	IM, GG, CG	Email	Survey works request
05/10/22	IM, GG, CG	Email	Survey works request
05/10/22	IM, GG, CG	Email	Survey works granted approval
23/11/22	IM, GG, CG	Email	Issue of plans illustrating the land that is required for the scheme, prior to the Compulsory Purchase Order
07/02/23	TB/IM	Email	TB to IM following a phone call and confirming instructions with Gales
24/02/23	IM/RB/TB/GB	Meeting	Teams meeting with Intros for RB and scheme update, included OCC
08/03/23	TB/GB/RB/MD	Meeting	Teams meeting including OCC
16/03/23	RB/IM/TB	Email	RB issuing HOTs following conversations – includes Gales requirement regarding access.
31/03/23	RB/TZ/GB/TB	Email	RB chasing TB in response to HOTs and offering multiple dates for a meeting
31/03/23	RB/TB/JM/GB/TZ	Email	TB confirming availability for meeting on 12 April 23 – RB sent teams invite
12/04/23	RB/JM/TB/GB/TZ	Meeting	Teams meeting to discuss project and access/planning
25/04/23	RB/TB/JM/TZ	Meeting	Teams meeting to discuss project

10/05/23	RB/TB	Telephone Call	TB update call – postponing of meeting from 10 May 23 to 17 May 2023 at RB request.
17/05/23	RB,DT/JM/TB	Meeting	Discussion on Planning with regards Gales Land.
17/05/23	TB/TZ/RB	Email	Post meeting request on costs for planning advice, Relates to planning advice in relation to their claim.
23/05/23	RB/TZ/TB	Email	RB to TB on costs and also seeking details to be able to give the undertaking.
01/06/23	RB/TB	Email	Missed call from TB, RB emailing apologising and recommending best number to contact with offer to speak soon.
02/06/23	RB/TB	Telephone Call	Call to discuss updates and arrange meeting for following days. TB saying would reach an agreement but need temp land removing from the order.
07/06/23	RB/TB/JM	Meeting	Teams meeting regarding Gales Land
07/06/23	RB/TB/JM	Email	Follow up email from earlier meeting confirming OCC could accept a long stop date on temp compound.
08/06/23	RB/JM/TB	Email	Email from JM on long stop date confirmation with same day reply from RB with answer and extract from HOTs
20/06/23	RB/TB/JM	Email	RB chasing for a response.
28/06/23	RB/TB/JM	Email	RB chasing again for a response.
04/07/23	RB/TB/RB	Email	JM asking if RB available for a meeting with suggested dates, RB responding same day with offer of meeting at 5PM 04 July 2023
04/07/23	RB/TB	Telephone Call	Call with TB regarding terms and proposal to reach agreement.
10/07/23	TB/RB/JM	Email	TB chasing RB with regards review of HOTs following previous call, RB responded same day with available time for a meeting which was organised for 12 July 2023
12/07/23	RB/TB	Meeting	HIF1 Update call with TB
13/07/23	RB/TB	Meeting	Continuation of previous days discussion
13/07/23	RB/TB	Email	Follow up email post meeting and regarding proposed agreement.
15/09/23	RB/TB/RS	Email	RB emailing TB regarding the negotiations and confirming would like to progress on the same basis as previously discussed.
18/09/23	TB/RB	Email	TB saying around to discuss later the same day or Friday of same week, RB responded with offer of 4PM same day for a call.
26/09/23	RB/TB	Email	As no response from TB RB chased about a meeting with available times and days. TB offered same day at 3.30 PM

HIF 1 Land Acquisition

26/09/23	RB/TB/JM	Meeting	Gales Land update progress
02/10/23	RB/TB	Email	RB asking if TB was available for a meeting to catch up with offer of a meeting on Thursday of same week.
10/10/23	RB/TB/JM	Email	From TB apologising for not catching up and offering meeting availability, RB send invite for a meeting on the 12 Oct 23.
12/10/23	RB/TB/JM	Meeting	Meeting to discuss progress on project/terms
31/10/23	JM/RB/TB	Email	From JM requesting clarity on compound. 3 rd Party Purchaser had completed site investigations.
01/11/23	JM/RB/TB	Email	Chaser from JM requesting a meeting, RB emailed back same day with available dates, meeting organised for 02 Nov 23.
02/11/23	RB/JM/TB	Meeting	Meeting to discuss progress made at request of JM
10/11/23	JM, TB, RB	Email	JM emailed RB about the works compound and subsequent rent per annum
13/11/23	RB, JM, TB	Email	RB emailed JM will availability for a call
14/11/23	RB, JM	Telephone Call	Call between RB and JM
20/11/23	JM, TB, RB	Email	JM emailed RB wanting to push forward with the HoTs
20/11/23	JM, TB, SM, RB, IM	Email	JM emailed SM wanting to push forward with the HoTs as he was expecting a response the previous Friday
22/11/23	SM, RB, RS, JM, TB	Email	SM responded to JM informing him that he was waiting on instructions from the client
22/11/23	JM, TB, SM, RB, RS	Email	JM emailed SM asking for the HoTs to be agreed
24/11/23	SM/JM/RB/LT/TB	Email	SM issued updated HOTs to JM and others copied as RB on annual leave..
04/12/23	JM/SM/TB/RS/LT	Email	JM responding and thanking SM for turning around the HOTs saying that would be responding in due course with any comments.
04/12/23	JM/SM/TB/RS/LT	Email	RB by return to above confirming that he could pick up as now back from annual leave. JM responded thanking RB and asking about timescales.
04/12/23	RB/JM/TB	Email	RB 2 No. emails confirming intention to be ASAP and to also confirm the requirements about removing objections.
08/12/23	TB/JM/SB	Email	TB writing to confirm that Gales had withdrawn the Rule 6 Objection to the scheme and regarding some of the HOTs commercial proposals.
22/12/23	TB, JM, RB	Email	TB emailed RB about clarification of HoTs and fees

12/01/24	TB, RB	Email	Email off TB with response to Heads of Terms and any points that they need clarification on
12/01/24	RB, TB	Email	RB responds to points that TB made.
15/01/24	TB, JM, RB	Email	TB emailed RB regarding legal wording required in the Sale Contract and Option Agreement for withdrawal of the objection. RB responded with available times for a meeting and organised for following day.
16/01/24	RB/TB/JM	Meeting	Update meeting with parties
16/01/24	RB/TB/JM	Email	Post meeting note with OCC acceptable wording for contract in respect of not exercising CP powers in respect of the Compound Land.
17/01/24	RB, TB	Telephone Call	Telephone Call between RB and TB.
17/01/24	TB	Email	TB emailed regarding solicitors suggested wording for legal agreement to alleviate 3 rd party purchasers concerns.
17/01/24	TB/RB/JM	Email	Fee payment and request from TB – RB confirmed no response from OCC as yet and would chase.
18/01/24	TB/RB	Email	Request for information for billing to enable payments. TB back and forth with information.
22/01/24	JMc, SP, GG, TB	Email	JMc sends email to the WE Gale trust stating that GH have been appointed by OCC to help gain access to the private land to complete some small surveys
22/01/24	SP to landowner	Letter	Letter entailing the cover letter and licence for survey access requests.
22/01/24	JMc to Agent	Email	Survey access licence emailed to RSs.
22/01/24	AD, RB, TB	Email	AD and RB email TB regarding information that OCC can use to process the new supplier, TB informed to RB that WE Gales Trust solicitors are drafting a response letter.

23/01/24	SB, RH, RB, TB	Email	SB from Excello Law email to RH at OCC on behalf of W E Gale Trust, letter attached
23/01/24	RB/TB/JM/SB	Email	TB asking what time RB meeting with OCC as drafting a letter in regards of their position. RB responded with 3PM as the meeting time.
23/01/24	SB/RB/RH/TB	Email	SB to RH on their objection to the scheme and need for attention.
24/01/24	RB, SB, TB	Telephone Call	Telephone Call between RB and TB.
25/01/24	RB/TB	Email	Email back and forth confirming details for payment of agents fees and set up.
29/01/24	JM/RB/RB	Email	JM asking for a meeting to discuss progress.
30/01/24	TB/JM/RB/SB	Email	TB sharing Statements of Case.
30/01/24	JM/RB/TB/SB	Email	JM requesting face to face meeting once he is back from leave.
31/01/24	TB/RB/JM/SB/SM	Email	RB responding to TB on progress with documents and offering to have a call in the morning.
31/01/24	RB/JM/TB/SB	Email	RB to JM offering dates and times for a face to face meeting.
01/02/24	RB/TB	Meeting	Discussion with RB and TB regarding Gales land, RB had sent a second email with availability early same morning.
05/02/24	JM/RB/TB/SB	Meeting	Meeting invite for a Teams meeting on the 06 Feb 24
05/02/24	TB/JM/SB/LT	Email	TB following up with an email from the call. Pointing out issues that remain around the access and the threat of CPO on the compound plots.

06/02/24	TB/RB/LT/JM/SB/3 rd Party and Advisors	Meeting	Teams meeting with Gales advisors and the 3 rd Party advisors to discuss the matters outstanding. Agreed that OCC to prepare draft undertaking and proposed letter to the examiner to request the removal of the plots from the order.
12/02/24	JM/TB/RB/LT	Email	Chaser from JM asking for a copy of the documents for review following call the week before.

/

Participants		
Gateley Hamer	Oxfordshire County Council	Landowner
SM – Steve Moon, Associate	LT – Lynsey Turner, Project Manger, OCC	TB – Tim Broomhead, Knight Frank
RS – Reena Shah, Surveyor	TM – Timothy Mann, OCC	GG – George Gale, Landowner
RB – Rob Brown, Associate	AD – Anton Deacon, Assistant Project Manger, OCC	JM – James Maskey, Knight Frank
JMc – James McInnery, Senior Land Liaison Officer	RH – Richard Hodby, Solicitor, OCC	SB – Sarah Beer, Excello law
IM – Ian Miles, Technical Director	GB – Gavin Belcher, OCC	CG – Cynthia Gale, Landowner
SP – Sindhu Patil, Land Coordinator	TZ - Twarowski Zbigniew, OCC	

Appendix SM4.2

HIF1 BG NOTE ON PLANNING MATTERS

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS
INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT
ROUNDAABOUT), A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON
HAMPDEN BYPASS) COMPULSORY PURCHASE ORDER 2022**

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT TO CULHAM THAMES
BRIDGE) SCHEME 2022**

**THE OXFORDSHIRE COUNTY COUNCIL (DIDCOT GARDEN TOWN HIGHWAYS
INFRASTRUCTURE – A4130 IMPROVEMENT (MILTON GATE TO COLLETT
ROUNDAABOUT), A4197 DIDCOT TO CULHAM LINK ROAD, AND A415 CLIFTON
HAMPDEN BYPASS) (SIDE ROADS) ORDER 2022**

AND

**THE CALLED-IN PLANNING APPLICATION BY OXFORDSHIRE COUNTY
COUNCIL FOR THE DUALLING OF THE A4130 CARRIAGEWAY,
CONSTRUCTION OF THE DIDCOT SCIENCE BRIDGE, ROAD BRIDGE OVER
THE APPLEFORD RAILWAY SIDINGS AND ROAD BRIDGE OVER THE RIVER
THAMES, AND ASSOCIATED WORKS BETWEEN THE A34 MILTON
INTERCHANGE AND THE B4015 NORTH OF CLIFTON HAMPDEN,
OXFORDSHIRE (APPLICATION NO: R3.0138/21)**

**PINS Reference: APP/U3100/V/23/3326625 and NATTRAN/SE/HAO/286
(DPI/U3100/23/12)**

Note on Planning Matters

**Bernard Carl Greep BA (Hons), BTP, MRTPI, MIED
(Planning)**

1 Introduction

- 1.1.1 In this Note on Planning Matters, which is provided as an annex to the rebuttal proof of evidence of Steven John Moon, I provide my understanding of the planning position concerning the 'WE Gales Trust' land and the 'Leda Properties and Morrells Farming Ltd.' land.

1.2 WE Gales Trust land

- 1.2.1 With reference to paragraphs 25 to 51 of Nick Diment's proof, my understanding of the planning position is as follows:

- The land in question is greenfield, agricultural land, served by an existing agricultural vehicular access from the A4130;
- The land is within the area covered by the adopted Vale of the White Horse Local Plan, the emerging draft Joint Local Plan (for South Oxfordshire and the Vale of the White Horse) and the Didcot Garden Town Delivery Plan, but it is not allocated for development in any of those documents, nor does it have planning permission for any form of development or for an improved or alternative vehicular access;
- Whilst the land has been considered within previous SHLAA and HELAA documents, this does not in itself mean that the land will be allocated for development or will be the subject of a grant of planning permission in the future; and
- Similarly, whilst the land adjoins the Didcot built-up area and is in close proximity to other land which is allocated for development and/or is the subject of a grant of planning permission, those factors by themselves do not mean that the land will be allocated for development or will be the subject of a grant of planning permission in the future.

- 1.2.2 In the circumstances outlined above, I conclude as follows:

- Whilst I consider it possible that the land will be allocated for development and/or be the subject of a grant of planning permission in the future, there is no certainty that this will be the case. Neither the existing Local Plan nor the emerging Local Plan has to date considered it appropriate to allocate the site. In considering any future allocation or grant of permission following submission of a planning application, the LPA would have to consider a wide range of planning, technical and environmental matters and all other material considerations, including national and local planning strategy and policy and impacts on all forms of infrastructure, landscape and the environment; and
- In respect of vehicular access, in my experience the existing agricultural access is likely to be unsuitable to serve any future development scheme at the site, other than perhaps for continued agricultural use. Instead, any such development would need planning permission to be granted for an improved or new vehicular access.

1.3 Leda Properties and Morrells Farming Ltd. land

- 1.3.1 Within paragraphs 5.6 to 5.20 of Steven Sensecall's proof, he asserts that the first phase of the Culham No.1 development is capable of being delivered in advance of the HIF1 Scheme being completed.

- 1.3.2 In this regard, my understanding is that:

- The Culham No.1 development forms part of the wider allocation of land for residential and employment development, under Policy STRAT9 of the adopted SOLP;

-
- Policy STRAT9 includes the following text:

'Proposals to develop Culham will be expected to deliver...

vi) all necessary infrastructure, referring to the Infrastructure Delivery Plan, which is likely to include:

a. New junctions onto the A415 and significant contributions towards the Clifton Hampden Bypass, the Didcot to Culham River Crossing, and upgrading the A4074/B4015 junction at Golden Balls...

- Whilst an indicative masterplan has been produced for the Culham No.1 development, it has not yet been the subject of a planning application, either for the whole of the development or indeed for its first phase or phases.

1.3.3 Having regard to the planning position outlined above, in my experience it is not certain that the first phase of the Culham No.1 development will in fact be delivered in advance of the HIF1 Scheme being completed, on the basis that:

- Even if a detailed planning application is made shortly, this will be a major application which will require extensive consultation and in all likelihood substantial levels of negotiation and possible revisions, prior to any permission being granted;
- It is also inevitable that a S106 planning obligation will be required, particularly in the light of the reference within Policy STRAT9 (highlighted above) to significant contributions being required for transport infrastructure; and
- If and when permission is granted, it will be subject to multiple 'pre-commencement' conditions and obligations which will take time to be submitted and determined.

Bernard Carl Greep, 13 February 2024