



Pre-Inquiry Meeting Summary Note

CASE REF: NATTRAN/SE/HAO/286 (DPI/U3100/23/12)

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 (CPO) 2022

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 (SRO) 2022

The Oxfordshire County Council (Didcot to Culham Thames Bridge) Scheme 2022

CASE REF: APP/U3100/V/23/3326625

Corridor between the A34 Milton Interchange and the B4015 north of Clifton Hampden

The dualling of the A4130 carriageway (A4130 Widening) from the Milton Gate Junction eastwards, including the construction of three roundabouts;

A road bridge over the Great Western Mainline (Didcot Science Bridge) and realignment of the A4130 north east of the proposed road bridge including the relocation of a lagoon;

Construction of a new road between Didcot and Culham (Didcot to Culham River Crossing) including the construction of three roundabouts, a road bridge over the Appleford railway sidings and road bridge over the River Thames;

Construction of a new road between the B4015 and A415 (Clifton Hampden bypass), including the provision of one roundabout and associated junctions; and,

Controlled crossings, footways and cycleways, landscaping, lighting, noise barriers and sustainable drainage systems.

Introduction and purpose of meeting

1. This note summarises the discussion from the pre-inquiry meeting (PIM) held 9 November 2023 at 10:00. The main purposes of the PIM were to discuss the procedural and administrative aspects of the inquiries, and the issues that will need to be addressed in evidence. This is to ensure the forthcoming event can be conducted in an efficient and effective manner.
2. The Programme Officer is Mrs Joanna Vincent. She acts as a neutral party of the inquiries and is responsible for, amongst other things, the inquiry website, programming appearances and ensuring the timely submission of documents.
All communication should now go through Mrs Vincent.
Her email address is:
Joanna.Vincent@gateleyhamer.com
The website address is:
www.gateleyhamer-pi.com/en-gb/didcot-garden-town/
3. A copy of this note will be placed on the inquiry website, along with all other documentation relating to the inquiries.

Venue

4. The venue for the inquiries is Bee House, 140 Eastern Avenue, Milton Park, Oxfordshire OX14 4SB - www.bee-house.co.uk
5. The event will take place in The Buzz. It has suitable capacity, internet access, disabled access and hearing loops. It was also confirmed that a monitor would be provided for the Inspector, along with accessible and safe power points. The event will be livestreamed and there will be a suitable facility for virtual participation, if necessary.
6. There is also a café, car parking and easy access by public transport and suitable breakout spaces for all parties. It is open 08:00-18:00 and papers can be stored in the room overnight. Photocopying is available. A retiring room will be provided for the Inspector.
7. I requested that the public address system can accommodate at least 2 microphones being 'on' at the same time.
8. Guidance for setting up a venue for a public inquiry is provided [here](#).

Inquiry dates and sitting times

9. The inquiries are scheduled to open on the same day, at 10:00 on Tuesday 20 February 2024. The event will resume at 10:00 on subsequent days and ideally adjourn by 17:00. An earlier start of 09:30 could be accommodated as required. Each last day of the week, be that a Thursday or Friday, will be a lunch time finish at 13:00.
10. The event will run for the following days:
 - 20, 21, 22, 23 Feb
 - 27, 28, 29 Feb, 1 March
 - 12, 13, 14 March
 - 26, 27, 28 March
 - 16, 17, 18, 19 April

- 23, 24, 25, 26 April
- 8 & 9 May (reserve days)

Background

11. The planning application was 'called in' by the Secretary of State for Levelling Up, Housing and Communities (LUHC) on 25 July 2023. This means a public local inquiry will be held and a recommendation to the Secretary of State will be provided by the Inspector.
12. Given the requirement for a public local inquiry to consider the Compulsory Purchase Order (CPO), Side Roads Order (SRO) and Bridge Scheme, under direction from the Secretary of State for Transport, the inquiries have been conjoined and will run at the same time. A recommendation to the Secretary of State for Transport on the CPO, SRO and Bridge Scheme will also be provided by the Inspector.
13. There are currently five Rule 6 parties for the called in planning application. These are the Vale of White Horse District Council, South Oxfordshire District Council, East Hendred Parish Council, POETS (Planning Oxfordshire's Environment and Transport Sustainably) and the Trustees of the W E Gale Trust.
14. There are possibly going to be 2 additional Rule 6 parties. These are the Vale and South Oxfordshire Neighbourhood Parish Council's Joint Committee and the UK Atomic Energy Authority/Culham Science Centre. Their application should be submitted as soon as possible to enable the efficient preparation of evidence.

Called in planning application main issues

15. The Secretary of State for LUHC has indicated the matters which he particularly wishes to be informed about, for the purposes of his consideration of the application are:
 - a) The extent to which the proposed development is consistent with Government policies for delivering a sufficient supply of homes as set out in the NPPF (Chapter 5); and
 - b) The extent to which the proposed development is consistent with Government policies for building a strong, competitive economy as set out in the NPPF (Chapter 6); and
 - c) The extent to which the proposed development is consistent with the development plan for the area; and
 - d) any other matters the Inspector considers relevant.
16. Having regard to this, I also consider the following matters may also be relevant:
 - a) Whether the extent of traffic modelling is robust, including wider traffic impacts and consideration of the Council's Local Transport and Connectivity Plan (LTCP).
 - b) The effect of the proposal's carbon impact and contribution to climate change.

- c) The effect of noise from the proposal upon the living conditions of people living and working in Appleford.
 - d) Whether the design for the Science Bridge is suitable.
 - e) Whether there are any reasonable alternatives.
17. The inquiry will also look at other matters raised by consultees and interested parties, along with the planning balance.
18. The planning inquiry will focus on areas where there is disagreement. It is essential that all main parties effectively communicate with one another to seek to narrow the issues for consideration at the event. This should be an on-going conversation.

Called in planning application - other matters

19. The Local Planning Authority's (LPA) Statement of Case refers to them having various points of remaining concerns. This is in relation to the impacts of the development on the local community and the environment. However, they are relying on the Inspector to make a judgement. This is not sufficient or helpful.
20. Consequently, the LPA is required to provide a Technical Note setting out exactly what their concerns are. This is in specific relation to 'reasons 3 and 8'. This is because the LPA remains concerned about:
- the extent of traffic modelling undertaken by the applicant, and
 - how the applicant has approached the traffic modelling for a new road scheme, which they consider are contrary to the policies of the LTCP.
21. It would also be helpful to explain how the LPA considers that the design of the Science Bridge can be enhanced by way of a condition when the proposal is a full application.
22. The applicant is required to provide a Technical Note that sets out a response to POETS's letter to the Planning Inspectorate dated 4 November 2023. This asked for the Planning Inspectorate to issue a Regulation 25 request in relation to the adequacy of the Environmental Statement. The note will be helpful for all parties to understand the approach of the applicant and aid the preparation of evidence.
23. Both Technical Notes are required by **17:00 on 30 November 2023**.

Compulsory Purchase Order considerations

24. For the CPO, the Inspector will need to be satisfied that the following has been met:
- there is a compelling case in the public interest for the Order to be made;
 - this justifies interfering with the human rights of those with an interest in the land affected;
 - the acquiring authority has a clear idea of how it is intending to use the land it seeks to acquire;
 - the acquiring authority can show that all necessary resources (including funding) to carry out its plans are likely to be available within a reasonable timescale; and

- the scheme is unlikely to be blocked by any impediment to implementation.
25. For the SRO, the statutory tests that must be satisfied before the Order can be confirmed are that:
- no highway shall be stopped up unless another reasonably convenient route is available or will be provided before the highway is stopped up; and
 - the stopping up of a private means of access shall only be authorised if no access to the premises is reasonably required; or if another reasonably convenient means of access to the premises is available or will be provided.
26. For the Bridge Scheme, it will be necessary to consider the effects on the navigable waters of the River Thames and the reasonable requirements of navigation before the Scheme can be confirmed.

Dealing with the evidence

27. All evidence will be heard formally and in topics, the called in planning application first, followed by the specific parts relating to the CPO, SRO and Bridge Scheme (the Orders). However, Oxfordshire County Council as Acquiring Authority will also present their overall summary case for the Orders within topics 1-6 as this will avoid repetition. All topics will comprehensively include the main issues and considerations outlined above. This will take the following format:
28. Called in planning application:
- 1) Strategic need and benefits, including:
 - a) Wider employment and housing objectives
 - b) Development and local transport policy framework
 - c) Identification of broad need
 - d) Benefits
 - 2) Scheme selection and alternatives, including:
 - a) Objectives
 - b) The optioneering process
 - c) Alternatives
 - d) Consultation
 - e) Scheme selection
 - 3) Technical highways engineering, including:
 - a) Scheme design
 - b) SRO
 - c) Bridge Scheme
 - 4) Transport planning, including:
 - a) Current highways issues
 - b) Future highways issues with strategic development
 - c) Highways performance with the Scheme
 - 5) Environmental effects, including:
 - a) Noise

- b) Climate change
 - c) Air quality and emissions
 - d) Any others raised
- 6) Planning policy, including:
 - a) Planning history
 - b) Site and surrounds
 - c) Planning policy
 - d) Other material considerations
 - e) Planning balance
- 29. Orders:
 - a) Negotiation for acquisition of land and rights
 - b) Response to individual landowner objections
 - c) Justification
 - d) Funding
 - e) Deliverability
 - f) Human Rights implications
 - g) Compelling case in the public interest
- 30. The LPA are currently taking a neutral stance. However, depending on the contents of the Technical Note, they may choose to present some evidence. This is to be confirmed.
- 31. There are supporting and objecting Rule 6 parties who will present evidence on different topic areas for matters 1-6. I am not expecting any Rule 6 parties to cross examine opposing parties when they do not have their own counter evidence. For these topics, evidence in chief should explore the evidence and draw out points or explain matters. Then questions through the Inspector would be allowed, but these would be neutral and for information or clarity. Any remaining Inspector questions would follow this.
- 32. For topics where Rule 6 parties are presenting evidence, opposing Rule 6 parties will go first, and will be cross examined by the applicant and then supporting Rule 6 parties (please avoid repetition during cross examination). This will be followed by evidence from supporting Rule 6 parties, which would be cross examined by the opposing Rule 6 parties (and possibly the LPA). Lastly, the applicant would present their evidence, which would be cross examined by opposing Rule 6 parties (and possibly the LPA).
- 33. The details at the end of this note sets out the preferred format and content of proofs/statements of evidence, which should be observed. The evidence should be clearly labelled as to what they are referring to, the called in planning application or the Orders and who they belong to. The Programme Officer will set out how she wants them referenced in her covering email to this note.
- 34. Proofs of evidence for the called in planning application are to be submitted by **17:00 on 23 January 2024**. Statements of evidence for the Orders are to be submitted by **17:00 on 30 January 2024**. Hard copies should also be submitted at the same time.

35. Where objectors' statements of evidence for the Orders have requested alternative routes, these should be clearly identified in the evidence.
36. The Acquiring Authority are requested to produce a list of remaining objectors, the status of the objection, if they are negotiating, along with an indication of the likelihood of withdrawal. This should be submitted with its' Statement of Evidence for the Orders. It should be a 'living' document updated as necessary and finally updated at the close of the inquiry.
37. Statements of Common Ground will be explored by the applicant/acquiring authority and will be provided where they will narrow areas of disagreement. These are to be submitted with the evidence.
38. A list of topics (and ideally witnesses) which each party is intending to present evidence on for both the called in planning application and Orders should be sent to the Programme Officer by **17:00 on 7 December 2023**.

Running order – as matters stand

39. Following opening comments on the first morning of the inquiry, opening statements from the main parties will be provided. The applicant first, followed by the LPA, supporting Rule 6 parties and then opposing Rule 6 parties.
40. Interested parties who wish to speak about the called in planning application will be given the opportunity to do so, although there is scope for some flexibility if someone has difficulties that prevent them from attending and speaking on the first day.
41. Following this, evidence will be heard in the order set out above on topics 1-6. A round table session on the planning conditions and the potential planning obligation will then take place.
42. Closing submissions from the LPA¹, opposing Rule 6 parties, supporting Rule 6 parties and then the applicant would follow. These should ideally be no longer than one hour and should set out each parties' respective cases as they stand at the end of the inquiry. A copy is to be emailed to the Programme Officer, appropriately cross-referenced where evidence is relied on, for the avoidance of doubt.
43. Any case law should also be attached along with references to relevant paragraphs. A written copy of the closing submissions should also be provided on the day to the Inspector. Time should be built into the programme to enable the effective preparation of the closing submissions.
44. Should there be any applications for procedural costs on the called in planning application, they will be heard after closing submissions.
45. The Orders section will then commence. This will take the following format:
Acquiring Authority's Case:
 (1) all witnesses in turn:
 - a) evidence-in-chief on the above topics a-g above.
 - b) questions on matters of fact or common interest only.*NB cross-examination by objectors is generally deferred.*

¹ If they are presenting evidence

First Objection:**(1) Objector's case:**

- a) evidence-in-chief by Objector's first witness.
- b) cross-examination by Acquiring Authority.
- c) re-examination
- d) Inspector's questions (if not dealt with during evidence).
- e) (procedure repeated for objector's second and subsequent witnesses (if appropriate).

(2) Acquiring Authority's case on that objection:

- a) evidence-in-chief by authority's witness(es) specific to the objection.
- b) cross-examination of all or any of acquiring authority's witnesses by Objector
- c) re-examination
- d) Inspector's questions (if not dealt with during evidence).

(3) Objector's submissions (if appropriate)**(4) Acquiring Authority's specific reply to objection (unless deferred to final submissions – if so, ensure objector will be present).****Second and Subsequent Objections - Same procedure as for first objection.****Acquiring Authority's response to written objections****Interested Persons****Acquiring Authority's Final Submissions**

46. Should there be any applications for procedural costs on the Orders, they will be heard after closing submissions. The inquiries will then be closed.

Site Visit

47. Due to the size of the site and number of parties, an unaccompanied site visit with agreed itinerary is most practicable. This will require the co-operation of all parties and agreement of landowners. It is likely that one day in the programme will need to be allocated for this.
48. The agreed itinerary should be submitted by **17:00 on 6 February 2024**.

Conditions

49. A schedule of suggested planning conditions and the reasons for them, including references to any policy support, should be submitted at the same time as the planning proofs of evidence, in a tabulated 'Word' document. Any differences in views on the suggested conditions, including suggested wording, should be highlighted in the schedule with a brief explanation given. An example is provided at the end of this note.
50. The LPA are to take the lead in drafting conditions.
51. Careful attention must be paid to the wording, and the conditions will need to be properly justified having regard to the tests for conditions, in particular the test of **necessity**. It is important to ensure that conditions are kept to a minimum and are tailored to tackle specific problems, rather than standardised conditions

or used to impose broad unnecessary controls. Remove all unnecessary 'tailpieces' from the conditions, e.g. *unless otherwise agreed in writing*.

52. Please order the conditions in line with the Planning Practice Guidance² (PPG) and combine where possible to ensure there are not several conditions requiring very similar details.

Planning Obligation

53. A planning obligation may be submitted relating to landscaping. If it is, then an initial draft is to be submitted at the same time as the planning proofs of evidence, with a final draft to be submitted 2 weeks before the inquiries open.
54. This will also need to be accompanied by the relevant office copy entries and a CIL Compliance Statement prepared by the LPA, comprising fully detailed justification for each obligation, including any policy support. Two weeks will be allowed after the event has closed for submission of a signed version.

Core Documents/Inquiry Documents

55. There shall be one set of Core Documents for both parts of the inquiries given the cross over of evidence. An agreed core document list and all core documents are to be sent electronically to the Programme Officer by **17:00 on 9 January 2024**.
56. This is to ensure that the core documents can be properly referenced in advance of formulating all the proofs/statements of evidence. Parties are to liaise with each other in formulating the list, with the lead taken by the applicant/Acquiring Authority.
57. Once the list has been finalised, there shall be no changes to it, unless by prior agreement with the Inspector and Programme Officer. The Programme Officer will then make the necessary changes, issue to all parties and update the website.
58. The core documents will be placed on the inquiry website. However, a hard copy library of core documents is to be provided at the venue for interested parties. This should be provided by the applicant/Acquiring Authority.
59. The core documents should comprise only those documents to which witnesses will be referring. It would be helpful to highlight an essential reading list of specific Core Documents that the Inspector will need to focus their attention on prior to the inquiries opening.
60. An A3 hard copy plans booklet is also to be produced for the Inspector. This needs to be submitted by **17:00 on 23 January 2024**.
61. Any Appeal Decisions and/or legal authorities on which any witnesses intend to rely will each need to be prefaced with a note explaining the relevance of the document to the issues arising in this case, together with the propositions on which are being relied upon, and the relevant paragraphs flagged up.
62. All documents submitted once the inquiries have opened will be Inquiry Documents, uploaded to the website by the Programme Officer.

² Paragraph: 024 Reference ID: 21a-024-20140306

Timings

17:00 30 November 2023	Deadline for:
	Technical Note from applicant
	Technical Notes from LPA
17:00 7 December 2023	Deadline for:
	List of evidence topics and witnesses
17:00 9 January 2024	Deadline for:
	Core Documents List
	All Core Documents
17:00 23 January 2024	Deadline for:
	Called in planning application Proofs of Evidence
	Plans booklet
	Conditions
	Press and site notices
	Initial draft planning obligation
17:00 30 January 2024	Deadline for:
	Orders Statements of Evidence
17:00 6 February 2024	Deadline for:
	Called in planning application rebuttal proofs (if necessary)
	Time estimates for openings, evidence in chief, cross examination and closings
	Copy/ies of the notification letter/s and list of those notified
	Site visit itinerary
	CIL compliance statement
	Final draft planning obligation and relevant office copy entries
17:00 13 February 2024	Deadline for:
	Orders rebuttal proofs (if necessary)
10:00 20 February 2024	Inquiries open

63. The Programme Officer will issue a draft timetable when she has an indication of the number of topics and witnesses for each party. She will issue a finalised

timetable following receipt of time estimates. Other than in exceptional circumstances, participants are expected to take no longer than the timings indicated, which will require the cooperation of advocates and witnesses.

64. There is no reference in the Rules or the Procedural Guide to supplementary or rebuttal proofs and PINS does not encourage the provision of such. However, they are extremely useful to narrow areas of disagreement and save inquiry time. Where rebuttals are to be submitted, copies should be provided no later than **17:00 on 6 February** for the called in planning application and **17:00 on 13 February** for the Orders. It is important that any rebuttal proofs do not introduce new issues.

Costs

65. When a planning application is "called-in", it is not envisaged that a party would be at risk of an award of costs for unreasonable behaviour relating to the substance of the case or action taken prior to the call-in decision.
66. However, a party's failure to comply with the normal procedural requirements of inquiries risks an award of costs for unreasonable behaviour. This is the same for the CPO/SRO and Bridge Scheme. Therefore, if any costs claims are to be made, the PPG makes it clear that they should be made in writing to the Inspector before the inquiry. That is if the behaviour has taken place before the inquiries open.
67. You are also reminded that to support an effective and timely planning system in which all parties are required to behave reasonably, I have the power to initiate an award of costs in line with the PPG. Unreasonable behaviour may include failing to comply with the prescribed timetable.

Katie McDonald
INSPECTOR

13 November 2023

LIST OF ALL PARTIES

Called in planning application

Organisation	Represented by
Oxfordshire County Council as applicant	Michael Humphries KC and Hugh Flanagan, Counsel
Oxfordshire County Council as Local Planning Authority	David Periam
Vale of White Horse District Council	Emmaline Lambert, Counsel
South Oxfordshire District Council	Emma Dring, Counsel
East Hendred Parish Council	Cllr Mark Beddow on behalf of (obo) Roger Turnbull
POETS	Richard Tamplin
Trustees of the W E Gale Trust	Sarah Beer (obo) Guy Williams KC
<i>POTENTIAL RULE 6</i> UK Atomic Energy Authority/Culham Science Centre.	Peter Canavan (obo) Steven Sensecall
<i>POTENTIAL RULE 6</i> Vale and South Oxfordshire Neighbourhood Parish Council's Joint Committee	Gregory O'Broin

Orders PIM attendees

Objector ref	Organisation	Represented by
	Oxfordshire County Council as acquiring authority (AA)	Michael Humphries KC and Hugh Flanagan, Counsel
OBJ/01	Network Rail	Rohini Vekaria
OBJ/02	Mr & Mrs Aries	
OBJ/03	Ms Mandy Rigault	
OBJ/04	Nuneham Courtenay Parish Council	
OBJ/05	Lighting Motorcycling Training	
OBJ/06	Mr S Smith	
OBJ/07	Mays Properties	Richard May
OBJ/08	Mr J Peters	
OBJ/09	CPRE Oxfordshire	
OBJ/10	Sutton Courtenay Parish Council	
OBJ/11	Thames Water Utilities Limited	Daisy Noble, Counsel
OBJ/12	Appleford Parish Council	
OBJ/13	UK Atomic Energy Authority (UKAEA)	

OBJ/14	Caudwell & Sons Limited and Caudwell (Drayton) Ltd	Kevin Prince
OBJ/15	Trustees of Milton Manor Estate	
OBJ/16	Mr ABP Mockler	
OBJ/17	Mr ABP Mockler	
OBJ/18	Trustees of Milton Settled Estate	
OBJ/19	Tenants of New Farm	
OBJ/20	Morrells Farming Ltd	Kevin Prince
OBJ/21	Emmett of Drayton Ltd	Kevin Prince
OBJ/22	Mrs P F Veitch	Kevin Prince
OBJ/23	Mr D Morrell, Mrs L Taylor and Mrs C Ballard	Kevin Prince
OBJ/24	Morrells Holdings Ltd	Kevin Prince
OBJ/25	Commercial Estates Group Limited and CEG Land Promotions II Limited	
OBJ/26	LEDA Properties Limited	
OBJ/27	Trustees of the W E Gale Trust	Sarah Beer (obo) Guy Williams KC
OBJ/28	Neighbouring Parish Council Joint Committee	Charles Hopkins
OBJ/29	Mr Bernard Wallis	
OBJ/30	Oxford Fieldpaths Society	David Godfrey
OBJ/31	RWE Generation UK plc	
OBJ/32	Mrs Jacqueline Mason	
OBJ/33	Ms Laura Crumpton	
OBJ/34	The Ramblers Association	David Godfrey



Content and Format of Proofs and Appendices

Please also see Annex F.10 of the [Procedural Guide: Planning appeals – England](#) for guidance on Proofs of Evidence.

Content

Proofs of evidence **should**:

- Focus on the main issues identified, in particular on areas of disagreement.
- Be proportionate to the number and complexity of issues and matters that the witness is addressing.
- Be concise, precise, relevant and contain facts and expert opinion deriving from witnesses' own professional expertise and experience, and/or local knowledge.
- Be prepared with a clear structure that identifies and addresses the main issues within the witness's field of knowledge and avoids repetition.
- Focus on what is necessary to make the case and avoid including unnecessary material, or duplicating material in core documents or another witness' evidence.
- Where case law is cited in the proof, include the full Court report/transcript reference and cross refer to a copy of the report/transcript which should be included as a core document.
- Where data is referred to, include that data, and outline any relevant assessment methodology and the assumptions used to support the arguments (unless this material has been previously agreed and is included as part of a Statement of Common Ground).

Proofs **should not**:

- Duplicate information already included in other inquiry material, such as site description, planning history and the relevant planning policy;
- Recite the text of policies referred to elsewhere: the proofs need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposals' merits need be referred to.

Format of the proofs and appendices:

- Proofs to be no longer than 3,000 words if possible. Where proofs are longer than 1,500 words, summaries are to be submitted.
- Front covers to proofs and appendices are to be clearly titled, with the name and qualifications of the witness on the cover.
- Pages and paragraphs **must be numbered**.
- PDF proofs are necessary and must be enabled to run a word search.

TEMPLATE DRAFT CONDITIONS DOCUMENT

	Condition	Reason	LPA Notes	Applicant comments	Rule 6 comments	Inspector suggested changes/ comments
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						