



The Planning Inspectorate

Report to the Secretary of State for Transport

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Transport

Date: 8 May 2024

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

THE OXFORDSHIRE COUNTY COUNCIL

(Highways Infrastructure – A40 Access to Witney) (Side Roads) Order 2023

THE OXFORDSHIRE COUNTY COUNCIL

(Highways Infrastructure – A40 Access to Witney) Compulsory Purchase Order 2023

Inquiry opened on: 12 March 2024

Ref: DPI/U3100/23/25

TABLE OF CONTENTS

	Page No
ORDER DETAILS	4
1 INTRODUCTION AND PROCEDURAL MATTERS	5
2 STATUTORY FORMALITIES	6
3 THE SCHEME AND ITS SURROUNDINGS	8
4 POLICY CONTEXT	9
5 THE CASE FOR OXFORDSHIRE COUNTY COUNCIL	10
6 THE CASE FOR THE NON-STATUTORY SUPPORTERS	22
7 THE CASE FOR THE STATUTORY OBJECTOR	23
8 INSPECTOR'S REASONS, CONCLUSIONS AND RECOMMENDATIONS	25
APPENDIX 1: APPEARANCES	30
APPENDIX 2: CORE DOCUMENT LIST	32
APPENDIX 3 INQUIRY DOCUMENT LIST	45

ACRONYMS AND ABBREVIATIONS USED IN THE REPORT

AA	Acquiring Authority
AADT	Annual Average Daily Traffic
AQMA	Air Quality Management Area
CD	Core Document
CEMP	Construction and Environmental Management Plan
CLR	Cogges Link Road
CMC	Case Management Conference
CO _{2e}	Carbon dioxide equivalent
CPO	Compulsory Purchase Order
EFC	Estimated Final Cost
EqCIA	Equality and Climate Impact Assessment
ES	Environmental Statement
EWSDA	East Witney Strategic Development Area
GHG	Green House Gas
ID	Inquiry Document
km	Kilometres
Kv	Kilovolt
NO ²	Nitrogen Dioxide
NWSDA	North Witney Strategic Development Area
OCC	Oxfordshire County Council
OLTCP	Oxfordshire Local Transport Connectivity Plan
OLTP4	Oxfordshire Local Transport Plan 4 (now superseded by Oxfordshire Local Transport Connectivity Plan)
PSED	Public sector equality duty
SGN	Southern Gas Networks
SLNP	South Leigh Neighbourhood Plan
SoR	Statement of Reasons
SRO	Side Roads Order
SSE	Scottish and Southern Electricity
TA	Transport Assessment
TAG	Transport Analysis Guidance
TRO	Traffic Regulation Order
TTRO	Temporary Traffic Regulation Order
VR	Visual receptor
The 1980 Act	Highways Act 1980
The Guidance	Guidance on the Compulsory Purchase Process and The Crichel Down Rules (2019)
S106	Section 106 of the Town and Country Planning Act 1990
WOLP	West Oxfordshire Local Plan

ORDER DETAILS

THE OXFORDSHIRE COUNTY COUNCIL (Highways Infrastructure – A40 Access to Witney) (Side Roads) Order 2023

- The Order was made by Oxfordshire County Council in exercise of its powers under section 14 of the Highways Act 1980 and was sealed on 27 June 2023.
- The Order, if confirmed, would authorise the Council to carry out Classified Road works comprising the improvement, by widening and other works, of the A40, to stop up existing highways affected by the Scheme and to improve other highways as a consequence of the Classified Road works.

Summary of Recommendation: That the Order is confirmed.

THE OXFORDSHIRE COUNTY COUNCIL (Highways Infrastructure – A40 Access to Witney) Compulsory Purchase Order 2023

- The Order was made by Oxfordshire County Council pursuant to powers under sections 239, 240, 246 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981. The Order was sealed on 27 June 2023.
- The Order, if confirmed, would authorise the Council to acquire compulsorily the land and the new rights over land described in the Schedule to the Order for the purposes of:
 1. The improvement of the A40 Principal Road from a point on the south west side of the A40 overbridge crossing of the B4022, at South Leigh, south westwards for a distance of approximately 775 metres, and incorporating the construction of a new eastbound exit slip road, from a point on the existing A40 approximately 520 metres southwest of the A40 overbridge crossing of the B4022, north eastwards to its junction with the B4022 and a new westbound entry slip road, from its junction with the B4022, south westwards to its junction with the A40, at a point approximately 280 metres south-west of the A40 overbridge crossing of the B4022;
 2. The improvement of highways in pursuance of The Oxfordshire County Council (Highways Infrastructure - A40 Access to Witney) (Side Roads) Order 2023;
 3. The carrying out of works on watercourses, in connection with the improvement of highways as aforesaid;
 4. The use by the acquiring authority in connection with the improvement of highways as aforesaid;
 5. The improvement of development of frontages to the above-mentioned existing highways or of the land adjoining or adjacent thereto; and
 6. Mitigating the adverse effect which the existence or use of the highways to be improved will have on the surroundings thereof.

Summary of Recommendation: That the Order is confirmed.

INTRODUCTION AND PROCEDURAL MATTERS

- 1.1 Oxfordshire County Council (OCC) is the Highway Authority for the local road network in the administrative area containing the A40 Access to Witney Scheme (the Scheme). By letter dated 24 October 2023, the Secretary of State for Transport confirmed that he intended to hold a Public Inquiry into the Side Roads Order (SRO) and Compulsory Purchase Order (CPO) which had been submitted by OCC. I was appointed as the Inspector to conduct concurrent Inquiries (hereafter known as ‘the Inquiry’) for the purpose of hearing the objections concerning the applications made by OCC for confirmation of the above-mentioned Orders.
- 1.2 I held a Case Management Conference (CMC) on 6 February 2024 using Microsoft Teams. The CMC was convened to discuss the procedure for the Inquiry and the timetable for the submission of further documents.
- 1.3 The Inquiry opened on 12 March 2024 at the Leonardo Hotel, Godstow Road, Oxford. The Inquiry sat for 2 days and closed on 13 March 2024. Other than OCC, no other statutory or non-statutory objector nor any interested party appeared at the Inquiry.
- 1.4 With the agreement of OCC, I made an unaccompanied site inspection of the A40 Shores Green junction and the surrounding area, including a route prepared by OCC of public vantage points where I viewed the Order lands from public footpaths which are all Public Rights of Way¹. I also familiarised myself with the local traffic conditions in Witney town centre, the local highway network and the public footpaths running through, and in the vicinity of, the Order lands.
- 1.5 There were five statutory objectors in response to the publication of the SRO and CPO as follows:

Objector 1 - Southern Gas Networks²
Objector 2 - Jeremy Michael Walker, Paula June Walker and Roger Jeremy Michael Walker³
Objector 3 - John William Kearns and Anne Kearns⁴
Objector 4 - Susan Caroline Morrish⁵
Objector 5 - Eileen Norah Mawle, James Edward Mawle, Stephen Francis Mawle and the Northfield Life Interest Settlement⁶
- 1.6 By the opening of the Inquiry, notice of withdrawal of objections had been received

¹ ID/04

² CD/D.1

³ CD/D.2

⁴ CD/D.3

⁵ CD/D.4

⁶ CD/D.5

from all but the Mawle family and the Northfield Life Interest Settlement (Objector No.5). These statutory objectors relied on their written objections as referenced above, they did not submit any further written statement and they did not participate in the Inquiry proceedings.

- 1.7 On the final day of the Inquiry, I was informed that OCC had agreed the heads of terms with the remaining statutory objector. However, by the close of the Inquiry that objection had not been withdrawn.
- 1.8 The Scheme would affect land and apparatus in the control of five statutory undertakers – Southern Gas Networks (SGN), British Telecom, Thames Water, Scottish and Southern Energy (SSE) and Virgin Media. SGN's statutory objection was withdrawn⁷. In all the other cases, diversions or mitigation works or precautionary measures have been agreed and there are no objections to the Orders being made from these statutory undertakers.
- 1.9 This report contains a brief description of the Scheme's background and context, the substance of the evidence presented and my conclusions and recommendations. The report takes account of the evidence as given, together with the points brought out in answers to questions of clarification.
- 1.10 A list of Core Documents (Appendix 2) was prepared by the Acquiring Authority (AA) and they are referenced 'CD' throughout this decision. Documents submitted at the Inquiry (Appendix 3) are referenced 'ID'. The Core Documents including Proofs of Evidence and statements are available on the Inquiry website at:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/roadworks/future-transport-projects/a40-improvements/a40-access-witney/access-witney-cpo-and-sro>

2. STATUTORY FORMALITIES

- 2.1 At the Inquiry, OCC confirmed that it had complied with all necessary statutory formalities in relation to both the SRO and the CPO⁸, and this compliance has not been disputed.
- 2.2 The SRO is made under Section 14 of the Highways Act 1980 (the 1980 Act). This provision allows the Secretary of State, by an Order, to authorise the stopping up or diversion of any highway that crosses or enters the route of a road that will be affected by the construction or improvement of the road, and to construct a new highway for purposes in connection with such alteration or improvement.
- 2.3 The SRO will permit the closure of the public footpaths that cross or enter into the A40 improvement Scheme. Additionally, it would grant authorisation for the highway modifications needed adjacent to the A40 improvement. The SRO would

⁷ CD/E.1

⁸ ID/01

not result in any changes to any existing Private Means of Access.

- 2.4 The CPO is made under Sections 239, 240, 246 and 260 of the 1980 Act, and Schedule 2, Schedule 3 and Section 3 of the Acquisition of Land Act 1981. For the Order to be confirmed, the land must be required for the construction and improvement of highways, for the improvement or development of frontages to a highway or land adjoining thereto, and for the use of land in connection with the construction or improvement of a highway or the carrying out of other works authorised by an SRO under Section 14 of the 1980 Act.
- 2.5 Section 246 provides a power to acquire land for mitigating the adverse effects of the existence or use of a highway as constructed or improved, on its surroundings. Section 260 authorises the clearance of title to land already acquired by the highway authority for highway purposes and required for the Scheme, which might otherwise interfere with the exercise of its statutory powers to construct the works.
- 2.6 In general terms, the purpose of the CPO is to enable OCC to acquire the land and rights for the construction and improvement of highways in pursuance of the SRO. It would also authorise the acquisition of land to enable mitigation measures to be implemented as an integral part of the Scheme.
- 2.7 Planning permission for the Scheme was granted by OCC on 15 July 2023⁹ under Regulation 3 of the Town and Country Planning General Regulations 1992. The conditions of the permission require the development to be carried out in accordance with the submitted plans and the Environmental Statement (ES). The submission of detailed plans is required in relation to several matters, including the submission of a detailed Construction Environmental Management Plan (CEMP) prior to the commencement of development.
- 2.8 Following the development of the Scheme design, OCC submitted an application¹⁰ pursuant to Section 73 of the Town and Country Planning Act 1990 on 15 September 2023, to vary the following conditions:

Condition 1 – amendments to the approved drawings to replace a proposed shared-use path with a footway, merge two balancing ponds into one, re-align a drainage ditch, extend the highway boundary and make amendments to the landscaping scheme to include additional planting.

Condition 18 - greater flexibility to amend off-site Biodiversity Net Gain requirements.

- 2.9 The Section 73 permission was granted on 1 March 2024 and is subject to a

⁹ CD/F.1

¹⁰ CD/F.2

Section 106 Unilateral Undertaking¹¹ to secure traffic calming measures on South Leigh Road, Chapel Road and Station Road in the village of South Leigh.

3. THE SCHEME AND ITS SURROUNDINGS

- 3.1 Witney is in the administrative area of West Oxfordshire and is located approximately 16 kilometres (km) to the west of Oxford. It is a historic settlement dating to medieval times, and this is reflected in the large number of listed buildings and heritage sites in the town centre. The town's historic core is located around the River Windrush crossing on Bridge Street. The population of Witney has increased from 6,554 in 1951, to 22,765 in 2001 and 29,632 in 2021.
- 3.2 The A40/B4022 Shores Green junction was built as part of the A40 Witney southern bypass which opened in 1977. It is a grade separated junction with an east facing B4022 entry slip road onto the A40 eastbound carriageway, and an east facing B4022 exit slip road off the westbound A40 carriageway, to and from the Oxford direction. The junction also provides an interchange between the B4022 and the C16886 South Leigh Road and is a key access point to High Cogges and South Leigh located to the south of Witney. As a result of the lack of west facing slip roads, there is no direct access from the Shores Green junction via the A40 to destinations to the west of Witney.
- 3.3 The Scheme is shown on the three general arrangement drawings¹². Broadly, it comprises the improvement of the A40 from the existing A40 bridge over the B4022, for a distance of approximately 775 metres to the south-west. The new west facing slip roads will provide an exit off the A40 when travelling eastbound (the 'off-slip'), and a new entry onto the A40 (the 'on-slip') at the Shores Green junction. The Scheme also incorporates a number of alterations and improvements to the B4022 and alterations to public footpaths, with all such alterations being secured by the SRO.
- 3.4 The Scheme incorporates improvements to existing walking and cycling facilities. A 3 metre wide footway would be provided along the north-west side of the proposed A40 off-slip, which would be able to link into wider active travel routes in the East Witney Strategic Development Area (EWSDA), once developed, and onwards towards Witney. An integral footway to the south-east side of the on-slip will replace a length of public footpath 353/31/10 which currently runs on the south-east side of the A40 carriageway.
- 3.5 The existing footway on the south side of the B4022, between the proposed off-slip/B4022 junction and the C16886 South Leigh Road, will be upgraded to an integrated pedestrian and cyclist shared use track with a right of way on foot. A new length of shared use track would be located on the north side of the B4022 which would link up with the existing shared use track along the north side of the B4022. Signal-controlled pedestrian and cyclist crossing points at the B4022/new slip road junctions would be provided to ensure safe crossing points.

¹¹ ID/03

¹² CD/A.5 Appendix 2

- 3.6 The Order lands has a total area of approximately 10.71 hectares. The title of 8.98 hectares is required permanently, and 1.73 hectares is required for temporary use during construction and could be available to return to landowners under the Crichel Down Rules if compulsory purchase occurs and the land is surplus to requirements post construction. OCC is seeking the temporary acquisition of this area via licence and lease arrangements rather than through permanent acquisition, but its inclusion in the CPO is necessary to provide certainty that the Scheme can be delivered.
- 3.7 Of the 8.98 hectares for which permanent title is being sought, 6.23 hectares is existing highway land. Therefore, the area of land which currently lies outside of the existing highway boundary and is needed permanently for the Scheme is 2.75 hectares.
- 3.8 The Order land comprises parts of agricultural land parcels, woodland and existing public highway land including the A40 Principal Road, the B4022, the C16886 South Leigh Road at its junction with the B4022 and public footpaths. The CPO does not include the acquisition of any residential property.
- 3.9 Plots 1/1, 1/5, 1/9 and 1/12 lie within the highway boundary of the A40, B4022 and C16886 roads but they are either unregistered or their ownership is unknown. They are included within the CPO to authorise their acquisition which will register title to OCC. Plot 1/3a comprises 34,547 square metres of the A40 Principal Road. Although the road was de-trunked in 2003, the land remains registered to National Highways Limited. OCC as the AA is seeking to have this land registered following dialogue with National Highways Limited.

4. POLICY CONTEXT

- 4.1 Policy H1 of the West Oxfordshire Local Plan (WOLP) seeks to provide at least 15,950 homes across the District over the Plan period 2011 – 2031. Witney is the largest settlement in West Oxfordshire and it is identified as a service centre within the WOLP. WOLP Policy WIT6 seeks to provide approximately 4,702 homes within the Witney sub-area.
- 4.2 WOLP Policy WIT1 sets out the parameters to accommodate about 450 homes at the EWSDA which is located immediately to the west of the Scheme. Importantly, Policy WIT1 requires development to be phased in accordance with the timing of supporting infrastructure and facilities, including the essential improvements to the Shores Green junction and related highway measures. WOLP Policy WIT2 allocates the North Witney SDA (NWSDA) as a location for housing development (1,400 homes), to the north of Witney.
- 4.3 WOLP Policy T2 (Highway Improvement Schemes) and its supporting paragraph 7.35 also identify the provision of west facing slip roads at the Shores Green junction as necessary to support planned growth at Witney. The Scheme is one of four strategic highway improvement schemes to be safeguarded and delivered as part of the committed and allocated urban extensions in the Plan, the others being the Downs Road junction, the West End Link Road and the Northern Distributor Road.

- 4.4 WOLP Policy EH8 requires that where proposals would result in exposure to pollution, they will only be permitted if measures can be implemented to minimise risk to a level that provides a high standard of protection for health, environmental quality and amenity.
- 4.5 The Oxfordshire Local Transport Plan 4 (OLTP4) Witney Area Transport Strategy identifies the need for west facing slip roads at the Shores Green junction onto the A40 to improve access for local and longer distance trips on the A40 from the east and north-east of Witney, and to reduce the need for traffic to route along the A4095, Bridge Street and through the town centre. Although OLTP4 has been replaced by the Oxfordshire Local Transport and Connectivity Plan 2022 to 2050, (OLTCP), the OLTP4 Area Strategy for Witney remains as adopted policy.
- 4.6 Policy WIT3 of the Area Strategy seeks to protect the line of the Shores Green slip roads and to promote its safeguarding pending the (then) future adoption of the WOLP. The slip roads are identified as critical infrastructure in the West Oxfordshire Infrastructure Delivery Plan.
- 4.5 The South Leigh Neighbourhood Plan (SLNP) Policy SLT1 requires that any proposals which would result in a significant increase in the volume of traffic on roads in the Plan area should be assessed in terms of their potential impact on the environment and amenities of the Parish. SLNP Policy SLE2 states that development should protect and enhance Public Rights of Way within the parish for the benefit of the user's experience of the intrinsic beauty and character of the countryside.

5. THE CASE FOR OXFORDSHIRE COUNTY COUNCIL

- 5.1 The Council's case for the Scheme is set out in relation to the following matters:
- Strategic case;
 - Need in relation to the highway network;
 - Supporting planned housing;
 - The environmental effects;
 - The SRO and changes to public footpaths;
 - Consultation and engagement;
 - Funding and delivery;
 - Equalities; and
 - Human Rights.

Strategic Case

- 5.2 The A roads serving Witney and the surrounding area are illustrated in Figure 1 below and are:

A40: East-west primary highway route (London-Oxford-Gloucester-South Wales-Fishguard), acting as a southern by-pass to Witney.

A415: Runs into Witney from Berinsfield (south-east of Abingdon) and approaches Witney from the south-east.

A4095: Runs north-east to south-west through Witney, between north Bicester and Faringdon.

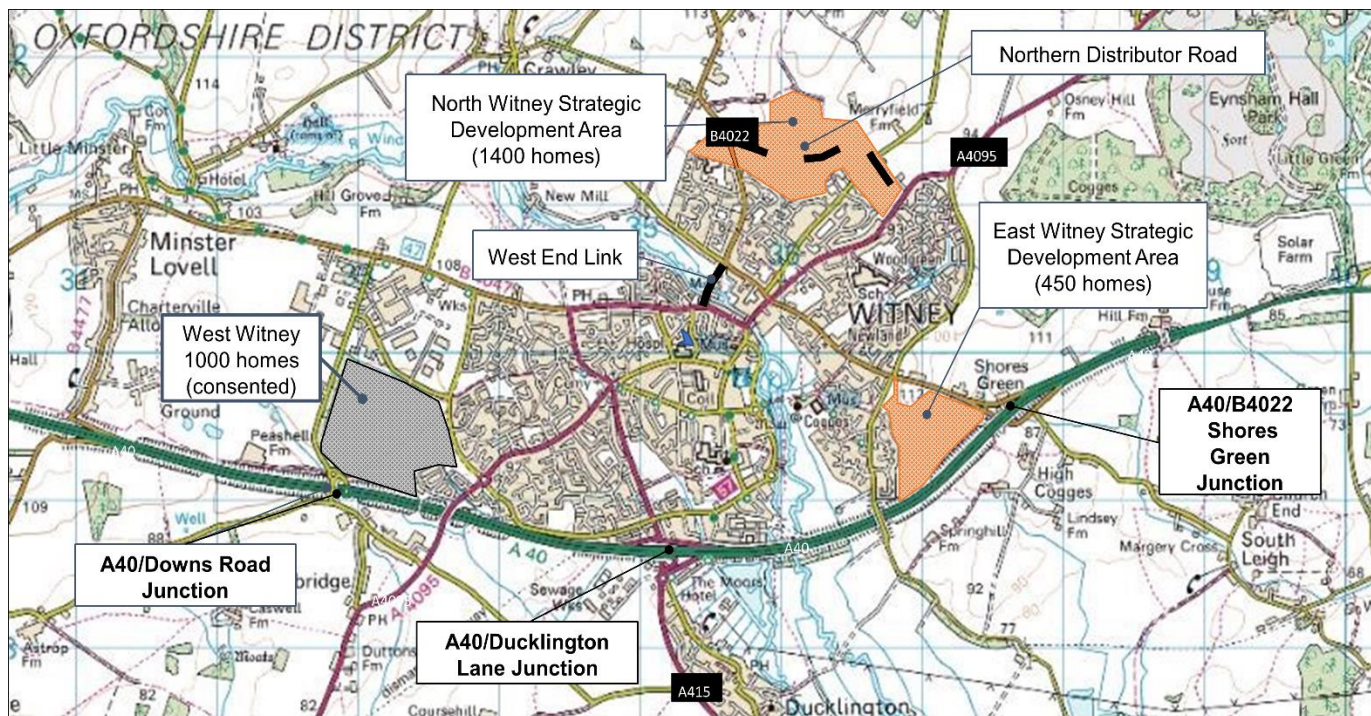


Figure 1: Local Context

- 5.3 The Scheme forms one element of a wider programme of improvements to a 10.8 km section of the A40 between Witney and the Wolvercote roundabout to the east, which is located to the north of Oxford. The other elements of the programme are the A40 Smart Corridor Scheme, Eynsham Park and Ride and the A40 Oxford North Improvements.
- 5.4 OCC's overall position in making the SRO and CPO is that the highway network in and around Witney is no longer appropriate to serve this part of West Oxfordshire¹³. The scheme is a priority for OCC to provide additional means of accessing the A40, and to relieve pressure on the local highway network in Witney, particularly on Bridge Street and at the B4022/West End/Newland/A4095 Woodgreen Hill double mini roundabout at the northern end of Bridge Street.
- 5.5 East/west traffic crossing Witney on the A4095 has to route through the centre of the town to cross the River Windrush. As a result of the existing highway network configuration, the limited river crossing points, the A40 junction access arrangements including the restricted access to and from the A40 at the Shores Green junction, significant volumes of local and longer distance traffic currently route along Bridge Street and through Witney town centre. This creates significant congestion in the town centre, together with air quality problems along Bridge Street.

¹³ ID/02

- 5.6 A key factor is the lack of west facing slip roads at the Shores Green junction. Currently, west facing slips onto the A40 are only available at the A40/A415 Ducklington Lane junction approximately 2.5 km to the west of the Shores Green junction, with a roundabout 2.3 km to the west of the A40/A415 junction providing access to west Witney via Downs Road.
- 5.7 The 'off-slip' road would enable through traffic from the A4095 and A415 in the south to use a route via the Shores Green junction and the B4022 to cross the river and to continue on the A4095 to access areas on the north-east and east side of the town. The 'on-slip' road will enable vehicles originating from the north-east and east side of the town to access the A40 westbound at the Shores Green junction, thereby avoiding the need to route through the town centre and Bridge Street to use the A40/A415 Ducklington Lane junction.
- 5.8 The economic case for the Scheme was considered by OCC in making the Orders, and in summary is based on the drawing in of funding from the Oxfordshire Housing and Growth Deal. Decisions by the Future Oxford Partnership on the use of grant funding are made in accordance with an Assurance Framework.
- 5.9 The Scheme's objectives as set out in the Statement of Reasons (SoR)¹⁴ are:
- Objective 1 - Support the delivery of planned housing growth in Witney as set out in the WOLP 2031;
- Objective 2 - Reduce congestion and improve air quality in Witney Town Centre, including in the Bridge Street Air Quality Management Area (AQMA); and
- Objective 3 - Improve access to the A40 from east and north-east Witney.

Need in relation to the highway network

Scheme development

- 5.10 Improvements to the highway network in this part of West Oxfordshire are a long-standing objective for OCC. In 2011, the Cogges Link Road Scheme (CLR) was proposed to provide a second crossing of the River Windrush and to re-distribute traffic away from Bridge Street. However, following a Public Inquiry in 2012, the SRO and CPO for the CLR were not confirmed¹⁵. The Inspector, and the Secretary of State, concluded that whilst there was a clear need for the re-routing of traffic from Bridge Street, the Shores Green Scheme represented a reasonable alternative to the CLR and that overall, it would be a better scheme including on traffic grounds. That is an important starting point for the determination of the SRO and CPO in this case.

¹⁴ CD/A.5 Statement of Reasons paragraph 5.1.1

¹⁵ CD/A.5 Appendix 16

5.11 As explained by Mr Blades at the Inquiry, since the CLR decision it has been necessary for the Council to assemble funding for the Scheme, and alongside this, the WOLP has progressed to adoption. Since this sets the strategic context for growth in the District to 2031 and therefore the implications for the highway network, the delay is understandable. The Scheme is now urgently required, as demonstrated by the Annual Average Daily Traffic (AADT) of 25,500 on Bridge Street, which is in the region of the A40 AADT of 31,900¹⁶.

Assessment of options

5.12 Following the CLR decision in 2012, the development of options for the Scheme was re-commenced in 2019 and 2020 and is detailed in the Transport Analysis Guidance (TAG) Options Assessment Report¹⁷.

5.13 The assessment of alternatives has been comprehensive. At Stage 1, a long list of potential options was assessed against the Scheme's objectives together with a range of relevant criteria to arrive at a short-list of 5 options. Stage 2 involved a more detailed assessment of the 5 options and concluded that the implementation of grade separated west facing slip roads (Option 2A) would be the preferred option due to its strong benefits, including reducing traffic at Bridge Street, improving journey times and reliability, and improving air quality in the AQMA.

5.14 Stage 3 of the options assessment focused on a refinement of Option 2A to include 9 sub-options which were assessed against an appropriate range of criteria. The preferred sub-option 2A-G, together with two other shortlisted sub-options (2A-E and 2A-F) were subject to public consultation in May 2021. The preferred option was supported by 54% of respondents, whilst 33% had concerns about the Scheme. On the basis of the options assessment, sub-option 2A-G was taken forward for further analysis and design.

Effect of the Scheme

5.15 The effects of the existing highway network were explained by the Council's witnesses Mr Blades, Mr Nirmalendran and Mr Genis. The high traffic volumes and congestion in Witney town centre mean that journey times for private vehicles are slow. This congestion also has an adverse effect on bus services, which can be similarly slow and also unpredictable, resulting in them becoming a less attractive transport mode for the public. Opportunities for walking, cycling and wheeling in the town centre are constrained by the volume of traffic and poor air quality in the AQMA.

5.16 Traffic modelling for the preferred Scheme was undertaken in the Transport Assessment¹⁸ (TA) using 2031 forecast traffic flows derived from the OCC A40

¹⁶ CD/A.5 Figure 3.7 AADT Flows in the Witney Area

¹⁷ CD/A.5 Appendix 18

¹⁸ CD/A.5 Appendix 7

Corridor Strategic Highway Model¹⁹. Local junction modelling was undertaken using a VISSIM microsimulation model within a defined area²⁰ and LinSig capacity assessments of the signal-controlled junctions between the B4022 and the proposed off and on-slip roads. The TA starts with the assumption that all of the WOLP sites will be delivered by 2031, and it considers the cumulative impacts with and without the Scheme in place.

- 5.17 The TA shows that the traffic predicted to use the off-slip road in the 2031 AM Peak originates from the A40 west, the west of Witney, the A415 south and the A4095 south and will mainly be heading for the north and east of Witney and the A4095. The traffic forecast to use the on-slip road mainly originates in east and north-east Witney and from the A4095 and is mainly headed for the A40 westwards, west Witney and the A415. Significantly, this will include trips that would otherwise have to route through Witney town centre and Bridge Street.
- 5.18 The modelling forecasts that the Scheme junction will operate with minimal queues and delays, in both the AM and PM peak hours. Although there would be additional traffic using the B4022/Jubilee Way/Cogges Hill Road junction, there would be no significant increase in queues or delays and that junction would continue to operate within capacity.
- 5.19 Flow reductions are also predicted on the A40 to the east of Witney in both directions in the 2031 AM and PM peak periods²¹. This is as a result of traffic no longer having to 'U' turn at the Barnard Gate roundabout, due to the provision of the new slip roads which will enable vehicles to travel westbound on the A40 from the Shores Green junction.
- 5.20 The modelling of the Jubilee Way/A4095 priority junction indicates that there will be a limited detrimental impact in its performance, with the junction predicted to operate marginally over capacity in the PM peak in 2031. The Council intends to monitor the performance of this junction (and the network more widely) once the Scheme is operational to consider if any mitigation is required.
- 5.21 The Scheme is forecast to be successful in providing an alternative route for cross town traffic that avoids the town centre. Over a 24-hour period, two-way traffic demand on Bridge Street is forecast to reduce by approximately 12% - 16% compared to the modelled 'without scheme' scenario. This equates to a forecast reduction in AADT of approximately 3,000 to 4,000 vehicles in 2031.
- 5.22 The Scheme is also forecast to decrease traffic flow on roads in the wider area. Local roads such as South Leigh Road, Dry Lane (to the north of Witney) and the route between Minster Lovell and Crawley are predicted to see decreases in traffic flow in the AM and PM peak hours compared to the 'Without Scheme' scenario.

¹⁹ CD/A.5 Appendix 10

²⁰ Micro-simulation model for highway network in area shown on Figure 7-4 of CD/A.5 Appendix 7

²¹ CD/A.5 Appendix 7 Transport Assessment Section 8

Journey times

- 5.23 A comparison of forecast journey times on routes through and around the town in the AM, interpeak and PM peak hours in 2031 shows that the Scheme improves journey times through Witney in response to the reduction in vehicle numbers within the town. Improvements in bus journey times and journey time reliability can also be expected as a result of the implementation of the Scheme.
- 5.24 However, due to the increase in the number of vehicles using the B4022 from the Shores Green junction for access into Witney, an increase in travel times compared to the 'without scheme' scenario is forecast for that route. The optimisation of the signal timings at the Scheme's signalised slip road junctions and at the B4022/Jubilee Way/Cogges Hill Road junction would help to mitigate any increase in delays in this area.

Other features of the Scheme

- 5.25 Traffic Regulation Orders (TROs) and Temporary TROs (TTROs) will be used to introduce temporary restrictions to speed limits, to prohibit or restrict parking, waiting and the loading/unloading of vehicles. These will also be necessary to temporarily prohibit the use of the public footpaths alongside the A40 during the Scheme's construction and until the permanent shared footways to the north and south of the off and on-slip roads have been provided and are available to replace the public footpaths which are to be stopped up under the SRO.
- 5.26 The two existing lay-bys at the Shores Green junction would either conflict with the Scheme's road layout, or with the requirements for traffic signs and would be removed as part of the Scheme. There would be approximately 3.5 km between the retained lay-by at the A415/Ducklington Lane junction and the existing and lay-bys proposed as part of the A40 Smart Corridor. This would exceed the recommended spacing for non-emergency stopping provision of 2.5 km set out in the Design Manual for Roads and Bridges. This is not a statutory requirement, but as the A40 is a Freight Corridor, relevant stakeholders have been consulted on the changes to lay-by provision and no objections were put forward, subject to advance signage of the nearest located lay-by being provided.

Supporting planned housing

- 5.27 The role of the Scheme in supporting housing growth planned in the WOLP has evolved in response to more detailed traffic modelling undertaken in relation to the outline planning application for 450 homes, associated green infrastructure and open space on the EWSDA. This was refused by West Oxfordshire District Council on 30 May 2023, in accordance with the officer's recommendation. The reasons for refusal are not related to highway matters. An appeal has been made and will be the subject of a Public Inquiry starting on 18 June 2024. The developer has, however, indicated their willingness to make a section 106 (s106) contribution of approximately £6 million towards the Scheme to help to mitigate the impact of the development.
- 5.28 OCC commissioned updated trigger point modelling to assess the forecast impact of the proposed development at the EWSDA on the highway network with and

without the Scheme in place (the Stantec report²²). This assessment used the OCC A40 Corridor Strategic Highway Model²³ as the basis for the forecasting, which in general terms enables the impact of the strategic re-routing of traffic from the EWSDA on the wider network to be modelled, including the relationship with, and impact on, existing congestion. The requirement for an infrastructure improvement at the trigger point is determined by the impact of forecast traffic from the EWSDA on the operation of junctions located within Witney.

5.29 The Stantec report found that at a point between 0 and 248 dwellings, the off-slip would be required to be provided. This would mitigate the network impacts of the full EWSDA build out, such that the on-slip would not be required to mitigate the highway impacts of the development. However, delays at the A4095 double mini roundabouts would continue to be high. When the EWSDA is modelled in combination with both slip roads, substantially greater congestion reduction benefits are shown for routes crossing the town centre via the A4095 Bridge Street and wider network benefits result from re-routing traffic away from minor roads. The full Scheme would also ensure that the wider highway network is better able to support the WOLP's planned housing development in Witney and overall, the evidence supports the delivery of both off and on slip roads as sought by the SRO and CPO.

Environmental effects

5.30 The Scheme's planning permission followed a detailed assessment of its environmental effects in the ES. An ES Addendum was prepared to support the Section 73 planning application, but it concluded that the changes to the Scheme would not result in any new or different significant effects compared with the substantive ES.

5.31 Significant residual adverse effects of the Scheme were identified in relation to the following environmental matters.

Geology and Soils

5.32 The Scheme would result in the permanent and temporary loss of Grade 3b agricultural land which is classed as being of moderate quality in the Agricultural Land Classification. This is not the Best and Most Versatile land, and the ES concludes that this would lead to a moderate adverse impact.

Landscape and visual effects

5.33 Given the size and nature of the Scheme, the ES acknowledges that it would cause adverse visual effects for some receptors, in particular on public footpath 410/42/10 at Visual Receptor (VR) 5 during the construction phase and for receptors on public footpath 353/31/10 at VR9 during the construction phase and at Year 1.

²² CD/A.6 Appendix 8

²³ CD/A.5 Appendix 10

5.34 Condition 10 of the Scheme's planning permission requires the submission of a detailed scheme for hard and soft landscaping. OCC has responded to objectors' concerns about visual impact with additional landscaping measures being secured through the Section 73 permission. Based on those proposals, and the degree of containment afforded by the topography and vegetation in the wider landscape, the ES concludes that there would be no significant residual adverse visual impact by Year 15.

Noise

5.35 The likely environmental effects of the Scheme in relation to construction noise, construction vibration and construction road traffic noise were assessed as part of the ES²⁴. It concluded that during construction, there is the potential for an increase in ambient noise levels resulting in adverse noise impacts at the closest receptors to the works, particularly if evening, weekend or night-time works are required. The potentially worst affected receptors were noted to be residential properties situated close to the existing A40. These properties (and their approximate distance from the Site Boundary) include:

- The Paddock, situated between the A40 mainline and the existing B4022 on-slip (40 metres).
- Properties immediately north of the existing B4022 on-slip (80 metres).
- Properties on High Cogges to the south of the Scheme (150 metres).
- Properties on the existing B4022 into Witney (200 metres).

5.36 Management of the construction programme would be an important form of mitigation, including for the above receptors. Condition 3 of the planning permission requires the submission of a CEMP to include measures to minimise noise and vibration during construction, for example by specifying hours of work and construction traffic routes.

5.37 The operational noise effects have been considered through the Noise and Vibration Assessment as part of the ES, undertaken in accordance with the Design Manual for Roads and Bridges LA 111 and using the traffic modelling data from the A40 Corridor Highway Assignment Model. The impacts on 1,182 residential receptors and on the Windrush Cemetery were modelled.

5.38 Significant residual effects were predicted for seven residential properties to the north of the B4022, as a result of forecast increases in traffic on the B4022 between the Scheme junction and Jubilee Way. Noise levels are predicted to be above the Significant Observed Effect Level during the day and night for these receptors.

²⁴ CD/A.6 Appendix 14

5.39 A range of mitigation measures has been considered for these properties, including low noise road surfacing and noise barriers. The speed limit on the B4022 is already proposed to be reduced from the national speed limit to 40 miles per hour through a TRO. Other measures such as noise barriers would not be practicable due to the need to maintain access to properties and the potential for visual impacts including through vegetation loss. Overall, the ES concluded that measures to mitigate the operational noise effects on these properties is not viable.

5.40 The ES identified beneficial non-significant effects in relation to the following matters:

Air quality

- 5.41 The AQMA covers Bridge Street, Woodgreen and Mill Street and was declared by West Oxfordshire District Council in 2005 due to the exceedance of annual mean Nitrogen Dioxide concentrations (NO²), primarily from vehicle emissions.
- 5.42 Annual mean NO² concentrations in the AQMA are predicted to exceed the annual mean objective at many receptors, both with and without the Scheme. Under the 2024 'do minimum' scenario, 23 receptors within the AQMA are anticipated to experience annual mean NO² concentrations in breach of the objective. Under the 2024 'do something' scenario, the number of receptors predicted to exceed the objective decreases to 12. Outside the AQMA, there are no predicted exceedances of the annual mean NO² objective at any of the receptors.
- 5.43 Overall, the ES concludes that there would be no significant effects at public exposure receptors, but that the Scheme would have medium beneficial impacts within the Witney AQMA.

Population and Human Health

5.44 The ES concluded that there would be moderate beneficial effects arising from the creation of the new shared pedestrian and cycle track along the B4022 and to the north of the Scheme off-slip, which would improve active travel facilities.

Climate Change Impacts

- 5.45 The Equality and Climate Impact Assessment (EqCIA) Report²⁵ prepared for the ES and planning application, calculated that the total Green House Gas (GHG) emissions during construction would be around 2,208 tonnes carbon dioxide equivalent (CO₂e), of which 43% would be embodied carbon in construction materials. The CEMP will require the submission of monitoring measures to be used during construction to ensure that the mitigation measures embedded in the design are implemented to reduce carbon emissions where possible.
- 5.46 Average annual GHG emissions at the design year with the Scheme in place are estimated to be 524 tonnes CO₂e lower than without the Scheme, due to a

²⁵ CD/A.5 Appendix 13

reduction in traffic congestion and journey times in the town centre. Overall, the ES concluded that the Scheme would not have significant adverse effects on climate change, either during construction or once operational.

The SRO and changes to Public Footpaths

5.47 The public footpaths to be retained, stopped up and improved are shown in Figure 2 below.

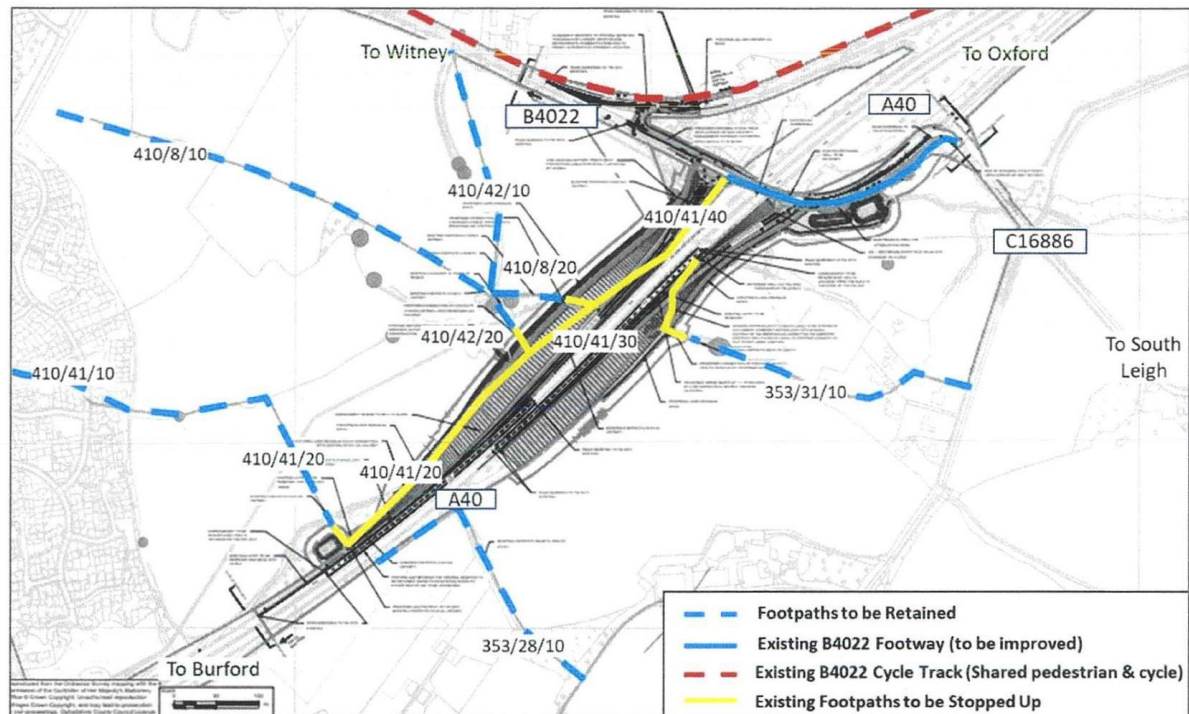


Figure 2 Existing Footpaths to be stopped up, retained and improved

5.48 The west facing slip roads result in conflicts with footpaths 410/41/20, 410/42/20, 410/8/20, 410/41/30, 410/41/40 and 353/31/10 (South Leigh). Where these are encroached upon and impacted by the extent of the improved/widened A40, they will be stopped up.

5.49 Footpaths 420/41/20, 410/41/30 and 410/41/40 will be replaced by an integral footway located at the top of the new off-slip road cutting slope which will run on the same alignment as the existing footpaths. This footway will reconnect with the remaining length of footpath 410/41/20, with the B4022 in the north-east, and will remain connected to footpaths 410/42/20 and 410/8/20.

5.50 The integral footway to the north-west of the off-slip road will be 3 metres wide and will be of paved asphalt construction, to cater for pedestrian use only in the first instance, but will be capable of conversion to an integral shared use pedestrian and cycle track with connections to the layout of future development at

the EWSDA, which will deliver one of the aims of the Witney Local Cycling and Walking Implementation Plan²⁶.

- 5.51 Footpath 353/31/10 (South Leigh) is similarly proposed to be stopped up where it falls within the new on-slip road. It will be replaced with an integral 2 metre wide footway which will run along the top of the new A40 on-slip cutting slope.
- 5.52 Overall, the Council is satisfied that where public footpaths are to be stopped up, it is necessary as a consequence of the Scheme, that other reasonably convenient routes for those footpaths will be provided within the improved A40 before the relevant highway is stopped up, and that the requirements of Section 14(6) of the 1980 Act have been satisfied.

The B4022

- 5.53 The B4022 will be improved to provide a walking and cycling track, on its southern side, between its junction with the C16886 South Leigh Road and the east side of the new on-slip road, where a new signalised crossing point will be provided to cross to the north side of the B4022. From that crossing point, a new walking and cycling track will continue on the north side of the B4022 to the existing two-way spur road and merge lane, where a further crossing point will be provided to connect with the existing cycle track on the north side of the B4022.
- 5.54 A Walking, Cycling and Horse Riding survey and a Cycle Forecasting Report have been done to ensure that the needs of users have been incorporated into the design of the shared use path along the B4022, including the design implications of the narrowing of the shared path where it passes under the A40 overbridge.

Consultation and engagement

- 5.55 The Statement of Community Involvement²⁷ sets out a comprehensive account of the public consultation undertaken for the Scheme's planning application and explains how the feedback received from the consultation on different options has been used to inform the Scheme design. The Council's ability to conduct in person consultation events was curtailed by the Covid pandemic, but innovative ways were developed to engage with a range of stakeholders through alternative means, including online engagement.
- 5.56 In relation to the CPO, the Guidance on the Compulsory Purchase Process and The Crichel Down Rules (2019) (the Guidance) encourages the AA to seek to acquire land by negotiation wherever practicable and makes clear that the compulsory purchase of land is a last resort in the event that attempts to acquire the rights by agreement fail.
- 5.57 Comprehensive evidence of the Council's engagement was provided by Ms Bere. The Council as the AA, together with its representative agent Gateley Hamer, has

²⁶ CD/A.5 Appendix 6

²⁷ CD/A.5 Appendix 19

been engaging with landowners since April 2020. A single point of contact has been provided throughout the process and the Council has responded to feedback on the different options that were assessed. Once the land requirements were finalised, this was explained to relevant parties.

Funding and Delivery

- 5.58 The Scheme's total estimated final cost (EFC) is £25.025 million, including anticipated land acquisition costs. The cost will be met by a combination of funding from the Housing and Growth Deal (£17 million) as part of its capital programme to support the delivery of new homes proposed in Witney in the WOLP, including at the EWSDA. The EFC balance will be made up by financial contributions secured by s106 planning obligations (£8.025 million).
- 5.59 A financial contribution of £1.387 million from a development of 270 homes at Burford Way, Witney has already been secured, leaving a deficit of £6.638 million which is unsecured. These unsecured funds have been underwritten by OCC. The developer of the EWSDA has been requested to contribute £6.8 million towards the Scheme, but this will be reduced to £6.638 million in any final s106 agreement.
- 5.60 The Scheme's actual costs at the time of the Inquiry were £3.844 million, reflecting the technical input required and the engagement and consultation processes. As explained by Mr Slocombe at the Inquiry, the project risks are regularly reviewed at the monthly Programme Board including the risk of inflation in building costs and the risk currently amounts to £4.678 million.
- 5.61 A Full Business Case will be produced and approved to allow the Scheme to enter Stage 3 (Delivery) and Stage 4 (Handover and Close-out). Contracts cannot be entered into without the business case and approval of funding being in place. The Scheme will proceed to Stage 3 when the detailed design is approved by the technical assurance team, the planning conditions are discharged, and the required land has been acquired.

Equalities

- 5.62 The long list of Scheme options assessed through the TAG Options Appraisal Report were screened to determine the potential impacts that each option could have on protected characteristic groups as defined in the Equality Act 2010. The further assessment of short-listed options also considered equality impacts as one of the criteria within the assessment of economic impacts.
- 5.63 The EqCIA identifies the potential impacts of the preferred Scheme on those with protected characteristics and considers any mitigating actions to reduce or remove potential differential impacts which may be experienced by some groups. The design of the Scheme has taken on board the recommendations of the EqCIA, including in relation to materials, public realm design, lighting and seating, and the assessment of impacts on protected characteristic groups will continue as the Scheme progresses and is in operation.
- 5.64 Overall, the Council has had due regard to the objectives under the Public Sector Equality Duty (PSED) in relation to the development and design of the Scheme.

Human Rights

- 5.65 The Council acknowledges that the CPO has the potential to infringe the Convention Rights of persons who own property in the Order lands. Such infringement is authorised by law provided that the statutory procedures for obtaining the CPO are followed, that there is a compelling case in the public interest and that intervention with the Convention Rights is proportionate to the legitimate aim served. A balance must be struck between the need for the Scheme and its public benefits, with the nature and extent of the interference with private rights.
- 5.66 The Council considers that it has complied with all relevant legislation and regulations in preparing the SRO and CPO and that due process has been followed. The minimum area of land necessary to deliver the Scheme has been sought. The engagement with affected parties has been robust and the Council has sought to communicate their plans for the Scheme to affected landowners from an early stage in the process.
- 5.67 In the event that the CPO is confirmed by the Secretary of State, the final decision in relation to the implementation powers to be used will be governed by progress with private negotiations and the land interests to be acquired. The AA will give notice to all persons directly affected by the CPO at the earliest opportunity to allow sufficient time for possession to be taken. Those directly affected by the CPO will be entitled to compensation, payable in accordance with the compulsory purchase Compensation Code.
- 5.68 The Council considers that the public interest can only be safeguarded by the acquisition of the land and that it would not place a disproportionate burden on the affected landowners. The Interference with Convention rights is considered by the AA to be justified in order to secure the economic, environmental and public benefits which the Scheme will secure.

6. THE CASE FOR THE NON-STATUTORY SUPPORTERS

Witney Town Council

- 6.1 The Town Council states²⁸ that it is a long-standing supporter of this overdue transport infrastructure scheme and that the planning approval was welcomed in order to bring better, less congested and safer access to the town. In particular:
- The Council has continuing concerns about traffic and air quality problems in the town centre and the impact that this has on the quality of the town centre environment as a place to live, work, shop etc.
 - The Scheme, which will provide an alternative route for traffic to cross the town, avoiding the town centre, will help to reduce traffic volumes on Bridge Street and reduce traffic congestion and air quality problems in the town

²⁸ CD/H.1

centre.

West Oxfordshire District Council

6.2 The Council²⁹ considers that there is a compelling case for the SRO and CPO and a critical need for the Scheme more generally, and is wholly supportive of it to achieve the following measures:

- Provide greatly improved access to the A40, West Oxfordshire's principal road corridor;
- Significantly reduce the volume of traffic using Bridge Street and the surrounding road network in the town centre;
- Enable significant air quality and environmental improvements in the central core of the town; and
- Support delivery of the EWSDA (450 homes) the NWSDA (1,400 homes) and future housing growth at Witney more generally.

6.3 The Council considers that if the Scheme does not go ahead due to issues of land assembly, it will have a hugely detrimental impact on the future prosperity and well-being of Witney and its residents and businesses.

7. THE CASE FOR THE STATUTORY OBJECTOR (OBJECTOR NO.5)

7.1 Eileen Norah Mawle, James Edward Mawle, Stephen Francis Mawle and the Northfield Life Interest Settlement are the owners and occupiers of land identified for compulsory purchase in the CPO, specifically Plots 1/2a, 1/2b, 1/2c, 1/2d, 1/2e, 1/2f and 1/2g. These plots comprise of 26,566 square metres of woodland, grassland and agricultural fields to the north-west of the A40, including public footpaths.

7.2 Their statutory objection³⁰ states that they are generally supportive of the Scheme and the preferred option design. They agree that the Scheme will support the delivery of housing in Witney in accordance with the WOLP and Objective 1 and they support the proposed improvements to foot and cycle connectivity to the A40.

7.3 They consider that the pre-commencement conditions of the planning permission have not been fulfilled such that the Scheme does not benefit from an implementable planning permission.

7.4 They object to the CPO and the associated SRO on the grounds that they are premature and unnecessary, and make the following points:

²⁹ CD/H.2

³⁰ CD/D.5

- The CPO Guidance (2019) expects acquiring authorities to demonstrate that “*meaningful attempts at negotiation have been pursued or at least genuinely attempted*” as part of their case to justify the use of compulsory purchase powers.
- To date, OCC have failed to take proper and reasonable steps to acquire by agreement the necessary land and rights in land from the Affected Landowners. In these circumstances, the Order cannot be said to be in the public interest.
- The Affected Landowners remain very willing to engage with OCC so that the land and interests in land needed for the Scheme can be made available. The Affected Landowners are firmly of the view that this can be done through negotiation and agreement, and does not need the use of compulsory purchase powers.
- The SoR (paragraph 13.5.5) outlines OCC’s engagement with the Affected Landowners. The engagement to date from OCC has been limited. The SoR does not evidence a meaningful attempt to acquire land and rights by agreement.
- Indeed, the SoR presents a binary position from OCC. Either the Affected Landowners transfer land via a Section 106 agreement or the land will be acquired compulsorily. That is an unduly restrictive position, and not one that reflects the requirements of the Guidance that OCC must evidence meaningful negotiation to acquire land by agreement.
- It is the Affected Landowners’ position that the land and rights can be acquired by agreement, and that the Order should not be confirmed at this time.

OCC Response

- 7.5 It is of note that the objector does not put forward an ‘in principle’ objection to the Scheme and is generally supportive of it.
- 7.6 Planning permission has been granted for the Scheme and for the Section 73 application, such that permission is now in place for the version of the Scheme that the Council wishes to implement. The fact that certain pre-commencement conditions have not yet been discharged does not mean that the permission is not capable of being implemented in due course. Such conditions are imposed in the normal course of events, and there is nothing in the evidence to indicate that they cannot be discharged in a timely manner.
- 7.7 The Council has been in correspondence with the landowners since March 2021, seeking to acquire the land by voluntary agreement and the Council’s agent has been working with the landowners to agree formal Heads of Terms for this. Although negotiations are continuing, there is no certainty that the necessary land interests and rights can be assembled by agreement within a reasonable period of time, and its inclusion within the CPO is therefore necessary.

7.8 The Council has not adopted a binary position, if a voluntary agreement can be reached then there would be no need for the land to be transferred via any other mechanism.

8. INSPECTOR'S REASONS, CONCLUSIONS AND RECOMMENDATIONS

THE SRO

8.1 For the SRO to be confirmed, I need to be satisfied in the following respects:

- Before any highway is stopped up another reasonably convenient route shall be available or will be provided; and
- Provision shall be made for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs affected by the Scheme.

8.2 The Scheme complies with the first test, albeit that the replacement public footpaths to the north-west of the off-slip, and to the south-east of the on-slip, will be located slightly further from the existing routes. The Scheme provides a benefit to the users of public footpaths 353/31/10 (South Leigh) and 410/41/40. Currently, it is necessary to cross four lanes of the A40 dual carriageway and through the gap in the Vehicle Restraint System to connect between these two footpaths. Under the Scheme, these footpaths will be stopped up where they fall within the area of the A40 improvement and the replacement footways alongside the slip roads and the signalised crossing at the B4022/slip road junctions will provide a much safer means of crossing the A40 to connect between these footpaths.

8.3 Turning to the rights of statutory undertakers, BT, Thames Water and Virgin Media have stated that they are not affected by the proposed Scheme as the required safe distances from their apparatus have been established. This will be further confirmed once the Scheme is at the detailed design stage, to ensure that this remains the case prior to construction commencing.

8.4 The existing Gas Governor located to the south of the B4022, to the west of the A40 overbridge, is a material design constraint. It has been a specific request to the AA that the proposed design layout avoids impacting the Gas Governor and this has been maintained and this will continue through the detailed design.

8.5 The AA has engaged with SGN and SSE through the New Roads and Streets Works Act 1991 process to identify the location of their apparatus.

8.6 Trial hole excavations have identified that the depths of SGN apparatus are sufficient that diversions are not required. The AA is continuing discussions with SGN through the detailed design stage to determine if protection of their asset is required and to what requirements and specifications. This will be completed prior to the start of the Scheme's construction.

8.7 An Asset Protection Agreement is in place with SGN to assure the asset owner that the method statement for delivery meets the requirements for the protection of their asset. The terms of the Agreement were agreed between the AA and SGN on 12 February 2024 and SGN withdrew their statutory objection on 23 February

2024³¹.

8.8 The AA has engaged with SSE to establish the location of apparatus that needs to be diverted as part of the main construction works. Further discussions are required to detail the exact requirements and specifications for the diversion of the overhead Extra High Voltage 33 Kilovolt (Kv) powerline that runs over the A40 and the undergrounding of a High Voltage 11Kv that runs underneath the A40.

Conclusion on the SRO

8.9 The need for the SRO follows the need for the Scheme as a whole. A failure to confirm the SRO would prevent the necessary changes being made to the affected highways to enable the delivery of the Scheme. Achieving the Scheme benefits is therefore contingent on the SRO being confirmed.

8.10 I conclude that where a highway is to be stopped up as a result of the Scheme, the SRO would ensure that a reasonably convenient alternative route would be provided.

8.11 Provision is being made for statutory undertakers' apparatus within the Scheme design, and liaison between the AA and the companies affected is ongoing.

THE CPO

8.12 The Guidance confirms that a CPO should only be made where there is:

- a compelling case for acquisition in the public interest;
- that this justifies interfering with the human rights of those with an interest in the land affected;
- that the AA has a clear idea of how it intends to use the land it seeks to acquire;
- that the AA can show that all necessary resources to carry out its plans are likely to be available within a reasonable timescale; and
- that the scheme is unlikely to be blocked by any impediment to implementation.

Compelling case for acquisition in the public interest

8.13 The need for the Scheme has become more pressing since the CLR decision in 2012, to address the problems identified in relation to journey times, traffic volume and its impact on the town centre environment and to support the delivery of new housing in Witney. The A4095 and A415 are strategic routes which are important to Witney and the wider area, providing connectivity between different parts of

³¹ CD/E.1

Witney and the sub-region. The Scheme will also, however, support active and sustainable modes of travel for existing residents and for future residents at the EWSDA.

- 8.14 The AA has been seeking acquisition of the land by negotiation since 2020. That process has continued during the course of the Inquiry with some success. However, the remaining private land interest is critical to the delivery of the Scheme. Although at the time of the Inquiry an agreement appeared to be nearing a resolution, the land is outside of the AA's control. Without the CPO, there is a risk that acquisition would not proceed within sufficient time to ensure that the Scheme programme would be met. Furthermore, the AA would be unable to secure by agreement the acquisition of the Plots where ownership is unknown and the authority of the CPO is required.
- 8.15 Overall, without confirmation of the CPO, the Scheme would be impeded and there could be delay in securing the funding that is in place to deliver it. Confirmation of the Order would offer certainty that the land can be acquired in a timely manner.
- 8.16 No alternative Schemes have been proposed in the evidence. The Scheme and multiple alternative options have been subject to scrutiny through the Options Assessment and the planning application process.
- 8.17 Accordingly, I consider that the compelling case in the public interest has been demonstrated to acquire the titles and rights sought by the CPO for the implementation of the Scheme.

Use of the land

- 8.18 From all that I have seen and read it is clear that no more land is proposed to be acquired than is necessary to implement the Scheme, including its incorporated mitigation. The Scheme diagrams clearly show how OCC intends to use the land it is proposing to acquire.

Availability of the necessary resources

- 8.19 The Scheme has proceeded through the Council's governance processes at each step with a clearly defined funding model that aligns to the costs. The funding comes from committed secured sources and where the funds have not been yet secured, the Council has underwritten the value of the unsecured amount. Risks have been appropriately identified and accounted for. Robust governance processes are in place for the procurement of professional services and engineering construction contracts.

Absence of impediments

- 8.20 Planning permission has been granted for the Scheme and for the Section 73 application to amend the planning conditions in relation to the changes explained above.
- 8.21 There is nothing in the evidence which indicates that the planning conditions

cannot be discharged in a timely manner. TROs and TTROs will be necessary to secure some changes to highway arrangements, including during construction, but again the evidence indicates that these can be secured without impediment.

8.22 Overall, I consider that the above regulatory matters do not present any impediment to the implementation of the Scheme.

Whether the purposes for which the CPO is made justify interfering with the human rights of those with an interest in the land affected

8.23 The AA is required to comply with the Equality Act 2010 and the PSED and has undertaken an EqCIA as set out above. The AA has had due regard to the need to discharge its obligations under the provisions of this legislation paying careful attention to any impacts identified in the EqCIA on protected characteristics.

8.24 There is clear evidence that the public benefits associated with the CPO would outweigh the private loss of those people with an interest in the land and that the interference with their Human Rights would not be disproportionate. The land titles and rights are a proportionate response to the needs of the Scheme.

Conclusion on the CPO

8.25 The Scheme has strong policy support in the WOLP, OLTP4 and the OLTCP policies and it is consistent with the SLNP. In so far as it would cause adverse effects from noise to a small number of receptors, it does not fully comply with WOLP Policy EH8, but that effect has been addressed through the planning process and it is not the role of this Inquiry to re-examine planning matters.

8.26 No more land is proposed to be acquired than is necessary to implement the Scheme, including the proposed mitigation. OCC is clear as to how it intends to use the land it is proposing to acquire, and the requirements for each parcel of land are fully documented.

8.27 In accordance with the CPO Guidance, there has been extensive and meaningful engagement with landowners, objectors and other stakeholders in order to try and resolve issues and acquire land by agreement, where possible. This engagement is reflected in the withdrawal of objections since the submission of the Orders.

8.28 Taking account of all the above points, I conclude that the likely impacts of the Scheme have been thoroughly assessed by OCC and appropriate mitigation measures have been put in place. The purposes for which the CPO has been made would sufficiently justify interfering with the human rights of those with an interest in the land affected. In my judgement, the objection outlined above would not be sufficient to justify withholding confirmation of the Scheme.

8.29 Confirmation of the CPO is required to ensure that the SRO can be implemented and the benefits of the overall Scheme can be brought forward in a timely manner. For the reasons summarised above and set out in the evidence, in my judgement there is a compelling case in the public interest for the CPO to be confirmed.

8.30 I recommend that:

THE OXFORDSHIRE COUNTY COUNCIL (Highways Infrastructure – A40 Access to Witney) (Side Roads) Order 2023 should be confirmed.

THE OXFORDSHIRE COUNTY COUNCIL (Highways Infrastructure – A40 Access to Witney) Compulsory Purchase Order 2023 should be confirmed.

Sarah Housden
INSPECTOR

APPENDIX 1: APPEARANCES**FOR OXFORDSHIRE COUNTY COUNCIL**

Mr Alexander Booth KC of Counsel

Instructed by Oxfordshire
County Council and TLT
LLP

He called:

Nick Blades BSc (Hons), MSc, Transport
Planning Society

Principal Infrastructure
Planner, Oxfordshire County
Council

Bal Tiwana (BA) (Hons),
MSc, MRTPI

Associate Planner, Stantec

Phillipe Nirmalendran CEng & Arch (Hons),
MICE, MCIHT, Fellow Member of Institute of
Highway Engineers, Member of the Chartered
Management Institute

Technical Director, AECOM

Theo Genis, Bachelor of Engineering in Civil
Engineering, Post-graduate qualification in
Transportation Engineering, Chartered
Engineer, Member of the Engineering Council
(UK), MCIHT

Technical Director, Stantec

Alison Morrissy BSc (Hons), MSc, MIEEnvSc,
CEnv

Technical Director,
Environmental Impact
Assessment, AECOM

Gareth Slocombe BSc, MSc, CIOB, APM

Senior Project Manager,
Oxfordshire County Council

Jessica Bere BSc (Hons), RICS
Fellow of the Association of Agricultural Valuers

Senior Associate, Gateley
Hamer Ltd

APPENDIX 2: CORE DOCUMENTS LIST

The following list of core documents can be accessed via the embedded link. The Core Documents and other documents are maintained on the Scheme website and can be viewed at:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/roadworks/future-transport-projects/a40-improvements/a40-access-witney/access-witney-cpo-and-sro>

Document Reference	Document Title, Author and Revision Number	Date
A. Statutory Order Documentation		
Compulsory Purchase Order Documents		
A.1	The Oxfordshire County Council (Highways Infrastructure- A40 Access to Witney) Compulsory Purchase Order 2023 (sealed) Appendix 03 Part 1 Access to Witney CPO Order (sealed) (pdf format 11 MB)	27 June 2023
A.2	Compulsory Purchase Order Plan (sealed) accompanying The Oxfordshire County Council (Highways Infrastructure- A40 Access to Witney) Compulsory Purchase Order 2023 (Nb: electronic reproduction of plan not to scale – hard copy put on public deposit) Appendix 03 Part 2 Access to Witney CPO Plan (sealed) (pdf format, 8.3 MB)	27 June 2023
Side Roads Order Documents		
A.3	The Oxfordshire County Council (Highways Infrastructure- A40 Access to Witney) (Side Roads) Order 2023 (sealed) Appendix 02 Part 1 Access to Witney SRO Order (sealed) (pdf format, 1 MB)	27 June 2023
A.4	Side Roads Order Plan (sealed) accompanying The Oxfordshire County Council (Highways Infrastructure- A40 Access to Witney) (Side Roads) Order 2023 (Nb: electronic reproduction of plan not to scale – hard copy put on public deposit) Appendix 02 Part 2 Access to Witney SRO Plan (sealed) (pdf format, 7 MB)	27 June 2023
Statement of Reasons		
A40 Access to Witney Statement of Reasons (pdf format, 4.5Mb)		
A.5	Statement of Reasons (SoR) and appendices, consisting of: Appendix 1: Site Plan Appendix 01 Site Plan 60611611-ACM-XX-XX-DR-HW-000007 (pdf format, 4.4Mb) Appendix 2: Scheme General Arrangement Drawings	16 June 2023

Document Reference	Document Title, Author and Revision Number	Date
	<p>Appendix 02 Part 1 of 3 GA Drawings 60611611-ACM-XX-XX-DR-HW-000109.(pdf format, 2.5 MB)</p> <p>Appendix 02 Part 2 of 3 GA Drawing Sheet 2 60611611-ACM-XX-XX-DR-HW-000110 (pdf format, 4 MB)</p> <p>Appendix 02 Part 3 of 3 GA Drawing Sheet 3 60611611-ACM-XX-XX-DR-HW-000111 (pdf format, MB)</p> <p>Appendix 3: Cabinet Decision Notice to Make Orders and Officer Decision Notice</p> <p>Appendix 03 Part 1 of 3 Decisions 23052023 1400 Cabinet.(pdf format, 773Kb)</p> <p>Appendix 03 Part 2 of 3 Officer Delegated Decision Form AtWJune 2023 Decision b Modifications to Order Documents Owen Jenkins.(pdf format, 166Kb)</p> <p>Appendix 03 Part 3 of 3 Officer Delegated Decision Form AtWJune 2023 Decision f Modifications to Joint SoR Anita Bradley .(pdf format, 168Kb)</p> <p>Appendix 4: Oxfordshire Housing and Growth Deal Agreement and Delivery Plan</p> <p>Appendix 04 Part 1 of 2 Oxfordshire Housing and Growth Deal - Outline Agreement.(pdf format, 270Kb)</p> <p>Appendix 04 Part 2 of 2 Oxfordshire Housing Deal - Delivery Plan.(pdf format, 1Mb)</p> <p>Appendix 5: Extracts from West Oxfordshire Local Plan 2031 - Policies/Supporting Text</p> <p>Appendix 05 WODC Local Plan Extracts.(pdf format, 1.8Mb)</p> <p>Appendix 6: Witney Local Walking and Cycling Implementation Plan (March 2023)</p> <p>Appendix 06 Adopted Witney LCWIP Report.(pdf format, 5.3Mb)</p> <p>Appendix 7: Access to Witney Transport Assessment (TA)</p> <p>Appendix 07 Part 1 of 2 Transport Assessment.(pdf format, 9.8Mb)</p> <p>Appendix 07 Part 2 of 2 Transport Assessment.(pdf format, 9.3Mb)</p>	

Document Reference	Document Title, Author and Revision Number	Date
	<p>Appendix 8: West Oxfordshire DC 2022 Air Quality Annual Status Report Appendix 08 west-oxfordshire-air-quality-annual-report-2022.(pdf format, 3.6Mb)</p> <p>Appendix 9: A40 Access to Witney Lay-by Review Report Appendix 09 A40 Access to Witney Lay-by Review Report Rev 3.(pdf format, 851Kb)</p> <p>Appendix 10: A40 Highway Model Forecasting Report for Access to Witney TA Appendix 10 A40 AtW HW Modelling FYF (pdf format, 3.9Mb)</p> <p>Appendix 11: Extracts from Environmental Statement - Vol I Chapter 5: Air Quality Appendix 11 Part 1 of 4 AtW ES Vol I Ch5 Air Quality Part1of2.(pdf format, 4.8Mb) Appendix 11 Part 2 of 4 AtW ES Vol I Ch5 Air Quality Part2of2.(pdf format, 7.5Mb) Appendix 11 Part 3 of 4 AtW ES Vol II Appendix 5-A ADMS-Roads.(pdf format, 358Kb) Appendix 11 Part 4 of 4 AtW ES Vol II Appendix 5-B Local AQ Results.(pdf format, 424Kb)</p> <p>Appendix 12: Extracts from West Oxfordshire Local Plan Infrastructure Delivery Plan Appendix 12 West-Oxfordshire-Infrastructure-Delivery Plan Extracts.(pdf format, 449Kb)</p> <p>Appendix 13: Equality and Climate Impact Assessment (ECIA) Report Appendix 13 ATW ECIA Final Report 260522.(pdf format, 2Mb)</p> <p>Appendix 14: Extracts from Environmental Statement - Vol I Chapter 7: Climate Change Appendix 14 AtW ES Ch7 Climate Change.(pdf format, 545Kb)</p> <p>Appendix 15: Extracts from Environmental Statement – Vol II Appendix 17-A: Schedule of Environmental Commitments</p>	

Document Reference	Document Title, Author and Revision Number	Date
	<p>Appendix 15 AtW ES Vol II Appendix 17- A Schedule of Environmental Commitments.(pdf format, 638Kb)</p> <p>Appendix 16: Cogges Link Road Inspector's Report Appendix 16 20120614-ha-inspectors-report.(pdf format, 1.6Mb)</p> <p>Appendix 17: Extracts from Environmental Statement - Vol I Chapter 3: Alternatives and Design Evolution Appendix 17 Part 1 of 3 AtW ES Vol I Ch3 Alternatives.(pdf format, 6.9Mb)</p> <p>Appendix 17 Part 2 of 3 AtW ES Vol I Ch3 Alternatives.(pdf format, 5.5Mb)</p> <p>Appendix 17 Part 3 of 3 AtW ES Vol I Ch3 Alternatives.(pdf format, 5.2Mb)</p> <p>Appendix 18: Option Assessment Report (OAR) Appendix 18 Access to Witney - TAG Report R9 FINAL Accessible-002.(pdf format, 38Mb)</p> <p>Appendix 19: Statement of Community Involvement Appendix 19 Part 1 of 2 AtW Statement of Community Involvement March 2022.(pdf format, 8.3Mb)</p> <p>Appendix 19 Part 2 of 2 AtW Statement of Community Involvement March 2022 (pdf format, 7.2Mb)</p> <p>Appendix 20: Cabinet Approval of Preferred Scheme (Papers & Cabinet Resolution) Appendix 20 Part 1 of 2 CA JUL2021R12 - A40 AtW Cabinet.(pdf format, 264Kb)</p> <p>Appendix 20 Part 2 of 2 Decisions 20072021 1400 Cabinet.(pdf format, 471Kb)</p> <p>Appendix 21: Access to Witney Planning Statement Appendix 21 AtW Planning Statement.(pdf format, 1.7Mb)</p> <p>Appendix 22: Oxfordshire Local Transport and Connectivity Plan (LTCP) Appendix 22 LocalTransportandConnectivityPlan.(pdf format, 5.3Mb)</p>	

Document Reference	Document Title, Author and Revision Number	Date
<p>Statement of Case</p> <p>Access to Witney - Statement of Case (pdf format, 16.2 MB)</p>		
<p>A.6</p>	<p>Statement of Case (SoC) and appendices, consisting of:</p> <p>Appendix 1: Statement of Reasons (provided as document A.5)</p> <p>A40 Access to Witney Statement of Reasons (pdf format, 4.5Mb)</p> <p>Appendix 2: Side Roads Order and Side Roads Order Plan</p> <p>Appendix 02 Part 1 Access to Witney SRO Order (sealed) (pdf format, 1 MB)</p> <p>Appendix 02 Part 2 Access to Witney SRO Plan (sealed) (pdf format, 7 MB)</p> <p>Appendix 3: Compulsory Purchase Order and Compulsory Purchase Order Plan (also provided as documents A.1 and A.2)</p> <p>Appendix 03 Part 1 Access to Witney CPO Order (sealed) (pdf format 11 MB)</p> <p>Appendix 03 Part 2 Access to Witney CPO Plan (sealed) (pdf format, 8.3 MB)</p> <p>Appendix 4: Compulsory Purchase Order Notices</p> <p>Appendix 04 Part 1 A40 ATW – CPO – Notice to Land Interests (7.23) (pdf format, 7.2 MB)</p> <p>Appendix 04 Part 2 – Witney Gazette CPO SRO Notice 12 July 2023 (pdf format, 807 KB)</p> <p>Appendix 04 Part 3 Witney Gazette CPO Notice 19 July 2023 (pdf format, 2 MB)</p> <p>Appendix 5: Side Roads Order Notices</p> <p>Appendix 05 ATW London Gazette SRO Notice (pdf format, 276 KB)</p> <p>Appendix 6: Site Notices</p> <p>Appendix 06 Part 1 A40 ATW – CPO – Site Notice (pdf format, 134 KB)</p> <p>Appendix 06 Part 2 A40 ATW – SRO – Site Notice (pdf format, 141 KB)</p> <p>Appendix 7: Statutory Compliance Certificates</p>	<p>13 December 2023</p>

Document Reference	Document Title, Author and Revision Number	Date
	Appendix 07 Part 1 Access to Witney – CPO General Certificate (pdf format, 104 KB) Appendix 07 Part 1 Access to Witney – SRO General Certificate (pdf format, 118 KB) Appendix 07 Part 1 AtW – Protected Assets Certificate (pdf format, 90 KB) Appendix 8: East Witney SDA Development Dependency and Trigger Point Assessment Appendix 08 AtW -Transport Modelling and Trigger PointAssesment (Dec 2023) (pdf format, 28 MB) Appendix 9: Biodiversity Net Gain Assessment (Rev 03 September 2023) Appendix 09 ATW BNG Assessment (pdf format, 1.5 MB) Appendix 10: Oxfordshire Local Transport Plan 4 – Witney Area Strategy Appendix 10 Connecting OxfordshireLTP4WitneyAreaStrategy (pdf format, 2.6 MB) Appendix 11: Scheme Planning Decision Notice Appendix 11 Shore’s Green Planning Decision Notice (pdf format, 200 KB) Appendix 12: Section 73 Planning Application Documents: Planning Cover Letter, Application Form, and Revised Landscaping Drawings Appendix 12 Part 1 AtW S73 Covering Letter 15.09.23 (pdf format, 299 KB) Appendix 12 Part 2 AtW S73 ApplicationFormRedacted (pdf format, 335 KB) Appendix 12 Part 3 Landscaping Drawing 60611611-ACM-XX-XX-DR-LV-000001 (pdf format, 1 MB) Appendix 12 Part 4 Landscaping Drawing 60611611-ACM-XX-XX-DR-LV-000002 (pdf format, 1.4 MB) Appendix 12 Part 5 Landscaping Drawing 60611611-ACM-XX-XX-DR-LV-000003 (pdf format, 1.8 MB) Appendix 13: Objections Appendix 13 Part 1 Objection SGN (pdf format, 5 MB)	

Document Reference	Document Title, Author and Revision Number	Date
	<p>Appendix 13 Part 2 Objection Walker (pdf format, 914 KB)</p> <p>Appendix 13 Part 3 Objection Kerns (pdf format, 917 KMB)</p> <p>Appendix 13 Part 4 Objection Morrish (pdf format, 916 KB)</p> <p>Appendix 13 Part 5 Objection Mawle (pdf format, 143 KB)</p> <p>Appendix 14: Landscape and Visual Impact section (6.6) and Noise section (6.8) of the ES Non-Technical Summary</p> <p>Appendix 14 – AtW ES Non-Technical Summary Part1of4 (pdf format, 6.3 MB)</p> <p>Appendix 14 – AtW ES Non-Technical Summary Part2of4 (pdf format, 6MB)</p> <p>Appendix 14 – AtW ES Non-Technical Summary Part3of4 (pdf format, 3.4MB)</p> <p>Appendix 14 – AtW ES Non-Technical Summary Part4of4 (pdf format, 4.7 MB)</p>	
Statutory Notices and Compliance Certificates		
A.7	<p>Compulsory Purchase Order Notices (provided as Appendix 4 to the Statement of Case at document A.6)</p> <p>Appendix 04 Part 1 A40 ATW – CPO – Notice toLand Interests (7.23) (pdf format, 7.2 MB)</p> <p>Appendix 04 Part 2 – Witney Gazette CPO SRO Notice 12 July 2023 (pdf format, 807 KB)</p> <p>Appendix 04 Part 3 Witney Gazette CPO Notice 19 July 2023 (pdf format, 2 MB)</p>	12 July 2023 and 19 July 2023
A.8	<p>Side Roads Order Notices (provided as Appendix 5 to the Statement of Case at document A.6)</p> <p>Appendix 05 ATW London Gazette SRO Notice (pdf format, 276 KB)</p>	12 July 2023
A.9	<p>Site Notices (provided as Appendix 6 to the Statement of Case at document A.6)</p>	10 July 2023

Document Reference	Document Title, Author and Revision Number	Date
	Appendix 06 Part 1 A40 ATW – CPO – Site Notice (pdf format, 134 KB) Appendix 06 Part 2 A40 ATW – SRO – Site Notice (pdf format, 141 KB)	
A.10	Statutory Compliance Certificates comprising: Signed CPO General Certificate (also provided as Appendix 7 to the Statement of Case at document A.6) Signed SRO General Certificate (also provided as Appendix 7 to the Statement of Case at document A.6) Signed Protected Assets Certificate (also provided as Appendix 7 to the Statement of Case at document A.6) Appendix 07 Part 1 Access to Witney – CPO General Certificate (pdf format, 104 KB) Appendix 07 Part 1 Access to Witney – SRO General Certificate (pdf format, 118 KB) Appendix 07 Part 1 AtW – Protected Assets Certificate (pdf format, 90 KB)	28 September 2023 28 September 2023 14 July 2023
B. Scheme Drawings		
B.1	General Arrangement Drawings (provided as Appendix 2 to the Statement of Case at document A.5) (NB: electronic reproduction of plan not to scale – hard copy documents previously put on public deposit) Appendix 02 Part 1 of 3 GA Drawings 60611611-ACM-XX-XX-DR-HW-000109.(pdf format, 2.5 MB) Appendix 02 Part 2 of 3 GA Drawing Sheet 2 60611611-ACM-XX-XX-DR-HW-000110 (pdf format, 4 MB) Appendix 02 Part 3 of 3 GA Drawing Sheet 3 60611611-ACM-XX-XX-DR-HW-000111 (pdf format, MB)	-
C. Cabinet Approvals and Officer Decision Notice		
C.1	Cabinet Decision Notice to Make Orders Appendix 03 Part 1 of 3 Decisions 23052023 1400 Cabinet.(pdf format, 773Kb)	23 May 2023
C.2	Officer Decision Notice	27 June 2023

Document Reference	Document Title, Author and Revision Number	Date
	Appendix 03 Part 2 of 3 Officer Delegated Decision Form AtWJune 2023 Decision b Modifications to Order Documents Owen Jenkins.(pdf format, 166Kb) Appendix 03 Part 3 of 3 Officer Delegated Decision Form AtWJune 2023 Decision f Modifications to Joint SoR Anita Bradley .(pdf format, 168Kb)	
C.3	Cabinet Approval of Preferred Scheme (Papers & Cabinet Resolution) Appendix 20 Part 1 of 2 CA JUL2021R12 - A40 AtW Cabinet.(pdf format, 264Kb) Appendix 20 Part 2 of 2 Decisions 20072021 1400 Cabinet.(pdf format, 471Kb)	20 July 2021
D. Objections to the Orders		
D.1	Objection 1 - submitted by Southern Gas Networks (provided as Appendix 13 to the Statement of Case at document A.6) Appendix 13 Part 1 Objection SGN (pdf format, 5 MB)	24 August 2023
D.2	Objection 2 - submitted by Jeremy Michael Walker, Paula June Walker and Roger Jeremy Michael Walker (provided as Appendix 13 to the Statement of Case at document A.6) Appendix 13 Part 2 Objection Walker (pdf format, 914 KB)	5 September 2023
D.3	Objection 3 – submitted by John William Kearns and Anne Kearns (provided as Appendix 13 to the Statement of Case at document A.6) Appendix 13 Part 3 Objection Kerns (pdf format, 917 KMB)	5 September 2023
D.4	Objection 4 – submitted by Susan Caroline Morrish (provided as Appendix 13 to the Statement of Case at document A.6) Appendix 13 Part 4 Objection Morrish (pdf format, 916 KB)	5 September 2023
D.5	Objection 5 - submitted by Eileen Norah Mawle, James Edward Mawle, Stephen Francis Mawle and the Northfield Life Interest Settlement (provided as	7 September 2023

Document Reference	Document Title, Author and Revision Number	Date
	<p>Appendix 13 to the Statement of Case at document A.6)</p> <p>Appendix 13 Part 5 Objection Mawle (pdf format, 143 KB)</p>	
E. Withdrawal of Objections		
E.1	<p>Correspondence relating to withdrawal of Objection 1 submitted by Southern Gas Networks</p> <p>SGN letter confirming withdrawal of objection (pdf format, 165 KB)</p>	23 February 2024
E.2	<p>Correspondence relating to withdrawal of Objections 2, 3 and 4 submitted by Paul Curtis of Brown & Co on behalf of their clients John Kearns and Ann Kearns, Anna L Morrish, Susan Morrish and Ben Morrish and Roger Walker and M/S Walker</p> <p>Landowner letter confirming withdrawal of objection (pdf format, 191 KB)</p>	28 February 2024
F. Planning Documents		
F.1	<p>Scheme Planning Decision Notice County Council Ref. R3.0039/22 and District Council Ref. No. 22/01051/CC3REG (provided as Appendix 11 to the Statement of Case at document A.6)</p> <p>Appendix 11 Shore's Green Planning Decision Notice (pdf format, 200 KB)</p>	15 July 2023
F.2	<p>Section 73 Planning Application – Application Form, Covering Letter and Revised Landscaping Drawings (provided as Appendix 12 to the Statement of Case at document A.6)</p> <p>Appendix 12 Part 1 AtW S73 Covering Letter 15.09.23 (pdf format, 299 KB)</p> <p>Appendix 12 Part 2 AtW S73 ApplicationFormRedacted (pdf format, 335 KB)</p> <p>Appendix 12 Part 3 Landscaping Drawing 60611611-ACM-XX-XX-DR-LV-000001 (pdf format, 1 MB)</p> <p>Appendix 12 Part 4 Landscaping Drawing 60611611-ACM-XX-XX-DR-LV-000002 (pdf format, 1.4 MB)</p> <p>Appendix 12 Part 5 Landscaping Drawing 60611611-ACM-XX-XX-DR-LV-000003 (pdf format, 1.8 MB)</p>	15 September 2023

Document Reference	Document Title, Author and Revision Number	Date
F.3	Section 73 Decision Notice County Council Ref. R3.0142/23 and District Council Ref. No. 23/02712/CM R3014223 Shore's Green decision notice (pdf format, 177 KB)	1 March 2024
G. Oxfordshire County Council Proofs of Evidence		
Proofs of Evidence of Oxfordshire County Council		
G.1-3	NB1 Summary Proof of evidence of Nicholas Blades of Oxfordshire County Council in relation to Strategic Case and Need NB2 Proof of evidence of Nicholas Blades of Oxfordshire County Council in relation to Strategic Case and Need NB3 Appendices to the proof of evidence of Nicholas Blades of Oxfordshire County Council in relation to Strategic Case and Need (if any) Proof of evidence and summary proof of Nicholas Blades (pdf format, 6 MB)	19 February 2024
G.4-6	GS1 Summary Proof of evidence of Gareth Slocombe of Oxfordshire County Council in relation to Deliverability and Funding GS2 Proof of evidence of Gareth Slocombe of Oxfordshire County Council in relation to Deliverability and Funding GS3 Appendices to the proof of evidence of Gareth Slocombe of Oxfordshire County Council in relation to Deliverability and Funding (if any) Proof of Evidence and Summary Proof of Gareth Slocombe (pdf format, 67 KB)	20 February 2024
G.7-9	JB1 Summary Proof of evidence of Jessica Bere of Gately Hamer in relation to Negotiations and Acquisition JB2 Proof of evidence of Jessica Bere of Gately Hamer in relation to Negotiations and Acquisition JB3 Appendices to the proof of evidence of Jessica Bere of Gately Hamer in relation to Negotiations and Acquisition	21 February 2024

Document Reference	Document Title, Author and Revision Number	Date
	Proof of Evidence, Summary Proof and Appendices of Jessica Bere (pdf format, 3.1 MB)	
G.10-12	BT1 Summary Proof of evidence of Baljinder Tiwana of Stantec in relation to Planning Policy BT2 Proof of evidence of Baljinder Tiwana of Stantec in relation to Planning Policy BT3 Appendices to the proof of evidence of Baljinder Tiwana of Stantec in relation to Planning Policy Proof of Evidence, Summary Proof and Appendices of Baljinder Tiwana (pdf format, 5 MB)	21 February 2024
G.13-15	TG1 Summary Proof of evidence of Theodore Genis of Stantec in relation to Traffic Modelling TG2 Proof of evidence of Theodore Genis of Stantec in relation to Traffic Modelling TG3 Appendices to the proof of evidence of Theodore Genis of Stantec in relation to Traffic Modelling Proof of Evidence, Summary Proof and Appendices of Theodore Genis (pdf format, 2.5 MB)	19 February 2024
G.16-17	PN1 Summary Proof of evidence of Philippe Nirmalendran of AECOM in relation to Highways and Traffic PN2 Proof of evidence of Philippe Nirmalendran of AECOM in relation to Highways and Traffic Proof of Evidence and Summary Proof of Philippe Nirmalendran (pdf format, 2.5 MB)	20 February 2024
G.18	PN3 Appendices to the proof of evidence of Philippe Nirmalendran of AECOM in relation to Highways and Traffic Philippe Nirmalendran appendix 3.1 to 3.10 (pdf format, 23 MB) Philippe Nirmalendran appendix 3.10 to 3.18 (pdf format, 48 MB)	
G.19-21	AM1 Summary Proof of evidence of Alison Morrissy of AECOM in relation to Environmental Matters AM2 Proof of evidence of Alison Morrissy of AECOM in relation to Environmental Matters	20 February 2024

Document Reference	Document Title, Author and Revision Number	Date
	AM3 Appendices to the proof of evidence of Alison Morrissy of AECOM in relation to Environmental Matters Proof of Evidence, Summary Proof and Appendices of Alison Morrissy (pdf format, 5 MB)	
H. Letters of support		
H.1	Letter of support from Witney Town Council Letter from Witney Town Council (pdf format, 362 KB)	21 February 2024
H.2	Letter of support from West Oxfordshire District Council Letter from West Oxfordshire District Council (pdf format, 219 KB)	26 February 2024

APPENDIX 3: INQUIRY DOCUMENTS

ID/01	Statutory Compliance Bundle
ID/02	Opening Submissions by the Acquiring Authority
ID/03	Application Numbers R3.0039/22 and R3.0142/23 Section 106 Unilateral Undertaking – traffic calming works in South Leigh village
ID/04	CPO Plot Plan with Publicly Accessible Footpaths, Highways and Viewpoints
ID/05	Closing Submissions of the Acquiring Authority