



BROOKS LENEY
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The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2, The Square
Bristol
BS1 6PN

Our ref: WJH/61748
24th October 2024

Sent by email only to: Fiveestuaries@planninginspectorate.gov.uk

Dear Sir/ Madam

Five Estuaries – Deadline 2

As per my registration as an interested party, Brooks Leney act on behalf of a number of farmers and landowners who are affected by Five Estuaries (the ‘Applicant’) proposals (the “Scheme”), whether that be because of the potential cables or substation.

This representation is submitted on behalf of the Clachan Family (as named within the Applicants Land Rights Tracker).

On behalf of the above clients, I write to confirm our outstanding concerns before my clients are in a position to sign any voluntary agreements for the **cable easement**.

We have engaged with the Applicant since initial engagement was made concerning non-intrusive surveys. However, since this time and whilst we acknowledge there has been engagement from the Applicants Agent, Dalcour Maclaren, there has been lack of meaningful engagement, not least because of the lack of representation from the Application itself. Our engagement has almost been entirely with the Applicants Agent, which has hampered progress.

We have engaged with the Applicant’s Agent in drafting the initial Heads of Terms for a voluntary agreement. Despite months of negotiations our clients are still yet to sign the Heads of Terms due to the following reasons: -

- 1. Sterilisation of Land Between Five Estuaries and North Falls** - The current Scheme proposal is that the Applicant and North Falls will lay its respective cables subject to a 20-meter easement each. However, as our clients are potentially subject to two separate schemes, there is a chance there will be areas of land sitting between the two sets of cables which do not fall within the respective easement areas. This area could be as narrow as a few meters, up to a maximum of 60 meters. Our argument is that the ‘no man’s land’ between the two respective windfarm easements, which will likely be permanently sterilised for any future change of use opportunity, should also be subject to an easement payment as well, thereby incentivising the wind farm companies to lay the cables as close to each other as possible and thus mitigating the overall impacts of the two schemes. This request has been rejected thus far.

Hyntle Barn, Hill Farm, Hintlesham, Ipswich, Suffolk, IP8 3NJ

Also at Bury St Edmunds, Colchester and Eye

Partners: D P Brooks Ltd
C J Leney Ltd
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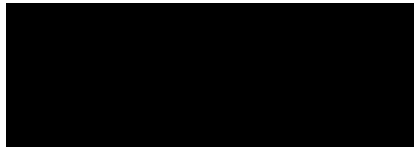


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- Haul Road** – The current proposal is for the haul road to use part of Bentley Road and for it to be the main access point for the substation equipment and materials. This element of the haul road is therefore subject to abnormal and heavy loads, requiring substantive road surface improvements and road widening outside my client's residential and farming properties. Furthermore, as this haul road is the main access point for Five Estuaries, North Falls and National Grid, this haul road will be used for considerably longer and subject to much greater traffic movements than elsewhere on the Five Estuaries haul road. This will have a significant impact on all residential properties along Bentley Road and will cause increased disruption to both personal life and businesses daily while in use. We do not consider that the Clachan Family have been properly consulted, nor given sufficient information to be able to make an informed decision based on the terms currently on offer.

For the avoidance of doubt, it is my client's intention to continue negotiations with their respective Heads of Terms, with a view to entering into a voluntary agreement. However, this can only progress if the above matters are reflected in the draft Heads of Terms.

Yours faithfully



William Hosegood BSc (Hons) MRICS FAAV | Partner
For & on behalf of Brooks Leney

