

Hellens Land Ltd

Application by Highways England for an Order Granting Development Consent for the A19 Downhill Lane Junction Improvement

Written Representations

Submitted by Deadline 1 – Tuesday 27th August 2019

Hellens Land Ltd represent Joan Natrass of 6 Castle View, Chester le Street, County Durham DH3 3XA and Paul Irving Natrass of 158 Highfield Rise, Chester le Street, Co Durham DH3 3UY and David James Natrass of 12 Graythwaite, Chester le Street, Co Durham, DH2 2UH in relation to land registered under title number TY301280 known as Downhill Farm, Downhill Lane, West Boldon, NE36 0AX.

Hellens Land Ltd have a Promotion Agreement on the land and have been promoting the land for residential use for a number of years.

The land in relation to the DCO can be identified as plots 1/7a, 1/7b and 1/7c on Land Plans– Regulation 5(2)(i) – Sheet 1 of 2.

Overall, we do not object to the proposed DCO and recognise the benefits that the proposed improvements will bring to the A19 and Downhill Lane junction.

Our main concerns relate to the proposed Compulsory Acquisitions and we respond specifically to Q1.4.10 of the Inspector's Written Questions (ExQ1).

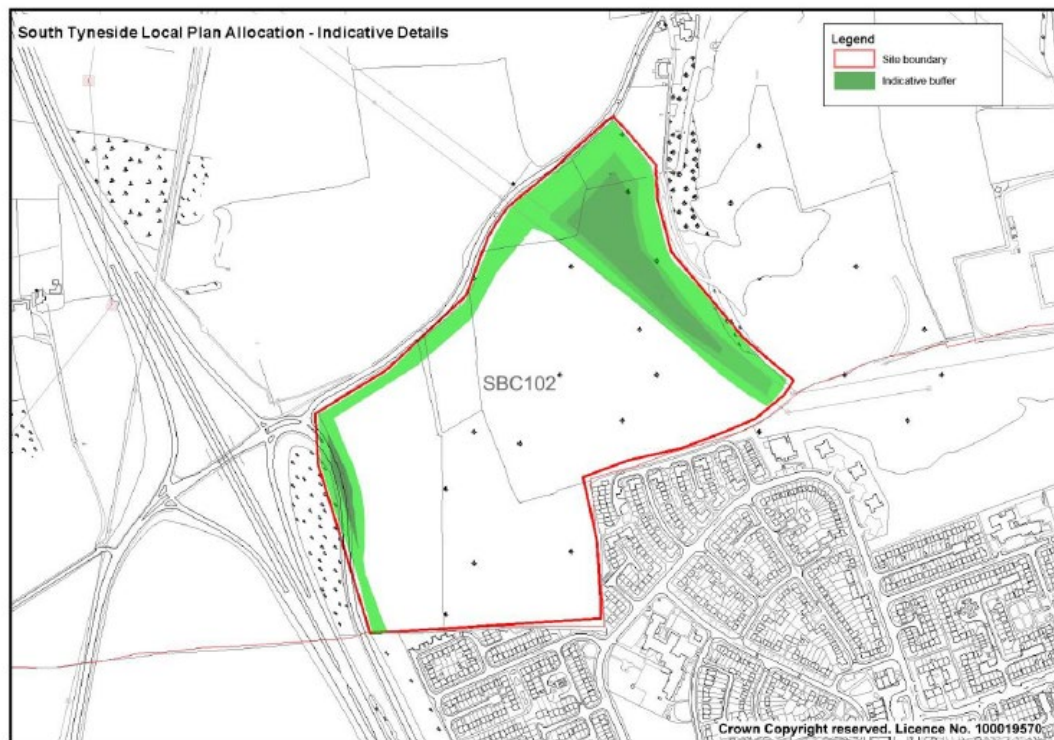
The SoR [APP-015] at section 5.4 states that there is a compelling case in the public interest for the Compulsory Acquisition.

- *What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of Compulsory Acquisition powers in each case?*
- *Where is it demonstrated within the application that the public benefits of the scheme outweigh any residual adverse effects including private loss suffered by individual land owners and occupiers? Demonstrate how such a conclusion has been reached and how the balancing exercise between public benefit and private loss has been carried out?*

Hellens Land Ltd have met with Highways England on a number of occasions to discuss the proposed DCO and the impact of the DCO on the parcels of land noted above.

A consultation by South Tyneside Council has just commenced on their Draft Local Plan (Regulation 18). Within the Local Plan, the wider site within Hellens Land Ltd control has been allocated as a large housing allocation to contribute to the authorities' objectively assessed need for housing. For reference, an extract of the Local Plan showing the proposed allocation is detailed below.

Inset Map 5 Site Allocation H3.62 Land to the North of Town End Farm



Parcel 1/7a proposes a permanent land acquisition on a substantial parcel of land immediately to the east of the A19. We understand and accept that some land will be required to facilitate the works, we do not however agree with the approach taken in relation to the need for land for the NMU route. IAMP are currently in the process of consultation on the proposed DCO for IAMP Two. The IAMP Two proposal also proposes a NMU route. If the IAMP Two DCO does come forward then the proposed NMU route for the Downhill Lane DCO will not be required. We believe that there should be a more combined approach between the two separate DCO's. We note that Highways England have submitted additional information in relation to this and we would welcome the Inspector accepting these as amendments to the DCO and included in the Evidence Library. In addition, the proposed land acquisition for this parcel has an impact on the delivery of the housing allocation site (subject to the Local Plan progressing and being found sound by the Inspector when submitted).

In relation to parcel 1/7c, this is the only link to a stream to the north of the development site within Hellens Land Ltd control. We have undertaken an initial flood risk assessment on the proposed development site and we foresee the connection for the surface water drainage. Timings of the DCO being on site and our proposed timing for delivery of the housing development could potentially clash and therefore this parcel of land being permanently acquired by Highways England would impact upon our connection point – the lack of a connection point for surface water drainage out with our control could have major cost implications for the development. We strongly object to the whole of this parcel of land being permanently acquired unless we retain rights to connect into the water course currently within our control.

Parcel 1/7b is land further within our control that is proposed for temporary acquisition. Highways England taking control of this parcel of land will have a major impact on delivery of the proposed housing scheme – it will dictate the phasing of the development site and also the sale of the land to a housebuilder.

Overall, as stated at the outset of our Written Representations, we do not object to the principles of the DCO and are supportive of it, but we are not supportive of the approach to the land take both on a temporary and permanent basis for the reasons detailed above.

We have notified the Programme Officer of our intention to speak at the Compulsory Acquisition Hearing and would welcome discussing these points further at the Hearing.