

Planning Act 2008 – Infrastructure Planning (Examination Procedure) Rules 2010

Written Representation Regarding the A303 Amesbury to Berwick Down

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On behalf of Travelodge Hotels Limited

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1 Introduction

- 1.1 These are the Written Representations of Travelodge Hotels Limited (“Travelodge”) to the application for a Development Consent Order by the Secretary of State for Transport identified as the A303 Amesbury to Berwick Down Development Consent Order (“the DCO”).
- 1.2 Travelodge Hotels Limited (“Travelodge”) are the UK’s largest independent hotel brand with more than 560 hotels and 40,000 guest bedrooms across the UK and Europe.
- 1.3 Travelodge are the owners of a leasehold interest at the Amesbury Service Station on a company tenancy which is situated on the eastbound carriageway of the A303 east of the Countess Roundabout. The site contains a Travelodge Hotel, car parking for up to 48 cars, an overspill car park which is also used for lorry parking and commercial units sub leased to Little Chef, Shell and Burger King. The extent of the site is approximately 5.3 acres.
- 1.4 The site enjoys access directly from the eastbound carriageway of the A303 with a dedicated exit onto the A345 Countess Road. It is also possible to access the site from the westbound carriageway of the A303 via the Countess Roundabout.

2 Compulsory Acquisition of Land

- 2.1 The draft DCO identifies the following plots being within the extent of Travelodge’s leasehold demise as being required for the Scheme:

Plot Number	Description	Extent of Ownership
09-14	Acquisition of rights over land comprising of approximately 5967 square metres of buildings, hardstanding, car park and woodland (Countess Services)	Lessee

- 2.2 All of the plots listed above are identified on the Land Plans as being required for Permanent Acquisition of Rights which references in Article 22(1) of the Draft DCO as giving the undertaker the ability to acquire such rights over the Order land or impose such restrictive covenants affecting the land as may be required for any purpose for which that land may be acquired under article 19 (compulsory acquisition of land).
- 2.3 Schedule 4 clarifies the new rights are required for the installation, use, protection and maintenance of, and access to, statutory undertakers’ apparatus (for the benefit

of the relevant statutory undertaker and its undertaking; and for the benefit of the undertaker and the authorised development).

- 2.4 It is understood there is a requirement to divert a high voltage electricity line within land occupied by Travelodge together with a requirement to divert a water main. Both are required to provide services to the proposed tunnel.
- 2.5 In addition rights are required to provide a means of access to the proposed works compound situated to the north east of the site.
- 2.6 On the basis part of the site is required to provide a means of access to a works compound there is no justification for the excessive use of CPO powers to acquire a permanent right over that part of the site only required for temporary access. There are temporary possession powers within the draft DCO which are adequate for this requirement.
- 2.7 In addition it is not necessary for the applicant to acquire permanent rights for utility diversions. It is possible and reasonable to have temporary possession rights to install or divert any utilities necessary for the scheme and then for the relevant statutory utility to issue its own Deed of Grant to reflect any new or diverted apparatus belonging to them.

3 Impact on Business Operations

Access during construction

- 3.1 The existing A303 will need to be closed during the construction of the new flyover over the Countess Roundabout. It is not clear how long this section of the A303 will be closed for, what the diversion plans, whether access will be retained for local businesses are and how frequently closures will occur. The site is open 365 days a year and access is required at all times for the public, staff members and deliveries to all tenants on the site.

Access during operation

- 3.2 As mentioned in Section 1 above the site enjoys direct access from the eastbound carriageway of the A303 together with roundabout access to the westbound carriageway.
- 3.3 It is not clear from the Land Plans, Works Plans and General Arrangement Drawings as to how the site will be accessed from the new road. Clearly the existing access directly from the A303 will be lost as it will be on an elevated section which concerns Travelodge as this will have a detrimental impact on passing trade and numbers of customers using the site. Under the new arrangements it is likely many motorists will bypass the site without realising whereas the current arrangements take motorists

directly pass the site via a slip off the A303 having already slowed down at the Countess Roundabout and traffic lights

- 3.4 From the Land Plans it is understood the Applicant is intending to occupy plot 09-14 as a means of access to the satellite compound beyond. This area of the site is currently used by Travelodge and its customers for parking including overnight parking for patrons using the hotel. In addition it is an area used as dedicated HGV parking to avoid congestion elsewhere on the site. The loss of this car parking area without replacement will be detrimental to the use and enjoyment of the site.

Physical impacts and disruption during construction

- 3.5 Travelodge are concerned about the inappropriate use of its private access road from the eastbound carriageway by A303 construction traffic seeking to access the satellite compound situated to the north east of the site.
- 3.6 Travelodge are concerned about how the interaction between construction vehicles (HGV's etc) and its customers all of whom will share the same access point during the construction of the scheme. There is no consideration of public safety and management of what will be a pinch point with traffic backing up onto the Countess Roundabout.
- 3.7 There is a concern that noise, dust and other physical effects generated from the proposed satellite compound will materially impact the enjoyment of Travelodge and its tenants. There are no proposals shown in the Environmental Statement or other documents forming part of the applicant's submission showing other airborne noise, dust and fumes will be mitigated during the construction period.
- 3.8 The comments above also apply to the proposed construction of the Countess Roundabout Flyover where there is likely to be significant noise generating activities. Again there are no proposals shown in the Environmental Statement or other documents forming part of the applicant's submission showing other airborne noise, dust and fumes will be mitigated during the construction period.
- 3.9 Also the new A303 will be on an elevated section in this location on a free flowing section. The current arrangement is an at grade road which is controlled by the Countess Roundabout and traffic lights. There is a serious concern regarding operational noise from vehicles using the new elevated carriageway which will be on the same level as hotel bedroom windows. There are no proposals for noise barriers or other mitigating measures which may help to counter the increase in operational noise.
- 3.10 It is understood there are proposals to divert utilities through the site. No discussions have taken place with Travelodge to help inform the most appropriate location of any underground apparatus having regard to how Travelodge and their tenant's use the site. The applicant should be aware of the presence of underground fuel tanks on the site and should also demonstrate how they are considering the potential impact the installation of underground utilities will have on trade together with concerns

regarding access for public, staff members and deliveries which need to be maintained at all times.

4 Communications

- 4.1 To date there has been limited discussions held between the applicant and Travelodge's agent save for one meeting.
- 4.2 It is understood the Applicant is not intending to prepare and submit a Statement of Common Ground with Travelodge. We are aware the applicant has prepared a draft Position Statement but this is not being submitted as part of the examination. In addition having reviewed previous drafts it is clear the Position Statement is inaccurate in positions and contains misleading statements.
- 4.3 We are aware the applicant has appointed the District Valuer to engage with landowners in advance of the draft DCO. However the District Valuer has not engaged any meaningful discussions or negotiations with Travelodge and their advisors in an attempt to acquire land by agreement. No terms have been issued nor any indication of instructions to proceed with negotiations. Therefore Travelodge believe the Applicant has failed in their duty to negotiate in advance of using CPO powers and is in direct conflict with Government Circular advice 06/04.

5 Surveys

- 5.1 No surveys or studies have taken place on the site and therefore it is difficult to conceive how the applicant has had any regard to the impact the proposed scheme will have on the enjoyment and use of Travelodge's site.