

**PLANNING ACT 2008**

**INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010**

**WRITTEN SUBMISSIONS OF NFU REGARDING THE A303 AMESBURY TO BERWICK DOWN  
DEVELOPMENT CONSENT ORDER APPLICATION BY HIGHWAYS ENGLAND  
PLANNING INSPECTORATE REFERENCE NO TR010025**

**SUBMISSIONS OF NATIONAL FARMERS UNION ON THE – EXAMINERS FIRST WRITTEN  
QUESTIONS**

**DATE 3<sup>RD</sup> MAY 2019**

## 1.0 Introduction

- 1.1 Submissions on behalf of the National Farmers Union (“NFU”) in respect of the application for a Development Consent Order (DCO) by Highways England for the A303 Amesbury to Berwick Down. The NFU is making a case on behalf of its members who are affected by the DCO.

## 2.0 First Written Questions - Agriculture

- 2.1 **Agriculture Ag.1.8: Green Bridge 4 land access:** The NFU believes very strongly that it is not necessary to create green bridge no.4 as a cut and cover tunnel located to the east of the A360. It will be a cut and cover tunnel as it is proposed to be 150m in width and not a green bridge as first proposed. Where the new road and the western entrance to the tunnel are to be built the land on either side of the development has been designated to be new chalk grassland. It will be far easier to graze and manage livestock on either side of the new road and over the tunnel entrance if green bridge 4 is located on the original line of the A360. Please see page 26, figure 5.16 in the consultation booklet, February 2018.

It would be possible to fence off and gate the area as one with no new restricted byway running through the western end which is proposed with the cut and cover tunnel. It will be very difficult to manage the chalk grassland or to carry out any livestock grazing with the cut and cover design with the new restricted byway. The new restricted byway and the proposed private agricultural access should be provided on a green bridge 4 as first proposed following the A360. The highway route is already there and known and is far less intrusive on agricultural land.

- 2.2 **Agriculture Ag.1.12: Allington Track Access:** The NFU now believes that all concerns over agricultural access to land on either side of the new A303 where Allington Track is to be closed has been agreed with all landowners and tenants.
- 2.3 **Ag.1.21: Liaison:** The role identified for the Community Liaison Manager in the OEMP at page 14 does not provide the equivalent function of an Agricultural Liaison Officer. The NFU as stated in our representation would like to see that the Main Works Contractor will have to employ an agricultural liaison officer who will then work with the Community Liaison Manager. The role we would like to see the ALO undertake is set out below at Appendix A.
- 2.4 **Ag.1.23 Land ownership and severance:** The NFU confirms that the land agents will confirm the landownership immediately adjoining and within the Order Limits to this question.
- 2.5 **Ag.1.24: Agricultural land (water supplies):** The NFU confirms that the following agricultural businesses which rely on private boreholes:

- J & M Turner and Son – 5 boreholes
- M & R Hosier – 2 boreholes

- Druids Lodge - 3 boreholes
- Berwick Down Limited – 1 borehole

The NFU confirms that each landowner stated above has submitted an annotated map highlighting locations of boreholes and further details regarding the supply and abstraction from each borehole.

- 2.6 Ag.1.25 Water Supplies: The Applicant has been asked how any remedial action (such as an alternative supply) would be provided in the event that private supplies are adversely affected through supply levels and contamination.** The NFU as a minimum requirement has requested that the following wording is included in the OEMP:

#### **Agricultural Private Water Supplies**

- *Where an existing private water supply to a farm is adversely and directly, affected by the construction of the Proposed Works, the Developer will, if requested by the farmer or landowner to do so, provide or procure or meet the reasonable cost of the provision of an alternative supply of water*
- *Where the supply is so affected temporarily by the construction of the Proposed Works, then the alternative supply need only be supplied for the period during which it is so affected.*
- *Where a request is made by the farmer or landowner for a permanent supply due to permanent severance of the existing supply caused by the construction of the Proposed Works the Developer will where provision of an alternative means of supply can be demonstrated by the land owner/farmer to be reasonably required for his business, provide or procure or meet the reasonable cost of a permanent means of alternative supply of water.*

There are concerns from the agricultural businesses that the private water supplies could not only be affected by the works to construct the tunnel but once the tunnel and new road are operational. Highways England have not as far as we know carried out any investigations in to how if a new water supply is required by a connection to the mains or from a new borehole it will linked to the farms pipe network to provide water to field troughs, buildings and residential properties.

- 2.7 Ag.1.35 : Agricultural Irrigation:** The NFU understands that there will be no impact on field irrigation.
- 2.8 Ag.1.36:Agricultural Businesses Represented:** Please see Appendix B of agricultural businesses which are represented by the NFU.
- 2.9 Ag.1.37: Non NFU member:** The NFU is aware that Robin Parsons and George Smith are directly affected by the development and they are not NFU members. There are likely to be other agricultural businesses affected which are not NFU members.

### 3.0 Socio Economic Effects

**3.1 SE.1.3 Assessment Methodology on Agricultural Holdings:** The NFU believes that the assessment carried out for the holdings during construction is more accurate than the assessment stated for permanent effects on agricultural holdings which has been totally underestimated. Three examples are highlighted:

- Turners at Manor Farm, Winterbourne Stoke: The farm enterprises are arable with a beef suckler herd and so cows are calved every year on the farm. The new road severs the main steading from the main part of the holding and land which is used currently for calving next to buildings is being taken to create new chalk grassland and for drainage treatment areas. Further there is the main grain storage at the steading and this is also severed permanently from the main block of land. Table 13.23 highlights that the permanent affects are minor and the impact to infrastructure is negligible when actually the permanent effects on running the agricultural business day to day will be major.
- The effects on West Amesbury Farm with Park Farm is categorised as minor effect from the permanent development. If the access is not provided from West Amesbury Farm to Park Farm the impact of the development will be major.
- S Moore, Manor Farm, Stapleford: It is proposed to take 56ha (138 acres) from this holding as it has been designated to take the arisings from the tunnel. Under table 13.22 it has been highlighted that due to the land area to be taken there is a large adverse effect but under permanent effects the impact has been scaled back to moderate adverse and only 6ha (14.83 acres) to be taken permanently. This is completely underestimated as the land is to be taken permanently for the arisings/waste spoil and for a large drainage treatment area to be created. The area is to be re-profiled and to have chalk grassland created on it. At the present time the land in question is in productive arable rotation and so the effect of the waste spoil is a large adverse effect permanently.

## Appendix A: Agricultural Liaison Officer

### 1.1 Agricultural Liaison Officer

- 1.1.1. The Agricultural Liaison Officer (ALO) will be appointed by the Applicant prior to the commencement of pre-construction activities and will be the prime contact for ongoing engagement about practical matters with landowners, occupiers and their agents before and during the construction process. There may be more than one ALO if required.
- 1.1.2. The ALO will have relevant experience of working with landowners and agricultural businesses and will have knowledge of the compulsory acquisition process (if required) and working on a linear infrastructure project.
- 1.1.3. The ALO (or their company) will be contactable from 7am to 7pm during the construction phase to landowners, agents and occupiers and will provide 24-hour team or company contact details for use in the event of emergency.
- 1.1.4. Post-construction the ALO will remain in place for up to one year in order to manage remediation issues.
- 1.1.5. After that year the Applicant will ensure that ongoing contact details are provided in order for landowners and occupiers to seek consent, if required, in respect of restrictive covenants for the lifetime of the project or to highlight any defects. Information in relation to the process of management of restrictive covenants will be issued to landowners and occupiers upon any change in the person/s responsible for the process on behalf of the Applicant or the OFTO.
- 1.6 The ALO will have responsibility for liaising with landowners, agents and occupiers in respect of the following:-
  - Coordinating drainage surveys and sharing pre and post-construction drainage schemes with landowners or occupiers in advance for their consideration;
  - Coordinating the provision of a detailed pre-construction condition survey to include a soil survey as detailed in paragraph XXXX of the OEMP as well as a record of condition of the following elements;
    - existing crop regimes;
    - the position and condition of field boundaries;
    - the condition of existing access arrangements;
    - the location of private water supplies (as far as reasonable investigations allow);
    - the type of agricultural use taking place;
    - the yield of crops;
    - the quality of grazing land; and
    - the existing weed burden.

- Advising on risks relating to the translocation of soil diseases and ensuring appropriate protective provisions are implemented;
- Ensuring that landowners and occupiers are consulted in respect of requirements relating to field entrances and accesses across the construction strip and land-locked or severed land parcels;
- Arrange quarterly meetings with agent representatives of landowners;
- Undertake pre-construction and day-to-day discussions with affected parties to minimise disruption, where possible, to existing farming regimes and timings of activities;
- Undertake site inspections during construction to monitor working practices and ensure landowners' and occupiers' reasonable requirements are fulfilled;
- Discussing and agreeing reinstatement measures following completion of the work

**Appendix B : NFU Members represented**

1. J & M Turner and Son –	Fowler Fortsque
2. M & R Hosier –	Carter Jonas
3. P Sawkill and P Sandell –	Howard Smith
4. P J Rowland & Sons (Farmers) Limited –	Howard Smith
5. John Elliott (Druids Lodge) -	Carter Jonas
6. Jim Huntley	
7. Richard Crook – Beacon Hill Land Limited -	Countryside Solutions
8. Hugh Morrison - Morris and King Limited -	Countryside Solutions
9. Stuart & Henry Crook (1 business)	
10. Stephen Moore	Howard Smith
11. Frank Whiting (Scotland Lodge)	Howard Smith

Farmers we believe are impacted, but not directly by the new road.

1. Ian & Richard Parsons (1 business)
2. Henry Rawlins
3. James Dean
4. Michael Hoppe
5. John & Andrew Grant (1 business)
6. Edward Bailey