

REP 1-035 PARK BARN FARM (“PBF”) – ALDERSON

SUBMISSIONS FOR DEADLINE 12 (10/7/20)

Comments in response to REP11-023: Any further information requested by the ExA under Rule 17 (Natural England)

Notwithstanding the comments raised by Natural England, it is imperative that any Order confirming compulsory acquisition of RL is only made if the statutory test is satisfied (s.122, Planning Act 2008). This requires a change of approach along the lines which the objector has sought from the very beginning of the Examination process.

It is inevitable that any reduction in the scale of RL provision made in order to satisfy the statutory test will have repercussions in respect of other features of the scheme, and that this will alter the relative planning balance of advantage and disadvantage across the scheme as a whole. However, it is for the Secretary of State to consider where the appropriate balance lies. It is also the Secretary of State’s task to decide whether other parties have been given a fair opportunity to comment on these matters.

It should be obvious from the objector’s grounds of objection that alteration of the scheme ratios does not set a deleterious precedent of any kind. Indeed, it is of utmost importance to ensure this does happen to safeguard important human rights interests, and to ensure that a lawful decision is made.

The final point is that the reasons cited by Natural England for being satisfied with the current RL offer underscore the strength of this objector’s criticisms. The RL would provide better RoW linkage, an attractive /enjoyable areas set back from busy roads, an opportunity for biodiversity enhancement, and good functional connectivity.

KEYSTONE LAW

(ON BEHALF OF MR ALDERSON)