

# A47 DUALLING – NORTH TUDDENHAM TO EASTON

Scheme no. TR010038

## Summary of written Representations of A C Meynell of the Berry Hall Estate

IP reference 2002/8353



ACM 00

1 September 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Examination  
Procedure) Rules 2010**

**Regulation 10**

The A47 North Tuddenham to Easton  
Development Consent Order 202[x]

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**SUMMARY OF WRITEN REPRESENTATIONS  
of ANTHONY CHARLES MEYNELL**

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Application reference: TR 010038

Interested Party reference: 2002/8353

Document reference: ACM 00

Date: 1 September 2021

## SUMMARY OF WRITTEN REPRESENTATIONS ON BEHALF OF THE BERRY HALL ESTATE

### Introduction

1. Written representations have been prepared on behalf of the freehold owner of the Berry Hall Estate, Honingham, Norfolk ('the Estate'), Mr Anthony Meynell ('the Owner'). The Owner is an objector to the application by National Highways ('the Applicant') for development consent for the dualling of the A47 North Tuddenham to Easton ('the DCO') and has been registered as an Interested Party following submission of a Relevant Representation<sup>1</sup>.
2. The Written Representations comprise the following X documents:
  - a. [ACM 01: Introduction and Index](#)
  - b. [ACM 02: Legal Submissions](#)
  - c. [ACM 03: Statement of Mr Anthony Meynell \(together with 11 appendices\)](#).
  - d. [ACM 04: Transport Written Representations prepared by Neptune Transport Planning \(together with Highways Technical Note prepared by RPS\); and](#)
  - e. [ACM 05: Woodland Appraisal prepared by A. T. Coombes NDF, MSc \(Arb & Urban For\), FICFor, PDArb \(RFS\) MArborA.](#)
3. The content of the Written Representations is summarised as follows:

#### [ACM 01: Introduction and Index](#)

4. This document introduces the reader to the Written Representations and provides orientation information.

#### [ACM 02: Legal Submissions](#)

5. These identify the implications of some of the matters set out in the totality of the Written Representations for the Applicant's proposed DCO.

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<sup>1</sup> RR-075.

6. The submissions conclude that the DCO should not be made on the basis of the application scheme ('the Proposed Scheme'). They conclude that the Applicant's pre-application consultation was fundamentally flawed. It has, as a consequence, failed to grapple with a number of important issues in its assessment of the environmental and other implications of the Proposed Scheme. It has failed to comply with the most basic requirements of compulsory purchase law and policy, and has promoted a scheme that has far greater adverse effects than reasonable alternatives, which have not been considered, would have. It cannot make out a compelling case in respect of the Owner's land (in the case of either the permanent or temporary acquisition sought).
7. They confirm that the Owner's case is that consent could acceptably be granted in respect of reasonable alternatives requiring no or less acquisition of land from the Estate<sup>2</sup>, which the Applicant has failed to consider.

#### ACM 03: Statement of Anthony Meynell

8. This document sets out relevant information about the Estate, including its designations, public access, its history, the component parts of the Estate and the nature of the agricultural enterprise upon the Estate. It identified the likely implications of the Proposed Scheme for the Estate, including upon the agricultural enterprise, forestry and the woodlands. It identifies the access issues to which the Proposed Scheme would give rise. It also gives information about the limited discussions held with the Applicant to date.

#### ACM 04: Transport Statement

9. This document reviews the aspects of the Proposed Scheme relating to the Wood Lane Junction design. It identifies concerns about the current proposals. It introduces three alternative options (with sub-variants), which would meet the Applicant's stated aims for the DCO whilst reducing the amount of land take required and/or the adverse effects on the Estate. It identifies issues associated with the road closures proposed pursuant to the Proposed Scheme and operational impacts. It also deals with the Construction Impacts and Temporary Construction compounds, and notes the ability of those to be relocated.

#### ACM 05: Woodland Appraisal

10. This document provides an appraisal of the current composition and quality of the woodlands affected by the Proposed Scheme. It confirms that the Applicant's assessment has inappropriately downgraded the quality of the trees and that, had they been correctly categorised, they should have been identified as worthy of retention at the scheme design stage. It also identifies other matters relevant to the ExA's considerations.

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<sup>2</sup> These alternatives are described in the Transport Report (ACM 04). They are the subject of live discussions between the Owner's consultants and those of the Applicant.

## Conclusion

11. For all the reasons set out in the Owner's Written Representations as a whole, the Owner concludes that:
- a. The DCO should not be granted on the basis of the Proposed Scheme, which:
    - i. is a result of a legally flawed consultation process;
    - ii. has failed to account for a range of profound environmental impacts upon the Estate and its occupiers; and which
    - iii. could and should be redesigned so as to avoid or substantially reduce those impacts.
  
  - b. Further or alternatively, absent an acceptable redesign of the Proposed Scheme in the vicinity of the Estate, the Applicant should not be granted powers of permanent acquisition or temporary possession in relation to the Estate land because:
    - i. The Applicant has failed to consider reasonable alternatives that would involve lesser compulsory acquisition of land generally and/or result in materially reduced adverse public and private impacts;
    - ii. The impact upon the Estate is disproportionate; and
    - iii. The Applicant has failed to engage in relation to the voluntary acquisition of the land, including discussions as to mitigation of the identified adverse impacts upon the Estate.

FOR AND ON BEHALF OF MR AC MEYNELL AND THE BERRY HALL ESTATE

1 September 2021