

Questions and responses	
<b>Why are we not adopting the WSP design?</b>	
<p>The WSP modifications were not fully adopted as we achieved what we understood to be your aims through our revised design. We understand these aims to be;</p> <ol style="list-style-type: none"> <li>1) reduced land take</li> <li>2) avoid the introduction of new access points from neighbouring land</li> </ol> <p>Landscaping has been reduced as much as it can be, in the southern part of the plot to the west of the new road. Our revised design requires approximately 800m<sup>2</sup> less land take than WSP proposal.</p> <p>There is no permanent land take from adjacent properties on either side of the new road, a space between the access road and your western property boundary has been maintained, ensuring the land remains within your control.</p> <p>The alignment we propose does not create new access points from neighbouring land on either side of the bend in the southern part of your land.</p> <p>It is standard Highways England practice to keep to a minimum the number of affected landowners. The WSP proposal would introduce an additional landowner affected by permanent land take.</p> <p>When reviewing the WSP proposal at the last meeting, our team expressed a need for further review. We consider the alignment within the revised design proposed by ourselves as meeting your aims and the most appropriate in recognition of all the factors that must be considered.</p>	

**OUR  
RESPONSE:**

We are confused here as we were told by your team that Highways England have no control over the landscaping and amount. We had previously been told that to get this reduced or more detailed information we would have to make our own enquiries with the local authority. This has resulted in a wild goose chase trying to ask Bedford Borough Council who naturally cannot give us any information. It appears here from your response that you do indeed have an option to reduce the landscaping. How frustrating that our time has been wasted following the guidance from your team when all along you could have addressed this?

The minimal changes in the WSP proposal and the landscaping are not mutually exclusive. Your response here suggests that you have reduced the landscaping and this justifies the refusal to address our main concern of excess land acquisition.

Where you state that it is Highways England practice to keep to a minimum the number of land owners affected. Can you confirm then it is your "practice" to acquire more land from individual parties to keep this to a minimum? We stress again our view that your scheme should present a proposal that represents sound design, fair land acquisition and value for money. It is NOT acceptable to us to present a design that takes more of our land than is necessary, that does not represent sound design and costs more simply to irradicate one landowner out of the equation! We'd like to understand here how cost of the scheme fits into 'keeping land owners to a minimum.' We'd like to also point out here that you have stated that land selection is being driven by ownership boundaries rather than sound design and engineering

<b>Q2</b>	<b>Why exactly is it that you are requesting meetings with us if we achieve a way forward and present alternatives which are deemed "positive" "constructive" only for them to be ignored in your drawings?</b>
A2	<p>Consultation with affected landowners is a very important means to ensure we fully understand concerns and reach a common understanding. It is not always possible to fully address or adopt all proposed changes into the design, but we aim to address these as much as possible within the scheme constraints.</p> <p>We requested the meeting in April to discuss the updated design and point out the features and benefits of it that we felt aligned with your aims. As outlined in our response to question 1 above.</p> <p>Continued dialogue often presents an opportunity to raise new matters or clarify existing points, which have not been resolved previously.</p>

**OUR RESPONSE:** You state here that you “aim to address” our concerns as “much as possible” We have demonstrated that it is indeed possible to address our main concern of excessive land acquisition. Without EFFECTIVE engagement it could be concluded that ‘consultation’ and meetings are just a tick box exercise that do not address concerns.

<b>Q3</b>	<b>Why do we want to avoid the paddock?</b>
A3	<p>Whilst the road alignment does not require acquisition of part of the paddock, had some of it been needed then it would have been used.</p> <p>We are obliged to preserve habitat and screening to existing properties wherever possible.</p> <p>We are also required to preserve the setting of listed buildings where possible. There is one listed building on Nags Head lane which we are taking into consideration.</p>

	<p>Aligning the road on the western side of the hedgerow on the western side of the paddock allows us to honour these requirements. It will also help mitigate light pollution to the existing housing in Nags Head lane. These properties have enjoyed the benefit of this hedgerow and its removal is not necessary to deliver the scheme. We would therefore seek to preserve it.</p> <p>Safety is paramount to Highways England, taking the road through the paddock reduces the traffic calming benefit of the double bend as these would be made less tight. The tighter bends are considered to reduce speeds and are in line with the Manual for Streets guidance.</p> <p>We therefore consider the alignment within the revised design to be the most appropriate.</p>
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**OUR RESPONSE:** Where you state “had the paddock been needed it would have been used” blatantly contradicts your response in question one. The admission that the WSP proposal was not “adopted” by you as it would introduce an additional land owner shows that the avoidance of the paddock is really what is driving your scheme and NOT sound design. The first proposal saw LESS land owners but to avoid the paddock you introduced an additional land owner to the west and replaced one owner with another. You were more than happy here to introduce additional landowners when it was avoidable.

The reasons you have provided for the avoidance of this paddock are NOT justified but are absurd, ridiculous and an insult to basic intelligence.

Firstly if you are “obliged to preserve habitat” and your objective is to do so then again the paddock would present the most logical and appropriate use. Horses with grazing are notorious for reducing habitat. Your new chosen route adjacent to the paddock represents a greater opportunity to preserve habitat!

Secondly the properties are screened on their boundaries. The screening is dense and sufficient and already preserves the “setting of listed buildings” Here also it should be mentioned in your seeming avoidance of a listed building the road becomes closer to another. Do all listed buildings in Wyboston enjoy this “preservation” or just those that can be used as an excuse to avoid the sacred paddock?!?

Finally the mention of light pollution. The existing houses on Nags Head lane would not be effected by light pollution. We would welcome your light pollution reports from BOTH the original proposal and this draft to see how the later “mitigates”

We would also like an explanation as to why you feel a drainage pond or part of a footpath in excess of 50metres would effect a listed building that is adequately screened?

<b>Q4</b>	<b>Is there any cultural significance of the paddock land?</b>
A4	There is a listed building on Nags head lane, backing onto to the paddock, which we consider to the within the setting.

**OUR RESPONSE:** There are other listed buildings effected by your scheme that could be avoided!

<b>Q5</b>	<b>We were misinformed that the avoidance of this land was to prevent speeding. This was later retracted</b>
A5	As stated above in our response to question 4, the revised alignment provides greater traffic calming benefits. Additionally, you will notice a staggered junction at Chawston Lane has been introduced since the original proposal. This is also a speed reduction measure.

**OUR RESPONSE:** This demonstrates the poor quality of your "engagement" with us. We have been misinformed here which was retracted and now apparently reinstated. There were other options that would provide greater calming benefits.

<b>Q6</b>	<b>Please include in your explanation an answer to the question of why does the objection of one overseas owner and her sibling mean that the entire burden of this part of the scheme falls entirely on us? Why is their objection and request to entirely avoid their land of more importance than our request that the scheme represent fair land acquisition?</b>
	<b>Only those who are aggressive in their objections get results.</b>
A6	<p>The views of all landowners affected by the proposed scheme are of equal importance to Highways England and taken into consideration in designing the scheme. We must also consider the views of those who don't own or occupy land required for the proposed scheme but are nevertheless potentially affected by it. Development of scheme design drives our proposals for land acquisition. In this area of the scheme, our revised design considers your views, and those of the people living nearby.</p> <p>The legislation pertaining to the DCO application (Planning Act 2008) requires all applicants to justify compulsory acquisition (CA) and to demonstrate that it is necessary to deliver the scheme and that all reasonable alternatives to CA have been explored. Whilst we seek to address all concerns raised in an equal and proportionate manner, we accept that our proposals will not always be acceptable to everyone. In recognition of this, the DCO regime gives opportunities for interested parties to make representations to the Planning Inspector during the Examination process.</p> <p>The reasons for avoidance of the paddock land is set in out in the response to question 3</p>

**OUR RESPONSE:** From this we see no justification as to why you are implementing the views of those who are NOT affected by your scheme!

Again a contradiction to your previous responses: "Development of scheme design drives our proposals for land acquisition" Previously you stated that minimising affected parties drove your "land acquisition"

We wholeheartedly agree that you are required "...to justify compulsory land acquisition and demonstrate that it is necessary to deliver the scheme. This is exactly our point your proposal DOES NOT justify or present a case for fair land acquisition. Putting the reduction in landscaping as a separate issue, we have PAID for a proposal that shows that reducing land take from us is possible with MINIMAL/MINOR changes that continue to address the concerns of those living nearby but you have "not adopted it."

<b>Q7</b>	<b>It also needs to be acknowledged that there is plenty of land that could be designated as "temporary working room."</b>
A7	Working room is required for along the entire scheme boundary. I would happy to learn more about your concerns around this matter.

**OUR RESPONSE:**

We understand the concept of working room. Our concern here was that the paddock was being avoided by the scheme as it had been allocated as working room. There is plenty of surrounding land that could fulfil the vast area that is being used here.

<b>Q8</b>	<b>Do you not have an obligation to those who are prepared to present alternatives in a desire to work with you?</b>
A8	Under the DCO legislation we are required to work with all stakeholders and consider their views whether they support the scheme or not. We are obliged to consider all proposals put forward, but under no obligation to accept, if we consider our designs more suitable. We are confident that our design is the most suitable for the reasons set out in this response.  We hope to continue to work with all our stakeholders through meetings and correspondence including emails such as this one.

**OUR RESPONSE:**

We feel our credible alternative has not even been considered as it involves the off limits paddock! We feel you should not be confident that your scheme is the most suitable as it represents unfair land acquisition.

It is our belief that you are not working with stakeholders but are working against land owners to satisfy an aggressive objector.

You have told us personally that you are using our land to satisfy all other objectors. Do you really consider this is represent fair land acquisition?

<b>Q9</b>	<b>2 clear metres to be retained in our ownership</b>
A9	Within the revised design, the section of land retained by yourselves between the new road and that of the land to the west is approximately 0.5m. For the avoidance of doubt, this location is shown in attached drawing HE551495-ACM-GEN-ZN1_Z_Z_ZZ-SK-LR-0001_DoveFarm.  Please explain any concerns that require 2 clear metres to be retained?

**OUR RESPONSE:**

Your insert states a different measurement to the stated 0.5m.

We feel certain your design does not allow 0.5m that would be within our ownership.

A greater margin would afford us more protection from losing the ransom value of this access.

<b>Q10</b>	<b>We would like assurances that 2 parcels of land labelled as permanent highway would be returned to us if we can successfully demonstrate they are not needed by your scheme.</b>
A10	Where land originally intended to be part of schemes is not required, this is normally returned to the original land owner under the principals of Crichel Downs.

**OUR RESPONSE:**

The land in question has been labelled as “permanent highway” so would not be covered under Crichel Downs. We would want the opportunity to get this reassigned so it could be returned to us.