

Date: 13<sup>th</sup> December 2021  
Our ref: 522172/STC/WJS  
Your ref: 20029001

National Infrastructure Planning  
Temple Quay House  
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Dear Sirs,

**Your ref: TR010056**

**Mr and Mrs R de Lisle Wells – land NW of Shab Hill Junction – Plots 1219/1**

**Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 4, 6 and 9**

Bruton Knowles have been asked to make further representation on behalf of our clients Mr & Mrs de Lisle Wells, the freehold owners of the above land, comprising Plots 1219/1. Our clients wish this representation to constitute a formal objection to the application made within the proposed DCO to compulsory purchase their land. The below points have been raised during the consultation responses previously.

#### **Land – Temporary Possession and Compulsory Acquisition**

Mr & Mrs de Lisle Wells consider that National Highways proposed screening from the noise of the scheme to their property is inadequate. Mr & Mrs de Lisle Wells propose that additional bunding is provided to shield their property from the noise of the scheme. This includes a small section at the south-east boundary of the current proposed land take, where the bund and planting can infill what would otherwise be land that is not practical to farm. As previously raised, Mr & Mrs de Lisle Wells also request that the bund is extended to the southeast corner of the field to shield from the noise that will be generated by the new road and Shab-Hill junction. Plans detailing these areas can be provided if required.

National Highways intend to sever the existing access to the property and provide a new access off the Shab Hill junction. Such an access will need to be of sufficient width and gradient and no weight limits must be imposed on our clients. In particular, the route design of the new access road needs to allow for articulated vehicles to pass and use Shab-Hill junction safely.

The current proposal shows the future field access coming off an access to a neighbouring property. Mr & Mrs de Lisle Wells are concerned that a situation may arise in the future where the access immediately off the new road is offered back to the previous owner. To date no safeguards have been provided to Mr & Mrs de Lisle Wells to protect the rights they currently enjoy once the scheme is completed. Mr & Mrs de Lisle Wells require absolute clarity as to what is being proposed regarding the ownership of the new access and categoric reassurance that their rights will be fully protected.

#### **Reinstatement of land**



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As raised previously, Mr & Mrs de Lisle Wells are concerned about the inadequacy of the landscaping that is proposed in the vicinity of their property and wish to understand the intentions relating to land reinstatement and landscape enhancements. Mr & Mrs de Lisle Wells believe consideration should be given to extensive planting and creation of noise bunds that will mitigate the impact of the scheme and improve the screening from the scheme and associated infrastructure routes. Any such planting must include a suitable variety of native trees, with some whips and a majority of semi mature trees. Our clients specifically request that no Yew or Silver Birch trees are planted.

Mr & Mrs de Lisle Wells note the intention to install a drainage solution in the permanent land take. This must be a covered drain to prevent litter and other items causing blockages.

The decision to install a new bridge over the road for the footpath has the potential to cause unnecessary disturbance and trespass on Mr & Mrs de Lisle Wells' land. Our clients deteriorating disabilities enforces the need for measures to be put in place to deter trespassers as Mr & Mrs de Lisle Wells fear they will be unable to enforce this themselves. Mr & Mrs de Lisle Wells request that appropriate permanent measures are taken to prevent the public from entering their land. Such mitigation could include the installation of automatic electric gates at the drive entrance.

As part of the scheme, the current bus stop on the A417 above the Air Balloon roundabout will be removed. The local parish councils have expressed support at this being re-located on the new access road that will serve our clients property. This will provide better access for the public to use the new footpath. Mr & Mrs de Lisle Wells ask that the project proactively engages with the council on this matter.

The class 5 highway that passes the end of our client's drive is used as a rat-run by motorists avoiding traffic on the surrounding roads and this will only get worse during construction. This coupled with the new footpath entrance, gives weight to the argument for demoting this road to a restricted byway. Mr & Mrs de Lisle Wells request that the project actively engages with the local councils on this matter. They also expect that any reinstatement works will replace existing features on a like for like basis, including the gated access.

### **Access during Construction**

As the Consultation team have been advised, both Mr and Mrs de Lisle Wells are not in good health and require carers access on a 24/7 basis. Our clients require that this is maintained during construction. In addition, the site is also a business premises requiring 24/7 access for all manner of vehicles. Our clients therefore wish to secure assurances and operational details as to how National Highways will guarantee unimpeded access and mitigate for any potential delays.

During construction there will be a large number of vehicles and personnel in the area. Mr & Mrs de Lisle Wells request clarification on what security measures will be in place to protect their property.

As National Highways are aware, the current highway leading to our client's property has a weight restriction order imposed on it. Mr & Mrs de Lisle Wells have been concerned that the equipment used for the recent intrusive surveys may not be abiding by the order. Their concerns have been raised with the police under incident number 12/11/2020 -120. Mr & Mrs de Lisle Wells would like confirmation that these recent works together with the proposed main works, have and will satisfy the conditions imposed by the order.

### **Environmental Impact**

In addition to the bunds requested above, in order to mitigate light pollution on the retained residential property, confirmation is required that the A417 and A436 will not be lit.

In respect of the works period, Mr & Mrs de Lisle Wells also wish to understand potential areas for impact from for example; rock blasting, and the measures that National Highways will implement to mitigate for any detriment. An early impact assessment in respect of the construction and use of the scheme, specific to what is currently a quiet residential/rural site is requested.

Mr & Mrs de Lisle Wells feel that their disabilities have not been taken seriously by National Highways in the past and they very much hope you will take this into consideration going forward.

Yours faithfully,

**Bruton Knowles**