

## Note of clarification

I am writing this follow up to provide clarification on the intended objective of the document submitted by Mark Hawes in deadline 10.

The name of the document is referenced as:

### ***Deadline 10 response to Applicants Deadline 9 submission – 7.32 Issue 1.***

As the name suggests the intended objective was to address comments made by the Applicants deadline 9 submission 7.32 “ *Applicant’s Response to Deadline 8 and 8a submission*”

Unfortunately, the first para of the document included a couple of incorrect references which led to the document being titled in the deadline 10 release as.

### ***Deadline 10 Submission - Additional comments on responses submitted for Deadline 7***

This is not correct. I apologies for any confusion caused.

For clarification and completeness, I have updated the document below with the correct references and intend to resubmit as part of deadline 11. The only changes made to the document are those highlighted within the 1<sup>st</sup> paragraph.

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**This document forms part of Deadline 10 response from Northgate Farm. The Response is intended to address comments made by the Applicant in the Deadline 9 submission referenced by “7.32 Applicant’s Response to Deadline 8 and 8a”**

## Table 1-5 – Mark Hawes

We have read the detailed response provided by the Applicant. Unfortunately, none of the responses provided change the position or address our concerns. Rather than re-iterating the original points again we have chosen to respond to a couple of specific new points raised by the Applicant.

## Reference Table 1-3 – D6 Submission

### Applicant Response - Point 2

The applicant suggests that Northgate Farm does not have rights of way leading south from the property

*“Following a further review of land registry data, the Applicant is not aware of a private bridleway access leading south from Northgate Farm.”*

This response from the Applicant is particularly disappointing and further illustrates our frustration with the current planning process. We have highlighted the rights of way benefits, that the property enjoys, on numerous occasions. This includes providing registration documentation with details of relevant covenants. The following covenant details were shared with the Applicant.

*“The right of way for the Vendors and their successors in title servants and licensees at all times on foot or horseback only over the track-coloured green on the plan for the purpose of access to and*

*egress from the public bridleway passing east to west over the property in the vicinity of Cotting Burn.”*

As it stands there is no provision in the current plans to preserve this benefit. The Applicant does suggest that we can get access to the south via the proposed PMA but this falls well short of the benefit that we currently enjoy for the following reasons:

1. We do not believe that it will be safe to share the PMA road with vehicles travelling at speed, particularly at night.
2. The current rights of way conveniently starts from the woodland to the east of the property. In following the PMA route, we will have to walk/ride over ½ kilometre via the new PMA to get to the same start position.
3. It is not ideal to have to walk/ride on tarmac.
4. The PMA route is more troublesome and less enjoyable as it entails travelling through our neighbour’s property where it has been made clear that we are not wanted.

In assessing the impact of the scheme on Northgate Farm, I am struggling to understand how the Applicant has been able to do this accurately if they do not recognise existing key benefits which are inadvertently being removed. Unfortunately, as previously documented, this is not an isolated example.

## **Reference Table 1-3 – D6 Submission**

### **2<sup>nd</sup> paragraph Applicant response - Point 2**

The Applicant makes the following reference to the issues raised the meeting on the 13<sup>th</sup>.

*“At the meeting on 13 May 2021, the Applicant confirmed that its position in relation to the majority of Mr and Mrs Hawes’ concerns remains as previously set out in items 1 to 73 of Table 1-3 in the Applicant’s Responses to Deadline 6 Submissions [REP7-017]. The majority of the remaining issues discussed would be able to be addressed by the Applicant at detailed design”.*

This statement provides a positive outlook to the current position, unfortunately this does not marry with our expectation. Whilst the Applicant provided responses to all of the 73 listed issues only one was resolved leaving 72 still outstanding. In going forward, we have identified 5 which could be addressed by detailed design. That would still leave 67 issues outstanding which are now unlikely to be resolved.

## **Table 1-4 – Written Summary to hearings**

### **Wednesday, 21st April 2021 – Issue Specific Hearing 3**

We appreciate the extra detail provided by the Applicant but this has not changed our position which remains as documented in deadline 6. In summary, the current views to the west and north which we currently enjoy will be significantly spoilt by the expansion of the carriageway, the tree

elling, the layby, the access road and the removal of Northgate cottage. The construction of a noise barrier will only partially mask this but creates its own negative visual effect. This is in addition to the visual impact of the PMA access road.

### **Wednesday, 22nd April 2021 – Issue Specific Hearing 3**

#### **Combined and Cumulative Effects**

Having reviewed the response from the Applicant we still stand by the original points raised in deadline 6 with respect to the Combined Effect. Although, we do not intend to re-iterate them here we would like to further reinforce the rights of way anomaly raised previously. If the Applicant is not aware of specific loss of benefits such as rights of way, how can they make an accurate assessment for the Combined Effects.