

Date of submission: 18th December 2022

**REPRESENTATION FOCUSED ON
TEMPLE SOWERBY TO APPLEBY SECTION**

REPRESENTATION BEHALF OF:

- 1 FELICITY NICHOLSON- OWNER OF [REDACTED]
[REDACTED]
- 2 RK&GF NICHOLSON – FARM PARTNERSHIP
- 3 CACTUS TREE GUARDS LTD
- 4 TIM NICHOLSON -OWNER/OCCUPIER OF HARE [REDACTED]
[REDACTED]

We write to **OBJECT** to the proposals on the Temple Sowerby to Appleby section on the following environmental grounds:

- Noise
- Air quality
- Landscape impact
- Ecology
- Light Pollution
- Climate impact

Noise and Air quality

Bringing the A66 closer to our homes, [REDACTED] and the surrounding farmland, as proposed on the route NH have selected will result in unacceptable harm during the construction phase and post construction once the proposed 70 mph highway is open. This is because it will result in increased in the number of vehicles coming closer much to our properties leading to unacceptable noise and air pollution.

NH have continuously failed to engage with us on grounds of noise, air quality and dust control both during and the construction stage and on completion. We made representations about our concerns at the statutory consultation stage and also at meetings in person. Thus far they have failed to offer any re-assurance. If this route is to be selected then why is it that other sections, such as the Brough horse fair section, has planned mitigation with noise bunding and screening for an event which doesn't even always happen and at peak about 6 caravans turn up for 2 days a year? This is very inconsistent approach to mitigation on the route. Why haven't NH offered bunding on all the sections across ours and other peoples' land where there are dwellings affected?

We have asked for bunding to screen the HGV lights as they cross the proposed Troutbeck bridge and the land that is shown as “at grade” to the north side of the highway after the bridge and also as the road passes under Sleastonhow Lane where the road will be very high in the landscape. From Hare Cottage and from our elevated land this section will be very damaging to our views and well-being but also it will bring the road light and noise impact much closer to the North Pennines AONB.

Not bunding or lowering the level of this section will also impact on the large s41 wading bird population on the area known as “The Moss” or “Mire”. Research has shown the impact that light and noise pollution from roads can have on breeding success of birds. Why can't this be addressed by NH? In their documents it is shown as not to be screened in order “to preserve the fine view of the Pennines for the road users”!! Seriously? What are our priorities here. These roads should not be trying to provide fine views for drivers at 70mph, landscape, wildlife and local residents should take priority.

Landscape Impact

National Planning Policy Framework paragraph 176 states:

“176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues..... development within their [AONBs] setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas”

The proposed route will take the proposed A66 closer to the North Pennines Area of Outstanding Natural Beauty, harming the setting of this nationally designated landscape. The National Planning Policy Framework places great weight to conserving and enhancing these designated landscapes. As a result of taking the route closer to and through undeveloped open countryside (a new landscape) it will result in greater landscape harm than the orange route which follows the existing route and will therefore be seen in the context of this existing route.

The additional junctions at Kirkby Thore will further exacerbate the harm to the setting of the North Pennines AONB.

Ecology

Following The Environment Act greater consideration needs to be given the impact of route on biodiversity and air pollution. The chosen route will result in permanent and unacceptable habitat loss and loss of habitat corridors that are so crucial for the movement of wildlife. One of Government's priorities is to improve biodiversity:

Biodiversity 2020: A strategy for England's wildlife and ecosystem services:

“By 2020, we will see an overall improvement in the status of our wildlife and will have prevented further human-induced extinctions of known threatened species.”

We note that in the PEI report Chapter 6.6.78 the surveys have not been completed for all routes and alternatives for this scheme and there is no recent information on which National Highways could possibly make an appropriate assessment of the impact on

biodiversity. We know what species are in our immediate area around Kirkby Thore and few of these have been recorded by the surveys. It is hard to see how this section of the project can be ready for DCO approval with such scant data. The PEI refers to records taken from the Biological Records Centre which are very out of date and rely on sightings being reported. For example it states that there are 3 records of Brown hare in the area. Our farm alone has as many 20-30 brown hares on 300 acres most years.

Many **Section 41** species will be significantly affected by the chosen route at Kirkby Thore including:

- Breeding Barn Owl
- Breeding Brown Hare
- Wintering and Breeding Lapwing
- Golden Plover
- Curlew
- Breeding Snipe
- Breeding Redshank
- Grey Partridge
- Linnet
- Breeding Skylark
- Breeding Tree Sparrow
- Starling
- Yellowhammer
- Bat species, Soprano Pipistrelle and Daubenton's bat
- Red squirrel
- Hedgehog
- Badger
- Otter
- Beaver

Barn Owl - In recent decades we have been provided increasingly more suitable habitat to support barn owls and they have returned to this area and now are seen regularly hunting along the hedgerows, especially along Sleastonhow Lane. They have regularly bred in two of our barns, successfully fledging young. The numerous young broadleaf woodlands and field margins have provided ideal hunting grounds for them. The biggest killer of these birds are trucks. Dead barn owls are readily seen on the existing A66. Moving the route of the road into a new alignment in the landscape will undoubtedly lead to more road deaths and it is likely that our local population will be wiped out. The plans provide for "owl crossings" and "bat crossings" over the proposed new dual carriageway! Honestly, how can they seriously suggest that these species will follow these routes and not be hit by trucks? The damage to these species would be limited if the route was in the existing A66 corridor. This proposal will create a wide zone of certain death for these and other species between the old A66 and the new A66.

Brown Hare – we have one of the highest densities of brown hare in the country, often we can count 20-30 hares on the farm, again the habitats we have created are ideal for them.

Lapwing – Whilst not breeding on own fields they do breed (8-12 pairs each year) on adjacent land (location 54.62266730739888, -2.5474902731055677) which will be part

of the road construction area and when operational the noise and light disturbance will almost certainly reduce breeding success as evidence now shows that artificial light and noise affects their circadian rhythm leading to poor breeding success. Once fledged they birds are regularly seen feeding with their young on our fields where the proposed route would go through. The breeding site is also a very significant winter roost, supporting 400+ pairs of lapwing all through the winter months. This site is crucial in supporting the breeding lapwing population in the North Pennines AONB. If this site is disturbed or destroyed the implications for the local and national population of lapwings are extremely serious for these populations. These 400+ birds are a high percentage of England's breeding population.

Golden Plover – whilst this is not a breeding site it is a later winter, early spring staging post for approximately 100 golden plover, these are crucial feeding grounds which allow the birds to gain body condition before they head further up onto their higher breeding grounds in the North Pennines AONB. This is a very significant population both locally and nationally which, if further reduced due to disturbance, may never recover.

Both of these migrating species are already at their tipping point and have become locally extinct over most of England, with this area being one of the last refuges. Once the number fall below a critical mass they will almost certainly be lost from this area. We should be doing everything we can to allow this population to expand, not gambling with the future of these last strongholds with ill-considered infrastructure projects.

Curlew – This area was once a stronghold for curlews. The number of breeding sites are now very much reduced to the AONB and fell edge. Whilst they haven't recently nested on our land they do annually visit to feed on adjacent land which will be impacted by the proposed route. They are regularly seen and heard crossing our land in the spring time, something that is unlikely to continue with a 70mph dual carriageway going right through it. This continued degradation of our landscape and habitats and species is not acceptable and runs contrary to the Government policy of reversing biodiversity declines under The Environment Act.

Common snipe – Snipe feed and breed in the same location as the other wading birds and feed in several areas on our farm.

Redshank – We have seen 3 or 4 breeding pairs of redshank on this area every year.

Grey Partridge – 25 years ago there was a thriving population of grey partridge on our farm. We regularly counted up to 50 birds. The local population has been devastated by changes in modern agricultural practices, especially multiple cuts of silage. None-the-less with a decade of effort to provide the habitats and food sources they need, they are making a return to the land in the proposed new A66 corridor. This species needs landscape connectivity, especially linear hedgerows and areas of scrub. The proposed route would sever the hedgerows and the road will be a death-trap for these birds which fly low across the ground. They will stand no chance with a 70mph dual carriageway going through their territories.

Linnet – large flocks of linnets use our land in the winter. Loss of connectivity in the habitats will be detrimental to this species

Skylark – We regularly have skylarks displaying over our fields. This species will not be able to tolerate the disturbance, noise and light and they nest in the middle of larger,

more open fields. These are our south facing fields which the proposed route would carve up into odd shapes, rendering them useless for skylarks.

Tree sparrow – We have a thriving local population of tree sparrows. They rely heavily on mature hedgerows and trees and are regularly seen along Sleastonhow Lane.

Starling – There are often large spectacular murmuration's in the area and starlings are seen flocked up with foraging field fares and redwings through the winter.

Yellow hammer – another species that use mature hedgerows, regularly seen along Sleastonhow Lane

Bats – Sleastonhow Lane is a favourite foraging lane for bats. The double hedged lane creates a microclimate for invertebrates which attracts the foraging bats at dawn and dusk. Removal of these ancient diverse hedgerows and the old ash and oak trees in which they will roost will inevitably have an impact on these species. Light, noise and air pollution will threaten their survival in this area.

Red squirrels – 6 years ago we had a population of red squirrels on the farm, perhaps 3 or 4 breeding pairs. Sadly, we think that they have been impacted by rising numbers of buzzards (with 12 birds on the farm some years), however we have been creating areas of new woodland that will suit red squirrels with birch, hazel, sweet chestnut and scots pine. We have recently recorded red squirrels on a camera trap so they seem to be making a come back. The linear hedgerow corridors are crucial for red squirrels to move across the landscape between small farm woodlands, without being seen or predated. The proposed route will sever these linear connections and prevent red squirrels from moving across from the SSSI river corridor to the woodlands on the north side of the farm. Again, their survival and spread will be impacted by the proposed new road corridor.

Hedgehog – Hedgehogs also rely on hedgerows for moving about the landscape. Busy roads will be the death of them.

Badgers – We regular see badger dung pits and have two sets on the farm. They are often seen using the route along our private track down to the river Troutbeck. This will be another loss due to severance.

Otter – This species has made a come back to this area. We have camera trap recordings of them using our otter holts along the River Trout beck and also coming across the farm where the proposed route would be. This will be the death of them once the road is operational, if they survive the construction stage. The disturbance will be sufficient to eradicate them from this reach of the SSSI/SAC area.

Beaver – No we don't have beaver here yet but we are going to applying to have them here. We have spent the last 25 years establishing suitable tree habitat for them on the Keld Sike. The sike has been identified as providing suitable habitat for them by Eden River's Trust. We hope to introduce them within 5 years. The proposed route would make this introduction very hard.

Light Pollution

Due to their encroachment further towards the AONB and their high position in the landscape relative to the existing A66 all proposals on the Temple Sowerby to Appleby

will have a significant impact on light pollution. We currently have excellent dark skies which will be lost with the proposed route. Beyond the Long Marton road end the proposed route rises up in the landscape which will cause light pollution all along the valley impacting the villages of Bolton, Colby, Temple Sowerby and Kirkby Thore. It will no longer be possible to see stars and the milky way around the village of Kirkby Thore. This is a great loss to humanity. PINS should be challenging the erosion of dark skies when there is no need to take this route into a new landscape setting.

Climate impact

It is widely accepted that we are in a climate emergency. The weight attributed to different constraints in determining the preferred route was wholly inadequate. The chosen route is putting the past before the future. The proposed route between Temple Sowerby and Appleby is estimated to produce 177,289tCO₂e GHG emissions while NH estimated that the proposed route will to produce over 600,000 tCO₂e GHG emissions *more* than the southern (orange) route. The chosen route also locks us into further emission in the future as it is longer with steeper gradients leading to higher emissions in operation. In addition to this there are many more structures to maintain which will contribute to future emissions and on-going public costs. Money that should be spent on projects which tackle our GHG emissions. The climate impact of highway construction must be the primary consideration in the Development Consent process. The GHG emissions of this project could be further reduced if the southern (orange/direct) route were to be built properly on-line utilising the existing road as one half of the dual-carriageway and building a minor local access road to one side. Building the local access road first would make building the new road much simpler, diverting traffic to the local access road whilst the road was built. The orange route proposed could also be built off-line.

The need for increase speeds on the A66, and especially the Temple Sowerby to Appleby section, has to be questioned. Increasing traffic speed will increase GHG emissions and harmful pollution of particulates and Nitrous Oxide. Speeding up this section will only lead to more traffic backing up towards Penrith. Surely the solution is to manage the flow of traffic by controlling the speed through this and other sections, thereby reducing noise and air pollution and reducing GHG emissions, but also reducing the congestion at Penrith thereby making journeys quicker and safer? We believe that dualling is not the only solution to this issue. NH are adamant that the road that would encircle the village of Kirkby Thore should be a 70mph road, but why? Surely this section should be used to manage traffic flow with variable speed or reduced speed limits. Across England & Wales sections of dual carriageway are now restricted to 50 mph and this significantly reduces fuel consumption (as much as 20% reduction in fuel consumption), noise and air pollution. There are alternatives to this dualling project as Kirkby Thore doesn't need a by-pass, this isn't a by-pass as the road doesn't go through the village! NH have consistently failed to consider viable alternatives and road improvement over the last 40 years. If the 40mph average speed camera section were to be extended to Long Marton road end and to the Temple Sowerby bypass the road would be a lot safer. Blocking the access via Main Street junction and providing alternative access for local traffic via a junction to the A66 coming from the east north/east end of the village would solve the issue of British Gypsum and Cragg & Cuttress Coldstore trucks in the village issue at far less cost, destruction of habitats and local access route and disturbance to the village in construction. This option has not

been explored as the design team have been told “the road must be dualled”. Yes there is a need for improvements, but dualling is not the only answer.

Any reduction in land take by the project would allow it to be managed to mitigate GHG emissions if it were to be managed with a focus on improving soil health. We are now 4 years into this process of regenerating our soils, including the very ones the proposed route would destroy!

Loss of soils

The loss of viable agricultural soils does not seem to have been seriously considered by this project. PINS seem to be fixated on loss of trees. Trees are easily replaced elsewhere and they are only one expression of what our soils can grow. People like trees but they are not the most important habitat that this route will destroy – SOIL!

NH have neglected the loss of important agricultural soils. They hold more biodiversity than can ever be seen growing on their surface. They also hold huge potential to sequester carbon and provide us food. Once destroyed this asset is lost to the nation/planet. Covering more and more land in tarmac and concrete is the biggest climate crime. The most important consideration of any development should be to make plans that minimise the loss of soils. This project has completely lost focus on what is important and what is necessary for traffic management and road safety. We know that continuing on this trajectory of building more roads and infrastructure is not sustainable and PINS have a duty to raise this issue. The nation does not need this road to be a 70mph dual carriageway and the costs vs benefits are simply too high.

Impact on historic environment

All routes will have an impact on the historic environment and cultural heritage. The National Planning Policy framework recognises harm to cultural heritage should be avoided and establishes principles and a hierarchy in order to protect the most significant assets. However, the National Planning Policy Framework recognises in paragraph 201:

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: ..

The main reason given by NH for them rejecting the orange route is Scheduled Monument which is the former vicus for the Roman Fort. This area has already been desecrated by a silage pit, houses the existing A66 and being metal detected. The proposed orange route also looks to have been moved (from the earlier purple route alignment which avoided the SM) to an alignment that crosses the designates scheduled monument. This strikes me as intentional to make the monument a scape goat for their poor decision making process. The alignment could have been amended to reduce the impact on this monument. In reality there is unlikely to be much of interest in the vicus as it was an area of temporary huts for people who lived outside the fort walls.

With regards to paragraph 201; there are a number of substantial public benefits associated with the A66NTP project. In the Temple Sowerby – Appleby section the greatest public benefits would be associated with the southern (orange) route by virtue

of the carbon savings being orders of magnitude greater than for the chosen route. The orange route would also result in less harm to the local community, their lives and those of future generations, landscape harm and harm to the setting of the North Pennines Area of Outstanding Natural Beauty.

Other issues

We urge PINS to seek more information from NH on the cost estimates for their chosen route in comparison to the orange/purple routes. We have asked on numerous occasions and under FOI for this information and still NH have not provided it. It is clear that their chosen route has a very high cost implication in both financial and environmental terms and it is one of the few sections where significant savings could be made if they were only challenged to consider the southern (orange/purple) route.

Severance

NH's chosen route will result in greater severance for Kirkby Thore as a result of all the arterial roads that lead to the village being severed by the dual carriageway. The whole village will be disconnected from the wider rural landscape by this project. How can this be an acceptable solution? This severance will leave the village with nowhere to develop new houses other than up to the new road. The area the road would destroy is the only logical area for such development of this village. Alternatively the southern (orange) route would not impact on the main village at all, only those few dwellings already on the A66 (about 12), How can this make sense? The village cannot develop to the south and east due to the floodplain, sewerage works and exiting road and it can't develop to south-east and north due to the mine workings. This really does only leave the area that the proposed road would develop. It would be a disaster for the local area and community, hardly a contribution to levelling-up! All the village of Kirkby Thore has needed is the Gypsum and Cold store trucks taken out of the village and this could easily be done as shown in the orange route option. This option was poorly developed by NH as they wanted to present it as a poor alternative by showing it with a shared junction with Temple Sowerby! How daft would this be when you see that tiny hamlets like Flitholme are given their own junction. We believe this was intentional to put the community off the orange route when NH had already committed to their preferred route. Clearly Kirkby Thore should have its own junction on the section between Temple Sowerby and Kirkby Thore and the chosen route was not the only viable solution to this issue. Even if the road wasn't dualled the Main Street junction could then be closed to traffic turning east (right) or closed entirely making all village traffic leave and arrive by a new road from the north of the village. No new bridges would be required as the local traffic volumes are low and the minor roads could be crossed safely, even have light control or mini roundabouts where the access road crossed the Priest Lane (Temple Sowerby road) and Station Road (Newbiggin road).

NH's chosen route will also result in unacceptable severance with [REDACTED], our property, and the village of Kirkby Thore.

With regards to the proposals directly affecting [REDACTED] the occupiers RK&GF Nicholson farm partnership and the owner occupiers of [REDACTED] we make the following observations:

1) Mitigation of noise, light and air pollution.

The proposed mitigation (no mitigation has been detailed) is wholly insufficient to mitigate the impact of noise and light on the occupiers, their houses and protect their amenity of the land.

Before at and after the statutory consultation stage we requested:

that there should be soil bunding on any sections where the proposed road is less than 6m below the current level we sufficient to screen light and noise pollution. We have received no response to this request.

that behind the bund we would want 30-50m of land to be planted with dense shrubs and trees to include some dense evergreen shrubs such as gorse, holly and juniper to help absorb some of the sound and air pollution as well as provide a good source of food for nectaring invertebrates and nesting for birds. We have had no response to this request.

We stated that the timber sound boarding shown on one set of “detailed” plans was wholly unacceptable and not a sufficiently permanent solution. The panels on the Temple Sowerby by-pass have already disintegrated, rendering them fairly useless and scattering glass fibre insulation into the environment.

Specifically; from chainage 33710 to 33900 the height of the road below the existing ground level is between 0 and -6m and we wanted a commitment from NH to soil bund this section as it is directly in front of both [REDACTED] [REDACTED]. They have not addressed this issue at all.

This section also has a layby right in the line of sight of our properties. This layby will lead to litter blowing across our land towards our houses putting livestock constantly at risk of ingesting it, we therefore requested that the location of this layby be moved and it is still on the plans, nothing has been done to address this.

Where the road crosses a long span of bridge to cross the Troutbeck we requested some sound and headlight mitigation on the bridge crossing. Headlights will be shining directly towards our houses and sound will travel across the valley with the prevailing winds.

We requested general arrangement drawings for the alternative routes “consulted on”. Only providing them for their preferred route demonstrates their lack of

serious consideration of any alternative route and it was extremely unhelpful. I showed an obvious bias towards the preferred blue route and in reality they weren't consulting on alternative route options as they didn't present them in any detail.

2) Farm access

We are the host farm for [REDACTED] which requires us to hold regular farm events on Regenerative agriculture and an annual 2 day conference. The first conference was held in June 2022. Any disruption to the access for these events due to the construction phase will have a severe impact on our ability to host these events.

3) Impact of loss of land, soils and severance to farm business

The proposed route would have an unacceptable impact by severing the land across the best block of land on the farm. It dissects all the south facing sandy loam fields. The land take (permanent or temporary) for construction compounds, the road, a 400m bridge over Trout beck, revised alignment of Sleastonhow Lane with the dual carriageway, access tracks and balancing ponds will be devastating to the farmed unit. This is an average sized family farm which is rare in that the farm buildings are in the middle of the whole block of land. We find the loss of high quality agricultural cropping land to be socially and morally unacceptable and it is hard to see how the farm will be an economic agricultural unit with this loss of land. The land is being farmed regeneratively with a focus on building soil health. The rich floodplain land (some of which is grade 2) was until recently in the arable rotation but it is no longer considered viable due to the impacts of more frequent and prolonged flooding. This only realistically leaves the 100 acres of land to the south and west of the farm, most of that land would be destroyed or damage by siting large compounds on.

The farm is currently 300 acres with the farm yard and house in the centre. By splitting the farm in two the farming operations will be severely limited. The road proposals destroy all our best south facing and free draining sandy loam soils which is where we grow cereals for grain and bedding straw. These fields will be rendered unusable for arable with all the awkward triangular field shapes that would be left by the severance. The one arable field left out of the proposed scheme (location [REDACTED]) cannot be accessed by a combine harvester if there is no access provided to the gate at location [REDACTED]. Equally the track is required to access the fields in and around location [REDACTED]. It is not practical or safe to access these fields with large machinery down the steep banks from the east side of the farm yard. Leading bales up steep angled slopes is dangerous and with round bales this leads to bales falling off the trailer which is both dangerous and causes delays when time is at a premium.

- 4) We object to being responsible for the fencing of proposed new linear hedges along dual carriageway. We have raised this concern with NH and they have failed to provide any detail specification for this fencing which could be badger fencing. Their plans introduce an unreasonable length of fencing which we do not want to have to maintain. We think it must be over 2 km of additional fencing and similar length of hedgerows. We will incur unreasonable costs in maintenance in the future.

This same issue relates to the 2 outfall ditches from the pollution prevention ponds which are shown to drain directly into the SSSI/SAC river! NH haven't been able to provide any detailed design and can't even tell us if these would also need to be fenced. If they are ditches, not piped drains, then they almost certainly will need double fencing or they'll be death traps for livestock.

5) **Water supplies.**

We have told NH on numerous occasions that their proposed route will impact on our mains and private borehole supplies. The mains supply to the farm comes from location [REDACTED] under the Trout Beck to location [REDACTED] where it meets the borehole. The electricity cable for the borehole pump and water pipe then run up the fields to location [REDACTED]. The construction of the road will cut these supplies and will almost certainly cause contamination of the borehole supply. It's possible that piling for the bridge will damage the aquifer around the borehole, polluting it and rendering the borehole inoperable. They have not addressed this issue at all to date.

6) **Power supply and generation.**

The construction stage will inevitably interrupt the mains power supply to the farm. Any interruption of the 3 phase supply is business critical as we use 3 phase motors to run wood processing machines most days. It would also impact on our ability to feed power into the grid via the 54kwp of solar panels we have on the buildings.

7) **Drainage and damage to soils.**

The construction phase will inevitably lead to very damaged soils and sub-soils due to the impact of heavy plant and storage of materials. The sloping ground that the proposed route would carve its way through will be at very high risk of soil wash, inevitably polluting the SSSI/SAC rivers. In the event of intense rainfall and/or flooding it will be impossible to avoid soil wash into the river. The damage to the SSSI/SAC will be significant. Construction compounds will damage underlying soils and land drains. Soils rarely recover from this long-term damage.

8) Re-alignment of Sleastonhow Lane.

The re-alignment of Sleastonhow Lane seems excessive, destroying more good sandy loam soils and destroying an ancient trackway and ancient, species rich hedgerows. A more ecological approach would be to cross the new highway with a longer span of bridge and keep the current alignment, biodiversity and character of Sleastonhow Lane as in tact as possible.

We have told NH at Statutory Consultation that it is important that this bridge has a load capacity in excess of 50 tonnes so that articulated grain wagons and wagon and drag timber wagons can access the farm buildings. It is imperative to the business here that access to the farm by 45t wagons and large agricultural machinery is maintained at all times throughout the construction phase, failure to do this will lead to business interruption and loss of earnings. Building a newly aligned road would effectively lead to a redundant lane next to the new one. To remove it would be more loss of habitat and destruction of an ancient routeway which is understood to have been a track to a lookout tower over the Roman road, Roman camp and the Roman fort. With views in all directions this seems logical. They have failed to offer any assurances about the capacity of the bridge or access.

9) Loss of habitats and habitat connectivity.

The proposed route does not take consideration of the existing habitats and linear features. The plan shows excessive lengths of ancient hedgerow removal. If these aren't retained connectivity of habitats in the landscape will be severed. We have spent a lot of time and effort in the last 25 years to manage the hedgerows to their best potential with many being laid and re-stocked then managed on a long laying cycle. The difference in quality between our hedgerows and those in the surrounding landscape are notable. NH have still not considered how to reduce impact on the local hedgerow network. Their plan shows linear hedges along the route of the road only which does nothing to retain the connectivity in the landscape, although this is hard when the route bisects the landscape in such an awkward way paying no regard to the existing landform.

10) Impacts on local landscape value, amenity and fine vistas.

The proposed route carves its way through an ancient agricultural landscape with lack of regard for the impact on the landform, fine rural vistas and well-being of the local residents who enjoy the views from Sleastonhow Lane, Priest Lane and Station Road. This important local amenity will be lost with the disruption of views and noise and light pollution from the proposed alignments. It has been striking that the road designers who have visited us have (until those visits) never set foot on the land and haven't appreciated the fine landscape setting. In fact, Alfred Wainwright wrote in "Westmorland Heritage" that "the finest views in the whole of Westmorland were to be seen from Sleastonhow Lane". It is also the route of the increasingly popular "Lady Anne Way". If it weren't for the current A66 and British Gypsum works detracting from the landscape we believe that this is far superior landscape than most areas which are protected landscapes,

affording fine views to Wild Boar Fell, The Howgills, The Lake District Fells (including the prominent Blencathra) and also the northern Pennine chain with its highest peak Cross Fell. You can understand why Wainwright was so taken by it. PINS should ask themselves how this landscape setting can be so desecrated by people behind computer screens that have no relationship to or understanding of the local area?

11) Loss of biodiversity

We currently enjoy daily sightings of brown hare in the south facing fields and sparrow hawks and barn owls hunting along the lanes. We have seen and recorded otter along the river and floodplain and badger along the tracks. These species will surely be lost through disturbance and road deaths if this route goes ahead. The road will become an impenetrable barrier for many species. Butterflies, moths and birds will also be decimated by the loss of habitat and disturbance. We really value seeing these species in our daily lives. Our lives will be much poorer for this loss. We question how this is acceptable with a route has such a poor benefits to costs ratio.

12) Shooting and fishing rights and general amenity.

The proposed route will lead to a loss of our sporting rights on the farm. The DCO line shows the riverbank on our side being acquired. This effectively prevents any use of sporting fishing rights we hold. The location of the highway would also prevent any shooting rights from being exercised in the vicinity of the road.

The light pollution from the proposed route will lead to us not being able to see the night sky with all its constellations and The Milky Way.

These routes will inevitably lead to a loss of wildlife in our surroundings. The first few years of construction and operation of the road will lead to a massacre of wildlife in this area. Roe deer will be a particular problem for the road users as they will continue to try and cross the impacted fields into their existing territories on both sides of the Troutbeck. The Barn owls and bats that currently traverse these fields and hunt along the hedgerows will be killed by trucks, as will hares, badgers, hedgehogs and otters. How will wildlife be able to cross the road? This is all an unnecessary loss of s41 species when the alternative Orange route could be built online, not severing another landscape like the proposed route would.

13) Lack of certainty

Due to the rushed nature of this application we are left with no certainty about what land NH which to acquire permanently and temporarily. They don't know themselves. In the plans submitted they show the whole DCO area as being permanent land take but this is clearly not the case. They have land under the bridge structure which they wouldn't want to own, they show linear strips for power

lines as permanent land take. All this uncertainty and yet they are pressurising owners to enter into contracts and options early. This is creating huge amounts of stress in an already stressful process.

It is hard to see how this scheme is ready for DCO approval and we urge PINS not to recommend this scheme, or at least the worst planned sections of it, to the Secretary of State. The Temple Sowerby to Appleby section is by far the worst thought through section on this project. The route selection and design process has been, without doubt, an utter shambles. NH clearly made their route selections without gathering sufficient (any?) information and are now determined to make it fit at any cost. They have followed a flawed process (if indeed they have even followed a process) which needs to be called out. They need to be challenged to think again about the short, medium and long-term impacts of their proposals, not just keep pushing ahead because of the pressures of "Project Speed". Zero consultation before they designed this section of the scheme will lead to poor decision making, poor costly delivery and a poor end product. The British tax payer deserves much better than this. The global community needs our Government to scrutinise our GHG emissions and Biodiversity impact on every National Infrastructure project.

