

## **Post Hearing Submissions on the A66 Northern Trans-Pennine Project**

### **Submitted on Behalf of the Taylor Family**

**14<sup>th</sup> March 2023**

#### **1. Introduction**

1.1 We are instructed to submissions on behalf of Messrs T, A & R Taylor of

[REDACTED]

[REDACTED].

1.2 We have previously submitted on behalf of Messrs Taylor written submissions for deadlines 1,2 and 3. We do not propose to repeat those representations, but would stress that the issues raised remain unresolved.

#### **2. Post Hearing Submissions**

2.1 Further to the Compulsory Acquisition 2 (CAH2), and Issue Specific Hearing 3 (ISH3) held on the 1<sup>st</sup> and 2<sup>nd</sup> March 2023, please find below a post hearing submission on points raised and/or queries arising from the hearings.

##### 2.2 General Commentary

2.2.1 We have raised through this process substantial concerns as to the lack of detail provided by the Applicant and/or certainty on their part as to the intended design, acquisition areas, future land

management, and also the lack of any meaningful attempt to negotiate terms with Landowners & Occupiers.

2.2.2 We note that similar concerns have been raised not only by other Agents but also organisations such as the NFU, Statutory Bodies, and Local Authorities.

2.2.3 The ExA's frustration at the Applicant's lack of progress in reaching agreement with Statutory Bodies was also noted during the hearings, and this must also in part be explained by the paucity of information provided by the Applicant.

2.2.4 We would respectfully ask the ExA to consider at what point these repeated failures on the part of the Applicant (to the continuing detriment of our Clients) compromise the Application to a degree that the timetable should be revisited, or indeed the application withdrawn.

### 2.3 Ecological Mitigation Areas

2.3.1 A number of queries were raised during ISH3 in relation to the status of land earmarked for ecological mitigation, and whether the areas shown essentially just constituted restoration of existing grassland rather than improvements in the form of woodland or wetlands etc to off-set losses elsewhere<sup>1</sup>.

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<sup>1</sup> ISH3 Session 2 07:12 – 09:20

- 2.3.2 Specifically in relation to plots: 04-05-51 and 04-05-56, we have yet to be provided with details as to whether they have categorised the areas EFB or EFD.
- 2.3.3 For EFB areas, the Applicant has yet to provide confirmation as to whether post works they can remain in agricultural production.
- 2.3.4 In respect of any EFD areas, we would ask for clarity as to what form they will take, and who will manage these areas.
- 2.3.5 The drastic difference between the two designations is of critical importance to Messrs Taylor. We would submit that it is impossible for them to reasonably plan and mitigate their losses without this information.

#### 2.4 Plot Query r.e. Right of Way

- 2.4.1 0405-05-42 and part 0405-05-21 allow for footpaths/bridleways and access to the pond and underpass. It would make sense that the access to the pond is allowed for on the line of the existing bridleway straight up to the underpass within the field margin alongside the rationalisation of public footpaths onto the same line. This would ensure the farm traffic and public rights of way are kept separate ensuring safety can be maintained. The plan below shows the proposed arrangement:



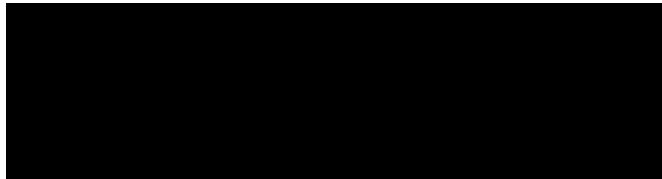
2.4.2 As shown, we would suggest that the public footpath (317/006), and access to the drainage pond are diverted to run on the same line as the existing bridleway (317/012) to the underpass along the route coloured red above.

## 2.5 Access to Retained Land

2.5.1 In regard to the land to the West of 0405-05-07, it is unclear how access to this area will be achieved following completion of the works as it appears to become landlocked. Please could the Applicant confirm how the necessary accesses will be provided.

### **3. Conclusion**

- 3.1 In conclusion, following CAH2 and ISH3 the lack of detail provided by the Applicant remains of concern, and is clearly impacting the scheme on a wide basis. There also remains a lack of substantive efforts to negotiate on the part of the Applicant.
- 3.2 ISH3 raised queries in respect of ecological mitigation areas and further detail is needed from the Applicant in this regard in order to prevent Messrs Taylor incurring otherwise avoidable losses.
- 3.3 We also identify areas where clarification is required in regard to proposed rights of way and access to retained land.



14<sup>th</sup> March 2023