



Hearing Transcript

Project:	M5 Junction 10 Improvements Scheme
Hearing:	Issue Specific Hearing 4 (ISH4) - Session 2
Date:	15 October 2024

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TRANSCRIPT_M5JUNCTION10_ISH4_SESSION2_15102024

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00:04

Okay, it's time that we resumed. Thank you everybody.

00:12

I just checked that teams and the live streams back up and running. Super Thank you very much. Okay, I'll return to my colleague, Mr. Regan, to carry on it. Roman five, I think, is the next item.

00:27

Thank you. Applause.

00:48

So moving on to the next agenda item, please. And it's really exploring with national highways. The deadline, five, submission, reference, 5039,

01:00

please.

01:13

Sorry, my mouse was doing strange things then.

01:16

So firstly, having regards to the national highways deadline, five submission within that you express some opinions with regards to the need for a normal movement junction and indeed, whether that is a optimum outcome. Could you please just spend some time explaining that particular point to us? Thank you.

01:41

Thank you, sir. Safety Stuart for national highways.

01:47

National Highways concern was the fact that they were unsighted on the evidence base to support the determination of the need and form of the junction itself for a typical scheme on the strategic road network. National Highways developed their solution through an iterative process, refining and developing the solution as a result of data collected and received through the process. That data

typically includes information on safety matters, environmental constraints, stakeholder contributions, engineering requirements and forecasts made based on the traffic modeling.

02:27

The iterative process to develop the appropriate solution seeks to adhere to the principles and reach a balance minimizing adverse impacts whilst still meeting project objectives

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in a similar manner to a national highway scheme. The form of the all movement junction that's proposed is dictated by the need to understand the constraint, constraints, traffic and safety considerations.

02:53

As I just said, a process is followed whereby data is assessed to develop options that fulfill the requirements of the objectives. And it may be that some options or solutions perform better than others in terms of operational performance, but what is unclear and has not been presented, either in full to national highways or, we believe, to the examination at the moment, are the mechanisms by which the full movement junction submitted as part of the application was determined as being the optimum outcome,

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the applicants made reference to the joint core strategy, the JCS in support of the need for the all movement junction.

03:34

But, and we accept that the JCS in Does, does support and talk to that,

03:42

but the documents therein are silent on the process to confirm the means by which the design that's been submitted as part of the application was determined. So for a typical national highway scheme, the iterative process is documented in the following way, and I appreciate we'll follow this up in writing for all of the various references, but it's basically documented at the appropriate PCF stage which follows dmr, TD 37 slash 93

04:13

and it's PCF stage zero, a feasibility study. Stage One, a technical appraisal report. Stage two, a scheme assessment report. Stage Three, route development report, or a similar document which supports the environmental impact assessment work taking place

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since submission of rep five, 839,

04:39

at deadline, five and slightly before national highways has been engaging with the applicant to understand the evolution of this project in its early stages, in the concept, in the context of those PCF stage gateways, the

04:55

applicant is probably best placed to provide the detailed narrative here. So.

05:00

And I would invite them pass over to them shortly, but following our discussions national highways, current understanding of what's taking place for this scheme is that alternative highway interventions were considered that looked at both the form of the junction and its location, and they included complementary solutions to existing infrastructure, ie adding the two missing slips a dumbbell arrangement for the junction and gyratory solutions,

05:29

the applicant also undertook a process of assessment to appraise those different solutions, Considering Environmental Engineering, traffic cost and safety matters,

05:41

complementary solutions and offline alternatives were discounted based on the Assessments I've just described, leading to the solution at junction 10 that's currently being promoted.

05:55

The applicant undertook further appraisal of the dumbbell arrangement compared to the gyratory that's been put forward, and it was determined that the gyratory was the preferred solution. And then evolution of that gyratory solution, following updated modeling, led to the introduction of the traffic signals due to capacity capacity concerns on the circulatory carriage way, as I said earlier, that's national highways understanding following discussions, but the applicant would likely be better placed to expand on those assessments that have been explained to us.

06:34

That's okay, sir. Thank you. So

06:37

based upon what you've just said, there are obviously some concerns with regards to the development and the need of the scheme,

06:46

but then you explained the assessment of alternatives that the applicants followed. Are you saying that even following your understanding of that assessment, you still have concerns? I'm assuming you're telling me that that doesn't move on. Move you away from the concerns you've identified. Thank you, sir. Sophie Stuart for national highways, my understanding is that national highways has only recently been provided with some of this

07:13

information verbally. We've not seen the underpinning documents. We've just been told what has taken place,

07:22

so you've had verbal information subsequent to drafting your d5 letter that may or may not alter what you've said in that

07:31

submission. That's right, sir, I'll go to the applicant in a minute, but if I can just clarify two things with national highways, first, please,

07:42

your b5 submission uses the phrase optimum outcome, with regards to whether the full movement junction is indeed, quote, unquote, the optimum outcome. Is there any policy requirement that we should be aware of that requires an applicant to deliver an optimum outcome.

08:10

Thank you. So I'm going to, I'm going to say, we will double check that and come back to you, but in the meantime, I'll pass to Rebecca Marshall. Thank you, Rebecca Marshall, for national highways. The only one thing that springs to mind beyond us checking thoroughly is

08:29

the need for minimizing land take and only using land that's required. So actually, would that, for example, be a solution which delivered the same level of benefits, but had less land take, could be a scenario, and where would we? Where would we find that specific policy with regards to land take that you're referring

08:51

so we'll check and come back in a summaries with specific references. Thank you. I

09:04

can I just ask, from national highways perspective, if you were the applicant, would you have all this information out in the public domain that you're asking the council to provide?

09:20

Thank you, sir, safety Stuart for national highways. Yes, if it was a DCA being promoted by national highways,

09:27

it would have been provided. Thank you.

09:35

Just moving through your d5 submission to the top of the following page, page eight, and this is the point that you're articulating, really, with regards to correct me if I'm wrong, the kind of development of the of the scheme in line with the project control framework stages and indeed, the requirements of dmr, b,

09:56

you've obviously saying that, based on what you've seen the applicant is.

10:00

Efficient with regards to those requirements, and I'll go to the applicant in a minute to hear their position on it. But again, just to help me, is there any specific policy requirement that you wish us to be cognizant of which requires the applicant to have followed that specific PCF, dmr, b process? Do and so I think this first point around specific policy again, we'll check and come back with with references on

10:40

the same vein, though, I think at the moment, what we're saying is we're not necessarily saying that the applicant is deficient. We're simply saying we haven't seen it.

10:51

We don't know whether it's deficient or not. There may be documents that exist

10:58

Understood. Thank you. And think last question for national highways before we go over to the applicant, please,

11:06

is there any specific I think I know the answer to this, because you've half answered it, but is there any specific evidence or issues that you wish to sign the post which support the concerns that you've just articulated? Please do

11:31

Becca Marshall for national highways. So as we alluded to earlier, we believe there has been an assessment undertaken by the applicant to determine that the solution being promoted is the optimal solution. I don't know the names of those documents that contain that work, and that's what we're hoping to have sight of.

11:52

Thank you.

11:55

Gotta give the applicant chance to respond to what you've just heard and what national highways have stipulated in their d5 submission in particular, please, thank you.

12:06

Steve Case Mark, for the applicant,

12:09

I just start by saying clearly, you know, with the scheme being on the strategic road network, the the applicant has endeavored to develop the scheme in partnership with National Highways and keep them informed of the

12:22

development of the scheme throughout the process. I recognize that's not necessarily with the same section of national highways. Correct me if I'm wrong, but national highways are represented here by the spatial planning team, where the early stages of the discussions that we had with national highways were with their technical team rather than the spatial planning team. So they're different teams.

12:48

So So national highways have been involved in the scheme and had sight of the evolution of the scheme at the various stages. They've been involved in all the statutory, non statutory consultation. They've been had cited the public consultation material. They clearly will have been involved in the

13:08

JCS and the evidence base, the statutory consultation consultee on that and appropriately seen all the evidence base that went with the JCS at the time. So

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the point, the point I'm making is, you know, the applicant feels that we It has kept national highways informed of the process at every stage and and they have had sight, and we've followed the

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PCF process, or its predecessor at the time, throughout and the principles that were out by Ambassador, how is there of an iterative process

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that responds to

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multi criteria? Assessment of the different options, etc, has been applied,

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and that's led to where the scheme has been developed?

14:02

The key I'd like, just like to point out that TD 3793 was withdrawn in March 2020, and to my understanding, was replaced at that time by PCF, the PCF process. So the evolution of this scheme straddled a change from the guidance in TD 3793

14:21

to the PCF. So from our perspective, we effectively adopted the PCF process from Stage Two onwards. Prior to that, we were following the TD 3793 guidance. So it is a little bit

14:37

there has been a switch in the process during the evolution of the scheme to understand that. So the JCS effectively the need for the scheme, and the high level assessment that established the principle of the scheme that equates to the PCF stage zero.

14:59

So.

15:00

That was, was that that stage we then

15:05

the need, as I've outlined previously, the need for the scheme

15:11

was confirmed as well by the the work that supported the HIF,

15:17

if funding application and outline business case which has also been presented into examination. So so that also supported that, so that that body of work effectively equates to the stage zero.

15:36

Then there was PCF stage one, where we developed this, the scheme which was based on all movements junction and that looked at previous studies of alternative junction layouts that were were in existence at the time, and different options for the form of the junction and its location. So that was also assessed as part of a, effectively a PCF stage one assessment that was reported in a technical appraisal report, which was submitted to national highways at the time and

16:11

and and signed off by national highways. So that was, was was in there, and all that information is summarized in the

16:22

ES as well. So, so that is is reported in there,

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and and it

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was subject to public consultation at that phase as well. Yes,

16:37

and the six options

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the outcome of that were that, in that there were six options taken forward for detailed appraisal assessment. It was again, the, you know, multi criteria assessment using, you know, environmental design, safety, all the normal

16:56

considerations you would give to selecting the preferred schemes to come forward.

17:02

And from that, there were

17:07

three options proceeded to the next stage,

17:11

and those went to the PCs stage two, which was following the production of the let me

17:21

get this right. Technical appraisal report,

17:26

and they were subject to non statutory public consultation.

17:32

The following the public consultation, further assessment was captured, and the consultation outcomes of connotation were considered in combination to determine a recommended option, and then we produced, in line with the PCF stage two, we produced a

17:52

staged overview assessment report,

17:57

which again, was submitted to national highways, so they've had sight of that report as well.

18:06

And following that the PCF stage three, we followed the there was effectively as the outcome of PCF Stage Two was the preferred route announcement, which is the preferred scheme.

18:18

And

18:20

at that time, the traffic modeling was updated because of changes in forecasts and information that was available and guidance, and this actually resulted in notably more traffic using the pro scheme, and that triggered a refinement of the preferred option,

18:42

including three lane approaches to the the gyratory

18:49

and then and that triggered, therefore, the need for signalization of the gyratory for Road Safety and capacity issues. So, so that was refined in response to the the the revised, updated traffic modeling.

19:05

We didn't need to revisit previous options at that stage because the other options, such as the dumbbell option, had had failed on capacity grounds. So if we have higher traffic, it assumes that that would would have failed. You don't need to revisit them if they failed on that basis previously, so you wouldn't revisit those at that stage.

19:26

So in conclusion, we've,

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you know, we believe that national highways have been had sight of the information and evolved in the evolution the scheme,

19:37

and we followed the guidance

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as as outlined in the recommended guidance at the time, albeit that's changed midway through the process,

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and we've

19:53

you know, it's been an iterative and fully comprehensive assessment of options alternative.

20:00

Is to get water where we are now.

20:06

Thank you. I mean, I suppose the obvious difficulty we've got is that we're hearing different tunes from different sides of the table, whereby you're saying that you haven't followed the appropriate PCF processes and national highways are expressing doubt over that, so obviously we'll look forward to your respective positions in writing, along with identifying where you have met the overarching policy requirements. Please.

20:34

I think what might be helpful for us is I'm assuming that what you've set out is broadly what was set out in the alternatives chapter, which is a PP 062,

20:47

but

20:49

is there a clear audit trail with date, with the timeline showing the different stages and when you had your communications with national highways at the various

21:02

points along the PCF trail and so on. I don't know whether that would help national highways as well, but I think it would help us to understand in more detail the process that you've gone through in considering those alternatives and the timeliness of how things have evolved. If that's something you'd be able to provide for us? Steve Cape, apart for the applicant, yes, I'm sure we can provide that.

21:30

I think my follow up question is, whilst you're saying to us, you you don't believe you've seen the evidence that supports the applicant's position,

21:42

from what you have seen laid out in evidence, is there anything that indicates there's actually a problem with what's actually before us in the DCO application, even if they haven't followed the exact process that you would follow? Is the scheme that before is creating A problem in any shape or form.

22:22

Rebecca Marshall for national highways, the scheme has presented in its form. Know where we were coming from is, how has it been determined that's the best solution? Is there another solution which we may be equally comfortable with?

22:38

So whilst we accept what the applicant has responded with, the technical appraisal report, for example, is a effectively a summary report. And there is work under that is done to underpin that. That's the evidence base, and that's what we haven't seen so

23:05

sorry, the cogs are turning slowly this morning.

23:09

I wonder if it's worth when you're saying to us that all of this has been presented to national highways through various consultations and meetings and so on and

23:22

but

23:26

is the issue a lack some sort of breakdown of communication within national highways, or is it somewhere else, because we need to have clarity, really, as to what national highways position is

23:40

When we're being told that there's been a clear communication trail from the applicant

23:48

and so Sophie Stuart for national highways, and if it, if it helps and helps, moves matters forward, if the applicant could provide the pack of documents that's already been provided

24:04

to national highways.

24:07

Again, that would be

24:10

perhaps one way through this.

24:18

Well, I think what I would suggest is that that's certainly one possibility, but also it might be a possibility to have the conversations with the team that the applicant was speaking to to see if they have the pack of information already,

24:32

and if they do, why haven't they shared it with you? Becca Marshall, Rebecca Marshall for national highway. So we have had that discussion with the spatial planning team. We don't believe, for example, the evidence that underpins the JCS that we hold that information the applicant believes we does so if they're willing to reshare it with us.

24:52

And I don't know whether that is because we didn't receive it, or there has been a breakdown in communication within national highways. I couldn't confirm that, but.

25:00

We don't believe we hold that information currently.

25:03

Okay? Well,

25:06

sir,

25:07

I've also

25:10

just been told that, apparently, in discussions that have taken place with the applicant recently, there are at least three documents that definitely haven't been provided to national highways.

25:24

Okay, are you able to say what they are?

25:31

Rebecca Marshall for national highways, we haven't been given the titles of those documents, just that there was three reports produced and that they contained the breakdown evidence the assessments, for example, why signals were put on or that the dumbbell had capacity issues.

25:48

Okay, I think it would probably be helpful for both parties to have a conversation outside of the room to try and fill the gap that appears to be missing,

26:00

and then hopefully between you, we can get a clear position,

26:04

ideally at the next deadline, that would be nice, but

26:12

thank you. So yes, we keen to do that.

26:15

I think there was also a suggestion from national highways that perhaps some of that information should have formed part of the application submission and be publicly available. I think I would appreciate responses on that as well, in terms of whether that means that there is any weakness in the application which is in the public domain, or whether that falls into a nice to have basket again, I'd welcome the conclusion of that discussion on whether there is anything that should have been submitted against the application that is missing. Thank you.

26:59

I suspect there may be other people who wish to comment on alternatives and the need for the scheme.

27:06

Could I invite the joint councils? Is there anything that you wish to mention under this agenda item, please.

27:13

So the joint comment councils have no comment. Sorry. Kezra Knight, for the joint councils, we have no comment. Thank you.

27:21

Is there anybody else in the room or online who wishes to comment on this particular issue and alternatives in need for the scheme,

27:31

not seeing any hands, not seeing anything online?

27:39

I think that.

27:42

Yeah. I think that gets to where we need to get to. Is that item? Thank you. Thank

28:03

I'd like to move on to item six, then, and this is a agenda item where we are seeking current positions from the applicant and any interested parties with respect to

28:18

future access to sites for existing or indeed any any future uses.

28:25

I'm aware that Bloor Holmes have submitted a deadline for submission on this. Is there anything in particular that Blore Holmes wishes to raise at this particular point?

28:39

Thank you, sir. Tony Weston, for Bloor and persimmon, although for Blore actually, in this case, in respect to the safeguarded land, we have made a submission in respect of the existing agricultural use and the replacement access which is proposed to the safeguarded land. And the position remains, effectively, as previously stated, We have seen the applicant's response, and you know, we don't really have any more concerns regarding that agricultural use, but I understand that the landowner may have some additional concerns. I'm not able to speak for the landowner today, so I was proposing to ask them to make written submissions after this hearing.

29:19

Thank you. So your position with regards to agriculture access, as we sit here today, is that that matter has been resolved through discussions and the responses from the applicant, I think blow homes. His position is that they've seen what the applicant has to say, and we don't have any further representations, but I understand that the landowner does have still some concerns around the suitability and the safety of the agricultural access, but I don't have any more information about that today, so I think it's probably best if I let them speak for themselves by way of a written submission after the hearing. Thank you,

29:56

given that that access is likely to fall on.

30:00

The remit of the local highway authorities. Is there anything that the joint councils wish to, wish to say with respect to the adequacy of the the

30:12

DCA proposals into the agricultural access of those safeguarded lands? So the shake of hand, there's no comment. If there is, we'll put it, into writing, it written submissions that would be helpful, and indeed, if you could signpost any concerns that you have with regards to policy conflict or road safety in particular, that would be incredibly useful. Thank you. Thank you, sir. Applause.

30:46

If I can go back to bluehomes Now, just really with regards to the deadline, five submission, whereby you're responding to question certain second written question five, zero, 16, and this is any remaining concerns that you may have with regards to any future access provision into the safeguarded land. If we could please ask for you to articulate those now. Thank you. Thank you, sir. Tony Weston for floor homes so the broad the position with the development access to the safeguarded land is that blow homes and the landowner do remain concerned about the potential for their land to be ransomed by the applicant following compulsory acquisition. We're obviously aware that the applicant has submitted a plan

31:38

at a previous deadline, which I think is Appendix C of rep 4037,

31:44

which shows the new proposed highway limits. Obviously, we note the intention, but the plan is quite clearly labeled as indicative. So it doesn't really provide any real assurance. I think also, it's worth noting that the applicant in their response to the examining authority's second written questions has stated that it doesn't propose to provide any commitment or assurance as to the final highway boundary, so effectively blow homes and the landowner can't place any reliance on the plan that's been provided.

32:18

I believe they the applicant's position on that is that there's no precedent for providing a commitment to that effect, and they need flexibility with regards to the future design.

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But I'm not sure that we accept that response. I think it is within their gift to make a commitment if they wish to do so,

32:38

and even if that was just a commitment, effectively, not to ransom the safeguarded lands. But again, we haven't had any response from them on that. So they haven't chosen to make an offer or give a commitment or assurance as to that, as at present,

32:54

I think, as indicated in our responses to second written questions, we have tried to work with the authority to try and mitigate the ransom risk, and we've undertaken our own work to try and propose an alternative access to the safeguarded land. Since we responded to the second written questions, we have had a response from the Gloucester County Council highways team on that alternative access which has provided was with some comfort, because we do believe it would mitigate the ransom risk, but not entirely remove it. So I'll probably just pass over to Joe woolledge Now just to explain kind of where we've got to in terms of that second alternative access. Thank you. Joe Wooldridge for broad homes, Pacific Homes. So sorry, could you just move

33:48

we've submitted a pre application advice request to the local highway authority. That request was for an access from the a 4019,

33:58

to the to the east of the junction with the link road that the applicant is proposing,

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that access design is based upon the DCO scheme being implemented, so it'll be a new junction from the proposed dual carriageway.

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The Highway Authority has agreed, as part of the RE application, advice that the access would be suitable to serve up to 75% of the development on the safeguarded land.

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And that response partly not fully resolves the ransom issue, because we would have an agreement in principle from the highway authority that we could build 75% of the scheme without being reliant on access through the applicant's land.

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However, we consider that as a next step, we need the applicants estates teams to engage further with us, to try and more formally agree.

35:00

A position with us, rather than solely rely on the pre application advice.

35:06

Thank you. So couple of questions bouncing around my mind. Is that pre application access before, before, before us, or is it something which is happening in the background with with the Highway Authority? This is not something that's before, you know.

35:23

And with regards to,

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I mean, I think you've both referred to that you'd be looking for a greater commitment or a greater protection, really, with regards to ransom and safeguarded land, presumably, that's the dialog with the estates team that you're having which sits alongside the pre application advice. What is it that you are looking for from the applicant estates team, and is it something which you would

35:52

anticipate would have any bearing on what the DCO secures? Thank you.

35:58

Tony Weston for blah Holmes, we've had very little engagement with the estates team to date. So I think what we're looking for is to try and get a bit of traction on this before the next deadline. So we want to arrange a meeting with the estates department so that we can talk about the plan that's been tabled. We can talk about the pre application, where we've got to on that, and we can try and secure some form of commitment which will deal with the residual ransom risk which remains now, what that agreement might look like, or what that commitment might be, I couldn't say at the moment, obviously depends largely on what the applicants estates team is willing to agree. But we would hope that we would be able to secure some form of commitment from them, which then could be shared with the examining authority.

36:44

Thank you.

36:49

Is this is something included within the statement of common ground or is not at this stage?

36:56

Tony Weston from law, no, it's not included in the statement of common ground at the moment, because we really don't have anything to agree. It remains an issue in dispute.

37:10

Thank you. Could I just invite the local highway authority to offer anything they wish to under on what they've just heard? Thank you,

37:21

sir. Case from now after joint councils, so the local planning authority does not actually have any comments to make at this stage,

37:29

and that stands true for the highway authority as well. Yes, thank you.

37:35

And I go to the applicant, then please,

37:39

thank you. So just to well, as you've indicated, we, on this side of them, are not not representing the highway authority,

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but we note what has been explained from the highway authority to the

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developer,

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and similarly, not representing GCC as landowner.

38:01

So insofar as there are discussions, is between the landowners as to

38:10

equalization and the like,

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then that's that's a matter for that process, we'd suggest, rather than for the

38:20

DCO.

38:22

So I wonder if I can just bring in James catamall To see if he's got any additional

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comment on this matter. James catamof, the applicant. I think the question that it would be helpful to have some more clarity on is the difference between the scheme and the no scheme world as a sort of point is posed in sort of the agenda. I think some confirmation as to how blog see and access being delivered in a no scheme world may help understand that point of difference that the scheme introduces.

38:58

So I think you're asking for law to basically show that in the no DCO scheme world, appropriate access could be provided into the safeguarded land. Is that your point exactly that? Yeah, if there's been a reliance on third party controlled land in a no scheme world, the scheme doesn't sort of change the principle,

39:25

I'll give Bloor opportunity to consider and respond to that. Tony Weston, for Bloor Holmes, I think I would have take that issue away and respond in writing, because that's not a point that's been put to us before.

39:40

And I think just going back to the earlier comment, I appreciate that there is a separation of function here in terms of who the applicant is and who they're representing. I mean, we are looking to have a meeting with the estates department in order to secure some kind of commitment, but I think it's also within the gift of GCC as applicant.

40:00

Apprent to make a commitment if they wish to do so. In terms of the ransom, they've obviously tabled a plan which shows an indicative highway boundary, so it would be within their gift as applicant to make some form of commitment as to how future access arrangements and highway boundaries might be. John drawn if the scheme is delivered,

40:22

I'll give the applicant opportunity to respond if they wish,

40:30

other than to iterate. It's premature at this stage. There hasn't been the master planning process for the safeguarded land yet to deal with particular accesses, unlike a four and a seven, so

40:46

precisely where the highway manager will be drawn as a matter for

40:51

later consideration, when the scheme has been drawn up in detail.

40:56

I think we understand that. But what the interested parties asking for is, whilst that design may not be known at this stage, in the precise location of it known at this stage,

41:10

are you able or willing to put something into place which would make it clear that once the design has been concluded that the

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highway boundary would be contiguous with

41:28

the safeguarded land plots,

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so that the apart from the County Council's portion of land which Has that frontage,

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the position that the landowner is in effectively remains the same as it does today, apart from the fact that the DCO would be in place. Potentially,

41:51

we'll take that away and address that in a similar way, focusing on whether there's a difference in without and with. Scheme point is going to be looked at helpfully by blows as well, but we'll come back to that.

42:06

Thank you.

42:08

Mr. Pierce, sorry sir. Just to seeking a point of clarity in case we move on from this particular point in the

42:17

interested parties deadline, five submission, I think in the one of the

42:22

final paragraphs in response to question five, zero 16, they speak to the work that's been undertaken in terms of the the alternative access into the safeguarded land. And I think believe the text speaks to an appended plan. I know

42:39

the question was asked about whether that was in front of the examination. I don't know whether that plan was submitted and hasn't been uploaded, or whether it wasn't submitted, and that text

42:52

is erroneous, but it would be beneficial to all, I think, if that information was in front of us. So that's just to be clear. That's law's response at deadline, five to the Exo second written question, five zero 16. Five zero 16, and it's the second paragraph to little Roman three. Thank you.

43:16

Tony Weston for blow homes. That's fine. If it's missing, then we can provide that. Obviously, GCC as highways has already seen it, as have the local authorities, I believe, but happy to send a copy again.

43:31

Thank you. It's just obviously, again with the different hats of GCC as authority, just so that all parties could be have the visual would be great. Thank you.

43:50

I think that we've gone as far as we want to today on the safeguarded land, unless anybody else has anything you wish to mention with regards to the safeguarded land. But before we move off this particular agenda item, I'd just invite anybody who's either in the room or attending virtually to raise anything they wish to with regards to

44:13

access provision associated with the scheme for any other plots, not the safeguarded land.

44:22

I'm not seeing anybody in the room,

44:26

and I'm not seeing any Oh, Mr. Hadley,

44:33

as I've articulated before, sorry, Neil Hasley,

44:38

as I've articulated before. There's no access provision to my site, and just like Blair Holmes, you don't get any

44:51

response, positive response from the highway department. But as things stand and.

45:00

We're none the wiser from when this scheme was first conceived.

45:06

And it seems incredible to me that we have a highway

45:13

Costa County Council wanting to make

45:17

these road changes, and they haven't, clearly done their due diligence

45:24

to sort out some of the obvious forthcoming problems.

45:30

But I've written to the inquiry about all this in the past, and I look forward to having something sorted out as soon as possible, because as it stands at the moment,

45:42

they're also Branson and B

45:45

and

45:47

I find that totally unacceptable.

45:50

I appreciate they've got a lot of things on their plate, but if they're identifying certain junctions then, and it affects my land, then I'd have thought they would have had the common decency try and solve those problems. And it just

46:10

never fails to amaze me and how they they operate. But that, as I have said to the inquiry, really, this junction on the old Gloucester road could

46:23

be done away with it. Would save the council a lot of money. The stray road could come up to the edge of the old Gloucester road,

46:32

and then each developer in my there's myself, and there's some modelings sort out their own access and so that would alleviate

46:46

the problem.

46:48

So I leave that with all those that have heard it, and we'll see what results.

46:56

Thank you, Mr. Hadley,

46:58

you've obviously just been talking there about future use for your land parcel. Is it fair to assume that you know, have no concerns with regards to the agricultural access provision into the existing Yes, it's finished. Because

47:18

just like law Holmes said about agriculture access, they're proposing road widening. We don't know the full extent of that, because

47:28

the applicant can't seem to get a detailed working drawing, an overlay drawing, as the inquiry requested at the last hearing. To me so we don't actually know how the boundary treatments are going to be formed. We know absolutely nothing, really in detail.

47:52

But by virtue of the fact that

47:57

they're going to widen the road and they're going to put traffic lights up there. It does make an agricultural access

48:07

I think, difficult to see how it would function, and I think there's this big safety issue attached with it. Initially, when the scheme was conceived, I was told that there wasn't going to be a road widening, so I was happy to try and agree

48:27

a

48:30

a

48:32

another, slightly different positioned agricultural access to the one that's there. But now they say, Oh, well, it's the road widening, but we have no details of that at all.

48:48

But there are layout plans, correct me, if I'm wrong, which show the widened old Gloucester road and under replacement agricultural access into your land on the Mr. Hadley, the plan that you showed earlier

49:05

is really just an art form. It doesn't show any working drawings, as I say, the boundary treatments.

49:14

We wouldn't know. We wouldn't haven't got a clue what it is. In fact, when you look carefully on the actual working drawings, they're unclear as well. All we've got is a thin line.

49:27

And bear in mind, I've been in the property business for 50 over 50 years,

49:33

and I know I had to look read a plan.

49:36

I still and neither can my agent understand what is actually going on

49:43

in the in the road improvement.

49:48

So, you know, we're still waiting for this plan. We just seem to go round and round in circles. I would have thought it was the easiest thing in the world to print something off and satisfy. Mike.

50:00

Concerns, but it doesn't happen. I do recall in the in one of the last hearings, Mr. Hadley, I think the app, the applicant did commit to providing a plan to basically articulate the proposals and the impacts on your land. Are you saying that you haven't received any such

50:18

is a copy of what you showed earlier on, which doesn't show the detail. I mean, when, when this land's going to be conveyed,

50:28

My lawyer

50:30

will want to know what the boundary treatments are and exactly what's going on, but we just don't have that. And the the applicant just doesn't seem to want to provide it.

50:46

Okay, and is it, I understand your point about

50:51

your your position, as you have seen, a lack of detail. Is there any concerns you have with regards to

51:01

the appropriate agricultural vehicles being able to maneuver into and out of out of your land, as I say, on safety ground certainly. What,

51:14

what kind of agricultural vehicles would you would you currently have going into and out of that field, and what would you need provision for on this feature? Well, I would concede it's not a big field. It's just over five acres,

51:29

but the agricultural equipment that we use today is exceptionally large. It dwarfs the family car, and so to make a right turn into the field

51:44

is going to be very difficult. When people are coming away, pulling away from the traffic lights, and they're pulling away towards you,

51:55

and if you've got a tractor and trailer, then that is

52:01

quite a tricky operation,

52:04

and here we are. We're trying to

52:07

make highways as safe as they possibly can be,

52:12

but in this instance,

52:18

I don't think the

52:20

safety and the suitability of that access is as it should be.

52:29

Thank you. So just to confirm what I think you've just told me, Mr. Hadley, that the maximum size of agricultural vehicle that you need to get into that field for it to continue to function, and its existing use will be a large tractor and large trailer. Oh, very much. So that's all we have these days. Okay,

52:50

if you're farming, then you have big kit, because that is the most efficient way to farm. Yeah. And

53:02

what I'm saying is, what it is proposed would make life very, very difficult. Yeah, so I think,

53:12

Sorry, go on, Mr. Hadley, it would make it, make life difficult and dangerous for the tractor operator. Um, debt.

53:23

But until I actually see and understand what precisely they're going to do, and I'm talking about,

53:33

you know, road levels, how it's constructed, the finished product, so on and so forth. Can't really comment further, because, you know, we're just dealing with some theoretical

53:48

road improvement,

53:52

which they want to take about half an acre of my site. And I've never said that. I will stop them doing that, but I think it's just common decency to let us all have more information.

54:07

And I seem to be suffering just the same as draw homes. Really, we don't hear anything. They just want to plow on, not really take on board what we're saying.

54:19

Okay, understood. Thank you.

54:22

And I just go to the applicant, please,

54:26

Mr. Hadley's obviously talking about

54:29

future access provision into any future use on his land, and also the existing agricultural uses. Just talking about the latter, first, the agricultural use of the of the site. Could you please explain where you've got to with providing Mr. Hadley with any supplementary plans, and indeed, if there's anything else, such as vehicle swept swept path assessments, you could give him to give him the comfort he requires. With regards.

55:00

To the ability for large tractors and trailers to get safely into his land. Please. Thank you.

55:06

James Caswell, for the applicant, I guess first off, as sort of has been discussed and somewhat corrected, as there is a provision of access for agricultural use from the old Gloucester road as part of the scheme, as well as there being existing agricultural use from the south of the land off Hayden lane. I think it's important to note that the access to the north is infrequently used in comparison to the access to the south, yet it has been maintained as part of the scheme.

55:33

In addition the working sort of works plan, general arrangement drawing with the overlay of Mr. Hadley's title has been provided that was first shared on a call with Mr. Hadley and his agent on the fifth of September, and subsequently it was provided by email on the 18th of September. We're happy to review the plan again with Mr. Hadley and his agent, of course, if there's more detail needed, and try and provide something which is going to give him sufficient understanding comfort of what is going to be going on, but efforts have already been made, swept path. Analysis on the agricultural access haven't been undertaken, but it has been designed in accordance with general design principles that have been applied across the scheme for other accesses. There's a concern that the introduction of a signalized junction will increase the risk and associated with operators safety. I think the fact that the signalized junction will stop traffic and allow a slow moving, large agricultural vehicle to cross during those breaks in traffic actually increases the safety associated with the access, as opposed to being detrimental

56:39

the point regarding so stepping away from the agricultural access and moving on to the access for future uses, which at this point are sort of undefined, there have been concerns raised in the written representations, and questions around it have been discussed in meetings with Mr. Hadley and his agent. We are working to try and allay those concerns regarding future access opportunities for development. At this point, that discussion is ongoing, and we hope in the near future to be able to provide the certainty that Mr. Hadley needs regarding an access to his site from the south, that being from Hayden lane, as opposed to from the old Gloucester road.

57:20

And again, you know more clarity will will follow on that point as well.

57:33

Thank you for that, but I just checked with Mr. Hadley, the applicant there, as always says, just for the help of potentially Mr. Hadley as well. Moving forward, we have got the plan that was provided on the 18th of September available to share on the screen.

57:49

It was at the fifth of September. It was provided the same plan as the fifth. It was raised on a call on the fifth and shared and then emailed on the but it's one of the same plan. It is one of the same Could I just chat? Mr. Hadley, have you? Have you seen the plan that was sent to you on the 18th of September? Well, sir, it's the same plan that you showed earlier about the junction. Defy, I defy anybody to actually see any detail in it. It's more of an artwork than it is a technical drawing. We're interested in technical layouts, not pretty pictures with green and red on it that we're trying to get down to the nitty gritty.

58:33

And it's all very well saying, well, the estates departments are having meetings with us. We've had meetings, we've set out in correspondence what we actually need. I've highlighted that to the inquiry, but really, we haven't made any substantial progress at all. So we're all we're just left

58:58

in this,

59:00

what I would call ghosting state, where they have a meeting, go away and think about something, and you never hear anymore.

59:11

It's

59:13

quite bizarre,

59:15

understood, but I don't invite the applicant please to flash up this plan, and I think it would help Mr. Hadley and indeed me, if you could explain on the plan, what is it that you have introduced specifically to try and explain what the scheme does and what it will look like to Mr. Hadley on that drawing, please, and if it's any help. So this is in Appendix B of rep 438,

59:42

following the CH one.

59:48

James catama from the applicant, the plan, as on screen at the moment, shows the general layout of the road that will be delivered by the DC and the scheme. It also shows mr.

1:00:00

Hadley's ownership highlighted or cross hatched, I should say, in blue on there also will identify the land which is required for the scheme, which Mr. Hadley owns, as well as the land which will be temporarily used, which is outside of the the sort of defined colors showing the different layouts.

1:00:21

So can I just

1:00:23

say,

1:00:25

Where are the cross sections on that drawing? Where are the levels? Where are the boundary treatments?

1:00:33

There's just, it's an artist. It's a schematic drawing. You know, we we need something,

1:00:41

a technical drawing. I mean, it's not,

1:00:45

we're not asking for the world, but we need to know precisely what we're dealing with. But as I said earlier to me, they could just do away with the whole junction. There's no need to have that junction there. Let,

1:01:03

me and my neighbor sort out her own access, it would save the applicant a lot of money. Spur road could end on the northern side of the obloster Road, and I'm sure unless some highway expert is going to say

1:01:23

it's going to attract affect traffic flow, but I don't think it will that we don't need that junction like that

1:01:35

once understood Mr. Hadley, I'm going to go to the joint councils in a minute, just for their view on the acceptability, not only of Mr. Hadley's access agricultural access provision, but also, if you could also give us an opinion on the appropriateness and the safety credentials of all of those replacement agriculture accesses, please. But before I do, can I just go to the applicant and Mr. Hadley's obviously concerned about some points of detail and how far you've actually gone with regards to the plan. I mean, could you please explain, for Mr. Hadley's benefit, whether the level of detail shown on those plans conforms with what you would see in drawings associated with similar DCO major highway schemes. And in answering, could you also please explain

1:02:29

what matters may be referred or deferred and dealt with via requirements where additional detail may be developed at a subsequent stage, if you could just perhaps talk around those two points, please. Thank you.

1:02:45

James casmo, for the applicant, I think the plan is on screen, and the level of detail is a normal level of detail to have available at this stage. You know, in a DCO, I think the point regarding Mr. Hadley's request for more detail, we're happy to look at other plans and documents we have and apply his ownership boundary to them in the same way, in the hope that it will give more information and continue that dialog around the suitability, I think, in terms of some of the specific details around boundary treatment. These are aspects such as accommodation works that we're going to be engaging with Mr. Hadley on in relation to his site as part of the detailed design process as the scheme continues to evolve.

1:03:31

Thank you. Can I go to the joint councils, please, and to answer the question I posed a few minutes ago, is there any concerns you have in the capacity of the local highway authority with with regards to all of those replacement agricultural accesses on on Gloucester Road, providing safe and suitable accesses, given the size of vehicles and the frequency of uses which they would accommodate. Thank you.

1:03:57

Andy Padden for the joint councils.

1:04:01

We agree with Mr. Katamol When he says that the traffic signals will provide gaps, sufficient gaps within the traffic flow along the b4, 364,

1:04:10

on Gloucester road to allow any agricultural vehicles to turn into the existing exit or the proposed new accesses into the agricultural accesses into Mr. Hadley's land.

1:04:24

One other thing I would say is that I'm aware that Mr. Hadley has been given pre app advice by the highways development management team of Gloucestershire county council, and

1:04:36

that was provided on the seventh of June this year, and that concluded that

1:04:45

the pre app advice was that the access directly off the b4, 364, was not supported by GCC, HDM team, and they they would prefer to see access into Mr. Hadley's land from Hayden lane to the.

1:05:00

Safe,

1:05:07

understood. Thank you.

1:05:10

It sounds like hopefully there needs to be some more dialog and discussions with with Mr. Hadley and his agents, and perhaps if you could

1:05:19

give him some more support with regards to

1:05:25

illustrating his points and concerns on the on the plans, and also perhaps giving him some vehicle swept path assessments, which may give him some reassurance that he can get the agricultural access that He requires for those larger vehicles. I think that might be helpful.

1:05:41

Yeah, noted, but we'll take that away

1:05:47

any final comments from the applicant on what we've just heard.

1:05:54

Does anybody else wish to raise anything further with regards to access provision? I

1:06:03

um, just regarding this access that was spoken about from Hayden lane

1:06:12

that in its present form at best, is sketchy,

1:06:20

the Gloucester County Council have their own ILA standards, and to my mind, I'm being discriminated because I don't have access onto the old Gloucester Road, which scheme, and therefore, I think it's incumbent upon the applicant to actually

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give me more detail as to what they would expect and what they can provide for me to have another access of Hayden lane for development purposes. You know, we're talking about allocated land, and we need to progress it such. And

1:07:01

you know, they, I would concede, they've been kind enough to send me a note confirming this, that and the other. But we need some fresh on the bones. I'm afraid we don't, can't just accept something that may or may not happen.

1:07:27

Understood. Mr. Hadley, thank you.

1:07:35

I think that takes us to where we want to get to Under Item three, and it's now five past

1:07:43

one, so probably a good time for us to go and

1:07:47

embark on lunch. Should I suggest that we reconvene at quarter past two?

1:07:54

Thank you.

1:07:57

So again, I just remind anyone who's on the live stream, you'll need to refresh your browser page when you return, so it's now adjourned until 215 Thank you. Applause.