

29<sup>th</sup> October 2024

M5 J10 Programme Improvements Scheme  
The Planning Inspectorate  
National Infrastructure  
Temple Quay  
2 The Square  
BRISTOL BS1 6PN

By email to [M5Junction10@planninginspectorate.gov.uk](mailto:M5Junction10@planninginspectorate.gov.uk)

Dear Sirs,

**M5 Junction 10 Improvements Scheme- proposed Development Consent Order  
Interested Party Reference No. M510-AFP046**

I submit the following written representations, on behalf of my clients, the landowners of the farm land adjoining the A4019 known as land at [REDACTED] - Mrs Mary Bruton & Ms Elizabeth Counsell. This follows my presentation to the Inspectors at the Inquiry hearing on 16<sup>th</sup> October 2024.

My clients' land forms part of the Safeguarded Land to the North East of junction 10. In principle they support the overall aims of the scheme but do have unresolved issues that have not yet been satisfactorily addressed by the applicant, as follows:

**1. Proposed shared farm access track**

My clients have safety concerns at the risks that the proposed access creates for large, slow farm machinery entering their land from an already busy road during peak periods, as well as capacity issues for exit flows.

The proposed shared track will serve at least five landowners, plus Highways England. At peak times such as harvest, this will create conflicts between landowners due to the bends of the service roads and road splays that are proposed as part of the scheme, which could impede traffic entering and exiting the junction with resultant tailbacks towards the M5.

The Inspectors asked for detail about possible peak vehicle movements. The highest volume crop grown on the land currently (grown in 2024 as would have been seen at the site visit) is maize. The current forage harvester used fills a 16 tonne trailer in 2&1/2 minutes (2.5 minutes). The whole team of tractors & trailers will usually be waiting in the field for the harvester at the start of the day; they will get there before the harvester as they have a higher road speed. This will therefore generate 24 trailers per hour leaving and (depending on the time for the round trip) up to 24 returning to the field per landowner. There are definitely three arable farming landowners; possibly four if the Gloucestershire County Council field is put to that use. Hence in a worst case scenario, if all farms were to harvest the same crop at the same time using the larger current size of harvester (noting that even large scale farmers often use a contractor for the maize harvest and that farm machinery is still increasing in size and output) this could result in 192 tractor and trailer movements per hour.

Even if the different farms sharing the access did not grow maize in the same year and harvest on the same day, it is quite possible that all of them might grow wheat and harvest that on the same day if it's a wet Summer and further rain is forecast. In such situations it is quite common for everyone to be out at the same time- not only harvesting but also baling straw behind the combine to stop it getting wet- and immediately carting that off to get it under cover or to straw stacks near the farm buildings. The largest John Deere combine harvester is advertised as being able to process 100 tonnes of wheat per hour- this would require about 8 trailers per hour, so 16 grain trailer movements per landowner plus 1 or 2 straw trailers- hence 20 movements per landowner with four arable units equates to 80 movements per hour, plus the arrival/departure of combine harvesters and balers at the start and end.

My clients take their straw away on articulated 40 feet (12.2m) long trailers that, when the tractor and dolly draw bar are added, gives a combined length of 20.7metres; these articulated trailers cut corners when turning and we are not convinced that the five metre width (plus two metres of stoned edge and extended track bends) will be nearly enough given the double 90 degree turns off the A4019 and then almost immediately on to the access track, followed again by the 90 degree turn in to the fields. There is also the combined harvester front table that with its trailer will be at least 16.7m plus tractor with front weights 6.5m, thus 23.2metres. The swept path analysis by the applicants is only for vehicles that are 19.02m and the drawing's chosen tractor with bale trailer is not an articulated trailer. My client has particularly instructed me to point out that when exiting the land with large rectangular bales stacked three high and making a sharp turn the trailer is at its most unstable and sufficient level turning width is essential. The width of the track when vehicles are travelling in a straight line is not a problem, it is the turns that are the issue and there is no detail of a wide and suitable swept access in to my clients' main field entrance.

The applicant has previously suggested that such improvements give a better access than the current gateway; but this ignores the point that at present my clients have over 100 metres of road frontage where (subject to any necessary consents) they could enlarge the gateway/access for whatever the permitted or required use of the land if there is a constraint to operations in the future. Importantly, at present when turning off a wide main road there have been no issues with the large machinery entering or egressing the land. The proposed track would presumably be shared ownership and thus any changes would require additional consents and associated costs from third parties, which might not be forthcoming.

## **2. Equivalence**

It is entirely within the applicant's gift and control/ownership to replace the two current owned access routes on to my clients' land. This is a basic tenet of compulsory purchase. The fact that the applicant is trying to avoid doing so in order to artificially create a ransom situation where none exists at the present time is fundamentally unfair, especially given that the main payment for the scheme comes from the Housing Infrastructure Fund with its specific objective of facilitating new housing. The applicant's position is making the delivery of those new houses less likely and more complicated.

Despite numerous requests to meet/speak to resolve matters, there has been no substantive engagement from Gloucestershire County Council's Asset Management & Property Services. The only reply is the attached letter of 1<sup>st</sup> October, where no definite offer is put forward, merely a statement that they will "continue to work with developers and landowners to agree terms in order to facilitate a suitable access from the A419 (sic) into the Safeguarded Land". This does not solve the issue or give any defined reassurance. The County Council is portraying their different departments as separate legal entities, but as far as we are aware, they are a single corporate body and thus should not be trying to make a financial gain from a public scheme by imposing a ransom on unencumbered land.

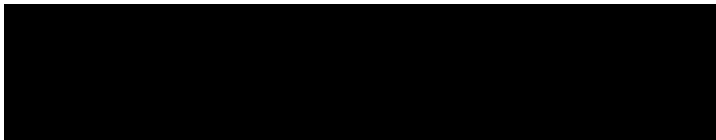
## **3. Proposed Solution**

The attached plan was initially provided by the applicant after meeting with us to refine an earlier version. This was removed at subsequent revisions, without explanation, which is surprising given Bloor Homes

offer to fund the entrance extension beyond the new farm access track, which would appear to have resolved the current issues at no increased cost to the taxpayer.

Whilst the agricultural access for other landowners needs refining, in terms of my clients this access straight in to their land would deal with the safety and ransom issues. Given Mr Cattermole's question for the applicant, at the Hearing on 16<sup>th</sup> October (which he and I had previously discussed with the same negative answer) as to whether this would be acceptable as an access restricted to agricultural use only, it seems that it is still technically viable but does not solve the Council's desire to newly create a value gaining position via ransom.

Yours faithfully,



Andrew Bower  
Agent for the Landowners

Encl.