

# SUTHERLAND PROPERTY & LEGAL SERVICES LTD



PLANNING & ARCHITECTURAL CONSULTANCY SERVICE  
First Floor, 1 Stamford Fort Cottages, Stamford Rd, Plymouth, PL9 9SQ  
Tel: 01752 403983  
Email: [admin@sutherlandpls.com](mailto:admin@sutherlandpls.com)

Secretary of State for Transport  
Tyneside House,  
Skinnerburn Road,  
Newcastle Business Park,  
Newcastle upon Tyne,  
NE4 7AR

Via email at [nationalcasework@dft.gov.uk](mailto:nationalcasework@dft.gov.uk)

16th November 2022

Dear Sirs,

**Objection to the North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order (CPO) 2022 - representation on behalf of Mr & Mrs Ruby, [REDACTED].**

We write to you in relation to the above matter and following our meeting and subsequent email correspondence of the 16th February with North Somerset District Council.

We wish to maintain our formal objection to the proposed Bypass CPO on behalf of our clients due to the impact that it will have on their adjacent land - Muddle End, Moor Road, Banwell (see Google Earth extract below).



As we have discussed previously with Council Officers it is essential that the Bypass project is delivered in an effective way and although the project does not require the acquisition of

land in the current ownership of our client, the path of the Bypass runs adjacent to their smallholding and they use the current road networks for equestrian activities.

We have previously flagged concerns in respect of some areas of the project with Council Officers and the Bypass delivery team in regard to: safe routes for walkers, cyclists and horse riders connecting Moor Road and the parallel Riverside; safe and useable connections between the Bypass and Moor Road; retention of supporting infrastructure including service routes along Moor Lane; the potential to use available land for a turning head on Moor Lane, which would assist in facilitating the redirection of vehicles and reduce disruption to our client; the Bypass runs on an embankment, not only having an adverse effect on landscape character but has the potential to overshadow the smallholding, and potentially diminish agricultural productivity/equestrian use of our client's site; and with landscape mitigation being proposed including hedgerows and woodland, questions around maintenance thereof are raised.

Figure 1 below shows the general arrangement of the Bypass in association with our client's land, demonstrating that despite concerns in regard to points raised above, the current planning application does not include the suggested turning head and access to the Bypass is achieved via a shared path to which there is no reference to gradient in the submitted drawings.

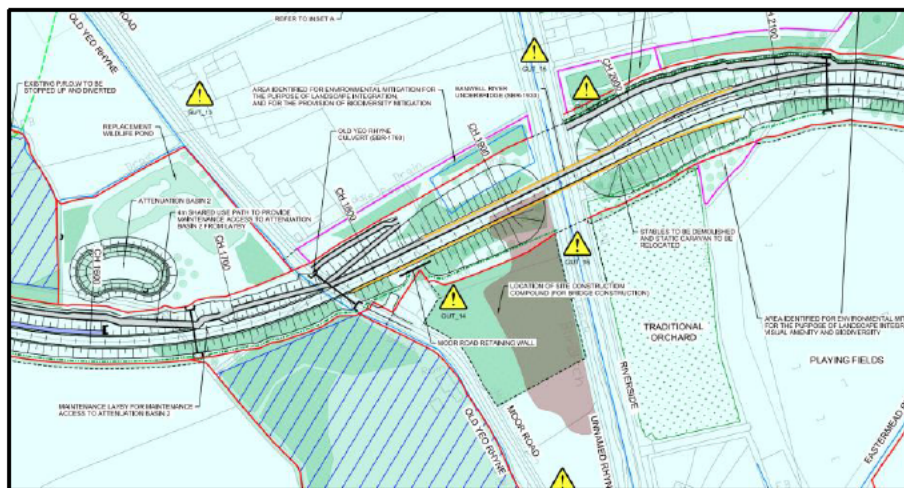


Fig. 1 Extracted from General Arrangement Sheet 3 of 6 ref. 22/P/1768/R3EIA

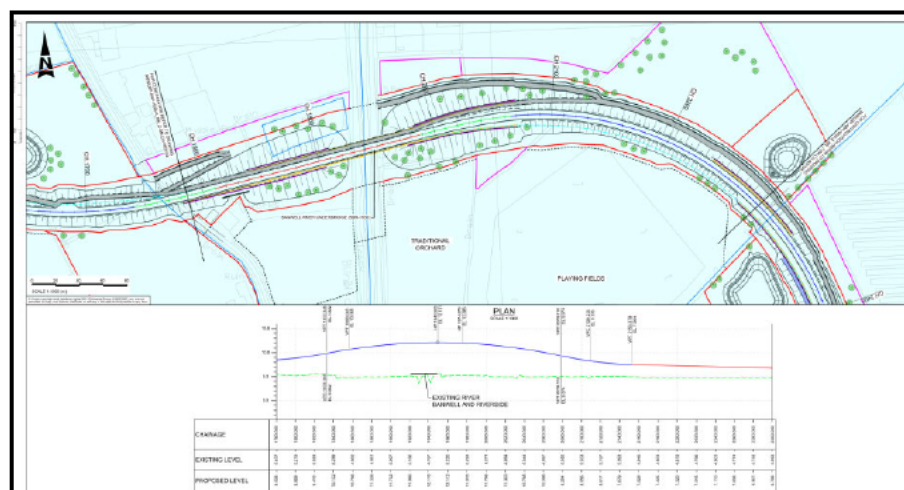


Fig. 2 Extracted from Plan and Profile Mainline Sheet 4 of 6 ref. 22/P/1768/R3EIA

Fig. 2 above shows the profile of the Bypass in relation to our client's property, highlighting a significant embankment running along the southern boundary of our client's smallholding. Unfortunately, there do not appear to be any photomontages/visual images illustrating the proposed embankment in the landscape or cross sectional drawings showing the profile of the works running north to south, this does not enable full consideration of the proposal in regard to e.g. overshadowing of our client's property and the impact upon the wider landscape character - despite our clients concerns and the Environmental Statement highlighting the 'major' magnitude of construction and operational impacts of the proposal in relation to views from Moor Road ( Environmental Statement Volume 1 Chapter 7 Landscape ref. 22/P/1768/R3EIA)

The Environmental Statement (Chapter 9) (ref. 22/P/1768/R3EIA) refers to the scheme's:

*"acquisition of 4.4 ha of BMV agricultural land (ALC grade 3a)...(and) .....The permanent loss of 17.8ha of ALC grade 3b agricultural land "* (Chapter 9 page 52).

Figure 3 below taken from Volume 3 Appendix 9 D of the Environmental Statement shows the agricultural land classification for the Bypass land, note that the land to the north, and the site of the proposed new Moor Road Riverside link road has not been assessed and land immediately to the south of our clients site is considered to be Class 3b agricultural land.

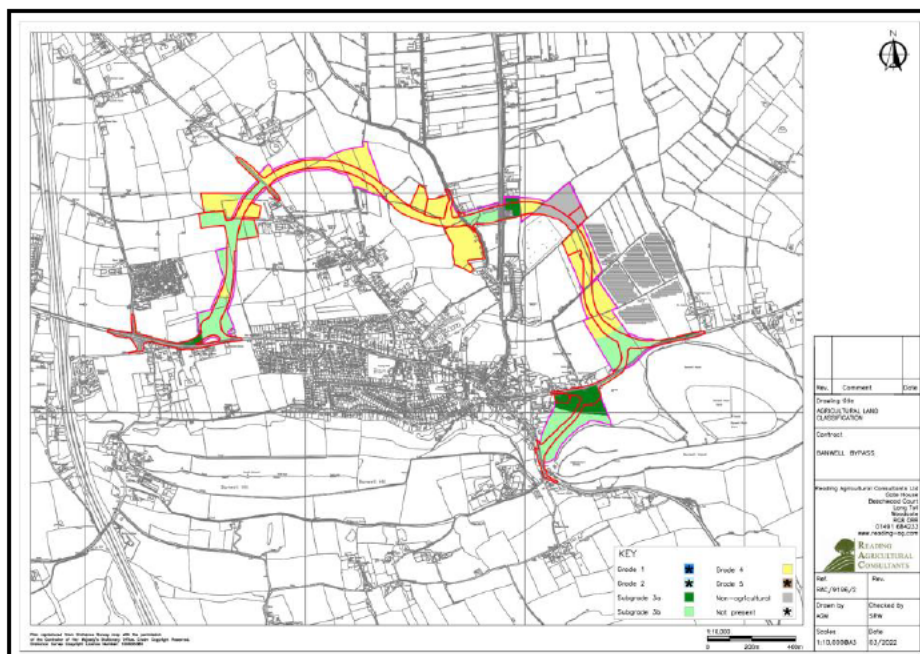


Fig. Extracted from 3 Volume 3 Appendix 9 D ref. 22/P/1768/R3EIA

As such, the proposal does not appear to have fully taken into account the impacts of the scheme upon the economic and other benefits associated with agricultural land, including our client's smallholding.

Our client is not adverse to the principle of development of the Bypass, however the proposal should address the sections of the scheme outlined above which affect his property and the safety of walkers, horse riders and cyclists using the existing and proposed networks.

We hope that this clearly sets out our clients concerns in respect of the Bypass and associated CPO.

Please accept this letter as our clients' formal intention not to enter into any form of access agreement with the Local Authority (North Somerset Council) or any officer or representative acting on their behalf.

Yours faithfully

**PLANNING CONSULTANT**  
**Sutherland Property and Legal Services Limited**