

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
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Bristol
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Our ref: GC/NC/61310P
24th June 2025

Sent by email only to: Northfalls@planninginspectorate.gov.uk

Dear Sir/ Madam

North Falls - Deadline 6
Executors of Charles Tabor

Following the Compulsory Acquisition Hearing on the 17th June 2025, I provide a written submission following my oral representation made during the hearing.

As mentioned, my client, the Executors of Charles Tabor, has engaged with the applicant for a number of years but we are now at a 'sticking point' with regards to the substation Heads of Terms, specifically on the matter of a retained right of way.

Since the property has been in the ownership of Charles Tabor, the farm has always used the land which is subject to the potential Heads of Terms/Option Agreement, as an access point between the land at Holly Lodge Farm (to the east) and the land to the west. The reason being is that it is impossible to move the combine harvester to the off-lying land via the public road network due to restriction in width and height. This would also apply to other specialist farm machinery such as root crop harvesters when the land is let to a third-party grower, as it has been recently.

Whilst we acknowledge that the Applicant has offered a 5 metre right of way as a minimum, my client must have a minimum of 10 metres to allow them to continue to access the farmland as they have done so for many years prior to now.

As the Applicant suggested during the Compulsory Acquisition Hearing, a 5 metre Right of Way would cause unnecessary inefficiencies going forward caused by needing to take off the header and re-attaching it over such short distance. Furthermore, it would also require my client to drive over standing crop when entering the field being accessed to the west, to then re-attach the header, as opposed to entering a field and commencing harvesting on entry.

This may seem a rather small matter; however, we must remind ourselves that we are in a position where we are engaging with the Applicant to enter into a voluntary agreement to sell the subject

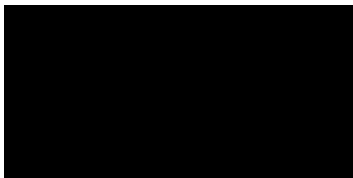
property to the Applicant to deliver its project. Should my client be selling this land to another third party, they would be reserving the exact same right of way as we are requesting here.

Looking at this matter holistically, the length of the right of way is approximately 390 metres long. In terms of the 5 metre Right of Way, this would equate to an area extending to 0.48 acres (0.19 hectares). Therefore, should the right of way be 10 metres wide, we are ultimately in disagreement over 0.48 acres (0.19 hectares). When reviewing the Applicant's Design Vision document submitted at deadline 5, and specifically figure 20 titled "Outline Landscape Strategy Master Plan", it would appear the most suitable area for a right of way would be along the northern boundary of the landscape area which, if sufficient for a minimum of a 5 metre right of way then it would be perfectly sufficient for a minimum of a 10 metre right of way.

I stand by my comments during the hearing that I disagree with the Applicants comment about 'they cannot provide a wider right of way than 5 metres because of the land required for landscaping and ecological enhancement'. There is certainly sufficient area to allocate an additional 0.48 acres of ecological enhancement area, if required.

I hope I have provided all the information you require.

Your faithfully,



Gwyn Church BSc (Hons) MRICS FAAV | Partner
For & on behalf of Brooks Leney

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