

[REDACTED]

BHS and BOBLAF Response to the Applicant's response to our Deadline 6 submission (REP7-006)

We comment on the responses included in section 2.5 of this document as follows:

BHS-D6-1: We do not accept that obliterating 50% of the view from this bridleway is not significant. Such views from bridleways in this area are rare and much valued so the adverse impact on local users is very significant.

BHS-D6-2: Noted with thanks for the clarification of shading meaning. As noted above we disagree with the conclusion drawn.

BHS-D6-3: We consider that the nature of BW37 along the ridge with 360 degree views provides an experience which can be seen to be highly sensitive to the proposals. We accept that the views across the Kym valley are preserved but this fails to recognise the rare experience of 360 degree views in this landscape.

BHS-D6-4: Our position is unchanged that the adverse impact on the 360 degree views from BW 37 is very significant.

BHS-D6-5: Apologies that I appear to have missed the change to the proposed diversion of BW26 and part of BW37. These changes are welcomed but do not go far enough. They provide a safer diversion from Green End Pertenhall to the BW40 crossing of BW37 but to the west of that crossing the diversion remains virtually alongside the development area. Horses being ridden along this diversion route will be subject to the construction noise and vibration. As will be repeated below, we do not consider the safety arrangements proposed to be adequate.

The Applicant states that this diversion resolves the concern regarding banksman visibility. The banksman will still not be able to see horses approaching from the north along BW40 or from the east through the spinney at the eastern end of the BW37 track. These riders will continue to be exposed to the risk of noise and vibration for about a mile.

We continue to press for either a diversion at a sufficient distance from the works or the removal of that section of arrays.

BHS-D6-6/7/8: As above we do not accept that the revised diversion route addresses these safety concerns as far as BW 37 to the west of BW 40 and BW 40 are concerned.

It is stated that riders from the west will be directed onto the diversion route. But Figure 2 of the draft oPROWMP shows the diversion to be immediately alongside the redline, ie immediately alongside the construction work.

BHS-D6-9: Noted

BHS-D6-10: As noted above, we do not agree that the revised version is a significant improvement in safety to the west of the BW37/BW40 crossing. As regards the availability of the routes out of construction hours, this is acknowledged. However, for a young rider attending school, this really limits access to Saturday afternoon and Sunday as after 6pm is too late after school. Horses require exercise most days, so this is a severe restriction.

BHS-D6-11: The diversion route remains uncomfortably close to the construction work and we do accept that it addresses our request for a safe and suitable diversion.

We remain unconvinced that the management proposals will secure the safety of users, particularly equestrian ones. The Applicant in these responses has failed to explain in detail how this safety will be assured but seeks our acceptance that it will be in the future final PROWMP (into which we have no formal ability to input).

BHS-D6-12: We remain strongly of the view that significant additional PROW routes and connections could and should be provided and that, since the impacts are permanent, such routes should be dedicated.

We would remind the ExA that this is an area that is rich in rights of way, which provide a highly valuable amenity not only to the immediate local residents but to many from further afield.

BHS-D6-13: The applicant has again accepted that the additional routes offered attract limited positive weight. But the impact on local PROWs (and indeed the landscape and rural environment) is inarguably very significant. The ExA will of course have to balance all these issues.

BHS-D6-14: Although the operational life of the site is limited, the impacts on PROW are indeed permanent as it is not intended to remove screening plant. Nor should it be. But, as a consequence, the views from most of the PROWs will be permanently lost or adversely

affected. We do not understand how the Applicant can claim that the visual effects are not permanent.

BHS-D6-15: The requirement for landowner agreement to additional access or dedication is acknowledged. These landowners are farmers and so it is not unreasonable to consider the impact of the request for enhanced access in the context of a return to agriculture.

Almost all the PROWs will be within corridors with planting on both sides and it is stated that planting will not be removed as part of the decommissioning. We think it unlikely that these corridors will provide a suitable land for modern farming practices. Hence, our suggestion that dedicated routes would not disadvantage the landowners in the future.

BHS-D6-16: Can we suggest that short term action is defined? 3 weeks? Any longer period or the application of a further 3 week closure should require the host authority's approval. This is to safeguard the public's ability to use these routes.

BHS-D6-17: The sharing of quarterly inspection reports does not appear to us to be unduly onerous. It offers the opportunity for the host authorities and the CLG to be aware of emerging issues, to hold the (unknown) operator to account and is good governance.

BHS-D6-18: Noted.

BHS-D6-19: The Applicant's position appears rather tortuous. It acknowledges that the videos in the Examination Library are somewhat flawed and has provided alternatives on its website but insists that the Library versions must be relied on?

We again ask the ExA to visit the key PROW viewpoints for himself.

We remain strongly of the view that the Applicant has failed to address the legitimate concerns of the host authorities, ourselves, the Ramblers and many individual interested parties as regards the impact of the development on the much valued amenity that is our PROW network.

Only two significant changes have been made during the Examination, the provision of a permissive bridleway connection (which will be removed at the end of operation) and the realignment of part, but not the most dangerous part, of the construction diversion of BW26/37.