



A380 South Devon Link Road (Kingskerswell Bypass)

Public Inquiry

**Devon County Council's Response to
Proof of Evidence on behalf of Kingskerswell Parish Council**

(Obj 13): OBJ/KPC(13)/P/1

**Response by Mr Paul Ewings
with contributions by Mr Michael Smith**

1.0 Introduction

- 1.1 This rebuttal (**DCC/REB/2**) to the Proof of Evidence of Kingskerswell Parish Council (**OBJ/KPC(13)/P/1**) has been prepared by Paul Ewings with contributions from Michael Smith.
- 1.2 Kingskerswell Parish Council, in their letters dated 5th November and 11th November 2008, objected to the Scheme on the grounds that; the loss of trees on the Downs would affect wildlife and visual impact, there was a lack of consultation regarding the area offered in exchange, the exchange land is considered unsafe, and severance of Churchway Lane.
- 1.3 The issues raised in their letter dated 5th November in relation to the effect of the Scheme on trees and visual impact are addressed in **paragraph 7.7.3** of Andrew McCarthy's Proof of Evidence (**DCC/P/8**) and in Rosalyn Guard's Proof of Evidence (**DCC/A2/6**) at **Appendix LA6**.
- 1.4 The issues raised in their letter of 5th November in relation to the exchange land are addressed in Paul Ewings' Proof of Evidence (**DCC/P/1**) at **paragraph 11.2** and at **chapter 9**.
- 1.5 The issue raised in their letter of 11th November in relation to severance of Churchway Lane is addressed in Michael Smith's proof of evidence (**DCC/P/3**) at **paragraph 8.4.10**.
- 1.6 In her Proof of Evidence on behalf of Kingskerswell Parish Council, Patricia Hartley states that the land offered in exchange for common land is not equally advantageous to that which would be lost, that the closure of Churchway Lane would deprive the village of an ancient thoroughfare and that an alternative site for the model car club has not been identified.

2.0 Adequacy of Exchange Common Land

- 2.1 The Parish Council refer to Circular 06/2004 and assert that the proposed Exchange Land is not advantageous to the village as the public currently has access to the Exchange Land.
- 2.2 The Overview and Scheme Development Proof of Evidence (**DCC/P/1**) describes the Exchange Land in **Section 9** and the precarious nature of the current rights across the Exchange Land in the Order. It also goes on to describe the additional steps that the Acquiring Authority is taking to provide additional Exchange Land in order to put the issue of whether the proposed Exchange Land is equally advantageous or not beyond doubt. This involves the provision of additional land which is subject to a separate Order.
- 2.3 **Section 9** of (**DCC/P/1**) also confirms that the Acquiring Authority would provide a separate financial provision to the Parish Council to allow for any woodland maintenance that might be necessary to ensure public safety.

3.0 Closure of Churchway Lane (Contributed by Michael Smith)

- 3.1 The Engineering Proof of Evidence (**DCC/P/3**) describes the effect of the Scheme on Churchway Lane at **paragraph 8.4.10**. Churchway Lane is some 1.2km in length and runs between Greenhill Road and the village of North Whilborough. Churchway Lane would be severed by the Scheme approximately 60m west of its junction with Greenhill Road. A 70m long section of Churchway Lane would be lost to the Scheme.
- 3.2 The most significant severance would be experienced by those pedestrians choosing to travel between Greenhill Road and Kerswell Down via Yon Street. Pedestrians would experience a reduction in amenity; the route along Churchway Lane Diversion

would experience traffic noise and visual intrusion from the proposed A380 and an additional 700m journey distance. In accordance with DMRB, this additional journey distance would result in severe new severance.

3.3 In the context of a walk between Kingskerswell and Kerswell Down the diversion would add approximately eight minutes to the journey; journeys originating in Yon Street would experience very little increase in length. There would be some exposure to traffic, however this would be mitigated by false cuttings on both sides of the proposed A380, as shown on **Figure 5.3** of Michael Smith's Proof of Evidence (**DCC/A/3**), and by the Devon banks and stone parapets at Yon Street, as shown on **Figure 10.13** of Michael Smith's Proof of Evidence (**DCC/A/3**).

3.4 **Figure 4.3** in Michael Smith's Proof of Evidence (**DCC/A/3**) shows the location of the Scheme in relation to the surroundings. The Scheme intersects Churchway Lane at the same level, thus minimising the length of Churchway Lane affected. There is no alternative to the Scheme alignment that would reduce further the loss of any of Churchway Lane.

4.0 Relocated car park (Contributed by Michael Smith)

4.1 In their letter dated 11th November 2008, the Parish Council note that the proposed car park would be further up Maddacombe Road and raise concerns due to lack of a footway. Although no formal paved footway would be provided, except as shown on **Figure 10.12** of Michael Smith's Proof of Evidence (**DCC/A/3**) where a 2m wide surfaced verge would be provided across the Maddacombe Road Overbridge, the realigned section of Maddacombe Road would have grassed verges in recognition of the rural setting of the road. The verges would be 1.5m wide and would provide appropriate space in which to walk to the car park.

5.0 Relocation of the Model Car Club

5.1 This is a new issue from the Parish Council; however, it is dealt with in a separate response in Michael Smith's Proof of Evidence (**DCC/P/3**) at **paragraph 11.1.36**.

5.2 **Section 9** of Paul Ewings' Proof of Evidence (**DCC/P/1**) describes the area of Common Land required for the scheme and the model car track. The area of the track is shown in **Figure 1** of Paul Ewings' Proof of Evidence (**DCC/A/1**).

5.3 Whilst the Acquiring Authority is prepared to use its best endeavours to find a suitable site for relocation of the Car Club, a site has not been found at the present time. It is considered that the Exchange Common Land is not an appropriate location.

5.4 If a site is not found then the loss of the current site would be dealt with in compensation.