



A380 South Devon Link Road (Kingskerswell Bypass)

Public Inquiry

Devon County Council's Response to

**Written Representation of Mr David Bailey representing
Teignbridge Friends of the Earth**

(Obj 44): OBJ/TGFoE/(44)/WR/1

Response by David Black

**with contributions by Richard Perkins, Bethan Tucket-Jones
Paul Ewings, David Black, Rosalyn Guard and Andrew McCarthy**

1.0 Introduction

- 1.1 This Response (DCC/REB/19) to the Written Representation of David Bailey on behalf of Teignbridge Friends of the Earth (TFoE) OBJ/TGFoE/(44)/WR/1) has been prepared by David Black with contributions by Richard Perkins, Bethan Tucket-Jones, Paul Ewings, Rosalyn Guard and Andrew McCarthy.
- 1.2 Mr Bailey's written representation comprises a number of issues arising either from cross-examination of witnesses or from his reading of the Statement of Case. In addition Mr Bailey provides further information regarding the South Devon Link Road.

2.0 Responses to Cross Examination

Mr Bailey has questioned the response of Andrew McCarthy in relation to bats.
(Contribution by Andrew McCarthy)

- 2.1 As with the great majority of ecological mitigation measures on development projects, it is not possible to state with absolute certainty that target species will use the measures provided (in this case tunnels/culverts for bats). However, since the bat culverts are positioned in the most appropriate locations (along known key bat flight routes) and are of an appropriate size, it is reasonable to assume that they will perform as expected given the experience on similar projects elsewhere in the UK.
- 2.2 The Scheme Plan clearly shows five culverts at the southern end of the Scheme.
- 2.3 TFoE appear to have misunderstood the response. High flying bats (for example Noctule) do occur in the area, but were not considered (at the Environmental Impact Assessment stage of the project) to be especially vulnerable to the effects of a road scheme, since they are expected to be able to fly well above the scheme once it is operational. It is the lower flying species, such as pipistrelles, *Myotis* bats, long eared and Lesser horseshoe bats, that are most vulnerable to the effects of habitat severance and road traffic collisions, since they often fly at traffic height. It is for this reason that the purpose-designed tunnels have been incorporated in the Scheme, along with other measures such as sensitively designed lighting (to minimise light spill into adjacent habitat) and careful planting at the ends of the Maddcombe Road and Yon Street overbridges to encourage use by species such as pipistrelles. The level of mitigation incorporated is substantial and in proportion with the modest bat assemblage present.
- 2.4 The mitigation measures have been designed using reasoned judgement based on 18 years professional experience, rather than 'guess work' and are in any case fully in accordance with nationally accepted best practice. Culvert dimensions are appropriate for the target species at this site; in particular for lesser horseshoe bats which have been shown to use culverts of these and smaller dimensions.

Mr Bailey has questioned the response of Richard Perkins in relation to noise reduction measures. (Contribution by Richard Perkins)

- 2.5 The noise mitigation measures for the Scheme are described in paras 4.2.1 & 4.2.2 of Richard Perkins' Proof of Evidence (DCC/P/9) and are illustrated on the Scheme Plan drawings (CD 1.6).
- 2.6 The resulting traffic noise changes for the Scheme are illustrated in Figure NV5a-c of DCC/A/9.
- 2.7 Traffic noise levels of >68 dB LA10 are considered by the Government to potentially be injurious to health. The Scheme would significantly reduce the number of properties exposed to this level of traffic noise.

- 2.8 Noise is generally perceived to carry further at night, mostly due to the reduced level from more local roads compared with during the day (or other noise sources). Distant road traffic noise is often the dominant noise source in many rural locations across the UK.

Mr Bailey has questioned the response of Rosalyn Guard in relation to landscape, townscape and visual. (Contribution by Rosalyn Guard)

- 2.9 Rosalyn Guard does not understand why David Bailey translates 'I think' as 'I am unsure what I think'. When using the words 'I think' Rosalyn Guard means that she is about to state what she thinks is the case, not that she is uncertain about what she thinks. There was no implied uncertainty in any responses.

3.0 Responses to Statement of Case

Rail Services - Statement of Case page 9, section 4.18.

- 3.1 Mr Bailey has claimed that DCC has used poor rail infrastructure as justification for the South Devon Link Road. He also claims that DCC has 'scant regard' for rail services.

- 3.2 The Statement of Case states: '*Torbay has little to attract inward investment both because it lacks a good quality road and rail infrastructure*'. The Scheme addresses the poor road links to the Torbay area. Improvements to rail do not form part of the Scheme; however, re-opening Kingkerswell railway station is part of the long-term transportation strategy identified in the Devon Structure Plan (CD 3.2, page 102) and further rail improvements are identified with the Devon Local Transport Plan (CD 3.9, page 237).

- 3.3 Devon County Council recognises the opportunity to improve rail services within the sub region; indeed the reopening of Kingskerswell Railway Station has been addressed within DCC/PI4, section 2.5. Furthermore, in DCC/PI4 section 12.5.4, it is recognised that there is scope for improving rail services by upgrading stations, improving interchanges and through provision of more frequent and more comfortable trains. However, it is shown that implementation of these measures will not lead to any significant alleviation of traffic congestion on the A380. Whilst the potential of improvements to rail for alleviating congestion on the A380 is limited it is seen as a step in the right direction and would set a policy for the longer term to encourage more travel by rail.

Promotion of Rail Services - Statement of Case page 53, section 8.5.13.

- 3.4 Mr Bailey cites the plan by South West Trains to terminate services from Waterloo at Exeter St. Davids as evidence that DCC has not demonstrated enthusiasm to promote rail.

- 3.5 Whilst it is true that South West Trains plan to terminate all London Waterloo services at Exeter St. Davids as from December 2009, this is in response to DCC's investment in studies into rail infrastructure provision on the London to Waterloo line. This investment has resulted in planned provision of double track at Chard, which will allow an increase in services between Exeter and Waterloo. This increase in services can only be provided through a small, short term reduction in services between Exeter and Torbay.

Business Communities Views - Statement of Case page 53, section 8.5.15. (Contribution by Robert Hetherington)

- 3.6 Mr Bailey questions how many Torbay businesses have been consulted and how many are actually in favour of the link road.

- 3.7 CD 5.26, paragraph 6.30 reports that of those businesses interviewed, 74% expressed the view that the Scheme would have the most benefit for their business within 2 to 5 years of implementation.

Air Pollution - Statement of Case page 66, section 9.9.1 (Contribution by Bethan Tuckett-Jones)

- 3.8 Mr Bailey claims that there is a flaw in this section, as the problem of air pollution is merely being shifted to a different part of the village.
- 3.9 Response: It is incorrect to suggest that the problem of air pollution is being shifted to a different part of the village. There will be a net overall reduction in exposure to air pollution and maximum exposure to air pollution at residential properties will be reduced. Furthermore, with the Scheme, no properties are predicted to experience pollutant concentrations in exceedence of, or at risk of exceeding, the health based air quality objectives.

Greenhouse Gases - Statement of Case page 67, section 9.10.1 (Contribution by Bethan Tuckett-Jones)

- 3.10 Mr Bailey suggests that the statement below extracted from the Environmental Statement (CD 2.3) is not an acceptable argument as national emissions are a collection of local emissions:

The environmental assessment in accordance with Volume 11 of the Design Manual for Roads and Bridges, and reported in the Environmental Statement, shows that if the Scheme were built, there would be an increase in the total quantity of emissions but states that the significance of the magnitude of the emissions would be negligible in comparison with national emissions.

- 3.11 In **DCC/P/10**, it is demonstrated that, taking into account all journeys which are potentially affected by the bypass, carbon emissions with the Scheme are less than 1% greater than emissions in the Do Minimum scenario. This is considered to be a neutral impact (**DCC/P/10** para 7.4.2). On the regional and national scale, the impact of the scheme is a lower percentage of do minimum emissions. However, our assessment considers in the first instance the increase in emissions on all trips which pass through the study area. Beyond this, DCC acknowledge that where practicable, synergistic policies beneficial to both local air quality and climate change should be pursued. However, on occasion, compromises between air quality and climate change effects will be required. In the case of the Scheme, the concession is considered to be minor, with significant improvements in air quality within an AQMA provided at the cost of a slight increase in emissions of greenhouses gases which is considered neutral in the regional context.

Safety - Statement of Case page 70, section 9.12.1

- 3.12 Mr Bailey claims that more accidents are likely to occur on the bypass due to the increased speed on this route.
- 3.13 Road Casualties Great Britain 2007 (**CD 5.45**) provides national average accident rates for different standards of routes. The document states an accident rate of 23 accidents per 100 million vehicle kilometres for a rural A class route, **DCC/P/4** shows the accident rate for this particular route is higher than the average at 31 accidents per 100 million vehicle kilometres.
- 3.14 The proposed route will have a significantly lower accident rate than the existing A380. DMRB volume 13 (**CD 4.35**), Table 4/1 provides accident rates for several classes of road, this shows the accident rate for a dual carriageway is 13 accidents per 100 million vehicle kilometres.

4.0 'Other Objections'

South West regional policies and objectives (Contribution by Ian Harrison)

- 4.1 It is suggested by Mr Bailey that the Scheme does not align well with South West regional policies and objectives.
- 4.2 **DCC/P/2**, Section 4 provides details of the regional policies to which the Scheme aligns. These include:
- Regional Planning Guidance for the South West (RPG 10)
 - The Sub-Regional Strategy, Policy SS3 of RPG10 (CD 3.4)
 - The Regional Transport Strategy (RTS), Section 8 of RPG10 (CD 3.4)
 - Devon Structure Plan, 2001 TO 2016 (CD 3.2)
 - Torbay Local Plan (CD 3.8)
 - Teignbridge Local Plan 1989 – 2001 (CD 3.5)
 - Regional Funding Allocation 1 – The Regional Funding Allocation Commitment (CD 3.1)
 - Draft Regional Spatial Strategy (CD 3.3)
 - Draft Regional Transport Strategy (3.3)
 - Growth Points
 - Devon Local Transport Plan 2006-2011 (CD 3.9)
 - Torbay Local Transport Plan 2006-2011 (CD 3.11)
 - Regional Funding Allocation 2 – SDLR.....

Regeneration (Contribution by Robert Hetherington)

- 4.3 Mr Bailey suspects that there is little reason to suggest the Scheme would lead to regeneration of increased self containment in Torbay and surrounding areas.
- 4.4 This issued is addressed in DCC/P/5 at paragraphs 4.3.1 and 4.3.2.

Increased commuting by car (Contribution by David Black)

- 4.5 Mr Bailey expresses his concern that traffic would encourage commuter traffic.
- 4.6 DCC/P/4, table 23 and 25 provide modelled trips totals for the sub-Region in 2028. The difference between the two totals from the tables provides the total induced traffic due to the Scheme of 3,000 trips. Taking DCC/P/4, table 28 it can be seen that this is equivalent to 2% of the total trips along the corridor, hence the number of induced (or encouraged) trips is small. A further increase in trips along the corridor occurs due to redistribution of trips away from the congested areas of the network and reassignment of trips away from side roads onto the bypass. This change in travel patterns is due to the Scheme successfully performing its function as a Regionally Significant Route.
- 4.7 The Scheme also provides the best opportunity available to promote other modes through increased provision through Kingskerswell. Provision for other modes without a bypass is not possible given the current constraints on the A380.

Landscape impact and conflict with National Policy (Contribution by Rosalyn Guard)

- 4.8 Mr Bailey states his concern that the landscape impact of the scheme could conflict with national policy guidance.
- 4.9 This issue is addressed in DCC/P/6 at section 9.2, which concludes that the Scheme complies with National, Regional, County and Local policies in respect of landscape.

Scheme Cost and Liability to Tax Payers (Contribution by Ian Harrison)

- 4.10 Mr Bailey expresses the view that due to the 'enormous cost of this new road', the Teignbridge and Torbay public would no doubt be paying much more in council tax for years to come.
- 4.11 Dr. Ian Harrison's evidence DCC/P/2 paragraph 6.1.3 identifies that Devon County Council and Torbay Council will each contribute approximately £6m towards the cost of the Scheme. The rest will be funded by Central Government.
- 4.12 The Councils are well aware of their contribution and have been so for a number of years. Provision has been made in the appropriate budgets and by spreading the cost over a number of years it is affordable and will have minimal effect on the overall level of Council Tax.

Traffic Movements at Edginswell Junction (Contribution by David Black)

- 4.13 The traffic movements at Edginswell junction have been questioned by Mr Bailey, in particular the possibility for traffic to avoid the propose Scheme with its associated traffic signals and use the existing A380.
- 4.14 The Scheme and its associated displaced right turn junction at Edginswell provide significant capacity benefits (see DCC/INQ/35) and journey time savings (DCC/P/4, diagram 14 and 21). This is in comparison with the existing A380 with its numerous side roads and frontage development and the existing rat runs of Kingskerswell Road and St Marychurch Road. There will be little incentive for traffic to use inappropriate side roads to the Scheme other than for access. To ensure that traffic does not return to side roads a series of traffic management and safety measures would be implemented upon opening the Scheme.