

A38 JUNCTIONS SCHEME—LITTLE EATON JUNCTION.
APPLICATION FOR DEVELOPMENT CONSENT ORDER.

UPDATED WRITTEN REPRESENTATIONS BY BREADSALL PARISH COUNCIL
TO THE EXAMINING AUTHORITY

This is an update to the representations submitted on 4 November, taking into account the responses received from Highways England to the Examining Authority's first questions and the discussions at the Issue Specific Hearing on December 11th

Part 1. Selection of the preferred route.

Highways England state that “the popularity of the options was just one of the factors considered when determining the preferred option”, implying that the methodology for the assessment of popularity was not in itself critical. In fact the supposed popularity of Option 3 was one of just two factors quoted by Highways England for rejecting Options 1 and 2 in their documentation for the 2015 consultation, the other reason being “the impacts on both local residents and commercial properties” Given that, according to Highways England, “there was very little to differentiate between Options 3 and 2” the methodology for assessing popularity was in practice highly critical and any change in the methodology could have altered the choice of route.

In justifying their methodology Highways England state that “the consultation process must consider the views of everybody who expresses interest” and they duly adopted a simplistic process in which every response was given equal weight. The Parish Council remains of the view that this process was deeply flawed for the following reasons

- According to Highways England physical effects from any version of the Little Eaton junction will be experienced only at property in the immediate vicinity (effectively Breadsall village, the properties adjoining the junction and some dwellings at the eastern end of Allestree).
- It must therefore be wrong in principle to give equal weight to the respondents located outside the affected zone who comprised the majority of those expressing an interest. This methodology is akin to allowing residents of Nottinghamshire to vote in Derbyshire local elections.
- Highways England did in fact conduct a second analysis of the 2015 consultation results limited to respondents from Breadsall, Allestree and Little Eaton. It is highly significant that this produced a much narrower vote in favour of Option 3 (54%). Even this figure was overstated as most parts of Allestree and Little Eaton are unaffected by physical effects from the scheme. If these areas had also been excluded the majority in favour of Option 3 would almost certainly have disappeared altogether.
- Although the petition from Breadsall Parish Council opposed Option 3 without explicitly supporting other options there must logically be an implication of preference for Option 1 or 2. In any event the mere submission of the petition was an expression of extreme strength of feeling in Breadsall which was highly relevant to the assessment of public opinion but was totally ignored by the Highways Agency in assessing the relative popularity of the alternative designs.

In summary, the assessment of public opinion was an absolutely key factor in the selection of a preferred route for the Little Eaton Junction by the Highways Agency and Highways England but the methodology for assessing public opinion was deeply

flawed and produced an utterly perverse result. This can be addressed only by a complete reappraisal of the design for this junction.

As stated in the Parish Council's previous written submission Highways England's second reason for rejecting Options 1 and 2 (impact on local residents and businesses) was also highly questionable and reinforces the need for a complete re-appraisal.

One further factor which emerged at the hearing on December 11th was the expression of concern about the effect of Option 3 on the green belt and the openness of the landscape. Although the effect may not be as severe as first thought it must be pointed out that Option 3 is routed through high quality, untouched green belt and is significantly more harmful to the landscape than the alternative options to the north west of the present junction which affect mainly brownfield land.

Part 2 Detailed comments on the current application

Although the Parish Council believes that the selection of the Option 3 was inappropriate it will continue to comment on the current design in the event that it proceeds.

Tree planting on the eastern side of the A38 and slip road

The Parish Council continues to be concerned that the tree belt alongside the southern end of the slip road and the roundabout is far too narrow in the present design to provide effective screening. The discussion at the hearing on December 11th showed that the tree belt at this location is far narrower than those elsewhere around the new junction despite the importance of this particular section in providing a screen between Breadsall and the new road. The Parish Council believes that this provides ample justification for increasing the permanent land take if that is necessary. It is understood that Highways England will in the first instance examine options for moving the ponds eastward to create more space for the tree belt and will liaise with the Parish Council.

Highways England state that the current composition of the tree belts is based on ecological considerations and includes just 10% evergreen species. In this particular location, however, the tree belt has an equally important function in helping to screen Breadsall from the physical effects of the new road. The Parish Council concludes that a much higher proportion of evergreens is needed to provide year- round screening.

Diversion of Footpath 3.

The discussion at the hearing on December 11th was somewhat inconclusive and it is understood that the Parish Council will be invited to join further discussions with Highways England and the County Council concerning Footpath 3 and the crossing of the A61. In the meantime, the Parish Council wishes to make the following points

- Highways England appear to believe that footpath 3 had already been diverted. As far as the Parish Council is aware it has not.
- Although there is an alternative footpath from the north end of Rectory Lane to the centre of Little Eaton, Footpath 3 provides the only direct route from Breadsall village to the area immediately north of the present A38/A61 junction. This in turn gives convenient access to several destinations such as

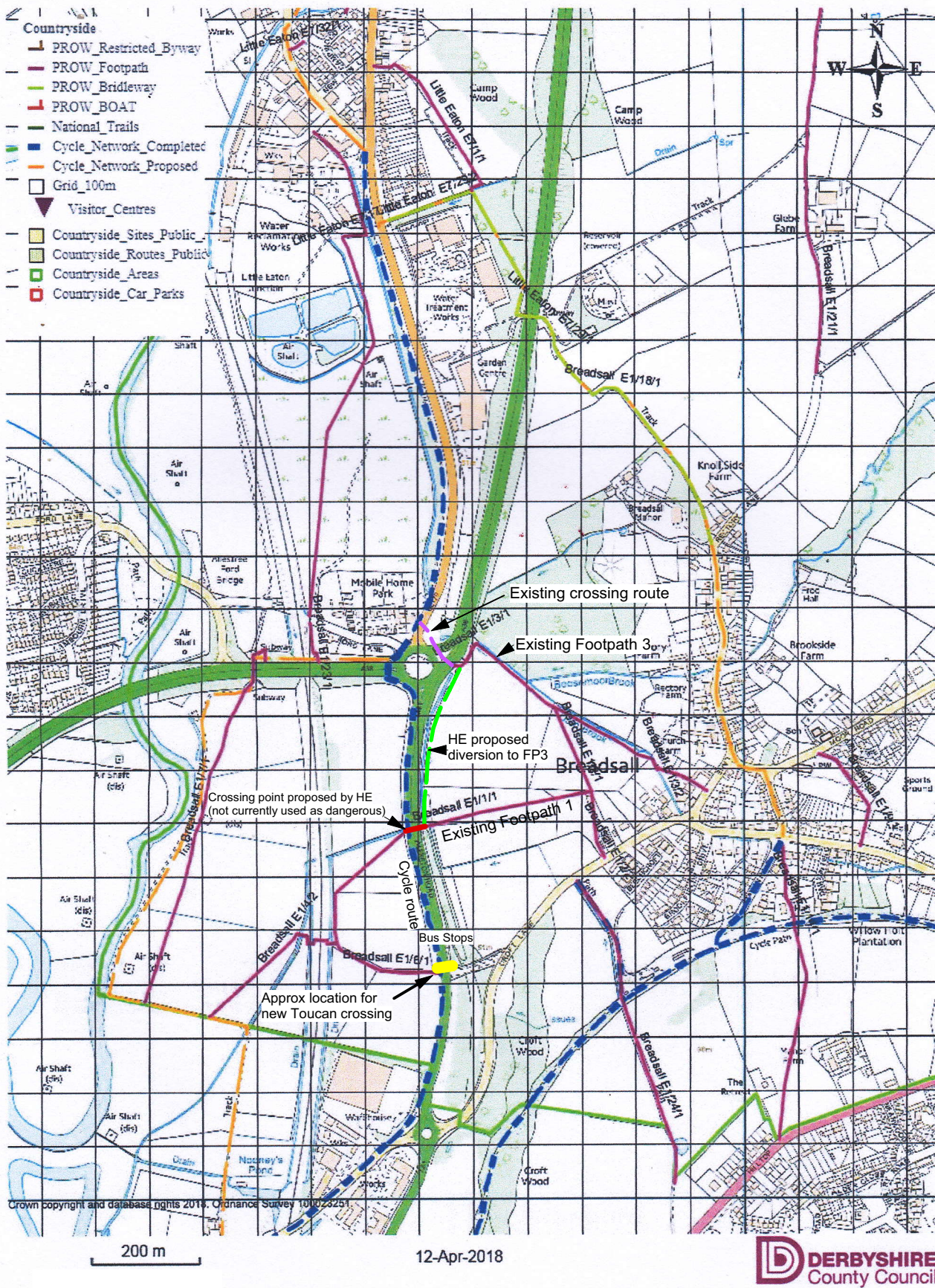
the eastern end of Allestree, the riverside footpaths, Starbucks and the garden centre.

- The present route can be retained if Highways England provide a pedestrian route across the northern end of the new junction, effectively crossing the two slip roads and passing beneath the A38 main carriageway. This is actually safer than the present situation where pedestrians have to cross a slip road and the main A38 carriageway as well.
- It is understood that Highways England propose instead to divert Footpath 3 southward to join Footpath 1 on the eastern side of the A61 and suggest that pedestrians should cross the A61 where Footpath 1 currently crosses. This is quite unacceptable as the A61 is at this point a high-speed dual carriageway which represents a far greater danger to pedestrians than a crossing at the A38/A61 junction suggested in the previous point.
- The Parish Council assumed that pedestrians would in practice have to divert even further south to cross the A61 at a new Toucan crossing to be provided near the old Croft Lane simultaneously with the new A38 junction works. At the hearing on December 11th, however, there appeared to be some doubt whether the County Council had identified a suitable location for the proposed Toucan crossing. The Parish Council will welcome further discussion with the County Council and Highways England on this subject
- In the meantime, the Parish Council wishes to make it clear that a new Toucan crossing is essential to provide a safe pedestrian and cycle route between Breadsall and the western side of the A61. Its primary purpose is to create a route to Alfreton Road, local bus stops and the shops at the Meteor Centre and not to provide a diversionary route for Footpath 3. As a result, the new Toucan crossing should be located adjacent to the end of the old Croft Lane and bus stops, not further north.

A plan of the local footpath network is attached, annotated to show the current route of Footpath 3, the existing A38 crossing, Highways England's proposed diversion of Footpath 3 and the proposed location for the Toucan crossing

Traffic Management Plan.

The discussion at the hearing on December 11th showed how unpredictable the effect of major highway works on the surrounding highway network can be. This may result on road users encountering unexpected delays or being unsure whether to adopt alternative routes. This reinforces the point made by the Parish Council in its previous representations that it is essential to have a network of signs giving **real time** information about possible delays.



Overlay of HE proposed footpath diversions on existing footpaths map