



Agenda

Title of meeting	A30 Chiverton to Carland Cross Issue Specific Hearing into Walking, Cycling, Horse Riding (WCH)
Date	Thursday 4 April 2019
Time	9.30am (open) for 10.00am
Venue	Old Bakery Studios, Blewett's Wharf, Malpas Road, Truro, TR1 1QH
Attendees	Invitees

Purpose of the Issue Specific Hearing

The ExA will examine the matters raised regarding walking, cycling and horse riding in relation to the proposed scheme.

Account will be taken of the matters arising from the relevant representations (RRs); the response of the applicant on the RRs received at Deadline 1 (19 February 2019); and, further matters raised at Deadline 1.

Participation, conduct and management of hearing

All IPs are invited to attend the hearing. Each IP is entitled to make oral representations at the hearing, subject to the ExA's power to control the hearing.

The ExA requests that the following attendees participate in ISH3:

- Highways England (the Applicant)
- British Horse Society (BHS)
- Cornwall Council (CC)
- Cornwall Countryside Access Forum (CCAF)
- Ramblers Association (RA)
- Truro Cycle Campaign (TCC) and/or Transition Truro (TT)
- Any other IPs with an interest in these matters.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required. The Applicant and IPs may consider attending with the following expert advisers, but IPs may participate without expert advice:

- Engineers and project managers, responsible for project design and delivery;
- Lawyers engaged in statutory drafting, planning and environmental law; and
- Town Planners or Surveyors engaged in the negotiation of requirements and agreements relating to the use and development of land.

Guidance under the Planning Act 2008 (PA 2008)¹ and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

Cross-questioning of the person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case.

The hearing will run until all IPs have made their representations and responded to the ExA's exploration of the matters in accordance with the agenda set.

Please note that the following agenda is indicative and may be amended by the ExA. Furthermore, the ExA may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agenda.

¹ DCLG: 'Planning Act 2008: Guidance for the examination of applications for development consent', March 2015.

<https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>



Agenda

1. Welcome, introductions and arrangements for this Issue Specific Hearing

2. Treatment of existing public rights of way

- a. There have been some changes to the rights of way and access plans following on from the Section 51 advice. Can the applicant briefly update on the proposed changes in this respect.

Has there been any work to identify any effects on non-motorised users (NMUs) in the locations where it is proposed to remove restricted byways, which were part of the main carriageways, from the dDCO?

- b. Any matters arising from the CC Local Impact Report (LIR) [REP1-010] comment on Rights of Way and Access Plans Sheet 1-ref. Z11, asking whether there could there be an additional length of path to join BOAT 309/25/7 on the north side of the bypass to increase connectivity. It is noted that in the response to section 51 Advice [AS-004] the applicant proposes to remove Z11 from the dDCO.
- c. Any matters arising from the CC LIR [REP1-010] comment on Rights of Way and Access Plans Sheet 3-ref. Z (PR5), asking whether this be upgraded to bridleway status rather than footpath.
- d. Any matters arising from the St Allen Parish Council [REP1-027] comment regarding the section of the Shortlanesend road from St Fredas to Two Burrow Hill, which forms part of the National Cycle Path (route no. 32). The suggestion is to redesignate this section as a bridleway. This route was also referred to by CCAF [RR-067].
- e. Any other matters

3. Signage

- a. CCAF [RR-067] commented on signage at Chiverton Cross and Mitchell for cyclists. This is aimed at cyclists who might be using the existing A30 – I understand that cyclists would be prevented from using the proposed new section of the A30. Is that correct?
- b. The applicant has indicated that signage would be dealt with via the CEMP. Would this be an 'end of the process' job or something undertaken as relevant sections were completed?
- c. Does the applicant have any comment on the request by Cornwall Council for bilingual signs?
- d. Any other matters

4. A39 crossing

- a. CCAF [RR-067] commented on the crossing of the A39 south of Carland Cross. The BHS [RR-078] also raised concern in relation to the A39 crossing in relation to vulnerable users, requesting provision of a "Pegasus" Crossing.

The applicant indicates that vehicle speeds are low, with very good visibility to and from the crossing. It is proposed to provide an at-grade crossing over four lanes of traffic making use of the junction splitter island. It is noted that Table 7-12 of the Transport Report [APP-049] indicates a decrease in traffic flow on this route with the scheme compared to Do Minimum (DM).

What matters have been taken into account in considering the proposed crossing design?

- b. In addition to traffic flow data (understood to have been taken from the Traffic Master database) is there any information available on the likely levels of use by NMUs crossing the A39?
- c. Any other matters

5. Access Land

- a. Any matters arising from the comments of the Ramblers' Association [RR-083] that the proposed road would bisect an area designated as Access Land under the Countryside and Rights of Way Act 2000, west of Carland Cross (6.3 Environmental Statement Figure 7.2 – Landscape Designations Sheet 1 of 2 {APP-173} & 2.3(A) Special Category Land Plan {AS-013}). No means of access is proposed to the southern part of this land, but it appears relatively easy to provide access on foot along the disused length of the old A30.
- b. Any matters arising from the comments of the Ramblers' Association [RR-083] that in mitigation for the loss of Access Land, the proposed new heathland should be designated as CRoW Access Land.
- c. Any other matters

6. Church Lane

- a. CCAF [RR-067] and the BHS [RR-078] commented on this crossing, which is currently an at-grade crossing.

The applicant indicates that the proposed underpass at Zelah would be for walkers, connecting to the existing route, which involves stepped access. Cyclists and horse riders would be able to use the Trevalso Lane underpass to the east. It is noted that the dDCO refers to KK as a new bridleway.

Could the applicant please note that it may be helpful to have a large-scale plan relating to this area clarifying the proposal to assist in discussion.

- b. CC – please provide information on the highway status of Church Lane and the U6063 to the east. A plan may be helpful to assist in discussion.

- c. What matters have been taken into account in considering the proposed crossing design?
- d. Any matters arising from the CC LIR [REP1-010] comment on Rights of Way and Access Plans Sheet 5-ref. JJ(PR10), asking whether the private means of access (16) could be changed to Public Bridleway and linked to JJ along south side of bypass to give a connection to the east from the underbridge².
- e. Any matters arising from the CC LIR [REP1-010] comment on Rights of Way and Access Plans Sheet 5- ref. LL (U6083), asking whether the historical gap in highway rights of the unclassified lane U6083, where it crosses the existing A30, could be dealt with by extending the footpath over the existing A30 to provide continuous link.
- f. Any matters arising from the request of St Allen Parish Council [REP1-027] that the tunnel through Church Lane should be under both the new and the existing A30, in line with each other to create a continuous route.
- g. St Allen Parish Council [REP1-027] refer to the Trevalso underpass (NN in the dDCO, Work No. 10) in relation to design and access for farm vehicles. Given the proposal that NMUs would potentially be directed to use this route is the proposed design adequate for all users?
- h. Any other matters

7. Chiverton Roundabout

- a. There have been numerous comments regarding NMU access in this area, relating to the proposed underpass and the possibility of provision of an overbridge in this location.

Could the applicant please note that it may be helpful to have a large-scale plan relating to this area clarifying the proposal to assist in discussion.

- b. The CC LIR [REP1-010] indicated that a separate scheme would be progressed by CC, 90% funded by the applicant under the HE Designated funds programme, with the remaining 10% contribution from CC. This was to be formally announced at media launch event on 20 February 2019.

Has this occurred?

- c. If the above scheme is being taken forward please provide an update on progress and an indication of the weight which it is believed may, or may not, be placed upon it by the Secretary of State in considering the dDCO.
- d. TCC [REP1-032] referred to the NPSNN which sets out that "There is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. The Government also expects applicants to identify opportunities to invest in

² Note that the directions 'east', 'south', etc, have been taken from the CC LIR and may require clarification.

infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions'."

It is noted that the applicant believes the proposal would be a benefit of the scheme at this junction compared to the existing situation. TCC believe that the existing severance would be made worse.

How has the applicant taken account of the NPSNN in relation to this matter?

- e. TCC [REP1-032] referred to other policies, such as the DfT Cycling and Walking Investment Strategy 2017, which refers to promoting better governance to ensure planning for cycling is incorporated into government programmes and the HE Cycling Strategy 2016, which commits to 'cycle-proofing' the strategic road network, reducing severance and increasing the number of safe crossings.

How has the applicant taken account of these wider policies?

- f. TCC [REP1-032] referred to the Cornwall Propensity to Cycle Study, 2016.

How has the applicant taken account of this within the scheme design?

- g. Sarah Wetherill [REP1-022] referred to HE strategies and policies such as Interim Advice Note 195/16 - Cycle Traffic and the Strategic Road Network. This states at 2.1.2 that 'current levels of demand for cycle trips are not always a good indication of potential future levels of demand. Creation of a comprehensive network of good quality cycle routes has the potential to stimulate demand beyond the incremental change that demand models predict. Designers shall not rely solely on modelled incremental increases relative to current demand for cycle trips, therefore they shall ensure they consider the potential for additional stimulated demand.' It is said that, in following this Advice Note, HE should have factored in a grade-separated crossing in the scheme from the outset.

What is the status of this Interim Advice Note?

- h. If appropriate to do so, how has the applicant taken account of this within the scheme design?
- i. Sarah Wetherill [REP1-022] also referred to HD 42/05 Non-motorised user Audits indicating that this requires assessments to consider 'potential routes and desire lines not currently used, e.g. due to personal safety or road safety fears and to take into account desire lines and trip generators. This was updated in 2017 (HD 42/17) to reiterate the need to include 'a review of significant local trip generators and amenities in the area surrounding the highway scheme to identify likely desire lines for pedestrians, cyclists and equestrians'. Advice note 91/05 states that 'it is important to consider the range of potential users, key destinations and latent demand in determining the appropriate form of NMU [Non Motorised User] provision'.

What is the status of these documents?

- j. If appropriate to do so, how has the applicant taken account of them within the scheme design?
- k. John Wetherill [REP1-016] referred to HE 'TD 36/93 Subways for Pedestrians and Pedal Cyclists', which refers to underpasses raising concerns regarding 'Personal Security Aspects'. He also refers to Advice Note 91/05, which notes that 'personal safety can be a significant issue in underpasses. Reference is made to the Sustrans Design Manual, February 2015, which refers to underbridges as likely to generate 'issues of personal security'. Bernard Quigg [REP1-008] indicates that family members would probably be too nervous to use the tunnel. Similar issues were raised in other RRs.

What is the status of these documents?

- l. If appropriate to do so, how has the applicant taken account of them within the scheme design?
- m. John Wetherill [REP1-016] referred to the proposed width of 4 metres, indicating it to be less than the 5 metres required to afford segregation of users, as referred to in HD 36/93. The proposed underpass height is not the 3.7m minimum headroom sought where bridleways are to be incorporated into subways (except where suitable facilities for the riders to dismount and remount are provided). HE TA 90/05 'The Geometric Design of Pedestrian Cycle and Equestrian Routes' refers to the need to avoid low headroom over longer distances since horses are more difficult to control when being led. The British Horse Society [RR-078] raised concerns that the long underpass for cyclists, walkers and horse riders would be very low for equines, with a minimum of 3.5 metres required. It was also said that the proposed width was narrow, in view of its length, to accommodate all users including equines.

What is the status of these documents?

- n. If appropriate to do so, how has the applicant taken account of them within the scheme design?
- o. Any other matters

8. Any other matters

9. Review of issues and actions arising

The ExA will address how any actions placed on the Applicant are to be met and consider the approaches to be taken to the examination of the dDCO and any changes to it, in the light of issues raised in this hearing.

10. Close