

**A57 Link Roads** (previously known as Trans Pennine Upgrade Programme)  
Planning Inspectorate Reference: **TR010034**

**Peter Simon (A57L-001)**

**Comments on Issue Specific Hearing 3**

Submission to the Examination for Deadline 8

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(I employ here the ExA's list of **abbreviations** as laid out in the recent ExA WQ2 Document.  
Other abbreviations are below at footnote \*)

1. As an Interested Party I wish to comment at Deadline 8 on the inconsistency between written and oral positions of Derbyshire as a Local County Highway Authority with regard to the Scheme. The responses being at variance produces a high level of ambiguity that is unsatisfactory, confusing and unhelpful to the Examination.

At ISH (Hearing 3) DCC's Transport Assessment Officer consistently sought to defer and disregard serious written issues his own Authority had raised. Extraordinarily he sought to defer these very issues to beyond the DCO Examination stage continually advocating their consideration in "*the fullness of time*" (a phrase repeatedly used – a search of the record shows at least 6 times! (\*\* footnote below refers). In itself somewhat contrary to a previous position on his first appearance in February (P7 Issue Specific Hearing 2 (Session 2) - Transcript - 9 February 2022 25:11) he now in April plainly did not want them scrutinised.

As has been repeatedly stated written and oral representations carry equal weight at this examination, and the majority of the summarised "*Uncertainties and Concerns*" in the joint independently prepared Local Impact Report for Derbyshire and High Peak remain clearly unresolved. (P71/2 LIR - 19. Summary Comments on the Draft Development Consent Order Application Uncertainties and Concerns) . Furthermore Local Impact Reports are of moment in the Secretary of State's decision making process on the Application. So the fact of this oral evidence being at variance with the LIR has in my view undoubtedly seriously hampered the Examination.

I cannot certainly explain why Derbyshire's representative's position was essentially that of siding with the Applicant on most matters of difficulty. I would accept that the DCC WQ2 answers appear differently authored from those at WQ1 and are more sympathetic to supporting the Application on a "no questions asked" basis. So this discrepancy could be maybe overlooked if the original concerns summarised in the LIR had been properly examined and resolved but concerningly the majority have not been.

In view of this incongruity I would suggest that specifically written clarification from the County Local Highway Authority Planning Executive is needed and sought to restore due process, not only generally as regards support for “a Scheme” but specifically on their current position on all the outstanding *“Uncertainties and Concerns”* as raised in the joint LIR (P70-1) and in WQ1. Do Derbyshire CC now, as implied in oral statements, in fact want a DCO granted irrespective of all concerns, perhaps on a basis that any Scheme is welcome irrespective of its toxicity and dangerous detriment to the local population? If so then that should be confirmed, but I think it would be a dereliction of statutory duty and completely wrong.

Whilst one can only speculate as to the reasons for this divergence of position within the same party, it is quite possible to demonstrate that it exists. For example the representative himself acknowledged it. *“Obviously you'll appreciate that when you submit to the local authority. A lot of the questions that they get scattered around to various disciplines and I think it was it was a colleague of mine who picked this up..... I don't think there's, you know, certainly at any fundamental disagreement between the local highway authority and the applicant.”* (P2 Issue Specific Hearing 2 (Session 3) - Transcript - 9 February 2022 04:09).

2. A key instance occurred at the recent ISH when the ExA drew attention to a concern about Scheme traffic increases on Dinting Road, where they had noted during a site visit the previous day the large scale cross migration of the road by school children on foot. They asked “Derbyshire” what highway measures might be required here for the forecast increased traffic due to the Scheme and in response the representative simply sought effectively to defer the matter to the *“fullness of time”*. This might as well have been advocacy for the Applicant and he indeed he was repeatedly at great pains throughout to stress again in contradiction to the written list of “concerns”, how little if any disagreement existed between the LHA and the Applicant.

The ExA had to repeatedly remind the individual of why the matter needed immediate consideration ; *“So, again, it'd be helpful for us for the purposes of our examination to understand whether the increases in traffic would be likely to lead Derbyshire county council to introduce a more formal crossing at that location if you're familiar with that location”* (P2 Issue Specific Hearing 3 (Session 2) - Transcript - 5 April 2022 08:19.)

They had then further to explain why deferral was not appropriate for the Examination, *“the introduction of a crossing there may have a bearing on the model, and therefore may have a bearing on the use of that alternative route. .... So I think, if it were possible, Mr. Blissett, if that's possibly something that could be discussed with the applicant,”* (P3 & 4, *ibid* 11:17)

The matter of a future certain “Safe route to school” and road crossing/severance has been raised by several local parties (\*\*\*) Emma Kane; “Sharefirst, My Journey to School”, Mr Bagshaw and myself.) I note a response on the matter for a later Deadline 9 was

negotiated here as an outcome, which I feel of some concern as it is most important despite obfuscations to get to the bottom of this public interest issue within the full and open process.

3. A further concern is that this party, despite their evasive approach, is now involved in negotiations with High Peak and the Applicant NH regarding a closely related key matter. With the over-capacity Shaw Lane Junction 3 in the LIR looming large at the Examination he recommended conducting a *“Select Link Analysis”* (SLA) despite having paradoxically argued against traffic modelling for North Glossopdale which of course is related to traffic dispersal from this and other key junctions. (P16 [Issue Specific Hearing 2 \(Session 2\) - Transcript - 9 February 2022 1:03:49](#)) Note that in the first instance the cost was not even discussed, while in second it was considered prohibitive. If one is performed and both presumably are affordable, why not the other?

As a stakeholder and local resident I have to express disquiet regarding the seeming tactics here, and noting the clock is ticking ask how the Examination is going to allow all Interested Parties the opportunity to engage with the findings and complexities of a “SLA” at such a late stage?

4. Another key instance of inconsistency concerns the strong written representation by DCC in answer to WQ1s regarding the need for safeguarding the villages of Hadfield, Padfield from any traffic volume increase threat were the Scheme in operation.

*“Villages of Hadfield and Padfield should also be safeguarded to prevent rat running traffic trying to avoid the strategic road network”* (P 70 – 14.4 - Deadline 2 Submission – DCC’s Response to the Examining Authority’s First Written Questions (WQ1 )

Yet Derbyshire orally at the Examination argued against modelling the identified threat to the villages, and effectively discouraged examination of the issue. (P16 [Issue Specific Hearing 2 \(Session 2\) - Transcript - 9 February 2022 1:03:49](#)) The evidence has since shown that this threat in a “worst case scenario” might derive more from the proposed Brookfield and existing mini Woolley Bridge roundabouts rather than the modelled suggestion of New Road, Tintwistle but it remains palpable and should not be disregarded. I am not aware that any “safeguarding” for the “villages” of Hadfield and Padfield (and by extension Old Glossop, another Conservation Area) has been looked at let alone secured!

So noting the imminent conclusion of the Examination and no further oral hearings I would ask how within the very limited time frame Derbyshire’s initial required assurance of “safeguarding” for these areas can be secured?

5. As stated there seems to be a possible school of thought at this Examination that a toxic and ill-conceived scheme is better than “no scheme at all”. In the words of DCC’s transport “planner/assessor”: *“it’s a disbenefit, and it’s something that we would we would need to consider but mindful of the opportunities that we’ve been presented*

*with, from national roads, you know”* (P17 [Issue Specific Hearing 2 \(Session 2\) - Transcript - 9 February 2022](#) 1:03:49 onwards) The High Peak MP took a not dissimilar view when he conceded the *“scheme is not perfect”* (P9 [Issue Specific Hearing 3 - Day 2 \(Session 1\) - Transcript - 6 April 2022](#) 15.00 ). I do not think such an approach can be acceptable.

On a more positive note my Local Council of High Peak Borough and their representatives should be commended for consistently resisting any attempts to lever them towards such an untenable position. Especially as better alternative “third way” options have emerged to solve local congestion and improve journey times in a sustainable fashion, that deserve the proper consideration they have never had and I suspect Policy requires. (NPSNN 4.27 and Para 2.21, & Agenda ISH3 - ExA text under “Alternatives”, Ps6-7)

The Examination has repeatedly also shown the competing needs of the Applicant and the National Park Authority to be quite irreconcilable, so a transitional hybrid modal alternative is the logical solution that offers to put this matter to rest and save further public expense. Indeed this was something I flagged up in an earlier response (Deadline 2 Submission – Written Representations and Appendices Peter Simon).

Concerns about the climate crisis that exist at all levels of government have also been continually and expertly raised during the Examination and the concomitant need to go beyond major road building towards modal shift seems a compelling one. If this urgency is to be recognised there needs also to be some realism about relying on a change of fairly entrenched transport behaviour patterns overnight. Similarly no certain reliance can be placed on the level of contribution that can be expected from EVs, which DCC themselves acknowledge (P19. 8.5, DCC Deadline 6 Submission – Response to the Examining Authority’s Second Written Questions (WQ2) this matter being ultimately an “unknown” whilst still under Examination scrutiny. The balance thus favours a transitional alternative option with an only minimal road construction component such as an additional arm at the M67 roundabout to Roe Cross for a one way. The issue of Green Belt infringement is under consideration as a Policy difficulty for the Applicant whereas such a slight modification would impact only on the very fringe of Green Belt not destroying “openness”. This would allow an easement of congestion and delays while the necessary measures for transition can be ensured to take place. I continue to feel this would be the least damaging and most productive balanced and sustainable outcome here.

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DCC – Derbyshire County Council

ExA – Examining Authority

EV – electric vehicle

ISH – Issue Specific Hearing

LIR – Local Impact Report

LHA – Local Highway Authority

SLA – Select Link Analysis

WQ1 – Examining Authority’s Written Questions 1

WQ2 – Examining Authority’s Written Questions 2

\*\* ISH2 Transcript *“the fullness of time”* at p3, 10.04, also 12.55/p5, 16.24/p6 22.44 x 2/p12  
46.25

\*\*\* Emma Kane - Deadline 4 Submission - Comments on the Proposed Development/Carole  
Hallam for SMFJS Deadline 4 Submission - P2 Post-hearing submissions requested by the  
Examining Authority Comments on the Proposed Development/Stephen Bagshaw P4 Deadline 2  
Submission - Comments on the Proposed Development/Peter Simon P4 Deadline 2 Submission -  
Comments on the Proposed Development