

Planning Inspectorate Deadline 4. February 14th 2023

Project TR00162

Dr Mary Clare Martin, also on behalf of Mrs Joy Thompson, mother and resident

[REDACTED]

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I believe we have already registered for the next set of hearings, but this is to reiterate this.

We wish to speak on a number of agenda items and also make representations on issues relating to some written questions. We plan to attend in person, but it would be helpful to be sent the link in case of any unexpected problems with in-person attendance.

Agenda items

Compulsory Acquisition Hearings CAH2, March 1st 2023

3 Human Rights and Duties under Equality Act 2010

The Human Rights Act 1998, Protocol 1, article 1, states that people should be allowed to enjoy their property in peace unless it is demonstrably in the public interest. I question whether building new roads near a house, (in our case, Low Broomrigg), even if it is 50 metres away (as in the revised DCO proposals), rather than 11 metres, represents enjoying property in peace. It will also lead to depreciation in the value of the property.

Moreover, it is questionable whether this dual carriageway is demonstrably in the public interest. The BCR is below 1, meaning it represents poor value for money. The main benefits have been summarised as reducing journey times by about 5 minutes. The road will cause immense damage to the local environment, landscape and contribute to the climate emergency through carbon emissions. In a situation where the Lake District has reached saturation point with cars, care should be taken to protect and preserve areas of natural beauty for the rest and recreation of the public, rather than destroying much of it. It would be far more in the public interest for the government to take active steps to take the heavy freight, which has increased hugely in recent decades, off the roads and on to the railways.

Protocol 1, Article 1: Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of the State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure payment of taxes or other contributions or penalties.

5.Representations by Affected Persons and other IPs

We wish to reiterate our concerns about the current designs which place the new dual carriageway to the south of the existing A66.

6. Any Other requests to speak (if for any reason not allowed to speak as above)

And

Issue Specific Hearing 3 2nd March 2023

2. Environmental Matters

.The noise and air pollution consequent on taking the dual carriageway south of the current road will almost certainly have a detrimental effect on the residents of Low Broomrigg.

We are concerned about the implications if the Secretary of State does not have to approve changes to iterations of the Environment Management Plan. It has been a longstanding concern about the hours of work and whether there will be work at night, for example. The public will be very vulnerable if contractors (whose main motivation is financial) do not need approval for changes.

4. Climate Effects

The BCR of the project remains unacceptably low when weighted against the cost of the project and impact on the climate (More details to be supplied.) We would hope that the DFT will follow the example of the Welsh government (as of Feb 14th) and halt road-building programmes.

5. Detailed Design

a) With reference to the ExA question (PC 1.1) asking for information about the Billy Welch line, this recommendation would be far preferable to the residents of Low Broomrigg and other properties in the area than the current DCO or the new proposed DCO. Both the latter take the new dual carriageway south of the existing road, which will cause a great deal of disruption to the lives of the existing residents, and have long term effects in terms of noise, air pollution, destruction of beautiful views, destruction of the countryside.

Reduced access to AONB

It should be noted that, although preserving the AONB has been given as a reason for not taking the dual carriageway north of the current A66, once the dual carriageway is built, it will not be possible to cross it except occasionally, and many residents will not be able to access the AONB on foot. Whereas Low Broomrigg residents can currently walk to the AONB across the current A66 on non-firing days and enjoy a walk up the fell, access will now be possible only via the Flitholme underpass, which is too far to walk for 90 year olds, and will also be unpleasant walking along a busy road. This is just one example of how the road proposals will simply lead to a deterioration in quality of life for local residents.

Why are compounds to be acquired on a permanent rather than a temporary basis CA 1.3?

6. Outstanding Highways Matters

We would like a response to previous questions asking why speed cameras are not in place along the current A66, as these have been shown to have been very effective in reducing accidents (as on the A9 in Scotland).