

Regional Context

- ≈ A31/A35 Folkestone (Kent) to Honiton (Devon) Trunk Road.

NOTE: "The trunk road status of the road was confirmed as recently as 1998 and Government Office South West has reiterated that the trunk road status of the road will not be reviewed further." {Report on the Final Route Management Strategy: Highways Agency/Hyder Consulting: Volume 1 (April 2002) - 5.2.5(1)}

- ≈ Most southerly east to west route in the country.
- ≈ Route performs a vital function in carrying business and commercial traffic through the year across Southern England end to end from the ports of Portsmouth, Southampton and Poole and the South West peninsula.
- ≈ Essential to the economic prosperity of Dorset

NOTE: "A major constraint to Inward Investment and thus the area's future prosperity, recognised by Coopers and Lybrand in their Study, was the poor road communications to the major highway network. The A35 through West Dorset is an important access route to the M5/M3 motorways for Dorset companies. The improvements that have been made to the A35 over recent years, including bypasses to Dorchester, Bridport and Charmouth, have significantly reduced journey times.

"Time and time again, I am asked about road improvements and the time it takes to travel from London or Southampton, Bristol or Exeter. Until the road links are improved, the current road system will act as a serious disincentive to investment and employment opportunities in West Dorset and Weymouth and Portland.

"The concern over the local economy stems from an over-representation of declining industries, low activity rates and an increasingly high proportion of elderly persons in the population." {Statement of D D Derrien (Director of Planning and Environmental Services WDDC) – April 1994 2.12 – 2.15}

- ≈ Cornwall has been awarded EU funding of £300m under Objective 1 Status.
- ≈ East Devon plans include 72,000 new dwellings.
- ≈ Local area has been granted World Heritage Coast status which is estimated to increase existing visitor numbers by approximately 20%.

≈ Only THREE villages on Trunk Road in Dorset are left without a bypass:

Chideock
Morcombelake
Winterborne Abbas

≈ Only Chideock has problems of topography which give rise to urgent need for a bypass (See Existing Road notes).

All the above points should be considered in the light of the following, taken from Draft Regional Planning Guidance for the South West (South West Regional Planning Conference – August 1999)

“Transport (2.19) - Page 8

Transport Factors and Issues:

- ❖ **Improving the Region’s competitiveness and quality of life through an efficient and modern transport system**
- ❖ **The need to cater for efficient movement of goods and people, through the maintenance and management of existing networks, and by strategic investment to upgrade facilities**
- ❖ **Management of problems on the transport network to relieve congestion and improve efficiency**
- ❖ **Improvement of the links with national and international networks**
- ❖ **The transport solutions for accessibility for residents and businesses in rural areas.”**

The Inadequacy of the existing Trunk Road through villages

“The A35 is part of the national trunk road network and runs through the villages of Chideock and Morcombelake. The road is substandard and inadequate in terms of its horizontal and vertical geometry, width, visibility and side road junctions and is inadequate to cater for the conflicting requirements of through traffic and local traffic movements... The unacceptable conditions on the A35 through Morcombelake and Chideock have long been recognised ... Conditions within Chideock, Morcombelake and along the length of A35 between Newlands and Miles Cross are such that there is urgent need for an improvement to the road over this length, incorporating bypasses for both villages. If nothing is done the existing poor conditions for trunk and local road users and inhabitants of the villages will deteriorate as traffic volumes continue to grow. The need for the improvement scheme is therefore clear.”

NOTE: *The AADT figure used for the purposes of the Inquiry was 11,176 (1991) – figures for 2002 (based on the first 7 months) show an AADT of 14,386; an increase of 28.7% over 11 years.*

“This is an important Conservation Area with a large collection of listed buildings, many of which front directly on to the trunk road. All are adversely affected by vibration and pollution and as a direct result of lorry impacts, buildings in the village have been destroyed or severely damaged... The setting of this otherwise picturesque village is further degraded by the urbanisation that is inevitable where such a road passes through a community.”

From the Statement of Reasons presented by Mr E J Phillips on behalf of the Highways Agency, Public Inquiry 1994.

The need for a bypass

Any incident heightens the problem for emergency vehicles; in particular, access to Seatown and the extensive holiday park where Main Road is the ONLY road access.

The forthcoming October roadworks highlights the fact that no other suitable alternative route exists. Thus Exeter traffic will be diverted via that A30/303 to Yeovil and the A37 to Dorchester which will add over 30 miles to the journey. Consideration should be given to the resultant increased consumption of petrol/diesel, increased pollution, increased journey time and increased congestion.

Taken from Report as follows: *Inspector:* *John Moore MBE*
Date of Inquiries: *12 April-20 September 1994*
File No: *CSW237/5/55/1*

Assessment of Adequacy

- 108.4 I am in no doubt that all sections of the road are seriously substandard and inadequate.
- 108.5 In particular, I take the view that the road does not offer pedestrians, motorists or other road users the level of safety or facility which they may reasonably expect. I consider that the situation would deteriorate with increased levels of traffic. (*Current AADT over the first 7 months of 2002 shows 14,386 – an increase of 28.7%*)
- 108.6 A matter for special concern is the substantial number of side roads and accesses in both villages which have wholly inadequate visibility splays.
- 108.7 The combination of parked vehicles, local traffic, through trunk road traffic and pedestrians, is manifestly unsatisfactory.
- 108.8 I accept the view of objectors that, except at limited peak periods, there is at present rarely significant congestion, in the sense of inadequate road capacity. Traffic does not become solid from one end of the road to the other. (*Please see updated traffic figures*)
- 108.9 The main problem for traffic is that due to inadequate forward visibility and the lack of safe overtaking opportunities, vehicles proceed, mainly in platoons, at the speed of the slowest vehicle. Because of the hilly nature of the terrain and the resultant steep gradients, this means that traffic frequently travels at a very slow pace indeed. I have no doubt that the problem creates driver frustration and leads to injudicious overtaking.
- 108.10 A further significant problem in the tourist season is that vehicles waiting to turn right cause delays until a gap is found in the oncoming traffic.
- 108.11 I am quite sure that these deficiencies and problems need to be addressed and resolved.”

Please view The Department of Transport – A35 Trunk Road Chideock Morcombelake Bypass – Existing Road Constraints Map – this shows visibility having:

- ≈ Less than absolute minimum stopping sight distance (AMSSD)
{hatched in red}

- ≈ Greater than AMSSD but less than desirable stopping distance
{hatched in green}

We contend that trying to divert HGVs is not an option (see Inspector's Report) and put forward the following calculation in support of this argument:

Assuming a figure of 10% of total traffic flow for HGVs, the daily average number of HGVs re-routing away from Chideock would be approximately 1,438 (if all were removed), giving a figure of 373,880 vehicles journeys per year (on a 5-day week basis). The additional distance is 17 miles and this would increase the cost of each journey by an average of £18.58 (calculated on an average cost of 109.31p per mile) (*Source: British Road Federation*). Thus the cost to the road haulage industry would increase by **£6,946,690** per annum.

Traffic Flow

For the purposes of the Inquiry an AADT figure of 11,176 (1991) was used. Therefore the conclusions in the Inspector's Report were based on that figure and the subsequent projections.

The following details bring the flow up-to-date:

1991	11,176
1996	12,907
1997	13,100
1998	13,163
2001	13,611
2002	14,386

Note: The figure given for 2002 is based on figures averaged over 7 months to 31 July. August figures (just received) show a daily average of 17,737 for the month.

These figures indicate a growth rate over 11 years of 28.7%. If this is projected over the next 11 years to 2013 (the projection year for the Inquiry) the AADT would be 18,515 – which is approximately mid-way between the predicted high and low rates of 20,400 and 17,100 respectively (*See Inspector's Report 19.4*)

The following table has been drawn up to give an indication of the problems during the months of 2002:

Monthly Traffic Flow	Day	Time	No per hr	Per minute	One per seconds
317,980	Fri 25 Jan	1400-1500	1,087	18	3.3 seconds
343,798	Fri 15 Feb	1600-1700	1,599	25	2.4 seconds
426,454	Sat 30 Mar	1100-1200	1850	30.8	1.9 seconds
441,491	Mon 1 Apr	1100-1200	1848	30.8	1.9 seconds
465,127	Fri 31 May	1600-1700	1706	28.4	2.1 seconds
506,178	Sat 8 Jun	1100-12--	1969	32.8	1.8 seconds
549,854	Sat 27 Jul	1100-1200	2029	33.8	1.7 seconds
577,121	Thur 23 Aug	1000-1100	2698	45	1.3 seconds

Throughout July, between the hours of 0900 and 1800 there were only 11 hours when the hourly rate was under 1,000 vehicles (11 hours out of 279 hours). Thus, every day in July between 0900 and 1800 cars were passing through Chideock at the very least at 16.6 per minute – or one every 3.6 seconds – mostly the rate was well in excess of 1,000 (*Please review the Highways letter concerning Pelican crossings and the extracts from The Highways Act*).

At the same time, HGVs ranged from 5.5% of daily traffic to 13.3% - an average of 10.4% over the month.

It is important to view these statistics in the light of stopping time at 30 mph on a dry road – some 1.73 seconds; certainly on Saturday 27 July between the hours of 1100 and 1200 anyone trying to cross the road most certainly was taking a big risk. *(Please view this statement in the light of the extracts from the Highways Act) and it is likely that potential tourists would decide NOT to stay in Chideock. (Please view this having regard to ‘Transport Factors and Issues {Draft Regional Planning Guidance SW Regional Planning Conference – August 1999} and ‘Guidance on the new approach to appraisal’).*

Pollution - Air

Roadside Pollution: “During times of congestion, levels can exceed current acceptable standards. Calculations made for The Environment Statement indicate that when vehicles are moving at less than 20 mph CO levels at the roadside through both villages would exceed the current US standard, which is comparable to World Health Organisation standards.”

Source: *Environmental Statement – Adrian Lisney (Air Quality 2.13)*

NOTE: We currently have details of NO2 monitoring but it appears that CO levels are not monitored and – of even greater importance – Particle (PM10) monitoring is not carried out.

≈ *New Scientist: 23 October 1997* – Report concerning the compound 3-nitrobenzanthrone “the most dangerous cancer-causing chemical ever discovered” has been found in diesel and exhaust fumes from engines under stress (going up hill or overloaded). This compound produced the highest score ever recorded in a scientific test measuring carcinogenic potential. Discussing the study, the article states “It reveals a ‘remarkable increase’ in emissions when engines are working under heavy load.”

NOTE: West-bound heavy vehicles leaving Chideock must climb a 12%-gradient hill - having passed through the village with a 30 mph speed limit and a speed-camera at the foot of the hill – many find it extremely difficult to climb the hill and therefore do so “under stress”. **Why are our concerns being overlooked, when evidence of this problem exists?**

Please also refer to – *Department of the Environment, Transport and the Regions: A New Deal for Transport: Better for Everyone (20 July 1998):*

“6.2 The costs of air pollution

In particular, emerging evidence suggests that the health effects of particulate matter have been significantly underestimated until now.”

Pollution - Noise and Vibration

A reference in *A New Deal for Transport: Better for Everyone (DETR July 1998)* indicates that an unacceptable level of day-time transport noise is above 65 dB(A) and that “noise levels which cause serious annoyance” is between 55-65 dB(A) (as defined by WHO). (Page 34 7.1)

Assistance was sought from a firm specialising in noise analysis and, using calculations of road traffic noise issued by HMSO 1988, a figure of **77dB** was indicated. The figures used were 1,300 vehicles per hour; 10% HGVs; flat road; 30mph – this was for premises standing 4 meters from the traffic. When a figure of 1 meter was used the calculation produced a figure of 79dB. It should be noted that at this distance the calculation becomes less accurate.

Extract taken from

Proof of Evidence given by T P Lacet BSc Ceng MICE FIHT DipTE

MRM Partnership, Taunton

- “8.1 The COBA (cost benefit analysis) program was developed as a technique for assessing value for money from investment in road schemes.

In addition to COBA the QUADRO (queues and delays at roadworks) program was developed to calculate the delays to road users due to roadworks, either road maintenance or road construction, and also expresses the results in monetary terms.

- 8.4 In accordance with current Departmental advice the traffic flows input to the COBA program was based on the September 1991 traffic model. The CODA and QUADRO assessments reveal that major sources of benefits for road users are:

- i) Reductions in journey time and vehicle operating cost on the A35 between Charmouth Bypass to the west and Bridport Link Road to the east.
- ii) Savings of approximately 370-450 injury accidents over a 30 year period.
- iii) Savings in maintenance delay costs. This would arise due to the major maintenance works which would be required to the existing road if the bypass is not constructed.
- iv) in order to take account of uncertainty about the future the COBA results have been produced for both ‘low’ and ‘high’ local growth assumptions:

(Results can be seen in detail in the report, but state the following):

“Thus construction of the proposed bypass would produce a net benefit of between £1.8 million and £12.7 million at 1988 prices.

- 8.5 The benefits do not include the assessment of maintenance delays which have been undertaken using the QUADRO program. As mentioned previously the costs of maintaining the existing road are considerable and could result in the complete closure of the road while the western section is re-constructed. If this is taken into account additional benefits of £5.01 to £8.23 million result from construction of the dual carriageway bypass. *(Here, consideration should be given to the 14-week period of road works about to be commenced in Chideock).*

The Highways Act, 1980

The following information is taken directly from the Highways Act, 1980; numbers refer to the relevant sections:

“58(1) In an action against a highway authority in respect of damage resulting from their failure to maintain a highway maintainable at the public expense it is a defence (without prejudice to any other defence or the application of the law relating to contributory negligence) to prove that the authority had taken such care as in all the circumstances was reasonably required to secure that the part of the highway to which the action relates was not dangerous for traffic.

- (2) For the purposes of a defence under subsection (1) above, the court shall in particular have regard to the following matters:
- (a) the character of the highway, and the traffic which was reasonably to be expected to use it;
 - (b) the standard of maintenance appropriate for a highway of that character and used by such traffic;
 - (c) the state of repair in which a reasonable person would have expected to find the highway;
 - (d) whether the highway authority knew, or could reasonably have been expected to know, that the condition of the part of the highway to which the action relates was likely to cause danger to users of the highway;**
 - (e) where the highway authority could not reasonably have been expected to repair that part of the highway before the cause of action arose, what warning notices of its condition had been displayed;
- (3) this section binds the crown;

NOTE: Sub-paragraph (d) above has been emphasised by the writers of this report; we contend that **the authority does know** that the A35 through Chideock is not of a suitable standard for the traffic. We would refer the Authority to the Report of the Inquiry (Inspector: John Moore MBE): Date of Inquiries 12 April – 20 September 1994: File No CSW237/5/55/1:

“ 126 OVERALL ASSESSMENT

126.1 I now give my overall assessment of the matters before the inquiries and I summarise my main conclusions:

126.2 In this report I have concluded that:

- ≈ all sections of the existing road between the eastern end of the Charmouth Bypass and the western end of the Bridport Link Road are substandard and inadequate
- ≈ the existing road does not offer motorists or pedestrians the level of safety or facility which they may reasonably expect
- ≈ on-line improvements would not provide a safe or satisfactory solution to the problem

126.10 The important factors which favour a bypass include:

- ≈ The need for a safer road, with a reduction in the human cost of deaths and injuries
- ≈ Relief from heavy and continuous traffic for those living in the villages, and a consequent significant improvement in the environment of most local residents
- ≈ Improved employment prospects and economic benefits resulting from the encouragement of local investment and the development of tourism potential.

126.13 Its construction should be authorised and funded.”

Please refer – again – to the map showing visibility on the relevant sections of the A35

Highways Act 1980: Safety provisions – the following is taken directly from the Act and is numbered 66(1):

“66. (1) It is the duty of a highway authority to provide in or by the side of a highway maintainable at the public expense by them which consists of or comprises a made-up carriageway, a proper and sufficient footway as part of the highway in any case where they consider the provision of a footway as necessary or desirable for the safety or accommodation of pedestrians; and they may light any footway provided by them under this subsection.”

The Highways Agency is aware that sections of the road through the village of Chideock **do not have any form of footpath** – indeed some properties open immediately on to the Trunk Road.

The following is an extract from a letter written to Mrs Jan Jaques by Mr A Beaumont (Route Manager Area 1) dated 15 August 2002:

“Providing satisfactory facilities for pedestrian movement is not easy the main problem being the narrow distance between properties at various points on the A35. Unless through traffic can be removed from the village it will not be possible to

provide a footway on both sides of the road and therefore it is inevitable that those wishing to make full use of the facilities will need to cross the trunk road more than once or walk along the edge of the carriageway. The situation is made worse by the lack of public parking facilities, which means that vehicles are sometimes parked on the road contributing to the general traffic problems. The Highways Agency would be prepared to consider providing a Pelican Crossing at a suitable point on the trunk road and first impressions are that the most suitable site would be at the bottom of the hill in the vicinity of the Spar shop. Provision of a crossing does not however come without the disbenefits of, flashing lights, beeping, and the additional noise and fumes from the stopping and starting of vehicles and therefore the provision of a crossing would need the full acceptance of the parish. Pedestrians need to cross at more than one location and a single crossing would still not provide easy access to some of the facilities. However we believe the provision of more than one crossing would unreasonably delay traffic and would cause particular difficulties for heavy goods vehicles, as a second crossing would inevitably need to be sited on a hill.”

*This extract should also be considered in the light of traffic figures supplied by Connect and contained in this report. **The question: “How can Chideock residents cross the main road?” requires an urgent answer.***

Financial Situation (figures supplied at Inquiry)

(We believe these to be the only figures available)

Land acquired by Highways Agency £3,224,550

Made up as follows:

Agricultural Properties £1,620,550

Residential Properties £1,604,000

Spending on Reports/Enquiry, etc. 7,200,000

£10,424,550

Cost to build a 3-lane Chideock-only bypass – estimated as at 1997 £12,500,000

Cost of one road death £1,200,000

Cost of building bypass = 11 deaths

Department of The Environment, Transport & The Regions

Guidance on the new approach to appraisal

“Problem Identification and Assessment

- 3.6 Wherever possible, problem identification and assessment should be informed by data and other relevant facts”

With the above in mind, we would like the following assessments carried out as a matter of urgency:

- ≈ **Noise**
- ≈ **Pollution – specifically PM10 (See report taken from New Scientist)**
- ≈ **Vibration**
- ≈ **An assessment into the problems of crossing the road, highlighted by the traffic flow figures contained in this report.**
- ≈ **Safety – in view of the stopping sight available (see map)**
- ≈ **Cost to British industry of diverting HGVs**

We would also like to gain an understanding of the reasoning behind the A35 Initiative (removal of through traffic from Chideock) since it is our belief that Connect has a 30-year contract for this road in which removal was NOT part of the terms.

Department of The Environment, Transport & The Regions

Guidance on the new approach to appraisal

2 Objectives and Criteria

2.2 The Government's over-arching objectives for transport are:

- ≈ to protect and enhance the built and natural environment
Chideock has 28 listed buildings on the Trunk Road – Chideock House Hotel is 500 years old – all are affected by vibration. There are many thatched properties along the A35 through Chideock which has grave implications in the event of an accident involving a petrol tanker.
- ≈ to improve safety for all travellers
Many turnings in village, some serving new developments of several dwellings - no space for overtaking – some areas with NO footpath (See Highways Act extract) – very steep hills at each end of the main road – limited or no stopping sight (see Visibility Map) – problems of crossing road (see extract from A Beaumont letter) – staggered T-junctions (one serving North Chideock and one serving Seatown and a large holiday park.
- ≈ to contribute to an efficient economy, and to support sustainable economic growth in appropriate locations
Trunk Road with speed restrictions of 30 mph – 2 speed cameras – excessive noise for tourists to be happy in hotels and B&B – heritage village ruined by traffic. Coopers & Lybrand's Investment Study, December 1992 recognised that “a major constraint to Inward Investment and thus the area's future prosperity ... was the poor road communications to the major highway network” (Statement by D D Derrien, Director of Planning & Environmental Services WDDC)
- ≈ to promote accessibility to everyday facilities for all, especially those without a car
Pedestrians cannot safely cross road – limited footpaths therefore some villagers must cross road TWICE to reach facilities such as the Post Office and village shop. Please refer to letter from A Beaumont – Highways Agency)

≈ to promote the integration of all forms of transport and land use planning, leading to a better, more efficient transport system.
Because the majority of villages on this Trunk Road from Folkestone to Honiton have been bypassed, it is now possible to travel at speeds in excess of 50 mph – EXCEPT at Chideock, when motorists are faced with two steep hills, two speed cameras and a 30 mph limit.

Department of The Environment, Transport & The Regions

Guidance on the new approach to appraisal

Environment

2.5 Six subsidiary objectives have been identified as supporting the Environmental objective: *(three are listed below)*

- ≈ To reduce the nuisance to people caused by traffic related noise and vibration;
- ≈ To reduce the effects of road traffic on local air quality as it affects people;
- ≈ To protect the heritage of historic resources where they interact with roads:

All the above aspects are worsening and there appears to be little move to monitor – we would be interested to learn the rationale behind this lack of data collection and assessment.

The credibility of Mr Oliver Letwin's two proposals

1 The 'cut-and-cover' possibility:

We would refer Mr Letwin to the Inspector's Report (Page 140 'Tunnel Routes' section 109):

- 109.3 *In all cases, the COBA net present values of the tunnel routes are significantly inferior to those of the published route.*
- 109.4 *In addition to their capital cost, substantial maintenance costs would be incurred.*
- 109.5 *I have no doubt that tunnel routes would be environmentally advantageous, principally in landscape terms. However, care would have to be taken in constructing tunnels in unstable conditions under people's homes.*
- 109.6 *I am equally in no doubt that the additional cost of the tunnel routes would far outweigh their benefits.*
- 109.7 *In making that judgement, I take into account, inter alia, both the need for the bypass and evidence of the Highways Agency, which I accept and find reasonable, that the proposed tunnel routes would be unlikely to find a place in the trunk roads' programme. (83.5, 86.12, 93.6 and 96.4)*
- 109.8 *I should add that having listened to the arguments for and against tunnel routes, I unequivocally conclude that if such large additional sums were ever available, there would be many better ways of serving the environment, the countryside and the nation than by putting the bypass in a tunnel.*

2 The A35 Initiative:

We would refer Mr Letwin to the Inspector's Report (Page 27 Section 16 *The Need For the Scheme*)

- 16.3 *The pattern of the origins and destinations of the vehicular journeys made on the A35 indicate that there is little potential to encourage traffic to divert via the A36 or A37 to the A303 trunk road, which is the only conceivable high standard east/west alternative route. Assuming that all improvement schemes currently programmed are carried out to the A36, A37 and A303, then an assessment predicts that only up to 7% of existing A35 traffic could eventually be encouraged to transfer to the alternative route. Such a small reduction in the A35 traffic flows, even if it was possible to achieve, would have an insignificant effect in alleviating the current problems.*