



The Planning Inspectorate

Report to the Secretary of State for Transport and the Secretary of State for Environment, Food and Rural Affairs

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an Inspector appointed by the Secretary of State for Transport and the Secretary of State for Environment, Food and Rural Affairs

Date: 16 December 2015

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

**THE LINCOLNSHIRE COUNTY COUNCIL (A15 LINCOLN EASTERN BYPASS)
(CLASSIFIED ROAD) (SIDE ROADS) ORDER 2014**

**THE LINCOLNSHIRE COUNTY COUNCIL (A15 LINCOLN EASTERN BYPASS)
COMPULSORY PURCHASE ORDER 2014**

**APPLICATION IN RELATION TO PROPOSED COMPULSORY PURCHASE OF
LAND HELD BY THE CANAL & RIVER TRUST**

Inquiry opened on: 11 August 2015

TABLE OF CONTENTS

	Page No
List of abbreviations used in the report	3
Case Details	4
1 Introduction	5
2 Description of the Lincoln Eastern Bypass Route	7
3 The Case for Lincolnshire County Council	8
4 The Case for the Supporters	25
5 The Case for the Objectors	29
6 The Alternatives	45
7 Rebuttals by Lincolnshire County Council	48
8 Inspector's Conclusions	73
9 Recommendations	105
Appendix 1: Appearances	106
Appendix 2: Document List	109

ACRONYMS AND ABBREVIATIONS USED IN THE REPORT

AADT	Annual Average Daily Traffic
AOD	Above Ordnance Datum
BaFB	Best and Final Bid
BCR	Benefit to Cost Ratio
CIL	Community Infrastructure Levy
CLLP	Central Lincolnshire Local Plan
CPO	Compulsory Purchase Order
CTC	Lincolnshire Cyclists Touring Club
CWPC	Cherry Willingham Parish Council
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
EIA	Environmental Impact Assessment
EoI	Expression of Interest
ES	Environmental Statement
GLTM	The Greater Lincoln Transport Model
ha	Hectare
HGV	Heavy goods vehicle
JPC	Central Lincolnshire Joint Planning Committee
kph	Kilometres per hour
km	Kilometres
LCC	Lincolnshire County Council
LDF	Local Development Framework
LEB	Lincoln Eastern Bypass or the Scheme
LHA	Local Highway Authority
LILO	Left in left out junction
LITS	Lincoln Integrated Transport Strategy
LPA	Lincoln Policy Area
m	Metres; million pounds
MOU	Memorandum of Understanding
mph	Miles per hour
NEQ	North East Quadrant
NMU	Non-motorised users (pedestrians, cyclists and equestrians)
ODPM	The Office of the Deputy Prime Minister
PIM	Pre Inquiry Meeting
PMA	Private means of access
RPC	Reepham Parish Council
SEQ	South East Quadrant
SoS	Secretary of State for Transport
Sq m	Square metres
SRO	Side Roads Order
SSD	Stopping Sight Distance
SSSI	Site of Special Scientific Interest
TEMPRO	Trip End Model Program
The Act	Highways Act 1980 as amended
The Planning Act	The Town and Country Planning Act 1990 as amended
The Framework	The National Planning Policy Framework

1. CASE DETAILS

The Lincolnshire County Council (A15 Lincoln Eastern Bypass) (Classified Road) (Side Roads) Order 2014

- The Order was made by Lincolnshire County Council in exercise of its powers under sections 14 and 125 of the Highways Act 1980 and was sealed on 22 July 2013.
- The Order, if confirmed, would authorise the Council to stop up of lengths of highway and private means of access, to improve highways, to construct new highways and to provide new private means of access.

Summary of Recommendation: That the Order is confirmed.

The Lincolnshire County Council (A15 Lincoln Eastern Bypass) Compulsory Purchase Order 2014

- The Order was made by Lincolnshire County Council pursuant to powers under sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and was sealed on 22 July 2013.
- The Order, if confirmed, would authorise the Council to purchase compulsorily the land and the new rights over land described in the Schedule to the Order for the purposes of:
 - i. The construction of a highway between the A158 Wragby Road East roundabout and the A15 Sleaford Road (to be known as the A15 Lincoln Eastern Bypass);
 - ii. The construction of highways to connect the above mentioned highway with the existing road system;
 - iii. The construction of other highways and improvement of existing highways in the vicinity of the route;
 - iv. The provision of new means of access to premises in pursuance of the Side Roads Order;
 - v. The diversion of watercourses and the carrying out of other works on watercourses in connection with the construction of the A15 Lincoln Eastern Bypass;
 - vi. The use of land in connection with the construction or improvement of highways or with the carrying out of works authorised under the Side Roads Order; and
 - vii. Mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on their surroundings.

Summary of Recommendation: That the Order is confirmed.

**The Lincolnshire County Council (A15 Lincoln Eastern Bypass):
An Application for the Secretary of State for Environment, Food and Rural
Affairs to determine whether it would be appropriate to grant Ministerial
Certification under s.16 of the Acquisition of Land Act 1981 authorising the
Compulsory Purchase of land held for their statutory purposes by The
Canal & River Trust.**

- The Scheme was made by Lincolnshire County Council in exercise of its powers under section 106(3) of the Highways Act 1980 and was sealed on 22 July 2013.
- The Scheme, if confirmed, would authorise the Council to construct over the navigable waters of the River Witham the bridge specified in the Schedule to the Scheme as part of the proposed A15 Lincoln Eastern Bypass.

Summary of Recommendation: That the Application is approved.-

1 INTRODUCTION

- 1.1 The proposed Lincoln Eastern Bypass (the LEB or the Scheme), located to the east of the City of Lincoln, would provide a new 7.5 kilometre (km) single carriageway relief road to link the existing Northern Relief Road (A158) at Wragby Road East to the A15 to the south of Lincoln. The LEB would be routed through predominantly arable land and involve the construction of a new bridge over the River Witham and the provision of crossings to two railway lines and a number of arterial roads. The main purposes of the LEB are to help relieve congestion, to remove strategic through traffic and improve the environment of the centre of Lincoln and to support the growth strategy for the City.
- 1.2 Planning permission for the LEB was granted on 10 June 2013 and, in response to objections, a planning application was submitted by Lincolnshire County Council (LCC) to enable the construction of a bridge for the use of non-motorised users (NMU). Planning permission was granted for this on 15 January 2014. An inquiry opened into objections to the Side Roads Order (SRO) and the Compulsory Purchase Order (CPO) in February 2014, but these were not approved by the Secretary of State for Transport (SoS). No objections were made to the Bridge Scheme and this was approved.
- 1.3 Subsequent to the 2014 inquiry and the SoS's decision, a further planning permission was sought under s.73 of the Town and Country Planning Act (the Planning Act). This was for a realigned bridge for NMUs across the LEB adjacent to the current line of Hawthorn Road and three other minor changes from the earlier permission. These were approved on 6 October 2014. Following publication of the SRO and the CPO with the amended NMU arrangement, a total of 554 objections were received. Of these, six are Statutory Objections and the remainder were to the principle or detail of the proposals. Five statutory objections were withdrawn by the close of the inquiry, but no non-statutory objections were withdrawn.
- 1.4 Objections from land owners and tenant farmers primarily focused on two issues, (i) whether there is justification to compulsorily acquire land that is required for a temporary period during construction, and (ii) the adequacy of alternative means of access to farmland and agricultural buildings. The main objection by Cherry Willingham and Reepham Parish Councils and by

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- residents is to the proposed stopping up of Hawthorn Road (a radial route into the city) at the intersection with the LEB and the omission of a previously planned over-bridge from the current scheme.
- 1.5 Six alternative proposals were put forward by objectors related to the Hawthorn Road intersection and include the most favoured over-bridge schemes (Alternatives 1 and 2). The Alternative proposals were published in the Lincolnshire Echo on 23 July 2015.
 - 1.6 The inquiry opened on Tuesday 11 August 2015 at the Hilton Doubletree Hotel, Lincoln. The inquiry sat for six days and closed on 21 August 2015. Time was dedicated within the programme to hear from Supporters of the advertised scheme and the Objectors, including the cases of Reepham and Cherry Willingham Parish Councils and residents against the stopping up of Hawthorn Road and the concerns of the Lincolnshire Cyclists' Touring Club and Dr Loryman, primarily about the provision for cyclists and pedestrians.
 - 1.7 The accompanied site visit took place on Thursday, 13 August 2015, with unaccompanied visits to look at the through traffic in Lincoln in the afternoon. The itinerary (**Document X/005**) allowed for seeing the morning peak traffic conditions on several relevant routes and the alternative routes between the eastern villages and Lincoln, the locations of the proposed intersections towards the southern end of the LEB. As the site visits were undertaken during the school summer holidays, I agreed to revisit the site once the new term had started and view the key locations under 'normal' conditions. This was undertaken on the 12 and 13 November 2015, when there were no programmed works affecting the routes involved and nothing in evidence on-site to materially affect the flow of traffic.
 - 1.8 I also familiarised myself with the alternative routes identified by LCC and residents, the highway network through the centre of Lincoln and the western bypass.
 - 1.9 LCC confirmed that to the best of its knowledge and belief all necessary statutory procedures and formalities in connection with the promotion of the Orders have been complied with. I see no reason to disagree.
 - 1.10 This report contains a brief description of the LEB route and its surroundings, the gist of the evidence presented and my conclusions and recommendations. Lists of inquiry appearances and documents form Appendices 1 and 2. Proofs of evidence are identified, but these may have been added to or otherwise altered at the Inquiry by the witness. My report takes account of the evidence as given, together with points brought out through cross examination or in answers to questions of clarification.
 - 1.11 The planning application scheme was subject to Environmental Impact Assessment (EIA) and was accompanied by an Environmental Statement (ES). At the Pre Inquiry Meeting (PIM), held on Monday 18 May 2015 at the Lincolnshire Showground, I raised the question about some of the information in the ES being out of date and asked that matters concerning traffic, noise, air quality and ecology were checked to confirm that the details in the ES remained relevant. Having done this, I am satisfied that the content of the ES is adequate and, especially the highway figures, can be used when assessing objections to the SRO and CPO.
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2. DESCRIPTION OF THE LEB ROUTE

- 2.1 The historic City of Lincoln developed on the southern face of a limestone escarpment interrupted by the River Witham. The most striking landmark remains the Cathedral that occupies a prominent position on the edge of the escarpment slope. The location of the city is at the intersection of a number of historical routes and Roman roads. A ring road now extends around its perimeter from the south west to the north and links with the radial routes serving the city. The LEB would continue the route to the eastern side of the City (**Documents CD/34 and CD/37**). The land along the northern and southern extents of the route corridor is raised on a plateau, with the land sloping into the valley of the River Witham along the central portion of the route. Arable farmland is the predominant land use. A number of public rights of way are within, cross or near to the LEB boundary.
- 2.2 The northern end of the route is in close proximity to the edge of the built-up area, where suburban housing has developed along Bunkers Hill and industrial units lie to the north of the Lincoln to Market Rasen railway line. To the east, separated from the city by open farmland, are the villages of Cherry Willingham and Reepham. Hawthorn Road and Greetwell Road provide means of access to and from the city. A Site of Special Scientific Interest (SSSI) Greetwell Hollow Quarry, designated for its geological interest, abuts the western edge of the proposed Greetwell Road roundabout.
- 2.3 To the south of the railway the flat, low lying Lincolnshire fenlands typify the character of the landscape. The River Witham is accompanied by Delphs (ditches), which run parallel to the north and south. The flood embankments and the railway corridors form distinctive features in the low lying area. The valley is also a recreational resource, where the navigable watercourse is complemented by footpaths, a cycleway (a Sustrans route) and bridleways. The urban fringe influence is seen to the south of the river, where the city cemetery and the sewage works are located to the north of the B1190 Washingborough Road. To the east, the village of Washingborough, and Heighington adjacent, are bounded to the south by the Lincoln to Spalding railway line.
- 2.4 The land to the east of Canwick represents a transitional zone area between the fens and the open elevated arable landscape that extends to the south. The woodland and tree planting in and around Canwick is a distinctive landscape feature in the area. The pattern of large intensively farmed fields is intersected by the main routes radiating from Lincoln to Branston (B1188) and Bracebridge Heath (A15). Isolated farmsteads and properties are scattered throughout the area. Typically they are set back from the primary routes and are accessed by long tracks.

3. THE CASE FOR LINCOLNSHIRE COUNTY COUNCIL

Overview

- 3.1 The expanded details of LCC's case are contained in its Statement of Case (Documents LCC/00/04) and Statement of Reasons (Documents LCC/00/03). The submissions vary little from those advanced to the earlier inquiry and the design of the LEB remains largely the same. Even so, as a consequence of the SoS's decision not to confirm the SRO and CPO, based on a perceived unsafe situation at the proposed NMU bridge at Hawthorn Road, the Council has taken the opportunity to reflect on this and has made some minor alterations to the proposed scheme in the Hawthorn Road area, and four other minor alterations have come forward during the reassessment of the LEB proposals (Documents LCC/00/03 Section 1) [3.34].
- 3.2 Against this background, this inquiry has been held to hear evidence in respect of the two Orders for the SRO and the CPO, along with a consideration of the Application for the land held by the River and Canal Trust. The planning permissions for the LEB and NMU Hawthorn Road bridge that provide the basis for bringing forward the various Orders are not before the inquiry. Accordingly, objections made that ultimately seek to strike at the planning permissions should not require too much consideration. Neither should weight be given to the historical events which led to the planning permission being granted. The matters that are before the inquiry are those that relate to the Orders, which provide the means by which the approved LEB scheme can be provided. As such the test to apply to the SRO is the one set out in the statute (Document CD/4). This includes a careful examination of the Objectors' claims as well as the findings of the previous inquiry and the reality of the situation.
- 3.3 From the outset LCC acknowledges that it is inevitable in respect of any set of proposals that some groups will benefit whereas others will suffer disbenefit. Whilst there should be sympathy with anyone adversely affected that consequence has to be put into the overall balance. That balance, in this case seems to be the almost universal desire that not only should the LEB proceed, but that it should do so without delay. Lincoln simply cannot progress in achieving its planned growth without it.
- 3.4 Ideally, the Council desires to see a dual carriageway scheme provided to do that and on the same basis as the 2010 scheme was originally intended. This was full dual carriageway access into Lincoln along Greetwell Road and, perhaps, even a more enhanced provision at Hawthorn Road, although that should not be assumed, due to the cost and amenity consequences of that provision.
- 3.5 The reality is, however, even given the huge desire to see it built, it will not come forward unless it is in a form that meets the present funding criteria. Government funding was rejected for the 2010 scheme and LCC knew that huge savings had to be made to enable it to be entertained by the DfT. Thus, the Council was faced with a very difficult decision to make. This was not made lightly, but it had to be made if the scheme was to have any chance of proceeding.

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- 3.6 When the Council resubmitted its best and final bid arrangements there were no guarantees of success. The Council had pared down the costs to the bone, shaving off over £40m. Part of that was to meet the DfT aims, which did not include a desire to see the radial routes into Lincoln being improved as part of the LEB proposal. There is no more Government money and the Council is already underwriting the costs in part. That planning permission was obtained on that basis are vitally important considerations in the overall assessment. It is easy to dismiss additional costs, especially if they look small in the context of an overall bill, but that is not and cannot be the correct approach. All costs, however large and small have to be met.
- 3.7 Accordingly the Council's case has been ordered in such a way as to govern the assessment of the proposals in respect of the three elements contained within the Orders. However, before doing this and having set out the fact that the planning permission is not before the SoS for consideration, there are four particular matters by way of preliminary comment that set the scene.
- 3.8 The first is to draw attention to what this inquiry achieved. If the outcome of this inquiry is that the Orders are confirmed it will be to the huge satisfaction, no doubt of the many Supporters of the proposals. That is not to say that the inquiry will not have achieved much. The inquiry presented the opportunity for everyone taking part to understand the proposals, to question them and to have their say in respect of them. This inquiry has been conducted in such a manner that no one should go away feeling that they have not been able to put forward the view they hold in a full and complete form. Of course, the inquiry has not resolved all issues, but it has permitted them to be brought forward for examination, where the facts and supporting opinions can be put into context. An essential part of that context being the importance that underlies the LEB Scheme itself.
- 3.9 Secondly, LCC draws attention to the scheme objectives (see below), which underlie the grant of planning permission and which need to be given considerable weight when looking at what the objections are. In circumstances where only parts of an overall development are brought before an inquiry for examination, the significance underlying the overall approach may be given less weight than it should. In this case, we are concerned only with the SRO and the CPOs, but it is essential when looking at those matters that full weight is given in the overall assessment process to the reason why we are bringing those elements forward.
- 3.10 Thirdly, the Council identifies the huge support that exists for the Scheme, even by Objectors. It is tempting to simply say that the LEB enjoys a virtually unique position. Everyone appearing at the inquiry has expressed the consistent view that they support the LEB, they do not want to see it prevented, and in many cases they do not wish to see it delayed. Even the majority of written representations make essentially the same comment.
- 3.11 What can be said, however, is that the support for the proposals is extremely extensive. It desires, in just the same way that the Council does to see the proposal moved forward to completion as soon as it can reasonably be done. Even the more limited provision of a single carriageway, when compared with a dual carriageway would not shift their resolve to support the proposal

and the determination with which they expressed the need for it to move forward rapidly. In looking at those matters it is of fundamental importance that we do not lose sight of the fact that planning permission exists and it exists as a reflection of the considerable support there is for the proposals as presented.

- 3.12 Finally, it is necessary to emphasise the position that arises where there is a previous decision in respect of a very similar application for a very similar proposal in a virtually identical location. Both the Inspector's Report and the SoS's decision in respect of the Orders promoted in 2013 are before this inquiry. In the Council's view the decision made in respect of those earlier Orders is a material consideration of great weight in the consideration of the acceptability of the new Orders being considered by this new inquiry.
- 3.13 The reason for that is set out in considerable detail in the Statement of Reasons at paragraphs 1.1 to 1.21 inclusive (**Document LCC/000/03**). To paraphrase, the reason why it is so significant and has such weight arises from the fact that it is a very recent decision, which was made following a thorough examination of all the relevant considerations in respect of a near identical scheme; albeit with a slightly different solution at Hawthorn Road adopted to meet the previous Inspector's concern.
- 3.14 The reason this is set out in detail now, which is actually repeating the Council's note to the PIM (**Document X/001**), and further why the Legal Authorities with their references are given, is to enable all present at the inquiry to understand the Council's position on that important matter and to provide the basis for the comment that flows from that.
- 3.15 Accordingly, based on the legal principle of consistency in decision making in the context of planning decisions, which arises from case law, the various matters taken into account by the previous Inspector leading to that decision would have to be materially different to cause a subsequent Inspector to adopt a different approach. It is well established that a previous appeal decision is capable of being a material consideration and that before departing from a relevant previous decision the decision maker should have regard to the merits of consistency and should give reasons for departing from it; see *North Wiltshire District Council v Secretary of State for the Environment* [1993] 65 P&CR. In addition, in the case of *R (Rank) v East Cambridgeshire District Council* [2003] JPL 454 the High Court held that a consideration was material if it might make a difference in the way in which the authority dealt with the application.
- 3.16 A previous appeal decision was capable of being a material consideration, because it was desirable as a matter of policy that there should be consistency in the appellate process; so too a previous decision of the SoS, as informed by an Inspector. It was held to be relevant, not because there was a duty to decide similar cases in the same way, but because consistency was desirable and inconsistency might occur if the authority failed to have regard to a previous decision; see also *Oxford City Council v The First Secretary of State and J A Pye (Oxford) Ltd* CO/2767/2004.
- 3.17 Against this background, in the Council's view this inquiry is properly entitled to look at all relevant matters in the context of the new Orders as they are

new and standalone Orders published and promoted for a particular purpose. However, if that consideration entails examining matters, which were fully considered by the previous Inspector and taken into account in reaching her decision and recommendation then, unless there is something that is materially different the decision should be the same and the inquiry should not need to spend time considering that matter again.

- 3.18 In this context LCC indicates that the relevant policy remains the same, the proposal is essentially the same in its location and effects and the road network feeding into it has not altered materially so as to change those various conclusions. The only change is the treatment of the Hawthorn Road crossing itself to meet the previous Inspector's concern. The new planning permission provides the scheme that resolves the previous Inspector's concern, as demonstrated by the Safety Audit (**Document CD/86**). In all other respects the position remains the same.
- 3.19 Moreover, the Inspector made the position perfectly clear in paragraph 8.64 of her Report (**Document CD/1**). She found that the required alternative routes available for users were perfectly acceptable and met the statutory test in respect of all potential users, including those in motor vehicles. The only reason for making the recommendation she did was due to a concern about safety for users crossing the Hawthorn Road. If afforded opportunity at the earlier inquiry, that could potentially have been remedied by providing a crossing in the same way as is now envisaged, which everyone (except perhaps Cherry Willingham Parish Council) accepts as being safe.
- 3.20 In any event, we are now considering matters at this inquiry and we need to do so, on the basis of the objections now being made.

Background to the Scheme

- 3.21 The need for a LEB has been considered by LCC since the mid-1990s and the delivery of this 'missing link' has been supported formally since the adoption of the City of Lincoln Local Plan in 1998.
- 3.22 Initial feasibility work commenced in 2004 for a road to the east of Lincoln connecting the A15 to the south and the A158 to the north of the city. A scheme was granted planning permission in April 2005. Subsequently Lincoln was granted Growth Point status and the alignment of the route was reviewed to accommodate the strategy for expansion. There then followed consideration of broad corridors and consultation on route options within the preferred corridors.
- 3.23 A route was selected that moved the alignment of the southern section of the route (between Washingborough Road and Sleaford Road) further to the east. In 2010 planning permission was granted for a dual carriageway, with a separate combined pedestrian and cycle right of way along the full length of the highway. This application included an all-purpose bridge over the LEB at Hawthorn Road and the dualling of Greetwell Road between the LEB and the Wickes roundabout junction.
- 3.24 Following a Government Spending Review, the dual carriageway scheme was not taken forward to Programme Entry for funding. However an opportunity was available to secure funding through the development pool process for

schemes that revised and lowered the total funding required from the Department for Transport (DfT). A number of design options were evaluated. A single carriageway scheme, incorporating design changes to the size and type of junctions and crossings along the route, was considered to offer significant cost savings, without affecting the ability to deliver the overall scheme objectives. An Expression of Interest (EoI) submission resulted in approval from DfT to prepare a Best and Final Bid (BaFB) Business Case.

- 3.25 A value engineering process and design reviews were undertaken in the period leading to the BaFB submission in September 2011. The layout, junction design and bridge structures were amongst the design issues considered. A decision was made to provide a left in left out junction at Hawthorn Road in order to remove the need for a bridge and associated earthworks. The dualling of Greetwell Road was also omitted, on the advice that the LEB scheme should not look to upgrade radial routes. The BaFB scheme was successful and achieved Programme Entry status. In subsequent design development of the single carriageway scheme measures were incorporated to future proof and minimise, where possible, the costs and impacts of future dualling.

The Planning Permission

- 3.26 In view of the changes to the dual carriageway scheme granted planning permission in 2010, a planning application for the revised single carriageway LEB scheme was submitted in December 2012. The proposed single carriageway scheme was subject to an EIA and the findings were reported in an ES. A Transport Assessment was among the documents accompanying the application.
- 3.27 Planning permission, subject to conditions, was granted on 10 June 2013. The decision reflected the strategic importance of the scheme, its positive impact on the transport network around Lincoln, the environmental benefits to the City's heritage and air quality and the encouragement that would be given to investment and regeneration. The development plan provided clear support and policy justification for the Bypass proposal in accordance with key principles of the National Planning Policy Framework (the Framework).
- 3.28 Following this, the Orders were advertised, objections received and a public inquiry into the objections held in February 2014. The Inspector produced her report with recommendations that:
- i. The Lincolnshire County Council (River Witham Bridge) Scheme 2013 be modified as set out in Document LCC/00/06 and that the Scheme as modified is confirmed.
 - ii. The Lincolnshire County Council (A15 Lincoln Eastern Bypass) (Classified Road) (Side Roads) Order 2013 is not confirmed.
 - iii. The Lincolnshire County Council (A15 Lincoln Eastern Bypass) Compulsory Purchase Order 2013 is not confirmed.

The SoS endorsed the Inspector's recommendations, and the SRO and CPO were not confirmed on the basis that to the east of the Bypass the NMU bridge would fail to provide users with a safe connection to Hawthorn Road.

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- 3.29 As a consequence, LCC amended the scheme to improve the safety of the NMU bridge configuration with the LEB and Hawthorn Road and moved to secure a planning permission for the revised scheme. The revised scheme contained four other minor alterations from the earlier planning permission (**Document LCC/00/03, Section 1**). Planning permission for these amendments were sought under s.73 of the Planning Act and approved on 6 October 2014. LCC is satisfied that the proposals for which planning permission was granted are sound and sees the existence of the planning permission as a reflection of the considerable support for the proposal.
- 3.30 The planning application was processed in accordance with current Council procedures and statutory requirements. Thus, a lawful planning permission exists and the timescale to challenge the permission has passed. Accordingly, the matters before the inquiry are related to the three Orders, not the planning permission or the River Witham Bridge Scheme. The Orders being promoted pursuant to that permission are lawful.
- 3.31 Thus, the 2013 and 2014 planning permissions provide for all the necessary works to be undertaken to construct the new highway. The Orders presented for examination provide the means to bring the planning permissions into effect.

Changes since the 2014 inquiry, Inspector's Report and SoS's decision

- 3.32 The changes for the NMU bridge at Hawthorn Road are as follows:
- i. the creation of a bridleway reference letter C on Site Plan 1 (as an alteration to that shown on the earlier plan) over the bridge to connect to the NMU route within the land already contained within the CPO boundary;
 - ii. the realignment of the eastern NMU route to take it south of the existing Hawthorn Road to permit the NMU bridge to connect to the NMU route within the land already contained within the CPO boundary;
 - iii. the realignment of the western NMU route to take it south of the existing Hawthorn Road to permit the NMU bridge to connect to the NMU route within the land already contained within the CPO boundary; and
 - iv. the creation of the eastern NMU route along the northern side of Hawthorn Road to allow the NMU route to be extended eastwards along Hawthorn Road to relocate the crossing point for Hawthorn Road for those users who wish to continue to cross Hawthorn Road as opposed to travel along it.
- 3.33 These arrangements have been subjected to a Safety Audit (**Document CD/86**) and have passed this without any material fault being found. Thus, the arrangement is considered to address the concerns raised by the Inspector and the SoS during the earlier inquiry.
- 3.34 None of the four other alterations that have come forward during the reassessment of the LEB proposals affect either the SRO or CPO and none required a new planning application to be made in respect of the main route,

form and layout of the LEB. However, LCC judged them to be sufficiently different from the earlier scheme to justify an application under s.73 of the Planning Act. The alterations are:

- i. the relocation of the NMU bridge proposals have resulted in some layout and landscape changes in the vicinity of Hawthorn Road;
- ii. the provision of a new acoustic scheme, along a length, where none had previously been thought to be required;
- iii. a minor diversion of a public right of way along the River Witham to avoid the proposed location of one of the bridge piers on the River Witham Bridge; and
- iv. an application to vary two conditions dealing with the removal of low cost surfacing and the detail of design of structures where alternative solutions were preferred.

3.35 As noted above, planning permission for these amendments were approved on 6 October 2014

The Objectives of the LEB

3.36 When considering the Bridge Scheme, the SRO and the CPO it is essential to give due weight to the reason why these elements are being brought forward and to the significance of the overall development.

3.37 The Lincoln Integrated Transport Strategy (LITS) presents a plan for long term transport investment in Lincoln and its surrounding area. The aim is to deliver improved and integrated transport policies, services and infrastructure to support economic development and prosperity of the area. The LEB is a fundamental part of LITS and a key priority for Lincoln.

3.38 The LEB is so important because Lincoln suffers from high levels of congestion from local, regional and strategic traffic travelling into and through the City Centre. The transport problems within central Lincoln are exacerbated by a lack of route choice for north-south movements and a lack of alternative river crossings. The congestion has an impact on the quality of life for residents, acts as a constraint to the economy and reduces the attractiveness of the City for visitors and investors.

3.39 Traffic levels are forecast to continue to grow. Significant levels of housing and economic development are targeted for the Lincoln area. Residential urban extensions have been identified to the east of Lincoln, known as the Lincoln North East (NEQ) and South East Quadrants (SEQ). Delivery of this growth will be progressed through a new Local Plan for Central Lincolnshire (CLLP) and also project planning and implementation groups. Without major infrastructure improvements the increase in travel demands are expected to increase congestion on the network, result in longer peak periods and increase suppressed travel demand. Deterioration in conditions would have a detrimental effect on the local and regional economy and development aspirations. The 4th Lincolnshire Local Transport Plan identifies the LEB as one of the key proposals in the Transport Strategy and a priority major scheme in the short to medium term.

3.40 The LEB Scheme has three clear objectives:

- To support the delivery of sustainable economic growth and the Growth Point agenda within the Lincoln Policy Area (LPA) through the provision of reliable and efficient transport infrastructure.
- To improve the attractiveness and liveability of central Lincoln for residents, workers and visitors by creating a safe, attractive and accessible environment through the removal of strategic through traffic (particularly HGVs).
- To reduce congestion, carbon emissions, improve air and noise quality within the LPA, especially in the Air Quality Management Area in central Lincoln, by the removal of strategic through traffic (particularly HGVs).

3.41 The LEB would provide an additional crossing of the River Witham and an appropriate route for strategic traffic, thereby removing the need for much of this traffic to travel through the City Centre. This would allow the introduction of traffic management measures and infrastructure improvements to enhance the environment, increase accessibility and options to travel, improve NMU facilities and reduce community severance. By linking a number of radial routes, the LEB would improve route choice for drivers wishing to access the City Centre from the east.

3.42 There is significant and consistent support for the principle of a bypass from the relevant local authorities, the Parish Councils, the major landowners and large sections of the community. In looking at the objections to the Orders, and in particular those that have the potential to delay the LEB Scheme, the importance of the proposals and the potential for it going ahead cannot be ignored. With delay costs rise, traffic increases and benefits reduce.

The LEB Scheme

3.43 The LEB would provide a new 7.5 km single carriageway relief road that would link the junction of the A15 and A158 Wragby Road East in the north to the A15 Sleaford Road in the south. The Greater Lincoln Transport Model (GLTM) was used to facilitate the design and inform the assessment of the Scheme.

3.44 The route is designed to the current standards as described in the DfT's Design Manual for Roads and Bridges (DMRB). The design speed of the road is 100 kph (with an understanding there will be a 60 mph speed limit). The cross-section is a standard 7.3 m wide carriageway with a verge width of 3.5 m, except where climbing lanes are incorporated on the section between Washingborough Road and the Lincoln Road roundabout. The route also satisfies statutory requirements for forward visibility in terms of stopping sight distance (SSD), as well as providing overtaking opportunities. A separate 3 m wide combined cycle and pedestrian right of way will be provided on the western side of the carriageway along the full length of the route to link up with existing public rights of way (the NMU route).

3.45 The Bypass has been designated as a high and abnormal traffic route. This means that the vertical alignment has been amended to reflect this, though the only adverse consequence of the designation is that to effect the necessary clearance at Hawthorn Road, the vertical alignment of an all

vehicle use bridge at Hawthorn Road would involve more extensive earthworks that would prejudice the Community Playing Field situated in the quadrant between the LEB and Hawthorn Road. This makes the potential for replacing the NMU bridge with an all vehicle bridge at some time in the future extremely remote.

- 3.46 The junction strategy was developed in accordance with DMRB and reassessed in the change from a dual to a single carriageway scheme. At the major road junctions (A158 Wragby Road, Greetwell Road, B1190 Washingborough Road, B1188 Lincoln Road and A15 Sleaford Road) at-grade roundabouts are most appropriate for the form of route, a semi-rural bypass providing access to radial routes and development sites. The roundabouts have been designed to provide capacity to accommodate the predicted relatively high traffic flows and, therefore, to minimise delays. The junctions are forecast to operate with little queuing in the morning and evening peaks and the maximum predicted queue is 10 vehicles.
- 3.47 In relation to the minor roads crossed by the line of the LEB, the guidance indicates three options – stopping up, provision of a left in left out (LILO) junction or grade separation without connection. The junction at Hawthorn Road was changed from the original design of grade separation without connection to a LILO to contribute to savings in the scheme. The grade separation without connection was retained at Heighington Road on grounds of safety and value for money. At the Bloxholm Lane junction the minor road would be realigned to meet with the proposed Sleaford Road roundabout in order to ensure safety.
- 3.48 The dualling of the LEB remains a long term aspiration of the LCC. Accordingly, in bringing forward the current LEB Scheme the approach adopted seeks to minimise any future changes if dualling was to take place and to avoid design decisions that would prevent such future provision. Therefore, the design has incorporated future proofing measures in order to minimise, where possible, the costs and impacts of future dualling.
- 3.49 There would be a positive impact for NMUs in the route corridor. The design of the Scheme incorporates crossing facilities to maintain continuity of the existing NMU routes where possible and provides suitable diversions of other routes. Grade separation would be adopted at Bloxholm Lane, Lincoln Road, Greetwell Road and Hawthorn Road to minimise the impact on community severance. The NMU route along the length of the Bypass would provide a new link to the public rights of way network, particularly the Sustrans route and the Viking Way, and increase the accessibility of these routes. The conditions for NMUs within Lincoln would be improved by the reduction of traffic on the A15 and in the City Centre. The Scheme would encourage people to maintain and increase the level of walking and cycling in the region.
- 3.50 In terms of the wider traffic impacts, a number of City Centre routes would be expected to experience a significant reduction of 25% or more in average daily traffic, including HGV traffic, in the opening year and the design year. The most notable reduction would be on the A15 Broadgate.

3.51 Over a 60-year evaluation period 1,138 accidents would be saved including 5 fatal and 110 serious casualties. The monetised benefit is forecast to be nearly £40m. The scheme has a Benefit to Cost Ratio (BCR) of 8.435, which represents high value for money. The most significant benefits (over £603m) would be generated as a result of journey time savings for vehicles travelling on the network.

Funding

- 3.52 There is overwhelming support for the LEB from a wide range of stakeholders. The support has existed for a significant period of time, as demonstrated by its inclusion in the relevant development plan documents dating back over ten years. The LEB is essential to the delivery of local policy and strategy objectives. The LEB will also act as a catalyst for further development by providing the necessary infrastructure to support proposed housing and economic growth in and around Lincoln. Careful consideration has been given to the implications arising from the Scheme in respect of the Human Rights Act 1998. There is a compelling case in the public interest to justify the acquisition and the disturbance of the owners' rights.
- 3.53 The resources to carry out the plans within a reasonable timescale exist. The planning permission is in place. Detailed design work is ongoing in order to comply with the planning conditions and work has progressed to the issue of tender documents. All considerations are in place to achieve the earliest possible target commencement date of early summer 2016, subject to the outcome of the inquiry. The construction programme would be approximately 2-years, with opening in summer 2018. The external funding arrangement is in place to meet this programme (Documents CD/54, CD/55 and CD/56).
- 3.54 LCC would implement the LEB at an estimated overall cost of £95.858m. Central Government funding would amount to £49.950m, LCC would contribute £11.914m and there would be third party contributions from District Councils of £33.994m. The intention was to recover third party contributions through the Community Infrastructure Levy (CIL). However, policy development was interrupted when the Central Lincolnshire Joint Planning Committee (the JPC) on 6 January 2014 decided to withdraw the Core Strategy. Preparation has now commenced on the CLLP, with a view to adoption by 2016. As a result, the adoption of the CIL charging schedule, and formalisation of the CIL contributions that will be recovered for the LEB, have been delayed.
- 3.55 However, the three District Councils comprising the JPC continue to fully support the LEB and measures are being put in place to provide a formal funding mechanism in advance of any agreement on CIL. Letters have been received from the three Councils setting out their intention to enter into a Memorandum of Understanding (MOU). In the short term the MOU will ensure developer contributions through section 106 planning obligations are prioritised to the LEB funding strategy. LCC is intending to underwrite all the necessary costs confident that funding will be in place. Funds will be available and there are no foreseeable barriers and no known impediments to the implementation of the LEB (Document LCC22 and LCC26).

The need for and justification of the Bridge Scheme

- 3.56 The River Witham is a main river that runs west to east through the Lincoln Gap between Washingborough Road and Greetwell Road. The river is navigational and is currently used by leisure craft. The Bridge Scheme is being promoted to provide the statutory authority for the construction of the bridge across the river.
- 3.57 The Sustrans cycle route and other footpaths located alongside the North Delph and River Witham would only be affected in a very minor way by the construction of the bridge and would remain on their existing horizontal alignments.
- 3.58 The proposals were submitted to the Environment Agency, the Canal and River Trust and the Witham First and Third District Internal Drainage Boards as responsible authorities. There have been no objections to the Bridge Scheme at any stage and this aspect of the scheme was approved in 2014 following the previous inquiry and the arguments have not been revisited.
- 3.59 The reasonable requirements of navigation over the waters affected by the Scheme have been met in accordance with section 107 of the Highways Act 1980. There is no need for a special Parliamentary procedure to be used. As the necessary Order was confirmed in following the 2014 inquiry, this is not revisited in this case.

The need for and justification of the SRO

- 3.60 In order to build the new road granted planning permission it would be necessary to improve or stop up existing highways and to construct new highways to link into the new road. It would also be necessary to stop up some existing private means of access (PMA) to land or premises and to replace, where necessary, with new means of access. The purpose of the SRO is to maintain access to all land and property directly affected by the Scheme and to make the necessary changes to the highway network.
- 3.61 On the northernmost section of the LEB (Wragby Road roundabout to Greetwell Road) the Bypass would tie in as a fourth arm to the existing A15/A158 roundabout. To the south the route would cut across Hawthorn Road. The proposal is to stop up the western side of the Hawthorn Road and provide a turning head. On the eastern side a LILO only junction would form a link to the LEB. An auxiliary diverge lane and tapering merging lane would ease traffic movement and reduce the risk of collisions. A segregation island would block right turns in and out of the junction. It is now proposed that a bridge would connect both sides of Hawthorn Road to maintain NMU access. Changes will be made to public rights of way. A section of Greetwell Fields, a single track road, would be stopped-up and a bridleway created on the same line. A new PMA would be provided to land to the north of Hawthorn Road.
- 3.62 The next section, Greetwell Road roundabout to Washingborough Road roundabout, requires the stopping up of short lengths of Greetwell Road. To maintain vehicular access, a new four arm roundabout will be provided. A new footbridge over the LEB would provide access to the NMU route and maintain current NMU provision along Greetwell Road. Further south, a new PMA is proposed to maintain access to agricultural land and a new cycle and

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- pedestrian facility would link the NMU routes along the Bypass with the Sustrans route that runs parallel to the River Witham.
- 3.63 East of the Washingborough Road roundabout, field access would be maintained by a new PMA, which also would provide access to the new balancing ponds. South of the roundabout the Bypass continues in a deep cutting under Heighington Road. There would only be NMU access to Heighington Road from the LEB.
- 3.64 Where the LEB would cross Lincoln Road, a new four arm roundabout would be constructed and an underpass provided for NMUs. North of the junction PMA provision would involve a new length of track running along the western side of the Bypass and a new short length of track on the eastern side of the Bypass. South of the junction five PMAs would be stopped up and replaced by a new PMA (1029m long) on the eastern side of the LEB.
- 3.65 The final section of the LEB continues south to the A15 Sleaford Road. Bloxholm Lane would be stopped up where the LEB crosses its route. Bloxholm Lane would be realigned to link into a new four arm roundabout and a new footbridge constructed for NMUs. A link from the footbridge would be provided to the NMU route along the Bypass. New PMA provision would be included to replace the field accesses that would have to be stopped-up.
- 3.66 The SRO is the single and most contentious issue, generating the most representations. The objections largely relate to the Hawthorn Road junction. Those giving evidence have expressed their fears and concerns honestly and strongly, relying on local knowledge. However, it is necessary to concentrate on the actual information that is available and to carry out an objective assessment using a consistent approach. This LCC has done and the results are robust.
- 3.67 A purpose of the SRO is to make the changes to the highway network that are necessary to meet the requirements arising from the planning permission granted. Most Objectors have been clear in their desire to see the planning permission changed and for an all-purpose over-bridge to be incorporated into the scheme. That will not happen as a direct consequence of these Orders. That could only occur if it is found that the alternative routes that do exist do not meet the statutory test and, therefore, the SRO should not be confirmed.
- 3.68 The submitted plans show a variety of means by which access can be maintained, with Hawthorn Road closed for through traffic. Going east, first, use of the LILO arrangement on Hawthorn Road, another Kennel Lane/Wragby Road A158 and the third, Greetwell Road. Heading west, the reverse is available, although use of Hawthorn Road would necessitate a short detour to the Greetwell Road roundabout to the south.
- 3.69 All parties agree that there will be alternatives. The argument is that the alternatives are unsafe, not reasonable to the particular user or not convenient. The criticisms rely largely on local knowledge supported by some professional input. The updated traffic figures and information are not themselves challenged, but the approach to traffic assessment throws up some differences as to the efficiency of routes and junctions. From LCC's perspective, full confidence may be placed in the information supplied by the
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- traffic model and the results demonstrate that the Scheme is perfectly acceptable.
- 3.70 The predictions are that flows on Hawthorn Road west of the Bypass would see a substantial reduction in both peak periods, with the LEB open. As a result the Carlton Estate residential area would benefit from improvements to noise and air quality, severance will be reduced and movements made easier. The LEB would reduce traffic flows in all time periods on Bunkers Hill and remove nearly all the queuing at its junction with Hawthorn Road. To the east of the Bypass the advantages of the LEB are also evident. Traffic flows would be consistently lower, especially in the morning peak period, when children are travelling to school. The over-bridge alternative promoted by the Objectors does not offer such advantages.
- 3.71 LCC's traffic analysis has identified rat-running, whereby traffic leaves the A158, travels through the village of Cherry Willingham before joining Greetwell Road. The attractiveness of this route would be removed by the Scheme. The suggestion that traffic would travel from the A158 along Kennel Lane, Hawthorn Road and then join the Bypass at the LILO is unlikely in normal circumstances, when the signed route will be direct from the A158 through Wragby Road roundabout and onto the LEB there. Only if queues are excessively heavy on Wragby Road, would the Hawthorn Road LILO provide a viable alternative and this is not forecast.
- 3.72 The safety concerns about the routes are based on residents' observations, perception and reaction to a number of small incidents. Weighed against that is the information gathered over a considerable period, the records kept by the Lincolnshire Road Safety Partnership and the view of LCC as the authority responsible for the roads. None of the relevant sections of road have been identified as an accident hot spot and there is nothing in the road geometry, the traffic flows or frequent adverse weather conditions that would indicate a particular problem. All the objective information supports a different conclusion from that presented by the residents.
- 3.73 Where problems do emerge it is the responsibility of LCC to remedy these. Possible problems include the Greetwell Road junction with the Outer Circle Road, where local widening on the approach is likely to be necessary at some stage and some further drainage works at Greetwell Bottoms. It is likely, also, that some tidying up of Kennel Lane would be necessary on the approach to Wragby Road A158.
- 3.74 In order to meet the statutory test the various diversion options do not have to be the same as those being lost. Neither do they have to be the same length or offer the same level of convenience. If they did then no road would be capable of being changed. The words 'reasonably convenient' should be given their usual meaning and the judgement should be made on a sensible basis.
- 3.75 In LCC's judgement the alternative routes are available, reasonably convenient and safe to use. Thus, the statutory test has been met. That conclusion is supported by the three local authorities (Lincoln City Council, North Kesteven District Council and West Lindsey District Council), one Parish Council directly affected (Greetwell Parish Council) and the relevant

emergency services. Accordingly, the SRO should be confirmed as drafted, including the requested modifications.

- 3.76 All costs to achieve the Scheme have been subject to rigorous scrutiny. The money for an over-bridge at Hawthorn Road is not available. Any additional cost associated with the over-bridge cannot be justified in the context of the advantages that would be achieved by the LEB. Furthermore, the Bypass would not proceed if the Alternative 1 over-bridge suggestion is pursued. The indicative timetable proves that, if the SRO fails in order to look further at an over-bridge solution, there would be insufficient time to meet the timetable to start on site in time. The funding round would have to start again and the LEB would be seriously delayed with the attendant consequences of that.

The need for and justification of the CPO

- 3.77 The principles that apply to the use of compulsory purchase powers are set out in ODPM Circular 06/2004 (NB the guidance has changed since the inquiry. See paragraph 8.10). The Order land is predominantly arable farmland and extends to 104 ha. It is held in some 25 separate ownerships, although the majority of land belongs to two landowners. LCC does not own any of the land apart from the land forming part of the public highways crossed by the LEB. The land that is required falls into several categories.
- 3.78 Land is required to construct the permanent highway, which includes land for essential environmental mitigation and to accommodate access to adjacent lands. The route has been developed to make the most efficient use of existing features to minimise land take (for example, tie-ins to existing routes that enable cost efficient construction and efficient operation of the junctions). In addition, Plot 1/9A, a severed corner of a field, would be for a habitat pond to enhance environmental mitigation.
- 3.79 Rights would be required on land that would be used for drainage and flood compensation works, the construction of bridges and the permanent regrading of land adjacent to the LEB. A small number of plots would be dedicated as public rights of way.
- 3.80 Land would also be required to accommodate temporary works essential for the LEB to proceed, such as for topsoil storage, site compounds and in connection with the PMA. On completion of the LEB, the land would be offered back to the owners, subject to the highway authority retaining any necessary rights to enable future maintenance of the highway.
- 3.81 The future proofing of the LEB has been achieved largely within the land acquisition requirements that are justified by the single carriageway scheme. The main exception is the acquisition of land to permit future widening in the cut running up to Heighington Road, which would be very difficult and costly to achieve in the future. The acquisition of the land now would avoid future substantial disruption to the operation of the LEB and enable ecological gain to be secured. No point has been taken on future proofing. It is a correct and lawful use of the powers available.
- 3.82 The CPO has been drawn to reflect the position as shown in the planning permissions and provides the means by which the land and new rights can

be acquired to enable the LEB to proceed and be constructed. As such, this covers both permanent acquisition and temporary occupation during construction. With the substantive planning permission in place for the 2014 inquiry, all negotiations with landowners have been completed and most previous objections not sustained. Those that were, or represent new objections to the current Orders, have been accommodated with the exception of that lodged by The Railway Paths Ltd (OBJ/002). At the close of the inquiry discussions had made good progress and there is every prospect that this will be settled amicably. Of course, the making of the CPO in parallel with conducting negotiations with landowners is in accordance with the CPO guidance.

- 3.83 The acquiring authority has a clear idea of how it is intending to use all of the land within the CPO. The land acquisition justification relates exactly to the detail of the areas contained within the planning permission. The history of the development of the Scheme and the ongoing support are relevant in this respect. The landowners have not raised any contrary view.

The need for and justification of the Compulsory Purchase of land held by the Canal and River Trust

- 3.84 In reality this has been dealt with given the formal withdrawal of the objection from the Canal and Rivers Trust. The fact that the Trust had not objected to the earlier set of Orders considered before the previous inquiry gave the Council confidence that would be the position, but it took a little time to get to that final solution. Accordingly as the Application has been formally identified as being before the inquiry for consideration and the withdrawal came too late to remove it, it will need to be addressed. That will not need to take too long as all that is required is to record the facts and to indicate that the matter has been resolved.
- 3.85 Essentially the Trust felt there had been no attempt to negotiate and that the acquisition of land would cause serious detriment to its undertaking. Looking at the detailed points, there were queries about descriptions and the need to acquire some land without an exchange being offered. Finally, it is pointed out that some additional authorities would be needed and possibly the strengthening of some river banks. Since that time, LCC agreed at a meeting on 12 February 2015 to enter into a Deed of Grant of Easement and temporary licence to resolve all of the issues raised regarding the permanent acquisition of land. This Deed is subject to confirmation of the Orders.

Other objections

- 3.86 The LCC response to the other outstanding non-statutory objections is contained in the rebuttal section after the cases for Objectors.

Conclusion

- 3.87 The LEB is key to mitigating current and future traffic issues in Lincoln City Centre and in facilitating housing and economic growth in and around Lincoln. It is fundamental to achieving key planning objectives and delivering the LITS. The Scheme conforms to national design standards and the benefits to traffic have been demonstrated by the rigorous modelling.

The three Orders are required to acquire the land, amend the existing highway network and provide navigation rights under the River Witham Bridge. One Order cannot stand without the other two. Objections have either been accommodated or otherwise dealt with. There is no impediment to the implementation of the scheme. The LEB has planning permission, funding is in place and there is full support from stakeholders, including the local authorities and business. There is a compelling case in the public interest to confirm the Orders, subject to the following modifications.

Modifications requested to the Orders

3.88 As a result of representations following the publication of the Orders on 16 October 2014, a number of modifications are proposed (**Document LCC34**). The modifications and alterations are set out below in respect of the two Orders before this inquiry (NB Those concerning the Bridge crossing were approved following the earlier inquiry.) and can be classified in three categories:

- i. modifications arising from consideration of the draft orders by the DfT;
- ii. modifications as a result of ongoing discussion with landowners and objectors; and
- iii. modifications as a result of design development.

The Side Roads Order

Schedule 2

3.89 The Order in Schedule 2 has a figure of 34 metres, which is questioned by the DfT. The Department suggests that the correct figure should be 80 metres. LCC agrees and proposes the following modification.

Proposed Modification (Correction highlighted)

3.90 Amend paragraph 1(3) in Schedule 2, such that the description of the private means of access to be stopped up should read: Access to field from a point **80** metres east of the proposed A15 Lincoln eastern bypass for a distance of 174 metres in a westerly direction (a).

The Compulsory Purchase Order

Point 1

3.91 The DfT noted that the arrows on the plan identifying Plot 5/6A and Plot 5/5D are pointing to the same plot. In addition, the plot sizes are shown to be the same, whereas one of these is smaller. LCC agrees and the arrows have been amended on Site Plan 5 and the following modification is proposed.

Proposed Modification (Correction highlighted)

3.92 Amend the description of Plot 5/6A in the Parish of Canwick in the District of North Kesteven to read: **2758** square metres: Half width of the A15 Sleaford Road.

Point 2

- 3.93 The Department noted that in paragraph 1.20 of the Statement of Reasons (Document LCC/000/03) Plots 2/11 to 2/11H inclusive and Plot 2/15 are now Crown Land. As such, each plot description should be prefaced by "*all interests other than interests of the Crown in....*". LCC agrees with this addition in respect of the identified Plots.

Proposed Modification (Correction highlighted)

- 3.94 The start of the description of Plots 2/11 to 2/11H inclusive and Plot 2/15 should be prefaced by "**all interests other than interests of the Crown in....**".

Point 3

- 3.95 As a result of design development of earthworks, Plot 2/3A is no longer needed and can be removed from the Order.

Proposed Modification (Correction highlighted)

- 3.96 **Plot 2/3A is removed from the Order.**

Point 4

- 3.97 Ongoing discussions with Anglian Water regarding the impact of the LEB scheme on their foul sewerage network have concluded that a foul water pumping station north of Hawthorn Road would no longer be required and a small reduction in the area of Plot 1/1 can be made. Site Plan 1 is modified and the schedule amended to reflect this change.

Proposed Modification (Correction highlighted)

- 3.98 Amend the description of Plot 1/1 in the Parish of Greetwell in the District of West Lindsey to read: **19351** square metres: Arable land to the south of the A158 Wragby Road East, including part of Public Footpath PF.140.

Point 5

- 3.99 Discussions with the Environment Agency have meant that compensatory flood storage to mitigate the loss of storage as a result of constructing the bridge embankments for the River Witham Bridge is no longer required. It is proposed, therefore, that Plot 2/13A now has similar rights attached to it as Plot 2/13B, i.e. an essential licence for site construction/compound area. Site Plan 2 is modified to reflect this change.

Proposed Modification (Correction highlighted)

- 3.100 Amend the description of Plot 2/13A the Parish of Canwick in the District of North Kestaven to read: **645 square metres: Arable and grassland to the south of the South Delph watercourse and Canwick Fen Drain and to the north of the Lincoln to Spalding Railway line.**

4. THE CASE FOR THE SUPPORTERS

The main points are:

- 4.1 **West Lindsey District Council (SUP/065)** expresses full support for the LEB in providing a bypass for the City Centre and as a crucial element in the preparation of a CLLP. In particular, the LEB is key to delivering two large proposed housing sites to the east of Lincoln that would assist in reversing the current deficit in the 5-year supply. The LEB is also critical to improve accessibility in central Lincolnshire that should help stimulate the economy and grow employment levels. In reaching its position, the Council relies on the technical input and justification for the scheme provided by the LCC. As for the question of the Hawthorn Road bridge, it remains neutral, but supports the inquiry in giving those objecting to its omission an opportunity to state their cases.
- 4.2 **Greater Lincolnshire Local Enterprise Partnership (SUP/066)** confirms its full support for the proposed scheme and looks forward to an early start of this most important strategic route. The Partnership's Strategic Economic Plan identifies a list of actions to create 22,000 new jobs, support 22,000 businesses, deliver up to 100,000 new homes and increase the value of the Greater Lincolnshire economy by £3.2bn by 2030. Building a long term platform for road (and rail) investment will unlock barriers to growth and accelerate the development of key housing and employment sites.
- 4.3 Many of Lincoln's growth factors rely heavily on good connectivity to attract skills and for the transport of raw materials and finished product. Delivery of the LEB is a central strand of the Partnership's Strategy in terms of improving links to a number of strategic highway routes across the area and future investment opportunities within Lincoln City and beyond. The North East and South East Quadrant development sites, located to the east of Lincoln and the north and south of the LEB are key to these aspirations and the LEB is crucial to their delivery. As such, the LEB must be delivered and delivered quickly if the Strategy is to progress. The LEB would also assist in improving links to the M180/Humber Bridge and associated investment opportunities along the South Humber Estuary. East coast resorts and ports would also benefit from reduced travel times and improved transport access.
- 4.4 **Denby Transport (SUP/013)** supports the plans for the LEB arguing that the Bypass would provide a better route for through traffic. A benefit of this is that traffic would be drawn from the centre of Lincoln, relieving congestion in the City Centre and facilitating environmental and safety improvements. Importantly, it would deliver productivity benefits for local businesses and this should attract new business initiatives in and around Lincoln Centre.
- 4.5 **Lincoln Bypass Action Group (SUP/002)** welcomes the proposal to stop up Hawthorn Road to through traffic, and include the LILO facility. It would cost less and make more sense for those living to the west of the

Bypass line, by delivering a significant number of benefits, especially for those living on the Carlton Estate. The proposed layout would encourage people to use the Bypass and this would alleviate congestion on arterial routes and reduce rat-running, not least through the Carlton Estate. It would generally make local roads safer. What it would not do is cut off the villages to the east as argued by Objectors. It would just mean that they would have to revise their route, which for some may be a little longer in time and distance, but the inconvenience would not be inordinate and any increased travel costs reasonable.

- 4.6 At present the roads through the Carlton Estate are used as a rat-run by both commuters and other local traffic wishing to gain access to shops, schools and other facilities. The traffic remaining on Hawthorn Road travelling west invariably speeds and the closure would remedy this and the rat-running, making the area safer, especially now there is an infant school on the Estate. Those living to the west of the LEB route would also be inconvenienced if wishing to access the villages and they would not have the benefit of accessing the LEB directly. There are very few people of any persuasion that object to the principle of the LEB and that it should be delivered quickly. Thus, the arguments over the Hawthorn Road bridge that would only benefit a few should not be allowed to prejudice the delivery of the LEB.
- 4.7 It is appreciated that the school situation would cause inconvenience for some years to come, but the NMU scheme would provide walking opportunities, possibly linked to a bus service, or cycle access for the older children. Importantly, with the opening of the Lincoln Carlton Academy the attraction of schools in the villages will become far less. The same applies for the employment and shopping trips, which would incur time and cost penalties. However, when looked at against the updated traffic surveys taken on 4 and 5 March 2015 and applying DfT average travel costs we are looking at increases in costs of pence per day, and generally less than a minute in travel time. These penalties for residents both sides of the LEB have to be looked at in the context of the overall benefits to the City.
- 4.8 Objections have also been lodged against the adverse effects the diverted traffic would have on existing junctions, with no programmed improvement scheme. As for the Hawthorn Road/Bunkers Hill junction, the reduction in westbound traffic along Hawthorn Road should improve the situation for all future users, even though there would be an increase in users from the Carlton Estate. Crucially, this should reduce the daily flow from the villages through the Estate by some 1,500 vehicles.
- 4.9 Moving to the Wragby Road/Outer Circle junction, the previous Inspector agreed that the Bypass would attract traffic away, and improve conditions for a range of trips. The 2015 survey work gives no ground for changing this conclusion. Finally, the use of Greetwell Road is likely to cause a problem without the LEB and delay the construction of some 500 residential units on Greetwell Fields. With the LEB and the new

development, improvements to Greetwell Road should follow, to the benefit of all, including any new development proposed for the villages.

- 4.10 In summary, there will always be winners and losers, but the future development and economic prospects for Lincoln depend on the early delivery of the LEB. The closure of Hawthorn Road as a through route would remove non-essential traffic from the Carlton Estate, allowing management of the area for the benefit and safety of the residents. The Estate roads were not designed to carry through traffic and the problems this causes can be reduced significantly. Within the cost constraints imposed by Government the NMU bridge and LILO is the best design and the inconvenience and additional costs imposed on those living either side of the LEB would not be inordinate and would pale into insignificance when compared to the greater public benefits for the City.
- 4.11 **Lincoln Business Improvement Group (SUP/028)** is a company funded by over 800 business ratepayers from the public and private sectors, and is dedicated to improving peoples' experience of Lincoln City Centre. During the last 20-years Lincoln has undergone a renaissance, with a new University and both commercial and residential development. This has led to increased footfall and traffic in the Centre, recently occasioned by tourist interest with the opening of the Lincoln Castle Revealed project and the Magna Carta 800 celebrations. Members of the Group are planning to invest over £100m in the Centre over the next 5-years, creating hundreds of jobs and realising Lincoln's potential as a 21st Century retail destination.
- 4.12 The major constraint to achieving this is the high level of traffic penetrating the City Centre, particularly the Broadgate dual carriageway, which bisects the heart of the City and is the busiest road in Lincolnshire. Congested roads cut through Lincoln's many historic sites, the cultural quarter and retail core, creating impenetrable boundaries between areas of the City Centre and the adjacent residential communities. Against this background, the LEB is so much more than just a new road. It is the key to the future of the City, the way it operates and the planned transport hub, all of which are prejudiced if the Centre is full of vehicles merely traversing the Centre to get somewhere else. A positive Bypass decision would have immeasurable benefits for the economy, the community and visitors to the City.

Written representations by Supporters

- 4.13 The areas of support fall under two broad headings. First, there is the case for the business interest in and around Lincoln and secondly, the arguments advanced by local residents, especially on the Carlton Estate and Hawthorn Road west of the proposed Bypass.
- 4.14 From the business side, Supporters cite the LEB as the number one infrastructure project for Lincolnshire and the City of Lincoln and the long term economic benefit cannot be underestimated. They submit that if there are further delays there will be a negative impact on business and

investor confidence, and divert the County Council's capacity and resource to other important schemes. Thus, the speed of delivery of the LEB is an important factor.

- 4.15 Any minor inconvenience to some local residents caused by the closing of Hawthorn Road to through traffic is fully justified, when measured against the wider public benefits. The savings in not providing a full junction are significant and, in any event, would provide an unwarranted interruption to the main north-south traffic flows, while increasing noise to local residents and encouraging rat-running traffic. To assist, the LILO facility at Hawthorn Road would provide an improvement for those wishing to access Lincoln via Greetwell Road and even provide an alternative route for those wishing to travel north. Overall, Supporters consider the Bypass scheme would improve accessibility and safety in the Bunker's Hill and Carlton Estate areas and the NMU bridge would encourage walking and cycling.
- 4.16 Turning to the support from local residents of the Carlton Estate and Hawthorn Road (west) and Bunkers Hill, a key benefit would be the reduction in unnecessary traffic leading to a safer and quieter neighbourhood. The Estate layout and roads were not intended to support the current levels of through traffic and this makes it difficult and dangerous even to leave some resident's drives. With Hawthorn Road operating as a through route, the abuse of the speed limit is plain for all to see. Over the last 10-years the Lincolnshire Road Safety Partnership has employed a number of methods of speed reduction, but this has had only limited success. The closure of Hawthorn Road to vehicles would reduce significantly the rat-running traffic and associated problems and improve the safety for those using the Neighbourhood Playground close to the junction of Hawthorn Road and St Augustine Road.
- 4.17 The junction of Hawthorn Road and Bunkers Hill (A15/A158) has become very congested during the morning and evening peaks. This makes it difficult for anyone turning right from Hawthorn Road to travel north and the queue on the main road encourages drivers to turn left into Hawthorn Road and then rat-run through the Carlton Estate. The Bypass would reduce the need for this and the closure of Hawthorn Road would also assist the operation of the junction with Wragby Road. Supporters are also mindful of the increase in traffic with the envisaged development in the villages to the east of the LEB. There is no doubt that the LILO option is the best arrangement in both traffic and cost terms and would best meet the future demands.
- 4.18 Local residents appreciate that the severance of Hawthorn Road will cause some inconvenience for those traveling certain routes from the villages to the east, but for others the proposed junction would save them time and fuel costs. It is submitted that the key to the LEB is the desire to alleviate traffic congestion within the Lincoln City Centre and the faster it is opened the quicker the benefits would be secured. The case for the vehicle over-bridge at Hawthorn Road has already been rejected once and conditions since then have not changed. Any further delay cannot be justified.

5. THE CASE FOR THE OBJECTORS

5.1 The objections fall into three main categories. Of these, the statutory objections from Statutory Authorities, landowners and tenant farmers etc had all been resolved by the close of the inquiry, with one exception, namely Railway Paths Ltd (OBJ/002). Even this was in the process of being resolved, but at the close of the inquiry the Objection had not been formally withdrawn. No statutory Objectors appeared at the inquiry. Virtually all the non-statutory objections to the proposals follow the omission of the all-purpose bridge over the LEB at Hawthorn Road and its replacement by a NMU bridge. The only other main topic for objection concerns the perceived lack of cycle facility and the dangers arising to cyclists. These are all covered below.

Written representations by statutory Objectors

5.2 **Railway Paths Ltd (OBJ/002)** objected to the CPO and SRO on the grounds that the land acquisition is excessive and would sever ownership. There is lack of clarity of the need for some plots and acquisition could be replaced by licence. Finally, Railway Paths Ltd propose an alternative NMU solution to use the existing bridge over the River Witham.

Withdrawn statutory objections

5.3 **Western Power Distribution (OBJ/001)** withdrew their objections to the CPO by letter dated 23 July 2015 having entered into an Agreement with LCC in relation to the protection and diversions of their fixtures affected by the LEB proposals.

5.4 **The Canal and River Trust (OBJ/027)** has confirmed withdrawal of its objection.

5.5 **The Church Commissioners (OBJ/553)** confirmed by e-mail on 19 August 2015 that they withdrew their objection following a signed Undertaking issued by LCC and dated 12 August 2015 (Document LCC20).

5.6 **Mr J A Ward (OBJ/554)** confirmed by undated message that he withdrew his objection to the CPO following a signed Undertaking issued by LCC and dated 12 August 2015 (Document LCC20).

5.7 **National Grid Gas Plc (OBJ/555)** withdrew their objections to the CPO by letter dated 10 July 2015 having entered into an Agreement with LCC as the Acquiring Authority in relation to the safeguarding of their apparatus.

The cases for Mrs S Lidbury (OBJ/486), Mr P Moore (OBJ/489), Mr B and Mrs J Robinson (OBJ/430) and Mr T Walton (OBJ/485)

5.8 **Mr B and Mrs J Robinson (OBJ/430)** are long-time residents of Cherry Willingham and submit that the removal of an over-bridge at Hawthorn Road for general traffic was financially motivated and the decision made

without proper research into the impact it would have on local access. If proper research had been undertaken LCC would have realised that the alternative routes would not satisfy the tests of being reasonably convenient.

- 5.9 As it is, the cost cutting exercise resulted in the loss of the over-bridge at a cost of £1m and the deletion of the Greetwell Road upgrade at £4.5m, both to the detriment of the villages lying just east of the proposed LEB. Thus, the changes would not only affect the users of Hawthorn Road, but those using Greetwell Road as well. As a consequence, Mr and Mrs Robinson suggest that to address these problems there is both a serious capacity improvement needed at the Greetwell Road/Wickes junction and the reinstatement of the Hawthorn Road bridge to reduce the impact on Greetwell Road. Surveys carried out by Mr and Mrs Robinson of the queue lengths on Greetwell Road approaching the Wickes junction show these already reach more than 1,000 metres during the morning peak time of 0740 – 0910. This can only get worse with the LEB open.
- 5.10 Their understanding is that user requirements were not gathered from local surveys, such as parish councils and schools. The prediction modelling appears to have relied on a broad understanding of the City wide flows. This has meant that the modelling of critical junctions does not reflect what would happen once the LEB is open, but merely distributes flows according to standard values and not local desire from the villages to reach specific destinations.
- 5.11 Finally, Mr and Mrs Robinson would like to make clear that they fully support the LEB. Even so, they opine that to proceed as currently planned would result in an unreasonable solution for both local people and users of the LEB. Against this background, they advocate further investigation of the solutions to issues raised and a revision of the plans to ensure that there is a Bypass that works.
- 5.12 **Mrs S Lidbury (OBJ/486)** lives on the Carlton Estate and has two children. As a deputy headteacher she feels she understands the pressures on parents and schools. She explained she uses Hawthorn Road at least 4 times a day, sometimes 8, to access Cherry Willingham Primary School, clubs and activities. Her submissions are a real day-to-day account of the impact on real people's lives and their household budgets. It looks at the inconvenience of the alternative routes and quantifies the effect on household budgets. Before writing her evidence, Mrs Lidbury consulted over 800 local residents on both sides of the proposed line of the LEB. Importantly, it was not until after the earlier inquiry that LCC carried out consultation with local schools about the effects of closing Hawthorn Road.
- 5.13 Over 270 children who live on the eastern side of Lincoln (Glebe Park, Bunker's Hill and the Carlton Estate) attend schools in Cherry Willingham and Reepham. Many of these children are in the early years of their education and so this is likely to continue for a number of years – up-to at least 2025/26. In the other direction, the Carlton Estate provides a

number of nursery sessions, which many parents from Cherry Willingham and Reepham access. Whereas parents currently have sufficient time to drop off their older children at school and arrive at the nursery in time for the start of the session, longer journeys and the greater chance of delays will make this more difficult.

- 5.14 Maintaining local children’s health and well-being is an important consideration at a time where it is vital that our children access regular sporting activities. Additional fuel costs and longer, less direct routes could have a devastating effect on the health and well-being of local children. The consultation carried out reinforces the conclusion that closure of Hawthorn Road would place a disproportionate burden on parents on both sides of the proposed Bypass and that the alternative routes are evidently not ‘reasonably convenient’.
- 5.15 **Mr P Moore (OBJ/489)** is a resident of Cherry Willingham and a member of the Cherry Willingham Neighbourhood Plan Steering Group and the Parish Council, though his evidence is presented on a personal basis. He does not object to the LEB in principle, but does object to the SRO on the basis that the current proposals would cause unreasonable inconvenience and delays for those living in the villages of Cherry Willingham, Reepham and Fiskerton. In particular, he believes that the closure of Hawthorn Road to through traffic would unnecessarily restrict route choice and, unless there is mitigation before the opening of the LEB, users of the alternative routes would suffer unreasonable delay.
- 5.16 His conclusions follow detailed examination of the traffic data and modelling information supplied by LCC. This alerts him to a number of areas where the match between the traffic model and observed counts is insufficiently close. While this may only have a minimal impact on wider issues such as scheme economics, it may have a significant impact on the assessment of local traffic issues, including rat-running, traffic relief to individual roads and junction performance. Essentially, it highlights the danger of abstracting individual junction performances from a strategic modelling exercise, even allowing for the sensitivity testing.
- 5.17 In addition, comparing LCC’s modelled flows for a Do-minimum traffic model without the LEB with modelled flows for the Do-something model with the LEB raises questions about the robustness of the conclusions drawn about the traffic relief afforded Hawthorn Road west of the LEB and to some roads on the Carlton Estate. In some cases, the level of relief afforded by the LEB may be overstated.
- 5.18 Also in the local context, a review of the origin and destination (OD) data collected for the Hawthorn Road corridor possibly conflicts with other traffic data and existing modelling. Crucially, if Hawthorn Road was closed, two of the three alternative routes would arrive at the junction of Greetwell Road/Outer Circle Road/Allenby Road at a double mini-roundabout, known locally as the ‘Wickes Roundabouts’. With the resulting conditions and delays forecast, and the difficulty of improving the

- situation before the opening of the LEB, this could not be classed as a reasonably convenient alternative.
- 5.19 As for the third alternative, using Kennel Lane and the A158, this would place additional pressures on the Lane, which, as the name infers, is not intended to convey large volumes of traffic. Moreover, there are issues about the modelling of the Kennel Lane/A158 junction and further along this route the Wragby Road Roundabout, the Hawthorn Road/Bunker's Hill junction and the Wragby Road/Outer Circle Road traffic signals.
- 5.20 All this invites a conclusion that Hawthorn Road should be retained as a through route, and irrespective of the outcome of the inquiry that confirmation of the SRO is made conditional on an improvement scheme for Wickes Roundabouts being fully designed, approved and funded before the LEB opens to traffic.
- 5.21 **Mr T Walton's (OBJ/485)** objections incorporate new evidence not presented at the earlier inquiry. This covers inconvenience, safety issues, the costs and the emissions in respect of the alternative routes, should Hawthorn Road be closed to through traffic. They would impact on communities on both sides of the proposed LEB. These are considered in the context of the safety statistics released by the Police and DfT for the alternative routes during the 2014 inquiry and embodies the 2015 traffic surveys undertaken by LCC.
- 5.22 It is also worth remembering that Hawthorn Road has been used as a strategic route, while other alternatives have been subject to incidents. Hawthorn Road is the most cost effective route, when consideration is given to the balance of costs on one hand, against the time, effort and trouble on the other i.e. convenience. Hawthorn Road is by far the most direct and convenient route for the villages to the east to access services/facilities by the Carlton Estate, including accessing medical and care facilities by the vulnerable. In addition, the unnecessary emission of pollutants caused by longer journeys could be avoided.
- 5.23 Weighing the additional costs together there is no argument. Within 3-years, the cost savings on fuel alone would most likely cover the difference in costs to construct an all-purpose over-bridge.

The Case for Mr A Lake (OBJ/472)

- 5.24 Mr Lake raises several lines of objection to the current proposals and supports the two alternatives for a Hawthorn Road bridge advanced by Reepham Parish Council (RPC). While not objecting to the principle of the LEB, Mr Lake objects to the SRO and principally the closure of Hawthorn Road to through traffic. However, even if this proves necessary the failure to mitigate the alternative routes in advance of the LEB opening would cause unreasonable inconvenience and delay to residents of the eastern villages of Cherry Willingham, Reepham and Fiskerton.
- 5.25 In this regard, LCC has often stated that it would be impossible to design a viable junction scheme for the LEB and Hawthorn Road. However, this is

disputed as evidenced by Alternatives 1 and 2 promoted by RPC, along with the supporting evidence. Crucially, the cost differentials between the NMU bridge and an all-purpose bridge have diminished such that, with additional costs of less than 1% of the total LEB scheme value, a decision on cost comparison grounds is no longer robust.

- 5.26 The next area in contention arises from the difference in views about the engineering assessment of the alternative routes should Hawthorn Road be closed. Using the design speed assessment process (Chapter 1 of TD9 DMRB) (Document CD/100) the routes from Reepham, either through Cherry Willingham and via Greetwell Road or using Kennel Lane, compare extremely unfavourably with the Hawthorn Road option, though it is accepted that if the routes are extended towards the Outer Circle Road, the figures appear less severe.
- 5.27 Moving on to look at the key junctions on the diversion routes, once again there is a divergence of view. In particular, there are differences in the required capacity enhancements LCC see as necessary at the junctions of Hawthorn Road/Bunker's Hill, Greetwell Road /Allenby Road, the safety enhancements necessary on Kennel Lane, Greetwell Road, A158 and/or Hawthorn Road and the traffic calming measures that would assist in the Carlton Estate. Finally, there are concerns about the way the A158 roundabout assessment has been conducted.
- 5.28 As for the submissions of the Lincoln Bypass Action Group (Document SUP/002/02), many of the points made against keeping Hawthorn Road open to through traffic can be rebutted, in general along the lines of objection lodged by the villages and others. On one particular point, that of safety within the Carlton Estate, the Lincolnshire Road Safety Partnership has recently confirmed to the Greetwell Quarry Residents' Association that there are no safety deficiencies within the Carlton Estate that would warrant mitigation through intervention. Moreover, the traffic evidence does not indicate that traffic would increase substantially through the Estate if either Alternative A or B was adopted. To assist in respect of speeding, the current arrangements are inappropriately sited and could be improved with a little thought.
- 5.29 It is appreciated that any additional further delays would be unfortunate. Even so, this is not a good reason for pushing ahead with a flawed scheme that would significantly impact on the local residents of three villages merely to placate a small number of local residents living on or close to the Carlton Estate, whose interests could be safeguarded by other means. Importantly, this SRO application has attracted the largest number of objections of any highway scheme within the last four years. The Objectors include all the Parliamentary candidates at the General Election in May 2015. They all see an anomalous decision to sever Hawthorn Road, forcing residents to use other routes and junctions that have been inadequately considered by LCC, and which will consequently underperform and leave a legacy of inconvenience and cost forever.

The Case for Dr B Loryman (OBJ/559)

- 5.30 Dr Loryman considers the LEB to be an excellent project and fully supports it. However, he believes that safe crossings – Toucan crossings are best suited to this purpose - should be provided for NMUs to link up the Sustrans path on the main roads adjoining the length of the LEB. He considers this is important as three times as many cyclists are killed in Lincolnshire compared to the national average. Of these, one third are killed on A-roads and about 40% of serious cyclist accidents in Lincoln occur close to junctions.
- 5.31 Providing safe crossings would undoubtedly improve cyclist and pedestrian safety when using the NMu facilities. Better and safer facilities would also encourage sustainable commuting from the villages to the east of the proposed LEB to existing and proposed employment areas. Against this background, Dr Loryman seeks a recommendation for improved facilities as part of the LEB scheme.

The Case for Lincolnshire Cyclists' Touring Group (OBJ/318)

- 5.32 The Touring Group is part of the National Cycling Charity representing the interests of all cyclists. It does not oppose the LEB, but is concerned that this new road would deter cycling and walking, when LCC has long expressed its intention to encourage both activities. The Group is pleased that there has been an increase in cycle use in Lincoln, but, with four cyclist deaths and 13 seriously injured on County roads by early July 2015, there is still a suppressed desire to cycle, because of the unsafe routes and lack of cycle facilities.
- 5.33 With the 30,000 jobs and 7,000 new homes that would follow the LEB the traffic generated would quickly fill the LEB and existing roads. It is essential, therefore, that good cycle facilities are built now, connecting the suburban villages to Lincoln City Centre, with safe convenient crossings of the LEB and radial routes. At present, no cycle/footpath comes anywhere near to reflecting DfT Local Transport Note 2/08, and on some radial routes there is no cycling facility at all.
- 5.34 With the alterations since the earlier inquiry there are some positives. First, the Sustrans path from Lincoln to Washingborough is to remain open, and if closed for some reason during the construction an alternative convenient route would be provided. Secondly, a vulnerable users Bridge would be built between the Carlton Estate and Hawthorn Road. Even so, there are still issues.
- 5.35 While the NMu bridge helps those travelling from the Carlton Estate to cross Hawthorn Road over the Bypass, those people on foot or bicycle coming from the north would have to use the dismount and dash facility across a busy road with traffic entering and leaving the LEB slip roads. At other junctions, while there are some vulnerable user's facilities, they usually only cover movement in one direction, with many of the rest of the dismount and dash type, especially for those using the cycle track around

the LEB and crossing the roundabouts. This does not accord with the Prime Minister's August 2013 commitment to ensure that all new road junctions have safe crossing facilities for cyclists and other NMUs.

The Case for Cllr C Darcel (OBJ/322)

- 5.36 We are told that the costs of the NMU bridge and LILO facility at Hawthorn Road are little different from an overbridge. Thus, what is needed is common sense to provide what the 'market' wants. LCC has taken far too long to reach this stage and has lost funding, forcing it to cut corners and facilities. With the great increase in Lincoln Urban Area house numbers (45,000), closing Hawthorn Road would cause further congestion on Kennel Lane and the A158, longer tailbacks for those wishing to exit Hawthorn Road at Bunkers Hill, at the A158 and Outer Circle traffic signals and the approaches to the Wickes roundabouts. Improvements to Greetwell Road judged necessary with the dual carriageway scheme are now omitted, without reason.
- 5.37 In addition, as evidenced by Crashmap UK, the alternative routes are unsatisfactory, potentially dangerous and contrary to good practice for sustainability. Next, too little allowance has been made for the forecast population growth in the area. Applications are flooding in to avoid the CIL charge, making it less likely that the money will be forthcoming to finance the LEB and associated schemes or this would be at the expense of other social and leisure facilities.
- 5.38 Like most Objectors, Cllr Darcel is all for the new Bypass. However, he wants to see a proper bridge, roundabout or underpass at the Hawthorn Road/LEB junction to accommodate all motor traffic and to keep Hawthorn Road open to avoid using either of the two unsatisfactory alternatives. Seeing that Lincoln is the main beneficiary of the LEB, the City should have been asked for or volunteered an extra contribution for the Hawthorn Road bridge and for improving the Greetwell Road/Wickes roundabouts. Instead, the residents, schools and businesses of Cherry Willingham and Reepham will be disadvantaged, with the risk of tailbacks onto the new Bypass.
- 5.39 In summary, he feels badly let down by the whole exercise. The lack of transparency and understanding of localism or project and financial management has turned the LEB and emerging joint Local Plan into a political and financial mess. Mr Darcel does not accept that West Lindsey District Council supports the Hawthorn Road closure. His view is that the matter was never aired in any objective sense.

The Case for Mr D Turner (OBJ/015)

- 5.40 Mr Turner is a resident of Cherry Willingham and maintains his objection to the closure of Hawthorn Road to through traffic, other than NMUs. He points out that the purchase of his property in 2006 was influenced by the proposal for the LEB that then included an over-bridge on the line of Hawthorn Road. Although an active member of the local village

community, he does attend Church, home meetings and charity volunteer work on the Carlton Estate and Glebe/Bunkers Hill areas and accesses these via Hawthorn Road. In addition, key retail sites, which are located in the Carlton and Glebe areas, are visited frequently. Cherry Willingham has a high percentage of elderly and there is no public transport to the Carlton Centre dropping-off area.

- 5.41 As such, the closure of Hawthorn Road to vehicle traffic would cause great inconvenience in having to use the busier A-roads, increasing stress levels and resulting in extra costs and lost time. While accepting that the LEB is needed, and a worthy cause, having assessed the alternative routes, via Kennel Lane, Fiskerton Road/Greetwell Road or the LEB itself would force him to use roads carrying much heavier traffic. This would increase the length of journey by between 0.4 and 1.5 kms (0.3 and 1.0 miles) other than the route using Fiskerton Road and Greetwell Road, which in winter can be very hazardous. Each would take longer to travel than the simple Hawthorn Road route. Finally, Mr Turner suggests that instead of an NMU bridge a roundabout should be installed at the junction of Hawthorn Road with the LEB. This is a similar arrangement to that proposed as Alternative 3.

The Case for Mrs H Larcombe (OBJ/256)

- 5.42 As a resident of Cherry Willingham Mrs Larcombe does not accept that the closure of Hawthorn Road would leave another reasonably convenient route to the centre of Lincoln. Hawthorn Road has been improved over recent years and it now boasts a good surface, visibility and a cycle/footpath along the entire route from Croft Lane to Bunkers Hill A15. With no through traffic route along Hawthorn Road, other than for NMUs, the alternative route via Fiskerton Road and Greetwell Road to the Wickes double mini-roundabout junction suffers lengthy queues and Greetwell Hollow is prone to flooding. Moreover, this route offers inadequate facilities for cyclists and pedestrians.
- 5.43 As for the substantially longer route using Kennel Lane, this is inferior on several counts. It is not designed for heavy traffic usage and is prone to foggy areas and frost pockets, and incorporates a very sharp bend at Manor Farm, Reepham. The junction of Kennel Lane and Wragby Road A158 is poor, involving joining high speed traffic and queues already back up from the junction to Manor Farm. The reverse journey, turning right from the A158 into Kennel Lane has been made more hazardous recently with the shortening of the central queuing lane.
- 5.44 With the planned and anticipated increase in residential development just to the east of the LEB the situation along the alternative routes can only get worse. This will make these less convenient and the retention of a vehicle route along Hawthorn Road all the more justified. Bus services are very limited, especially during evenings and weekends.

The Case for Mr Kalle Leo (OBJ/292)

- 5.45 Mr Leo is also a resident of Cherry Willingham and restates his objection to the closure of Hawthorn Road to through traffic other than NMUs, which he made prior to the previous inquiry. Hawthorn Road has been his principal route into Lincoln and to collect his grandson from Wolsey Way Estate, to shop at the Tesco on Wragby Road and to travel south on the existing Bypass. The alternative routes proposed by LCC would be a major inconvenience and are simply inadequate. On the other hand, Hawthorn Road is much to be preferred, being fairly uncomplicated and featuring no major hazards. The speed limit of 30 mph on Hawthorn Road west is well enforced and the only improvement necessary would be to introduce traffic signals at its junction with Bunkers Hill, where queues can build up at times.
- 5.46 As for the alternatives, Kennel Lane, with its poor alignment, sharp bend and proclivity to ice during the winter, is designed to carry only low traffic flows. Moreover, queues already exist at the junction of Kennel Lane with the A158 and waiting for a safe gap can be lengthy. The A158 is also one of the 'biker' routes. Taking the traffic surveys in November underestimates the volumes of traffic, when the A158 is a major holiday route, with much higher summer flows.
- 5.47 The second alternative - that of Fiskerton Road and Greetwell Road - suffers from significant lying water during heavy rainfall, increasing the risk on a road subject to the national 60 mph speed limit. The alignment is also poor and queues already exist at peak times. Importantly, traffic from Fiskerton and Cherry Willingham would have to give way to traffic from the Bypass, adding to the delays.
- 5.48 Neither of the routes are proposed for improvement by LCC and are not reasonably convenient alternative routes, but inadequate and subjectively hazardous. Finally, Mr Leo believes LCC's handling of the LEB process has been shambolic, devious and contemptible.

The Case for Reepham Parish Council (RPC) (OBJ/443)

- 5.49 The Parish Council strongly supports the LEB in principle, but equally strongly objects to the SRO and the 'stopping up' of Hawthorn Road as part of the LEB scheme. It considers that the detrimental effect of the current arrangement would drive users living in the villages to the east and Lincoln to use longer, less convenient, less safe, less predictable and less reliable routes, despite there being technically feasible and economically viable alternatives. These are not considered to be 'reasonably convenient' alternatives.
- 5.50 In this context, the Parish Council's preferred alternative would be a road bridge to carry Hawthorn Road over the Bypass, with full provision for motorised and non-motorised users, which is Alternative 2 before the inquiry. The Parish Council has also submitted Alternative 1, which merely replaces the NMU bridge by an all vehicle bridge and omits the LILO

arrangement. Both alternatives have been designed employing suitably qualified persons and engineered to conform with the DfT DMRB and would be contained within the land-take currently within the proposed planning and highway boundaries. The Alternatives would be supplemented by traffic calming measures at the Hawthorn Road/St Augustine Road entry to the Carlton Estate.

- 5.51 The villages lying to the east of the LEB Scheme are the principal losers on all counts, including community severance, direct costs, user delay costs, road safety risks and emergency service response. Nearly all of the disbenefits are as a direct consequence of the loss of the Hawthorn Road over-bridge. As proposed, the LEB would be damaging to the quality of life of residents by removing the most direct and safest route into the City.
- 5.52 In support of this position, the Parish Council emphasises the continued widespread local opposition to the proposals for Hawthorn Road and the level of inconvenience this would cause local residents in terms of social, educational, employment and retail dislocation from the current destinations. Many journeys would be longer and more costly in financial and environmental terms and use less safe routes, with a worse accident record.
- 5.53 In assessing these routes, LCC has not taken account of seasonal variation on Wragby Road, the lack of pedestrian and cycle facilities on Kennel Lane and Greetwell Road or the envisaged increase in residential development in the villages. This will lead to traffic diverting through the villages instead of using the direct route along Hawthorn Road to reach destinations in the Carlton Estate area and the City beyond. Even when applying its own figures to the key junctions on Wragby Road, the Outer Circle and at Wickes, LCC has skewed the figures to suit its desired conclusion.
- 5.54 As for economic costs, there is a difference in the estimates for constructing an all vehicle bridge at Hawthorn Road, but, even should the LCC be correct, the increased costs would be insignificant compared to the overall cost of the LEB of £90m+. LCC now seems to accept this, but is pressing on with the current scheme on the basis that Government monies might be prejudiced and the delays that would be caused by having to revisit this. This is not a sound reason for pursuing a substandard scheme. In the past, LCC's concerns about Government funding being withdrawn have not materialised and the delays would be short and not prevent the main elements of the scheme being progressed. This is unfortunate, but is the result of poor consultation and assessment at an earlier stage.
- 5.55 In conclusion, RPC asks that a rational solution to its predicament is found as part of the LEB scheme.

The Case for Cherry Willingham Parish Council (CWPC) and Cherry Willingham Neighbourhood Plan Steering Group (OBJ/447)

- 5.56 The representations are shared by both bodies and the case submitted by RPC is fully supported, along with some additional points. Crucially, the 'do the bare minimum' approach of LCC in publicising details of the LEB and closure of Hawthorn Road did not allow the concerns of residents and other village interests to be properly identified and considered.
- 5.57 Expanding the objections to the closure, the stopping up of Hawthorn Road would close off an historic link between the villages and Lincoln and would have significant social and economic implications for the village with a population of about 3,500. Access to the Carlton Centre would be compromised, as well as access to the health facilities on Cabourne Avenue. Some residents use mobility scooters to travel to Lincoln to access these facilities and the proposal will negatively impact on them. Equally residents from the Carlton Estate and Glebe Park use the medical practices in the village as well as the education and community facilities provided by the school in the village.
- 5.58 The adverse impact on the convenience of access to the village schools would lead to reductions in student numbers and parental choice. This would have serious implications for their continued sustainability and the range of facilities in the village, social and community offers, including sports and activity options. Looking at the ES, this does not suggest that the social and economic implications for the villages were considered at all, which are serious oversights. In fact, when assessing operational impacts, the ES seems to assume that Hawthorn Road would remain open. In a nutshell, the design shortcomings of the NMU bridge would create barriers and not deliver on a number of objectives in the County's Local Transport Plan.
- 5.59 There would also be other economic considerations. First, the difference in cost between an NMU bridge and one to carry all-vehicles would be minimal in the context of the LEB cost as a whole. Not building the LILO would reduce the difference even further. To the balance, also needs to be added the cost that would be incurred by the extra travel time and distance and the increased CO₂ emissions. There would also be additional safety risks, with no safe crossing point of Hawthorn Road, because of the high speed of vehicles joining and leaving the LEB using the LILO. Although perhaps safer than the earlier arrangement, conditions would still be unsafe.
- 5.60 Next, there are considerable areas of residential development just to the east of the LEB route and many more houses planned as part of the emerging Local Plan. These have not been taken into account in the traffic modelling. The Neighbourhood Plan is in preparation and, although not specific about numbers, it favours sites west of the Community School along Hawthorn Road. The severance of Hawthorn Road would inevitably lead to greater use of Fiskerton Road running through the village, and possibly Kennel Lane, to the detriment of amenity, character and safety.

Should the Wragby Road roundabout suffer from delays, then Kennel Lane could offer an alternative to access the LILO or through the village to Fiskerton Road. On the other hand, the LILO is not considered to be an attractive or practical proposition for current users of Hawthorn Road.

- 5.61 Once through the village, traffic would seek to enter the City Centre by using Greetwell Road or Monks Road rather than queue at the Wragby Road or Nettleham Road roundabouts at peak hours. Such delays and queuing exists and rat-running already occurs. These would only be exacerbated once the LEB opens, and even more so if Hawthorn Road was severed.
- 5.62 The Parish Council does not agree that all traffic from the villages using Hawthorn Road tends to travel through the Carlton Estate. However, the retail offer at the Carlton Centre is higher than for local needs shopping and includes extensive comparative shopping options. Cutting off Hawthorn Road would exclude key groups, such as the elderly, from having direct and convenient access.
- 5.63 In summary, the Parish Council is strongly of the opinion that the current proposals will be harmful to the function and sustainability of the village, although supportive of the wider benefits the LEB may bring to the area. Thus, it wishes to retain the *status quo* and two way connectivity options between the villages and the Carlton Estate.

Verbal Statement by Cllr I G Fleetwood

- 5.64 Cllr Fleetwood is both a District and County Councillor and his integrity feels impugned by the criticism of others. He is Vice Chair of the West Lindsey Planning Committee and Chair of the County Planning Committee. He did not make representations at the time the application was discussed, because he was obliged to declare his interest. However, Cllr Fleetwood accepted that the District Planning Committee supported the LEB scheme on 6 March 2013 and so did the LCC Committee on 10 June 2013 (**Document CD33**).

Written non-statutory objections

Overview

- 5.65 Objection to the closure of Hawthorn Road is cited in virtually all the 540+ written objections. There are a number of common themes in the objections to the stopping up of Hawthorn Road, most of which featured in the cases presented at the inquiry. In addition, written objections invariably cover a range of matters and, rather than repeat these individually they are summarised below jointly and severally as appropriate. All objections are contained in the two folders Parts 1 and 2 of **Document OBJ/00/01** and summarised in **Document LCC30**. Having said this, the vast majority of written representations raise no objections to the LEB itself, with many arguing strongly in its favour.

General concerns

- 5.66 Several Objectors argue that the LEB should revert to the 2010 design and be built to full dual carriageway standards, with the bridge at Hawthorn Road available for all vehicles. One submits that the LEB should not be built until this can be achieved. Another advocates that the money should be spent on upgrading the A15 north of Lincoln instead of building the LEB. Specifically relating to Hawthorn Road, the vehicle bridge is necessary for local journeys and to accommodate the additional traffic from the proposed development in Cherry Willingham and Fiskerton, along with the marina. The argument of many is that the cost of the NMU bridge and LILO arrangement, when added to the cost penalties to local residents and the environment would fund the all-purpose bridge. It is contended that the LILO would be unsafe for vehicles joining the LEB, because of the high speed of vehicles on the major road, and for those leaving the LEB when they encounter the pedestrians and cyclists using the NMU bridge.
- 5.67 There are comments about the traffic figures used in the justification, with many saying they are out of date and that they have taken no account of the proposed development in Cherry Willingham, Reepham, Fiskerton and Greetwell. Many raise concerns about the consultation process, saying that the decision to remove the vehicle crossing at Hawthorn Road was not advertised widely and even Parish Councils and Councillors were not fully in the picture. Although it is recognised that many of the arguments were dealt with at the earlier inquiry, several factors have moved on since then, requiring a further examination of the proposals. Finally, there are Objections that the omission of the Hawthorn Road bridge would be against localism policy. In particular, it would undermine the Neighbourhood Plan aspirations and could have been financed as part of development costs.

The alternative routes with Hawthorn Road closed to through traffic

- 5.68 Describing first the objection in broad terms, local residents and organisations consider that the bridge across the LEB to accommodate Hawthorn Lane in the 2010 proposals was justified and was removed for purely cost reasons, without proper consultation and regard for the local interest. It is not considered that the NMU scheme constitutes an acceptable substitution, leaving the alternative routes for motorised traffic tortuous, unsafe and congested.
- 5.69 More particularly, it means that many residents in the villages of Cherry Willingham, Reepham and Fiskerton would be segregated from their present destinations, including schools, shops, the Hospice, health and social facilities and services and an historic route into Lincoln Centre would be lost. Reciprocally, those residents living on the Carlton Estate and around the western reaches of Hawthorn Road would be denied convenient access to similar facilities and attractions in the eastern villages.

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- 5.70 Looking more particularly at the reasons for the omission of the road bridge, it is contended this is solely down to cost. However, when the costs are analysed in more detail and the penalties for not having the bridge are added to the costs of the NMU bridge and the LILO facility the difference is minimal and far outweighed by the benefits to local people, community facilities and businesses. It could have been financed through avoiding the costs of the two inquiries. In any event, it is not considered the NMU scheme would attract much use and the additional expense of constructing it to accommodate horses and carriages is wholly unjustified. In fact, many believe that the speed of vehicles leaving the LILO arrangement would create a dangerous conflict between motorised and non-motorised traffic leading to a serious accident potential.
- 5.71 As for the diversion routes, there are two main alternatives. These are via Fiskerton Road and Greetwell Road leading to the 'Wickes Roundabouts' or Kennel Lane and Wragby Road A158. In addition, more traffic would be attracted through Cherry Willingham along the unsafe Waterford Lane. Two other points raised are that emergency repairs on the alternative routes would leave the remaining one under pressure and that the construction works would affect both routes from the eastern villages into Lincoln.
- 5.72 At present, Greetwell Road is a narrow single carriageway, unlit, with no segregated cycle or pedestrian facility over almost its entire length. Its poor alignment includes the Greetwell Bottoms, which is prone to flood and in winter icy conditions. This leads into the congested 'Wickes Roundabouts', with the queue of traffic already extending, on occasions, back to where the new junction with the LEB is proposed. The additional traffic would only make the situation far worse in terms of delay, inconvenience and noxious emissions. A particular concern is expressed about the danger to cyclists and scooter riders using this route, due to the lack of protection and poor forward visibility. Crucially, it is considered that the increased distance travelled would add to travel costs for local people and make taxi fares more expensive.
- 5.73 The alternative route via Kennel Lane is not considered to be any better. The Lane itself is in poor condition and prone to fog pockets and ice in winter. Moreover, at times the junctions at either end are already congested and on-street car parking at its southern end would cause an issue. Kennel Lane's junction with the A158 Wragby Road East is seen as particularly dangerous, with poor visibility and fast moving traffic on the A158, which is already a Red Route. Objectors argue that the traffic counts do not allow for the full weight of holiday traffic during the summer months that extend well beyond the peak periods and hours considered. Once again, this diversion extends journey distances and times with the consequent inconvenience, increased costs and environmental impacts.
- 5.74 To make matters worse, to reach the junction of Hawthorn Road/Bunkers Hill drivers would have to negotiate one further main roundabout junction, where the A15 meets the A158 and where the LEB would start. It is contended that this junction would become overloaded quickly once the

LEB is open. The route then along Wragby Road to meet Hawthorn Road, an uncontrolled junction, leaves the driver with a choice. S/he can turn left into Hawthorn Road and then right into St Augustine Road and pass through the Carlton Estate to reach the Outer Circle Road and then to gain access to Lincoln Centre. The alternative is to continue along Wragby Road, which is heavily congested and involves negotiating a traffic signal junction with Outer Circle Road, which again is congested at certain times.

- 5.75 Many Objectors cite the extra pollution and increased carbon footprint of the longer journeys. Some point out that with Hawthorn Road open for general traffic the savings in fuel and pollution would pay for the Hawthorn Road over-bridge.
- 5.76 In summary on the diversion routes, Objectors consider these are not fit for purpose and would unreasonably extend journey times and travel costs, limit route choice and heighten pollution. Hawthorn Road is the best link road, offering the preferred and safest route for hundreds of journeys currently made each day across the proposed LEB cordon. It has a sensible speed limit, is relatively straight with no hills or dips and good visibility.

Social and economic disbenefits of stopping up of Hawthorn Road

- 5.77 Looking more specifically at the envisaged social severance, St Barnabas Lincolnshire Hospice, at the junction of Hawthorn Road and St Augustine Road provides a range of services on an outpatient basis and is the base for the Hospice at Home team, who provide end of life care in a patient's home. The proposed closure of Hawthorn Road would have an enormous impact for both the Hospice and those attending the County Hospital. Accessing the care services is difficult for patients both emotionally and physically, and even a small increase in journey times would deter the very people the Hospice and Hospital aim to support.
- 5.78 Turning to education, at present there is a sizeable two way exchange of pupils in the villages attending schools on the Carlton Estate and for children living on the Carlton Estate on the roll of schools in Cherry Willingham and Reepham. The journeys in both directions would be considerably longer and reduce choice and potentially school numbers. To change schools would be an unfair upheaval and difficult if older siblings already attend a school. The sibling scenario will continue for about 10-years, even if no new parents of first children exercise their choice. Removing traffic from the City Centre should not be at the expense of children's welfare and safety and ease of commuting.
- 5.79 Commercial concerns were expressed about access to shops and facilities at the Carlton Centre and the severance of retail businesses in the villages and particularly the Cherry Willingham centre. The elderly or those without transport would be cut off from the Carlton Centre. Within Cherry Willingham many vulnerable young and elderly residents use the footpaths and local streets to access schools and local shops and services. The roads within the village would become busier as a result of the proposed

stopping-up of Hawthorn Road, exposing the vulnerable in the local community to greater risk. As a result they would feel much more isolated.

- 5.80 Next, several Objectors draw attention to the sporting and leisure facilities that would be much more difficult to access. Concern is also expressed about the longer attendance time for emergency vehicles in terms of the length of the journey, with the increased congestion on alternative routes.

Walking and cycling facilities

- 5.81 A number of Objectors raise the anticipated problems for pedestrians and cyclists as a consequence of the severance of Hawthorn Road and other routes, the dangers of using the diversion routes and the lack of facilities included in the LEB design. The main point concerning the alternative routes is that Hawthorn Road boasts a separate footway, which can be used by cyclists. Neither Kennel Lane nor Greetwell Road offers this, leaving NMUs much more vulnerable.

Other matters

- 5.82 There is a suggestion that along the line of Hawthorn Road a single lane one-way bridge would provide a sensible option. This could be operated with or without signals, and possibly with a weight restriction in place. This would cut the cost of other alternatives. The costs would also be reduced if no provision was made for horse use on the NMU bridge on Hawthorn Road.
- 5.83 Some Objectors raise the question of house prices, arguing that with the reduced access to Lincoln Centre and the Carlton Estate, they would fall. One Objector says he specifically chose his property in Cherry Willingham, because of the accessibility benefits. Another Objector points out that the increased length of some journeys would increase taxi fares.

6 THE ALTERNATIVES

- 6.1 Some Objectors to the Scheme have put forward alternative proposals for junction arrangements on the LEB, five being in relation to Hawthorn Road. Within the limited time available LCC designed the six Alternatives to a sufficient level to enable comparison with the Scheme. The six Alternatives were advertised in the Lincolnshire Echo on 23 July 2015 and comments invited and submitted (**Document OBJ/000/2**). This section briefly describes each of the six Alternatives. LCC prepared reports appraising each Alternative in terms of engineering and 'buildability', environmental impacts, traffic, safety and economics, and land requirements and a précis of these is given in section 7.
- 6.2 **Alternative 1** is advanced by RPC, and comprises an all user bridge to maintain the current route of Hawthorn Road and would replace the currently proposed NMU bridge, on the line of Hawthorn Road. The LILO arrangement with the LEB would be removed and no direct access would be provided from Hawthorn Road to the LEB. This is supported by more than 70 other Objectors.
- 6.3 RPC has designed the scheme to ensure that earthwork profiles, sightlines and alignments can conform to the DfT DRMB, within a future detailed design process. The Parish Council and its engineers have taken care to ensure that the Alternative is contained within both the planning and future highway boundary. This alternative also provides for traffic calming measures where Hawthorn Road enters the residential areas on the west side of the proposed LEB.
- 6.4 The Parish Council is of the view that the increase in cost would be modest, when account is taken of the cost of the NMU bridge, the savings of not building the LILO and the inevitable improvements that would be required to the local network. Further cost savings could be achieved and the pessimistic views of the LCC are challenged in terms of traffic impact and cost implications.
- 6.5 **Alternative 2** is again advanced by RPC and comprises an all user bridge to maintain the current route of Hawthorn Road and would replace the currently proposed NMU bridge, on the line of Hawthorn Road. The LILO arrangement with the LEB would be adapted into a Compact Grade Separated Junction (CGSJ) that includes a ghost island right turn facility on Hawthorn Road to accommodate turning manoeuvres onto the proposed slip road. A pedestrian crossing of the CGSJ would be provided to maintain the existing NMU route along the south side of Hawthorn Road. This is supported by more than 60 other Objectors.
- 6.6 Once again this scheme has been designed to ensure that earthwork profiles, sightlines and alignments can conform to the DfT DRMB, within a future detailed design process. The RPC and its engineers have taken care to ensure that the Alternative is contained within both the planning and future highway boundary. This alternative also provides for traffic calming measures where Hawthorn Road enters the residential areas on the west

side of the proposed LEB. Importantly, with the LILO facility retained, this should divert traffic onto the LEB and away from the Hawthorn Road/Bunkers Hill junction and from rat-running through the Carlton Estate.

- 6.7 RPC is of the view that the increase in cost would be modest when account is taken of the cost of the NMU bridge, and the improvements that would not be required to the local network. Further cost savings could be achieved and the pessimistic views of the LCC are challenged in terms of traffic impact and cost implications.
- 6.8 **Alternative 3** is offered by Mr R Coxon, who resides in Reepham and comprises a roundabout at Hawthorn Road to provide an all movements junction between Hawthorn Road and the LEB. This would replace the currently proposed NMU bridge on the line of Hawthorn Road and the LILO arrangement with the LEB. In addition to the promoter, this option was supported by seven other people.
- 6.9 **Alternative 4** is promoted by Mr and Mrs Chamberlain, who reside in Cherry Willingham. The scheme advocated would involve the removal of the proposed over-bridge at Heighington Road and its replacement with a roundabout to maintain access between Heighington and Lincoln. An NMU bridge would be provided to maintain the current strategy of the Scheme, but the saving in costs is intended to fund an over-bridge at Hawthorn Road. In addition to the promoters, this option was supported by two other people.
- 6.10 **Alternative 5** is a second scheme promoted by Mr R Coxon and would involve diverting the eastern leg of Hawthorn Road northwards to join an enlarged roundabout at the junction of Wragby Road and the LEB. This would remove the need for the LILO at Hawthorn Road. In addition to the promoter this option was supported by five other people.
- 6.11 **Alternative 6** is suggested by Mr Bull and would involve the removal of the proposed roundabouts at B1308 Greetwell Road, B1190 Washingborough Road, B1188 Lincoln Road and A15 Sleaford Road and their replacement with grade separated junctions. The aim of this approach is to improve traffic mobility and to relieve congestion on the Bypass. The proposal also includes the partial grade separation of Hawthorn Road as advocated by RPC under Alternative 2.

Objectors' Additional Proposals

- 6.12 Additional suggestions are:
- a. the provision of a full dual carriageway;
 - b. use of a single lane bridge over the LEB at Hawthorn Road, controlled by traffic signals;
 - c. upgrade the existing junction of Bunkers Hill and Hawthorn Road with traffic signals;
 - d. improve Greetwell Road between the LEB and Allenby Road by

- removing the bends, improving the vertical alignment and widening the approaches at the Wickes junction where possible;
- e. Improve Kennel Lane and its junction with Wragby Road A158;
 - f. traffic management measures on Fiskerton Road in Cherry Willingham;
 - g. Improve the A15 north of Lincoln instead of building the LEB; and
 - h. Providing a LILO arrangement on Hawthorn Road both east and west of the LEB.

7 REBUTTALS BY LINCOLNSHIRE COUNTY COUNCIL

Railway Paths Ltd (OBJ/002)

7.1 In response to this statutory objection, LCC advises that it intends to enter a Deed of Grant of Easement and temporary licences where possible, rather than acquiring permanently and handing back. The alternative NMU scheme is flawed as it relies on a private means of access. Moreover, it is not within the current planning permission and would require a reworking of the design. In addition, the condition of the existing railway bridge is uncertain and getting it to the required standard would likely be more expensive than the current proposal. It has not, therefore, been carried forward as a formal alternative. Agreements between the Objector and LCC are well advanced and it was only time that meant that this objection could not be withdrawn before the close of the inquiry.

Mr D Turner (OBJ/15) (Document LCC/3a)

7.2 Mr Turner's main concerns stem from the perception that should Hawthorn Road be closed to through traffic the alternative routes would not be reasonably convenient. However, he fails to take account of the option of using the LILO arrangement at Hawthorn Road as part of his journey in one or both directions. LCC's evidence shows that there are currently safe and reasonably convenient alternative routes available for journeys between Cherry Willingham and Reepham and Lincoln City Centre and destinations on the way. Some journeys would be slightly longer, but others would be shorter. As such, there would be minimum impact on local journey times and a correspondingly small additional financial impact.

7.3 As for Greetwell Road, the forecast hourly traffic flows for the 'do minimum' and 'do something' have been assessed for both 2018 and 2033. This shows that the inter-peak flows are predicted to be lower than the peak flows. As the inter-peak is the time Mr Turner would tend to travel, he would not experience the high flows of the AM and PM peaks. When reaching the Greetwell Road/LEB roundabout, ARCADY informs that Mr Turner should expect to find a maximum queue length of three vehicles in the AM peak in 2018, rising to seven vehicles in 2033.

7.4 Mr Turner has suggested that a roundabout is constructed at the Hawthorn Road/LEB junction. This has been advertised as Alternative 3 and commented on below [7.103-7.107].

Mrs H Larcombe (OBJ/256) (Document LCC/3b)

7.5 The LCC response to Mrs Larcombe's concern about alternative routes is the same as above. As for the future development in the area, since the 2014 inquiry the position has moved on with the emerging CLLP and the broad housing sites for the villages to the east of the LEB have just been published. These show that none are favoured west of the built up area of

Cherry Willingham, but are all to the south of the railway. In the modelling exercise, traffic for any site generating 50 or more trips within any peak hour has been included and this complements the general background growth predictions.

- 7.6 Next, Mrs Larcombe voices worries about the Greetwell Road route, through Greetwell Hollow to the mini-roundabouts at the 'Wickes' junction. The traffic implications for the route and junction are dealt with more fully in LCC's response to Mr Moore (OBJ/489). As for the flooding at Greetwell Hollow, LCC's Divisional Highways Team identified an issue with a third party drainage culvert under Greetwell Road. This was prone to flooding and impacting on Greetwell Road, but since work on it has been completed the issue has been resolved. The situation will be kept under review.
- 7.7 The question of NMU provision along Hawthorn Road and over the LEB is also aired. The provision of the NMU bridge on Hawthorn Road would maintain NMU continuity along the route and complement the existing facilities to the east and west of the LEB, as well as linking into the NMU route alongside the LEB, north and south.
- 7.8 Finally, the use of Kennel Lane is not seen to be particularly problematic. The predicted flows remain relatively unchanged, even with the LEB open and the increases due to the general growth in traffic and some new development. The fall-back position is that LCC has a scheme to improve the junction of Kennel Lane with Wragby Road should this prove necessary.
- 7.9 The curtailing of the right turn lane on Wragby Road A158, for traffic wishing to turn right into Kennel Lane, was not an error, but a correct interpretation of the standards. The previous length was marked incorrectly and if retained would have been unsafe. The change to the marking to the intended 85 m length has been completed at the Contractor's expense. Although the A158 is a designated Red Route, the vicinity of Kennel Lane does not feature in the accident record as abnormal.

Mr K Leo (OBJ/292) (Document LCC/3c)

- 7.10 Once again, LCC's responses to concerns about the implications for traffic movement on the alternative routes have been made elsewhere, as have comments on the flooding at Greetwell Hollow. Mr Leo does, however, highlight conditions at the junction of Hawthorn Road and Bunkers Hill. After taking the opportunity to refine its modelling in order to better understand local traffic patterns, the results show that, with Hawthorn Road left open to general traffic, this junction would become significantly over capacity and require signalisation at a cost of £0.87m.
- 7.11 Mr Leo moves on to question the gritting regime, alleging that Greetwell Road and Kennel Lane, the proposed alternatives, are not on primary gritting routes. As indicated on the LCC website, Hawthorn Road, Greetwell Road and Kennel Lane are all on the Council's list of

precautionary routes to be gritted and to comply with the requirement that a treated link is provided from each major village to each major route and every primary and secondary school in the County.

- 7.12 A query about the survey information can be answered by saying that survey times have not been chosen to show the LEB in the best light. The industry standard is to choose a neutral month to reflect the 'normal' non-seasonal conditions that drivers would expect to encounter for the majority of the year. In doing this, it is accepted that this does not take into account the increased holiday flows on Wragby Road A158.
- 7.13 Finally, speeding motorcyclists and the conduct of LCC Councillors and Officers are considered outside the remit for considering the Orders. Speeding, of course, is an enforcement problem.

Lincolnshire Cyclists' Touring Group (OBJ/318) (Document LCC3/d)

- 7.14 The Group focusses on the provision for cyclists as part of the LEB scheme and, primarily, on the at-grade crossing facilities and facilities for cyclists on side roads adjoining the scheme. The Council believes that the provision for cyclists, as well as other NMUs, is of a high standard and significantly above ensuring that the current provision is maintained. The LEB would provide several new bridges and underpasses for NMUs, including dedicated NMU bridges at Hawthorn Road, Greetwell Road, South Delph and Bloxholm Road and an underpass at Lincoln Road B1188. These crossings are designed to current standards, including the DRMB (Volume 6, Section 2, Part 3 TD 16/07) (Document CD/100).
- 7.15 Looking at this in a little more detail, the Hawthorn Road NMU bridge would provide a safe crossing of the LEB and maintain the cycling and pedestrian link along Hawthorn Road. The NMU bridge would, also, remove the need for pedestrians to cross at-grade at the Wragby Road roundabout.
- 7.16 The LEB includes NMU crossing points along each section of the LEB. Under the SRO, cyclists and walkers would be able to access Greetwell Fields along a new bridleway provided to the east of the Bypass from the junction with Hawthorn Road. The bridleway continues towards Greetwell Road. At Washingborough Road, access would be possible from the NMU route to the Sustrans route, which provides a safe east-west link into Lincoln. The NMU route would have a link to Heighington Road. In addition a footway/cycleway would be included as part of the Heighington Road over-bridge design that would allow NMUs to continue to use Heighington Road, without the need to cross the LEB at-grade. Safe crossing facilities over the LEB and around the junction with the A15 would be provided by a footbridge.
- 7.17 Cyclists have been taken into account at every stage of the design process and they are a high priority for LCC. Although it would not be possible to provide safe dedicated crossings at every conceivable location along the LEB route, safe routes have been provided wherever practical, and there

are invariably safer routes on offer, though on some occasions these may involve a slight detour. Although the provision for cyclists on the side roads from the villages to and from Lincoln is challenged, the LEB scheme would maintain the current provision and, in many locations, enhance provisions for NMUs in the immediate vicinity of the LEB. It is outside the scope of the LEB scheme to deal with the wider aspects of cycle provision in the Lincoln area, with the exception of ensuring that current access is maintained. As said, this obligation is frequently bettered.

Councillor C Darcel (OBJ/322) (Document LCC3/e)

- 7.18 Cllr Darcel has raised over 50 objections to the scheme, to the process of getting to this stage and the costs of this and the proposals. Many of these fall outside the remit of the Orders under consideration and relate to the planning process, which is now at an end. The scheme history could be trawled over, but the current situation is that both the District and County Councils have approved the LEB scheme as it currently stands. Moreover, it was felt that starting the LEB construction before the May 2015 General Election minimised the risk of central Government funding being withdrawn. It is accepted that this has not happened, but a judgement had to be taken.
- 7.19 Similarly with CIL contributions, where the CIL funding allocated for the LEB would form part of an overall package of funding for infrastructure as a whole. The level of CIL funding for any specific development is linked to the viability of development as evidenced at the time CIL is set. Thus, District and Parish Councils would not suffer as a consequence of the CIL commitment to the LEB. It would be down to the Council's to decide their priority in terms of affordable housing, open space, recreation etc, against any commitment to fund general infrastructure projects, such as the LEB.
- 7.20 Looking at the land-take identified within the CPO, the calculation undertaken by Cllr Darcel is too simplistic. Land is needed for a variety of uses during construction as well as for the built scheme. Some of the land that would be acquired may only be for a temporary period and then handed back to the previous owner or disposed of if not required. The previous Inspector concluded that all the Order lands would be necessary to implement the scheme. This reflects LCC's current position.
- 7.21 As for benefits specifically to West Lindsey District Council (WLDC), the housing and employment sites that would be encouraged by the opening of the LEB and improved transport infrastructure would serve houses planned for the District and create jobs for existing and new residents of the District. It is not correct, therefore, to say that the LEB delivers no benefits for WLDC.
- 7.22 Of the relevant matters for consideration here, most relate to the proposed arrangement at Hawthorn Road and the suitability of the alternative routes. The key points are that the planning permission for the NMU bridge at Hawthorn Road and LEB generally is in place. Against this background, it falls to the inquiry to consider if there are reasonably

convenient alternative routes available. Despite what Cllr Darcel wishes, namely for the inquiry to subjectively look at what is "*proper road access to Lincoln*", the only proven way of demonstrating what constitutes a reasonably convenient alternative route is by comparing the technical merits of one alternative against another.

- 7.23 When this is done, LCC's evidence is that there are safe and reasonably convenient alternative routes from Cherry Willingham and Reepham to locations west of the LEB including Lincoln City Centre. Moreover, although some would be slightly longer, others would be shorter and, when taken in the round, the impact on journey times would be minimal and the increased costs small. This includes an assessment of the Greetwell Road route and the Wickes mini-roundabouts and the closure of Hawthorn Road to through traffic and construction of the NMU bridge.
- 7.24 The closure of Hawthorn Road would have an impact on the travelling of the 230+ children living on one side of the LEB, when attending schools on the opposite side. It is not accepted that these have been ignored and it is agreed that this would lead to longer journeys for some in time and distance terms. However, it would be wrong to attach too much weight to this for a number of reasons. First, it would only affect a proportion of the 230+ children. Secondly, there would be alternative routes that, although longer, are considered to be reasonably convenient. Thirdly, any inconvenience would influence future choice and reduce the numbers inconvenienced over time. Fourthly, reducing traffic generally on local routes would offer benefits to the school run. Lastly, the NMU bridge over the LEB at Hawthorn Road would remain for older children to avail themselves of more sustainable travel options, such as cycling and walking, which is encouraged in school Travel Plans.
- 7.25 As for safety, there is nothing in the analysis of accident data over a 5-year period to indicate that the alternatives to Hawthorn Road are inherently less safe. In fact, in terms of accident rate, when compared to Kennel Lane/Wragby Road and Greetwell Road, the Hawthorn Road/Carlton Boulevard route is currently the worst. The previous Inspector concluded that "*...several safe alternative routes exist or would be provided...*". In looking at the predicted traffic growth factors employed in the modelling, the national predictions have been used and the future development has been allowed for where known or encompassed in the national growth predictions where there are no details available.
- 7.26 Next, the increased carbon footprint may worsen for some local journeys as a consequence of the closure of Hawthorn Road to through traffic, but the overall benefits in environmental and cost saving terms would far outweigh this with the opening of the LEB. The additional queuing at the surrounding junctions has been assessed and not found to be excessive. The fall-back position is that the LCC as local highway authority (LHA) has a duty to maintain reasonable conditions and should there be unforeseen problems these would be addressed. This currently applies to the Greetwell Road approach to the Wickes Roundabouts and the Kennel Lane approach to Wragby Road A158. It is also anticipated that Greetwell Road

would be substantially upgraded between the LEB and Wickes as part of the NEQ housing schemes. As for the Hawthorn Road/Bunkers Hill junction, traffic levels are predicted to fall with the LEB open.

- 7.27 Finally, alternatives favoured by Cllr Darcel are considered later. All the other matters raised are outside the scope of the inquiry and are not matters that fall to be decided by the SoS.

Mr and Mrs Robinson (OBJ/430) (Document LCC3/f)

- 7.28 Whereas it is accepted that the over-bridge at Hawthorn Road was omitted primarily on cost grounds, this was not done without due consideration to the consequences for local traffic. The assessment undertaken by the Council and agreed by the previous Inspector is that the closure of Hawthorn Road to through traffic would leave safe alternative routes that would be reasonably convenient. In reaching this conclusion, user requirements were taken into account and it is acknowledged that there would be some local journeys that would be longer. Equally, however, some would be shorter, especially with the facility offered by the LILO, and overall there would be minimum impact on local journey times. On balance, therefore, the overall public benefits in environmental and cost terms far outweigh the inconvenience etc to a relatively small number of people.

- 7.29 The Greetwell Road capacity 'problem' has been looked at in detail and not found to be inordinate. As said above, the fall-back position is that the LCC as LHA has a duty to maintain reasonable conditions and should there be unforeseen problems these would be addressed and this currently applies to the Greetwell Road approach to the Wickes mini-roundabouts. This is looked at in more detail when responding to Mr Moore (OBJ/489). It is appreciated that the safety regime at Greetwell Hollow was problematic. However, the remedial drainage works carried out in 2011 have vastly improved the situation, leaving flooding as a risk for short periods after significant weather events. The forward visibility issue will be addressed by the LHA using its statutory powers and it is expected that Greetwell Road would be substantially upgraded between the LEB and Wickes as part of the housing scheme in the former quarry.

Reepham Parish Council (RPC) (OBJ/443) (Document LCC3/g)

- 7.30 LCC does not agree with RPC that the alternative routes that would be available following the closure of Hawthorn Road would not meet the test of being safe, reliable and reasonably convenient. Today, Hawthorn Road is the least safe route of the three options, when assessed in terms of accidents per unit length. Timed test runs have been carried out at all times of the day and, while some journeys would be slightly longer, others would be shorter and overall the balance would be minimal in time, distance and cost terms. Against any slight local inconvenience has also to be weighed the significant benefits to the wider public and the economy. This position was supported by the previous Inspector.

- 7.31 The funding concerns are the same as those advanced by Cllr Darcel and have been addressed above [7.18-7.19]. In addition, in answer to questions posed by the Inspector, a paper has been prepared to answer the questions of LCC's position in regard to the funding (Document LCC/26). As for the RPC's preferred road-bridge options, these have been considered along with the other suggested alternatives [7.93-7.102]. Contrary to the RPC's understanding, the proposal to close Hawthorn Road to through traffic was assessed in the Funding Bid and Business Case submitted to the DfT and the planning application was supported by a Transport Assessment of the impacts of the scheme. The effect on the attendance of children to the schools in the villages and on the Carlton Estate, while living on the opposite side of the proposed LEB is also covered in the response to Cllr Darcel [7.24]. The impacts on businesses in the villages would not be significant, having regard to the availability of the alternative routes.
- 7.32 Turning to the RPC's concerns about the modelling data and the recent revisions, in 2015 LCC undertook an update and review of the situation, including the issue of the Hawthorn Road closure. This shows that with the updates, there has been a complete and robust exercise that concludes that the overall Business Case for the LEB still delivers a very high monetary value.
- 7.33 Finally, RPC raises queries about the consultation with and the process undertaken by LCC. LCC considers that it carried out the necessary procedures and that all groups had an opportunity to comment on the proposals. Crucially, LCC points out that West Lindsey District Council approved the scheme and appeared at the inquiry as a Supporter.

Cherry Willingham Parish Council (CWPC) and Cherry Willingham Neighbourhood Plan Steering Group (OBJ/447) (Document LCC3/h)

- 7.34 Most of the key points raised by CWPC and the Steering Group are common features embodied in other objections. In respect of the consequences of closing Hawthorn Road to through traffic, LCC firmly believes that the alternative routes would be safe, reliable and reasonably convenient and this was supported by the previous Inspector. Looking at the economic and social impacts of the LEB, it is true that some journeys to the Carlton Centre might take a little longer at certain times of the day. Even so, there are a range of facilities in Cherry Willingham and Reepham and so it would not be necessary to visit the Carlton Centre or Lincoln every day. The increased growth in the villages may generate additional retail opportunities.
- 7.35 As for the schools, this has been addressed in LCC's response to Cllr Darcel [7.24]. It is not considered that sport and other recreational facilities would be affected to any great degree. A slightly longer journey would not be a deterrent to attending an attractive club, event or venue. Neither does LCC believe that the severance of vehicle traffic along Hawthorn Road would create undue social severance. At certain times of the day some journeys may be marginally longer, but those to Lincoln

Centre and the railway station should be shorter, thereby contributing to social inclusion. In promoting the scheme design, LCC has had regard to the Equality Act 2010, its Child Poverty Strategy, the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy.

- 7.36 Looking at the environmental and economic factors of travel, the scheme would result in significant benefits for the general public, albeit that some emissions and costs would increase for a small number of trips. As for safety on Hawthorn Road, the reduction in through traffic should improve safety and the opportunities to cross Hawthorn Road. In doing so, it should enhance the use of the NMU facilities on the south side of Hawthorn Road and alongside the LEB. It should be remembered that the change in design since the earlier inquiry has incorporated improved facilities to address a perceived safety problem in crossing Hawthorn Road, raised by the previous Inspector.
- 7.37 Turning to CWPC's concerns about future development in the villages and growth in traffic, the latest modelling work includes updates to the traffic growth and committed developments based on the latest information. This includes all residential and employment developments generating 50+ two-way trips in any modelled time period, with lesser development being included in the general growth predictions. The latest information provided to the Inspector (**Document LCC/38**) locates the main residential development sites in Cherry Willingham to the south of the railway and not on Hawthorn Road to the west of the existing built area.
- 7.38 Finally, the alternative schemes promoted by Objectors have been assessed and the economics of each considered. LCC is satisfied that there is not a business case for including an all-purpose road bridge over the LEB at Hawthorn Road. Moreover, with the LILO arrangement and the alternative routes available the test of providing safe, reliable and reasonably convenient options would be satisfied.

Mr A Lake (OBJ/472) (**Document LCC3/i and LCC3/i1-5**)

- 7.39 The key points emanate from the proposed closure of Hawthorn Road to general traffic and the belief that viable Alternative schemes exist. On the first point, the alternative routes that would be available with the LEB open would provide safe, reliable and reasonably convenient options. Thus, although choice may be reduced, the routes available would permit access to all destinations, albeit the journey may take a little longer in a few cases. As for the Alternative schemes Mr Lake considers viable, LCC disagrees and these have been looked at in more detail below [7.93-7.102].
- 7.40 When comparing alternative routes, there is no established protocol for this. As a consequence, the design speed assessment of each route was chosen (following Dft DMRB TD9/93) as the comparator, which it is accepted does not seek to look specifically at the poorer or better parts of the route. Within this assessment the Wragby Road roundabout was taken as a discontinuity and ignored in the TD9/93 approach. There are currently no traffic calming option studies available for Hawthorn Road

either side of the LEB, other than with Hawthorn Road closed to through motor traffic.

- 7.41 Turning to other design matters, Mr Lake questions the roundabout design and figures used to test the Wragby Road A158/A15. It is true that the new roundabouts have been future proofed to minimise the impact on traffic flows should the LEB be dualled in the future. The LEB design broadly adopts the footprint of the northbound element of the dual carriageway scheme adopted in 2011. However, when considering the Wragby Road A158/A15 roundabout this is an existing feature and the calculation shows that it has sufficient capacity to accommodate a single lane LEB, without the need for improvement. It is true to say, however, that this roundabout has not been tested for the peak summer flows on the A158.
- 7.42 Looking at the Hawthorn Road/Bunkers Hill junction, LCC is content that no capacity enhancement would be necessary as the flows would be reduced with the closure of Hawthorn Road. If anything had to be undertaken here as a consequence of keeping Hawthorn Road open, then LCC concludes that the only option would be signalisation. A roundabout would be too expensive, involving as it would the diversion/protection of extensive services and an upgraded give way solution would not deliver any substantial benefits, because of the in-balance of flows in the morning and evening peaks.
- 7.43 As for Greetwell Road and the approach to the Wickes mini-roundabouts, there is a scheme that could be carried out under LCC powers to improve the Greetwell Road approach prior to an upgrade of the route and signalisation as part of the nearby proposed NEQ development. The interim scheme would produce a ratio of flow to capacity (RFC) of just above 0.8. There are no studies of safety enhancements for Greetwell Road, Kennel Lane, the A158 or Hawthorn Road, because these fall outside the scheme for which planning permission has been granted.

Mr T Walton (OBJ/485) (Document LCC3/j and LCC3/j1-3)

- 7.44 Mr Walton's objections to the closure of Hawthorn Road to through traffic and the convenience or otherwise and safety of the alternative routes has been responded to above [7.25]. Likewise the environmental and fuel cost arguments have been addressed elsewhere [7.26]. It is worth noting that whereas the journey times may be longer during the morning peak hours, the vast majority of shopping and leisure trips are made during the inter-peak period and in the evening. Moreover, the benefits, even for trips between Cherry Willingham and Reepham and other zones, with the exception of the Carlton Estate, show significant net benefits approaching £59m of the total predicted benefit from the LEB of £911m. Including the all traffic over-bridge at Hawthorn Road would deliver some small local benefit, but the removal of the LILO facility could cut the overall benefits to Cherry Willingham and Reepham residents.

- 7.45 Having said this, his use of Crashmap to study the accident records and the way the figures have been applied warrants some additional comment. The method Mr Walton employs is contrary to the accepted principles. On the other hand, LCC has taken the most recent 5-year records, which is the most appropriate base for comparing road safety. The LCC comparison has taken the accident rate per million veh/km and this shows that over the 5-year study period the Hawthorn Road/Carlton Estate route to the Outer Circle has been marginally worse than the Greetwell Road and Kennel Lane/A158 options. The concern about the potential for accidents on the LEB is overstated. As the LEB would be designed to modern highway standards and undergo Safety Audits the accident rate should be lower than for the other lower category roads within the study area. Having regard to the source and age of the incidents relied on by Mr Walton, the conclusions he reaches should not be employed as indicators that a route would be unsafe.
- 7.46 Looking at Mr Walton's objection to the costs figures used by LCC, this is not comparing like with like. Finally the weight that should be given to the claimed support of local MPs and Councillors signing the petition (**Document OBJ/485/4**) should be looked at with caution. There is no provenance for how these were collected and one Councillor representing a ward may not actually be representing the views of the electorate. As for consultation with the local communities, LCC did discuss matters with Cherry Willingham and Reepham PCs. Crucially, all the affected district councils resolved to support the LEB scheme, of which the closure of Hawthorn Road to through traffic and the alternative routes are a part.

Mrs S Lidbury (OBJ/486) (**Document LCC3/k and LCC3/k1**)

- 7.47 Mrs Lidbury's general line of objection suggests that there would be a very high level of social severance should Hawthorn Road be closed to through traffic and that that inconvenience has not been afforded adequate weight. The objection adopts several strands, upon which LCC wishes to respond. In terms of the safety and reliability of alternative routes and the inconvenience and costs for families in Lincoln with children attending schools in Cherry Willingham and Reepham this has been addressed in the response to Cllr Darcel [7.24]. Incidentally, it is accepted that a significant number of children would cross the LEB on their way to school each day and that the vast majority of younger children would not choose to walk or cycle between home and school.
- 7.48 The additional point about children from Cherry Willingham and Reepham attending Christ's Hospital School is noted, but only a small percentage travel by car (8.3%). The larger numbers are those that travel by bus (25%) and walk (62%). Any inconvenience to the 8.3% has to be weighed against the general improvement in movement that should follow the opening of the LEB. In addition, the reduction in general traffic using Hawthorn Road should encourage more to adopt healthier and more sustainable modes of travel.

- 7.49 Turning to the other points made, the consultation with the schools in May 2015 does not represent a material change. The LEB proposals were known about and several local residents, including the deputy Head of the Cherry Willingham Community School gave evidence to the earlier inquiry. As for the access to sporting activities and clubs, including out of school activities, the effects of the severance of Hawthorn Road to vehicular traffic should be minimal. However, the LEB could increase the radius of the catchment for such attractions and the NMU facilities should encourage more activity through cycling and walking.
- 7.50 In summary, it is accepted that there would be some inconvenience and extra costs for a few. However, in terms of school trips this should reduce in time as residents make a choice against the background that Hawthorn Road is closed to through traffic and the extended admission age at the Lincoln Carlton Academy. Overall, there would be significant benefits to residents of Cherry Willingham and Reepham in moving around the wider area.

Dr B Loryman (OBJ/559) (Document LCC3/m)

- 7.51 Some of the evidence presented by Dr Loryman reflects that submitted on behalf of the Lincolnshire Cyclists' Touring Club (OBJ/318). Broadly speaking these relate to cycle accidents in Lincolnshire, crossing facilities and the use of Toucan crossings. From LCC's perspective, the level of provision for cycle use across and around the LEB is to be commended. Whereas it is outside the scope of the LEB project to improve radial routes as part of the scheme, there are distinct improvements at crossing points and the dedicated NMU route alongside the LEB should prove excellent and offer a range of options for travel into and out of the City Centre.
- 7.52 In particular, the Hawthorn Road NMU bridge would provide a safe crossing of the LEB and maintain the cycling and pedestrian link along Hawthorn Road. Also, the NMU bridge would remove the need for pedestrians to cross at the Wragby Road roundabout.
- 7.53 Elsewhere, the Scheme also includes NMU crossing points along each section of the LEB. Under the SRO cyclists and walkers would be able to access Greetwell Fields along a new bridleway provided to the east of the Bypass from the junction with Hawthorn Road. The bridleway continues towards Greetwell Road. At Washingborough Road, access would be possible from the NMU route to the Sustrans route, which provides a safe east west link into Lincoln. The NMU route would have a link to Heighington Road. In addition a footway/cycleway is included as part of the Heighington Road over bridge design that would allow NMUs to continue to use Heighington Road without the need to cross the LEB at grade. Safe crossing facilities over the LEB and around the junction with the A15 would be provided by a footbridge.
- 7.54 Moving to the accident statistics provided, this is clearly a cause for concern in the wider context. However, there are no particular accident black spots in the vicinity of the proposed LEB that could be addressed by

the scheme. Although Dr Loryman estimates the cost of a Toucan crossing to be in the order of £20,000, the experience of LCC is that this actually ranges between £120,000 and £200,000. Moreover, the DMRB advises that "*signal controlled crossings could be provided only if warranted by site-specific conditions; an alternative is grade separated provision*". The LEB scheme has opted for the latter where possible. In any event, DMRB guidance is that traffic signals on dual carriageways are not recommended and to put them in today would conflict with the future proofing of the LEB aspiration to dual.

- 7.55 Overall, the opening of the LEB would lead to a reduction in traffic on a number of routes including Wragby Road and through the City Centre. This should allow the introduction of better cycle and pedestrian facilities across the City and be a benefit for sustainable travel.

Written response to **Mr P Moore (OBJ/489)** (Document LCC3/I and LCC3/I.1-1.4)

- 7.56 Although Mr Moore did not officially appear at the inquiry, he is a member of the Cherry Willingham Neighbourhood Plan team and contributed professionally qualified technical input on traffic matters. Consequently, a dedicated rebuttal is submitted by LCC.
- 7.57 His objections pertain to the base information used and the lack of correlation between the modelling exercise using these and observed counts, including the 2015 Origin and Destination data for Hawthorn Road and whether the results are sufficiently robust. He moves on to examine the operation of the junctions at Greetwell Road/Wickes and Kennel Lane/Wragby Road A158 looking especially for an improvement scheme to the former being a condition of confirming the Orders.
- 7.58 LCC believes that Mr Moore has focussed on very fine levels of detail within the model, which is not particularly relevant in the context of a strategic traffic scheme, and identifying safe and efficient alternative routes. Figures have been updated in 2015 and sensitivity testing has been undertaken. As an overview, LCC is content that its assessments are robust and that the identifiable issues are surmountable to deliver safe and reasonably convenient alternative routes.
- 7.59 Looking specifically at the Greetwell Road/Wickes junction, LCC does not accept Mr Moore's approach and points out that its modelling has been validated and accepted by the DfT as an appropriate basis for assessing the scheme. Of particular concern is the difference in observed queuing on the eastern approach compared to Mr Moore's model. This is a factor of four, which seems unlikely. Assessed another way, the journey time between Reepham and the Wickes junction has been measured five times during each peak and the inter-peak period. The average shows a time of some 1.5 minutes longer during the morning peak, when compared to the inter-peak and evening peak. This does not correlate with a queue length of 80 vehicles, but would be more consistent with the 20 vehicles shown by the LCC survey.

- 7.60 As for conditioning an improvement to the junction as part of the LEB this is not possible within the DfT's remit. If an improvement were to be undertaken this would be an obligation on LCC as LHA and a scheme that would improve the stop-line capacity to pre-2015 levels is under consideration. Following this, the length of Greetwell Road between the LEB and Wickes would be improved as part of the full build-out of the NEQ development, currently under consideration.
- 7.61 Turning to the Hawthorn Road/Bunkers Hill junction, LCC accepts that there were inconsistencies in the 2006 traffic figures and these have been updated with the 2015 survey work. The scenarios are that with the do-nothing situation or with Hawthorn Road remaining open, the junction would fail. However, with the LEB open and Hawthorn Road closed to through traffic, the junction would operate well within capacity. Further south, the 2033 flows are such that with the LEB operating the southbound queues at the Outer Circle are forecast to reduce by a figure approaching 75%. With Hawthorn Road open to general traffic, LCC does not accept that modest changes to the signal phasing would accommodate the increase in traffic.
- 7.62 Considering the Kennel Lane/Wragby Road A158 junction, the higher holiday flows have not been modelled, but the platooning effect of vehicles on the A158 consequent on the closing of the railway crossing at Langworth is not anticipated to be a problem. The separation of the crossing and the junction is some 3 km and with a speed of 50 mph, it is envisaged that the platoon would have dispersed significantly. In any case, closures are sporadic events and should not impact on the strategic capacity of the movement. In terms of improvements and accidents, these are covered in the response to Mrs Larcombe (OBJ/256).

Rebuttal of non-statutory written objections

- 7.63 The vast majority of these relate to the closure of Hawthorn Road as a through route. Most of the objection topics are repeated by several, and often many, of the Objectors and so they have been responded to en-block, rather than repeating the arguments individually. Each of these has been addressed in turn.

The closure of Hawthorn Road

- 7.64 The proposed Hawthorn Road junction design includes a LILO facility, which would allow traffic from the east to access the LEB to continue west into Lincoln. To travel north or west of the City a diversion would be required by joining the LEB and using the roundabout junction at Greetwell Road to reverse direction along the LEB. In the reverse journeys, when leaving the City the route would be to use A15 Bunkers Hill and join the LEB at its northerly start and then turn into Hawthorn Road at the LILO. For those travelling from the north and west, the route would join the LEB at the Wragby Road roundabout and to exit onto Hawthorn Road at the LILO. In addition, the alternative routes of

Greetwell Road and the Wickes roundabout or Kennel Lane and the A158 Wragby Road would remain available.

- 7.65 To assist NMUs, a bridge for their use would be provided that would link in with the NMU facility running alongside the LEB and assist in crossing Hawthorn Road. In LCC's view the alternative routes would not entail excessive extra travel, journey times or increased costs and would be satisfactory during adverse weather. The emergency services are satisfied and the envisaged housing growth in the area has been taken into account.
- 7.66 To sum up, nothing material has changed since the earlier inquiry where the Inspector took these factors into account and said that "*....on balance I conclude that for people travelling by motor vehicle reasonably convenient routes will be available or will be provided to compensate for the proposed stopping up of Hawthorn Road*".

NMU severance at the Hawthorn Road junction

- 7.67 The safe use of the NMU facility that would be provided at Hawthorn Road was the main reason the earlier scheme failed. As a consequence, the NMU facility has been redesigned to ensure that it would be safe and minimise and mitigate against the severance. The current proposal would maintain NMU access along Hawthorn Road allowing pedestrians and cyclists to use the existing facilities running alongside Hawthorn Road and safely cross the LEB to link to the Carlton Estate and Lincoln in the west with the villages in the east. In addition, the NMU facility along Hawthorn Road would link in with the north/south NMU route running alongside the LEB, which itself would connect with the NMU facilities at other junctions along the LEB, including Greetwell Road, Lincoln Road, Bloxholm Lane and connectivity at Washingborough Road.

The effects of reassigned traffic

- 7.68 The change in traffic flows on the existing network has been assessed with and without the LEB scheme. This has included looking at the potential changes in traffic on Wragby Road, Kennel Lane, Greetwell Road/Fiskerton Road and using roads in the surrounding villages. The important feature to note is that the LILO arrangement at Hawthorn Road should reduce the traffic on Kennel Lane and, while there would be increases on Fiskerton Road/Greetwell Road and Wragby Road these would not occasion any significant adverse effects, including on roads through the villages.

The effects on Reepham Primary School and Cherry Willingham Primary and Secondary Schools

- 7.69 Whereas there would be a detour necessary for children travelling from the Carlton Estate to the village schools, the route via the A15 Bunkers Hill and the LEB to the LILO at Hawthorn Road would not impact more than minimally. With the opening of the Lincoln Carlton Academy (Primary School) in 2014 the need for children living to the west of the

line of the LEB to attend schools in the villages would reduce in the future. It is accepted that children will continue to cross the LEB for some time to come, not least as siblings may already be at a school. However, this should reduce with time. The NMU bridge at Hawthorn Road would maintain the route for pedestrians and cyclists and should encourage this form of travel for older and accompanied children and could form part of any School Travel Plan.

Access to the Carlton Centre, Bunkers Hill and Nettleham Fields

7.70 As with accessing Lincoln City Centre, the resultant impact on traffic from the villages accessing these locations is not considered to be more than minimal. Whereas some journeys would be longer, others would be shorter. Depending on where the originating journey starts there would be a choice of routes that either use the LEB or the existing routes of Greetwell Road or Kennel Lane and the A158.

Lack of NMUs facilities in the vicinity of the Wragby Road/LEB roundabout and Bunkers Hill and the A158 Wragby Road East

7.71 Over the section of the LEB between the Wragby Road roundabout and Hawthorn Road, an NMU facility is proposed either side of the LEB. This would mean that the NMU connection between Wragby Road East and Bunker's Hill and *vice versa* can be made using the Hawthorn Road NMU bridge to transfer from the east to the west and *vice versa*. While this does involve a detour of some 600 m, it would provide a safe and convenient crossing of the LEB and remove the need to negotiate the less safe roundabout arrangement. Users of Public Footpath 140 (severed by the LEB) would be able to use a similar route via the new Hawthorn Road NMU bridge to connect to the NMU route on both sides of the LEB.

Access to the surrounding villages, including Cherry Willingham, Reepham and Fiskerton

7.72 Once again, LCC believes the adverse effects of people wishing to access the villages, including the environmental impact, would be minimal using the alternative routes that would be available. These would be via the Wragby Road roundabout, south along the LEB and off onto Hawthorn Road at the LILO or to continue along the A158 eastwards and turn right into Kennel Lane, using the protected right turn facility. The other option would be to use Greetwell Road towards Fiskerton. For NMU users, the facilities would be better than they are today, with the provision of the NMU bridge at Hawthorn Road and the NMU routes either side of the LEB. This would provide the same routes into Lincoln, without using Greetwell Road, where there are no dedicated NMU facilities between the LEB and the Wickes roundabouts.

Impact on the Hospice on St Augustine Road

7.73 It is accepted that some journeys to and from the Hospice would be longer in time and distance terms. However, using the alternative routes

available, some would be shorter. This pertains especially to those further to the south of Lincoln centre, who would no longer have to travel through the congested centre, but could join the LEB to bypass the centre and access the Hospice via the Wragby Road Roundabout, Bunkers Hill and Hawthorn Road. Overall, the inconvenience is not considered to be unreasonable.

Congestion between the Wragby Road Roundabout and Hawthorn Road

7.74 The LILO arrangement at Hawthorn Road includes diverge and merge lanes to minimise the impact of vehicles on the LEB slowing to leave and join Hawthorn Road. This diverge lane would provide the necessary additional capacity at the junction to allow straight ahead traffic not to be delayed by those turning left.

Emergency Service access to the villages

7.75 It is not the Council's understanding that emergency response times to the villages would be increased with Hawthorn Road closed. In fact, all three emergency services are currently supportive of the LEB scheme and the benefits that it would deliver in the full knowledge that Hawthorn Road would be closed to them as a through route. For those times known, Fire and Response should be quicker and from the Hospital about the same.

Housing growth

7.76 The housing growth to the east of Lincoln has been considered in the traffic assessment. This includes that in the villages, where the current thinking (**Document LCC/38**) is that this would not be on the length of Hawthorn Road to the west of the main village, but to the south of the railway. As such, there would be no attraction for unnecessary traffic to be drawn through the village, with Greetwell Road providing the obvious option.

Safety of the LILO junction

7.77 Although LCC believes that this matter could have been addressed at the earlier inquiry without attracting a 'refusal', this junction has been reviewed and modifications made to improve safety. The junction has been designed to national standards and a Road Safety Audit conducted (**Document CD/86**), which does not highlight any dangers that justify further amendment. NMUs would not have a segregated crossing of the slip roads, but at grade the visibility for all would be good and, having regard to the layout, vehicle speeds should not be excessive either entering or leaving the LILO arrangement.

Public transport options

7.78 There are currently no scheduled regular services on Hawthorn Road between the Carlton Estate area and Cherry Willingham. As such, the severance of Hawthorn Road to through traffic would not affect public transport options. Stagecoach expects only minor impacts on the routing

of school buses and provided a letter of support for the scheme in 2011, based on the forecast improvements to service times, reliability and efficiency the LEB would deliver.

Loss of an historic route

- 7.79 The LCC is unaware of any designation or status of Hawthorn Road as an historic route, when compared to other roads within the County or the need to make any additional provision for Hawthorn Road on that basis. It should be remembered that the route would not be severed totally and would remain available on the approximate line of Hawthorn Road across the LEB.

Downgrading of LEB to single carriageway and ensuing capacity problems

- 7.80 The LEB was downgraded from a dual carriageway to a single carriageway scheme as a direct result of the reduced level of Government funding available. As a result of these imposed constraints, LCC had to reassess the scheme to look at how costs could be reduced, without reducing the overarching benefits of the LEB. The key elements that had to be removed from the scheme were the loss of the second carriageway and the improvements to the radial routes that were in the 2010 scheme. Crucially the downgrading to a single carriageway was not a negotiable feature within the cost constraints imposed.
- 7.81 Having said this, the single carriageway would continue to provide the same benefits as a dual carriageway in the short to medium term and significant future proofing is contained within the single carriageway scheme to minimise the impact on users, when proposals to dual the LEB is approved and monies become available. These include the 26% reduction in through traffic on the City Centre routes and the incentive the improvements would give to employment and residential development in the area. It is accepted that sections of the LEB would be approaching its practical capacity at or shortly after the date of opening. However, this does not lessen the beneficial impacts in the City Centre and provides justification for the dual carriageway version, which is LCC's aspiration.
- 7.82 The loss of the improvements to the radial routes is to be regretted, but the upgrading of Greetwell Road will be funded as a development cost on the large residential schemes to the east of the City. Before this, the LCC, as LHA, is responsible for maintaining the alternative routes of Greetwell Road and the Wickes junction and Kennel Lane and the A158/A15 Wragby Road/Bunkers Hill in a condition commensurate with the traffic it would have to carry. In this regard, there would be options of some improvements to the Wickes roundabouts and to the Kennel Lane approach to Wragby Road A158 should these prove necessary. With this fall-back responsibility, the closure of Hawthorn Road to through traffic is regrettable, but the adverse effects on travel from the eastern villages towards Lincoln would be minimised with the options available and the LILO connection to the LEB.

The impact of congestion on Wragby Road, and the Greetwell Road and Wragby Road roundabouts

7.83 The change in flows on the existing network has been modelled with and without the LEB. The outturn identifies that there would be an increase in traffic flows along Wragby Road with the LEB open. This would have to be managed once the effects were known, though at present, no physical works are envisaged. As for the Wragby Road/LEB roundabout and the roundabouts at Greetwell Road/Wickes, the analysis demonstrates that the junctions are forecast to operate within absolute capacity, within the assessment period. If there were problems after this then the default position of the LCC as LHA would be triggered.

Proximity of the LEB to the children's play area and existing houses

7.84 Fencing would be provided as part of the LEB scheme to restrict access from the children's play area to the LEB. The provision of noise mitigation in the form of bunds and acoustic fencing would also limit access. However, access to the NMU route would be maintained and the closure of Hawthorn Road to through traffic should reduce conflict for those crossing from the housing areas in the Carlton Estate to the play area.

Cycling objections

7.85 There are a number of objections to the LEB scheme relating to the provision for cyclists. These are looked at briefly below.

7.86 Looking first at the radial routes (Hawthorn Road and Greetwell Fields) from the eastern villages through to Lincoln centre, the LEB would include an NMU route that runs parallel to the LEB that could be accessed from Hawthorn Road adjacent to the current access point with Greetwell Fields. The NMU route would run south to Greetwell Road, where a footbridge would provide access over the LEB to a point adjacent to the existing junction between Greetwell Road and Greetwell Fields. Consequently, the impact on existing NMU journeys along Greetwell Fields would be minimal with the alternative route provided. The NMU bridge at Hawthorn Road would remove severance resulting from the stopping up of Hawthorn Road and maintain the existing cycling and pedestrian routes along to Bunkers Hill, the Carlton Estate and Lincoln.

7.87 Turning secondly to the LEB junction with Washingborough Road, although the scheme does not include a direct crossing of the LEB, it would enable access from the NMU route to the Sustrans route, which runs parallel to Washingborough Road. This provides a safe east-west route into Lincoln from Washingborough for NMUs and would negate the need to use Washingborough Road and the need to cross the LEB at this point. Uncontrolled crossing points around the Washingborough Road/LEB roundabout would be provided for those users wishing to join the footway along Washingborough Road.

- 7.88 Thirdly, the concerns about the Heighington Road junction are overstated. Here the scheme includes a link from the LEB NMU route to Heighington Road. In addition, a footway/cycleway would be included as part of the Heighington Road over-bridge design. This would allow NMUs to continue to use Heighington Road, without the need to cross the LEB at grade.
- 7.89 Fourthly, it is claimed that at the Sleaford Road roundabout there would be no NMU access west without crossing the A15, or east without crossing the LEB. The scheme design includes a footbridge over the LEB that would link into Bloxholm Lane and the existing footway alongside the A15 at Bracebridge Heath. This would provide a safe crossing over the LEB and around the junction with the A15. It is important to note that there is currently no footway southeast of the junction with Bloxholm Lane and, therefore, a crossing point at this location would not be appropriate.
- 7.90 Finally, it is submitted that NMU travel along Greetwell Road is hazardous and NMUs would be forced to travel along Greetwell Road as a consequence of stopping up Hawthorn Road. As pointed out previously, the NMU bridge at Hawthorn Road would enable NMUs to continue to use Hawthorn Road to access the Carlton Estate, Bunkers Hill and eventually Lincoln centre just as at present. As for the NMU provision on Greetwell Road, this would be no worse than at present and any future upgrade following the residential development in the area would be expected to include NMU facilities. With the NMU route running alongside the LEB, there would be the option of diverting to cross the main routes safely, though with the penalty of cycling an extra 1.3 km.
- 7.91 Speeding, whether on Hawthorn Road or elsewhere is an enforcement problem.

The Alternatives

- 7.92 With regard to the six suggested alternatives advanced by Objectors to address specific matters within the approved Scheme, these relate mainly to the relationship of Hawthorn Road with the LEB. The six submitted in time were advertised in the Lincoln Echo on 23 July 2015 and some representations received (**Document OBJ/002**). The test to apply is to see how far the Alternative meets the requirements of the planning permission as granted. LCC has appraised each alternative in terms of engineering and 'buildability', environmental impacts, traffic, safety and economics, and land requirements (**Documents LCC12-LCC17**).

Alternative 1

- 7.93 With Alternative 1, the structure would generally be in accordance with that in the dual carriageway scheme in 2010. Even with the through carriageway of the LEB lowered as far as practical, the increased clearance required for the LEB as a high load route would mean the over-bridge would have a moderately greater visual impact than the NMU bridge and this would be coupled with extended earthworks on the approaches. This would introduce more noise and pollution for those nearby, within the

Carlton development and on Hawthorn Road. The additional amendments to the scheme suggested by Mr Lake (Document LCC3/i) would not make any material difference to the land-take or costs, and in some cases would deliver features that would not be ideal in traffic and safety terms.

- 7.94 With an all-purpose bridge on the line of Hawthorn Lane, some journeys to and from Cherry Willingham and Reepham would be shorter and quicker, but some would be longer and slower. Considering only the traffic associated with Cherry Willingham and Reepham, in the opening year of 2018 the over-bridge would deliver a saving of less than 2% in vehicle kms travelled in all time periods considered and a saving of up to 6% in vehicle hours spent travelling. These savings equate to an average of 0.1 km per vehicle trip and less than 1 minute per vehicle trip in peak periods.
- 7.95 When considering all traffic in the Lincoln area, the differences in journey times and distances travelled are negligible when compared to the Scheme. No discernible difference would be made to the benefits in the cost benefit analysis, while any delay to the LEB Scheme would reduce the benefits of the LEB in terms of the economy and regeneration and such losses cannot be recouped.
- 7.96 In the AM peak the alternative would attract higher flows on Hawthorn Road both sides of the LEB, giving rise to a higher safety risk for pedestrians and cyclists, including schoolchildren and make access to the Community Playground less attractive. Additional traffic would be drawn through the Carlton development, increasing rat-running traffic flows on Hawthorn Road to the west of the LEB, St Augustine Road and Carlton Boulevard. This would have a negative impact on the residents of the Carlton Estate in terms of noise, air quality and safety.
- 7.97 Following further work to the traffic modelling exercise since the earlier inquiry, local travel patterns are now better understood. The results of this work indicate that the junction of Hawthorn Road and Bunkers Hill A158 would be significantly over capacity and this would have to be addressed by the introduction of traffic signals. This would have a knock on effect at the Wragby Road/Outer Circle Road, with further capacity necessary here, on the approach leading from the Hawthorn Road direction, requiring improvements to the carriageway.
- 7.98 The proposed alternative would require land outside the boundary for which planning permission exists for both temporary and permanent works. Crucially, the Community Open Space may be affected, which would require a Secretary of State's approval. A new CPO, an alteration to the SRO and a new planning permission would be required. The programme for the LEB would be delayed and the timing of the procurement process put at risk. Having regard to the lowering of the main LEB carriageway and the consequential effects on the junctions of Hawthorn Road and Bunkers Hill A158 and Wragby Road/Outer Circle Road the net increase in costs would be some £4.84m plus any additional costs due to delay, which could result in the loss of Government funding.

7.99 In conclusion, there is no advantage in traffic terms over the Scheme, beyond some very limited opportunities for motorised movements between residential areas close to the LEB and villages to the east. In all other respects the advantages offered by the current proposal, relating to the reduction of traffic, better environmental conditions and cost, are reduced or negated by provision of an over-bridge. The Alternative does not provide any advantages that justify it being investigated further.

Alternative 2

7.100 Like Alternative 1, the structure would generally be in accordance with that in the dual carriageway scheme in 2010. Even with the through carriageway of the LEB lowered as far as practical, the increased clearance required for the LEB as a high load route coupled with the greater deck construction thickness would mean the over bridge would have a moderately greater visual impact than the NMU bridge and this would be coupled with extended earthworks on the western approach. Moreover, to provide the right turn ghost island on Hawthorn Road the over bridge would have to be widened adding to the cost. Overall, this would introduce more noise and pollution for those nearby within the Carlton development and on Hawthorn Road, even allowing for the lowering of the main carriageway of the LEB.

7.101 The other benefits and disbenefits would be very similar to those for Alternative 1. Having regard to the lowering of the main LEB carriageway and the consequential effects on the junctions of Hawthorn Road and Bunkers Hill A158 and Wragby Road/Outer Circle Road the net increase in costs would be some £5.33m, plus any additional costs due to delay. This would require a resubmission of the Business Case, which could delay or result in the loss of Government funding.

7.102 In conclusion, there is no advantage in traffic terms over the Scheme beyond some very limited opportunities for motorised movements between residential areas close to the LEB and villages to the east. In all other respects the advantages offered by the current proposal, relating to the reduction of traffic, better environmental conditions and cost, are reduced or negated by provision of an over bridge. The Alternative does not provide any advantages that justify it being investigated further.

Alternative 3

7.103 Alternative 3 has some significant engineering implications as it would place two roundabouts close together, with the need to dual the section of the LEB between the Wragby Road and Hawthorn Road junctions to mitigate the potential for delay, thereby adding significant costs. It would also require extra capacity at the Wragby Road junction. The comparator cited by a Supporter is on a dual carriageway, with the extra capacity that delivers.

7.104 However, it is the construction constraints at Hawthorn Road to ensure a safe vertical alignment that proves most difficult, with the roundabout

having to be built in cut and the lead in from Hawthorn Road involving significant earthworks. In line with the other junctions, an NMU facility would still be required across the junction to link in with the NMU route to the east of the LEB. Finally, there would be implications for diverting Statutory Undertaker's equipment and for the necessary drainage regime.

- 7.105 On the environment front, some noise impacts would be increased, especially through the additional braking and raising the level of the through carriageway of the LEB. The additional street lighting associated with a roundabout and dual carriageway would introduce further light pollution. As for safety, the roundabout would increase the risk of accidents and accommodating St Augustine Road, which would be very close to the roundabout could raise concerns. The solution might require taking land from the Hospice site on the corner. Access to the Playground from the Estate would add a further risk dimension.
- 7.106 Once again, the benefits and disbenefits in terms of travel times, environmental impacts would be very much the same as for Alternatives 1 and 2. Having regard to the additional works to the main LEB carriageway and the Hawthorn Road, plus the consequential effects on the junctions of Hawthorn Road and Bunkers Hill A158 and Wragby Road/Outer Circle Road, the net increase in costs would be some £4.24m, plus any additional costs due to delay. This would require a resubmission of the Business Case, which could delay or result in the loss of Government funding.
- 7.107 In conclusion, there is no advantage in traffic terms over the Scheme beyond some very limited opportunities for motorised movements between residential areas close to the LEB and villages to the east. In all other respects the advantages offered by the current proposal, relating to the reduction of traffic, better environmental conditions and cost, are reduced or negated by provision of the roundabout and associated works. The Alternative does not provide any advantages that justify it being investigated further. It should also be noted that the Inspector at the earlier inquiry supported these findings and concluded that "... *this Alternative would not offer any material advantage over the Scheme*".

Alternative 4

- 7.108 In order to construct a junction at Heighington Road that would comply with the necessary national design standards, as proposed in Alternative 4, considerable earthworks would be involved and the roundabout would have to be larger than currently required in order to future proof against dualling the LEB. The introduction of a roundabout at this location would compromise the climbing lane on the LEB, thereby increasing user costs and reducing the opportunity for overtaking slower vehicles.
- 7.109 By locating a roundabout at Heighington Road there would be adverse consequences for the environment in terms of noise and pollution and would significantly heighten the visual impact of the scheme from the northern side of the River Witham Valley. The junction would require

lighting with the associated pollution and the drainage regime would need amendment. The village of Canwick could suffer from greater through traffic and raise concerns from the cycling lobby, with further crossings of the LEB NMU route.

- 7.110 If the savings from this Alternative scheme generated funding for the bridge at Hawthorn Road, then this would attract all the downsides of any scheme which maintained Hawthorn Road as a through route (see above) as well as the travel benefits for some.
- 7.111 Extensive additional land would be required, including acquisition of some public open space. A new CPO, SRO and planning permission would be necessary, plus a restart of the current procurement process. This would delay the programme. Crucially the net approximate additional cost of the roundabout and NMU facility would be £9.26m, meaning that there would not be savings to put towards a bridge at Hawthorn Road as envisaged. This would give a total increased cost of £14.10m, when the construction of the overbridge at Hawthorn Road is taken into account. Thus, this Alternative would be difficult to justify, which could result in failure to attract any DfT funding, and put the future of the LEB at risk.
- 7.112 In conclusion, the Alternative could not be supported and was withdrawn as a suggestion at the earlier inquiry.

Alternative 5

- 7.113 Alternative 5 would require the realignment of the A158 and Greetwell Lane, the replacement of a large culvert under Wragby Road East and significant traffic management during construction. Environmental impacts include greater severance of farmland and the severance of Public Footpath 140. Ecological or archaeological mitigation may be required.
- 7.114 The direct access to the Bypass at Hawthorn Road would be removed for southbound traffic. An additional 5th leg on the roundabout would reduce operational efficiency and generate additional queues. The diverted Hawthorn Road approach would carry lower flows than the other approaches and as it will be giving way to all the movements on the LEB there will be fewer opportunities for this traffic to join the circulation on the roundabout. As such, accident risk would increase.
- 7.115 Some journeys to and from Cherry Willingham and Reepham may be shorter and quicker and some may be longer and slower, depending on the precise origin and destination. When considering all traffic in the Lincoln area, the differences in journey times and distances travelled would be negligible when compared to the Scheme. No discernible difference would be made to the benefits in the cost benefit analysis. The NMU bridge at Hawthorn Road would still be required.
- 7.116 Significant additional land would be required. The need for a new CPO, SRO and a new planning permission would significantly extend the programme. The level of change would require a restart of the current

procurement process. The approximate cost is £1.68m, but there would be additional cost penalties as a result of the elongated construction programme to construct the roundabout. The delay and the difficulty in justifying the Alternative could result in failure to receive any DfT funding.

7.117 In conclusion, this Alternative would cater for a limited number of movements, all of which have reasonable alternatives under the current proposals. The Alternative does not provide any advantages that justify it being investigated further.

Alternative 6

7.118 With the proposals looked at individually, each of these junction schemes raises its own problems. At the B1308, a Compact Grade Separated Junction (CGSJ) would have to be sited to the south of Greetwell Road to avoid the deep quarry. Even then, significant fill would be required. There are also the existing subterranean issues associated with the abandoned mine workings known to exist in this locality. In addition there would be extensive diversion of Statutory Undertakers' equipment required.

7.119 Moving to the B1190, a CGSJ here would require significant areas of cut to avoid the Lincoln to Spalding rail line. There may also be issues with the signalling protocol on the rail line and the proposed crossing of the B1190 would be difficult to design in close proximity to the existing crossing of the B1190 under the railway, which is signal controlled. There would be implications for drainage of the LEB and additional Statutory Undertakers' plant diversions.

7.120 At the B1188 the LEB is at grade and the construction of a CGSJ would require the import of significant additional material to create a workable scheme. The side road approach from Branston would require the purchase and demolition of property to avoid the need to divert 132kv Overhead Electricity Transmission apparatus.

7.121 Looking at the junction of the LEB with the A15, this is at the end of the LEB and would require the main line of the Bypass to turn to the south to connect with the existing route. This creates great difficulty in designing a junction that is land efficient and would sterilise land with development potential that would contribute to the LEB costs. The connection to the north would require the purchase and demolition of Manor Farm to connect to Bracebridge Heath. This would make the construction of a new junction difficult and expensive. Being close to the end of the runway at RAF Waddington, this Alternative would involve securing permission from the Ministry of Defence. Lastly, the existing Bloxham Lane would have to be stopped up and access provided via the CGSJ for all users including NMUs.

7.122 Finally, on a general note, it is assumed that all the junctions would require street lighting in accordance with LCC policy and would need future proofing against the time the LEB is dualled.

- 7.123 In environmental terms, the four major junctions would have significant negative impacts in terms of noise, visual impact and light pollution and would require a new ES to reflect the significant deviation from the scheme as proposed. Against this, there would be improvement in vehicle movements occasioned by the grade separation. However, this Alternative would absorb extensive land outside the boundary for which planning permission exists and this would trigger the need for a new CPO, SRO and a new planning permission. These, along with the revised ES would significantly extend the programme. The level of change would require a restart of the current procurement process and consequent delays to scheme delivery. Crucially, with a net increase in the approximate cost of £25.8m, this would require the submission of a new Business Case and the delay and the difficulty in justifying the Alternative could result in failure to receive any DfT funding.
- 7.124 In conclusion, the significant additional cost is not justified and the delays that would be incurred would impinge on growth and investment in the Lincoln region and beyond.

8 INSPECTOR'S CONCLUSIONS

Introduction

- 8.1 The conclusions are based on a full and careful consideration of the evidence presented to the inquiry, my site inspections and all the submissions and representations. Also, I have had due regard to the Public Sector Equality Duty under the Equality Act 2010 and the relevant provisions of the Human Rights Act 1998. Where appropriate, references to earlier paragraphs are given in square brackets [].
- 8.2 In formulating my conclusions, I have given an overview of the situation as I saw it at the time of the inquiry. This is followed by my examination of the main considerations on which the decision on each Order should be based, with particular reference to the statutory tests. As the vast majority of objections relate to the connectivity of Hawthorn Road to the LEB, I have not sought to deal with objections on an individual basis as this would involve unnecessary repetition. The Objectors' Alternatives are considered. The final sections round the report off with summaries of conclusions on the objections, moving to the proposed Modifications to the Orders, and eventually to recommendations on each of the Orders.
- 8.3 Before moving forward, I deal here with the objections to the consultation procedure undertaken by LCC on the planning applications for the LEB. As LCC was at pains to emphasise, the planning application is not something that this inquiry into the Orders should revisit. Planning permission for the current layout was granted by LCC on 6 October 2014, subject to conditions. LCC has confirmed that the planning application was processed in accordance with current Council procedures and statutory requirements and, in its opinion, a lawful planning permission exists. [1.2-1.3, 3.2, 3.11, 3.26-3.31, 5.39, 5.64, 5.67, 7.18, 7.22, 7.33 and 7.46]
- 8.4 No-one made the inquiry aware that there has been any legal challenge to the validity of the decision or the planning permission and the time period for doing so has long expired. For my part, while appreciating that the Objectors believe the consultation could have been more transparent, comprehensive and inclusive, I have no reason to conclude that LCC failed to meet the minimum statutory obligations in this regard.
- 8.5 Consultation can always be improved, but the district councils affected all had opportunity to object to the scheme in principle or detail, ask questions or seek further clarification. None did and all resolved to support the LEB scheme, leaving the inquiry with no objective evidence that Members misunderstood the proposal they were considering. In any event, as LCC submitted, this inquiry is not the appropriate forum for complaints about what the local authorities may or may not have done in the past. [1.2-1.3, 3.2, 3.11, 3.26-3.31, 5.39, 5.64, 5.67, 7.18, 7.22, 7.33 and 7.46]
- 8.6 Thus, the starting position is that a valid planning permission for the construction of the LEB is in place. Even so, and having established this, the fact that the planning permission is in place does not pre-determine

the decisions the Secretaries of State must make on the Orders. [1.2-1.3, 3.2, 3.11, 3.26-3.31, 5.39, 5.64, 5.67, 7.18, 7.22, 7.33 and 7.46]

Overview

- 8.7 As LCC pointed out at the PIM and in its opening remarks to the inquiry, almost all the arguments raised in the Objections are similar to those voiced on the previous occasion and were considered by the Inspector at the earlier inquiry and subsequently taken into account in the SoSs' decision. Thus, LCC opines that, in the interests of consistency, the focus of the attention at this inquiry should be confined to consideration of the NMU bridge at Hawthorn Road and the safety considerations that failed to gain support on the previous occasion. The alternative routes were found to be safe and reasonably convenient and the circumstances governing that conclusion have changed very little, if at all. Many Objectors disagreed with this approach and asked that the arguments should be reconsidered as this is a new application for confirmation of the Orders. [1.2-1.3, 3.12-3.20, 3.21-3.25, 3.36-3.42, 4.1-4.4, 4.10-4.11, 4.14, 7.20 and 7.44]
- 8.8 In the PIM minutes and when opening the inquiry, I indicated that I would not adopt the narrow and restrictive approach advocated by LCC. Having said this, the planning permission is in place and that cannot be changed as part of this examination. Consequently, the Orders and tests undertaken must be based on this premise. This means that for me not to recommend confirmation of the Orders the updated traffic and/or accident figures must have changed the situation to an extent whereby the alternative routes can no longer be judged safe and reasonably convenient. [1.2-1.3, 3.12-3.20, 3.21-3.25, 3.36-3.42, 4.1-4.4, 4.10-4.11, 4.14, 7.20 and 7.44]

The tests for making the Orders.

- 8.9 The main considerations are derived from the statutory provisions set out in the relevant section(s) of the 1980 Act and, in the case of the CPO, the guidance in ODPM Circular 06/2004 Compulsory Purchase and the Crichel Down Rules. Although this had not been cancelled by the launch of the Planning Practice Guidance Suite on 6 March 2014, since the inquiry closed Circular 06/2004 has been replaced by the Guidance on Compulsory Purchase Process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion published on 29 October 2015. However, albeit some tests in the Circular have been superseded, I am satisfied that this new Guidance does not change any of the practical application contained in the 2006 Circular that would affect my consideration of these Orders. [3.77]

The Side Roads Order

- 8.10 The 1980 Act (sections 14 and 125) requires that [3.60-3.76]:
- Before any highway is stopped up another reasonably convenient route shall be available or will be provided.

- No Order for the stopping up of a private means of access (PMA) shall be made unless either no access to the premises is reasonably required, or another reasonably convenient means of access to the premises is available or will be provided.
- Provision shall be made for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs affected by the scheme.

Compulsory Purchase Order

8.11 A CPO should only be made where there is a compelling case in the public interest and the purposes for making the Order sufficiently justify the interference with the human rights of those with an interest in the land affected. The Human Rights Act 1998 reinforces that basic requirement. The acquiring authority shall have a clear idea of how it intends to use the land it seeks to acquire, show that all necessary resources to carry out its plans are likely to be available within a reasonable timescale, the acquisition would not be premature and that the scheme is unlikely to be blocked by any impediment to its implementation. [3.77-3.83]

Compulsory Purchase of lands held by the Canal and River Trust

8.12 Once again, this compulsory acquisition should only be made where there is a compelling case in the public interest and the purposes for making the Order sufficiently justify the interference with the rights of those with a beneficial interest in the land affected. [3.84-3.85]

The LEB Scheme

8.13 The LEB is described in Section 3 and is a key priority for Lincoln to relieve existing congestion in the Lincoln conurbation generally, but especially in the City Centre, improve the environmental quality of the City, reduce accidents and to act as a catalyst for future residential and economic growth. The essential need for the infrastructure project is identified by the development plan, LITS and the 4th Lincolnshire Local Transport Plan. [2.1-2.4, 3.21-3.25 and 3.43-3.51]

8.14 The local authorities, including Lincoln City Council, North Kesteven District Council and West Lindsey District Council, and the business community fully support the Scheme. The Parish Councils and most of the residents objecting to the Hawthorn Road element confirm their broad support for the LEB and the wider benefits it would bring to the area. The economic assessment was carried out fully in accordance with the accepted methodologies and demonstrates high value for money, primarily as a result of journey time savings. There is, therefore, a compelling case for the Scheme to proceed. [2.1-2.4, 3.21-3.25 and 3.43-3.51]

8.15 The current single carriageway Scheme has been through a rigorous process to secure an efficient engineering design, without reducing its effectiveness in achieving the stated objectives. The elements of future

proofing have been highlighted and land acquisition fully justified with a view to securing a sustainable approach towards infrastructure provision now and in the long term. Although the earlier scheme Orders, with the exception of the Bridge Order, did not attract support following concerns about the safety of NMUs in the vicinity of the Hawthorn Road NMU bridge, these have now been addressed. [2.1-2.4, 3.21-3.25 and 3.43-3.51]

- 8.16 The necessary planning permissions exist for the LEB to be implemented. Funding is currently in place and an early start can be made on site, which is a necessary prerequisite to secure Government funding, which amounts to around 50% of the overall cost. [2.1-2.4, 3.21-3.25 and 3.43-3.51]

The Bridge Scheme

- 8.17 The existing road network is constrained by the limited provision for vehicles to cross the River Witham. The route of the LEB requires a crossing to be constructed over the River and adjacent watercourses. To achieve this, a CPO is necessary and, as this was confirmed following the earlier inquiry, I have not reopened the issues. [3.56-3.59]

Statutory Objections to the CPO and SRO

- 8.18 No statutory Objectors attended the inquiry to present evidence. [5.2-5.7]

Written statutory objections

- 8.19 In respect of the **Railway Paths Ltd (OBJ/002)** objection, there is no suggestion from the Objectors that this could not be resolved as LCC advises, namely by entering into a Deed of Grant of Easement and temporary licences where possible, rather than acquiring land permanently and handing back any not required on a permanent basis. I agree with LCC that the alternative NMU provision suggested by Railway Paths is flawed and would not be covered by the current planning permission. As such, if pursued it would risk delaying the LEB scheme coming forward and the loss of the Government funding promised. The consequence of any delay would be the loss of benefits and a delay in the economic and housing regeneration planned for the Lincoln conurbation. [5.2 and 7.1]

- 8.20 Although at the close of the inquiry the objection had not been formally withdrawn, I was advised that discussions with the Objector were very well advanced and there was every expectation that the issue would be satisfactorily resolved. [5.2 and 7.1]

- 8.21 All other statutory Objectors have withdrawn their objections. [1.3]

Conclusion on Statutory Objections

- 8.22 The statutory objections associated with land ownership, farming businesses and statutory undertakings have been, or should be, resolved.

Issues arising from the Objectors' evidence and submissions

8.23 There are a significant number of issues lodged by Objectors to the scheme. Most of these emanate from the proposed severance of Hawthorn Road to general traffic, its replacement by an NMU bridge, the effect on access to and from the villages of Reepham, Cherry Willingham and Fiskerton, social dislocation and the safety and convenience of the alternative routes. These are looked at in turn, along with the other issues raised by Objectors. [7.63]

The stopping up of Hawthorn Road

Hawthorn Road

8.24 To the west of the villages of Reepham and Cherry Willingham, Hawthorn Road follows a route through an area of countryside to the south of the Wragby Road A158. Hawthorn Road offers a direct and convenient link connecting Lincoln with the villages to the east. The road is subject to a variety of speed limits, street lighting in the built-up areas and is relatively straight with good visibility. Minor junctions occur to serve a pocket of housing that lies outside the main built-up area of Cherry Willingham. A marked footway/cycleway is provided on the south side of the highway, segregated from the vehicle carriageway. The north side of the road is bounded by a grass verge and hedgerow. [4.8, 5.9, 5.15, 5.24, 5.70, 5.76 and 7.2]

8.25 Towards its western end Hawthorn Road enters a residential area on the edge of Lincoln, where there are footways on both sides of the highway. At this point, St Augustine Road runs south to serve the Carlton Estate and on the north side is a community playground and access to a public footpath. Further west, Hawthorn Road meets Bunkers Hill A15/A158 at a priority T-junction. Bunkers Hill is a main radial road serving the City and observations confirm that some congestion occurs at this junction during the peak hours. [4.8, 5.9, 5.15, 5.24, 5.70, 5.76 and 7.2]

8.26 The role of Hawthorn Road in serving the villages has probably strengthened following the development within Lincoln of the Carlton Centre with its range of retail outlets and other facilities, including health services. Similarly, the growth of the housing on the Carlton Estate has led to its use to access the schools and sporting/social activities in the villages. The Parish Councils and many others have drawn attention to the reliance on the road by the elderly people living in the villages, including its important role in serving St Barnabas Hospice, at the junction of Hawthorn Road and St Augustine Road. Consequently the facilities and land uses on and around Hawthorn Road encourage its use by some of the more vulnerable members of the community. [4.8, 5.9, 5.15, 5.24, 5.70, 5.76 and 7.2]

8.27 There is evidence that Hawthorn Road and the roads through the Carlton Estate, such as St Augustine Road and Carlton Boulevard, are used as a short cut (rat-run) into the City, which adds to the local traffic on the residential roads. This concerns not only traffic from the villages, but traffic faced with a queue on Bunkers Hill A15, approaching the junction

with the Outer Circle Road, diverting left into Hawthorn Road and then right into St Augustine Road and through the Estate to reach Outer Circle Road further south. Although it is claimed by some that Hawthorn Road is an historic route into the City Centre from the east, no objective evidence to this effect was provided and so it can attract minimal weight [5.57, 5.67 and 7.79]. [4.8, 5.9, 5.15, 5.24, 5.70, 5.76 and 7.2]

The proposal for Hawthorn Road

- 8.28 The scheme for a LEB granted planning permission in 2010 included an all-purpose bridge to carry Hawthorn Road over the Bypass. In the current Scheme, Hawthorn Road would be stopped-up for general through traffic to the west of the Bypass, but traffic to and from the east would be served by a left in left out (LILO) junction on the eastern side of the Bypass. This documented and reported junction re-arrangement was one of a number of significant changes made to the LEB scheme through the design review process in order to reduce the overall cost. Following the planning permission granted in January 2014, an NMU bridge would also be provided and, although with minor modifications, this NMU bridge is retained in the proposals granted planning permission on 6 October 2014. [4.15, 4.18, 5.38, 5.42, 5.66, 5.68, 7.7, 7.44 and 7.64]
- 8.29 In order for the stopping up of Hawthorn Road to be acceptable under the terms of the 1980 Highways Act '*a reasonably convenient route shall be available or will be provided*'. Although the exact same level of convenience need not be demonstrated, in order to be considered convenient, an alternative route has to be suitable for the needs and purposes of all types of user, which requires consideration of journey length, time and safety. Neither does the route have to pass the test under abnormal nor extraordinary circumstances. Under s.149 of the Equality Act 2010, due regard has to be given to the need to advance equality of opportunity, which in this case applies particularly to those who may be disadvantaged by reason of age and disability. [4.15, 4.18, 5.38, 5.42, 5.66, 5.68, 7.7, 7.44 and 7.64]

Traffic forecasts

- 8.30 The traffic data, interpretation and its application to the model used by the LCC to justify the LEB was a fertile area for debate at the inquiry. The starting point for LCC is that the traffic forecasts for the opening and design years have been produced in accordance with national guidance, using accepted modelling techniques and software. The traffic model is based on comprehensive and updated survey information. The validation process confirmed the model's reliability and this used the latest traffic information gathered in the spring of 2015. [4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]
- 8.31 Future committed and known development proposals have been taken into account, where these are predicted to generate 50+ movements in the relevant assessment period. To allow for other unforeseen new development, the national growth figures have been applied in forecasting

traffic conditions, again in accordance with national guidance. Therefore, the traffic data and analysis produced by LCC provide the best available information for the assessment of the suitability of the alternative routes in a strategic context, on such issues as queue length and performance of the junctions, the operation of the LEB and the wider highway network.

[4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]

- 8.32 Where the Objectors raise concerns is in applying this strategic approach to conclude on the effects on junctions local to Hawthorn Road from local traffic, especially between the villages and the Carlton Estate/Centre. Objectors delivered their personal experiences about existing conditions on the highway network, and a number of places were identified where congestion and queuing is experienced and/or they perceive a safety risk. The Objectors' concerns are that stopping-up Hawthorn Road to general traffic would make existing problems worse. The effects of this would be that residents would have longer journeys, incur extra travel costs, cause greater environmental pollution and the number of accidents would increase. [4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]
- 8.33 First off, only a very small percentage of the Objectors are opposed to the LEB and the general benefits it would deliver [3.10]. The objections are generated almost exclusively by the anticipated effects on the local journeys from the villages of Reepham and Cherry Willingham to the Carlton Estate and uses on or by this – the Carlton Centre, the Hospice, the Lincoln Carlton Academy – and the journeys in reverse to the schools and facilities in Reepham and Cherry Willingham. [4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]
- 8.34 With Hawthorn Road closed to through traffic, LCC accepts that some journeys would be slightly longer, but show that some would be shorter, and to destinations further afield this would be particularly true. However, the LEB would result in some fundamental changes to travel patterns and traffic flows on the highway network. As a consequence, adding diverted flows directly to the existing flows does not necessarily provide a reliable guide for assessment of conditions in the future with the Scheme in place. The modelling process has to be more sophisticated than this. For example, applying Capacity Restraint Analysis to one route may not always identify a clearly preferred alternative route. In practice, this could change from day to day for a number of factors, including roadworks, weather, traffic conditions and even personal perception. [4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]
- 8.35 Two other factors are germane to the appraisal of future traffic forecasts and travel patterns. Whereas the LEB would be an unknown travel experience for everyone, it is safe to say that it should attract considerable traffic from existing routes. LCC predicts that it should reduce flows on key roads at certain times by 25% or more. This should make travel generally easier. [4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]
- 8.36 The second crucial point is that many residents have a choice for their journey in terms of the time they make it and the route they take. At present, the vast majority of journeys between the villages and the

Carlton Estate and beyond are made in the inter-peak period or after the evening peak. If there is a problem along any particular route or junction, choices can be made to delay or advance a journey or use another alternative route. Journeys made outside the morning peak are generally quicker, so that inconvenience can be minimised and the delay not as severe as predicted by some Objectors. [4.7, 4.12, 5.10, 5.16-5.18, 5.52, 7.12, 7.32 and 7.57-7.62]

Assessment of alternative routes for motor vehicles

8.37 With Hawthorn Road closed to general traffic, there are a number of alternative routes for journeys between the villages and Lincoln City Centre and outskirts and *vice versa*. The choice of route for local journeys would be influenced by a number of factors, but logic informs that for most people travelling by car, especially from the villages, the alternative would involve use of either Kennel Lane/Wragby Road A158, or Greetwell Road, possibly using the Bypass and LILO facility at Hawthorn Road at the beginning or end of their journey. Use of the Bunkers Hill/Hawthorn Road junction to turn right onto the A158 is most likely to be used by residents on the Carlton Estate wishing to travel to Reepham and Cherry Willingham. The capacity of these routes is looked at in turn to see if they would be safe and reasonably convenient. [4.5, 4.7, 5.14, 5.21-5.22, 5.41-5.42, 5.48-5.49, 5.62 and 7.30]

Kennel Lane

8.38 Kennel Lane provides a link between Reepham and Cherry Willingham and the A158 Wragby Road. From inspection, the character of the highway is different from Hawthorn Road in terms of layout, gradient and alignment. I found it comfortably wide for two way movement, with generous verges. It has a national 60 mph speed limit, apart from a short length of 30 mph at the south end and is unlit over the vast majority of its length. The Lane offers no segregated NMU facility and it contains a severe 'S' bend in the vicinity of Manor Farm. The junction at the northern end onto the A158 is outside the settlements, has good visibility and a dedicated right-turn waiting area to assist in turning right from the A158. The southern end of Kennel Lane forms part of the village of Reepham. Near its junction with Hawthorn Road there is frontage housing on the east side, on-street parking and a bus stop. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]

8.39 Concerns raised by the local community are that Kennel Lane itself is prone to ice and fog pockets and the bend is seen as an accident site. Kennel Lane is seen as a rat-run, which allows traffic on the A158 to avoid the Wragby Road roundabout and Bunkers Hill queues. The alternative route being left onto Kennel Lane, right onto Hawthorn Road and then to follow the route through the Carlton Estate to the Outer Circle Road. The junction of Kennel Lane/Wragby Road A158 is viewed as difficult, whether turning from or into the Lane. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]

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- 8.40 First, the personal injury accident record does not support the Objectors' view that Kennel Lane is fundamentally unsafe. Unreported damage only incidents carry little weight as an indicator of safety, because of the lack of independent corroboration and the need to have consistency in assessment. As LCC says, the personal injury record over a 5-year period is the accepted comparator, though a 3-year is sometimes appropriate for individual sites. [3.72, 5.21, 5.37, 5.49, 5.52, 7.25 and 7.45]
- 8.41 Looking at the condition and geometry of the Lane itself, as Objectors rightly say, it was not intended to be a major traffic route. Its name and the severe bend are testament to this. Even so, in daylight I found it a relatively pleasant and safe driving experience. Improvements could be effected by removing the bend, but, without any accident justification, there is no business case. It is a route LCC confirms is gritted in icy conditions. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]
- 8.42 As for the fog, the relatively low lying land and hedges on both sides could act as a contributor to this. However, although signing might assist, drivers are expected to drive according to the prevailing conditions and, once again, the accident record does not suggest the need for any particular intervention, such as lighting. Any problem with ice would fall to the LHA to address through gritting and it advises that it is one of the routes treated. The infrequency of these events does not render the route unsuitable as an alternative under normal traffic conditions. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.11-7.12, 7.41 and 7.62]
- 8.43 The concern about rat-running traffic is not shown to be a particular problem and, in my view, it would probably reduce if not disappear with the opening of the LEB. So long as the Wragby Road roundabout continues to operate within capacity, the natural route would be to join the LEB at its northern roundabout and travel south to Greetwell Road or, bearing in mind the flows on Bunkers Hill should reduce, drivers may continue on this route to join the Outer Circle Road. Under normal conditions, I can see very little advantage in using Kennel Lane to either gain access to the LILO at Hawthorn Road or to drive through the villages to Greetwell Road, where the railway crossing may cause delay and the queue at the LEB/Greetwell Road roundabout would give way to traffic on the LEB. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]
- 8.44 At the Kennel Lane junction with the A158, queues occur to a varying degree, dependent on the time of day and year. LCC's traffic analysis shows that the junction currently operates well within capacity and is forecast to continue to do so in 2018, with the LEB scheme open. In 2033 a significant amount of queuing is forecast, with the junction operating at its absolute capacity, but this would represent a worst case scenario. LCC has an option to improve the Kennel Lane approach to the A158, by local widening/improvement. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]
- 8.45 LCC concedes that the modelling did not cover the far heavier traffic on the A158 during the holiday period. The holiday period can last for

several months, and I anticipate that the delays forecast toward 2033 might occur much earlier, with a trigger for action far sooner than the model indicates. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]

- 8.46 When turning right into Kennel Lane from the A158, as noted, there is a dedicated right turn waiting area to assist in turning off the major highway. There is some contention that this reservoir has been shortened and is now dangerous for the through eastbound traffic on the A158. This has been looked at specifically by LCC who confirms that a longer storage lane was initially marked in error by the Contractor. The right turn facility is now correctly marked for the volume of usage, with the extra work being undertaken at the Contractor's expense. There is certainly no objective evidence of a problem. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8-7.9, 7.12, 7.41 and 7.62]
- 8.47 The A158 Wragby Road is a different type of road from Hawthorn Road, being a strategic route, which carries a large volume of traffic and is a route to the east coast, with higher flows in the summer period. Between Kennel Lane and the edge of Lincoln, it is straight, has a speed limit between 40 and 60 mph, good visibility and a limited number of side road junctions. Interrogation of the accident record does not indicate a particular safety problem on the relevant length and the model shows that the approach to the Wragby Road roundabout would not suffer from significant queuing, though the caveat about holiday flows remains. By way of confirmation, there are signs some 600 m from the roundabout indicating the likelihood of queuing ahead. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]
- 8.48 In summary, under normal flow conditions, Kennel Lane and its junction with Wragby Road A158 would operate perfectly acceptably as part of a reasonably convenient alternative route following the closure of Hawthorn Road to through traffic. In my judgement, there could be higher delays during the summer months and following traffic growth towards 2033. However, if such circumstances became untenable, there would be remedies as part of LCC's responsibility as the LHA. Thus, any concerns I harbour are not so serious as to justify delaying the LEB. [5.19, 5.26-5.27, 5.43, 5.46, 5.53, 5.60, 5.73-5.74, 6.13, 7.8, 7.12, 7.41 and 7.62]

Greetwell Road

- 8.49 Greetwell Road is a radial route that connects to the City further to the south of Hawthorn Road. The character of this highway is again different from Hawthorn Road due to undulations and changes in gradient and the variation in alignment. The length of Greetwell Road between the proposed line of the LEB and the Wickes mini-roundabouts junction is subject to the national 60 mph limit and has no street lighting. The route lacks any dedicated NMU facility along its length and, as I observed on site, the limited forward visibility in places leaves cyclists and moped riders vulnerable and, no doubt, some drivers frustrated. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]

- 8.50 The concerns raised by Objectors to this route are that the alignment is poor and there are existing flood, fog and ice problems, especially in the vicinity of Greetwell Bottom. Next, the junction of Greetwell Road at the Wickes mini-roundabouts junction is expected to cause a problem with queues in excess of 1,000 m already occurring, and that would be made much worse once Hawthorn Road is closed to through traffic and the LEB open. Several Objectors submit that the LEB Orders should not be confirmed until there is an approved scheme for the improvement of Greetwell Road and the Wickes junction and monies are allocated. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.51 LCC accepts there is scope for localised improvements, but the predicted queue lengths do not suggest this would be necessary immediately the LEB opens. The accident record does not indicate any particular safety issues [3.72, 5.21, 5.37, 5.49, 5.52, 7.25 and 7.45]. As for the flood problem, this has been addressed by LCC, though it is conceded that problems could still occur following a severe weather event. The Greetwell Road route is also treated during cold spells and although fog can be a problem, as said above, drivers must adapt to the weather conditions. On the positive side, the closure of the junction with Greetwell Fields for general traffic, as part of the Scheme, would be of benefit. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.52 The traffic flows on Greetwell Road are forecast to increase significantly to the west of the LEB. However, the modelling shows the Greetwell/LEB roundabout to operate effectively in 2033 and no significant queuing is forecast to occur, where Greetwell Road links with Allenby Road and Outer Circle Road at the Wickes mini-roundabouts. Traffic flows are anticipated to be lower on Outer Circle Road, a further benefit resulting from the LEB. The existing queue length on Greetwell Road at the Wickes mini-roundabouts is a matter of dispute, with the LCC model showing a much shorter queue (a maximum of 20 vehicles) than that observed by Objectors (a maximum of 80+ vehicles). [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.53 I took particular care on the days of my site visit in November to travel the routes several times in the morning and evening peak hours to assess the queue length. In the evening I saw no problem and have to say that in the morning peak my experience was to confirm the LCC figures and not the much longer queues observed by Objectors. I did see queues of up to 20 vehicles, but the queue was invariably moving, albeit slowly, and decayed relatively quickly each time it built up, imposing very little delay. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.54 I could certainly see the queue extending as far as Greetwell Bottom on a regular basis, but only further if there was something untoward. I am sure that longer queues have been experienced, and clearly this could get worse with increased flows from the LEB. However, based on the

- evidence and my observations, I consider that the Greetwell Road/Wickes junction should not become problematical immediately and the minor improvement to the approach proposed by LCC should extend acceptable working for some time. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.55 Having said this, the alignment is challenging and the Greetwell Road link between the LEB and Wickes did form part of the 2010 scheme. This was only dropped when it became clear that as part of the cuts necessary to secure funding for the LEB any improvements to the radial routes would have to be omitted from the LEB scheme. This means that improvements would have to be achieved in one of two ways. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.56 First, LCC as LHA could effect the necessary improvement as part of its responsibility to ensure a safe workable highway network. As it stands, this would be the way improvements to the Greetwell Road approach to the Wickes mini-roundabouts would be achieved, though there is nothing beyond an illustrative scheme in place, with no guarantee of funding given by LCC. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.57 The second option would be to upgrade a longer length of Greetwell Road as part of the development of the NEQ scheme, which is going through the planning process currently. This should remove any capacity problems and improve the perceived drainage, icing and visibility concerns. It should, also, provide much safer facilities for NMUs. However, once again the design is at a preliminary stage and the funding dependant on the development going ahead and no doubt the rate of build-out. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.58 This leaves the problem that people travelling east to west across the LEB would be faced with giving way to the main road traffic. Moreover, the route for both Greetwell Road traffic and those wishing to join it to travel westbound from the LEB would encounter extra delays and inconvenience while the LCC scheme at the Wickes mini-roundabouts is under construction. They would then suffer similar problems while Greetwell Road was improved during the more extensive development upgrade. Finally, if the LCC aspiration to upgrade the LEB is realised sometime in the future, there could be further construction delays and inconvenience, even allowing for the future proofing incorporated into the current scheme. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.59 Thus, during the construction phases, the capacity restraint regime would almost certainly throw greater weight on the Kennel Lane option, though the Washingborough link to the City Centre further south could act as something of a relief valve. Even so, I concur with Objectors that, during these periods of stress, a road bridge across the LEB at Hawthorn Road would have provided welcome relief.

- 8.60 In wintry conditions, local knowledge is that Greetwell Road is more adversely affected than Hawthorn Road. However, this opinion is not accepted by LCC. For my part, I agree with the previous Inspector that, without actual data to demonstrate a causal link between weather conditions and occurrence of road closures, this can attract little weight when assessing the reasonable convenience of alternative routes. The straight and level characteristics of Hawthorn Road may be an advantage in icy or snowy conditions, but all roads would require suitable treatment to mitigate hazards and Greetwell Road is subject to the same regime. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10-7.11, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.61 Finally, I agree that as an NMU option Greetwell Road is not good, either today or on the opening of the LEB. Crucially, however, the retention of Hawthorn Road to accommodate NMUs would continue to provide a safe route and anyone who feels particularly threatened would be able to make the diversion from Greetwell Road to use the Hawthorn Road option. Greetwell Road would not be worse than it is at present in this regard and the improvement as part of the NEQ scheme would improve this in time. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.62 I conclude, therefore, that under normal traffic conditions the Greetwell Road alternative route would be safe and reasonably convenient, within the terms of the test. [4.9, 5.9, 5.18, 5.20, 5.26-5.27, 5.36, 5.38, 5.42, 5.47, 5.60-5.61, 5.72, 6.12, 7.3, 7.6, 7.10, 7.29, 7.43, 7.59-7.60 and 7.83]
- 8.63 Where I see particular difficulties for the future would be when carrying out emergency repairs or improvements and the effects this could have on traffic using the route. When this happens on Kennel Lane, Greetwell Road or the LEB enormous stress would be placed on the remaining route(s). Against this background, I can appreciate some of the benefits of maintaining Hawthorn Road as a through route option identified by the Objectors. However, this would not be normal conditions and the 'test' does not invite adopting precautions of this kind. [3.25, 3.48, 3.73, 5.71, 7.26, 7.29, and 7.82]

Use of the LILO facility at Hawthorn Road

- 8.64 Some alternative routes would benefit from using the Bypass and more specifically the LILO junction at Hawthorn Road. The principle of using such a junction type is consistent with DMRB advice and the junction design has incorporated features to respond to the initial concerns identified in the Stage 1 safety audit. There are now no grounds to conclude that the incorporation of a LILO junction at Hawthorn Road would be unsafe for motorised traffic and no significant queues at the junction are forecast. [3.19, 5.59, 5.66, 5.70, 7.2, 7.28, 7.38, 7.44, 7.74 and 7.77]
- 8.65 Another concern is that local traffic would be forced to use and add to the traffic on a single carriageway Bypass that would be running at or above capacity in any event. This objection calls into question a fundamental

design principle of the LEB, but the underlying point raised has relevance for the assessment of alternative routes. The forecast flows on the LEB are relatively high for a single carriageway semi-rural bypass, but LCC has explained how the roundabouts have been designed to provide the necessary capacity to accommodate the predicted flows and minimise delays. As such, there are no grounds to exclude the Bypass from future route options for people affected by the stopping-up of Hawthorn Road.

[3.19, 5.59, 5.66, 5.70, 7.2, 7.28, 7.38, 7.44, 7.74 and 7.77]

8.66 I can appreciate the Objectors' point, and it is an unfortunate circumstance that sections of the LEB would be at or approaching practical capacity at the time of opening. One downside of this would be that traffic on the LEB would have priority over traffic joining the roundabout from Greetwell Road, introducing another pinch point on the alternative route. Notwithstanding, with the financial constraints in place, the option of constructing a once and for all-time LEB scheme is unrealistic. On the other hand, the single carriageway scheme is fully justified and would, in its own right, deliver a high ratio of benefits. The bottom line is that to wait until circumstances allow the aspirational scheme to be constructed would hold back the economic regeneration of Lincoln and the employment, housing etc to support this. [3.19, 3.51, 5.59, 5.66, 5.70, 7.2, 7.28, 7.38, 7.44, 7.74, 7.77 and 7.81]

8.67 Crucially, whereas the single carriageway LEB might be working at capacity fairly early on in its life, it would have drawn most of this traffic from roads through and around the City Centre, thereby creating the beneficial conditions for economic regeneration and environmental improvement. Perhaps not the ideal scenario, but a very worthwhile outcome and justification for further improvement of the LEB. It is also worth remembering that the benefits delivered in the early years would be greater than those in later years, when traffic has grown and construction costs increased [3.42]. [3.19, 3.51, 5.59, 5.66, 5.70, 7.2, 7.28, 7.38, 7.44, 7.74, 7.77 and 7.81]

Other concerns

8.68 Two other junctions and one route are cited where Objectors disagree with the LCC model results. The junctions are the Hawthorn Road/Bunkers Hill junction and the Wragby Road West/Outer Circle Road junction. The route is that through the Carlton Estate from Hawthorn Road, via St Augustine Road and Carlton Boulevard, to the Outer Circle Road. These are looked at briefly in turn.

8.69 The right turn from Hawthorn Road onto Bunkers Hill has been highlighted as an existing problem. From observation, the left turn out seems to work acceptably, with drivers using gaps in the flow and accepting driver courtesy, when queuing takes place. With the LEB open, traffic flows are forecast to reduce both on Hawthorn Road and Bunkers Hill, resulting in an improvement for all users of the junction. [4.8, 4.17, 5.27, 5.45, 5.74, 6.12, 7.10, 7.42 and 7.61]

- 8.70 Those travelling from the villages to the east who have historically made a right turn out of Hawthorn Road would have the option of either the Kennel Lane route to the Wragby Road roundabout or to continue to use Hawthorn Road westbound and then the LILO to travel south on the LEB to the Greetwell Road roundabout and then reverse direction and travel north on the LEB to the Wragby Road roundabout. This latter option would add a little over 2.5 km to the journey, but assuming no queuing at junctions and an average travelling speed of 40 mph on the LEB this would add only 2-3 minutes to the journey. [4.8, 4.17, 5.27, 5.45, 5.74, 6.12, 7.10, 7.42 and 7.61]
- 8.71 On the other hand, with Hawthorn Road remaining open to general traffic, LCC considers that the junction with Bunkers Hill would have to be upgraded to a signal controlled junction. Objectors contend that this would be excessive and consider that, with the reduced flows on Bunkers Hill it would still work as a give way junction, but failing that an improved give way arrangement could be engineered to accommodate the necessary traffic flow. [4.8, 4.17, 5.27, 5.45, 5.74, 6.12, 7.10, 7.42 and 7.61]
- 8.72 While not necessarily accepting all LCC's predictions, I do agree that without introducing signals it would be extremely difficult to upgrade to a suitable give way junction, without significant land-take and the inevitable service diversions that would be necessary. For this reason, I concur with the LCC that signalisation of the Hawthorn Road/Bunkers Hill junction would be a direct consequence of retaining Hawthorn Road as a route across the LEB as in Alternative 1 [6.2-6.4 and 7.93-7.99]. [4.8, 4.17, 5.27, 5.45, 5.74, 6.12, 7.10, 7.42 and 7.61]
- 8.73 Looking next at the Wragby Road West/Outer Circle Road junction, with the LEB open the Wragby Road traffic should reduce. However, with the Hawthorn Road connection retained, circumstances would remain very much the same as today, and there would be increased problems in time, as general traffic grows. From observation, I am less convinced than LCC that this junction would require major upgrading should Hawthorn Road remain open. As suggested by Objectors, rephrasing the signals would be an option, at least in the first instance. However, as this junction is more peripheral to the alternative route options with Hawthorn Road closed for through traffic I have not found this crucial. [4.9, 5.27 and 7.97]
- 8.74 Finally, we have the route through the Carlton Estate from Hawthorn Road to the Outer Circle Road. With Hawthorn Road closed to through traffic, the flows through the Estate would decrease appreciably and Supporters of the scheme living on the Estate see this as a clear advantage. Some Objectors consider that there are other ways of managing this rat-run, through traffic calming and/or other traffic management measures and, in any event, the reduction in flows would not be as great as predicted. Others consider that the route through the Estate to the Carlton Centre schools and other local destinations is far more attractive, being lower key and conveying less traffic. [4.5-4.6, 4.16, 5.27-5.28 and 7.41]

- 8.75 As I see it, the wishes of the two opposing strands of objection are always likely to be mutually exclusive. To close off the through route to all traffic at a point within the Estate would solve the rat-run problem and divert all traffic using it to the Hawthorn Road/Bunkers Hill junction, with the consequences that would have for the junction capacity. Moreover, it would be inconvenient for residents of the Estate wishing to travel from one side to the other and those wishing to traverse the Estate as a low key route. [4.5-4.6, 4.16, 5.27-5.28 and 7.41]
- 8.76 However, the route through the Estate was not designed as a main distributor through the Estate. The roads are not direct, are narrow in places and provide direct access to dwellings that often have only limited off-street parking, leading to some on-street parking taking place. Curtailing through movement would be a distinct benefit to residents. Although the closure of Hawthorn Road to through traffic at the LEB moves a considerable way towards this, it is not the only way, but it would be an immediate plus in local environmental terms and something to be supported. [4.5-4.6, 4.16, 5.27-5.28 and 7.41]

Conclusion on the alternative routes

- 8.77 I conclude that the inherent physical characteristics and the traffic conditions on Kennel Lane, Greetwell Road and the Bypass would be suitable for these roads to form part of safe alternative routes to the use of Hawthorn Road. Moreover, I agree that under normal conditions the alternative routes, with the LILO connection to the LEB at Hawthorn Road, would achieve the status of safe and reasonably convenient routes.
- 8.78 While it may be beneficial for the improvement to Greetwell Road and the Wickes mini-roundabouts to be in place on the day of opening, this is not before me. Importantly, delaying the confirmation of the Orders until this is secured, which would be counterproductive in the economic sense. Crucially, it would be a precaution against abnormal circumstances and this is not a justification within the test of safe and reasonably convenient.
- 8.79 Thus, I accept that some journeys would involve a more circuitous or less direct route and become slightly longer in terms of distance. Even so, journey time would be unlikely to be as seriously affected as suggested by the Objectors. This would be especially so for most of the day and for destinations other than those closest to the line of the LEB near to Hawthorn Road. Moreover, LCC as LHA has a responsibility to respond to road conditions if they become unsupportable. Although that might be small comfort for some residents, the test does not preclude additional improvements to be made, should the modelling predictions prove to be flawed or there are other unforeseen difficulties.
- 8.80 Consequently, I am satisfied that the test is met and that reasonably convenient alternatives would be available or will be provided for people travelling by motor vehicle with Hawthorn Road closed to general traffic and the effect of the LEB scheme on other routes. In addition, as noted, there would be journeys that would be little affected in time or distance or

see an improvement. There is no evidence that the stopping-up proposal would have an adverse effect on scheduled regular bus services [5.44, 5.78 and 7.78] and the school service providers have not indicated any significant concerns [7.78]. Similarly, the emergency services support the LEB scheme as currently proposed [3.75, 5.51 and 7.75]. Problems that might occur during construction and/or maintenance of one of the alternative routes, when having the Hawthorn Road option would be a distinct advantage, is again, not a matter before me.

The NMU bridge

- 8.81 In the wake of consultation responses it was decided to include an NMU bridge, on the approximate line of Hawthorn Road. This would provide an essential direct link between the east and west sides of Hawthorn Road for NMUs, to compensate for the stopping up of the highway. The structure would mitigate a major adverse effect identified in the ES. However, the safety of the route is an important issue highlighted by Objectors and one considered by the planning authority in coming to its decision to grant planning permission for the NMU bridge. Although LCC believes it could have addressed the previous Inspector's safety concerns at the time of the earlier inquiry, her recommendation in respect of walking and cycling was that *"after careful consideration my conclusion is that the requirement to provide another reasonably convenient route has not been met"*. This was supported by the SoS. [3.32-3.33, 4.5, 4.7, 4.15, 7.7, 7.65 and 7.67]
- 8.82 Following this, the NMU bridge and interaction with the LEB and Hawthorn Road east was modified to take on board the Inspector's concerns. In addition, the opportunity was taken to introduce other very minor changes. A Safety Audit was conducted and proved the amended scheme satisfactory, with the necessary planning permission granted. Although there are still a few outstanding objections in this regard, I am satisfied that the NMU bridge would provide a safe and convenient route for those walking and cycling trips along Hawthorn Road and that this links in well with the NMU routes alongside the proposed LEB. Incidentally, horse riding and carriage driving are both components of the NMU group and it is normal to include them, even if the anticipated take up is low [5.83]. [3.32-3.33, 4.5, 4.7, 4.15, 7.7, 7.65 and 7.67]
- 8.83 The NMU facility would be available for children, a vulnerable user group, to travel to and from schools. At present, overall usage by this group appears small, but there would be the opportunity for School Travel Plans to promote and encourage walking and cycling to school. Crucially, and unlike the previous scheme design, the NMU bridge would link into the NMU facility on the south side of Hawthorn Road, east of the LEB, with a much safer crossing facility for Hawthorn Road. This facility runs all the way into Cherry Willingham. [3.32-3.33, 4.5, 4.7, 4.15, 7.7, 7.65, 7.67 and 7.84]
- 8.84 Concerns were raised about speeding on Hawthorn Road if it were to be retained as a through traffic route and the safety risk for people crossing the road to gain access to the public footpath and the children's play area. I looked at the situation at present and the desire line is very close to the

junction of Hawthorn Road and St Augustine Road. It is clear from observing the nearby speed indicator that the 30 mph speed is breached regularly and it seems to be a potentially difficult, unprotected crossing point. Retaining Hawthorn Road for through traffic would do little or nothing to assist in this regard. On the other hand, the NMU bridge would sever Hawthorn Road for through traffic and this would reduce the potential for conflict and remove the incidence of speeding. This would create a much safer situation than at present. The speeding itself is an enforcement issue. [4.16, 5.28, 5.45, 7.13, 7.84 and 7.91]

Social isolation

- 8.85 In the objections, many people describe the journeys individually important to them, how they value Hawthorn Road as a low key, direct and convenient route and the anticipated inconvenience and disruption they fear as a result of the proposed stopping up. The most typical journeys highlighted are those to schools, shops and community facilities and to health services, including the Hospice on St Augustine Road. There is a fear that people would be deterred from making their usual local trips and that the close links between the communities would be weakened, leading to loss of education and social facilities and isolation of the eastern villages. [5.51-5.53, 5.40, 5.57, 5.69 and 7.34]
- 8.86 The journey to school for most pupils and parents living in the surrounding area would be unaffected, and for some may even be improved. However, there are currently more than 230 children who cross the line of the proposed LEB in making the journey from home to school and *vice versa*. Trips for those travelling by car from the Carlton Estate to the schools in Cherry Willingham, particularly the Community School, would be less direct using the available alternative routes. When account is taken of trips to and from after school activities and other community activities, plus tight time schedules around family and work commitments, some parents understandably consider the alternatives would not be reasonably convenient and would be more costly. [5.12-5.14, 5.58, 5.69, 5.78, 7.24, 7.35, 7.47-7.50 and 7.69]
- 8.87 However, following the opening of the LEB, there would be a marked reduction in traffic on Hawthorn Road west and Bunkers Hill. As at the previous inquiry this does not appear to have been taken into consideration in the objections. Neither does the opportunity the LEB offers for part of the route. In my judgement, these factors would reduce significantly the time Objectors fear the journeys would take. In fact, the use of Kennel Lane could be avoided by using the LEB and roundabouts at Greetwell Road and Wragby Road in the afternoon and the LILO arrangement in the morning. As I understand the figures produced by LCC, the journey time should not increase by more than 3-minutes during the off-peak, with a maximum additional time of 5-minutes in the AM peak. While this would undoubtedly be irritating, I do not believe it could be judged untenable. [5.12-5.14, 5.58, 5.69, 5.78, 7.24, 7.35, 7.47-7.50 and 7.69]

- 8.88 For those travelling by foot or cycle using the NMU bridge there would be very little effect in terms of distance. Concerns about significantly longer school bus journeys are not supported by evidence from the bus operator. On the basis of the evidence on traffic flows on the road network, disruption to these bus services, and the consequent harmful effects on pupils, would be unlikely. Moreover, all these downsides do not take into account the potential for formal and/or informal School Travel Plans, whereby the time penalties and inconvenience could be greatly reduced. [5.12-5.14, 5.58, 5.69, 5.78, 7.24, 7.35, 7.47-7.50, 7.69 and 7.78]
- 8.89 There was a particular concern about the potential of longer journeys to and from school to reduce parental choice. Like the previous Inspector, I agree that the choice of a school takes account of and balances a range of factors, not merely distance and ease of journey. There is no doubt that parents who already have children at one school are likely to want younger siblings to attend the same school. This could continue, albeit with reducing numbers, until 2025 or 2026. On the other hand, with the opening of the Lincoln Carlton Academy the attraction for children on the Carlton Estate to attend this, even if only in locational terms, should mean that the draw of the village schools would reduce. [5.12-5.14, 5.58, 5.69, 5.78, 7.24, 7.35, 7.47-7.50 and 7.69]
- 8.90 Importantly, as there is to be a significant increase in housing in the villages, having regard to the usual distance criteria for the allocation of school places, the ability of children from the Carlton Estate to 'claim' a place at an infant/primary school in Cherry Willingham or Reepham would reduce. On the upside, for the senior school in Cherry Willingham there would be benefits over the wider school catchment area as a result of the LEB improving general travel conditions. [5.60, 5.67, 7.5, 7.37 and 7.76]
- 8.91 In general, journeys to the Carlton Centre from the eastern villages would involve using a route of a different character, and possibly slightly longer. The representations from Objectors anticipate that driver stress for elderly people would increase significantly and journeys would not be made, adding to a sense of isolation and severance. To my mind, the crucial fact here is that very many of the journeys cited would, or could, be made during the inter-peak period, when flows and stress would generally be much lower. In addition, the LEB would have attracted much of the extraneous through traffic, leaving the other roads less congested. The wish to drive on a lower key road might be understandable, but, as this would for many involve travelling through the Carlton Estate, the environmental and safety downsides to residents of the Estate must be recognised. [5.22, 5.40, 5.45, 5.57, 5.62, 5.79, 5.80 and 7.70]
- 8.92 Thus, after completion of the LEB some elderly residents would be adversely affected by what they perceive to be an unwelcome change. Nevertheless, although perhaps less attractive to some drivers, safe alternative routes would exist to enable continued access to the Carlton Centre. Crucially, I agree with the previous Inspector that the probability is that, in time, use and familiarity would encourage their use and reduce the stress. [5.22, 5.40, 5.45, 5.57, 5.62, 5.79, 5.80 and 7.70]

- 8.93 St Barnabas Lincolnshire Hospice raises a very specific issue about access due to the type of care and service it offers and the location of the facility, just south of the point where the turning head on Hawthorn Road west would be provided. The existing route from the east along Hawthorn Road involves no use of major roads or junctions, whereas in future alternative routes would require the use of the A158 or the Bypass and negotiation of roundabouts or other junctions. The probability is that even a small increase in journey time, length or inconvenience would be keenly felt by those acutely ill or with serious disability and would also impact on their carers. Trips to and from the Hospice would not be as convenient. Nevertheless, as the maximum extra journey time predicted would be in the order of 5-minutes, I do not believe this would be sufficient to deter people attending the Hospice, though they would perhaps review the time of day they make their journey. [5.69, 5.77 and 7.73]
- 8.94 There is undisputed evidence that Hawthorn Road attracts traffic that uses roads in Cherry Willingham as part of a rat-run, which is detrimental to the amenity and safety of village and residential streets. The key movements involved are those from the Fiskerton side of Cherry Willingham, through Cherry Willingham to and through the Carlton Estate to access the Carlton Centre and other retail offers close by. There is also some evidence that traffic turns left off the Wragby Road East A158 and travels along Kennel Lane to Hawthorn Road and then through the Carlton Estate to Outer Circle Road. The other prime route is for traffic queuing on Bunkers Hill to turn left into Hawthorn Road and then right through the Estate to reach the Outer Circle Road. This can be quicker than queuing on Bunkers Hill and then Wragby Road West to reach the Outer Circle Road. [3.71, 5.60, 6.12, 7.68 and 7.72]
- 8.95 The stopping up of Hawthorn Road should deter this form of rat-running, resulting in significant improvements to the residential environment on the Carlton Estate. Although it is suggested that the closure would also contribute to reducing traffic levels on Kennel Lane, this is not so certain. If there are regular queues on the Wragby Road A158 approach to the Wragby Road/LEB roundabout at the northern end of the scheme, perhaps during the summer months, Kennel Lane, Hawthorn Road and the connection to the LEB at the LILO might be a favoured option. LCC's model figures do not predict queuing on Wragby Road, but this does not embrace the heavier holiday flows and, as I observed, there is a sign on the A158 some 600 m from the roundabout indicating that queues might be expected. In any event, closure of Hawthorn Road would still deliver significant benefits to the Carlton Estate. [3.71, 5.60, 6.12, 7.68 and 7.72]
- 8.96 Rat-running through Cherry Willingham should also become less attractive, because of the wider benefits to traffic conditions on the highway network and the more convenient route for many to use Fiskerton Road/Greetwell Road to gain access to the LEB and Lincoln City centre. As I see it, any positive effect on the village and traffic flows on Kennel Lane would be as a result of the combined effects of the LEB and the proposed severance of Hawthorn Road to general traffic. Encouragement of rat-running through Reepham and Cherry Willingham

envisaged by Objectors is not an outcome supported by the traffic analysis and, with the relatively tortuous route involved and potential to be delayed by the level-crossing, I see no reason to disagree. [3.71, 5.60, 6.12, 7.68 and 7.72]

- 8.97 The emergency services were consulted and support the LEB, including the LILO junction at Hawthorn Road. On the basis of their operational knowledge it is reasonable to conclude that the stopping up would not adversely affect emergency service provision and response times. In fact, figures show the response time to Cherry Willingham and Reepham for Fire and Rescue would be markedly quicker and from the Hospital very much the same time as at present. [3.71, 3.75, 5.51 and 7.75]

Conclusions on the Objections

- 8.98 With reference to the statutory requirements I identified, to be reasonably convenient a route has to be suitable for the needs and purposes of all types of user, having regard to journey length, time and safety. Implicit in this is that there should be no material social severance.
- 8.99 There is very strong opposition to the stopping up of Hawthorn Road as a route for general traffic and this is demonstrated by the evidence to the inquiry, the detail and volume of written representations and the well supported petition. Examination of the evidence leads me to conclude that safe, alternative routes exist or would be provided as a result of the LEB, which, under normal traffic conditions, would be unlikely to suffer from congestion or excessive queuing.
- 8.100 While I could envisage the LHA being called upon sooner than it expects to deal with potential problems on Greetwell Road, were there to be any delay in the NEQ development moving forward as fast as expected, the bidding process has made it clear that improvements to radials cannot be supported. Management of the construction periods for Greetwell Road improvements and the eventual upgrading of the LEB to dual carriageway would need very careful consideration. During these periods the option of a Hawthorn Road route across the LEB would be a considerable benefit in travel and capacity terms. However, this is not part of the proposals and there is no money available for this.
- 8.101 The potential deficiencies for those travelling by motor vehicle are some slightly longer journeys in time and distance, which would probably have most effect on two groups of residents. First, those living on the Carlton Estate travelling to and from schools and accessing community activities in the villages of Cherry Willingham and Reepham. Secondly, the elderly travelling between Cherry Willingham and Reepham and the Carlton Centre, the Hospice and places of worship. There is no doubt that the worst inconvenience would be experienced by those with origins on one side of the LEB and a destination close to it on the other side.
- 8.102 On the plus side, the proposed stopping up of Hawthorn Road to general traffic would contribute to improvements in traffic conditions on well used

routes, especially at the Bunkers Hill junction and on Outer Circle Road, and reduced journey times for a range of more distant trips. The effect on trips by public transport would be neutral or, with reduced flows on service routes, slightly positive. On balance, I conclude that for people travelling by motor vehicle reasonably convenient routes would be available or would be provided to compensate for the proposed stopping up of Hawthorn Road.

8.103 A further benefit of the current proposal is that, if journeys are perceived to be inconvenient by residents of Cherry Willingham and Reepham, there would be a tendency for some to reduce the number and/or frequency of journeys across the LEB divide. This could have a positive benefit in sustainability terms and, especially in added support for village shops, schools, leisure facilities, businesses and other offers.

8.104 Trips for pedestrians and cyclists would be similar in length and location of the route and in that sense convenient in comparison with the existing situation. Moreover, I am satisfied that the revised NMU scheme overcomes the safety concerns expressed by the Inspector at the earlier inquiry. Importantly, with the NMU route alongside the LEB, this could encourage more sustainable forms of travel and be a health benefit.

Alternatives to stopping up Hawthorn Road.

8.105 With one exception, the six Alternatives are promoted primarily as a means of overcoming the expected inconvenience and disruption to travel patterns from the Hawthorn Road closure. Nevertheless, all the Alternatives would involve a fundamental change to the approved LEB scheme that would require a revised planning permission and in most, if not all cases, revisions to the Orders. These all risk delaying the LEB scheme coming forward and possibly the loss of the Government funding promised. A certain consequence of any delay would be the loss of benefits and a delay in the economic and housing regeneration planned for the Lincoln conurbation. In addition, as mentioned previously, any delay would incur higher costs due to increased construction costs and traffic levels. These alternative schemes have been assessed against this background. [6.1 and 7.92]

Alternative 1

8.106 With Alternative 1, the bridge structure at Hawthorn Road would generally be in accordance with that in the dual carriageway scheme in 2010. It is perfectly feasible and would deliver some journeys to and from Cherry Willingham and Reepham that would be shorter and quicker. However, without connection to the LEB some would be longer and slower. [5.25, 5.50, 6.2-6.4, 7.27, 7.38, and 7.93-7.99]

8.107 Crucially, I agree with LCC that the proposed alternative would require a new planning permission and, most probably, a new CPO and alteration to the SRO. At the very least, the consequence of this would be a delay in the delivery of the LEB and the advantages to the economy and housing.

As for the increased costs of the Alternative, although it is difficult to predict accurately, I would expect traffic signals to be required at the junction of Hawthorn Road and Bunkers Hill A158. Improvements to the Wragby Road/Outer Circle Road junction may be more debatable, but the increase in costs would not be the circa £0.5m suggested by the Objectors, but a much larger sum, even if not the full £4.84m in LCC's preliminary estimate. [5.25, 5.50, 6.2-6.4, 7.27, 7.38, and 7.93-7.99]

8.108 For this, I see no material advantage in traffic terms over the approved LEB scheme, beyond some very limited opportunities for motorised movements between residential areas close to the LEB and villages to the east. In all other respects the advantages offered by the current proposal, relating to the reduction of traffic, better environmental conditions and cost, are reduced or negated by provision of an over-bridge at Hawthorn Road. [5.25, 5.50, 6.2-6.4, 7.27, 7.38, and 7.93-7.99]

8.109 In reaching this position, I am mindful that the approved LEB scheme is supported by West Lindsey District Council, in which area the three villages most affected lie. Had there been strong support for the over-bridge from the District Council, it would have made its position clear and possibly looked at enhancing its contribution to providing the over-bridge through development charges. This is not the case, and so Alternative 1 does not provide any advantages that justify it being promoted at this stage. [5.25, 5.50, 6.2-6.4, 7.27, 7.38, and 7.93-7.99]

Alternative 2

8.110 Like Alternative 1, the bridge structure at Hawthorn Road would generally be in accordance with that in the dual carriageway scheme in 2010. However, in this case the connection to the LEB from the east would reduce the impacts on Hawthorn Road west of the LEB and the consequences for the Hawthorn Road/ Bunkers Hill A158 junction and the rat-run through the Carlton Estate. Otherwise, my conclusions on this Alternative are very much the same as those for Alternative 1. Essentially, apart from the relief it would offer at times of severe network stress, the overall benefits in times of normal flows would be too small and for a very limited number of people. The down side would again be the need for a new planning permission and, most probably, a new CPO and alteration to the SRO. Added to this downside would be the extra costs that are again not supported in any proactive way by West Lindsey District Council. [5.25, 5.50, 6.5-6.7, 7.27, 7.38 and 7.100-7.102]

8.111 As such, I am clear that Alternative 2 does not provide any advantages that justify it being promoted at this stage. [5.25, 5.50, 6.5-6.7, 7.27, 7.38 and 7.100-7.102]

Alternative 3

8.112 As LCC points out, Alternative 3 would have some significant engineering implications as it would locate two roundabouts close together, one at Wragby Road and the second at Hawthorn Road. In turn, to mitigate the

potential for traffic delay would necessitate dualling the section of the LEB between the Wragby Road and Hawthorn Road junctions, thereby increasing costs significantly. Added to this, would be the construction constraints at Hawthorn Road to ensure a safe vertical alignment. The significant changes to the present LEB scheme would definitely necessitate a new CPO, an alteration to the SRO and a new planning permission. In this instance, I have little doubt that the additional cost of £4.24m would be of the correct order. Thus, the programme and consequential economic benefits would be delayed and the timing of the procurement process put at risk. [5.41, 6.8, 7.4, 7.27 and 7.103-7.107]

8.113 In conclusion, there is no advantage in traffic terms over the approved LEB scheme, beyond some very limited opportunities for motorised movements between residential areas close to the LEB and villages to the east. As such, Alternative 3 does not provide any advantages that justify it being pursued. In reaching this conclusion, I am mindful that this was an option advanced at the previous inquiry and the Inspector concluded that "... *this Alternative would not offer any material advantage over the Scheme*". I am of like mind. [5.41, 6.8, 7.4, 7.27 and 7.103-7.107]

Alternative 4

8.114 The intention of this Alternative would be to generate sufficient savings by 'downgrading' the proposed junction at Heighington to fund a bridge to carry general traffic at Hawthorn Road. However, we return to the same scenario that the significant changes to the present LEB scheme involved would definitely necessitate a new CPO, an alteration to the SRO and a new planning permission. In this instance, I have little doubt that the additional increased cost would total some £14m, when the construction of the over-bridge at Hawthorn Road is taken into account. Again the inevitability that the programme and consequential economic benefits would be delayed and the timing of the procurement process put at risk. [6.9 and 7.108-7.112]

8.115 The fundamental problems with this Alternative would be that, to construct a junction at Heighington Road that would comply with the necessary national design standards, considerable earthworks would be involved and the roundabout would have to be larger than currently required in order to future proof against dualling the LEB. As LCC says, the introduction of a roundabout at this location would compromise the climbing lane on the LEB, thereby increasing user costs and reducing the opportunity for overtaking slower vehicles. [6.9 and 7.108-7.112]

8.116 In addition to the downsides of any scheme which maintained Hawthorn Road as a through route, as well as the travel benefits for some, there would be adverse consequences for the environment, including in the village of Canwick, and cyclist facilities at the roundabout. These consequences would raise objection. As such, Alternative 4 does not provide any advantages that justify it being pursued and this was withdrawn as a suggestion at the earlier inquiry. [6.9 and 7.108-7.112]

Alternative 5

8.117 This Alternative would require significant roadworks to the Wragby Road A158 approach to the northern roundabout on the LEB. The creation of the route from Hawthorn Road to connect into the Wragby Road roundabout would involve extensive engineering works and impact negatively on farmland, Public Footpath 140 and potentially the ecological and/or archaeological assets of the area. [6.10 and 7.113-7.117]

8.118 Crucially, significant additional land would be required leading to the need for a new CPO, SRO and planning permission. This would appreciably extend the programme and add to the capital cost by some £1.68m. Once again, some journeys to and from Cherry Willingham and Reepham may be shorter and quicker, but others may be longer and slower, depending on the precise origin and destination. When considering all traffic in the Lincoln area, the differences in journey times and distances travelled would be negligible when compared to the Scheme. I agree with LCC's conclusion that there would be no discernible difference to the benefits in the cost benefit analysis. Again, there would be the inevitability that the programme and consequential economic benefits would be delayed and the timing of the procurement process put at risk. [6.10 and 7.113-7.117]

8.119 In conclusion, the Alternative caters for a limited number of movements, all of which have reasonably convenient alternatives under the current proposals. The Alternative does not provide any advantages that justify it being investigated further at this time and incurring the inevitable delays this would cause. [6.10 and 7.113-7.117]

Alternative 6

8.120 Even a superficial look at this Alternative convinces me that the additional costs would be so significant – LCC's estimate is some £25.8m – as to rule out this proposal on cost grounds alone, even though it would deliver some benefits in terms of improving the functionality of the proposed Bypass. With the extensive changes in design and land-take, it would of course necessitate a new CPO, SRO and planning permission, with the delays to the scheme and reduction in economic benefits that would follow. [6.11 and 7.118-7.124]

8.121 With the information available, I agree with LCC that the significant additional cost would not be justified and the delays that would be incurred would impinge on growth and investment in the Lincoln region and beyond. [6.11 and 7.118-7.124]

Other suggestions

8.122 Of the other suggested alternative schemes that were not advertised, the suggestion that the LEB Scheme should be to dual carriageway standard, is countered by the lack of funds, although it remains an aspiration of LCC. [3.4, 5.66, 6.12 and 7.80-7.82]

- 8.123 The suggested upgrade to the existing junction of Bunkers Hill and Hawthorn Road with traffic signals; improvement of Greetwell Road between the LEB and Allenby Road by removing the bends, improving the vertical alignment and widening the approaches at the Wickes junction where possible; traffic management measures on Fiskerton Road in Cherry Willingham; and the improvement of Kennel Lane and its junction with Wragby Road A158 have all been covered previously. In a nutshell, improvements to radial routes were precluded as part of the DfT's funding mechanism. It is possible that some improvement would be necessary in the future, but the responsibility for this would fall to LCC as LHA or be a 'charge' on new development in the area. [3.6, 7.43 and 7.83]
- 8.124 I agree with LCC that traffic management measures on the roads through Cherry Willingham should be unnecessary. The route through the villages is not attractive to through movement, being a built-up area and containing schools and a railway crossing to slow down movement. However, if problems did arise then this would fall to the LHA to address. [5.60, 6.12 and 7.68]
- 8.125 Next, it is suggested that the bridge over the LEB at Hawthorn Road should be provided, but in a narrowed single lane form and controlled by traffic signals. There is no confirmation that this was looked at by LCC, but clearly it would have one advantage over Alternatives 1 and 2 insofar as it would require less land and this may remove the need for a new CPO. However, until it is worked up this is impossible to demonstrate. It would still need a new planning permission and changes to the SRO, thereby risking the delay costs of the other Alternatives. Moreover, it would not deliver the benefits to the Carlton Estate and would still necessitate improvement to the Hawthorn Road/Bunkers Hill junction. Finally, the construction costs between a single and two lane highway are not double as might at first be perceived. From experience, I am in no doubt the differential would be much less. Thus, with the information available, I cannot see this is an option that would deliver the degree of benefit to put the present scheme on hold while it is investigated further. [5.82 and 6.12]

Overview of alternatives

- 8.126 There is no doubt that most support is behind the provision of an over-bridge at Hawthorn Road for general traffic. This would accommodate similar travel patterns between the eastern villages and the Carlton Estate as exists today and the benefits to localised movement, with origins and destinations close to the line of the LEB. Alternatives 1 and 2 sponsored by Reepham Parish Council and supported by technical input from Mr Lake are clearly well thought out, and the considerable work this has involved is recognised. However, even these relatively simple Alternatives raise problems, when looked at in more detail and there is no doubt that a new planning permission would be necessary, and almost certainly some alterations to the Orders.
- 8.127 All the other alternatives raise similar delay problems, with most involving greatly increased costs, environmental impact and engineering difficulties,

without offering any material benefits in cost terms. The designation of the LEB as a High and Abnormal Load Route does mean that any fall-back aspiration of reinstating a connection for all vehicles across the LEB at Hawthorn Road would be much less realistic [3.45]. The increased height clearance necessary and the need to grade back to meet the existing Hawthorn Road levels would mean increased land-take, including some from the Community Pay Area, and could compromise the junction of Hawthorn Road with the St Augustine Road access to the Carlton Estate.

Cyclist and pedestrian crossing facilities and provision at other locations

- 8.128 The LEB scheme incorporates a separate 3 m wide NMU route along the length of the Bypass and a range of solutions would be adopted where the Bypass intersects radial routes. As LCC points out, DMRB advises that careful design at crossings is a key aspect of providing safe and attractive NMU routes. In deciding on the appropriate form of crossing a number of criteria should be taken into account, including vehicle speed, traffic flows, width of carriageway and visibility. Local factors are important, as well as the likely volume of movements of pedestrians and cyclists. There is also a need to balance issues of safety and practicality. [5.30-5.35, 5.42, 5.81, 7.14-7.17, 7.51-7.55, 7.71 and 7.85-7.90]
- 8.129 The obligation when designing the LEB scheme is to ensure that the provision for NMUs would not be worsened as part of the scheme. In my judgement, the LEB would achieve this and generally improve the offer for NMUs in terms of options and safety. Obviously a balance has to be struck between cost of improvement and use and the present layout does leave some pinch-points, where the LEB crosses radial routes. Generally speaking, these would not raise fundamental concerns, given the present level of usage. I am mindful, also, that, should usage of NMU routes increase in the future, this may well justify individual locations being reassessed at that time. [5.30-5.35, 5.42, 5.81, 7.14-7.17, 7.51-7.55, 7.71 and 7.85-7.90]
- 8.130 In particular there is the suggestion that signalised Toucans should be adopted where there is an at-grade crossing of a radial route or junction arm. However, having regard to the costs of this type of junction and the criteria that need to be met, I agree that, for the present time, the approved scheme proposals reflect the correct balance. [5.30-5.35, 5.42, 5.81, 7.14-7.17, 7.51-7.55, 7.71 and 7.85-7.90]
- 8.131 Some improvements to the original scheme were incorporated prior to the earlier inquiry, including the retention of most of the length of Public Footpath 140, and the bridleway along Greetwell Fields would be available for use by walkers and cyclists. Having regard to the forward visibility and alignment, Greetwell Road will always be a challenge to NMUs and scooters until segregation is provided. [5.30-5.35, 5.42, 5.81, 7.14-7.17, 7.51-7.55, 7.71 and 7.85-7.90]
- 8.132 Where the LEB scheme offers benefits to NMUs would be in the reduction in general traffic on the highway system and especially in the City Centre. At present, the centre of Lincoln is often at a standstill, offering little

opportunity for enhancing NMU segregation and other safety features. The reduction in through traffic by up to 26% should provide the impetus for this opportunity to be pursued and to create a more pleasant and environmentally friendly City Centre to complement its undoubted heritage assets. [5.30-5.35, 5.42, 5.81, 7.14-7.17, 7.51-7.55, 7.71 and 7.85-7.90]

Funding

- 8.133 One of the key matters to examine before confirming the Orders is to ensure that the necessary finance is in place to enable the scheme to proceed. There were objections to the effect that even if the Government delivered its 'promise' in this regard, there were no reasonable prospects that the balance could be secured in the manner proposed. In particular, the delay in the local authorities affected reaching agreement on a CIL protocol. The failure to achieve this to date leaves a real fear that some developers, house-builders in particular, would evade the call to contribute through the s.106 Undertaking procedure. I looked at the evidence provided by LCC and requested further information, which was provided (Documents LCC22 and LCC26). [3.52-3.55, 5.9, 5.23, 5.37, 5.54, 5.70, 7.19 and 7.31]
- 8.134 I asked questions because, with no CIL protocol in place, it is necessary to ensure that the contribution from the three district councils working toward adoption of the CLLP could be guaranteed through the s.106 mechanism. To this end, there is a Memorandum of Understanding (MOU) agreed by the three relevant district councils (Document CD49) that would operate until the CIL Charging Schedules have been formally adopted. The CIL Charging Schedules are matters for individual councils to approve and these were to go to the respective councils in September 2015 to endorse the priority being afforded to the LEB as critical infrastructure, before planned consultation on the Local Plan and preliminary Charging Schedule in October 2015. [3.52-3.55, 5.9, 5.23, 5.37, 5.54, 5.70, 7.19 and 7.31]
- 8.135 Once the CIL Charging Schedules are in place, my concerns about funding greatly reduce. However, it does seem to me that the MOU leaves something to be desired in terms of guarantees. As I read the MOU developers would be required to make a contribution to infrastructure, there is invariably competition between a number of competing heads, all of which are laudable in their own right. What I could not glean from the MOU is that the contributions via the s.106 would be 'top-sliced' so that the first call of the contribution would go to the LEB before other benefits such as affordable housing, drainage, open space etc. However, I was assured that was the intention of the MOU. If this did not happen, and the decision would fall to the LPA, then there could be a significant shortfall in contribution to the LEB between now and adoption of the CLLP and CIL Charging Schedules. [3.52-3.55, 5.9, 5.23, 5.37, 5.54, 5.70, 7.19 and 7.31]
- 8.136 The fall-out from this could be twofold. On the one hand, the contributions via the CIL protocol would stretch much further into the future than currently expected, no doubt at the expense of some other infrastructure project, possibly the upgrade of the LEB to dual carriageway. As I see it, this should not be fatal. On the other hand the

shortfall in receipts in the short-term and possible delay in CIL receipts needs a fall-back. This was given by LCC in direct answer to my question and included in the closing submissions (**Document LCC36**). LCC would underwrite any shortfall, consistent with an agreement to this in principle, given in August 2011 (**Document LCC26**). [3.52-3.55, 5.9, 5.23, 5.37, 5.54, 5.70, 7.19 and 7.31]

8.137 Under these circumstances, I conclude that the funding for the LEB can be deemed to be in place in accord with the Guidance on Compulsory Purchase Process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion published on 29 October 2015. [3.52-3.55, 5.9, 5.23, 5.37, 5.54, 5.70, 7.19 and 7.31]

Other matters

8.138 The objections include a significant number of concerns that have little or no direct relevance to the central issue of the SRO. However, as they relate to the public interest justification for the CPO, they have been looked at briefly below. Having said this, suggestions for road improvements are outside the scope of the Scheme and the issues associated with the Orders.

8.139 As LCC says, speeding is a matter for enforcement either by the Police Authority or through traffic management measures. Hawthorn Road is cited in this regard, and observed speeds are frequently higher than the 30 mph speed limit at the junction with St Augustine Road. This problem should disappear if Hawthorn Road is closed to through traffic. [4.16, 5.28, 5.45, 7.13 and 7.91]

8.140 There are a few points raised under the head of 'localism'. First, that the severance of Hawthorn Road would be contrary to local views and undermine the aspirations of the emerging Cherry Willingham Neighbourhood Plan. I agree that the views of local people is a factor to be taken into account in both the decisions on the LEB and the Neighbourhood Plan. However, this must be through the proper channels at the appropriate time, which in this case is the West Lindsey District Council and at the time it was considering the LEB proposals. [5.60 and 5.67]

8.141 The Hawthorn Road bridge could have been funded through the forthcoming development in the villages, but the local council has not chosen to pursue this option. The Council has approved the LEB as it is proposed and supports its progress. Similarly, the effect on house prices is not a planning matter that would have been taken into account when considering the question of granting planning permission for the LEB. [5.60 and 5.67]

8.142 Turning to concerns raised about pollution increasing the carbon footprint, this is a minor point against closing Hawthorn Road to through traffic. However, this has to be balanced against the greatly reduced pollution that would follow opening of the LEB and the congested traffic relieved on the City Centre roads. With the longer journeys from the eastern villages showing a reduced journey time, a fair balance would show only a very

small negative and delay to the LEB project would persist the high levels of pollution currently experienced. [5.22, 5.52, 5.59, 5.66, 5.75, 7.26, 7.28 and 7.36]

8.143 There are others who submit that the increased journey lengths and times would incur greater costs for those travelling to and from the eastern villages. There would be some journeys where this would most definitely be true. However, there are other journeys, perhaps to more distant destinations, where the travel costs would be lower. In general terms, it very much depends on the origins and destinations involved. Moreover, the LEB should attract traffic that currently uses the existing road system, thereby reducing congestion, delays and the attendant costs. As LCC says, there would be very much a balance between those gaining and losing. [5.22, 5.52, 5.59, 5.66, 5.75, 7.26, 7.28 and 7.36]

8.144 Finally, one Objector submits that the more urgent road improvement would be to the A15 north of Lincoln. There may be some merit in improving this stretch of road, but the downside of upgrading this before completing the LEB is obvious. What an upgrade of the A15 would do would be to funnel greater volumes of traffic into Lincoln, onto a road system that is already severely congested. I have considered all the other points raised by Objectors, but have not found any to raise points of sufficient weight to materially affect the LEB proposal. [5.66 and 6.12]

Proposed Modifications

8.145 The proposed modifications to the Orders are for three main reasons: to correct minor drafting errors; as a result of discussions with landowners; and as a result of design development.

8.146 Following an examination of the Orders, it is clear that the proposed modifications are not substantial and may be made without causing prejudice to anyone. There are no objections to the modifications.

8.147 In conclusion, the modifications proposed by LCC and reflected in Document LCC34, and set out as proposed modifications in paragraphs 3.88 - 3.100 above, are justified and should be made to the CPO and SRO.

Overall conclusions on Objections

8.148 I agree that if Hawthorn Road was closed to general traffic the available alternative routes of Kennel Lane/Wragby Road A158 and Greetwell Road, with or without using the LEB via the LILO arrangement at Hawthorn Road and/or the roundabouts at Wragby Road and Greetwell Road would be safe and reasonably convenient under normal traffic conditions. That is not to say that, on occasions, there may be longer queues and delays than predicted, but if these persevere LCC has the option to bring forward the improvements it has in waiting for the Kennel Lane/Wragby Road junction and the Greetwell Road/Wickes mini-roundabouts.

8.149 As for the local trips affected, the loss of Hawthorn Road would mean there would be some longer journeys, and this may mean some reassess

their options. However, I do not believe that the inconvenience in time and cost would be unreasonable. I am not so persuaded as LCC that the benefits to others should be weighed in the balance here. The test is for the provision of a reasonably convenient route. Whereas the latest traffic surveys may have produced some small changes from those used at the earlier inquiry, the differences are nothing like significant enough to direct the SoSs to a different conclusion on the alternative routes. Looking at the environmental impacts, these would be relatively small and pale into insignificance compared with the improvements on other routes and especially the City Centre.

8.150 Delay to the scheme is a difficult topic. I am in no doubt that any delay would reduce benefits and markedly constrain the regeneration of the Lincoln Area. For housing and jobs this would be catastrophic. Even so, if there were no reasonably convenient routes to satisfy the test, the further delay would be inevitable.

8.151 Moving on to other topics, the only one that warrants major comment is the effect on NMUs. In my view, whereas there would be some shortcomings at junctions, the NMu provision associated with the LEB is generally good and certainly fulfils the requirements for such a scheme. The factor I think is missed is the opportunity the reduction in traffic in the City Centre would offer for NMu enhancements.

8.152 Finally, I am satisfied that the funding for the LEB would be secure and that a start could be made in the early summer of 2016. Consequently, none of the non-statutory objections justify recommending that the Orders are not confirmed. All statutory objections bar one have been withdrawn and there is every likelihood that the one outstanding statutory objection will have been negotiated away. There is, therefore, a compelling case in the public interest for supporting the LEB scheme and its construction at the earliest possible date.

Conclusions on the Orders

8.153 **The Side Roads Order.** The proposals for improving, constructing or stopping up the highways in question and for the stopping up of PMAs are necessary to carry out the Scheme. Minor modifications have been put forward to the Order that are necessary and justified. Where a PMA is to be stopped up and access to the premises is reasonably required another reasonably convenient means of access is available or will be provided before each stopping up takes place. Provision is being made to maintain any rights of statutory undertakers in respect of any apparatus of theirs affected by the Scheme.

8.154 In relation to the stopping up of the highways, another reasonably convenient route will be available or will be provided in all cases, except in respect of Hawthorn Road. The provision of a LILO junction and the availability of safe alternative routes using the surrounding local highway network would ensure reasonably convenient routes for people travelling by motor vehicles. To the east of the Bypass the NMu bridge would now

provide users with a safe connection to Hawthorn Road and the NMU route alongside the LEB. Thus, I conclude, on the evidence available, that the statutory test has been satisfied and the Side Roads Order should be confirmed.

8.155 Compulsory Purchase Order and Application to authorise the Compulsory Purchase of land held by The Canal & River Trust.

Examination of the Schedule and plans accompanying this Order produces no evidence of any proposal to purchase land or rights other than those necessary to implement the Scheme. I am satisfied that the Order and Application addresses no more land than is necessary and that the acquiring authority, LCC, has a clear idea of how it intends to use the land. Minor modifications have been put forward to the Order that are necessary and justified. Funding is available and if the Orders are made, works are programmed to start in the early summer of 2016.

8.156 Every person has an entitlement to the peaceful enjoyment of his possessions by way of Article 1 of the First Protocol, a Convention right under the Human Rights Act 1998. In summary, no-one shall be deprived of his possessions except in the public interest. Article 8, a qualified right, entitles everyone a right to respect for his private and family life, his home and correspondence. As noted previously, I have had due regard to the Public Sector Equality Duty under the Equality Act 2010.

8.157 There is a compelling case for the Scheme to be implemented in order to overcome congestion, improve journey reliability and deliver future growth in and around the city. The public benefit will far outweigh the private loss. Therefore the purposes for which the CPO is promoted are in the public interest and justify interfering with the human rights of those with an interest in the land. Appropriate measures have been taken in the design of the Scheme to mitigate adverse effects as far as possible. Any residual interference with human rights is proportionate and necessary to achieve the legitimate objectives of the Scheme.

9 RECOMMENDATIONS

9.1 I recommend that:

- i. The Lincolnshire County Council (A15 Lincoln Eastern Bypass) (Classified Road) (Side Roads) Order 2014 is confirmed;
- ii. The Lincolnshire County Council (A15 Lincoln Eastern Bypass) Compulsory Purchase Order 2014 is confirmed; and
- iii. The application for the Compulsory Purchase of land held by the Canal and River Trust is approved.

J Stuart Nixon
INSPECTOR

APPENDIX 1: APPEARANCES

FOR LINCOLNSHIRE COUNTY COUNCIL

Mr S Randle
Assisted by:

Of Counsel, instructed by Lincolnshire County Council

Mr A Gutherson BA
DipURPS MRTPI

Mr Randle called:

Mr L Rowley IEng AMICE Senior Project Leader, Lincolnshire County Council

Mr M Willis BSc MA MRTPI Principal Planning Officer, Lincolnshire County Council

Mr D Chetwynd IEng MICE Principal Engineer, Lincolnshire County Council

Mr G Billington PhD C Eng MICE Technical Director, Mouchel

Mr P Smith BA MSc CMILT Technical Director, Mouchel

SUPPORTERS OF THE LEB SCHEME AND ORDERS

Mr M Sturgess BSc(Hons) MBA MRTPI	Chief Operating Officer West Lindsey District Council
Ms U Lidbetter OBE	Chair Greater Lincolnshire Local Enterprise
Mr P Denby	Managing Director Denby Transport
Mr G Stratford, Mr P Wilson and Ms E Chase	Lincoln Bypass Action Group
Mr M Corrigan	Chief Executive Lincoln Business Improvement Group

OBJECTORS TO THE ORDERS:

Mrs S Lidbury	Resident of the Carlton Estate
Mr B Robinson CITP and Mrs J Robinson BA(Hons) PGCE	Residents of Cherry Willingham
Mr T Walton MEng CEng MIET	Resident of the Carlton Estate
Mr A Lake BEng CEng MICE MCIHT	Resident of Reepham
Mr P Moore MEng FIHE	Resident of Cherry Willingham on the Neighbourhood Plan Steering Committee
Dr B Loryman MB ChB FRCSEd FRCEM	Consultant in Emergency Medicine at Lincoln County Hospital and representative of the Lincoln Green Party
Lincolnshire Cyclists Touring Club	Represented by Mr R Jelfs
Cllr C Darcel	District Councillor for the Cherry Willingham Ward
Mr D Turner	Resident of Cherry Willingham
Mrs H Larcombe	Resident of Cherry Willingham
Cllr I Fleetwood	County and District Councillor
Mr K Leo	Resident of Cherry Willingham
Reepham Parish Council	Evidence of Mr D Perkins read by Mr B Robinson

Cherry Willingham Parish
Council and Cherry
Willingham Neighbourhood
Plan Steering Group

Read by Mrs M Scott

APPENDIX 2:

LINCOLN EASTERN BYPASS PUBLIC INQUIRY DOCUMENT LIST

CORE DOCUMENTS

General

CD/1	Inspector's Report to the Secretary of State for Transport dated 30 April 2014
CD/2	Secretary of State's decision letter dated 8 July 2014
CD/3	Undertakings to Public Inquiry held in February 2014

Policy Documents

CD/4	Highways Act 1980
CD/5	Acquisition of Land Act 1981
CD/6	National Planning Policy Framework
CD/7	East Midlands Regional Plan March 2009 *
CD/8	Central Lincolnshire Core Strategy Issues and Options 2010 *
CD/9	Central Lincolnshire Local Plan Core Strategy Partial Draft Plan for Consultation June 2012 *
CD/10	Central Lincolnshire Local Plan Core Strategy Partial Draft Plan for Consultation: Area Policies for Lincoln, Gainsborough and Sleaford dated January 2013 *
CD/11	City of Lincoln Local Plan (adopted August 1998)
CD/12	North Kesteven District Council Local Plan (adopted 2007)
CD/13	West Lindsey Local Plan First Review (adopted June 2006)
CD/14	First Local Transport Plan *
CD/15	Second Local Transport Plan 2006/7 to 2010/11 dated March 2006 *
CD/16	Third Local Transport Plan 2011/12 to 2012/13 dated April 2011 *
CD/17	Fourth Lincolnshire Local Transport Plan 2013/14 – 2022/23 dated April 2013
CD/18	A Transport Strategy for the Lincoln Area (Rev 1) dated February 2008
CD/19	Lincolnshire County Council's Business Plan 2012-15 updated February 2013
CD/20	Highways and Traffic Guidance Note HAT 34 (Design Standards and Departures for Highway Schemes)
CD/21	Road Classification Policy for Lincolnshire
CD/22	Provisional A15 Lincoln Eastern Bypass Classification of Main Line
CD/23	Greater Lincoln Growth Delivery Plan 2006-2026
CD/24	Linking Lincoln (known as the City Centre Masterplan) 2007

NOTE * Indicates a superseded document

Planning Application Documents

CD/25	Report to Lincolnshire County Council's Planning and Regulation Committee on 18 March 2005
CD/26	Report to Lincolnshire County Council's Planning and Regulation

	Committee dated 18 April 2005
CD/27	Minutes of Lincolnshire County Council's Planning and Regulation Committee dated 18 April 2005
CD/28	Report to Lincolnshire County Council's Planning and Regulation Committee dated 4 October 2010
CD/29	Minutes of Lincolnshire County Council's Planning and Regulation Committee dated 4 October 2010
CD/30	Planning Permission reference L/0170/10 dated 14 October 2010
CD/31	Planning Application L/0110/13 comprising the application form and supporting documents
CD/32	Report to Lincolnshire County Council's Planning and Regulation Committee on 10 June 2013
CD/33	Minutes of Lincolnshire County Council's Planning and Regulation Committee on 10 June 2013
CD/34	Planning Permission reference L/0110/13 dated 10 June 2013
CD/35	Planning Application PL/0194/14 for relocated Hawthorn Road NMU bridge comprising the application form and supporting documents
CD/36	Planning Permission reference W42/130726/13 for the original Hawthorn Road NMU bridge dated 15 January 2014
CD/37	Planning Application PL/0132/14 for Section 73 application comprising the covering letters and supporting documents (L/0643/14)
CD/38	Central Lincolnshire Local Plan 2011-2036 Preliminary Draft for Consultation October 2014
CD/39	A Growth Strategy for Lincoln 2014-2034 published by Lincoln City Council in 2014
CD/40	Report to Lincolnshire County Council's Planning and Regulation Committee on 6 October 2014
CD/41	Minutes of Lincolnshire County Council's Planning and Regulation Committee on 6 October 2014
CD/42	Planning permission PL/0132/14 (L/0643/14)
CD/43	Planning Permission PL/0245/13 (W42/131879/14)

Funding Documents

CD/44	Lincolnshire County Council Major Scheme Business Case Programme Entry November 2009
CD/45	Local Authority Major Schemes – Pre Qualification Pool: Expression of Interest
CD/46	Best and Final Bid September 2011
CD/47	Letter from Department for Transport dated 30 November 2011 confirming Programme Entry Status
CD/48	Email from Department for Transport dated 14 December 2011
CD/49	Memorandum of Understanding as signed by the Council and the three partner authorities

Other Documents

CD/50	Report to Lincolnshire County Council's Executive 7 October 2014
CD/51	Minutes of Lincolnshire County Council's Executive on 7 October 2014
CD/52	Resolution of the Executive 7 October 2014

CD/53	Clarification of Non-Motorised Users and bridleway
CD/54	Letter from Secretary of State for Transport
CD/55	Letter from Minister for Roads
CD/56	Letter from Baroness Kramer
CD/57	Autumn Statement
CD/58	Letters from Emergency Services
CD/59-69	Not Used

Additional Documents (Data provided to Reepham Parish Council)

CD/70	Network Plans 2015
CD/71	Lincoln Traffic Data 2014
CD/72	Network Flow diagrams 13 February 2015
CD/73	Lincoln Traffic Surveys 4 March 2015
CD/74	CTS Lincoln Traffic Surveys 4-5 March 2015
CD/75	LMVR Addendum May 2015
CD/76	TR2500 Controller Specification for Bunkers Hill/Outer Circle Road Junction, Carlton Boulevard /Outer Circle Road Junction
CD/77	Accident data 1 March 2010-28 February 2015
CD/78	Vehicle Count Report
CD/79	Survey for Hawthorn Road
CD/80	Survey for Kennel Lane
CD/81	LCC traffic data collection carried out by LCC Highway North Division
CD/82	Base year turning flows
CD/83	Traffic data provided by Lincolnshire Road Safety Partnership
CD/84	Forecast and Economic Evaluation update note
CD/85	Model Sensitivity Test Note

Other Documents

CD/86	Safety Audits
CD/87	Statement of Community Involvement 2007
CD/88	Statement of Community Involvement 2014
CD/89	Decision Notice L/1070/04
CD/90	LMVR 2012
CD/90/1	Addendum to CD/90
CD91-99	Not Used
CD/100	DMRB Extracts
CD/101	Department for Transport tag unit A2.3 – Transport appraisal in the context of dependent development
CD/102	Department for Transport Value for money assessment: Advice note for local transport decision makers December 2013
CD/103	A Transport strategy for the Lincoln Area Progress Report 2013
CD/104	A Transport strategy for the Lincoln Area Progress Report 2013 – supporting documents
CD/105	Home to School Transport Report 2015/2016

ORDERS

LCC/00/01	The Lincolnshire County Council (A15 Lincoln Eastern Bypass) (Classified Road) (Side Roads) Order 2014
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LCC/00/02	The Lincolnshire County Council (A15 Lincoln Eastern Bypass) Compulsory Purchase Order 2014
LCC/00/03	Statement of Reasons
LCC/00/04	Statement of Case

DOCUMENTS SUBMITTED BY LINCOLNSHIRE COUNTY COUNCIL

LCC1	Mr L Rowley (Witness 1): Proof of Evidence – Scheme Promoter
LCC2	Mr L Rowley: Appendices
LCC3/a	Response to Objector’s Proof – Mr D Turner
LCC3/b	Response to Objector’s Proof – Mrs H Larcombe
LCC3/c	Response to Objector’s Proof – Ms K Leo
LCC3/d	Response to Objector’s Proof – Mr A Townhill, Lincolnshire Cyclists’ Touring Club
LCC3/e	Response to Objector’s Proof – Cllr C Darcel, with Appendix A
LCC3/f	Response to Objector’s Proof – Mr B and Mrs J Robinson
LCC3/g	Response to Objector’s Proof – Reepham Parish Council
LCC3/h	Response to Objector’s Proof – Cherry Willingham Parish Council and Cherry Willingham Neighbourhood Plan Steering Group, with Appendix A (as Appendices to LCC3/k)
LCC3/i	Response to Objector’s Proof – Mr A Lake
LCC3/i.1	Response to Rebuttal to Proof of Evidence of Mr D Chetwynd – Mr A Lake (OBJ/472/3)
LCC3/i.2	Response to Questions Relating to Proof of Evidence of Mr D Chetwynd – Mr A Lake (OBJ/472/4)
LCC3/i.3	Response to Objector’s Questions – Mr A Lake (OBJ/472/8), with Appendices A and B, plus pricing drawings
LCC3/i.4	Response to Objector’s Addendum No 2 to Proof of Evidence - Mr A Lake (OBJ/472/9)
LCC3/i.5	Response to Objector’s document submitted 18 August 2015 – Mr A Lake (OBJ/472/10)
LCC3/j	Response to Objector’s Proof – Mr T Walton, with Appendices A and B
LCC3/j.1	Response to Objector’s Questions – Mr T Walton (OBJ/485/2), with Appendices A and B
LCC3/j.2	Note on TUBA benefits and dis-benefits to Cherry Willingham, Reepham and Carlton Estate
LCC3/j.3	Response to Note on TUBA benefits and dis-benefits to Cherry Willingham, Reepham and Carlton Estates –Mr T Walton (OBJ/485/6)
LCC3/k	Response to Objector’s Proof – Mrs S Lidbury, with Appendices A, B and C
LCC3/k.1	Note on sibling admissions to Cherry Willingham Primary School from Carlton Estate and Carlton Academy Admissions
LCC3/l	Response to Objector’s Proof – Mr P Moore
LCC3/l.1	Response to Objector’s Questions – Mr P Moore (OBJ/489/2), with Appendices A and B
LCC3/l.2	Response to Objector’s Rebuttal of Mr Smith’s Proof of Evidence – Mr P Moore (OBJ/489/2)
LCC3/l.3	Reply to Objector’s additional comments – Mr P Moore (OBJ/489/7)
LCC3/l.4	Response to Objector’s email request for traffic data – Mr P Moore (OBJ/489/3)
LCC3/m	Response to Objector’s Proof – Dr B Loryman

LCC4	Mr D Chetwynd (Witness 2): Proof of Evidence – Highway Engineering
LCC4.1	Errata to Proof of Evidence
LCC5	Mr D Chetwynd: Appendices
LCC6	Mr P Smith (Witness 3): Proof of Evidence – Transport Modelling and Traffic
LCC7	Mr P Smith: Appendices
LCC8	Dr G Billington (Witness 4): Proof of Evidence – Transport Strategy
LCC9	Dr G Billington: Appendices
LCC10	Mr M Willis (Witness 5): Proof of Evidence – Planning Services
LCC11	Mr M Willis: Appendices
LCC12	Statement on Objectors’ Alternative 1: Hawthorn Road Over-bridge
LCC13	Statement on Objectors’ Alternative 2: Hawthorn Road Over-bridge With Compact Grade Separated Junction Onto Lincoln Eastern Bypass
LCC14	Statement on Objectors’ Alternative 3 proposals – Roundabout at Hawthorn Road
LCC15	Statement on Objectors’ Alternative 4 proposals – Roundabout at Heighington Road to fund road-bridge at Hawthorn Road
LCC16	Statement on Objectors’ Alternative 5 proposals – Diversion of Hawthorn Road to Wragby Road East Roundabout
LCC17	Statement on Objectors’ Alternative 6 proposals – Grade Separated Junctions provided in lieu of Roundabouts
LCC18	Opening Remarks
LCC19	Traffic data: Select Link Analysis presented by Mr Paul Smith (LCC Witness 3)
LCC20	Lincolnshire County Council undertakings given to the Church Commissioners for England (OBJ/553) and Mr J Ward (OBJ/554)
LCC21	Dual Carriageway Scheme Economic Assessment Results
LCC22	Note prepared by Mr M Willis on questions raised by the Inspector
LCC23	Existing Highway Network
LCC24	Central Lincolnshire Local Development Scheme – June 2015
LCC25	Permanent Highway Boundary and District Council Boundaries drawing – dated 19 November 2012
LCC26	Update Note responding to the Inspector’s questions on Funding
LCC27	Note on the need for, and scale of, Value Engineering of LEB and consultation following Comprehensive Spending Review
LCC28	North East Quadrant masterplan as part of planning application for 500 houses – dated March 2015
LCC29	Analysis of Historic Peak Period Traffic Data
LCC30	Responses to letters of Objection
LCC31	Response to Inspector’s Questions, with Appendices 1 to6 inc
LCC32	Notes of Clarification on Lincolnshire County Council Evidence
LCC33	Scheme suggested by Inspector – Double LILO at Hawthorn Road with NMU Bridge
LCC34	Modifications to Orders
LCC35	Lincoln South East – Option 4 Indicative Phasing Plan
LCC36	Closing Submissions
LCC37	Lincoln Cycling Map 2015
LCC38	Housing Site Options – Cherry Willingham/Reepham

DOCUMENTS SUBMITTED BY SUPPORTERS

SUP/000/1 Folder of letters of support and written statements

Lincoln Bypass Action Group (LBAG) (represented by Ms Eileen Chase, Mr Geoff Stratford & Mr Paul Wilson)

SUP/002/1 Proof of Evidence
SUP/002/2 Summary Proof of Evidence
SUP/002/3 Appendix 1 - LCC Turning Count Hawthorn Road and St Augustine Road
SUP/002/4 Appendix 2 - Lincolnshire Road Safety Partnership Road Traffic Survey Data
SUP/002/5 Appendix 3 - Findings of Lincolnshire Road Safety Partnership Data Analysis Speeding
SUP/002/6 Appendix 4 - Map of Hawthorn Road and Carlton
SUP/002/7 Appendix 5 - E Petition
SUP/002/8 Appendix 6 - Letters of Support from Employers
SUP/002/9 Appendix 7 - Longer Term Greetwell Development Map
SUP/002/10 Erratum to Main Proof
SUP/002/11 Questions to Objectors (Objectors 015, 256, 292, 322, 430, 443, 447, 472, 485, 486, 489 & 559)
SUP/002/12 Views on Objectors' Alternatives
SUP/002/13 Response to Mr P Moore's Rebuttal
SUP/002/14 Response to Mr A Lake's Rebuttal
SUP/002/15 Reply to response by Cllr G McNeill (document X/003)
SUP/002/16 PowerPoint presentation
SUP/002/17 Correspondence with the Head of School at Lincoln Carlton Academy.

Denby Transport (represented by Mr P Denby)

SUP/013/1 Proof of Evidence

Lincoln Business Improvement Group (represented by Mr M Corrigan)

SUP/028/1 Proof of Evidence

West Lindsey District Council (represented by Mr M Sturgess)

SUP/065/1 Proof of Evidence

Greater Lincolnshire Local Enterprise Partnership (represented by Ms U Lidbetter)

SUP/066/1 Proof of Evidence

DOCUMENTS SUBMITTED BY OBJECTORS

- OBJ/000/1 Folder of letters of objection and written statements
- OBJ/000/2 Folder of Responses to publication of Objectors' Alternatives
- OBJ/000/3 Folder of withdrawal of objections

Mr D Turner

- OBJ/015/1 Proof of Evidence

Mrs H Larcombe

- OBJ/256/1 Proof of Evidence

Mr K Leo

- OBJ/292/1 Proof of Evidence

Lincolnshire Cyclists' Touring Club

- OBJ/318/1 Proof of Evidence of Mr A Townhill
- OBJ/318/2 Proof of Evidence of Mr R Jelfs, with Appendices

Cllr C Darcel

- OBJ/322/1 Proof of Evidence
- OBJ/322/2 Appendices 1 to 24 inclusive
- OBJ/322/3 Addendum to Proof of Evidence with covering email dated 6 August 2015
- OBJ/322/4 Preamble to presentation
- OBJ/322/5 Speaking notes responding to Response to Proof of Evidence (LCC3/e)
- OBJ/322/6 Copy of "Cherry News" dated September 2015 and "Greetwell News" dated April 2015

Mr B and Mrs J Robinson

- OBJ/430/1 Proof of Evidence
- OBJ/430/2 Questions to Mr P Smith (LCC Witness 3)
- OBJ/430/3 Questions to Mr L Rowley (LCC Witness 1)
- OBJ/430/4 Comments on Objectors' Alternative proposals
- OBJ/430/5 Response to Questions from the Lincoln Bypass Action Group (SUP/002)
- OBJ/430/6 PowerPoint presentation
- OBJ/430/7 Video Presentation 1
- OBJ/430/8 Video Presentation 2

Reepham Parish Council

- OBJ/443/1 Proof of Evidence
- OBJ/443/2 Questions to Mr M Willis (LCC Witness 5)

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- OBJ/443/3 Response to Questions from the Lincoln Bypass Action Group
(SUP/002)
OBJ/443/4 Response to Rebuttal of Proof of Evidence (LCC3/g)

**Cherry Willingham Parish Council & Cherry Willingham Neighbourhood
Plan Steering Group**

- OBJ/447/1 Proof of Evidence
OBJ/447/2 Response to Questions from the Lincoln Bypass Action Group
(SUP/002)

Mr A Lake

- OBJ/472/1 Proof of Evidence
OBJ/472/2 Addendum to Proof of Evidence
OBJ/472/3 Rebuttal of Evidence of Mr D Chetwynd (LCC Witness 2)
OBJ/472/4 Questions to Mr D Chetwynd (LCC Witness 2)
OBJ/472/5 Rebuttal of and Questions to the Lincoln Bypass Action Group
(SUP/002)
OBJ/472/6 Response (with Mr P Moore (OBJ/489) to the Review by the Lincoln
Bypass Action Group (SUP/002) of Alternatives 1 & 2
OBJ/472/7 Response to Questions from the Lincoln Bypass Action Group
(SUP/002)
OBJ/472/8 Questions to Mr L Rowley (LCC Witness 1)
OBJ/472/9 Proof of Evidence – Addendum No 2: The Submitted Alternatives 1
and 2
OBJ/472/10 Response to Rebuttal to Proof of Evidence (LCC3/i)

Mr T Walton

- OBJ/485/1 Proof of Evidence
OBJ/485/1.1 Updated Proof of Evidence
OBJ/485/1.2 Further update of Proof - Hawthorn Road Alternative Routes Road
Safety and Inconvenience
OBJ/485/2 Questions to Dr G Billington (LCC Witness 4)
OBJ/485/3 Response to Questions from the Lincoln Bypass Action Group
(SUP/002)
OBJ/485/4 Petition – MP and Councillors
OBJ/485/5 Reply to Response to Proof of Evidence (LCC3/j) and Questions
(LCC3/j.1)
OBJ/485/5.1 Appendix 1: reply to para 2.2 of Response to Proof of Evidence
(LCC3/j) - Lack of provision of reasonably convenient alternative
routes
OBJ/485/5.2 Appendix 2: reply to para 2.3 of Response to Proof of Evidence
(LCC3/j) - Road Safety Accident Data
OBJ/485/6 Response Lincolnshire County Council Note on TUBA (LCC3/j.2)

Mrs S Lidbury

- OBJ/486/1 Proof of Evidence
OBJ/486/2 Questions to Dr Gary Billington (LCC Witness 4)

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- OBJ/486/3 Response to Questions from the Lincoln Bypass Action Group (SUP/002)
 - OBJ/486/4 Errata to Proof of Evidence
 - OBJ/486/5 Speaking notes responding to the Response to Proof of Evidence (LCC3/k)
 - OBJ/486/6 Video presentation
 - OBJ/486/7 Reply to the Note on sibling admissions to Cherry Willingham Primary School (LCC3/k.1), with Appendix

Mr P Moore

- OBJ/489/1 Proof of Evidence
- OBJ/489/2 Rebuttal of evidence of Mr Paul Smith (LCC Witness 3)
- OBJ/489/3 Questions to Mr Paul Smith (LCC Witness 3)
- OBJ/489/4 Rebuttal of evidence of the Lincoln Bypass Action Group (SUP/002)
- OBJ/489/5 Response to Questions from the Lincoln Bypass Group (SUP/002)
- OBJ/489/6 Email of 13 August 2015 requesting traffic data
- OBJ/489/7 Reply to LCC Response to Evidence of Paul Moore

Dr B Loryman

- OBJ/559/1 PowerPoint presentation of Dr B Loryman and Ms J Allison in the main body of the Proof of Evidence
- OBJ/559/2 Proof of Evidence

GENERAL INQUIRY DOCUMENTS

- X/001 Pre-Inquiry Meeting Note issued by the Inspector, dated 21 May 2015
- X/002 Letter from Cllr J Summers, (Leader of the Council), to the Rt Hon Patrick McLoughlin MP dated 11 December 2014
- X/002.1 Letter from Cllr J Summers (Conservative Leader of the Council) dated 14 August 2015 with accompanying e-mail dated 18 August 2015
- X/003 Comments of Cllr G McNeil in response to Proof of Evidence of the Lincoln Bypass Action Group (SUP/002)
- X/004 Questions from the Inspector arising from site visit
- X/005 Site visit itinerary