



Report to the Secretary of State for Transport and the Secretary of State for Communities and Local Government

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an Inspector appointed by the Secretary of State for Transport and the Secretary of State for
Communities and Local Government

Date: 20 June 2012

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

THE COUNCIL OF THE COUNTY OF SOMERSET

(TAUNTON NORTHERN INNER DISTRIBUTOR ROAD A3087)

(SIDE ROADS AND OTHER WORKS) ORDER 2011

THE COUNCIL OF THE COUNTY OF SOMERSET

(TAUNTON INNER DISTRIBUTOR ROAD)

COMPULSORY PURCHASE ORDER 2011

THE COUNCIL OF THE COUNTY OF SOMERSET

(BRIDGWATER & TAUNTON CANAL BRIDGE)

SCHEME 2011

AND

EXCHANGE LAND CERTIFICATE

Date of Inquiry: 15 May 2012

Refs: DN5073/55/7/9, DN5073/60/1/74, DN5073/55/9/03 and LDN023

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ABBREVIATIONS

CPO	Compulsory Purchase Order
DfT	Department for Transport
JGSL	J Gliddon & Sons Limited
km	kilometres
m	metres
mph	miles per hour
NR	Network Rail
SCC	Somerset County Council
SJPUK	St James's Place UK plc
sq m	square metres
SRO	Side Roads Order
TDBC	Taunton Deane Borough Council
TNIDR	Taunton Northern Inner Distributor Road
TPO	Tree Preservation Order
TTSR	Taunton Transport Strategy Review
1995 Order	Town and Country Planning (General Permitted Development) Order 1995

CASE DETAILS

- The Side Roads Order (SRO) is made under sections 14 and 125 of the Highways Act 1980 by Somerset County Council and is dated 24 May 2011.
- The Compulsory Purchase Order (CPO) is made under sections 239, 240, 246 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981 by Somerset County Council and is dated 24 May 2011.
- The Bridgwater & Taunton Canal Bridge Scheme (Bridge Scheme) is made under Section 106(3) of the Highways Act 1980 by Somerset County Council and is dated 24 May 2011.
- The Application for a Certificate was made by Somerset County Council under Section 19(1)(a) of the Acquisition of Land Act 1981 and the Notice of Intention to issue a Certificate was published on 5 December 2011.
- Somerset County Council (referred to as 'the authority') submitted the Orders and Scheme for confirmation to the Secretary of State for Transport.
- If confirmed, the SRO would authorise the authority to improve, stop-up and construct new highways and stop-up and provide new means of access to premises.
- If confirmed, the CPO would authorise the authority to compulsorily purchase land and the rights over land for the purposes of the improvement of existing highways; the construction of new highways; the provision of new means of access to premises and land; use by the authority in connection with the improvement and construction of highways and the provision of new means of access; and the mitigation of any adverse effects which the existence or use of the highways proposed to be constructed or improved will have on their surroundings.
- If confirmed, the Bridge Scheme would authorise the authority to construct over the navigable waters of the Bridgwater & Taunton Canal a bridge as part of the highway improvement between the A3027 Staplegrove Road and the A3038 Priory Bridge Road.
- When the inquiry opened there were 3 statutory and 2 non-statutory objections to the SRO, 3 statutory and 4 non-statutory objections to the CPO, 3 non-statutory objections to the Bridge Scheme and 3 objections to the application for a Certificate outstanding. Prior to the close of the inquiry 2 statutory objections to each of the SRO and CPO, and 2 non-statutory objections to the Bridge Scheme and 2 objections to the Certificate were withdrawn.

Summary of Recommendations:

I recommend that:

- **the SRO be modified and confirmed;**
 - **the CPO be modified and confirmed;**
 - **the Bridge Scheme be confirmed; and**
 - **the Exchange Land Certificate be issued.**
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1 PREAMBLE

- 1.1 I held an inquiry at Taunton Rugby Club, Hyde Lane, Taunton, Somerset TA2 8BU on 15 May 2012 to 16 May 2012 to hear representations and objections concerning applications made by Somerset County Council (SCC), as the promoting/acquiring authority for confirmation of the above-

mentioned Orders and Bridge Scheme and issue of a Certificate. At the inquiry, I agreed to the request by SCC for the inquiry to be closed in writing following 30 May 2012 to allow J Gliddon & Sons Limited (JGSL) to make representations on new evidence submitted at the inquiry by Mr Tim Child on behalf of SCC. The inquiry was closed in writing on 30 May 2012¹.

- 1.2 The Scheme, which includes the construction of a new road and a bridge over a canal, is generally known as the Taunton Northern Inner Distributor Road (TNIDR). The TNIDR would provide an east-west connection across Taunton linking the A3027 Staplegrove Road in the west to the A3038 Priory Avenue in the east.
- 1.3 I was appointed to conduct the inquiry in accordance with Section 13(2) of the Acquisition of Land Act 1981 and paragraph 7 of Schedule 1 of the Highways Act 1980.
- 1.4 I carried out an accompanied site inspection of the route of the Scheme and surrounding land on 16 May 2012, prior to the closing submissions. I also completed an unaccompanied site visit on 14 May 2012, prior to opening the inquiry.
- 1.5 I prepared and circulated a note² at the opening of the inquiry setting out the tests that must be addressed in the CPO, having regard to the provisions of ODPM Circular 06/2004, the SRO, with regard to the extinguishment of a right of way, the Bridge Scheme and Exchange Land Certificate.
- 1.6 Prior to the inquiry, Western Power Distribution (South West) plc withdrew its objection to the CPO³. At the inquiry, SCC provided letters of formal withdrawal of the objections by St James's Place UK plc (SJPUK) to the Orders, Bridge Scheme and the Certificate⁴. SJPUK acquired the registered freehold interest in the affected land from AXA Sun Life plc on 23 March 2012⁵, following the drafting of the Orders and prior to the opening of the inquiry. AXA Sun Life plc formally withdrew its objections to the Orders, Bridge Scheme and Certificate in a letter dated 25 May 2012⁶, prior to the close of the inquiry in writing. Homesense, who are a lessee of CPO land in the ownership of SJPUK, has expressed concerns in a letter from TJK Europe, dated 24 April 2012, regarding the effect of the Scheme on trade at its unit on Priory Fields Retail Park but is not objecting to the CPO⁷.

¹ Document ID19

² Document ID3

³ Document OD9

⁴ Documents OD10 and OD11

⁵ Document CD81

⁶ Documents CD78 and OD14

⁷ Document RD1

- 1.7 In addition to the 4 non-statutory objectors to the Orders that gave notification of their objection prior to the opening of the inquiry, 3 non-statutory objections to the Orders were made at the inquiry. No statutory objectors attended the inquiry. By the close of the inquiry, there were 1 statutory and 2 non-statutory objections to the SRO, 1 statutory and 6 non-statutory objections to the CPO, 1 non-statutory objection to the Bridge Scheme and 1 objection to the application for a Certificate outstanding.
- 1.8 The main outstanding grounds for objection to the Orders and the Bridge Scheme were regarding the justification for the Scheme; facilities for cyclists; the consideration of design options for the Staplegrove Road/Chip Lane roundabout; the design and land take for the replacement footbridge at Chip Lane; access and land take from the retail park at Chip Lane; and the effect on a traffic signal junction on Staplegrove Road.
- 1.9 An objection has been made on the grounds that the Staplegrove Road roundabout does not benefit from planning permission. I have dealt with this as a legal matter under Section 3 of this report.
- 1.10 The main objection to the application for a Section 19(1)(a) Certificate was that the exchange land offered was not equally advantageous to the public open space proposed to be acquired.
- 1.11 SCC confirmed at the inquiry that it had complied with all necessary statutory formalities⁸.
- 1.12 Prior to closing the inquiry in writing, JGSL has indicated in its submission, dated 30 May 2012, that it is intending to make an application for costs⁹. The gist of the reasons for this application is given in paragraph 5.25 of this report.
- 1.13 This report contains a brief description of the site and surroundings, the gist of the cases presented together with my conclusions and recommendations. Lists of inquiry documents are attached, including proofs of evidence.

2 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The A358 runs from the M5 to the east of Taunton, around the north of the town centre and out towards west Somerset. The A38 approaches the town from the north-west, before turning westwards around the south of the town centre. The A3065 connects the A38 in the south and the A358 in the north on the west side of Taunton, forming a ring around the town centre. The A3038, Priory Bridge Road/Priory Avenue, adds an east-west link within the town centre before turning northwards along Station Road where it

⁸ Document ID7

⁹ Document OD16

- connects with the A358. The A3037, Staplegrove Road/Fore Street/North Street/Bridge Street, provides a north-south link along the main shopping streets in the town centre¹⁰.
- 2.2 The A358 through Taunton is a single carriageway that is about 7.3 m wide, narrowing in places to 6 m. It is generally residential, and on-street parking is permitted along Greenway Road. There are a variety of signalised, priority and roundabout junctions along this route, with a mini roundabout at the junction of Greenway Road with Staplegrove Road.
- 2.3 The A38 enters Taunton as a dual carriageway and changes into a 2 lane each way urban road with daytime parking on both sides and an 'urban clearway' during peak times. The A3038 is initially a dual carriageway and then becomes a single carriageway road at Priory Bridge Road. It is generally lined on one side by residential properties and on the other by small industrial retail units and provides access to the cricket ground. Station Road is a single carriageway and is lined with shops and other commercial premises. It provides access to a number of residential streets, including Whitehall which is a cul-de-sac that runs parallel with the railway, and Taunton Railway Station.
- 2.4 Part of the A3027 forms the main shopping street through Taunton town centre. It is lined with retail units and has a designated cycle lane along it. Staplegrove Road links the town centre to the west and north-west areas of Taunton. The north part of Staplegrove Road has residential properties with on-street parking on one side and provides access to Taunton School and Bindon Road industrial estate.
- 2.5 The land for the Scheme includes part of a retail park adjacent to Staplegrove Road, which is accessed from Chip Lane cul-de-sac. Chip Lane also provides access to the Royal Mail offices, a footpath and a footbridge over the railway. The land take in this area also includes the Royal Mail car park and part of the 'head shunt'¹¹ for the railway between Staplegrove Road/Chip Lane and Station Road.
- 2.6 To the south of the Railway Station, there is an area of derelict land which would be used as exchange land. To the east, a section of the TNIDR has been constructed and provides access to the Firepool Lock development as well as pedestrian and cycle access onto Winkworth Way. To the south is a large open area of derelict land, known as Firepool¹².

¹⁰ Document SD3 Appendix C

¹¹ Document SD2 paragraph 9.8.6- head shunt: 'a length of track laid parallel to an existing main line that allows a locomotive to uncouple from its train, move forward, and run back past it on a parallel track, and also for the purpose of allowing a train to shunt back into a siding or rail yard without occupying the main running-line'

¹² Document SD33

- 2.7 The land take to the south-east includes part of the car park to Priory Fields Retail Park, which is accessed from Priory Park. Priory Park also provides access to a residential area. Within this estate is an area of mainly grassland that is designated as public open space, part of which would be required for the Scheme. It is located on the opposite side of the road to houses and is separated from the public open space and footpath alongside the River Tone by a flood defence wall. Priory Bridge car park is adjacent to the River Tone to the west of the residential estate and includes a triangular shaped area of land near to the river that has been landscaped and is identified as exchange land. A cul-de-sac within the residential estate ends with a grassed area containing 2 large trees adjacent to the car park.

3 LEGAL SUBMISSIONS

The material points were:

The Legal Submissions for J Gliddon & Sons Limited (JGSL)¹³

- 3.1 The Planning Permission granted by SCC on 6 October 2008 does not extend to the new roundabout proposed on Staplegrove Road, which would form the connection of Staplegrove Road to the TNIDR and Chip Lane. SCC indicates that it would be built in reliance upon Part 13 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995. This grants deemed planning permission for works on land within the boundaries of a road and land outside but adjoining the boundary of the existing highway, required for or incidental to the maintenance or improvement of the highway.
- 3.2 The works to construct the roundabout are both within and without, but adjoining, the boundary of the existing highway. However, they would not be carried out for or incidental to the maintenance or improvement of the highway. They are to enable access to a completely new road. No mention of them being an improvement has been made in the consultation process when deciding upon the junction design or in the primary purposes of the Scheme. No explanation is given in the Statement of Reasons¹⁴. The use of the above powers is not lawful. The new roundabout does not benefit from deemed planning permission under the 1995 Order.

Response of Somerset County Council to the Legal Submissions¹⁵

- 3.3 The provision of a roundabout is a specific form of works defined as an 'improvement' of a highway for the purposes of Part VIII of the Highways Act 1980¹⁶. All the works for the proposed roundabout would be either within the existing highway or on land outside but adjoining the highway

¹³ Documents CD77 Section 1 and OD7 paras 18 to 23

¹⁴ Document CD68

¹⁵ Document SD47

¹⁶ Document CD8

boundary so as to fall within Section 55(2)(b) of the Town and Country Planning Act 1990¹⁷ and/or Part 13 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended¹⁸. The area shown as landscaping is part of the existing highway and will remain as highway land.

- 3.4 Wherever a roundabout is provided within or adjoining a specific highway, it will inevitably connect with other highways, as this is a function of a roundabout, but this does not prevent it from being part of that highway. The Planning Authority was happy to deal with the planning application on the basis that the roundabout could be provided under permitted development powers¹⁹. Details of the proposed roundabout are shown on the planning application plans²⁰. Submissions would have been able to be made at the time of its determination and none were received by the Planning Authority regarding this matter. No challenge has been made to the planning permission by way of judicial review.

4 THE CASE FOR SOMERSET COUNTY COUNCIL (SCC)

The material points were:

Background

- 4.1 The Scheme is one of a programme of measures identified in the Somerset Local Transport Plan 2006-2011²¹. The Taunton Transport Strategy Review (TTSR) report²² includes its provision as an element of the Town Centre Strategy. It had Programme Entry status from the Department for Transport (DfT) as a Major Scheme. Its importance has been re-affirmed following the DfT's spending review through its inclusion in the Supported Pool and subsequent confirmation of Programme Entry status. SCC's submission in December 2010 of its Best and Final Funding Bid to the DfT for grant funding was accepted in January 2011 as one of 10 schemes nationally. Provided that the statutory procedures are completed, full approval will be forthcoming.

¹⁷ Section 55(2)(b) of the Town and Country Planning Act 1990: the carrying out on land within the boundaries of a road by a highway authority of any works required for the maintenance or improvement of the road.

¹⁸ Part 13 A(b) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995: The carrying out by a highway authority on land outside but adjoining the boundary of an existing highway of works required for or incidental to the maintenance or improvement of the highway.

¹⁹ Document CD65 para 4.5

²⁰ Document CD35

²¹ Document CD23

²² Document CD21 Table 8.1

- 4.2 The Taunton Town Centre Area Action Plan²³, submitted to the Secretary of State in October 2007, includes the provision of the Scheme as providing strategic access to the Firepool redevelopment area and improving vehicular circulation around the northern fringe of the town centre. The Scheme is a key element to the success of 'Project Taunton', which has been set up by SCC in partnership to assist in the delivery of the accelerated growth of Taunton that had been identified in the Regional Planning Guidance in 2001²⁴ and in the draft Regional Spatial Strategy for the South West 2006 to 2026²⁵.
- 4.3 The Scheme is delivered and grant funded by the DfT, together with contributions from SCC and associated developers. Its estimated cost is £21.7 million of which £1.028 million has already been spent in developing the Scheme. The best and final bid was accepted by the DfT and a letter dated 4 February 2011 confirmed that the necessary funding was available. SCC, at its Cabinet meeting on 1 February 2012, agreed to include within its Medium Term Financial Plan provision for funding the shortfall in DfT funding²⁶.
- 4.4 Measures in the Scheme are incorporated to address air pollution, noise, congestion, safety, pedestrian and cycle facilities, landscaping, safe means of access and egress, severance, sustainable drainage, surface water attenuation and disability facilities²⁷. The objectives of the Scheme are specifically to reduce congestion and accidents in the Greenway Road, Priorswood Road and Rowbarton areas; improve air quality in the town centre; provide additional road capacity to accommodate planning growth; and provide strategic access to enable the regeneration of sites at Taunton west and east goods yards, and the Firepool area adjacent to the River Tone²⁸.
- 4.5 Planning Permission for the Scheme and associated works was granted by SCC on 6 October 2008²⁹. The planning permission has been implemented with works being carried out at the Station Approach junction. Planning permission is not required for improvements to the existing Priory Bridge Road/Priory Avenue/Priory Park roundabout and construction of a new roundabout, a provision of residents' parking area and noise/visual screening and highway works at the intersection of Chip Lane and Staplegrove Road, as these works fall within the Highway Authority's General Development Order Powers³⁰.

²³ Document CD29

²⁴ Document CD16

²⁵ Documents CD13 and CD14

²⁶ Document SD2 paragraphs 14.2 to 14.4

²⁷ Document CD70 paragraph 42

²⁸ Document CD70 paragraph 54

²⁹ Document CD67

³⁰ Under Part 13 (Development by Local Highway Authorities) of the Town and Country Planning

The Scheme

4.6 The Scheme involves:

- Construction of a new bridge over the River Tone and the canal in the vicinity of Priory Fields Retail Park;
- Replacement of the former rail bridge over Station Road to the north of Whitehall;
- Replacement of the existing footbridge over the railway at Chip Lane;
- Construction of about 1.6 km of new carriageway together with the realignment of a further 150 m of carriageway;
- Construction of a new junction at the Chip Lane/Staplegrove Road junction;
- Improvements to the existing Priory Bridge Road/Priory Avenue/Priory Park junction; and
- The provision of pedestrian and cycle facilities.

4.7 The Scheme is intended to be constructed under a single construction contract. A 52 hour possession over the railway has been booked from Network Rail (NR) for Christmas 2012. Should this opportunity for the demolition of the old footbridge be missed, the Scheme would be potentially delayed by 18 months until Easter 2014 or alternatively shorter possessions may have to be utilised. The works at Station Approach and the provision of an access into Firepool ideally needs to be in place by July 2013 to allow construction traffic for the development to access the site either via Station Road or Firepool Bridge. The necessary procurement process for the construction contract is being implemented and a preferred tenderer has been identified. The overall construction period is programmed to be 18 months, assuming commencement of construction in October 2012, with completion achieved by the end of March 2014³¹.

The Objectives and Benefits

4.8 There are 3 main objectives of the Scheme:

- Reduce congestion and improve journey time reliability around the town and within the town centre;
- Provide access to sustainable town centre mixed use development sites, enabling and facilitating regeneration and growth of the town; and
- Improve accessibility for pedestrians and cyclists between the large residential area to the north of the town and the town centre.

4.9 The evidence demonstrates that if the Orders are confirmed the above objectives would be achieved. Looking at as a whole, journey times would

(General Permitted Development) Order 1995.

³¹ Document SD2 Paragraphs 15.1 to 15.5

reduce, the time spent in queues would reduce and bus journeys would particularly benefit. Journey times across Taunton would decrease by between 2 and 3 minutes, notwithstanding the fact that there would be, for a limited period in the peak hours, some delay and queuing at the junctions either end of the Scheme and an increase in traffic on Staplegrove Road³². The Scheme would enable a huge economic significance to the town in terms of jobs and regeneration by the opening up of the Firepool site³³. The proposed replacement footbridge would be an improvement in that it would be access compliant and available for all pedestrians and cyclists and, bearing in mind the costs and difficulties of replacing a bridge over the railway, could only be justified as part of the Scheme. Furthermore, the Scheme would offer other benefits³⁴.

- 4.10 If the Orders are not confirmed, it is highly unlikely that there would be any improvement in accessibility between the area north of the town and the centre, the present congestion problems would get worse and the redevelopment of the Firepool area would be significantly set back with an extremely harmful effect on employment prospects and regeneration and revitalisation of the town centre. The Scheme has been assessed by the DfT as having high value for money with an 11.87 Benefit Cost Ratio and one of the few schemes nationally to gain an offer of funding from central government in the current spending round³⁵.

Compulsory Purchase Order

- 4.11 SCC has demonstrated why all the CPO plots are required and that sufficient land would be obtained for the construction of the Scheme. The required easement from Taunton Deane Borough Council (TDBC) will be acquired voluntarily³⁶. There are no impediments to the timely progression of the Scheme. The sources of funding are identified and the procurement process is underway. There is a strong and compelling case in the public interest why the Scheme should be allowed to proceed.
- 4.12 The DfT Casework team has suggested a number of drafting amendments to the Orders which it wishes to be incorporated as modifications³⁷. One of these amendments is to include an area of land to be transferred from TDBC to be used as exchange land in the CPO so that rights and incidents attached to the existing open space would transfer by the operation of the statutory process³⁸. TDBC has not objected. The modifications have been identified³⁹ and none of these modifications affect the substance of the

³² Document SD5 paragraphs 4.5 to 4.8

³³ Document SD8

³⁴ Document SD2 paragraphs 4.1 and 7.1

³⁵ Document SD47

³⁶ Document ID8

³⁷ Documents ID4 and ID5

³⁸ Document SD29 paragraph 18

³⁹ Documents ID10, ID11, ID12, ID13, ID14, ID15 and ID16

Orders or have any practical impact on those affected by them.

- 4.13 TDBC has agreed to grant SCC an easement in perpetuity over an area of land designated as public open space to facilitate the construction of the bridge on the TNIDR⁴⁰.

Side Roads Order

- 4.14 The only issues with regard to the SRO seem to relate to the private accesses and footbridge. Access to Priory Fields Retail Park has been agreed with the owner and resulted in SJPUK withdrawing its objection. In relation to the access to the retail park at Chip Lane, a suitable and convenient replacement access would be provided which would be acceptable in highway terms and no good reasons have been provided to show why it would not be acceptable.

The Bridge Scheme

- 4.15 There have been no objections directed to the specifics of the Bridge Scheme, which would span the River Tone, the canal and Priory Fields Retail Park service access. The necessary clearance to the service access, which is 5 m, would ensure that the required 2.4 m clearance would be provided over the canal tow path. British Waterways are satisfied with the designed soffit levels and the agreed arrangements during construction⁴¹.

Section 19 Exchange Land Certificate

- 4.16 A section of 276 sq m deemed as public open space⁴² would become public highway at the north end of Priory Park south of the River Tone. An area of 428 sq m at the southern side of Station Approach would be acquired by the CPO and given in exchange. A further 353 sq m of exchange land, acquired by agreement with TDBC⁴³, would be provided to the immediate west of the existing public open space⁴⁴.
- 4.17 The above provision of land at 2 locations would offer the public a considerable gain in the amount of public open space, which would be laid out in a manner that would make each area advantageous in quality terms⁴⁵. The land in the new plot by the River Tone would be as convenient for residents of the Priory Park estate as the acquired land and there is no objection from any of the residents of that estate to the provision of this open space as exchange land. The other land by the Railway Station would

⁴⁰ Document ID8

⁴¹ Document SD2 paragraph 9.12.5

⁴² Within the meaning of Section 19 of the Acquisition of Land Act 1981.

⁴³ Document SD26 Section E paragraph 3

⁴⁴ Document SD2 paragraph 21.2

⁴⁵ Document SD3 Appendices K and L

add to the diversity of open space available for the public in that area. There can be no reason why the Certificate should not be issued⁴⁶.

5 THE CASE FOR THE OBJECTORS

The material points were:

Non-Statutory Objectors

Mr Jeremy Leyton⁴⁷

- 5.1 Mr Leyton indicated that he considered that the Scheme is not necessary and would create a traffic problem. He expressed the following views. If parking would be allowed along it, it would be a problem. Traffic problems on Greenway Road could be improved by not having parking along it. The link from Priory Avenue would not be needed if the TNIDR continued to the existing Obridge roundabout.
- 5.2 An alternative to the proposed temporary access road to the residential area at Priory Park to enable the Priory Avenue roundabout to be constructed would be to use a footpath from Priory Bridge Road to Winters Field. This would avoid the need to remove 2 trees at the end of a cul-de-sac that are subject to a Tree Preservation Order (TPO).

Mr Stephen Perry⁴⁸

- 5.3 Mr Perry claimed that he represented Whitehall Residents' Association, but accepted that there was no formal notification of this and that he in fact was representing his own interests⁴⁹.
- 5.4 Mr Perry's main concerns were that the alignment of the TNIDR at Whitehall would result in the loss of an area of planting between the railway and Whitehall, which would harm the visual amenity of that area, and an increase in noise at the houses in Whitehall. He queried why the houses are not blight status due to the resulting negative impact, but he has not made a formal application⁵⁰. He expressed the following concerns.
- 5.5 SCC has not used the CPO to acquire sufficient land from NR to enable the TNIDR to be moved further away from the houses in Whitehall⁵¹. An alternative to the suggested revised alignments would be to move the

⁴⁶ Document SD47 paragraph 38

⁴⁷ Oral evidence given by Mr Leyton at the inquiry

⁴⁸ Document OD12 and oral evidence given by Mr Perry at the inquiry

⁴⁹ Reply to Inspector's question at the inquiry

⁵⁰ Reply to question from Mr Sauvain

⁵¹ Document OD12 Option 1 and Option 2 Plans: Revised alignments

proposed retaining wall to the side of the railway and replace the footway with an embankment that would allow planting alongside Whitehall.

- 5.6 The traffic survey for the Scheme does not take account of future plans for Taunton, including the pedestrianisation of North Street and St James' Street. Station Road would therefore not have less traffic and the additional noise from this and the traffic on the TNIDR would be heard at the houses in Whitehall.

Mr Leonard Daniels⁵²

- 5.7 Mr Daniels is a resident of Staplegrove Road. He expressed concerns about the noise, vibration and pollution from the additional traffic that would be generated on that part of Staplegrove Road by the TNIDR. He suggested that this would add to the congestion on the road that occurs due to traffic accessing Taunton School, which is near to a sharp bend in the road, and traffic would be displaced from Greenway Road onto Staplegrove Road. Therefore, the Scheme would not offer any benefit.
- 5.8 He put forward a more long term solution to the congestion in Taunton as being to construct the proposed ring road to the north of Taunton. Another solution that he proposed was to use Bindon Road to Silk Mills, which would be through a more industrial area than Staplegrove Road.

Mr W J A Tame⁵³

- 5.9 Mr Tame was concerned that the Scheme does not include improvements to a traffic signal junction on Staplegrove Road, which does not meet the required design standards. The improvements to this junction would require additional land in the CPO from Rivendell Cottage. Without these improvements, he considered that the flow of traffic on the A3087 would not be improved and the Scheme would therefore not achieve its purpose.

Mr Paul Carter⁵⁴

- 5.10 Mr Carter is a resident of Chip Lane. He was concerned that the Scheme would not reduce traffic volumes or relieve congestion but would move congestion to another point in Taunton. He suggested that the options for the junction of the TNIDR with Staplegrove Road have not been properly considered and the proposed roundabout would be larger than would be necessary. He considered that a double mini roundabout would be the best solution for this junction and would reduce the level of land take. He also suggested that the proposed new footbridge would be unattractive and would be unnecessary. It would require users to cross Chip Lane near to

⁵² Oral evidence given by Mr Daniels at the inquiry

⁵³ Documents CD80 and OD2

⁵⁴ Document OD13 and oral evidence given by Mr Carter at the inquiry

the access to the Royal Mail offices. The Scheme would therefore not achieve its stated purposes.

Mr Roger Fenge⁵⁵

- 5.11 Mr Fenge expressed concerns about access from the residential area at Priory Park onto the new road from Priory Avenue. He suggested that the roundabout at the junction of Priory Avenue and Obridge viaduct is congested between the hours of 1630 and 1800, which would result in congestion at the proposed new roundabout at the junction of the TNIDR and Priory Avenue. He considered that the design also needs to take account of additional traffic from events at the cricket ground.

Written Representations of Objection: Statutory Objectors

J Gliddon & Sons Limited⁵⁶ (*JGSL*)

- 5.12 The CPO seeks to acquire Plots 2, 3, 6, 10, 11, 12 and 13 on the CPO map, consisting of land owned by the objector⁵⁷. The SRO seeks to stop-up 2 accesses to land owned by the objector and provide a new replacement access for one of these accesses⁵⁸.

Planning Permission

- 5.13 For the reasons given in the Legal Submission⁵⁹ the proposed roundabout at the Staplegrove Road/Chip Lane junction does not have planning permission. The lack of planning permission for an important part of the Scheme is a significant impediment to the confirmation of the Orders. Also, planning permission for the remainder of the Scheme expired on 21 October 2011.

Land Requirements

- 5.14 An area of land in the ownership of TDBC that is required for the bridge to be constructed is not being acquired under the CPO. There is no certainty of the acquisition taking place, as TDBC will need to advertise its intention to grant the rights under Section 123(2A) of the Local Government Act 1972. The potential impediment to the Scheme resulting from the need for this easement is significant.

⁵⁵ Oral evidence given by Mr Fenge at the inquiry

⁵⁶ Documents CD77, OD3, OD4, OD5, OD6, OD7 and OD8

⁵⁷ Document CD1.

⁵⁸ Document CD2

⁵⁹ Paragraphs 3.1 and 3.2 of this report

Effect on the Retail Park

- 5.15 The land take from JGSL to construct the roundabout at the junction of Staplegrove Road and Chip Lane and to replace a footbridge over the railway is significant. Planning permission has been granted to modernise the buildings on the Retail Park that is owned by JGSL, subject to car parking requirements, which may be prejudiced by the land take in the CPO.
- 5.16 The current access location is preferable to the relocated access, both in the current use scenario if the planning permission is progressed and in the event of redevelopment, due to the relocated access constraining buildings on the land. Insufficient thought has been given to the impact of the Scheme on the land in rejecting alternative designs for the Staplegrove/Chip Lane junction and the access. A dropped kerb immediately to the west of the proposed footbridge that is not shown to be stopped up has been agreed to be included as a vehicle crossing under accommodation works⁶⁰. Insufficient details have been provided to show that access to the Retail Park would be maintained at all times during construction and that accommodation works would be carried out to ensure continued usability of the land.
- 5.17 The proposed new junction was the subject of a capacity assessment in April 2008 and was found to be over capacity during the future years without taking proper consideration of the traffic that could be expected to be generated from consented development at Chip Lane. SCC's decision regarding the roundabout option did not take sufficient account of Chip Lane and its current and potential future uses⁶¹.

Footbridge

- 5.18 The alignment of the footbridge and ramps could be altered to take adjacent land owned by the Royal Mail which would reduce the constraints on redevelopment of the Retail Park, complement the proposed redevelopment of the land and benefit from improved natural surveillance and safety for users. The 6.5 m wide link to the side of the footbridge could be reduced to accommodate a 3 m wide footpath, which would be adequate and would allow 28 car parking spaces to be accommodated within the land that would be saved.
- 5.19 The new footbridge would adversely impact upon the availability of land within the ownership of JGSL which is currently used by Royal Mail for staff parking. The alternative parking area that SCC would make available is some distance from the Royal Mail offices and staff would be transferred by mini-bus to and from the offices. This would result in an increase in the need to travel and could result in staff parking along the already congested

⁶⁰ Documents OD15 and OD16 Item 7.1.2 page 3

⁶¹ Document OD4

Chip Lane, in the Retail Park car park and in adjacent residential areas. If the footbridge is designed and laid out in a way that made more efficient use of the land, the arrangement would not be required. The TNIDR could be constructed without a new footbridge and associated land take. The CPO would therefore result in inefficient land use⁶².

Temporary Rights

- 5.20 Temporary rights over land in the ownership of JGSL are shown on the plans and are not included in the CPO. It is understood that the Scheme cannot be implemented without acquiring these rights. It cannot be assumed that a grant of temporary rights will be made to enable the Scheme to proceed.

Funding

- 5.21 The developer funding for the Scheme has not been shown to be achievable. No explanation has been given how any shortfall in funding would be met. If the Scheme is not fully funded, there would be significant impediments to it being brought forward.

Exchange Land

- 5.22 The exchange land offered cannot be said to be equally advantageous to the public. The open space that is to be acquired is a grassed area to the south of the River Tone with a frontage onto the river bank forming part of the river bank walk. It is immediately adjacent, easily accessible to and extensively used for recreation purposes by a number of people in the adjacent substantial housing development⁶³.
- 5.23 The areas of land to be acquired by the CPO as exchange are to the north of the River Tone, some distance away from the houses and are a very different character to that being acquired, offering limited amenity value on the basis that they are alongside a busy road. The other parcel of land alongside the River Tone could come forward as open space in the redevelopment of the car park area, is not well located to residential development that uses the land to be acquired and no details have been given as to how the land would be improved. Also, it is owned by TDBC and is not included in the CPO. Although the exchange land is greater in area to that acquired, it would not offer a similar level of amenity and a Certificate under Section 19 of the Acquisition of Land Act 1981 should not be given⁶⁴.

⁶² Document OD5

⁶³ Document OD3

⁶⁴ Document OD3

Negotiations

5.24 JGSL has been ready, willing and able to discuss voluntary acquisition of the land. SCC's position with regard to betterment is not substantiated and the surveyor's fees have only recently been agreed, which has made it difficult to progress any meaningful discussions regarding accommodation works⁶⁵.

Costs

5.25 JGSL seeks an award of costs based on the following unreasonable behaviour by SCC (points 1 and 4) and successful objections by JGSL (points 2 and 3)⁶⁶.

- The provision by SCC of incorrect maps showing large land take and the need for land for accommodation works;
- The land to the west of the footbridge which is not included in the CPO but was shown on previous plans;
- The easement required from TDBC and the need for it to be dealt with before confirmation of the CPO; and
- The retention of a dropped kerb crossing originally not acknowledged by SCC.

JGSL reserves its right in regard to costs pertaining to other matters dealt with by way of objection.

Written Representations of Objection: Non-Statutory Objectors

Mr Alex Sully⁶⁷

5.26 The Scheme would fail to provide adequately for the safety and convenience of cyclists by not providing cycle lanes on either side of the carriageway throughout its length. No evidence has been provided by SCC within its Transport Assessment that demonstrates that it has any understanding of how the Scheme would meet the needs of cyclists. There is also no analysis of the likely trip generation that would result from the re-distribution of routes currently used by cyclists once the additional river crossing would be available. The same applies to the degree of latent demand that might be released by it. This also applies to movements in the immediate vicinity of the Scheme as much as those within it.

5.27 The west-bound cyclists would not be catered for safely and the proposed road layout at the western end of the Scheme would result in cyclists staying within the carriageway only to be confronted with an inadequate carriageway width of 6.75 m on the railway bridge. This would be 0.55 m

⁶⁵ Documents OD6 and OD16 Item 7.1.11 page 4

⁶⁶ Document OD16 pages 5 to 7

⁶⁷ Document OD1

short of the acknowledged 7.3 m seen as appropriate for the bulk of the Scheme. The design fails to take adequate notice of the DfT's guidance that cyclists should be accommodated within the carriageway on urban roads where the speed limit is 30 mph or less. A cycle track should be provided on the north side of the road with a toucan crossing connecting it to the cycle track on the southern side.

- 5.28 At Staplegrove Road and Priory Avenue roundabout junctions, cyclists heading east would be expected to undertake diversions and suffer delays by the need to stop to cross the carriageway. It cannot be claimed that these arrangements would meet the needs of the inexperienced cyclist as no regard has been given to where these users would have come from and would be going to. Also, no regard has been given to the existing cycling conditions on the approach to the Staplegrove Road junction, in particular those faced on Staplegrove Road (north) and Bindon Road. SCC should acquire sufficient land to provide coherent cycle and pedestrian links and crossings at the above junctions and along the TNIDR.

6 REBUTTALS OF SOMERSET COUNTY COUNCIL (SCC)

The material points were:

J Gliddon & Sons Limited (JGSL)

- 6.1 The objections regarding the design and location of the roundabout and footbridge, if upheld, would prevent the Scheme from happening in this spending round and the potential redevelopment of areas of unused or underused land which the Scheme would otherwise bring forward would either not occur or be delayed. The attractiveness of the site owned by JGSL for higher value retail uses would increase considerably if or when the road is constructed. This is demonstrated by JGSL's concerns over the capacity of the roundabout to cater for new development opportunities⁶⁸.
- 6.2 JGSL's suggestions that the capacity of the roundabout should be tested against every possible permutation of development options without giving any indication of what the options might be, is a negative approach⁶⁹. The capacity of the roundabout has been assessed with respect to the future potential development of JGSL's land prior to making the Order in 2009⁷⁰ under its current permitted uses, which include open A1 retail use. The relocated access would be some 25 m east of the existing and is considered appropriate for the current site use. It could be subject to change to

⁶⁸ Document OD8 paragraphs 5 and 6.

⁶⁹ Document SD26 Section D response to paragraphs 14, 15 and 16

⁷⁰ Document SD41

- accommodate the layout of any proposed redevelopment⁷¹.
- 6.3 A number of different junction options were assessed prior to the adoption of the current proposal, which is demonstrably the best in traffic terms⁷². Incidentally, the location and design of that roundabout, which is driven by the need to accommodate 5 arms and provide the necessary deflection on those arms, would allow some mitigation to be provided for residential properties on the other side of Staplegrove Road to JGSL's land.
- 6.4 With regard to the footbridge, the existing structure is directly affected by the TNIDR in that a supporting pier currently on NR land would need to be removed as it is on the line of the road. All modes of transport have to be considered. The existing structure is not suitable for mobility impaired users and the only cycle facilities are troughs at the side of the steps. Adequate visibility would be provided without the need to incorporate another interest, that of the Royal Mail, within the CPO. Additional width above the suggested 3 m would be required for the access link as there would be a structure on one side and a fence on the other⁷³.
- 6.5 SCC has had difficulties in setting up meetings with JGSL, having direct contact with its expert witnesses⁷⁴, and ascertaining its preferred location for the footbridge. No response has been given to an offer by SCC of a minor relocation of the footbridge and JGSL's latest suggestion of moving the pedestrian/cycle link to the west of the ramps had not previously been suggested. Options of moving the footbridge to the east and the latest suggestion have been considered by SCC but the interests of the Royal Mail and the need for a maintenance strip also have to be taken into account. In addition, safety issues and the cost of the footbridge compared to the benefit that a change in design would achieve need to be considered. On this basis, the latest suggestion by JGSL's experts is not acceptable⁷⁵.
- 6.6 Agreement has been reached with Royal Mail with regard to alternative car parking close to, and within easy walking distance of, the existing parking and would not require any transfer by mini-bus. Its location would ensure that there would not be any attraction to park along Chip Lane or in the adjacent private car park areas. The relocation of a fully compliant footbridge and approach ramps to avoid the loss of this car parking would impact on the existing retail area of JGSL⁷⁶.
- 6.7 With regard to the loss of car parking, there is no substance to the objector's concerns as an assessment has been made of the parking

⁷¹ Document SD26 Section D response to paragraph 5

⁷² Documents SD38, SD39 and SD40

⁷³ Document SD26 Section D response to paragraphs 25 and 27

⁷⁴ Document SD46: e-mails of 2 and 4 April 2012

⁷⁵ Document SD26 Sections A3 and B1

⁷⁶ Document SD26 Section B3

- requirements for the retained site⁷⁷. Any difference in parking would be part of the compensation, which is based on assumed separate scenarios for the parking calculations⁷⁸.
- 6.8 The temporary rights for construction of the Scheme that are to be negotiated⁷⁹ are not essential elements of the Scheme. They would be used for accommodation works and the provision of temporary access to the River Tone. If they are not able to be agreed, there are other ways of doing the work. All land that would be required to construct the Scheme is included in the CPO⁸⁰.
- 6.9 Agreement in principle has been reached with TDBC with regard to the grant of an easement over the land concerned with the bridge. TDBC has agreed to advertise its proposal under Section 123 2(A) of the Local Government Act 1972 in advance of any CPO being confirmed⁸¹.
- 6.10 With regard to the funding for the Scheme, the existing Section 106 Agreements have been used to provide contributions towards the section of the TNIDR that has been constructed⁸². There is no further requirement for developer contributions to fund the Scheme and SCC has resolved to fund any shortfall⁸³.
- 6.11 In terms of negotiations, SCC opened them with JGSL in May 2011 and it was not until 6 months later before JGSL appointed a valuer. SCC made an offer in August 2011 and JGSL has never indicated a price that would be acceptable or the valuer indicated any willingness to sell at a particular price. This does not demonstrate any willingness to treat with the object of a voluntary transaction. SCC has demonstrated that it has acted proportionately throughout the consultation with the public generally and by entering into, or offering to enter into, technical discussions relating to the design of the Scheme from an early stage, including making offers that have not had any positive response from JGSL⁸⁴. Although agreement has been reached regarding the scale of the Surveyor's fees⁸⁵, there is no evidence that there is any reasonable prospect of achieving the acquisition of the land by agreement.

⁷⁷ Oral evidence of Mr Needs given at the inquiry and Documents SD42 and SD43

⁷⁸ Oral evidence of Mr Child given at the inquiry and Document SD34 paragraph 3

⁷⁹ Document SD24

⁸⁰ Oral evidence by Mr Needs given at the inquiry

⁸¹ Documents SD26 and ID8

⁸² Document SD26 Section D response to paragraphs 30 and 31

⁸³ Document SD2 paragraphs 14.2 to 14.4

⁸⁴ Documents SD15 and SD47

⁸⁵ Oral evidence by Mr Child given at the inquiry

Mr Jeremy Leyton

- 6.12 The argument that the Scheme would merely shift a traffic problem from one area to another is one that is commonly made and there is always going to be some superficial basis for this whenever a new road scheme has to reconnect with the existing network in an urban area. The evidence on the overall improvements in journey times, particularly east-west, demonstrates that the Scheme would have a significant positive effect and that it would fulfil the identified objectives. Parking restrictions would apply to the whole length of the TNIDR with no loading or unloading permitted. The suggested restriction of on-street parking on Greenway Road, with consequences to the residents, has been considered and not adopted for good reasons⁸⁶.
- 6.13 The suggested link to Obridge roundabout would take additional land from Priory Fields Retail Park and for new residential development. It would have an additional cost due to the requirement for a skewed structure across the canal and longer carriageway. It would also be likely to cause greater disruption to the Retail Park and greater congestion at Obridge roundabout due to the requirement for a fifth arm. Funding for this change would not be available and it would result in stopping the Firepool redevelopment⁸⁷.
- 6.14 The suggested temporary access to the Priory Park residential area would be an inadequate width and have a right angle bend with limited visibility, which would be unsafe for vehicles and pedestrians. The proposed temporary access through Priory Bridge car park would involve the removal of 2 trees that are the subject of a TPO, and requires planning permission. The application will be taken to the June Committee. Should it not be successful, it would still be possible to carry out the necessary works by phasing them to ensure that temporary access would be maintained. As such, it would not affect the Scheme⁸⁸.

Mr Stephen Perry⁸⁹

- 6.15 The visual impact of the Scheme to residents in Whitehall was considered at the planning stage and a condition imposed relating to replacement landscaping⁹⁰. The technical evidence is that there is no noise impact because of the reduction in traffic on Station Road and the mitigation offered by the proposed noise attenuation barrier⁹¹.

⁸⁶ Oral evidence given at the inquiry

⁸⁷ Oral evidence by Mr Needs given at the inquiry

⁸⁸ Oral evidence by Mr Needs given at the inquiry

⁸⁹ Oral evidence given at the inquiry

⁹⁰ Document CD67

⁹¹ Document CD47 Table 4.3

- 6.16 The options of re-aligning the road further away from Whitehall, apart from the additional cost, would involve greater interference with the operational land of NR, who assert that further land take would have unacceptable effects on the use of their land. NR, as a statutory undertaker, has an extra level of protection from compulsory purchase under sections 17 and 18 of the Acquisition of Land Act 1981⁹². The realignment would also not have met safety standards.
- 6.17 The suggested removal of the footway along the side of the road would result in problems with visibility and access by NR workers to the maintenance yard. The design has been agreed following about 3 years of consultation with NR⁹³.
- 6.18 The houses in Whitehall would not qualify in respect of serving a blight notice as they are not proposed to be acquired for the Scheme and there would be no justification for doing so.

Mr Leonard Daniels⁹⁴

- 6.19 SCC accepts that extra traffic would be generated on the section of Staplegrove Road between Greenway Road junction and the Chip Lane roundabout, with about a predicted 50% increase⁹⁵. However, the noise implications are very small, with a calculated increase in noise of 1-3 dB(A) at most of the affected residential properties, and the benefits of the Scheme across the whole area have been taken into account⁹⁶. The effect on the Greenway/Staplegrove Road junction has been modelled and the Staplegrove Road northbound arm would operate within capacity. Staplegrove Road is wider than the Greenway Road route, which is intended to be relieved, and no capacity issues have been identified on Staplegrove Road.
- 6.20 The proposed Northern Outer Distributor Road would serve a different purpose than the TNIDR, which would address local short journeys. That road scheme has not yet been shown to be value for money and there are environmental issues connected with it⁹⁷.

Mr W J A Tame

- 6.21 Mr Tame has failed to demonstrate any connection between the improvement that he is seeking to the junction on Staplegrove Road and the TNIDR. The TNIDR has not been shown to generate significant

⁹² Document CD10

⁹³ Oral evidence by Mr Needs given at the inquiry

⁹⁴ Oral evidence given at the inquiry

⁹⁵ Oral evidence by Mr Sweet given at the inquiry

⁹⁶ Document CD65 paragraphs 6.24 to 6.27

⁹⁷ Oral evidence of Mr Needs given at the inquiry

additional traffic at this junction to justify including any improvements in the Scheme. It would be put forward to be included in a programme of smaller works in the Local Transport Plan⁹⁸.

Mr Paul Carter⁹⁹

- 6.22 The argument that the Scheme would spread congestion is the same as with the objection of Mr Leyton. The capacities of the roundabout options at Staplegrove Road/Chip Lane have been modelled and the roundabout that has been adopted is the one that showed the best performance in traffic terms.
- 6.23 The desirability of retaining the existing footbridge structure is a matter of subjective judgment. The benefits to the public of having a bridge that can accommodate all pedestrian and cycle users and is accessible for disabled users are objectively apparent.

Mr Roger Fenge¹⁰⁰

- 6.24 Concerns about the modelled capacity of the proposed Priory Avenue roundabout may be able to be overcome by adjustments to its design within the CPO area. The Priory Park residential estate would be accessed onto the TNIDR by a priority give way junction, which is considered to be appropriate to cater for the number of vehicles that would be likely to use the junction. The Scheme has not been designed to cater for special events, such as at the cricket ground.

Mr Alex Sully¹⁰¹

- 6.25 The suggested provision of additional cycle facilities would result in an additional width to the road corridor, which would impact upon NR land. The amount of NR land that has been included in the CPO is that which would allow the road but retain enough for NR to operate effectively. If further land had been included, NR would have objected and it is unlikely that the CPO would have been successful. The resultant width therefore varies between about 10 m north of the 'Bed Shed', at which point the cycleway/footway is on Chip Lane, and 15 m. Although there are points where the suggested 12 m width would fit, it would not be possible along the entire length. There are also other factors to consider as well as cyclists. The narrowing of the carriageway width to 6.7 m would retain the cycleway/footway widths and comply with SCC and national standards¹⁰².

⁹⁸ Document SD2 paragraph 22.10 and oral evidence of Mr Needs given at the inquiry

⁹⁹ Oral evidence given at the inquiry

¹⁰⁰ Oral evidence by Mr Sweet and Mr Needs given at the inquiry

¹⁰¹ Document SD2 paragraphs 22.11 to 22.15

¹⁰² Document SD2 paragraphs 9.9.7 and 9.9.8

7 CONCLUSIONS

7.1 Bearing in mind the submissions and representations I have reported, I have reached the following conclusions, reference being given in square brackets ^[1] to earlier paragraphs where appropriate.

7.2 There are a number of considerations ¹⁰³ to be addressed in reaching my recommendations, namely:

In respect of Compulsory Purchase Powers, based on ODPM Circular 06/2004, there should be:

- A compelling case for acquisition in the public interest, and
- evidence that this justifies interfering with the human rights of those with an interest in the land, and
- evidence that the acquiring authority has a clear idea of how the land is to be used, and
- evidence that the acquiring authority can show that all necessary resources to carry out its plans are likely to be available in a reasonable time scale, and
- evidence that the scheme is unlikely to be blocked by any impediment to implementation.

In the case of the permanent extinguishment of a right of way, Section 14 of the Highways Act 1980 requires it to be demonstrated that an alternative reasonably convenient right of way would be provided or the right of way would not be needed.

In the case of the Bridge Scheme, Section 106 of the Highways Act 1980 requires the reasonable requirements of navigation over the waters affected by the Scheme to have been considered.

In the case of the Exchange Land Certificate, Section 19(1)(a) of the Acquisition of Land Act 1981 requires there to have been or will be given in exchange for such land, other land, not being less in area and being equally advantageous to the persons, if any, entitled to rights of common or other rights, and to the public, and that the land given in exchange has been or will be vested in the persons in whom the land purchased was vested, and subject to the like rights, trusts and incidents as attach to the land purchased.

The Legal Submissions

7.3 Whether or not the proposed roundabout at the junction of Staplegrove Road and Chip Lane is permitted development under Part 13 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 is the case is a matter of law. It has not been contested that the roundabout would be constructed on land that is within, and outside but adjoining, the

¹⁰³ Inspector's Note: At the inquiry I set out these considerations or tests for the parties (see Document ID3) ^[1.51].

boundary of the existing highway [3.1]. Even though the Statements of Reasons for the Orders do not specify that the Scheme would be an improvement to the Staplegrove Road/Chip Lane junction, a roundabout could be considered as an improvement of the highway [3.2, 3.3].

- 7.4 The 1995 Order does not specify what constitutes an improvement of the highway and SCC, as the Highway Authority, has claimed that the proposed roundabout would be an improvement. The 1995 Order does not give any indication of what is necessary to show that the highway improvement would be required. The proposed roundabout would be required to improve the junction as a result of the new TNIDR [3.2, 3.4].
- 7.5 The Planning Authority has accepted that the roundabout is included as permitted development under the 1995 Order in the other works associated with the TNIDR. The roundabout is shown on the application plans and no legal representations have been made regarding the planning permission [3.4]. Therefore, based on the above, it is my opinion that insufficient evidence has been presented to show that it is unlawful to treat the roundabout as permitted development under Part 13 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.

Outstanding Objections

Justification for the Scheme [5.1, 5.10]

- 7.6 The Scheme has been identified in national and local plans and reports as an important element in the regeneration of the Firepool area of Taunton and town centre improvements [4.1, 4.2]. SCC has shown that it would reduce congestion and improve journey time reliability in and around the town centre, and would be significant in providing access to Firepool, which is a derelict site near to the town centre that has been identified as a future employment area. It would also provide new and improved pedestrian and cycling facilities for those wishing to access the town centre from the north [4.4, 4.6, 4.8, 4.9, 4.10, 6.1, 6.12, 6.22]. Based on this, I am satisfied that it would meet its main objectives and the delivery of these objectives would amount to considerable public benefit.
- 7.7 Planning permission has been granted for the TNIDR and part of it has already been constructed [4.5, 5.13]. The necessary funding has been made available by the DfT and SCC and it has been identified by the DfT as providing high value for money when being selected for funding [4.3, 4.10, 5.21, 6.10]. Taking the above into account, I find that a strong justification for the Scheme has been demonstrated.
- 7.8 The suggested alternatives, including parking restrictions on Greenway Road, a link onto Obridge roundabout and the completion of the Northern Outer Distributor Road, have been shown to be impractical, not cost effective or unlikely to address all the purposes of the TNIDR, including access to the Firepool redevelopment site [5.1, 5.2, 5.8, 6.12, 6.13, 6.20].

Facilities for Cyclists [5.10, 5.26, 5.27, 5.28]

7.9 One of the stated main objectives of the TNIDR is to improve accessibility for cyclists [4.8]. The Scheme would result in improvements to the existing facilities for cyclists in Taunton by the introduction of a cycle/footway along the side of a large section of the TNIDR and the provision of a new replacement footbridge over the railway that would provide better access for cyclists than the current footbridge, together with road crossing facilities [4.4, 4.6]. As such, I am satisfied that the proposal would achieve this stated objective of improving existing facilities for cyclists. Insufficient evidence has been provided, such as likely numbers and movements of cyclists that would use the TNIDR, to show that additional cycle facilities, including cycle lanes on both sides of the road, would be cost effective, given the constraints on land take from NR [6.25].

Staplegrove Road Roundabout [5.10, 5.15, 5.17]

7.10 SCC has provided a significant amount of evidence to show that different design options for the junction of the TNIDR with Staplegrove Road had been assessed and presented to the public for consultation. This has included assessments of the capacity of the options using recognised methods that have shown the proposed roundabout option to perform the best, even though they show that it would result in queuing on one of its arms during the peak time. I am satisfied that sufficient account has been taken of the impact of redevelopment of the Retail Park on Chip Lane to ensure that any permitted development on that site would not be prejudiced by the roundabout [6.2, 6.3, 6.22].

Chip Lane Replacement Footbridge [5.10, 5.15, 5.18, 5.19]

7.11 I have been given no reason to doubt that the most appropriate option would be to replace the existing footbridge from Chip Lane over the railway as part of the Scheme, particularly as one of the existing piers would need to be removed to cater for the alignment of the TNIDR. Any replacement bridge would need to be compliant with the standards that require facilities to enable use by those that are mobility impaired. The resulting ramps would also provide improved provisions for cyclists, a significant number of which have been shown to use the existing footbridge. As such, the footbridge would improve cycling facilities in the area, which is one of the stated objectives of the Scheme [6.4, 6.23].

7.12 SCC has provided evidence to show that alternative locations and designs of the footbridge would not involve significantly less land take or offer any significant benefits from those of the proposed footbridge. While it would be possible to move the footbridge and reduce the width of the access at the side, I am satisfied that, due to other factors, such as safety, security and convenience of use, this would not be the best option. SCC has shown that it has taken account of consultations with those affected, including JGSL, in arriving at the current design and location of the footbridge [6.5].

7.13 Although the replacement footbridge would no longer cross Chip Lane, I am satisfied that the vehicular traffic would be insufficient to cause any significant problems to those accessing the footbridge, given that Chip Lane would only provide access to the Royal Mail premises at this point. The relocation of the car park for the Royal Mail has not been opposed by the Royal Mail and at my site visit I observed that the proposed new car park can be easily and safely accessed from the Royal Mail site via a footpath at the end of Chip Lane cul-de-sac ^[6.6].

Chip Lane Retail Park Access and Parking ^[5.16, 6.1, 6.2]

7.14 The existing access to the west end of the Retail Park onto Chip Lane would be affected by the proposed roundabout at Staplegrove Road. However, I have not been given sufficient evidence to show that the location of the proposed new means of access from Chip Lane, which would be east of the existing access, would have any material adverse effect on the current use of the site or any likely redevelopment of the site. Furthermore, there is scope for moving that access under any redevelopment. There is nothing before me to show that any other accesses to the Retail Park would be adversely affected by the Scheme.

7.15 With regard to car parking, the evidence shows that the remaining area would be sufficient to provide the required level of car parking for the existing use of the Retail Park and for the permitted development on that site ^[6.7].

Staplegrove Road

7.16 The junction that is mentioned by Mr Tame is far enough away from the TNIDR to not form part of that Scheme. The evidence indicates that any increase in traffic using it as a result of the Scheme would be insufficient to justify the inclusion of improvements to that junction in the works and the Orders ^[5.9, 6.21].

7.17 With regard to the traffic using the part of Staplegrove Road north of the proposed roundabout, the traffic modelling has shown that it would increase by about 50% as a result of the Scheme. Although this would result in an increase in noise at the residential properties along that part of the road, the Noise and Vibration Assessment has shown that it would be insufficient to be a nuisance to the residents ^[5.7, 6.19]. As such, I find that the benefits that have been shown that the Scheme would provide to other areas of Taunton, including Greenway Road and the town centre, outweigh any adverse impact that it would have on the living conditions of residents on Staplegrove Road.

Whitehall ^[5.4, 5.5, 5.6]

7.18 The effect of the Scheme on the residents of Whitehall has been dealt with under the planning application. The surveys have shown that the noise levels at these properties would be slightly reduced as a result of the

Scheme and mitigation measures. Although some existing planting would be lost opposite the houses, the planning permission includes a condition to provide replacement planting in the remaining space between Whitehall and the TNIDR ^[6.15]. The details provided of the suggested alternative alignments for the TNIDR indicate that they would be impractical and not cost effective, given the operational constraints of NR ^[6.16, 6.17].

Other Objections to the Orders

- 7.19 The area of land that is required for the bridge to be constructed will be advertised by TDBC and I have been given no reason to doubt that the easement would be in place when required for the construction of the Scheme ^[5.14, 6.9]. As such, it should not be an impediment to the Scheme.
- 7.20 I am satisfied that the Scheme would be able to be constructed using the land take in the CPO, and the rights acquired from TDBC, and that the land identified for temporary rights to be acquired by negotiation would not be necessary for it to proceed ^[5.20, 6.8].
- 7.21 The provision of a temporary access to the Priory Park residential area would be provided following the grant of planning permission. If such permission is not granted, I am satisfied that there would be alternative arrangements available to ensure that access would be maintained during the construction of the Scheme ^[5.2, 6.14].
- 7.22 The permanent access to the Priory Park residential area has been shown to be appropriate for its use and no evidence has been presented to show that it would not adequately cater for the amount of traffic that would be likely to use it ^[5.11, 6.24].

Exchange Land Certificate ^[5.22, 5.23]

- 7.23 Both of the areas of exchange land would be larger than the area of public open space that would be acquired for the Scheme ^[4.16]. At my site visit, I observed that the space that would be acquired consists of a relatively enclosed grassed area with some trees. It is separated from the housing by the road and from the adjacent park along the River Tone by a flood defence barrier ^[2.7]. As such, it appears to me to have limited value as public open space.
- 7.24 The area of exchange land near to the Railway Station would not be as easily accessible from Priory Park residential estate as the land that would be acquired ^[2.6]. Therefore, although SCC has provided proposals for landscaping this land, which would provide advantages to the public using that area, it would not be equally advantageous to the persons currently entitled to rights over the public open space that would be lost ^[4.17].
- 7.25 The area of land that would be acquired from TDBC adjacent to the River Tone, which I observed has already been landscaped, would not be

separated from that river by a flood defence barrier. I am satisfied that the River walkway would ensure that it would be easily accessible by those within Priory Park residential area. As such, it seems to me that it would be equally advantageous to the residents of this estate and more advantageous to the general public than the public open space that would be acquired. Furthermore, no objections have been received from the residents of Priory Park estate regarding this matter ^[4.17].

Side Roads Order (SRO)

Objections

7.26 I have found that the objections to the stopping up of private means of access are unfounded, given that provision would be made to ensure that access would be maintained during the construction of the Scheme and new alternative convenient accesses would be provided for those accesses that would still be needed after its completion. I am therefore, satisfied that all reasonable efforts have been made to address the objections regarding the SRO.

Provision for the preservation of rights of statutory undertakers in respect of their apparatus (Section 14(2)(a))

7.27 It is clear to me that there are no outstanding objections to the Scheme from statutory undertakers and therefore I consider this criterion has been satisfied ^[1.6].

Another reasonably convenient route is available or would be provided before any highway is stopped up (Section 14(6)).

7.28 As I am content that SCC, as the Highway Authority, are satisfied with the Scheme proposals for the TNIDR and alternative proposals have not been shown to be practical or viable, I consider that this criterion has been met.

Before a means of access to premises is stopped up, either no access to the premises is required or another reasonably convenient means of access to the premises is available (Section 125(3)(a) and (b))

7.29 Where the Scheme includes the stopping up of a private means of access, the evidence has demonstrated that either no access to the property is reasonably required or another reasonably convenient access to the property is, or would be, available. I am satisfied that SCC has allowed for adequate temporary measures to ensure that private means of access would be maintained to all those properties that would require it during construction. On this basis, I accept that this criterion has been satisfied.

Summary

7.30 I conclude that the SRO criteria are satisfied and that accordingly the SRO should be confirmed, subject to the modifications.

Compulsory Purchase Order (CPO)

Objections

7.31 The objections to the CPO have been adequately addressed ^[7.6 to 7.22]. Consequently, I conclude that little weight may be assigned to these objections in the balance against public benefit.

There is a compelling case for acquisition in the public interest and that this justifies interfering with the human rights of those with an interest in the land affected

7.32 I am satisfied that there is a compelling case in the public interest for the Order land to be acquired. I have already concluded that there is need for the Scheme and I consider the acquisition of land and rights over land, that the Order would authorise, would be proportionate and justified and that this criterion is met ^[6.11].

The acquiring authority has a clear idea as to how it intends to use the land it seeks to acquire

7.33 It is clear to me that the engineering design of the Scheme and the design of the associated mitigation proposals are well developed and I consider this criterion is met ^[4.7].

The acquiring authority can show that all necessary resources to carry out its plans are likely to be available within a reasonable timescale.

7.34 The Scheme has been identified for DfT and SCC funding. I therefore consider that it is reasonable to believe that the necessary resources are likely to be available within a reasonable timescale. Accordingly, I consider this criterion has been satisfied ^[4.3].

The acquiring authority can demonstrate that the land is required immediately for the purpose that the acquisition is intended

7.35 All the land is required immediately for the construction of the Scheme. A programme of works has been drawn up, with a construction period of 18 months, and a preferred tenderer has been identified for the construction of the Scheme. Rail possessions have been booked with NR ^[4.7]. Therefore, I accept that this criterion has been met.

The public benefit would outweigh the private loss.

7.36 In the light of all the evidence, I consider that there is a compelling case in the public interest for the Scheme to proceed and that this outweighs the private loss involved in compulsory acquisition ^[7.6 to 7.8].

Summary

7.37 I conclude that the CPO criteria have been satisfied and that accordingly it should be confirmed subject to modification.

Modifications to the SRO and to the CPO

7.38 I conclude that the proposed modifications to the SRO and CPO are necessary and that the Orders should be modified in accordance with the amended documents ^[4.12].

The Bridge Scheme

7.39 British Waterways has not objected to the Scheme. I am satisfied that sufficient headroom would be provided over the tow path. On this basis, there is nothing to prevent the confirmation of the Bridge Scheme ^[4.15].

Exchange Land Certificate

7.40 I have found that the exchange land that has been included in the modified CPO would be greater in area and would be equally advantageous to the people within the adjacent Priory Park residential estate and more advantageous to the public than the public open space land that would be acquired. Also, I am satisfied that the exchange land would be used as public open space. Therefore, I find that the criteria for the Section 19(1)(a) Exchange Land Certificate have been met ^[4.16, 4.17].

Overall Conclusions

7.41 I have considered each of the outstanding objections, including whether or not there is a need for the Scheme. I have assessed both of the Orders against the relevant statutory criteria and I have concluded that they comply. I have found that the Bridge Scheme should be confirmed. I have considered the Exchange Land Certificate and I have concluded that it should be issued. I have noted the proposed modifications to the SRO and CPO and I have concluded that they are necessary. I have found that any adverse impacts, which would be limited, would be far outweighed by the significant benefits that the Scheme would bring.

7.42 Overall, it is my view that the Scheme is very much in the public interest and should be allowed to proceed. I have had regard to all other matters raised, but they do not outweigh the conclusions I have reached and the

recommendations that I make.

- 7.43 Should the Secretary of State find in favour of the legal submissions by JGSL, the resulting lack of planning permission for the roundabout would be a potential impediment to the implementation of the Scheme.

8 RECOMMENDATIONS

- 8.1 I recommend that:

THE COUNCIL OF THE COUNTY OF SOMERSET (TAUNTON NORTHERN INNER DISTRIBUTOR ROAD A3087) (SIDE ROADS AND OTHER WORKS) ORDER 2011 be modified as set out in inquiry document ID12 and thereafter be confirmed;

THE COUNCIL OF THE COUNTY OF SOMERSET (TAUNTON INNER DISTRIBUTOR ROAD) COMPULSORY PURCHASE ORDER 2011 be modified as set out in inquiry documents ID10 (Drawing No SCC/NIDR/OR/1100-D) and ID11 and thereafter be confirmed;

THE COUNCIL OF THE COUNTY OF SOMERSET (BRIDGWATER & TAUNTON CANAL BRIDGE) SCHEME 2011 be confirmed; and

THE EXCHANGE LAND CERTIFICATE under Section 19(1)(a) of the Acquisition of Land Act 1981 be issued.

M J Whitehead

INSPECTOR

APPENDICES

A APPEARANCES

For The Council Of The County Of Somerset:

Mr Stephen Sauvain QC, instructed by Ms Diane Alison, Davitt Jones Bould

He called

Mr Richard Needs HNC(Civ Eng) Engineering Design Team Manager, Environment Directorate, Somerset County Council

Mr Richard Sweet BSc(Hons) MSc MInstP Senior Traffic Modeller, Strategic Planning Group, Somerset County Council

Mr Mark Green ChCS MIED Regeneration Manager, Growth and Regeneration Team, Taunton Deane Borough Council

Mr Stephen Walford MSc BA(Hons) AdvDip(IFT) Transport Policy Manager, Somerset County Council

Mr Tim Child BSc(Hons) MRICS VRS Divisional Manager (Estates), Property and FM, Southwest One

For Non Statutory Objectors:

Mr Jeremy Leyton Local resident

Mr Stephen Perry Local resident, Whitehall

Mr Leonard Daniels Local resident, Staplegrove Road

Mr W J A Tame Local resident

Mr Paul Carter Local resident, Chip Lane

Mr Roger Fenge Local resident

B DOCUMENTS

Core Documents

Order and Related Documents

- CD1 The County of Somerset (Taunton Northern Inner Distributor Road) Compulsory Purchase Order 2011
- CD2 The Council of the County of Somerset (Taunton Northern Inner Distributor Road – A3087) (Side Roads and Other Works) Order 2011
- CD3 The Council of the County of Somerset (Taunton Northern Inner Distributor Road – A3087) (Bridgwater & Taunton Canal Bridge) Scheme 2011
- CD4 Report to Executive Board 5th November 2008
- CD5 Minutes of Executive Board 5th November 2008
- CD6 Copies of Notices
- CD7 Copies of Advertisements

Legislation

- CD8 Highways Act 1980 Sections (not provided)
- CD9 Road Traffic Regulation Act 1984 (not provided)
- CD10 Acquisition of Land Act 1981

Planning Policy

- CD11 National Planning Policy Framework
- CD12 Taunton Deane Development Framework (Taunton Deane Local Plan) November 2004
- CD13 Draft Regional Spatial Strategy (RSS) June 2006
- CD14 The Draft Revised Regional Spatial Strategy for the South West incorporating the Secretary of State's proposed changes
- CD15 Examination in Public of the Draft Regional Spatial Strategy – Taunton Joint Study Area – Summary of the Technical Process and Conclusions

- CD16 Regional Planning Guidance for South West (RPG10)
- CD17 Somerset & Exmoor National Park – Joint Structure Plan Review 1991-2011
- CD18 Examination in Public Draft Regional Spatial Strategy for the South West– Panel Report December 2007.
- CD19 Somerset County Council, Transport Policies, Parking Strategy, March 2012

Highway and Transportation Documents

- CD20 Design Manual for Roads and Bridges (not provided)
- CD21 Taunton Transport Strategy Review (TTSR) Final Report – LTP 2006-2011
- CD22 Appendix 3 Taunton Transport Strategy Review of the LTP2 2006-2011 Provisional Document July 2005
- CD23 Local Transport Plan 2006-2011 (March 2006)
- CD24 Bridgwater, Taunton and Wellington Future Transport Strategy 2011-2026
- CD25 Somerset Future Transport Plan 2011-2026
- CD26 Estate Roads in Somerset Design Guidance Notes and Specification Construction Notes (Red and Green Book)
- CD27 Chapter 8: Traffic Signs Manuals

General Policy Documentation

- CD28 Taunton Urban Design Framework November 2004
- CD29 Taunton Town Centre Area Action Plan October 2008
- CD30 Taunton Urban Extension Study
- CD31 Taunton Deane Borough Council Core Strategy 2011-2028

Site Specific Documents

- CD32 Northern Inner Distributor Road — Major Scheme Business Case March 2011 (including appendices)
- CD33 Local Transport Plan — Major Scheme Bid — July 2005

Planning Application Documents

- CD34 Planning Application Form PP/00426470 03/A
- CD35 Planning Application Drawings
- CD36 Document and Drawing Register
- CD37 List of Owners Served with Notices
- CD38 Planning Supporting Statement
- CD39 Design and Access Statement
- CD40 Site Location Plan Drawing No NIDR/P/F/024
- CD41 Planning Application Red Line Plan Drawing No NIDR/L/F/006
- CD42 Planning Application Green Line Plan Drawing No NIDR/L/F/007
- CD43 Location Plan and Scheme Extent Drawing No 5049578/HW/LP/001 Rev A
- CD44 Landscape Design Statement
- CD45 Outline Landscape Management Plan
- CD46 Landscape Specification
- CD47 Noise & Vibration Assessment
- CD48 Construction Noise Assessment
- CD49 Air Quality Report
- CD50 Ecological Surveys by Country Contracts
- CD51 Email from Steve Membery (Development Control Archaeologist) dated 7 August 2007
- CD52 Ground Investigation Factual Report
- CD53 Interpretative Land Contamination Report Final
- CD54 Transport Assessment

- CD55 Initial Traffic Modelling Final Report
- CD56 Road Capacity Assessment
- CD57 Accident Data
- CD58 Flood Risk Assessment
- CD59 Drainage Concept Report
- CD60 Environmental Impact Tables
- CD61 List of consulted organisations
- CD62 Copies of Consultation Responses
- CD63 List of properties consulted
- CD64 Copies of Representations on Application
- CD65 Report to Regulation Committee 2 September 2008
- CD66 Minutes to Regulation Committee 2 September 2008
- CD67 Planning Permission

Supporting Documentation to Orders

- CD68 Somerset County Council Statement of Reasons — Compulsory Purchase Order
- CD69 Somerset County Council Statement of Reasons — Side Roads Order
- CD70 Compulsory Purchase Order 2011 Statement of Case of Somerset County Council, 6 December 2011
- CD71 Bridgwater and Taunton Canal Bridge Scheme 2011 Statement of Case of Somerset County Council, 6 December 2011
- CD72 As Documents SD1, SD2 and SD3
- CD73 As Documents SD4, SD5 and SD6
- CD74 As Documents SD9 and SD10
- CD75 As Documents SD7 and SD8

- CD76 As Documents SD11, SD12, SD13, SD14, SD15, SD16, SD17, SD18, SD19, SD20, SD22, SD23, SD24 and SD25
- CD77 Objection by J Gliddon & Sons Limited, dated 17 June 2011
- CD78 Objection by AXA Sun Life plc, dated 15 June 2011
- CD78a Objection by AXA Sun Life plc to Section 19 certificate, dated 5 March 2012
- CD79 Objection by Mr Alex Sully, dated 16 November 2011
- CD80 Objection by Mr W J A Tame, dated 1 June 2011
- CD81 Objection by St James's Place UK plc, dated 12 April 2012
- CD82 As Documents OD3, OD4 and OD5
- CD83 As Document OD1
- CD84 Proofs of Evidence St James's Place UK plc
- CD85 As Document OD2

Miscellaneous Documents

- CD86 Department for Transport, Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure

Inquiry Documents

- ID1 Inspector's Dossier from DfT National Transport Casework Team
- ID2 Attendance Lists for Days 1 and 2
- ID3 Inspector's Note of Statutory Tests
- ID4 Department for Transport letter regarding modification to the Scheme and Orders, dated 24 April 2012
- ID5 Letter from Davitt Jones Bould on behalf of Somerset County Council regarding modification to the Scheme and Orders, dated 10 May 2012
- ID6 Core Documents List
- ID7 Somerset County Council Certificate of Compliance to confirm procedural steps undertaken
- ID8 Letter from Taunton Deane Borough Council regarding the grant of an

- easement over its land, dated 9 May 2012
- ID9 Draft deed with St James's Place UK plc regarding the Orders.
- ID10 Modified Drawing No SCC/NIDR/OR/1100-D: Compulsory Purchase Plan Sheet 2
- ID11 Modified Compulsory Purchase Order
- ID12 Modified Side Roads and Other Works Order
- ID13 Compulsory Purchase Order modified by hand
- ID14 Side Roads and Other Works Order modified by hand
- ID15 Compulsory Purchase Order modified by track changes
- ID16 Side Roads and Other Works Order modified by track changes
- ID17 Copy of Letter, dated 17 May 2012 from The Planning Inspectorate to Geldards LLP regarding the adjournment of the inquiry
- ID18 Copy of the Letter, dated 17 May 2012 from Davitt Jones Bould on behalf of Somerset County Council to Geldards LLP enclosing Addendum Proof of Evidence and Summary of Proof of Evidence of Tim Child
- ID19 Copy of the letter closing the Inquiry, dated 30 May 2012

Somerset County Council Documents

- SD1 Summary of Proof of Evidence of Richard Needs
- SD2 Proof of Evidence of Richard Needs
- SD3 Appendices to Proof of Evidence of Richard Needs
- SD4 Summary of Proof of Evidence of Richard Sweet
- SD5 Proof of Evidence of Richard Sweet
- SD6 Figures and Appendices to Proof of Evidence of Richard Sweet
- SD7 Summary of Proof of Evidence of Mark Green
- SD8 Proof of Evidence of Mark Green
- SD9 Summary of Proof of Evidence of Stephen Walford
- SD10 Proof of Evidence of Stephen Walford
- SD11 Summary of Proof of Evidence of Jean Housley
- SD12 Proof of Evidence of Jean Housley
- SD13 Appendix 1 to Proof of Evidence of Jean Housley

- SD14 Appendix 2 to Proof of Evidence of Jean Housley
- SD15 Appendix 3 to Proof of Evidence of Jean Housley
- SD16 Appendix 4 to Proof of Evidence of Jean Housley
- SD17 Appendix 5 to Proof of Evidence of Jean Housley
- SD18 Appendix 6 to Proof of Evidence of Jean Housley
- SD19 Appendix 7 to Proof of Evidence of Jean Housley
- SD20 Appendix 8 to Proof of Evidence of Jean Housley
- SD21 Appendix 9 to Proof of Evidence of Jean Housley
- SD22 Appendix 10 to Proof of Evidence of Jean Housley
- SD23 Appendix 11 to Proof of Evidence of Jean Housley
- SD24 Appendix 12 to Proof of Evidence of Jean Housley
- SD25 Appendix 13 to Proof of Evidence of Jean Housley
- SD26 Rebuttal/Responses to Evidence/Submissions made on behalf of J Gliddon & Sons Limited
- SD27 Addendum to Proof of Evidence of Jean Housley by Tim Child
- SD28 Summary of Proof of Evidence of Tim Child
- SD29 Opening Statement on behalf of Somerset County Council
- SD30 Somerset County Council response to Homesense, dated 26 April 2012
- SD31 Staplegrove Road- Noise Assessment
- SD32 E-mails from developers supporting the Northern Inner Distributor Road
- SD33 Taunton Future Perfect Leaflet showing future development sites
- SD34 Southwest One Letter to J Gliddon & Sons Limited, dated 10 May 2012
- SD35 Somerset County Council's correspondence with J Gliddon & Sons Limited
- SD36 Northern Inner Distributor Road Staplegrove Junction Options Report on Roundabout Modelling
- SD37 Correspondence regarding land take at Whitehall Road
- SD38 Summary of Design Options for Staplegrove Road/Chip Lane junction
- SD39 Assessment of Design Options for Staplegrove Road/Chip Lane junction
- SD40 Drawings of Design Options considered for Staplegrove Road/Chip Lane junction

- SD41 Correspondence regarding the Staplegrove Road/Chip Lane junction capacity
- SD42 Somerset County Council's car parking calculations for Chip Lane Retail Park
- SD43 Design and Access Statement for Outline Planning Application by J Gliddon & Sons Ltd
- SD44 Correspondence regarding access to Firepool development
- SD45 Correspondence regarding Firepool build-out
- SD46 Correspondence between Somerset County Council and Geldards regarding J Gliddon & Sons Limited
- SD47 Closing Statement on behalf of Somerset County Council

Objector's Documents

- OD1 Statement by Alex Sully
- OD2 Letter and Drawing from Mr W J A Tame, dated 12 April 2012
- OD3 Letter of objection to Section 19 Certificate from Geldards LLP on behalf of J Gliddon & Sons Limited, dated 5 March 2012
- OD4 Statement from Matt Russell, Vectos on behalf of J Gliddon & Sons Limited, dated 16 April 2012
- OD5 Statement from John Cottrell, Nathaniel Lichfield & Partners on behalf of J Gliddon & Sons Limited, dated 13 April 2012
- OD6 Statement and Appendices from Andrew Bowyer, Jones Land Lasalle on behalf of J Gliddon & Sons Limited, dated 17 April 2012
- OD7 Comments on the evidence from Somerset County Council from Geldards LLP on behalf of J Gliddon & Sons Limited, dated 29 April 2012
- OD8 Letter of response to the Rebuttal of Somerset County Council by Geldards LLP on behalf of J Gliddon & Sons Limited, dated 14 May 2012
- OD9 Letter from Babcock International Group withdrawing the objection by Western Power Distribution (South West) plc, dated 14 May 2012
- OD10 Letter from DLA Piper UK LLP giving a formal withdrawal of the objection by St James's Place UK plc to confirmation of the Orders and the Scheme, dated 15 May 2012
- OD11 Letter from DLA Piper UK LLP giving a formal withdrawal of the objection by St James's Place UK plc to the Exchange Land Certificate, dated 15 May 2012

- OD12 Statement of Mr and Mrs Stephen Perry and accompanying documents presented to the inquiry by Mr Stephen Perry
- OD13 Copy of the statement given orally by Mr Paul Carter at the inquiry
- OD14 Copy of letter of withdrawal of objections by AXA Sun Life plc, dated 25 May 2012
- OD15 Copy of letter, dated 17 May 2012, and accompanying plan from Geldards LLP on behalf of J Gliddon & Sons Limited
- OD16 Response to evidence of Mr Child from Geldards LLP on behalf of J Gliddon & Sons Limited, dated 30 May 2012

Related Documents

- RD1 Letter from Homesense to South West One, dated 24 April 2012