

A27 Arundel Bypass – Consultation Responses by Walberton Parish Council for Further Consultation 16 November to 16 December 2022

	Issue	Comment
1 Traffic mitigation for Walberton		
1.1	Traffic levels	The revised design still results in large increases in traffic through the village of Walberton.
		There are also large increases along Eastergate Lane and through Fontwell village.
		There is evidently a considerable amount of rat-running throughout the Parish resulting from the design and so it is not fulfilling its intended and stated purpose, namely to keep traffic on the A27.
1.2	Data provision	The data provided is limited to a few roads. Key routes through the Parish such as Wandleys Lane and West Walberton Lane have been omitted.
1.3	Data provision	National Highways (“NH”) has confirmed the existence of more detailed traffic data but has failed to provide it as part of the consultation. Although they have stated that it can be requested, the slow turn-around time for responses to requests made on the 14 November by Walberton Parish Council (“WPC”) and its parishioners on the 22 nd November means that it has not arrived prior to the closing date of the consultation running from 16 November to 16 December 2022 (the “Consultation”). The inability to provide timely clarifications to the reasonable requests on this issue of Walberton resident [-----] are of particular concern (see his email correspondence attached to this representation as Appendix 1).
1.4	Data provision	NH has advised that other design changes to the proposals for the A27 Arundel Bypass (the “Scheme”), such as speed limit changes on local roads, contribute to the revised traffic figures presented. The full suite of these changes have not been provided for public consumption or consultation.

1.5	Data accuracy	The data provided concerns daily average traffic flows (see for example paragraph 1.1.4 of the Walberton Traffic Mitigation Assessment) and therefore does not reflect the impacts of peak time congestion on the road network.
1.6	Data accuracy	The provision of traffic lights at the Fontwell East roundabout, already scheduled, have not been considered.
1.7	Lack of supplementary information	The environmental and public health impacts, such as noise and PM2.5 emissions, on the residential populations impacted by the increased traffic flows have not been presented in any detail. Table 4-1 in the Walberton Traffic Mitigation Assessment presents the results of a stated assessment but no detail is provided as to how the conclusions were reached therefore consultees are unable to properly analyse these conclusions. NH is requested to provide the data / detail that underlies the conclusions reached pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
1.8	Traffic model not fit for purpose	The traffic model is a strategic model based on an initial 2015 model. A local model is required to provide meaningful data that has been updated with all local roads and known developments such as Fontwell roundabouts traffic lights.
1.9	No Junction modelling presented	There has been no junction modelling presented despite a number of junctions being considered. This is a serious flaw in the information provided.
1.10	Weakness in Strategic model	There is a weakness in the strategic model as advised by NH, which has not been addressed or presented in the consultation, thus the presentation of this data is misleading (see Walberton Traffic Mitigation Assessment paragraph 5.2.3 "...the impacts of the measures on shorter-distance traffic are not certain.")
1.11	Implications for Scheme decisions	The lack of inclusion of material data means that when a DCO application comes forward for the Scheme then it is likely it will be less cost efficient and not aligned with best practice, as well as within PINS guidance and the law as the best information will not have been made available to enable an informed decision to be reached on the application. These points were raised with NH on 29 June

		2022 (see Meeting Notes attached to this representation as Appendix 2) and also by WPC in its response to the statutory consultation dated 8 March 2022 ("First Representation").
1.12	Appreciable differences in model	The Department For Transport and Transport Analysis Guidance ¹ definition of "Appreciable Difference" is not a measured statement to identify a threshold. The reference to an "Appreciable Difference" is used to continue the justification for using the outdated model which is based on a 2015 model and data. It is known that there are material differences between the 2015 model and a model that is required and ought to be developed to provide correct data for this and previous consultations. This threshold of "material difference" is over and above "appreciable" and therefore the model should be fully revised to take into account the required material changes.
1.13	Consultation adequacy	<p>The same issue with a lack of Scheme detail identified in the First Representation can be repeated here in relation to the updates to the Scheme. This lack of detail means that the PEIR still fails to meet the legal requirement under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") for it to provide information that "is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development".</p> <p>As noted in the First Representation, the Planning Inspectorate's Advice Note 7, Section 8, elaborates a little on this and stating: "A good PEI document is one that enables consultees (both specialist and non-specialist) to understand the likely environmental effects of the Proposed Development and helps to inform their consultation responses to the Proposed Development during the pre-application stage."</p> <p>This lack of detail in respect of this Consultation is manifested in particular by the lack of traffic data, which is not presented to consultees. In addition, the exact sites for the modelled measurements, particularly with respect to Fontwell, are unclear. NH is requested to disclose these sites, if necessary pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. Data for Eastergate Lane is presented to demonstrate a reduction in impact from the original design. Although figures are now provided that relate to the previous consultation, these have not been published until now. WPC note that the omission of traffic data from the previous consultation,</p>

¹Transport analysis guidance - GOV.UK (www.gov.uk)

		<p>which may have shown the increase in traffic, is now used to show how they have decreased traffic. This approach is not transparent and counter to the Nolan Principles for consultation. This reinforces the opinion that the previous consultation was inadequate and leads to concerns regarding other data which may not have been presented.</p>
1.14	Inadequate for “intelligent consideration”	The data is wrong and missing – see representation by [-----] attached to this representation as Appendix 3, under “Question 1”.
2 Tye Lane Bat Bridge		
2.1	Lack of evidence of effectiveness	<p>The design of the bat bridge proposed near Tye Lane is not supported by any research that shows it is likely to be effective. Since 2012 there has been an evolution of suitable bat mitigation from ‘environmental bridges’ towards ‘green bridges’. These structures measure a minimum of around 30m in width, are dark environments dedicated for wildlife and not subject to traffic disturbance. These structures are considered to have the greatest potential for being suitable mitigation for bats on linear transport features. The Tye Lane bridge, however, will be just 6m wide (as NH stated verbally at a meeting on the 8th December with WPC councillors), will be adjacent to lit carriageway features, will not be suitably isolated from adjacent traffic, is proposed in isolation rather than as a suite of localised measures and has been significantly modified without subsequent assessment of the efficacy impacts this will have.</p> <p>WPC are not aware of any examples of a bat bridge with a specification like that proposed by NH which has been able to effectively mitigate the negative impacts of a major road on individual bats or their wider conservation (see representation attached as Appendix 4 for detail). NH is requested to provide the research on which it relies that demonstrates that the bat bridge that it proposes is likely to be effective. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.</p>
2.2	Information provision	No alternatives have been suggested or discussed to the proposed bat bridge. This is contrary to regulation 14(2)(d) of the EIA Regulations, which require “a description of the reasonable alternatives

		studied by the applicant, which are relevant to the proposed development and its specific characteristics”.
2.3	Information provision	No explanation is given by NH for why this particular location is preferable to any other along the Scheme’s route for the bat bridge, or that a solitary crossing in this area is suitable, given the documented presence of bats elsewhere along the 8km proposed route for the Scheme. Again, this lack of justification makes it difficult for consultees to have an informed view on the likely impacts of the Scheme. NH is requested to provide the research on which it relies that demonstrates that a solitary bat bridge crossing (as opposed to multiple crossings) in this area of the Scheme (as opposed to any other area of the Scheme) is likely to be effective in mitigating the impacts on the bat populations that will be affected by the Scheme. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
2.4	Environmental assessment	It is unknown or unexplained in the updated consultation documents which species of bats will be affected by the Scheme at this location and how, making it unclear what the likely impacts are on what species. NH is requested to provide its research data on the species of bats that will be affected by the Scheme, in particular in the Parish of Walberton, and what the likely impacts on each such species will be. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
2.5	Inadequate	During a meeting with WPC on 8 th December NH relied on research that looked at bat bridge efficacy over a two lane road not four lane motorway, as is proposed under the Scheme. This is not appropriate or relevant for the Scheme, given that it is obvious that the likely impacts on bats are greater under the Scheme given its greater width, volume of traffic and more intensive use.
2.6	Wrong Conclusion	The research as mentioned above (2.5) as supporting this bridge clearly does not, as it only states that “according to our criteria this crossing structure cannot be considered to be effective at present....but it has the potential to be made effective”. NH is requested to provide the information on which it relies that the crossing structure can be “made effective” for the specific circumstances that arise in relation to the Scheme. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

2.7	Misleading representation	NH state that the bridge will not have edge screens. However the bridge in the original research they rely on to support this mitigation did have edge screens. Therefore this is a misleading and misrepresentation of this research and its mitigation proposal. NH are asked to justify why the bat bridge proposed by them will not have edge screens, what the evidence is that they rely upon to demonstrate that a bat bridge without screens is as effective as one with screens, and demonstrate that the absence of screens does not undermine the original research upon which is relies. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
2.8	No context	The bridge is not presented in context with the known roosting, foraging and road crossing points so as to understand if this is the correct place for the bridge. NH is asked to provide a plan which shows the location of known roosting, foraging and road crossing points by bats with the proposed bat bridge also shown on such a plan. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
2.9	Local Extinction	No evidence is provided that the bridge designs will be suitable for the rarest and most protected species in the proposed area of the Scheme (Bechsteins and Barbastelle) as these were not present at the study site NH rely upon. Therefore there is the potential that the wrong mitigation is being used which could lead to local extinction of this species. NH are asked to provide evidence accordingly that the bridge design is suitable for Bechstein and Barbastelle bats. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
3 Avisford Park Golf Course		
3.1	Timing of consultation	Discussions between NH and other groups, including England Golf, are ongoing. As such, a full set of viable options has not been presented. We note that some of the options presented at the previous consultation were subsequently discovered to be non-viable, resulting in this further consultation exercise on this topic. Premature consultation may lead to the same issue once more. WPC remain generally concerned regarding the presentation of 'viable' options at consultation as the initial route

		selection consultation also had issues with presenting options that were declared to be 'viable' but later demonstrated not to be.
3.2	Lack of information	It is not possible to make an informed representation on the likely significant environmental effects at this time due to the lack of information on the proposals relating to Avisford Park Golf Course, which still range from a change in the provision of the golf course to its closure. This leaves a very wide range of outcomes with wildly varying impacts that are impossible to comment on.
3.3	Loss of amenity	Closure of the golf course would result in the complete loss of an important amenity in the Parish. This is not an acceptable outcome, and lead to significant local impacts, and we would expect NH not to allow closure to take place without clear justification.
3.4	Utility of Consultation	NH admit they are not seeking public opinion but only informing the public that they may or may not decide the 18 hole golf course is viable. There is no attempt to seek public consultation or public opinion as can be seen not only from the public consultation materials published on NH's website ² but also unequivocally in the Meeting Notes from a meeting on 29 June 2022 (as attached to this representation as Appendix 2), where it states: "AJ/RM explained that with regards the golf course, the consultation was an information giving exercise rather than seeking public opinion on different options." NH have therefore not consulted the public on an important aspect of the proposals, and this raises questions about the efficacy of their consultation and compliance with consultation requirements.
4 Crossbush bridge design changes		
4.1	Information provision	As with the other proposed changes to the Scheme, NH provide no data on which WPC or other consultees can base an opinion on likely significant effects.
4.2	Information provision	There is no data provided to demonstrate that the new design will cope with the projected increase in coastal community traffic in the absence of a Ford Road junction. NH are requested to provide this information. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

²<https://highwaysengland.citizenspace.com/he/a27-arundel-bypass-supplementary-consultation-22/>

4.3	Design quality	Given the redesign is necessary due to suggested junction capacity issues, WPC have concerns that the rest of the proposals may also be at risk from poor or inadequate design. We reiterate our concerns regarding premature consultation.
4.4	No Comparison	There is no traffic flow data to compare the original and updated designs for the Scheme. NH is requested to provide the traffic flow data for the original and updated Scheme designs for the Crossbush Bridge. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
4.5	No Context	The design is not presented within the context of the Scheme or the wider Arun area. This includes a lack of traffic flow data to show how much traffic would go north through the South Downs National Park via the newly created rat run of the existing A27, A284 and onto either of the A29 east or west bound and the B2139. NH are requested to provide the traffic flow data for these routes with the Scheme. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
5 Ford Road Junction		
5.1	Adequacy of consultation	<p>WPC supports West Sussex County Council ("WSCC"), Arundel District Council and multiple other Parish Councils' calls for a junction to be included in the Scheme at Ford Road. WSCC presented studies the ERF in July 2022 proving that it is both feasible and economically viable with an on benefit cost ratio (BCR) of 5.56.</p> <p>For WPC the impact of not providing a new Ford Road junction is increased traffic feeding into Fontwell, compounding the delays there and the induced rat running. We are also concerned about increased north bound traffic on Yapton Lane as drivers seek access to the A27 avoiding the A29.</p> <p>With these concerns in mind, the omission of a Ford Road Junction is a serious failure of this consultation.</p>
6 A27 De Trunking		

6.1	Lack of data	<p>WPC is concerned that NH plans for the de-trunking of the current A27 are not publically available, and that such proposals could have an effect on the Walberton Traffic Mitigation Assessment, especially at Tye Lane and Yapton Lane.</p> <p>This is a serious omission that further prevents meaningful assessment of the published proposals. WPC contend that the de-trunking should be fully included in the Scheme in order for a proper assessment of its full effects to be considered.</p>
7 General response		
7.1	Adequacy of consultation	<p>The lack of clear, accessible, easily understandable data concerning the items presented at this consultation renders it, in WPC's opinion, wholly inadequate. WPC set out above the legal and guidance framework for the provision of a PEIR, and note that NH have repeatedly failed to meet the requisite standards set out.</p>
7.2	Opportunity missed	<p>A large number of questions were raised as part of the previous consultation exercise, including questions from key consultees such as WSCC. There was an opportunity to provide answers and remedy the deficiencies of the previous consultation which has not been taken.</p>
7.3	Information provision	<p>Once again the estimated costs for the project, and therefore assessments of Value for Money and Cost/Benefit ratio are not provided. These were requested by many organisations and individuals during the previous consultation. Given the current economic situation, a project already defined as above its stated original budget needs to be transparent in costings. . NH is requested to provide the current assessed cost of the Scheme as now proposed, and the BCR of the Scheme as now proposed. This request is made pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.</p>
7.4	Overall scheme	<p>Despite application of a little 'polish' the fundamental nature and issues of the Scheme remain unchanged. It remains our opinion that the proposed Scheme continues to fail to meet its objectives as stated in the PEIR due to:</p> <ul style="list-style-type: none"> □ unsustainable increases in traffic on local roads, resulting in reduced safety to all users both motorised and non-motorised in the Parish and beyond

		<ul style="list-style-type: none">□ significant adverse impacts on protected wildlife species□ significant adverse impacts on human health in the Parish and beyond□ significant adverse impacts on the setting of the South Downs National Park and local heritage assets such as St Mary's Church□ a lack of consideration of "customers and communities" throughout the design stages□ capacity issues remaining unaddressed outside the very narrow focus of the route itself, and□ lack of adequate consultation
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