



The Hoad family of Parsonage Farm, and the Trustees and Executors of the Noel de Quincey Estate and Mrs Emma Ainslie of Moat Farm

ROTHER VALLEY RAILWAY

Transport and Works Act 1992 (TWA): Application for the Rother Valley Railway (Bodiam to Robertsbridge Junction) Order

Proof of Evidence: **Summary Proof**

Ian Robert Fielding BSC (Hons) MCIHT CMILT

Reference: OBJ/1002/IF/3





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Proof of Evidence: Highways and Transport

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1 INTRODUCTION

1.1 PERSONAL DETAILS – QUALIFICATIONS AND EXPERIENCE

- 1.1.1. I am Ian Robert Fielding. I am a member of the Chartered Institute of Highways and Transportation and a Member of the Chartered Institution of Logistics and Transportation. I have a Bachelors of Science degree in Combined Studies (Majoring in Geography).
- 1.1.2. I am a Technical Director within WSP Planning and Advisory team and have been engaged in the planning, assessment and design of transport matters concerning development proposals since 1996.

1.2 DECLARATION

- 1.2.1. I am instructed by The Hoad family of Parsonage Farm, and the Trustees and Executors of the Noel de Quincey Estate and Mrs Emma Ainslie of Moat Farm (“the Landowners”) to prepare and present evidence at the Transport and Works Act (TWA) Order Inquiry. The Landowners are “statutory objectors” to the Order for the purposes of Rule 23 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006.

1.3 MAIN PROOF

- 1.3.1. The two following documents should be read in conjunction with this summary proof.
- Document OBJ/1002/IF/1 – Proof of Evidence; and
 - Document OBJ/1002/IF/2 – Proof of Evidence: 2 Figures and Appendices.

2 SUMMARY PROOF

2.1 SUMMARY OF STATEMENT OF MATTERS

- 2.1.1. This Summary Proof presents a concise overview of my main body of evidence, in response to the Statement of Matters in relation to the TWA Order.

2) The main alternative options considered by RVR and the reasons for choosing the proposals comprised in the scheme.

- 2.1.2. Section 7.2 of the main Proof sets out a review of the alternative options considered by RVR.
- 2.1.3. I have reviewed the available documents and concluded that the process has been biased and does not present a true reflection of the benefits and disbenefits of each alternative option.
- 2.1.4. I consider that RVR fail to acknowledge the increased safety risks should an at grade option be delivered and fail to acknowledge that other options would minimise these risks. I note that Highways England have yet to confirm their acceptance of the level crossing of the A21 and require further mitigation measures to be identified in order to respond to forecast changes affecting the travelling public.

3a) The impact of three new level crossings on safety, traffic flows, and congestion particularly in relation to the A21 and future plans for this road

- 2.1.1. Section 7.3 of the main Proof details the impacts of the level crossings on the A21, B2244 and Northbridge Street.
- 2.1.2. The safety implications caused by the level crossings, particularly on the A21, will introduce an accident risk that is not currently present and will likely also cause secondary accidents because of queuing, congestion and changes to driver behaviour.
- 2.1.3. Highways England have, following their review of the Departure from Design Standards submission relating to the proposed level crossing, set out 33 items that the designers must address. At the time of writing, it is unclear whether these items can be responded to within the Inquiry timetable. The number of items required to be responded to confirms the significance of the need to provide a crossing in an appropriate form such it does not compromise the safety of users of the A21.

3b) The impact of the scheme on roads, footpaths and bridleways, including the impact on access to property and amenities

- 2.1.4. Section 7.4 of the main Proof outlines the impacts of the proposals on other crossing points.
- 2.1.5. The introduction of three highway level crossings, one bridleway crossing and private user worked crossings over a relatively short distance disproportionately increases the risks to all road users when compared to the benefits of extending the heritage railway by 3.42km.
- 2.1.6. The claimed increase in visitor numbers to Bodiam Castle arriving via the proposed railway would lead to increases in people using a section of sub-standard footway.

3e) The impact from change to car parking provision

- 2.1.7. Section 7.5 of the main proof forecasts that during the summer months the Robertsbridge Car Park will be over capacity increasing the likelihood that visitors to the railway will park in nearby residential streets.
- 2.1.8. RVR have failed to acknowledge this within their analysis and do not present any mitigation to offset the potential impacts.

4) The measures proposed by RVR to mitigate any adverse impacts of the scheme including any protective provisions proposed for inclusion in the draft TWA order or other measures to safeguard the operations of utility providers or statutory undertakers.

- 2.1.9. Section 7.6 of the main proof details a review of the mitigation proposals set out by RVR.
- 2.1.10. I do not consider that RVR have taken account of the increased accident risk level crossings will have for all road users.
- 2.1.11. The introduction of a level crossing on the A21 given the current speed limit means that the design does not meet the appropriate design standards set out in DMRB. The TWA Order does not contain any measures to mitigate this, in particular it does not contain any proposals for a TRO to extend the 40mph speed limit on the A21 to the south of the level crossing location.
- 2.1.12. Circular 01/13 states that speed limit changes should not be used as a means to solve isolated hazards. I have not seen evidence that Highways England support this change in speed limit.
- 2.1.13. Given the nature of B2244 Junction Road, I have reservations that the proposed 40 mph speed limit will be adhered to by drivers travelling southbound. This may increase the risk of drivers identifying stationary vehicles whilst waiting at the crossing.

5) The extent to which the proposals on the TWA Order are consistent with the National Planning Policy Framework, National Transport Policy and Local Transports, Environmental and Planning Policies

- 2.1.14. Section 7.7 of the main proof outlines how the proposals are not in accordance with the national and local planning policy. I consider that the development proposals conflict with NPPF paragraph 109 with an unacceptable severe impact on highway safety and increased congestion. It has also not reflected the requirements of Circular 02/13.

6) The adequacy of the Environmental Statement (including the data underpinning it) submitted with the application for the TWO Order, having regard to the requirements of the Transport and Works (Applications and Objections Procedure) Rules 2006

- 2.1.15. Section 7.8 of the main proof reviews the Environmental Statement and the specific transport reports which are relied upon in terms of data and analysis.
- 2.1.16. I acknowledge that an updated ES Addendum was presented in the March 2021 submission. Reviewing that 2021 document, and in particularly the Transport chapter, I note that this was limited to a review and no substantial new information was presented. I do not consider that the 2021

document adequately justifies the use of the original Environmental Statement information and fails to provide any material assessment.

9a) Whether there are likely to be any impediments to RVR exercising the powers contained within the orders including availability of funding

- 2.1.17. Section 7.9 of the main proof provides a summary review of the costing information provided and the associated comparisons contained within the consultant's reports.
- 2.1.18. The costs presented by RVR do not provide a fair comparison against values calculated by other consultants. I have not seen any evidence that there is a guarantee that RVR will have sufficient funding to implement and maintain the proposals. I have reservations in respect of a number of items contained within the costings, and consider there is an over reliance on the use of a volunteer work force to construct the proposals. I have not seen a revised costing that reflects the most recent Level Crossing designs.

2.2 CONCLUSIONS

- 2.2.1. My evidence demonstrates how RVR have failed to address the matters raised by the Inspector.
- 2.2.2. RVR have failed to adequately assess the impact of three new highway level crossings on safety, traffic flows, and congestion. Analysis prepared by RVR shows impacts in term of queues along the A21, which do not appear to be adequately mitigated. My own analysis demonstrates an undue rise in safety risk, not only at the crossings but also at the Northbridge Street / A21 Roundabout to the north.
- 2.2.3. The safety implications alongside the forecast traffic congestion mean that the level crossings will increase the likelihood of accidents not only directly at the level crossings, but also secondary accidents caused by queuing and changes in driver behaviour.
- 2.2.4. To achieve the stated stopping sight distance (SSD), it is understood that RVR propose to extend the existing 40mph limit to the south of the level crossing, but this requires a Traffic Regulation Order (TRO). The TWA Order does not contain any provision for a TRO, so there is no guarantee the speed limit would be extended and / or enforceable. I have not seen any evidence as to how RVR will enforce this speed change, particularly given the character of the A21 in the vicinity of the proposed crossing.
- 2.2.5. With regards to the proposed crossings at the B2244 and Northbridge Street, RVR have failed to demonstrate that adequate safety mitigation has been included into their proposals. RVR suggest that the increase of visitors to Bodiam Castle will be a key benefit, but do not address the sub standard footway leading to this attraction adjacent to the B2244.
- 2.2.6. I consider that the proposals conflict with NPPF paragraph 109 due to the unacceptable impact on highway safety, particularly on the A21 and the congestion caused at the A21 Northbridge Street roundabout. The proposal do not reflect the requirements of Circular 02/13. In addition, the proposals also disregard the Rother District Council Local Plan Core Strategy policies TR1-3 and compliance with Policy EM8 has not been demonstrated.

- 2.2.7. RVR have submitted an application for a Departure from Design standards relating to the A21 level crossing. A response to this has been provided by Highways England. This application has been returned requiring 33 areas to be addressed. This requires further design work, analysis, assessments and surveys to be undertaken by RVR. It is not clear whether these items can be dealt with during the Inquiry timetable.
- 2.2.8. Whilst I acknowledge that at grade crossings are likely to be the cheapest option, this does not mean financial costs should outweigh risks to users. I consider the costs comparisons undertaken by RVR are unduly biased and result in underlying concerns on the potential for the scheme to be funded.
- 2.2.9. The proposals as set out in the TWA order do not meet local and national planning policy, increases the safety risk for all users of the A21, Northbridge Street and the B2244. The proposals will result in operational constraints to the A21 and the local network outweighing any benefit of extending a heritage railway line by 3.42km.
- 2.2.10. I therefore believe Application for the draft TWA order should be refused.



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