

From: [REDACTED]
To: [REDACTED]
Cc: [A38 Derby Junctions](#)
Subject: Secretary of State for Transport instructions
Date: 06 September 2021 12:37:52

Dear Bart

The Inspector had to write his report to the deadlines incurred when the A38 Inquiry began. A lot of difficult practical issues were referred to be considered during the Detailed Design stage. Have those matters been resolved now?

Will the results of the Detailed Design stage be published so that they can be included in calculations about the Carbon Impact?

kind regards Anne Morgan

From: [REDACTED]
To: [A38 Derby Junctions](#)
Subject: For the attention of the A38 Derby Junctions Case Team
Date: 25 October 2021 21:47:52
Attachments: [Friends of Markeaton Park comments on National Highway's response to the Secretary of State..pdf](#)

Friends of Markeaton Park attach their response to the response from National Highways to the Secretary of State's Statement of Matters.

Friends of Markeaton Park comments on the Applicant's response to Statement of Matters

The response of National Highways to the Secretary of State's Statement of Matters neither attempts to address the unlawful aspects of the TR10022 proposals, nor does it suggest ways to lessen the Carbon impact of the construction and ongoing operation of the scheme. Major earthworks and tree clearances are needed to bring about a reconfiguration and realignment of the A38; Examination Library APP 020 Statement of Reasons Volume 4.section2.3 lists 87 authorised works; additional works can be found described in other application documents.

11.38ha will be cleared of trees; a few of them are hundreds of years old, others planted by children less than five years ago. The majority of the trees along Kingsway were planted as mitigation for the dualling of the road forty years ago. Voluntary groups, schools, "Plant a Tree" campaigns have added to those. The trees have been removing Carbon dioxide and particulates from the atmosphere as they grow, about 1.25kg each per annum, of course varying by weather and age and variety of tree, but those stores will be released when they are killed and they decay. The people living in Derby, including some children, who have been proudly watching the sapling they planted themselves, are very concerned about losing them.

It is not possible to accurately calculate the Carbon footprint of the trees and hedges and soils disturbed by the proposed scheme, because the documents published in the Examination Library about the excavations, regrading, building of diverted drains and diverted Utility Corridors, re-contouring for mitigation of flood storage, flood storage tanks and pumping stations do not put forward the numbers that are necessary to make the calculations. The relevant Documents have qualifying descriptions such as "Confidential information withheld" or "numbers to be determined at Detail Design stage". However it seems reasonable to assume that every cubic metre of the 96 hectares within the DCO boundary land under compulsory acquisition, temporary acquisition or carrying "permanent Rights of Access" will be disturbed and suffer loss of the Carbon it, and the plants growing on it, stored. Where not much work is going to be done will average with the places where underpasses 7.5 metres down need to be excavated. The excavation must be below the eventual road surface for foundations, and even deeper for flood storage tanks and pumps.

The major earthworks and tree clearances would lead to an ongoing loss of the storage services that all the plants on the 96 hectares of land would have done, and the release of all the Carbon that they have built up over forty years. **That will result in an increase in carbon emissions so significant that it could have a material impact on the ability of the Government to meet its carbon reduction targets.**

Throughout the Application documents National Highways admits that planting tree saplings will not provide any mitigation for years, let alone result in "net gain" for Biodiversity. Natural England recommends that maintaining and restoring biodiverse native habitats is preferable to (re)creating them. As Friends of Markeaton Park detailed in footnotes in a previous submission (REP15-011), the scheme as proposed breaches the National Policy National Network Strategy Law regarding Biodiversity.

The scheme as proposed also breaches the Natural Environment Rural Community Bill's provisions for endangered species: Since the Public Inquiry closed additional surveys found evidence of NERC listed protected species

- Great Crested Newts at Alfreton Road Rough Grassland Local Wildlife Site
- more bats with potential roosts around Markeaton Park.

The Derby and Derbyshire Bat Group has now formally expressed concerns.

“To whom it concerns,

Derbyshire Bat Conservation group have concerns about this proposed work.

10 of the 12 species of bats known to be in Derbyshire have been recorded in Markeaton Park, and in the area specifically impacted by the work. Some of the mature trees along the carriageway are known bat roosts, which would usually be protected under the Wildlife and Countryside Act and other wildlife legislation. Although some mitigation is planned, nothing can replace the suitability of these veteran trees. We would also have concerns about the impact of increased pollution and emissions on the remaining trees and wildlife.”

On the 19th October 2021 the government announced it wants a Greenhouse Gas Removal programme using afforestation, forest management, and soil carbon sequestration. *The A38 3 junctions scheme TR10022 features the destruction of all three of those existing types of Carbon stores.*

If the means - i.e. trees, hedges, diverse areas of plants and wet soil stores - of reducing Carbon dioxide in the atmosphere are destroyed, there will be no achievable method to reach the targets for Net Zero.

Conflict of requirements

TRO10022 A38 3 junction scheme encompasses an irreconcilable conflict between two different requirements:

- National Highways has a remit to provide a free flowing Strategic National Network carrying traffic going at 50mph (or greater) speed, than that on local traffic networks.
- Derby City Council is under a government Air Quality Mandate to prepare a Roadside NO2 Scheme to reduce harmful pollution.

The proposed underpasses will not address this issue, this is a single focus on a solution that will exacerbate the problem.

The air pollution in Derby has reached those levels because there is more traffic than can be accommodated on the road space available, resulting in long queues and gridlock. The City Council is anxious to deter local traffic from driving into the city centre. From the 1940s the Derby Borough Council built the ring road to enable the people of Derby to get to work without criss-crossing the town centre. The Royal Hospital regularly experiences that “outside the hospital roads become car parks after the smallest incident elsewhere”, ambulances are delayed, patients who have been delayed miss their slots for diagnostic tests and the hospital staff who have been delayed cannot keep to their Shift Timetables.

So that the Air Pollution levels in Stafford Street remain compliant, the Traffic Management Plan prepared for use during the roadworks aims to maintain the traffic on the A38, in preference to drivers choosing a variety of alternative routes through the city. The Traffic Movement Surveys reveal that 42% of the traffic to the North of Little Eaton is still there at Kingsway roundabout. In other words 58% of the traffic using the A38 is local traffic that is avoiding the City Centre. Once the underpasses are constructed, local traffic will have 16 new slip roads to merge into the A38 so local traffic will still be interacting with the Strategic Network road. The new Climate Change strategy to reach Net Zero by 2050. could stimulate lateral thinking on alternative solutions, such as subsidised local electric public trains, trams or buses, more cycleways or alternative routes to the east of the Derby city. Electric buses can carry 70 passengers. For the £250 million allocated for this work, 75 buses could be taking thousands of cars off the roads.

From: [REDACTED]
To: [A38 Derby Junctions](#)
Subject: "For the attention of the A38 ,Derby Junctions Case Team".
Date: 26 October 2021 21:34:48
Attachments: [Friends of Markeaton Park comments on National Highway"s response to the Secretary of State sent 26th.pdf](#)

Friends of Markeaton Park re-send their response to the Applicant's response to the Statement of Matters.

The response was submitted yesterday the 25th October but there has not been an acknowledgement of its receipt.

This attachment has minor punctuation corrections.

Anne Morgan

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