

**Department for Regional Development—TransportNI  
The Roads (Northern Ireland) Order 1993  
Local Government Act (Northern Ireland) 1972**

**Annaghmore Road/Bellshill Road alternative junction**

**PUBLIC INQUIRY**


**September 2015**

**Proof of Evidence  
(Background to the Scheme, Policy and Procedures)  
Summary**

**by**

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## **1.0 INTRODUCTION**

- 1.1 My name is Andrew Hitchenor and I am a Principal Professional Technology Officer with TransportNI – Northern Division in County Hall Coleraine. I have a BSc (Hons) degree in Civil Engineering Quantity Surveying and an MSc in Infrastructure Engineering and over 30 years experience within the construction sector working for both client and contractor. I am a member of the Chartered Institution of Highways and Transportation.
- 1.2 I was appointed to the post of Strategic Roads Improvement Manager in Northern Division in late 2013 and I am the Project Sponsor for the A6 Randalstown to Castledawson dualling scheme.
- 1.3 Also with me today are Michael MacLean, AECOM's Project Manager, Russell Bissland, AECOM's lead Transport Planner and Gareth Coughlin, AECOM's Environmental Team Leader.
- 1.4 As discussed and agreed at the pre meeting with the Inspector, the Full Proofs of Evidence have already been submitted and will be available on the Department's website and we will now each present a short precise or summary of our evidence which is found in the proof of evidence.
- 1.5 I will provide the Inquiry with the background to the scheme along with the policy and procedure context of the scheme. Following this, my colleagues will summarise their evidence based on their particular area of specialism and, where appropriate, introduce other key staff and specialists who may provide additional clarification during the Public Inquiry.
- 1.6 I do not intend to go into the full background and policy context of the A6 scheme, as this was covered in previous inquiries. However, it is covered in my full proof of evidence.

## **2.0 TRUNK ROADS AND GOVERNMENT POLICIES**

- 2.1 The Regional Development Strategy for Northern Ireland recognises that Northern Ireland is almost wholly dependent on a road based transport system reflecting the small internal market and dispersed settlement pattern. The A6 (also designated as a trunk road) is an important part of the top tier of the Region's long distance routes connecting the cities and main towns to the major regional gateways.
- 2.2 The upgrading of the A6 between Randalstown and Castledawson Roundabout will have largely positive effects in terms of national, regional and local planning policies. General principles of road safety are promoted. The scheme is supported and safeguarded by a number of planning policies including those contained in the Regional Development Strategy for Northern Ireland. Most policies at strategic level recognise that road transport will remain the predominant means of transport for the foreseeable future.

### **3.0 SCHEME HISTORY**

#### **Previous junction proposals**

##### *Junction examined at November 2007 Public Inquiry and rejected*

- 3.1 The Department published proposals in March 2007 to upgrade the A6 from the western end of the M22 Motorway at Randalstown to the Castledawson Roundabout to dual carriageway standard. In his report on the Public Inquiry held in November 2007 to examine the proposal, the Inquiry Inspector, Mr Robb, recommended that changes should be made to the published junction at Annaghmore Road/Bellshill Road at Castledawson. He recommended that the north-south spine of the junction should be located in the Moyola floodplain east of Bellshill Road in farmland between Bell's Terrace/Hillview Terrace and the Moyola River.

#### **March 2011 Departmental Statement on the Inspectors Report**

- 3.2 In its September 2009 'Statement by The Department on the Report on the Local Public Inquiries into the Environmental Statement, Direction Order and Vesting Order for the proposed T8 (A6) Toome to Castledawson dualling scheme', the Department accepted the Inspector's recommendations to replace the Annaghmore Road/Bellshill Road junction arrangements examined at the Local Public Inquiry with an alternative arrangement, subject to satisfactory outcome of the normal statutory process, and that local public consultation would measure acceptability of these alternative junction arrangements.

##### *Confirmation of Orders*

- 3.3 The A6 Toome to Castledawson dual carriageway Direction Order incorporating amendments and Environmental Statement Notice to Proceed were confirmed in March 2011; the Vesting Order remains in Draft until funding for the scheme has been confirmed.

##### *The Junction proposal was examined at February 2102 Public Inquiry and rejected*

- 3.4 In accord with the guidance in the Design Manual for Roads and Bridges (DMRB) that construction of roads over floodplains is to be avoided, the Department decided to avoid the Moyola floodplain, opting to proceed with a junction located west of Bellshill Road.

### **Annaghmore Road/Bellshill Road ‘diagonal link junction’**

- 3.5 This option was presented to the public at Community Information Events held in Castledawson and Toome during November and December 2009 and was the subject of a subsequent public meeting with Castledawson residents in February 2010. A substantial volume of comment was received during and after these events. Prime among the concerns was the proposed connection through Castle Oak to Annaghmore Road (north).
- 3.6 The Department subsequently revised its alternative grade-separated junction proposal in response to some of the concerns expressed. The Department brought forward a planning application, Environmental Statement and a Vesting Order to provide for the new arrangements. Subject to successful completion of the statutory process the Department plans to carry out this work in conjunction with the main scheme.

### **Planning Application**

- 3.7 Because the alternative grade-separated junction proposal was not a ‘permitted development’ as defined by the Planning (General Development) Order (NI) 1993 No. 278 (as amended), a planning application accompanied by an Environmental Statement was submitted to PlanningNI on 25 November 2010, seeking planning approval to construct the Annaghmore Road/Bellshill Road alternative grade-separated junction.

### **Objections**

- 3.8 The Department received three hundred and twenty letters of objection (twenty five individual letters and three petitions) concerning its proposal to vest lands to construct the Annaghmore Road/Bellshill Road alternative junction. PlanningNI received three hundred and ninety letters of objection (twenty nine individual letters and four petitions) concerning the planning application to construct the Annaghmore Road/Bellshill Road alternative-grade separated junction. (The objections submitted to TransportNI and to PlanningNI were similar.)

### **Public Inquiry**

- 3.9 Given the nature of the proposals and the likelihood that a number of the objections to the NIMVO could not be resolved, the Minister for Regional Development approved the holding of a Public Inquiry to give objectors, TransportNI and others a fair opportunity to be heard and to question the case for and against the proposal to vest lands to construct the alternative grade-separated junction proposal. The Department appointed Mr. J A Robb as Inspector and Mr. W O’Neill as Assistant Inspector to hold an inquiry to consider the proposed Vesting Order.

## **Main Conclusions and Recommendations of the Inspectors' Report**

3.10 Having reviewed the evidence presented by TransportNI, objectors and others, both before and during the Inquiry and considered the detail contained in the Notice of Intention to Make a Vesting Order (NIMVO), the Environmental Statement and other documentation, the Inspectors recommended that:

- the guidance set out in the Design Manual for Roads and Bridges (DMRB) which indicates that the construction of roads over floodplains is to be avoided should be set aside in this instance. (The Inspectors received clear guidance from Rivers Agency that it would have no objection to a north-south road being built over part of the Moyola River floodplain to the east of Bells Terrace and Hillview Terrace. This was based on the assumption that an adjacent flood compensation area could be provided by such a north-south road.);
- Junction Option B1, as defined in Scott Wilson Technical Note No. 2, dated 25 February 2010, should be taken forward as a more acceptable alternative to the Preferred Option 9 recommended by the Department;
- the proposed pedestrian overbridge at the Annaghmore Road/Castledawson Bypass intersection should be removed;
- the TransportNI Preferred Option for the treatment of Annaghmore Road and Bellshill Road Junctions as set out at the 2007 Public Inquiry should not be reintroduced.

3.11 In its November 2012 Departmental Statement on the Inspectors' Report, the Department accepted the Inspectors' recommendations.



## **4.0 THE PROPOSED SCHEME**

### *Current junction proposal*

- 4.1 Planning approval was sought in June 2013 for a fine-tuned version of the 'Inspector's junction' with the north-south spine located east of Bellshill Road in farmland between Bell's Terrace/Hillview Terrace and the Moyola River; planning approval was granted in December 2014.
- 4.2 The Department published a Notice of Intention to Make a Vesting Order (NIMVO) in January 2015 to acquire land to construct the junction. 11 objections and 3 representations were received before closure of the period for submitting objections; 3 objections were received after the closure of the period for submitting objections.
- 4.3 The proposed scheme is a compact grade-separated junction located between the existing Bellshill Road and the Moyola River, southeast of Castledawson. A north-south link road, carried over the proposed A6 dual carriageway on an overbridge, connects Bellshill Road (north) and Annaghmore Road (south). Two compact connector loops would provide access to the A6 strategic dual carriageway (eastbound and westbound) from the north-south link road.
- 4.4 This layout has been adopted because Bellshill Road (north) provides the better connection to Castledawson Main Street and Annaghmore Road (south) provides the better connection to Aughrim Road. The existing Annaghmore Road and Bellshill Road junctions with the A6 Castledawson Bypass would be stopped-up, with no connection to the proposed dual carriageway.

## **5.0 OBJECTIONS & REPRESENTATIONS**

- 5.1 Landowners and occupiers directly affected by the scheme and others objected on the following grounds:
- a) Excessive vesting of land;
  - b) Not properly informed about the vesting proposal;
  - c) Vesting of lands zoned for development;
  - d) Impact on farm viability;
  - e) Landscaping/screening issues;
  - f) Excavating alongside existing buildings;
  - g) Property devaluation;
  - h) Possible routes for 'northern link road'.

### **Representations**

- 5.2 Representations commented on aspects of the scheme while not objecting:
- a) Blighting of adjacent properties;
  - b) Agricultural/animal husbandry issues.

### **Alternative Proposals**

- 5.3 No alternative proposals were received by the end of the objection period.
- 5.4 Having received objections with respect to the published NIMVO, the Department determined that it was necessary to hold a public inquiry.

## **6.0 HUMAN RIGHTS CONSIDERATIONS**

6.1 TransportNI considers that there is a compelling case in the public interest for confirmation of the Vesting Order and that Order, if confirmed, would strike an appropriate balance between public and private interests. The rights of owners of interests in the Order lands under the Human Rights Act 1998, in particular the rights contained in Article 8 and Article 1 of the First Protocol, have been taken into account by the Department when considering whether to make the Order and when considering the extent of the interests to be comprised in the Order. The Department considers that the Order land is both suitable for and will facilitate the carrying out of development, redevelopment and improvement and will make for a positive contribution in the promotion or achievement of the economic, social and environmental wellbeing of its area for the reasons explained in this proof.

## **7.0 CONCLUSIONS**

- 7.1 In conclusion the published proposals have been subjected to a detailed appraisal on engineering, economic, environmental and amenity considerations and they satisfy the Department's objectives.
- 7.2 The scheme will benefit society as a whole and it is in the public interest to use the Department's compulsory purchase powers to acquire the land for the scheme.
- 7.3 Whilst construction of the dual carriageway is subject to the availability of finances, it is essential to complete planning of the alternative junction to prepare for implementation.