

## **A14 DCO application – summary of presentations from Campaign for Better Transport made on Tuesday 15 and Thursday 17 September, 2015**

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### **Introduction**

The document is a short note to put in writing the main points that Campaign for Better Transport made at the two of the three issue specific hearings. Sian Berry appeared on behalf of Campaign for Better Transport on Tuesday 15 September to talk about air pollution. Chris Todd appeared on behalf of Campaign for Better Transport on Tuesday 15 September to talk about design and visual impact.

## 1. Air Quality and Traffic by Sian Berry

### 1.1 Air Quality

At the hearing on 15 September, we argued again for independent legal advice to be sought on the necessary conditions for the road to be compliant with the law in the light of the Supreme Court judgment and on the requirement to bring air pollution within legal limits as soon as possible, and to meet the non-deterioration principle confirmed in the letter to Simon Birkett of the Clean Air in London campaign from the European Commission.

The hearing heard the views of Cambridge City Council on a number of issues around air pollution. One of the most important of these was around baseline assessment of air pollution in the Environmental Statement (ES), and the methodology used for verification. The council asked for more monitoring to be carried out pre- and post-construction to improve the picture.

We believe this monitoring should be mandated by the Examining Authority (ExA), and not left to legal agreements between the parties. We also argued that the same issues apply at Brampton and that there should be additional monitoring carried out there and a new assessment of the impact based on new baseline data.

We also pointed out the assumptions within the ES that are in dispute, including the emissions factors used to calculate future emissions for both the baseline and 'with scheme' cases.

We also asked for the sensitivity test that has been done at the request of Cambridge City Council, which assumes the emissions of vehicles remain at 2014 levels rather than improve drastically with new EURO standards, to be carried out for Brampton as well. We argued that the increase in traffic running past Brampton (over 80%) makes the estimates of air quality there more sensitive to changes in the emissions assumed than in Cambridge.

Since the meeting, there have been important new revelations on vehicle emissions. Car maker Volkswagen has been found to be using secret software to make the emissions recorded during testing differ from those in real-world driving conditions differ by very large amounts.

The Transport and Environment organisation in Brussels, of which Campaign for Better Transport is a partner, has described this revelation as the 'tip of the iceberg'<sup>1</sup> saying that:

“Through trickery, the gap between official fuel economy figures and those achieved by an average driver have grown to 40%. For new diesel cars nitrogen oxide emissions are typically five times higher on the road than the allowed limit and just one in 10 cars meets the required level on the road. But for some models the gap is so large T&E suspects that the car is able to detect when it is tested using a “defeat device” and artificially lowers emissions during the test. For example [\*]: a diesel Audi A8 tested in Europe produced nitrogen oxide emissions 21.9 times over the legal limit on the road; a BMW X3 diesel was 9.9 times over the limit on the road; an Opel Zafira Tourer, 9.5 times; Citroen C4 Picasso 5.1 times. All these vehicles passed the laboratory test.”

It is clear that the improvements in vehicle emissions that would result from the most recent EURO V and EURO VI standards are now in severe doubt and cannot be relied upon when assessing the risks of this scheme, which increases traffic by large amounts, having an effect on air pollution that does not comply with the law.

If high levels of vehicle emissions persist, this will affect both the baseline assumptions made, the situation in the 'do minimum' case at scheme opening and the modelled impact of the scheme using the latest emissions factors, which only adjust marginally for real-world differences from test data and do not take into account these latest findings. The ExA should ask for a new ES to be prepared, based on new monitoring for a baseline case, and which assumes no improvement at all in vehicle emissions in future scenarios.

### 1.2 Traffic

At the hearing on 15 September, we also reiterated that no comments relevant to the DfT's new 'scenario 3' were included in the response given by the HA to 1.12.1 and that this question should be answered again.

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<sup>1</sup> <http://www.transportenvironment.org/publications/vw%E2%80%99s-cheating-just-tip-iceberg>

## 2. Design and visual impacts by Chris Todd

### 2.1 The role of the Highways England Design Panel

Taken from latest draft of Design Panel's terms of reference.

Purpose of Design Panel:

*The Design Panel encourages design excellence in the landscape, engineering and built environment aspects of Highways England's construction projects. The Panel's purpose is to ensure the strategic road network displays design quality through being safe, functional and effective, **responding positively and sensitively to landscape character, cultural heritage and communities**, whilst also conforming to the principles of sustainable development. [our emphasis]*

A key objective is:

*to contribute to a fundamental shift in road design practice and make Highways England an exemplar of good design by providing expert design advice on its investments, processes and standards. This includes assisting project teams and technical advisors in understanding and promoting high quality design and encouraging the delivery of better designed schemes, **rooted in the locality and respecting local character**, cultural heritage and community. [our emphasis]*

The design of this scheme appears not to have paid any great attention to colour or materials in the design or its appearance in the landscape. The nature of much of the landscape is flat or gently rolling in nature and mostly very open. Yet the road in places significantly foreshortens views and encloses the landscape with large embankments and other out of character elements. Only form appears to have been given any real thought and then only to provide a fairly universal design which is not particularly responsive or sensitive to landscape character.

The Environmental Statement acknowledges that the Great Ouse Valley is particularly sensitive<sup>2</sup>, yet apart from keeping the Great Ouse viaduct as low as possible while still allowing navigation and maintenance access, little else has been done to integrate it into the landscape.

However, having said this, Campaign for Better Transport welcomes Highways England's willingness to refer the scheme to the Design Panel<sup>3</sup>, albeit it is acknowledging these issues somewhat late in the day. As Highways England stated at the hearing, the ability to make changes will be limited due to the advanced nature of the scheme. Nonetheless, it should still be possible to affect change to the design and appearance of the road and its accompanying infrastructure, even if there is less flexibility on its horizontal alignment.

### 2.2 Who is involved in the process for agreeing detailed design matters?

Campaign for Better Transport is concerned that waiting for various local forums being established before re-examining the design of the scheme could cause unnecessary delay and could prejudice the ability to seek changes. The main concerns are already well known, such as the design of the Great Ouse Viaduct, and therefore work could be started on this immediately. The forums could, in any case, be consulted once any new designs have been progressed. Highways England appeared to accept this argument at the hearing and said that they would reflect on this.

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<sup>2</sup> Executive summary, Environmental Statement, Chapter 10, Landscape:

<sup>3</sup> Paragraph 5.3.13, page 42, Highways England's response to written representations (Report 6), July 2015: HE/A14/EX/54

## 2.2 How has the scheme design process sought to balance operational, safety, and security requirements with visual appearance, functionality, fitness for purpose, sustainability and cost?

Campaign for Better Transport maintains that the scheme design has taken very little or no account of its visual impact and local character. Rather than creating families of bridges<sup>4</sup>, Highways England should be creating bridges which blend in to their surroundings and reflect local materials and colours. That may or may not mean that bridges are similar in appearance as it very much depends how the landscape and local materials change along the length of the route. These should be the guiding force to bridge design, not the requirement to achieve a uniform style along the route.

Campaign for Better Transport would also challenge some of the assertions made by the Highways Agency in its response to written representations for example:

- The fading out of HGVs in the photomontages was attributed by Highways England to a printing error<sup>5</sup>, but this is present in electronic versions. In addition, despite Highways England's assertions that the visual impact schedules take precedent, most people will judge the scheme on what they can see in the photomontages which form part of the Environmental Assessment. Therefore it is essential that these are as accurate as possible and don't mislead. In response to question 1.9.2 Highways England stress that the 'worst-case scenario' assessment was undertaken and reported in the Environmental Statement, saying: "As such, any impacts that differ from the ES will be no worse and could be better". However, in terms of visual impact this is clearly not the case with at least one of the photomontage camera heights being below the acceptable range (see below).
- Photos used for the photomontages, fall outside the range that should be used for the observer height. Highways England quote GLVIA3<sup>6</sup> in that the observer height should be in the range 1.5 – 1.7m. Viewpoint 6 was taken at 1.49m<sup>7</sup>, outside the range specified. It should be noted that none of the camera heights were above 159cm and most (8 out of 13) were at 150cm or 155cm<sup>8</sup>. While these are within the acceptable range, they help to show the scheme in the best possible light, not the worst case scenario.
- Photos used in the viewpoints – the height of the camera position was not given and hence it is unknown as to whether these were produced to the correct standard.
- Highways England said at the hearing that the photomontages were not meant to depict every section of the road, but to form a representative sample of the range of likely effects, viewing experiences and viewers. However, given that large interchanges are a feature of the scheme, then they should be featured as part of the representative sample. The Brampton Interchange will potentially have one of the largest impacts and therefore should be included. The problem at the moment is that the position and angle of the existing photomontage 2 from west of Brampton does not show the full visual impact of the interchange. A better photomontage would be from close to viewpoint 3, but perhaps slightly higher on the footpath and looking straight across to RAF Brampton (and the site of the viewpoint for photomontage 2). This would help understand the full landscape impact of the interchange and whether further mitigation measures are required.

Since the hearing Campaign for Better Transport has spoken with representatives of Highways England about the visual impact of the scheme and welcomes the 3D model that is being produced which will help with some of the detailed design at a later stage. However, on reflection it feels that it

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<sup>4</sup> Paragraph 48, page 17, Highways England's response to First Written Questions (Report 9, Landscape and Visual Effects), June 2015: HE/A14/EX/36

<sup>5</sup> Paragraph 5.3.19, page 44, Highways England's response to written representations (Report 6), July 2015: HE/A14/EX/54

<sup>6</sup> Paragraph 5.3.19, page 44, Highways England's response to written representations (Report 6), July 2015: HE/A14/EX/54

<sup>7</sup> Sheet 12, Environmental Statement 2014, Figure 10.6: Photomontages

<sup>8</sup> Environmental Statement 2014, Figure 10.6: Photomontages

would be beneficial to have a photomontage produced of the Brampton Interchange (as described above) for the Examination.

- The colours used in the key for the significance of visual effect<sup>9</sup> are confusing and poorly chosen, making it harder to discern the proper impact. The main issue was with the colour chosen for the 'slight adverse' was close to the colour chosen for the 'large beneficial', where, even with the key reproduced on every page, there was a possibility of confusion. Colours for a key should be chosen in batches and similar colours should be used adjacent to each other to reduce the risk, or severity, of confusion. For example, using the pink / lilac colour currently used for 'slight adverse' would be perfectly reasonable for the 'moderate beneficial' heading, adjacent to the deeper pink used for 'large beneficial'. That way any confusion, would only lead to a slight misinterpretation, whereas currently, any confusion could lead to people mistaking a negative impact for a benefit and vice-versa. For Highway England to say that they needed to choose colours that could be reproduced clearly in a variety of mediums ignored the point that was raised.

Campaign for Better Transport also asked the question as to whether the photomontages represented the worst possible impact (in terms of the flexibilities within the Rochdale envelope) but no answer was forthcoming at the hearing.

Campaign for Better Transport then made comments under the following question headings:

a) Crossing and elevations – it reiterated the concerns about the viaduct over the Great Ouse Valley and other structures, particularly the lack of attention to colour and materials. Highways England on the one hand said that each bridge was individually designed, but on the other that you could not design each bridge differently as it would be too costly. This seems to be a slight contradiction and while it is accepted that there may be common elements between some bridges, this does not prevent bridges being designed to fit into their surroundings, as is done elsewhere on the Strategic Roads Network, e.g. the A23 Handcross improvement, which had a concrete bridge clad in a locally distinctive stone.

b) Lighting – the question was asked as to whether lighting columns would be minimised in height, given that they would be quite prominent in a flat and open landscape. This was not answered, nor was it stated what had been used in the photomontages, although it was said that 12m high lights would require fewer columns, while 8m high ones would require more. Also, Highways England said that it was not really feasible to go below 8m. Campaign for Better Transport said that it would be better to have lower lighting columns as they would be less prominent in the landscape and more likely to be screened by vegetation in the long term.

c) Cuttings and embankments – Campaign for Better Transport questioned whether the road had been placed as low as possible in the landscape to minimise its visual impact. Highways England said that it had and that it was not possible to place the road in a cutting in a flood plain. This latter assertion was challenged with the example given of the new A4 currently being constructed between Delft and Schiedam in The Netherlands. This road is currently being constructed and has been sunk into the low-lying farmland and recreational/wildlife area to reduce its impact on the surrounding landscape. Campaign for Better Transport accepted that cost might be a consideration in any decision making but to say that it was not possible in a 'wet' landscape was clearly wrong.

Campaign for Better Transport also stated that the land take would not necessarily increase with shallower embankments and could actually reduce with a lower lying road, as more land could potentially be restored to agriculture.

d) Noise mitigation – Campaign for Better Transport was most concerned that the noise impact on recreational routes and tranquillity had been largely overlooked. No noise abatement was being made in the North Flowing Ouse Valley Floodplain because there was no housing within the range of the route<sup>10</sup>, yet The

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<sup>9</sup> Environmental Statement 2014, Figures 10.7 & 10.8

<sup>10</sup> Paragraph 19, page 10, Highways England's response to First Written Questions (Report 9, Landscape and Visual Effects), June 2015: HE/A14/EX/36

Ouse Valley Way is a popular recreational facility which people use to access this attractive and popular countryside, in part for its tranquillity, both locally and from further afield. This will be lost by this proposal and exacerbated by the lack of noise abatement.

e) Above ground structures such as gantries and other signage – Campaign for Better Transport reiterated its support for the comments of Mr Williams from Buckden Marina Residents Association about the siting of gantries in less prominent positions and that guidance for the location of signage is guidance only. There needs to be flexibility in the approach to the design to reduce its impact.

## **September 2015**

Sian Berry and Chris Todd  
Campaign for Better Transport

Campaign for Better Transport's vision is a country where communities have affordable transport that improves quality of life and protects the environment. Achieving our vision requires substantial changes to UK transport policy which we aim to achieve by providing well-researched, practical solutions that gain support from both decision-makers and the public.

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