

# TRANSCRIPT\_ISH3\_SESSION4\_A57LINKRO ADS\_05042022

00:06

Okay, thank you that the time is now 3:15pm. And this hearing is restarting. Please could a member of the KTM confirm that can be heard clearly and that the lions Jr recordings have restarted? Yeah, I can confirm you can be heard clearly. And the live stream has started. Thank you. Thank you, please, can we share the agenda on your screen at item three. So just remind that we've reordered and we took item four before the break. And we're now taking item three, which is in relation to Peak District National Park. If we could just zoom in on that a little bit more maybe. Thank you. So following through the ordering the agenda now for item three. So the applicant has referred to this touch purposes set out in Section Five one of the national parks in access to the countryside act of 1949. And the purposes of conservative, conserving and enhancing natural beauty, wildlife and cultural heritage of the eras specified and promoting opportunities for the understanding and enjoyment of the special qualities of those in response probably, applicants also refer to Section 11 A of the same act and said that if it appears that there's a conflict between those two purposes, then relevant authorities should attract greater weight to the purpose of conserving and enhancing the natural beauty Well, life and cultural heritage of the area comprised in the national park can then refer to steps. And I won't go through the detail of that said that it is only if the impact of the increase in visitation upon natural beauty, wildlife and cultural heritage cannot be managed satisfactorily, to the extent that the natural beauty wildlife and our cultural heritage cannot be conserved to a degree which is acute, unresolvable are irreconcilable, that section 11 to eight of the Act process to be applied. So first question to Peak District National Park authorities that the applicant has set out a trail of logic and through legislation under under judgement. Need to make sure or consider whether that trail is reversed? So please could Peak District National Park Authority comment on whether the proposed development would promote opportunities to be understanding an enjoyment of the special qualities of those areas by the provision and follow up to that as if it doesn't? Then what are the implications for the application of section 11? A and steps so the District National Park Authority please.

02:58

Thank you, Sir Tim Nicholson on behalf of the District National Park Authority. And I have to say that in our in our opinion, and with reference to Section Five one of the 1941 49 Nine, we do not believe that the proposed development would promote opportunities for the understanding and enjoyment of the special qualities with Peak District National Park. The development is focused on achieving the relief of traffic congestion within the settlements and Mottram unworldly bridge and the effects of the scheme on the National Park are indirect, but nonetheless clear from the traffic model and provided to accompany the environmental statement. The implication from the model is that the strategic journeys are being redirected from them 62 onto less suitable a six to 80 and from other routes onto the a 57 snake pass. And these journeys are about connectivity rather than the enjoyment or understanding of the National Park. We believe that whilst the driver and passengers making such journeys might enjoy the

experience that this is not the prime purpose of their journey. And the similar example from the strategic road network might be where the MC X passes between the Lake District and Yorkshire those national parks and it's a location that's often described as England's most scenic section of motorway. And you would have to say that the journey is visually pleasing to drive it. But the key point would be do drivers use that route to derive enjoyment and understanding of either Lake District or Yorkshire Dales national parks? And the answer is probably not. We're a quicker alternative route available to motorists, it's likely that the majority would use it. And in case of the A 57, Snake pass, we believe that the growth in traffic will actually negatively affect the enjoyment of the area for those existing visitors seeking quiet enjoyment and active recreation, either using the road itself as a lot of cyclists do, or on many of the footpaths and bridleways that enclosed box Senator to the road.

05:04

Thank you so in that case, the Peter to National Park Authority doesn't see that there is a conflict created by the proposed development between A and B. The statutory purposes of conserving and enhancing these steps purpose of promoting opportunities are paraphrased. So, is the Peterson National Park authorities position that there isn't a conflict between those statutory purposes and but there for the other considerations that the applicant has suggested in terms of section 11 A and then tentative stubs aren't relevant. What what's what's what's the National Park authorities position?

05:56

Thank you, Sir Tim nickel target Peter Schiff National Park Authority. We actually believe that the scheme the effects of the scheme are actually in conflict with both purposes. So it brings, we believe the scheme will bring negative impacts that that go against the conservation and enhancement. And we don't believe that it brings the direct benefit of widening the opportunities for enjoyment of the National Park. If we could, if we could push on the stubs case. It's worth noting that the case was brought against the Lake District National Park Authority by by a pressure group wishing to see the National Park Authority bring forward a traffic regulation or to control recreational use of green lanes by motor vehicles. And the key point, I think, is recreational use. And they should also be noted that these routes are not strictly greeting lanes, but were described by the Lake District National Park Authority as being stone built roads. In that case, the Lake District National Park Authority took a balance between the two national park purposes of conservation enhancement and promotional opportunities for understanding and enjoyment. And they took the decision that the recreational use of green lanes by off road vehicles was on balance not in conflict with the authorities first purpose. So that's that's kind of different to the point that we're making where we believe that the impacts of the a 57 link road scheme are in direct conflict with first purpose. The other thing that's that's probably worth bearing in mind is that the traffic that's that's been diverted onto the 57 in particular, is unlikely to consist of large numbers of vehicles, the all the information that we've been given this, it's people making crossbar journeys, beginning and ending outside of the national park boundary in the utilitarian journeys rather than journeys for pleasure. Whilst I wouldn't argue against the fact that there may be people who make those journeys for the first time, or is return this, I've been loving divert from all the routes, and may then be persuaded that they might want to go back and visit these areas again in the future. The journeys per se are not necessarily in support of segment purpose. And the other thing is that the challenge brought by Stubbs was, was about a desire to protect green lanes and the rights of walks and all this to use them without danger, difficulty or inconvenience. So it's in effect, it's a conflict between different user groups, different

recreational recreational user groups. And thirdly scale, the predicted traffic flows on the 57 snake pass with the scheme in 2025 represent an increase of 1150 vehicles ADT, or 38%, increase, the motorised use of the green lanes, following on from stubs is not particularly increased according to the information that I've received. And we're actually talking about levels of vehicle such as 53 per week, or 7.6 vehicles per day, or 46 vehicles per week or 6.6 vehicles per day. So we believe there's a considerable difference between the case that's been made by the applicant in relation to stubs and their the scheme that they're seeking to deliver. Thank you. Okay.

09:19

Thank you. That's how I would pick this up National Park Authority be able to provide those responses in writing, please.

09:27

Yes, we can i I've already got everything right. And you're ready to submit. So we will get back to you for the next next deadline. Thank you.

09:35

Thank you. Well, the applicant like to respond that we've covered a&b would be up to like, responded item see.

09:42

Thank you found on behalf of the applicant. Yes, thank you, sir. So just just to clarify, so in terms of the logic that we've set out, so throughout the examination to date, the Peak District National Park Authority has stressed that he level a record has great weight to be given to conserving and enhancing the natural beauty, wildlife and cultural heritage of the area. Now that and the purpose of referencing Stubbs was to make it clear that that is not the case. From a legislative perspective, great weight does not come in unless there's a conflict. Now, we do not disagree, the scheme is situated outside the National Park and it's not aimed at increasing visitation. And national highways is required pursuant to section five one of the national parks and access to countryside act, obviously to have gone to the purposes of the national park in in exercising or performing any functions in relation to or so as to affect the land in the National Park. But those purposes are given equal weight until there is a conflict. So that's that's that's the sole reason of bringing steps to your attention. It wasn't. So obviously we have policy considerations where there's reference to great weight. But a lot has been played on the legislative requirements give great a great weight and we say that's a misinterpretation of the legislation. And 11 I only comes in when there's a conflict. And effectively the Peak District National Park Authority have confirmed that there is no conflict between A and B. So the great wait doesn't come in the 11. He doesn't come in at this at this juncture.

11:38

Okay, thank you. This this is obviously an area that requires careful reflection and consideration. I think I think if we if we could proceed on this that picture to National Park, we'll we'll set out their response at the next deadline eight. And then if if the applicant could then respond to that for deadline nine and setting out the points that have just been made. And the response to Peak District National Park that deadline ninth. That's acceptable.

12:11

Vicki fell on half the applicant. Yes, sir. That is acceptable.

12:21

Let's thank you. Let's move on to item D. So regard given to the policy. Committee, just just bear with me a second. Just bear with us a second. Mr. Taylor, your hands raised again. National Park Authority, please.

12:59

Yes. Are you Yeah, sorry. Brian Taylor here. Park Authority. Is it okay to speak?

13:04

So used to?

13:05

Yeah. Still in response to that point? Really? I'd raised it then. Just wanted to say that there's a there's a provision in the law at that point called the Sandford principle. So that was just introduced, specifically to deal with conflict between those the two primary purposes, what we're saying is there's specific impact on both purposes, it isn't, it isn't a problem between a recreational impact and the conservation impact. So these are the kind of cases you get where Mr. Nicholson raised, if you've got a, say, a trail environment or something where there's people trying to get that enjoyment at the National Park, it's actually harming the conservation itself, the recreation use is harming the National Park. That's just not what we're saying here. You know, so it's the wrong example to make, you know what we're saying there's

14:07

just last year, Mr. Taylor. Sorry, can you hear me okay? Yes, yes.

14:13

Yeah, we're saying it's the wrong example to make. And the we think the increase in traffic actually impacts on both purposes. You know, we're finding impacts both. So we just think it's the wrong example to make you make that clear in your written response.

14:29

Correct. Thank you. That's helpful. Let's, let's move on to D then so. This is question about the applicability of the National Planning Policy Framework, which are referred to as NPPF. And suggestion by the applicants. Well, I'm going to take so the outcome said that Secretary State is constrained in its decision making by section 1043 of the Planning Act 2008. So there's real danger in simply applying the NPPA. As if it contains policy is determinative of applications for nationally significant infrastructure projects the applicant through just not and that to apply it as if it did could result in an error of law. Then noted for the ACT say that and highlighted that section one or two D of the act, Planning Act 2008 requires Secretary tech to have regard to the matters which Secretary State things are both important and relevant to the decision and that the acts as currently minded to recommend that the MPs be

considered important and relevant. And that there's considerable precedent for that on set projects. And having said that, there needs to be careful consideration where there would be any conflicts between the MPs and the NPPF. So bearing in mind the applicants, comments aren't deadlines six, does it have anything further to add on that in terms of the consideration given to the MPP?

16:12

Vicki fell on half the applicant? Yes, yes, I do. So and thank you for for raising it as a question. So yes, we do agree that the MPP F is a relevant consideration under Lim D. But what I do refer you to a couple of points. First, if I could refer you to paragraph one point 17 to paragraph one, point 20 of the national networks, NPS. And that section is headed consistency of NPS with a national planning policy framework. I'm happy I'm happy to take you through the sections. But I'm also also conscious of conscious of time. I mean effect effectively, what it's saying is that the overall strategic aims of both are consistent. However, the two have differing but equally important roles to play. And it's noted that the NPPF, for example, is relevant to the local plan system and that local plan should be consistent. The NPPF makes it clear that it's not intended to contain specific policies for N sips. And obviously, it's the national networks MPs that assumes that function and provides the transport policy. It also says that the MPs provides guidance imposes requirements on matters such as good scheme design, as well as the treatment environmental impacts. And it says so, both documents seek to achieve sustainable development and recognise the different approaches and measures will be necessary to achieve this. So the MPs recognises that there will be inconsistencies, but there is a reason for those inconsistencies. Second, second, I take you to will not take you but refer you to the so decision. So this is the examiner authorities report on the so Southampton to London pipeline DCO. Nominally This is a pipeline rather than a road. But effectively that pipeline pass through the South Downs National Park. Now, while CMP pay in PPF, at that time was February 2019. The policies regarding National Park very similar. So that's paragraph 172, which again made reference to this great weight in terms of conserving and in addition, the energy MPs also had also had policies regarding national parks. And so if I draw if I draw your attention to Section 310 of its recommendation, and it note, he noted several things regarding the NPPF. Again, the fact that he didn't contain specific policies for N sips the fact that the NPPF made it clear that it didn't contain specific policies. It made reference obviously to the NPPF desire to achieve sustainable development, etc, etc. And then it's the XA there. So both the NPPF and the PPG are capable of being important and relevant considerations in decisions on in sips, but only to the extent that it's relevant to the project. And then it says and and MPs is prevail over the MPP F. So again, we stand by that that ultimately the MP MPP S must prevail over the MPP F and that's very important if you are considering conflicts. In the Esso case, reference was only made to the NPPF not withstanding the Nash National Park in the context of green belts. Now the MPs een one refer to PPG. To remember, remember, remember that one which obviously dealt with Greenbelt prior to the NPPF. No reference was made to the mtpa PF otherwise, including the National Park policies. So, when I'm not necessarily deterring you from from referring to those policies, but the the MPs should be determinative on this issues. Thirdly, and my final point is, I do know that what you're concerned about is discrepancies between the MPs and the NPPF, the current version of the NPPF. And actually, we say there aren't any discrepancies. And I've got I've got a detailed table that I can put in the written summary, or I can take those take you through those, you know, both refer to great weight being given to conserving landscape and scenic beauty. There is a slight difference in that paragraph 176 talks about conserving and enhancing.

21:06

But the the the the MPs makes reference to the purposes of the National Park and the Secretary of State affording those great weights where there's a conflict, etc, etc. So, you know, we say the scheme achieves the objective of the MPs it's it's not located within the National Park. And certainly when you look at the policies regarding development outside which may affect the paragraphs are very similar. So paragraph 176, does it well development within this setting should be sensitively located and designed to avoid or minimise adverse impacts. And the scheme has been designed sensitivity so sensitively. So it's not, the MPs makes it clear that the fact that a project is visible from designated area should not be a reason for refusal. But equally the NPPF isn't saying that should be a refusal. So So I think our take is that they are they are actually consistent.

22:07

Okay, that's helpful, I think, I think it's, it's, it's important to be clear on the degree to which the NPPF applies, obviously. And the relative precedence to be given to the PS and the NPPF, where there is a conflict, then I think my mind is pretty clear on the approach there. Where the MPs then cover covers matters that are not addressed in the PS. So the enhancement point, for example. And so the MPs appears quite silent on the enhancement matters relating the MPs. So I think we need to puzzle through we as the accent need to puzzle through the degree to which we expect that good to give consideration to those enhancement provisions in the NPPF. And the applicant might want to reflect on that as well. Because that's not in conflict between the MPs and the NPPF. Because the MPs is silent on it, that it's a complicated it can be a complicated relationship between the two because for flood risk, for example, the MPs defers to the MPP f. So, so clearly, in some respects, the MPP F is very relevant. And in fact, it's the primary source of policy for MPP projects, in some respects, so quick to be dismissed in any way, doesn't appear appropriate at all. But the I'm anxious to try and find the proper approach, particularly when we're looking at some of these finer points in relation to the National Park. So the reference to the stuff lumped into under pile and and project is helpful and we'll review those Thank you. And look forward to the applicants written summary and the further detail that was suggested there. Look forward to seeing that. Can we can we can we move on to he says that this is related. So I think it'd be good to just have clarity on the applicants position in terms of great weight for conserving landscape and scenic beauty in the previous National Park. Where does the applicant sit on that? And particularly when we're considering that the proposed development is outside the Peak District National Park, which is obviously not disputed, and there is a subtle difference in the wording within the MPs and the NPPF. I think in terms of great Wait, so what's the applicant set? on that?

24:59

Big He fell on behalf of the on behalf of the applicant, sir. So, in terms of your the question and great way having looked at the policy and in our detailed policy analysis, our take is that the reference to great weight being given to conserving landscape and scenic beauty is where you are dealing with development within so within the NPS, that is under the heading development proposed within nationally designated areas. For the NPPF. This is dealt with under Section 15. Conserving and enhancing the natural environment. The fact that it states great weight should be given to conserving and enhancing landscape and scenic beauty. Our take is that that that must apply to development within in that you can't be an enhancing landscape unless you're doing development within you could

only be enhancing landscape in the National Park situated within the national park if you're doing development within. And also I think, just the way that the the the section, although although it's a single section power of 176 You'll see in our table the way we split it up. So it talks about great ways to be given to conserve enhancing etc. It also notes conservation and enhancement of wildlife and cultural heritage rules are important. Scale extend to development with all in all these areas should be limited. And then it says while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. So our interpretation paragraph 176 is effectively there's two limbs to it, there's development within and development outside. So that's fed. Look, notwithstanding all of that. We have given the National Park great weight in the assessment work undertaken to support the DCO application. And so what we intend to do is to provide a table taking all of the EIA assessment chapters and explaining how we have afforded the National Park rate weight. I mean, effectively, we have given it the sensitivity as a national receptor of importance. And then hopefully that will give you so so notwithstanding whether great weight applies within or without the reality is that within that assessment work, we have given it great weight.

27:37

Okay, thank you so so I think it's something that we need to consider further. Some of the complicating matters are that, yes, the developments are not within the National Park, but there are indeed indirect effects on the National Park. And that seems to be accepted. And, and therefore that perhaps the distinction isn't quite so clear as whether it's inside or outside and you know, the difference in the consideration in the NPPF maybe becomes helpful. So need to consider that a little bit. I'm just trying to set out some of our thinking currently. So the concern is about the indirect effects part of it. And then just Is it is it a reasonable interpretation, that there should only be great weight? If it's inside if it's within the National Park? And there shouldn't be great weight if it's outside the National Park? Is that a reasonable interpretation? So it's those sorts of things that we're struggling with? I think. And it's not clear to me which way our thinking will go on that which we will conclude on that. I think it may be helpful if we were to consider great weights should be applied. And I'm not saying that that's the cases yet. But if we were to consider that it would be helpful to have the applicant response to that in the way that has been set out. So I'd be helpful in terms of just setting up the things that we're dealing with. It'd be helpful to see the applicants responses in the way that's just been described. Do I do have 100 from PDX, national Peak District National Park facility, so I would like to take that please. Mr. Taylor.

29:30

Thank you. Yes. And I'll pass to my colleague, Tim Nicholson for a bit more. I just wanted to say as context, the the policy context in the NPPF and the the NPS come from the environment act 1995. And so that's it's important as an anything that we actually refer to that as the legal basis. as well as policy, which is quite specific to great weight and landscape, but the environment Act, as we know, as we've said, places equal weight on both purposes. So this point about the enjoyment of the special qualities of the National Park intertwines with the conservation of the two room together. And importantly, section 62 of the environment Act makes us think about those statutory bodies that are undertaken functions that may undertake work that has an effect on land in a national park. And so we have to understand the functions and the work of statutory bodies are undertaking an impact having an effect on land in a national park. So that isn't talking about just inside or outside. That's talking about the impact on the National Park. Thank you.

30:52

Thank you. And did your colleague want to add?

30:58

Thank you says, I'm happy with with Mr. Taylor's response on that. Thank you.

31:03

That was very helpful. Thank you very much. So that that takes point F on the agenda. Thank you. Let's move on from that. So so just bear with me just a slight technical so let's move on to point G. So the Park Authority suggested the application of the DMR believes that money for roads and bridges conflict with the NPPF with respect to the consideration to be given to features from could be national park authorities summarise where there is conflict, please stand by question. Please go ahead.

31:51

Thank you, Sir Tim littles and Peter Schiff National Park Authority. So we've we've outlined some of our concerns previously about how the the RB methodology, we believe is in conflict with PPP if we it was part of our submission in February 22. Our EP four dash O one two. Whilst we acknowledge the dire effects direct effects of the scheme, the IWAY construction works themselves are located within the buffer of the park. The indirect effects of increased vehicle flow was a result of the scheme. And some of the words that are that are now being proposed such as average speed cameras would definitely be experienced with experience within the boundaries of the National Park. And for those reasons, we consider that paragraph 177 is relevant to the consideration of the application. We wouldn't presume to understand or debate the full detail of the demand design manual for Rosen bridges methodology, but as presented by an applicant, not enough weight appears to be given to the nature of the receptors, to in this case, the landscapes the National Park, the visual amenity of users of the National Park, and the emphasis which the dmrbr appears to be primarily centred on effect magnitude.

33:11

So Miss Nicholson could just jump in there. So yes, the applicant is suggesting that it has, in effect, unfortunate choice was its approach has been equivalent to giving great weight as the previous National Park Authority disagree with that.

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i We believe that it's in terms of how the particular design manual for Rosen bridges is applied. And the methodology that use tends to mean that we don't believe that significant emphasis has been applied to the sensitivity of receptors, we made this case in our previous previous submissions, and we will make the case again, is what we're trying to get across is that even a very small adverse effect has the potential to result in significant effects on the highly sensitive receptor. And we we don't see that has been picked up in the methodology that's been used to assess landscape impacts, particularly in the UK.

34:19

So in simple in simple terms, I think we would normally expect the great weight issue to be reflected in the level of sensitivity. And we said we seem to have a difference of opinion here between the National Park Authority and the applicant. So it's very helpful. And obviously, defining the sensitivity appropriately leads to the significant effect been identified appropriately or not. So there seems to be a very important point here about where the great effect so great Wait is relevant, how that's reflected in sensitivity? How that then works through to the significant effects. Conclusion? Is that, is that your understanding as well? Yes, that's correct. Yeah. So So it'd be really helpful for us to focus in on how great weight is then reflected in sensitivity and to understand any differences between the applicant and the National Park Authority on that. So I think that we seem to be aligned in terms of what's important to

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us. We're also aware that we need to work with the applicant in terms of our statement of common ground and, and obviously, either agree or agree to disagree on this.

35:46

And yes, thank you for that. And that would be as the debate continues, that's a very important document for us to crystallise everyone's position at the close of the examination. So thank you for pursuing that. I'd like to make just the Park Authority have any concerns regarding we've talked about the the Act, which is very helpful, thank you for raising that. Again, we've talked about the NPPF. The dmr. Does pick it up? It is National Park Authority have any particular concerns regarding consideration given to the national policy statement?

36:18

Yes, thank Thank you, sir. Tim Nicholson, again, Pete issue National Park Authority in the applicants document our EP 6017, the referred to 5.15. Of the NSPS and NPS nn sorry, highlighting the directions that the fact that the proposed project will be visible from within the designated area should not in itself be a reason for refusing consent. I just like to make the point that, with the exception of seeking an assessment of dark skies impact from a viewpoint on the basics 105 net Padfield, which was a question that the examining authority raise themselves, the direct visual impact of the scheme has not been itself being raised as a matter of concern by National Park Authority. Our focus has been on those indirect effects of the scheme on the special qualities of the National Park as a result of induced traffic flows resulting from the delivery of this scheme. So you start really

37:18

sorry. So it's just our belief

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that the MPs and then does not provide scope for the consideration of these impacts, or the balance to SAS assessment of the national importance of the infrastructure, compare with its effect on the nationally important landscapes and special qualities of the National Park.

37:36

Thank you, and that will lead us on to the next point around indirect effects. So I think the point that's just been made is around the indirect effects on the special purposes on tranquillity in relation to dark

skies, etc, arising from the indirect effects. That's that's the main area of concern. Yes, sir. Thank you, sir. Yeah, that's helpful. Right, let's move on to indirect effects then. Just go over as many amendments for the applicant is summarised hourly increases in traffic on the FF 786 to eight through the National Park. And that includes that there will be increased as about two. This is an ADT 132, which is over 50% on the 57 and up to 107, which is nearly 10% on the six to eight. The Africans position is that the changes in traffic would not result in any significant changes in noise or recording along those routes. It considers the increase in traffic flow not anticipated resulting in corresponding growth in the demand for car parking within the Peak District National Park. That additional headlights from increased traffic flow would not to be readily perceptible in relation to the magnitude of change. So slightly ambushed the applicants in the last hearing actually requesting for some quantification of indirect effects and it was very helpful to have the quantification of the hour the increases in traffic. So, thank you for that. It seems to me that there has been quite a lot of professional judgement around some of the effects and some statements around estimates of increases in noise level it does appear that it would be possible to quantify changes in noise due to increases in traffic. So, some of the percentage increases particularly high 85 a 57 are in excess of 50%. And obviously within that, you know, it may be worn vehicle per minute in each direction or something of that order. It'd be interesting to understand. So it seems to be at that sort of order, they're just there is obviously a potential for, I think the technical term is convoing. So as flow vehicle, travelling over the past would create a queue of vehicles behind it. And if if there is a increase in traffic, and these are assumptions that I'm inviting the applicant, maybe to try and quantify. So if there is an increase in convoing, an increase in the number of vehicles travelling together. And that arising from a 50% increase during the worst hour, it appears that that would have the potential to increase noise. And I'm unclear as to what extent that would be and I'm. So the question, really, to the applicant? Is my sort of basic understanding correct? So we can expect an increase in the length of convoys, and therefore an increase in the level of noise arising from that? And is that is it possible to quantify that? So I'm focusing on noise at the moment? Is it possible to quantify that during the worst case,

41:36

Vicky found on behalf of the applicant, and thank you. So we so we have, we have done the further assessment work that was requested. So effectively, we have produced now, a table, which basically looks at the Warner noise predictions using the presenter date, sorry, using the data presented in rep six dash 017 Question 4.7. And so those calculations have been made assuming that the traffic speed and proportion of HGVs is the same as stated in the 18 hour AWT data use for the noise modelling. So we've got those, those hourly predictions, and they can come, obviously, that that table is in the richer response of today's hearing. And I can run through through the summary of what of what we're finding. Thank you. So I mean, the results show that a minor noise increase would occur on snake road snake pass during the interpeak period, and that would be acceptable. But next negligible or no changes to noise levels were predicted on the A 57 for the am and pm peak periods, or for the a six to eight during any time period,

42:49

it just fills up the number of decibels increased.

42:53

So so for the so for the am heat on the a 57 snake road pass, that's a change of plus point seven. On the into peak hour, there's a change of plus 1.8 and the pm peak of plus naught point eight. On the others it's a mix. It's a mixture, sort of plus naught point three plus naught point two plus naught point one and minus naught point one.

43:30

So a maximum of 1.8. Increase seems and that's, that's based on the daily, sorry, the average annual weekday.

43:44

Yes, but basically one hour noise predictions.

43:51

So, let me I think this is probably this technical detail of this. I think, I think within the applicants Ritter response, so that the concern is the the 50%, our leave increase that's been seen. And I like to get some reassurance about the averaging process. So I guess there's some concern, if we average things over a week, is that going to give a rather different response to the reality on the ground? If you like, have in an hour, the increase is 50%? Are we actually properly assessing the 50% or 50? I think it's 52.6% hourly increase, is that properly being considered, or is it being lost in an averaging effect? Okay. So that's that's the concern, because the reality on the ground, it feels to me is what happens within the worst hour rather than the average over a day. So it's the conclusions around that averaging effect. Does that seem to be helpful in the response to To think what was what what has just been presented appears to bring in a certain amount of averaging. So it'd be good if the follow up response could just consider that. Bring that back to the 52.6% in the hour. Does that make sense? So it's not losing that in the averaging is where the concern will be. And, and I understand standard methodologies and those things, and dmrB approaches and those things, but I'd like to bring it back to the practicality near the practical point of what people on the ground will experience in the worst hour.

45:45

50 fell on behalf Yep. So I just wonder if I need to bring in the technical team here, just in terms of what's actually feasible. Is that please say, yes, so I've got I've got Adam, Adam Lawrence. And he's he's dealing with noise. Adam, would you like to introduce yourself?

46:02

Hi. Yes, I am Adam Lawrence, on behalf of the applicant dealing with

46:05

noise. Thank you. So I presume you're you're listening to the concerns I just raised?

46:12

Indeed, yes. So what we've had a look at is the so in general speaking, if you were to double the traffic, you would get a three dB change in noise, but presuming that the speed and the percentage of heavy vehicles remains the same. So when we're dealing with changes in flow, we also need to look at changes in speed and changes in heavy vehicles, in order to work out what the change in noise is.

46:43

And dB, just to be clear, three dB, that's something like twice the energy, it's

46:49

yes, it is twice the energy, three dB change, you would notice, you would want a one dB changes right on the threshold of perceptibility. So on the a six to eight, all of our changes are much smaller than one dB. And so we wouldn't expect those changes to be perceptible. And on the A 57, we showing negligible changes in the morning peak and the afternoon peak, we show the perceptible change on the inter peak period.

47:26

That's the sorry, that's the 1.8.

47:29

That's the 1.8. Yes. So that's on the into peak period. So after the morning, Rush Hour finishes, and before the afternoon, Rush Hour starts. And that impact is the same as you would get using the 18 hour

47:44

traffic. So though, the sorry, please go.

47:50

I was gonna say. So looking at the into peak period is giving us the same magnitude of impact as we see from the overall data. So there's no additional worsening by looking at the one hour periods.

48:02

So I shouldn't be concerned about an averaging effect. So the the 52.6% maximum hourly increase in traffic that's been predicted that that is reflected in the 1.8 decibels. Is that is that yeah,

48:22

yes. Because we get that we're getting changing speeds and changes in percentage heavies as well.

48:27

Yes. So so. So 1.8 decibels is a correct reflection of twin 52.6%. Hourly increase? Yes. And then, thank you, and then the, the 1.8 decibels we're saying is perceptible.

48:46

Yes, it's perceptible. So that's a minor increase in noise. And that's what we reported in the ies for the 857.

48:54

Okay, so where does the definition of that being a minor increase? Where's that arise from?

49:01

So that comes from dmr methodology? We're looking at short term changes in noise. So negligible changes are those smaller than one decibel? Minor changes are between one and three decibels? And then once we're above three, we're into moderate and major.

49:21

So it's considered minor in terms of identifying the significance of effect, yes. But there is then the consideration it is to set double change. And so what are the implications of a perceptible change for the National Park? Can I thank you that's very helpful connect cactus finally, us the National Park Authority to to the National Park Authority wish to comment on the new that some thinking in terms of a 1.8 decibel increase and kiss exceptions of that being susceptible.

50:02

So Brian Taylor from the National Park Authority. So yeah, I think I think that was interesting point, you were just starting to raise the so that it's this idea of being a tactical, low level increase, but in a place, which is all about experience, which is, which is a wild landscape, you know, and I wonder if the dmr picks up that level of sensitivity, you're already in a place that has about 30,000, weekly vehicle trips, you know, we're not starting from a low level here, this is already a busy road. And we're adding to that, I think it was just say that, you know, that, that increase is a change to the environment of people enjoying what is aiming to be, you know, and are conserve and enhance aims are about making these areas better for people. And there's a danger here that it's actually going the other way, we're just adding cumulatively to a pressure on a problem in an environment, which is meant to be about people's adventure in Wilder spaces.

51:13

Okay, thanks. So just to wrap up this session, thank you to the applicant for the additional work carried out to quantify some of these matters, that's very helpful. It always feels more comfortable dealing with quantified figures when when, when the robots, so thank you for that. And look forward to seeing the details of that assessment for noise in your written submission. And then I think it would be helpful to have the consideration of the implications of that increase for the National Park in terms of significant effects, but potentially more widely than that, in terms of professional purposes and all the tranquillity issues. In that respect, it would also be helpful to get further having now seen the quantification of that in terms of 1.8 decibels, it would be helpful to have a further response from the Peak District National Park Authority. And following that, quantification. So it is with the National Park Authority be content to provide that in writing. I think it so we're going to receive the applicant's further quantification of deadline eight. Could the National Park Authority comment on that deadline? Nine please.

52:34

Thank you, sir. Tinnitus and Peter Schiff National Park Authority. Yes, we can do that. So thank you.

52:40

That's very helpful. Thank you very much. Right, let's move on. We have a final two questions. J and K. And I'd like to take this in writing applicant to would you be happy to respond to that in writing, please? Write in J.

53:00

Vicki fell on behalf of the applicant? Yes, yes, we will. And obviously the I think it's hops back to the to the table. So we say we are giving great weight. So So what if I want if I made before you just close this section, just just to create one point. The Peak District National Park Authority made reference to the scheme introducing speed cameras, we are we're we're certainly not introducing speed cameras. So just to put that beyond doubt. Thank you.

53:24

Thank you. And then we'll come to counsel respond in writing to point okay, these debrief is obviously kind of counsel. So I guess happy to do that. Thank you. Thank you very much. Please, I am going to take a little submission on this. We have three parts with their hands up. And I'm going to take those in order actually. The first one is from the National Park. My attire for now. If without speaking, okay, thank you. And so let's take a submission for me to those three parts. So we have Mr. Wimberly, Mr. Book and then, Mr. Blissett, sir, Mr. Wimberly. I'm not going to timeless but if you could be focusing your questions and your points of view, very helpful, please. Yes, indeed.

54:22

Can you hear me? Yes, yes, please go ahead. My question relates to that discussion on noise that we just had, which is a perfect example of a WTA. TT, our lead flows and so on. Now, it appears I've looked at the coded up on my other on my PC, and it does not say in their written reply, whether it is a WTO ADT, so I have no idea, but I do know that it's 52.6 increase at the at the peak, but I don't know which peak and that matters because the peak of weekends his vehicle, his cars, its visitors. I've experienced that last Sunday before last massive flow through Bamford because it was a sunny Sunday. And that's different from a weekday when people are going from Madison Scipio. So I just want to check with the applicant and yourselves, what we're talking about here. And what those hourly flows actually represent. Because it's not in

55:29

it's not in the document.

55:31

Okay, thank you, Mr. Wimberly. I picked up the interface. But I think it would be helpful just for the applicant, please to clarify, whether that's a weekday, whether it's a weekend, I think in particular, that'll be helpful. Thank you. Mr. Wimberly. Mr. Buchan. Please.

55:51

Sir, very, very quick point, referring back to the strategic case for the scheme and the need to be positive as well as minimising damage, which I think is a very important aspect that needs to be considered in the original strategic assessment, which the applicant is relying upon one of the six objectives that was used to test the scheme was environmental. And indeed, the only content in that refers to the National Park. It is to avoid unacceptable impacts on the natural environment and landscape in the Peak District National Park and optimising environmental opportunities. So I think the original strategic objective of the scheme specifically mentioned the National Park and not just minimising damage, but improving it, then I think it shows, you know, chose the good sense of the

original drafter of the strategic objective, although we would say there are some missing, given, you know, current changes in legislation, but I do think it's important to anchor the concerns of the National Park and the idea that doing this right on the border should have a positive aspect, and not just the either neutral or minimising or minimising damage. I think that's certainly one of the driving factors behind when we came to design our alternative package to the scheme. Thank you,

57:13

I think actually being taken account of the indirect effects in terms of that positive effects. So I think one, perhaps something for the applicant to consider in terms of there is an effect whether the proposed development is within the national park or not. And actually, there can be a positive or negative effect that can be an enhancement, whether the proposed development is in the national park or not, whether all of that is properly considered. Thank you, Mr. Buchan.

57:47

So just strictly original, the original score was was moderate beneficial in the in the strategic case, whereas I think we now know it's actually moderate, moderately negative. Thank you.

58:05

Dose can't counsel, please.

58:08

Thank you. So just one very small, like minor point, you referred to about 20 minutes ago to the effect of the convey effect and you perfectly, it's a perfectly reasonable observation to make. So as a traffic engineer, it's normally referred to as tuning.

58:26

You are, I suspect that you're the wrong term. Thank you. So I think I think you're in the applicants quantification. If it could be clear that it isn't, it's just considered platooning. And that would be helpful. Please. Write those are those are the oral responses. Thank you. We're now going to we are slightly behind. So I suspect we may end up running a little over the six o'clock that was expressed earlier, we may be running to as late as 630. I hope parties are comfortable to accommodate that we certainly are. And so let's let's take a short break now. It is 1615 nearly so. We'll take a short break and recommence at 1625. And we'll restart with air quality. If you're watching the live stream please be aware the live stream will now stop. To view the restarted meeting you'll need to refresh your page when we restart at 1625. Thank you