

A57 Link Roads (previously known as Trans Pennine Upgrade Programme) Planning Inspectorate Reference: TR010034

Peter Simon (A57L-001)

Comments on Deadline 9 submissions for Examination Deadline 10

Introduction - Before further comment I would point out the record shows I have consistently sought to engage in good faith with the Examination leaving obvious doubts as to procedure to others and accepting the limited parameters that have applied. It is regrettably no longer possible to do this for reasons given in the following sections 1 and 2.

Part 1 – Doubts over reliability of the Link Roads traffic model for Examination purposes.

Part 2 – Concerns over a possible imminent SOCG between TfGM and parties at this Examination introducing new matters beyond the current Scope of Examination

- Contains 7 sections listed “A” to “G” -

Part 3 – slight correction to references within my Deadline 9 Submission (**REP9-049**)

Part 4. Abbreviations

-
1. Certain D9 representations question the veracity of the traffic modelling that underwrites the DCO Application for the A57 Link Roads, notably submissions from CPRE/FOPD (**REP9-035**) and Mr Wimberley (eg **REP9-045**) and considering these carefully I share the doubts expressed.

The Examination has generally accepted the Core Modelling as a “good enough” estimate for the purposes of impact assessment. Derbyshire’s representative at ISH2 explained this general principle and whilst having myself expressed concern generally along with others I have hitherto accepted the working currency of these projections for Examination purposes.

However CPRE question quite thoroughly the veracity of the Model in “*Comments on the Report on Implications for European Sites*” (**REP9-043**) and in doing so cast substantial doubt on the safety of its use for detailed assessment purposes.

- The grounds CPRE present show considerable if not wild discrepancies where traffic figures rise and fall inexplicably in certain areas,
- Also it is pointed out the baseline data for the Model differs from Central Government data (and also the data applied by the LHA Derbyshire in the case the recent Snake Pass landslip closure.)
- The Applicant’s explanation for such divergence from National and Local Government estimates is also shown by CPRE to be less than convincing.

Returning to the Examination so far much of it has focussed on exploring detail through oral and written questions arising from impact assessment as modelled, in areas such as AQ, noise, biodiversity and other equally important areas. In some cases such as Air Quality these are particularly critical investigations where the Scheme needs to either survive or avoid tests for toxicity to be compliant with NN NPS2014. The model flow estimates have been relied upon

by the Applicant to avoid screening thresholds for such tests of compliance but the proximity to these thresholds is such as to not really allow for significant modelling error.

Similarly assessment of indirect effects on highly protected planning designations such as the National Park require a high level of accuracy that cannot allow much margin for error. The relevant Park Planning Authority already questions the method applied as insufficiently recognizing the particular sensitivity of Park receptors within the designated area. This doubt would obviously be magnified further were the Applicants "low" or imperceptible impact conclusions here against DMRB rest on a less than stringent model. Similarly points I have raised about the lack of modelling for the "villages of Hadfield and Padfield" would be exacerbated by doubts as to the modelling applied elsewhere, and likewise the over optimism on the part of the Applicant for diversions off the A57 to avoid the AQMAs.

For the Examination findings to be secure therefore in view of these tight margins it does not seem to be acceptable for there to be any kind of possible tangible anomalies in the model yet as CPRE show these clearly are noticeably present and seem to require better explanation than currently exists. Mr Blissett the Transport Representative for Derbyshire County Council made a plea at ISH2 for leniency towards traffic models as regards their sufficiency for purpose:

"Let's just explore a little bit about what the traffic model is. Traffic model seeks to provide an indication of future traffic effects. It's an extrapolation of observed traffic flows based upon a number on a number of subjects. It is not sir a put a perfect science, you know, we we acknowledge that the traffic model does have imperfections. However, we are broadly satisfied that in terms of the models suitability and fitness for purpose" **(P7 of REP EV-025)**

The position here is highly questionable because such "imperfections" would pass non-compliant toxic impacts through the assessment net in a way that a stringent and rigorous model would not. So I disagree with what is quoted and feel it is evident that the legal policy context here requires more than a "good enough" model with "imperfections". I cannot understand how DCC's representative could have responsibly passed this model with its "imperfections" as "fit for purpose".

Certainly where the avoidance of seminal assessments is concerned I do not think such tolerance of "imperfection" is sound. Noting that the discrepancies in this model may make it considerably below even Mr Blissett's relatively low standard of satisfactory "imperfection" I return to the matter raised previously by Mr Wimberley. Mr Wimberley raised the point that the only review of the Model has been internal. There has been no open and independent peer review beyond the Applicant's own internal self-scrutiny albeit at a supposedly high level and in view of the inconsistencies this IPR now seems essential for Parties and others to have confidence in the findings it presents for this Examination. **(P2 of REP3-032)**

I realise there is a lot of talking around the discrepancies and haggling over how large they might be but ultimately if the model defies credibility to a large extent in several areas the entire arrangement collapses, and DCO seems to lack the necessary foundation for a positive recommendation for this reason alone. Personally as I say at outset I have engaged with the Examination approach in good faith, but having read the D9 material I no longer do have faith in the traffic model and cannot see how matters can proceed further safely without an independent and transparent peer review of the same.

2. CPRE have submitted a further document at D9 which raises another major concern. **(P7 of REP9-039)**.

Apparently a SOCG is being prepared for the Examination between Transport For Greater Manchester and statutory parties. I thought this was to be between Tameside Council and TfGM alone and would concern public transport implications rather than any wider issues. This IP submission however suggests wider strategic spatial matters relevant to the “Places for Everyone” consultation with the whole combined planning authority now possibly involved. My comments as follows are made with the qualification that they are dependent on whether any such SOCG emerges and also what it might actually come to contain.

Procedure – late entry to final stages of Examination.

- A. Firstly I would put on record that irrespective of contents I would question that such an SOCG document should be now be accepted because the lateness of submission at D10 prevents fair scrutiny and thus its status as legitimate evidence to the Examination. Its existence and content are as yet uncertain, so an “unknown”, but in the limited exchanges left to the Examination, I do not see how substantial new matters can be fairly responded to and tested. Should such matters now emerge this late publication seems to precludes public examination and compromise the Application by changing its scope without a reasonable opportunity for test and scrutiny .

Procedure – indirect participation

- B. Also in respect of the GMCA authority and its subsidiary body TfGM being an external party to a SOCG and no more, this would seem an avoidance of accountability for the evidence presented. Put more colloquially it would be participation “by the side door”, which is hardly appropriate for a highly influential statutory planning Authority All this amounts to presenting substantial and probably critical evidence in a way that it cannot possibly be tested by inquisitorial means which is the basis of this Examination. I would question how this could be allowable?

Participation by SOCG alone and late is highly questionable , especially in view of the potential moment of the matters raised in **(Page 2 of REP9-039)**. It potentially dramatically “moves the goalposts” if not the entire pitch of the examination yet at D10 effectively precludes dialogue over the critical new matters introduced. . Considering the listed issues within the email released to CPRE and released in turn by them to the Examination I notice a dramatic widening of scope of issues discussed, which are as CPRE suggest well beyond that of the DCO.

I therefore reasonably and formally object to this action. As regards the new matters potentially raised, I comment now in advance as there may be no other opportunity

New Issue - *“GM supports the bypass”*

- C. There is an expression of conditional “support” for the A57 Links Road Scheme by Transport For Greater Manchester and by implication by Greater Manchester Combined Authority. For such “support” to carry weight it would need to be made with a fully argued evidential planning case. Such justification should be discoverable within current “Places for Everyone” lead submission for consultation published in autumn of 2021. I looked for such a case specifically at the time of publication and could not find it, , certainly not in the lead document and in the sections concerning Tameside so I am not aware the necessary case has been made. (cf GMCA Consultation Portal, SD1 – Places for Everyone Submission Plan)

The sole references to the A57 Link Roads/TPU I found was in the compendium of transport schemes up to 2025 , and this only signifies the requirement for the Transport Plan Document to identify proposed National Infrastructure schemes whether GMCA and their subsidiaries support them or not. (referenced as a Scheme to be delivered by Highways England - Greater Manchester Transport Strategy Jan 2021 “Our Five Year Transport Delivery Plan”. Pages 22, 53, 86)

- D. New Issue - *“Mottram needs to be done in a way that is future proofed ie allows for a future which includes the H-T bypass (Hollingworth – Tintwistle bypass)”*

The cited TfGM email also notably references interest in an expanded road scheme outside of all the Longdendale Villages, in fact the full Mottram/Tintwistle Bypass that was withdrawn from Public Examination by Highways England the Applicant circa 2007. As I commented above this would be “moving the goalposts if not in fact the entire pitch!”

If such scope extension to a full bypass was to be referenced in any SOCG this would make a mockery of the current Examination which is strictly observing the terms of the DCO for the A57 Link Roads as a stand-alone infrastructure project and tested accordingly. That as I understand it is what this Examination has been about.

Suggesting the A57 Link Roads proposal is simply precursor to a further road expansion with road building within the National Park, requiring potential links to such a scheme, obviously requires an entirely different framework of assessment. So in this scenario the current DCO would seriously misrepresent and be in bad faith and the only right conclusion seems to be a withdrawal of the current application to allow a new NH submission with re-consultation and the real intentions stated for re-appraisal.

I must again stress I do not pre-judge from the material released by CPRE whether these comments will be in any SOCG about linkage to a future full bypass. However I feel the precautionary need to suggest that such would certainly cause problems for the DCO as it currently stands for continuing to be considered as a bona fide proposal on its stated terms of reference especially where the assessment framework would need to be significantly adjusted. How this Examination might securely proceed safely in the light of such new information and such changed circumstances I cannot see.

In any event it could be said despite the uncertainty surrounding this, and however framed in a SOCG, this email content is irreversibly associated with the Examination now, and it does suggest that the entire Scheme proposal is disingenuous, and there is a hidden agenda behind the A57 Link Roads Proposal. At the very least it needs to be very clear where GM and NH stand here and now on this issue of a different type of Scheme within any SOCG that might emerge.

E. New Issue - *“A57 as a future Streets for all corridor” / Rightmix targets”*.

I am not very familiar with the transport concepts expressed here and would have welcomed the opportunity to hear them explored within the Examination which seems regrettably to be unlikely at this very late stage.

However I suspect the points raised, for example *“Rightmix”* concern a balanced traffic offer, something others with particular transport expertise have urged and I would also support. Also *“Streets for All”* and the text suggests a requirement for a new character for roads beyond simply relief from congestion, locking in the benefit to the community in a meaningful way. What I have noted however with the A57 Links Road proposal in this respect is concerning for two reasons. Firstly such *“reclaiming of the road”* by the *“community”* is little if at all secured within the DCO, and it seems quite likely to be left to the *“detailed design stage”* where it could quite probably fall by the wayside. So this confirms a suspicion I already have that the Examination has slightly sidestepped this important issue.

Also and this returns to the modelling question, if the question of calming of traffic on say the A57 or Woolley Lane is not secured, how can the modelling across the scheme be trusted? Which returns this submission to its initial concern, that the modelling lacks the necessary precision to allow a confident recommendation of compliance with national policy.

F. New Issue - *“Importance of considering GMSF growth, particularly Godley Green”*

As stated above there seems a significant general widening of scope in the TfGM list the email contains. For the record I would have preferred this wider scope from Examination outset, as appropriate to a city involved in a major aim of the scheme to improve journey times to and from its location. This wider scope has always seemed to me appropriate and indeed to others who have wanted the Scheme to be tested against GMCA's claims to have sustainable transport ambitions. Notably CPRE have tried to introduce the relevance of the TfGM matters. So really the absence of TfGM and the GMCA and indeed also Sheffield City authorities from the Examination has been puzzling to me. If this is a scheme of national importance and so assessed as to its *“objectives”*, why the absence of the city authorities clearly linked by the strategic road network?

As is clear from the record I have always thought that the Link Roads context was a wider spatial one. This is also why - as the record shows - I tried to raise the matter of the Tameside and Planning for Everyone GGGV Application in various Deadline submissions. I can testify to my longstanding interest in these concerns leading to my participation in

the imminent PfE public examination. (**Greater Manchester Consultation Portal, JPA31, Godley Green Garden Village, Objection ID1280009 Peter Simon**). I objected to Godley Green separately as an infringement to the Green Belt and on spatial grounds as an implicit threat to the Longdendale Green Belt corridor, and the unbuilt buffer area to the National Park - a matter that Authority has recently raised. (**P4/5 Item 7 of REP9-034**)

I also pointed out to both this and the PfE Examinations there was a very complex potential issue here to be explored in the PfE as the GMCA and TMBC applicants judging from this email are seeking to promote and support 2 major GB Developments within 2km of each other, on the basis of “special circumstances” which I feel cannot be “sound”. “Very special circumstances” cannot be “commonplace” by definition. Such apparent illogicality must here raise deep questions regarding a possible precedent loophole in the NPPF text in contradiction of its accordance of the highest protection to the GB. Can there really be two adjacent “special circumstances” for adjacent major infringements of the Green Belt against the letter of NPPF?

G. Summary of Part 2 - re comments on **REP9-039**

In summary I would question there could be any GMCA and TfGM “support” conditional or otherwise for the Scheme in any SOCG at D10 because there is no planning case made for it in the PfE consultation lead document or to my knowledge elsewhere within the documents. I doubt if TfGM meetings as minuted have any public evidence for this either. If the planning authority wish to support a particular scheme they are required to make the case and allow the public to consider this and comment in consultation. This is to safeguard the public interest, and protect it for example from off the record political or similar lobbying that is outside the planning context, has no basis in evidence, and where of course dangerous conflicts of interest might arise. I suggest the Examination could therefore be seriously compromised by an emerging SOCG of this kind.

3. REVISIONS

In my last deadline submission (**REP9-049**) I referred to a concern raised by the Local Highway Authority --Derbyshire County Council but in places it may have been mis-referenced. Therefore here I establish the correct reference for the following important comment from DCC against WQ1 :*“Villages of Hadfield and Padfield should also be safeguarded to prevent rat running traffic trying to avoid the strategic road network”*. - is at P52 of (**REP2-051**) in answer to WQ 14.4a.

Abbreviations	
<p>AQ = Air Quality "D2" = Deadline 2, D3 = Deadline 3 etc DCC= Derbyshire County Council DfT = Department for Transport DMRB = Design Manual for Roads and Bridges ExA = Examining Authority GB = Green Belt GGGV = Godley Green Garden Village GMCA = Greater Manchester Combined Authority GMSF = Greater Manchester Spatial Framework HPBC = High Peak Council IPR = Independent Peer Review ISH = Issue Specific Hearing LHA = Local Highway Authority</p>	<p>LIR= Local Impact Report NH = National Highways PfE = Places for Everyone SOCG = Statement of Common Ground SoSfT = Secretary of State for Transport TAs = Transport Authorities TfGM = Transport for Greater Manchester WCS = Worst Case Scenario</p>
