

A57 LINK ROADS TR010034

**CPRE Peak District and South Yorkshire Branch
Unique Reference: 20029243**

DEADLINE 12

Rebuttal of REP11-010 NH responses to ExA’s WQ3

Q NO	QUESTION	NH RESPONSE
3.1	<p>CPRE continue to raise concerns in [REP8-034, REP9-040 and elsewhere], that anomalies in baseline flows on links that do not form part of the Strategic Route Network have not been explained adequately. Particular reference has been made to the difference in traffic flows between the A628(T) Market Street through Hollingworth and traffic flows on the A628(T) through Tintwistle. In further support of this a table is supplied [REP8-034] showing AADT Flows on various links and identifying trends in traffic numbers using those links.</p> <p>a) Would the Applicant please provide further commentary on the perceived disparity between the 2025 Do-Minimum output flows from the traffic model and the identified flows?</p> <p>b) Would the Applicant further explain what steps have been taken to validate the model, including where traffic flow data has been used for comparison, identifying its source?</p> <p>c) Does the model comply with TAG validation criteria?</p>	<p>a) The traffic flows on the A628 Market Street through Hollingworth are higher than the traffic flows on the A628 through Tintwistle because of a combination of the additional traffic demand generated within the urban areas of Glossop, Hollingworth, Tintwistle and Hadfield, the way this traffic demand is loaded onto road network in the traffic model via a single zone loading point and due to much of the traffic demand being to and from the west.</p> <p>The reasons for the differences between the modelled traffic flows and the DfT count point traffic data for the roads identified in the Table in REP8-034 is provided below:</p> <ol style="list-style-type: none"> 1 A57 Woolley Lane: local fluctuations due to zone connector/local traffic representation limitations. 2 A626 Glossop Road: DfT count site is much further West and is not directly comparable, hence the lower DfT count recorded. 3 A6016 Primrose Lane: Growth is expected and may be a result of congestion on Glossop High Street. 4 A57 High St West: Long link which means exact location of count difficult to replicate given local zone loading limitations 5 A57 High St West: Long link which means exact location of count difficult to replicate given local zone loading limitations but modelled flow presented in table is further West closer to Norfolk Street/Victoria Street junction than the DfT count point.

		<p>6 B6105 Norfolk Street: The DfT count is for Hall Meadow Road which is a c-class road, so incorrect comparison with modelled flows.</p> <p>7 A57 Snake Pass: Base flow is slightly low when summed over an AADT period but passed the hourly comparison criteria. Limited growth expected given other network constraints reaching this point.</p> <p>8 A560 Stockport Road: Believe the count site is between M67 and Ashworth Lane whilst the model flow is south of Ashworth Lane.</p> <p>Also please refer to National Highways' comments on Deadline 5 responses (9.69.114 - REP7-025).</p> <p>b) The traffic model has been calibrated and validated using a combination of traffic surveys specifically commissioned in 2015 and National Highways TRIS data on the Strategic Road Network (SRN). TRIS data is collected by automatic traffic counters that continuously record traffic flows 24-hours a day, all year round. Traffic data for weekdays during 'neutral' months (as defined by Department for Transport (DfT) and representing typical conditions outside of school holidays) is extracted from TRIS and used for the calibration of the model. The specifically commissioned traffic counts were undertaken on weekdays during a 'neutral' month. Also please refer to the Applicant's written Summary of Issue Specific Hearing 3 (9.75.9 – REP8-019).</p>
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CPRE Response

Unexplained inconsistencies remain in the outputs of the traffic model. NH has not addressed the 6,000 AADT difference between Hollingworth and Tintwistle. We refuted the explanation that it gave to Daniel Wimberley about this but it has repeated again that it is due to additional demand generated in Glossopdale travelling west. If so how does that demand reach the A628T? It cannot be via New Road as the difference between DM and DS flows is 400 AADT. This is a serious flaw in the traffic modelling. 6,000 extra daily vehicles movement may be generated within Glossopdale and access the SRN via the A57 Link Roads or via Woolley Lane but that leaves the 6,000 extra vehicles that disappear between Hollingworth and Tintwistle unexplained. Therefore the discrepancy in the difference between DS modelled flows remain unexplained and could impact on the thresholds to undertake AQMA analysis and assessment of the European Sites.

The outputs of the Select Link Analysis have not been explained and support our request for a finer traffic model of Glossopdale.

Our responses to NH's comments on the data we provided in our table in REP8-034 are provided below in red. **In conclusion, local zone limitations are exposed by these disparities and are a good reason for using a more defined model of Glossopdale. Glossopdale should be remodelled with smaller zones and a finer network until all relevant traffic is represented. The huge disparities between observed and DM modelled flows remain unexplained for High Street East, High Street West and A590.**

- A57 Woolley Lane: local fluctuations due to zone connector/local traffic representation limitations – **The model zoning system is too coarse to represent local traffic properly.**
- A6016 Primrose Lane: Growth is expected and may be a result of congestion on Glossop High Street. **But the count in the next adjacent link High Street West is 6,000 AADT lower indicating much less congestion, so this is not an explanation.**
- A57 High St West: Long link which means exact location of count difficult to replicate given local zone loading limitations. **‘Local zone limitations’ are a good reason for a more defined model of Glossopdale. The major difference cannot be explained by the count point location and reflects insufficiently detailed modelling**
- A57 High St West: Long link which means exact location of count difficult to replicate given local zone loading limitations but modelled flow presented in table is further West closer to Norfolk Street/Victoria Street junction than the DfT count point. **This is unreasonable as there is no other major road feeding traffic onto the link to account for a 7,000 AADT difference.**
- Norfolk St is count on Hall Meadow Road – **our error**
- A57 Snake Pass: Base flow is slightly low when summed over an AADT period but passed the hourly comparison criteria. Limited growth expected given other network constraints reaching this point. **The hourly flows may be different but it is hard to see how they could be and no detail has been given. Basically the model uses counts historic counts from 2015 that suggest something else is going on. The most likely explanation is that a lot of local traffic is missing due to a too coarse zone and network. The normal approach would be to make zones smaller and network finer until all relevant traffic is represented.**
- A560 Stockport Road: Believe the count site is between M67 and Ashworth Lane whilst the model flow is south of Ashworth Lane. **NH’s belief is incorrect. The DfT count is south of Ashworth Lane too so the disparity of 4,000 AADT or 170% remains unexplained (see screen shot appended on page 9 at end of document).**

3.2	CPRE [REP8-045] query the Applicant’s statement regarding the collection and use of traffic data during Covid-19 restrictions, suggesting anomalies between the Applicant’s evidence during Issue Specific Hearing 3 and other application documents which they consider to undermine the credibility of the traffic model. Would the Applicant please provide further clarification on whether data was collected during Covid-19 restrictions and, if so, what it was used for and which data outputs it would have influenced?	Please refer to the Applicant's comments on Deadline 8 submissions (item 9.79.111-REP9-027). No additional traffic counts were undertaken during the Covid-19 pandemic and no updates to the traffic model have been made.
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CPRE response
This is the same response we received previously. It has not addressed the wording in the DCO documents which appears explicit to us.

3.3	CPRE Peak District and South Yorkshire Branch raised concerns [REP2-070 Paragraph 11] that whilst completing	It is normal practice to list in the uncertainty log only the uncertainties related to future planned developments and infrastructure. Although not listed in the
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	<p>the Uncertainty Log, the second source of error identified in the TAG, error in the modelling parameters, has not been assessed.</p> <p>Would the Applicant clarify whether, or not, such as assessment was made and, if not, why not?</p>	<p>uncertainty log, uncertainties in the model parameters are collectively captured in the high and low growth sensitivity tests that have been undertaken to consider the impact of uncertainty on the forecast user benefits of the Scheme. This provides a range for the benefit cost ratio (BCR) of the Scheme to ensure that it offers value for money should traffic forecasts be higher or lower than the central case due to uncertainty.</p> <p>The Uncertainty Toolkit was first introduced in May 2021 which postdates the development and assessment of the Scheme. Much of the Uncertainty Toolkit has still not been adopted as official guidance and several aspects of it are dependent on an updated version of the DfT's National Trip End Model (NTEM), which has not yet been published. Nonetheless, the Uncertainty Toolkit specifically states that the low and high demand growth scenarios may still be used where it's considered proportionate</p>
<p>CPRE response</p>		
<p>We have not been supplied with the details of errors in the model parameters.</p>		
<p>3.4</p>	<p>CPRE Peak District and South Yorkshire Branch [REP8-045] raise concerns that there has been no assessment of alternatives to the Proposed Development subsequent to 2015, considering that such reassessment should have been carried out at various stages since then.</p> <p>CPRE Peak District and South Yorkshire Branch [REP8-045] have referenced R Save Stonehenge World Heritage Site Ltd v Secretary of State for Transport - Neutral Citation Number: [2021] EWHC 2161 (Admin) (the Stonehenge Case)</p> <p>a) Would the Applicant comment on whether such reassessment took place?</p> <p>b) If not, why not?</p> <p>c) If so, can this be demonstrated?</p> <p>d) Would the Applicant comment on what implication, if any, the Stonehenge Case has on the manner in which alternatives to the proposal have been considered?</p>	<p>a-c) Dualling the A61 between Tintwistle and Sheffield, not progressed because the relatively straight stretches of road along the route already provide good visibility for overtaking.</p> <p>Climbing lanes on the uphill stretch of the A628 between Woodhead Bridge and Salters Brook Bridge not progressed because existing A61 could accommodate the traffic levels over next 20 years, especially with the development of Westwood roundabout; negative environmental impact of climbing lanes in PDNP highlighted.</p> <p>The A628 Safety and Technology improvements and A61 Westwood Roundabout not NSIPs, therefore delivered separately</p> <p>Development of Scheme design has been iterative – has considered environmental mitigation measures and buildability; key refinements and changes to the design since the PRA and the 2018 consultation summarised</p> <p>CPRE's concern is with reappraisal of the Strategic Case. National policy review demonstrates Scheme is supported by a variety of policy documents (Case for the Scheme paragraph 7.2.21), by National Infrastructure Delivery Plan (2016 to 2021); Scheme is identified within RIS1 and RIS2; aligns with GM Transport Strategy 2040 & MoU with TfGM; aligns with DfT TDP ambitious road programme and plan for walking and cycling</p>

		<p>Green Book only requires option reassessment at Full Business Case when have powers from DCO;</p> <p>Quotes list of steps in TAR as options analysis review and refinement;</p> <p>Claims none of ‘ far reaching consequences have altered strategic case for the scheme.</p> <p>d) Quotes at length from Stonehenge case and concludes ‘the alignment should be considered acceptable having assessed all the individual planning issues and coming to a balanced conclusion’.</p>
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CPRE response

NH appear to understand that our concern is with review of the strategic case. NH has provided no new evidence that the strategic case has been reviewed. Most of the response is concerned with review of the design of the scheme which is not the same thing.

Q3.4d

We are not concerned about the alignment of the scheme as NH seems to conclude – we are concerned about the proper assessment of alternatives. The Stonehenge judgement provided valid reasons for challenging the appraisal of options. Justice Holgate in his reasoning began by demonstrating in paras 257 and 258 that *‘both the ExA (Panel) and the Secretary of State for Transport (SST) considered alternatives on the same basis as Highways England (IP1), in that it was necessary to consider alternatives, but only in relation to whether an options appraisal had been carried out, whether the ES produced by IP1 had complied with the EIA Regulations 2017 and whether compulsory acquisition of land was justified... The Panel and the SST did not go beyond assessing the adequacy of the assessment of alternatives in the ES for the purposes of compliance with that legislation... Yet these were vitally important issues raised in relation to a heritage asset of international importance by WHC, ICOMOS and many interested parties, including archaeological experts. .. Does the approach taken by the Panel and adopted by the SST disclose an error of law?’*

259. It is necessary to return to the NPSNN. Paragraph 4.26¹ begins by stating a general principle, that an applicant should comply with “all legal requirements” and “any policy requirements set out in this NPS” on the assessment of alternatives. The NPSNN goes on to set out requirements which should be considered “in particular,” namely the EIA Directive and the Water Framework Directive and “policy requirements in the NPS for the consideration of alternatives.” But those instances are not exhaustive. “Legal requirements” include any arising from judicial principles set out in case law

¹ NPSNN 4.26 Applicants should comply with all legal requirements and any policy requirements set out in this NPS on the assessment of alternatives. In particular:

- The EIA Directive requires projects with significant environmental effects to include an outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects.
- There may also be other specific legal requirements for the consideration of alternatives, for example, under the Habitats and Water Framework Directives.
- There may also be policy requirements in this NPS, for example the flood risk sequential test and the assessment of alternatives for developments in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONB).

as well as the Habitats Regulations 2017. Similarly, the references in paragraph 4.26 to developments in National Parks, the Norfolk Broads and AONBs and flood risk assessment are given only as examples of policy requirements for the assessment of alternatives.

260. But the Panel, and by the same token, the SST, applied paragraph 4.27 of the NPSNN, which states that where a project has been subject to full options testing for the purposes of inclusion in a RIS under the IA 2015 it is not necessary for the Panel or the decision-maker to reconsider this process; instead, they should be satisfied that the assessment has been carried out. **On a proper interpretation of the NPSNN, I do not consider that where paragraph 4.27 is satisfied (i.e. there has been full options testing for the purposes of a RIS) the applicant does not need to meet any requirements arising from paragraph 4.26.**

As the NPSNN states, a RIS is an “investment decision-making process”. For example, page 91 of the current RIS, “Road Investment Strategy 2: 2020-2025”, explains that the document makes an investment commitment to the projects listed on the assumption that they can “secure the necessary planning consents.” “Nothing in the RIS interferes with the normal planning consent process.”

261. A few examples suffice to illustrate why paragraph 4.27 of the NPSNN cannot be treated as overriding paragraph 4.26. First, a scheme may require appropriate assessment under the Habitats Regulations 2017 and the consideration of alternatives by the competent authority, following any necessary consultations (regulations 63 and 64). Those obligations on the competent authority (which are addressed in para. 4.24 of the NPSNN) cannot be circumvented by reliance upon paragraph 4.27 of the NPSNN.

Justice Holgate goes on to discuss the reasons why consideration of alternatives may be necessary and examines three of the four reasons we have used to challenge the appraisal process for the A57 Link Roads (262-263) (Our fourth reason – review of options is expected - arises from what he said about the RIS above). For each of his reasons he uses the ‘present case’ ie Stonehenge to demonstrate why the Panel and the SST should not have relied on NPSNN 4.27.

NH have failed to understand how we are using Justice Holgate’s arguments. Our use of the Stonehenge judgement was not to question if NPSNN 4.26 has been over ruled by NPSNN 4.27. It was to use questions in principle to the A57 Link Roads and show why consideration of alternatives is required in this case. All our arguments are related to the process of appraisal, not to legal or policy requirements in NPSNN 4.26 for consideration of alternatives. The case was concerned with whether or not NPSNN 4.27 overrides NPSNN 4.26 ie if an options appraisal has been done there is no need to consider further the requirements in NPSNN 4.26. Our concern in using the Stonehenge judgement was to demonstrate why the ExA and the SST should not be satisfied that an options appraisal has been undertaken. This is a legitimate approach.

NH then continues in its answer to Q3.4 to quote specific passages directly related to the case which was concerned with the impacts of a tunnel on the World Heritage Site (NPSNN 5.). As the Applicant says at the bottom of page 18 ‘*Within the judgement the Honourable Justice Holgate notes that the issue of alternatives in the Stonehenge case was narrow and case specific*’. The underlined section quoted from the Stonehenge judgement para 277 in NH’s response has to be read in that context.

However the Applicant has drawn attention to the reasons in NPSNN 4.26 that alternatives need to be considered with respect to the assessment of the A57 Link Roads. As Justice Holgate stated the legal and policy requirements for consideration of alternatives listed in NPSNN para 4.26 is not exhaustive. The A57 Link Roads also fulfils para 4.26 requirements for consideration of alternatives. These include but are not exhaustive:

- the EIA is not compliant with the EIA Directive;
- an assessment of European sites adjacent to the A628T under the Habitats Regulations Assessment has not been undertaken;
- the scheme does not meet the flood risk Exception Test;
- NH’s reliance on the options appraisal to provide Very Special Circumstances for inappropriate development that would harm the Green Belt to proceed;
- the Applicant’s s.62 duty under the 1995 Environment Act;
- the requirement of NPSNN 5.152 to avoid National Parks when planning for the SRN.

Where the scheme proposed would cause significant planning harm, as here, and the grant of consent depends upon its adverse impacts being outweighed by need and other benefits, consideration of alternatives is relevant. We had not, in using the Stonehenge case, applied this justification for reconsidering alternatives, although we had stated generally that alternatives exist that were inadequately investigated and rejected prematurely that would provide better outcomes over a wider area, and much better value for money. The A57 Link Roads cause significant planning harm as we have shown – increased carbon emissions, major harm inflicted on the Green Belt, material impacts on the PDNP, increased risk of road crashes, widespread negative impacts due to increased traffic throughout Glossopdale – therefore alternatives should be revisited.

3.5	<p>CPRE [REP9-039] refer to an e-mail to Andrew Davidson sent in January 2022 which they consider identifies concerns that Transport for Greater Manchester wished to discuss further. The final Statement of Common Ground between the Applicant and Transport for Greater Manchester has not yet been agreed.</p> <p>a) Would the Applicant clarify whether the matters identified in the e-mail were discussed at a later date? b) What were the outcomes of those discussions? c) Does the Proposed Development address these matters? d) If so, how? e) Was the scope of the traffic model agreed with Transport for Greater Manchester?</p>	<p>a), b), c), d) The matters contained within the email referenced have been used as the basis for ongoing discussions with TfGM, discussions have progressed with items being resolved as part of the ongoing development of the SOCG. The final version of the SoCG with TfGM is scheduled to be submitted at Deadline 12.</p> <p>e) The scope for the traffic model has been developed using National Highways Regional Traffic Model, TfGM have not directly been involved in its development and have not raised any issues with the modelling.</p> <p>f) The current Scheme is included in RIS 1 (carried through to RIS 2) and is intended to deliver improvements to the Mottram area. Any further to deliver improvement to the wider areas of Hollingworth and Tintwistle would need to be considered in a future RIS and would need to take account of this Scheme.</p>
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	f) Is the Applicant aware of any design consideration which would conflict with the provision of a bypass of Hollingworth and Tintwistle?	
CPRE response We have provided a full response to the SoCG between TfGM and NH as a separate submission.		
12.8	Concerns have been raised by Peak District National Park Authority and CPRE Peak District and South Yorkshire Branch regarding the effect of increased traffic numbers on the A57 and A628 on the Mountain Hare population. Would the Applicant and Natural England please provide comment on the contents and conclusion of the report presented by CPRE Peak District and South Yorkshire Branch [REP6-025]?	As set out in National Highways Comments on Deadline 6 Responses (REP7-026) the Applicant maintains that it unlikely that the modelled increase in vehicle passes would lead to a significant increase in roadkill of mountain hares. This is because, as set out in Applicant's response to Second Written Questions (REP6-017), in response to Examining Authority Written Question 12.5, there is a lack of scientific evidence regarding roadkill and mountain hares in general. The available recent literature attributes potential losses to predominantly climate change, disease, hybridisation, and habitat loss. Any available literature regarding roadkill and mountain hares is largely anecdotal, outdated, and would be difficult to draw sound conclusions from.
CPRE Response The Applicant has failed to understand that the work we submitted undertaken by Dr Carlos Bedson for which he was awarded a PhD is authentic recent scientific work which is not anecdotal or outdated. It is inappropriate to suggest otherwise.		

SCREENSHOT TO SHOW LOCATION OF DFT COUNT POINT 77877 ON A590

This shows, contrary to NH's belief that the DfT count is between the M67 J4 and Ashworth Lane, that the DfT count is to the south of Ashworth Lane and a comparison of its counts with DM modelled flows is valid.

