

A66 Northern Trans-Pennine Project

Planning Inspectorate Reference:
Ref TR010062

Written Representation by
Friends of the Lake District
Unique Reference Number 20032016



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Friends of the Lake District

Friends of the Lake District (FLD) is the only membership organisation dedicated to protecting and enhancing Lake District and Cumbrian landscapes and the natural and cultural environment of the county. Friends of the Lake District represents CPRE – The Countryside Charity in Cumbria and the Campaign for National Parks in the Lake District National Park.

Summary for Examining Authority

Please find below a summary of the issues that Friends of the Lake District raises in this Written Representation as requested by the Guidance as it is more than 1500 words long.

Friends of the Lake District is concerned that upgrading the A66 to a dual carriageway for its entire length from Penrith to Scotch Corner will make it more difficult to secure a sustainable future for Cumbria's landscapes, people and wildlife.

Implementation of this scheme would lead to significant damaging impacts on the natural environment of Cumbria and the North Pennines. This damage would include increasing greenhouse gas emissions, harm to protected landscapes, loss of and damage to habitats, severing of wildlife corridors, loss of flora and fauna, loss of trees, increases in noise, light and air pollution, local community severance and issues with flooding and run-off.

1. Climate

Building the A66 upgrade will reduce the likelihood of the UK reaching Net Zero carbon by 2050 because of increased greenhouse gas emissions. Friends of the Lake District supports Dr Andrew Boswell's Written Representation on taking cumulative carbon emissions from transport schemes into account when determining a DCO.

The A66 upgrade would increase Cumbria's CO₂ emissions from transport, adjusted for the Net Zero Strategy, by over 4.7% at a time when the local authorities in the County have declared a climate emergency and have an aspiration to reach Net Zero by 2037.

2. Induced Traffic

Research demonstrates that upgraded roads stimulate increased vehicular movements, increase demand and cause more CO2 emissions. This is called 'induced traffic' which is defined as *'the increment in new vehicle traffic that would not have occurred without the improvement of the network capacity'*

Data provided by the applicant shows that traffic will increase once the A66 is upgraded, Figures in the application show that National Highways are expecting a 30% increase in vehicle numbers. This increase in traffic will increase carbon emissions and other air pollutions, increase the impact of loss of tranquillity and in general will reduce the time savings that the upgrades are supposed to produce.

3 and 4. Case for the Project and Benefit/Cost Ratio

There has never been a serious attempt by National Highways to address the road safety record of the A66 without resorting to dualling the carriageways in this process. Friends of the Lake District is still of the opinion that the road could be made significantly safer without having to spend so much money, cause so much landscape damage and emit so much carbon. Safety improvements including redesigned junctions, speed limits, speed enforcement cameras and underpasses or bridges for farm and Kirkby Thore gypsum mine traffic should have been properly investigated.

The low BCR reduces the weight of the case for the project. The scheme's net benefits do not outweigh its financial costs. A BCR of 0.92 is very poor value for money for the public purse and certainly does not outweigh the environmental damage that the scheme will do. Questions need to be asked about whether it should even proceed on the basis that the country is currently in a financial crisis situation.

5 and 6. Landscape and Tranquillity

The negative effect of the development on the landscape and environment of the North Pennines AONB and its setting has been underestimated both on visual impact grounds and on its impact on tranquillity. There have been very few photomontages provided by the applicant, certainly nowhere near enough for a major linear development of this scale.

7. Lack of Photomontages

The reluctance of the applicant to provide photomontages which was demonstrated at ISH2 is surprising given that they are now a feature of all consultations for major development applications. The assumption that because the landscape architect didn't need them for his landscape assessment, that they were not needed by the Examining Authority or IPs is of significant concern to Friends of the Lake District. These montages are needed in order for a well-informed decision to be made.

8. Habitats and Species

We have concerns about loss of habitats and species due to the development of the A66, in particular, severance of commuting routes for various species (e.g bats and birds) as well as loss of non-protected but important habitats for wading birds from the Appleby Fells SSSI/North Pennine Moors SPA.

9. Lack of an Arboricultural EIA

We cannot understand how the application has got to this stage without an Arboricultural EIA. This is of great concern for both biodiversity and landscape reasons. The lack of quantification of tree loss in the development is troubling.

10. World Heritage Site Assessment

There has been no World Heritage Site Impact Assessment carried out to ascertain whether there will be an impact from the upgraded A66 bringing more people by car into the English Lake District World Heritage Site.

11. Lack of Engagement

We are still very concerned about the fact that National Highways stopped talking to Friends of the Lake District after an environmental focus group meeting in September 2018, and that we were not invited to any of the focus groups. This concern has been increased with the claim that we were in fact invited. We have therefore submitted a FOI request to National Highways to see what methods they used to contact us between September 2018 and 2021.

Please note, we have included hyperlinks in line with the guidance provided in Advice Note 8.4. Other documents referred to in this representation have been downloaded and will be sent as attachments with our representation.

Section Headings

- 1 Climate Change
- 2 Induced Traffic
- 3 Case for the Project
- 4 Benefit Cost Ratio
- 5 Landscape Impact
- 6 Viewpoints and Montages
- 7 Tranquillity
- 8 Wildlife
- 9 Lack of Arboricultural EIA
- 10 Lake District National Park World Heritage Site Impact Assessment
- 11 Lack of engagement

1. Climate change

1. According to the UK Government, transport is the largest single contributor to carbon emissions in the UK, producing 24% of total emissions in 2020 and there is a large and growing gap between emissions and targets. Road building ‘business as usual’ cannot continue in a time of climate crisis. The country cannot keep building roads as if we are unaware of the consequences of increased emissions. Building roads induces new traffic, thus increasing demand and therefore emissions. The Climate Change Committee makes this clear to the Department for Transport in its ‘Progress in reducing emissions 2021 report’ where it states:

a. ‘Decisions on investment in roads should be contingent on analysis justifying how they contribute to the UK’s pathway to Net Zero. This analysis should demonstrate that the proposals would not lead to increases in overall emissions. Wherever possible, investment in roads should be accompanied by proportionate investment in EV charging infrastructure and in active travel and public transport.’ And

b. *“Ensure all departmental policy decisions, and procurement decisions, are consistent with the Net Zero goal’*

2. Friends of the Lake District has seen the detailed analysis that Dr Andrew Boswell has carried out on the Climate Change documents in the DCO’s Examination Library and his written statement regarding assessment of cumulative emissions. We fully support his conclusions and would ask that the Examining Authority takes this support into account.
3. Friends of the Lake District is a Cumbrian environmental organisation, so in this representation we concentrate on local climate issues, and use the examples to demonstrate how the A66 will exacerbate climate impacts as well as stymieing efforts across the County by local authorities, businesses, third sector organisations and the Cumbrian population to achieve Net Zero by 2037
4. Cumbria has suffered disproportionately from climate change impacts over the past two decades. Flooding has taken place in all the major towns in the county, notably severe flooding happening three times in Carlisle and Cockermouth since 2009 as well as severe flooding in Kendal in 2015 which impacted on more than 4000 households. Roads were washed away, and bridges were destroyed in Workington, Pooley Bridge and many other locations leading to significant travel disruption and community severance. The County has also suffered from significant storm damage to our electricity infrastructure, most recently people in Cumbria were left without power for well over a week after Storm Arwen in 2021, but power outages also happened in 2013 and 2018. Much of the county’s coastline is also vulnerable to sea level rise, affecting railways, roads and other infrastructure.
5. On the basis that climate change is an existential threat to the communities in the County, Eden District Council and the shadow Unitary Authority Westmorland and Furness Council have both declared Climate Emergency. Eden’s was declared in July 2019 and Westmorland and Furness’s will come into being on 1st April 2023 when the council is formally vested¹. Both Authorities are part of Zero Carbon Cumbria, a partnership of 80 organisations which has been set up to work across sectors in order to reach Net Zero carbon in the county by 2037.

¹ <https://www.westmorlandandfurness.gov.uk/news/new-council-declares-climate-and-biodiversity-crises/> (accessed 15/12/22)

6. We cannot see how Westmorland and Furness and by extension the whole of Cumbria can reach Net Zero by 2037 if the A66 project goes forward. According to the 'Carbon Baseline for Cumbria' report for Zero Carbon Cumbria by Professor Mike Berners-Lee of Small World Consulting², there is already a significant deficit in the transport sector between where we are and where we need to be; increasing emissions through an upgraded A66 will make this deficit larger because of the magnitude of the CO₂ emitted by construction and tailpipes.
7. Cumbria's total yearly emissions are approximately 7 million tonnes of CO₂. Transport makes up 0.851m tonnes per year (BEIS 2019). This does not include motorway traffic, but it does include trunk road traffic including the A66. According to the figures in APP-050 the emissions for the upgraded A66 add an additional 2.2m Tonnes over 60 years. In addition, the construction will add another half a million tonnes of CO₂, 71% of this being attributable to the Cumbria stretches of the A66 (APP-050 Table 7-21).
8. Approximately 41000 tonnes of CO₂ will be emitted from the upgraded sections of the A66 in 2029, with the tailpipe figure declining over 60 years. If Cumbria aligns with the Net Zero Strategy trajectory for transport, by 2029 the transport emissions should be 67% of the 2019 figure of 0.851 m tonnes per year which is 0.57 m tonnes per year. If two thirds of the emissions figures of 41,231 tonnes are attributable to the Cumbrian stretch of the scheme*, then 4.76% additional emissions are added from the scheme in 2029.
9. *We have been unable to find a split of expected use of the road across the local authorities in the documentation, so have used a 67% figure as that is the approximate proportion of the upgraded A66 in Cumbria. A clarification of this from National Highways would be helpful to show expected usage of each stretch of new dual carriageway.
10. This means that in the first few years of operation (whilst Cumbria is trying to achieve Net Zero), approximately 27000 additional tonnes of CO₂ will be emitted annually from the upgraded sections of the A66, adding 4.76% to the total of Cumbria's annual transport emissions. This is not an insignificant figure, and the question will be how can this be offset if the County is expected to host the upgraded road?

² See Appendix 1 for report (uploaded to portal reference TR010062 Int Party 20032016 Written Reps Appendix 1 Cumbria Zero Carbon.pdf)

2. Induced traffic

11. Research demonstrates that upgraded roads stimulate increased vehicular movements, increase demand and cause more CO2 emissions. This is called ‘induced traffic’ which is defined as *‘the increment in new vehicle traffic that would not have occurred without the improvement of the network capacity’*. See Sloman L, Hopkinson L and Taylor I (2017) The Impact of Road Projects in England³ Report for CPRE which has been appended to this representation and the Department for Transport 2018 report Latest Evidence on Induced Travel Demand: An Evidence Review⁴ which can be found on the Government’s website at the link below.
12. Data provided by the applicant shows that traffic will increase once the A66 is upgraded, Figures in the application show that National Highways are expecting a 30% increase in vehicle numbers (APP-008).
13. Greater numbers of vehicles at higher speeds increases noise and disturbance, contributing to a loss of tranquillity and impacts on local people. More traffic also increases emissions from vehicles, including particulates as well as air pollution which damage the local environment as well as increasing greenhouse gas emissions.
14. The Examining Authority should consider the question of whether continuing to increase vehicle numbers fits with the Government, Transport for the North and Local Authorities’ stated aims to decrease car travel and increase the use of sustainable transport in order to tackle climate change. Road upgrades induce traffic by encouraging people to make more and longer journeys because travel is made easier.

3. Case for the project

15. National Highways make a number of statements and justifications about why the A66 needs to be upgraded. Many of these seem weak, especially when they are being used to justify a project that is defined by National Highways guidance as ‘poor value’ with a

³ See Appendix 2 (uploaded to portal reference TR010062 Int Party 20032016 Written Reps Appendix 2 Induced Traffic.pdf)

⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762976/latest-evidence-on-induced-travel-demand-an-evidence-review.pdf (accessed 15/12/22)

Benefit Cost Ratio (BCR) of 0.92 (with sensitivity variation between 0.78 to 0.99) as set out in document APP-237 Table 7-9.

16. There has never been a serious attempt by National Highways to address the road safety record of the A66 without resorting to dualling the carriageways. Friends of the Lake District is still of the opinion that the road could be made significantly safer without having to spend so much money, cause so much landscape damage and emit so much carbon. Safety improvements including redesigned junctions, speed limits, speed enforcement cameras and underpasses or bridges for farm and Kirkby Thore gypsum mine traffic should have been properly investigated.
17. A safety upgrade case for the whole route was never put forward as an option in any of the discussions or consultations with National Highways despite the fact it would have the lowest impact on the landscape and wildlife along the route as well as being a significantly lower carbon option whilst reducing accidents and increasing A66 users' safety. A safety upgraded A66 with fewer small junctions and fewer vehicles needing to cross the carriageway because of the implementation of underpasses/bridges for local traffic would smooth the flow of traffic on the main road leading to time saving benefits
18. One question for the Examining Authority to ask National Highways is why is there a push to uprate the road to 70mph if this upgrade as stated numerous times by National Highways is primarily for freight which is limited to 60mph? Speed differentials between freight and cars are a cause of accidents, so it would make sense to limit vehicles to the lower speed limit for safety purposes. A lower speed limit would also reduce carbon emissions and reduce traffic noise.
19. The statement from the applicant around making the A66 more resilient in the face of bad weather does not make sense (APP-008 table 6-2). The Stainmore section of the A66 is closed by adverse weather conditions more than any other dual carriageway trunk road in England. Dualling the sections on either side will have no impact on weather related closure or resilience.
20. The emphasis the applicant puts on the benefit of the road to the visitor economy in the Lake District should be questioned. The Lake District National Park Authority's Management Plan seeks to significantly reduce the numbers of people coming to the Lake

District by car and to increase the numbers staying overnight in order to reduce congestion. The Management Plan sets out that excessive traffic at peak times in the Lake District is already damaging the environment and the visitor experience.

21. The modelling around the A66 shows that it will induce additional traffic. A significant proportion of that traffic will end up in the Lake District, further increasing pressure on already overstretched infrastructure. The figure quoted by NH in the response to the Lake District National Park Authority's Relevant Representation of 350 cars per annum is underestimated and appears to contradict the figures presented in the application that claim the project will lead to economic growth in the tourism sector.
22. The assumption that the road should be rated 70mph should be questioned. All the way through the process the emphasis by NH has been that the A66 is primarily being upgraded as a freight route. However, freight legally must travel at 60mph or below. Upgrading a road to 70mph is unnecessary if it is of primary importance for freight. Speed differentials between freight and passenger vehicles is very often a cause of accidents, so why does the road need to accommodate cars travelling faster?

4. Benefit Cost Ratio (BCR)

23. A BCR of 0.92 shows that this proposal is poor value for money and it should be questioned whether the scheme should proceed on the basis that the country is currently in a financial crisis situation.
24. The applicant's response to the BCR of 0.92 being challenged in the Relevant Representations (documents PDL- 010 to PDL-013) is to state that only some of the benefits have been quantified, and that others such as road safety are qualitative and not in the calculation. We would emphasise that there are plenty of environmental and social costs which are not adequately quantified in schemes like this which renders this argument a lot less convincing, e.g., the the applicant has not yet quantified tree loss for the DCO so how has this been accounted for in the BCR evaluation.
25. The Case for the Project (APP-008) lists road safety benefits and their quantified monetary values in table 4-6 despite stating elsewhere that this is one of the unquantified costs. This monetary value has been added to the benefits side of the BCR calculation along with other quantified benefits such as reduction in road traffic accidents, faster journey times,

wider economic benefits and increased car-based tourism (which as described above is certainly not wanted by the Lake District National Park). Despite these quantifications, the Benefit-Cost ratio value is still below 1.

26. This application is poor value for money, is environmentally damaging on both local and national fronts (e.g., air and particulate pollution, CO₂ emissions, loss of tranquillity, landscape and biodiversity damage). The A66 safety issues could be dealt with through safety upgrades of junctions and speed limits at a much smaller cost to the public purse as well as not damaging the landscape, increasing traffic and increasing emissions. A safer road would also improve traffic flows without needing to be turned into a dual carriageway.
27. The construction stage emissions of 518,562 tCO₂e (see APP-050 3.2 Environmental Statement Chapter 7 Climate Table 7-21) seem to have been omitted from the cost side of the BCR calculations (APP-237 3.8 Combined Modelling and Appraisal Report, see items under Construction in Table 6-21).
28. The value of cumulative carbon emissions from the scheme has also not been used in the BCR calculations, because no cumulative assessment has been done (see Dr Boswell's Written Representation and his evidence at ISH2). No scheme increasing carbon emissions on this scale, and at such a poor BCR, can be justified within the planning balance.
29. We are aware that at ISH2 National Highways were asked to submit a post-hearing note setting out how the carbon costs were factored into the APP-237 tables. In light of this, we have some questions that we would like to see the Examining Authority ask the applicants around how greenhouse gas emission costs are calculated and considered in the BCR evaluation. According to the Government's 'Valuation of greenhouse gas emissions'⁵ publication these costs will rise over time as the UK gets closer to the 2050 Net Zero goal. The ongoing increase in CO₂ cost per tonne over time needs to be included in the BCR evaluation and at the moment this does not appear to have been done.

⁵ <https://www.gov.uk/government/publications/valuing-greenhouse-gas-emissions-in-policy-appraisal/valuation-of-greenhouse-gas-emissions-for-policy-appraisal-and-evaluation> (accessed 15/12/22)

5. Landscape impact

30. The size of the A66 dual carriageways and associated infrastructure, particularly the stretch around Kirkby Thore and the viaducts at Warcop will have a significant effect on the landscape of the North Pennines AONB. The new dual carriageway runs along the valley side in a number of places rather than along the valley floor as it does at present. The road will be foregrounded against the backdrop of the North Pennines in several places which will significantly increase the impact on the setting of the AONB.
31. The stretch of road that Highways England propose to dual from Appleby to Brough runs along the southern boundary of the North Pennines Area of Outstanding Natural Beauty. Paragraph 5.152 of the National Networks National Policy Statement states:
- a. *‘There is a strong presumption against any significant road widening or the building of new roads and strategic rail freight interchanges in a National Park, the Broads and Areas of Outstanding Natural Beauty, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Planning of the Strategic Road Network should encourage routes that avoid National Parks, the Broads and Areas of Outstanding Natural Beauty.’*
32. It is of concern that National Highways have only afforded a ‘High’ value to the landscape of the North Pennines AONB compared to the Very High value afforded to the National Parks in its landscape evaluation. These two designations have the same value in law and in planning policy and should therefore be evaluated as such. A higher landscape value will affect the landscape impact assessment meaning that the impacts on the AONB should have been assessed as greater than its evaluation in the consultation document.
33. The setting of AONBs is identified in Paragraph 176 the NPPF as being a material consideration in planning decisions with a clause stating that development within the setting of protected landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
34. The ‘duty of regard’ for all relevant authorities to take into account the purposes of conserving and enhancing the natural beauty of National Parks and AONBs also applies to

activities outside the boundaries of designated landscape (National Parks – 1995 Environment Act, extended to AONBs in the Countryside and Rights of Way Act, 2000).

35. The NPPF is clear that it is not the setting itself that is being protected but the impact of any changes on the designated areas. The key issue is whether the proposed change beyond the boundaries compromises the statutory purposes of designation (i.e., the conservation and enhancement of natural beauty).
36. We are concerned that the stretch of road to the east and north of Kirkby Thore will negatively impact on views into the North Pennines AONB. This is due to the change in position of the road and its raising above the valley floor, either on the hillside at Sleastonhow or when it crosses the Troutbeck SAC on a bridge. This will significantly increase the prominence of the road as a landscape element when previously it has not been a landscape detractor because of its less prominent position on the valley floor.
37. In a similar way the viaducts over Cringle Beck and Moor Beck at Warcop are also in the foreground of the AONB, and as they are right on the edge of the AONB's boundary there is very likely to be a significant impact on the landscape of the protected landscape from this development.
38. We are very concerned about the impact of the dual carriageway on the North Pennines AONB near Warcop. Whilst the line taken is similar to that of the existing A66 compared to Kirkby Thore, the land take is significantly greater, and the number of junctions along what is a short stretch of road is excessive. It seems particularly odd to propose a new junction to the east of Warcop which extends the development into the AONB itself.
39. The increased speed of vehicles on the dual carriageway will lead to more noise, light and air pollution whilst the extra traffic that the road will induce will multiply the impact of all three on the AONB. This is unacceptable in a nationally protected landscape, and as stated in section 8 above is contrary to Paragraph 5.152 of the National Networks National Policy Statement as well as paragraphs 5.150 and 5.151 of the National Policy Statement and paragraph 176 of the NPPF
40. We would like to draw the Examination Authority's attention to the North Pennines AONB Statement of Common Ground where the AONB Partnership states:

'The A66 Northern Trans-Pennine Project having an impact on the designated landscape of the NP AONB is inevitable. It will therefore be necessary for the developer to evidence the compelling reasons for the enhanced capacity against alternative measures, such as improved safety of junctions, reducing speed limits etc. We expect the developer to have fully explored and scoped out those alternative measures that would be less damaging, before pressing ahead with dualling – it should not be a fait accompli.'

41. The National Highways response to this statement does not appear to adequately address the concerns of the AONB Partnership, it merely repeats the same statements made by NH in many other places in the document. The statement finishes by saying 'We consider that we have addressed the NP AONB Partnership's concerns and that the necessity of the scheme as proposed is capable of being agreed' when in fact none of the concerns raised in the AONB's statement above have been addressed.
42. Currently we do not consider that there is enough information in the application to enable the Examining Authority to make a determination of the magnitude of the impact on the North Pennines AONB and its setting. In particular we are concerned about the lack of photomontages and visualisations in the DCO application. We raise this issue further in the next section of our response.
43. There appears to be an error in APP-053 Chapter 10 (Landscape and Visual) of the ES (see text copied below) where para 10.9.30 on page 114 discusses the construction phase at Bowes rather than at Temple Sowerby.

'Temple Sowerby to Appleby

Construction

10.9.30 The construction activity would be located across and in close proximity to the existing A66, so as to consolidate the construction phase to within the existing perception of the road **and Bowes**. [our emphasis]

10.9.31 Removal of vegetation and stone walls has been minimised where practicable by the alignment of the Order Limits.

10.9.32 The construction activity adopts the relevant measures set out within the EMP to ensure best practice construction measures.'

6. Viewpoints and montages

44. Only 14 photomontages have been provided for the whole project which we do not consider to be enough to enable an understanding of the likely landscape impacts of the proposals on the character of an area and on views from specific points. Some of these montages do not even show the new road, for example Viewpoint 4.5 in APP-115 shows a new bridge going over the A66 rather than the A66 itself. Many of those that do show the A66 show it partially obscured from view, certainly not providing a real impression of what the development will look like. This is the case at 3.1 (Brougham Castle) and 4.10 (PROW). There have been no views provided of the new viaducts at Troutbeck, Cringle Beck and Moor Beck and how they will look when seen from across the valley floor. This is important because these three structures lie within the setting of the North Pennines AONB.
45. The only viewpoint that does show the A66 running along the side of a hill and in the foreground of the North Pennines AONB is that at 4.13 Crackenthorpe. It is apparent looking at this montage that the A66 will be a major landscape detractor in the setting of the AONB. It is therefore of concern that the applicant has chosen to pick montage viewpoints where views of the A66 are obscured and therefore they do not show the impact of the road on the landscape and setting of the AONB
46. Montages which are listed as having been produced in the ZTV (APP-105) do not appear in the Montage document (APP-110) for example 4.7A.
47. At ISH2 Session 3⁶, the applicant's landscape consultant Mr Simmons stated that the evaluation of landscape impact relied on his professional expertise and that he did not need photomontages to make this assessment. However, the landscape impact of the DCO must be assessed by others, for example the PINS Examining Authority, Statutory Environmental Bodies and interested parties who do need access to photomontages to adequately assess the impact.

⁶ See transcript at 39:35 https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010062/TR010062-000934-transcript_ISH2_session3_01122022.pdf (accessed 15/12/22)

48. Principles for visualisation of development are set out in The Guidelines for Landscape and Visual Impact Assessment 3rd edition⁷ (GLVIA3). Consistent with the Environmental Impact Assessment Regulations (EIA Regs), GLVIA3 advocates proportionate and reasonable approaches to the scope of assessments. The ‘Visual Representation of Development Proposals - Technical Guidance Note 06/19’⁸ document published by the Landscape Institute sets out how and why visualisations should be produced as part of the consultation on major development. The document states:

- a. a. *‘It is critical that these visualisations are accurate, objective and unbiased. They should allow competent authorities to understand the likely effects of the proposals on the character of an area and on views from specific points.’* [our emphasis]

49. ‘Section 2: Guiding Principles of GLVIA3’ lays out what is required for visualisations and why it is necessary to provide them. It notes that visualisations are particularly important in sensitive landscapes. The A66 route passes through and close to such landscapes including the North Pennines AONB and its setting as well as the setting of the Yorkshire Dales National Park. However, there is only one viewpoint on the Warcop stretch where the A66 development boundary extends into the AONB and only one looking into the AONB on the Kirkby Thore stretch.

50. The fly through which accompanied the S42 consultation documentation is considered by GLVIA3 to be purely an *‘illustrative visualisation intended for marketing or to support planning applications by conveying the essence of what a proposal would look like in context.... Generally speaking, they will not be used to explain design proposals within the planning process.’* The flythrough was not detailed enough to provide the information needed to make informed responses to the consultation. Indeed, as it omitted woodland, hedgerows and other landscape features, it presented the A66 corridor as a land of rolling green featureless grassland, totally unrepresentative of the

⁷ [REDACTED] (accessed 15/12/22)

⁸ See Appendix 3 for guidance (uploaded to portal reference TR010062 Int Party 20032016 Written Reps Appendix 3 Visual Impact Assessment.pdf)

actual landscape. However, this flythrough is still the only source of visualisation information for all but 14 viewpoints along the entire length of the DCO scheme.

51. Visualisations need to be provided at human eye level not at 50m above the ground, at various times of the year from a sufficient number of viewpoints (more in and adjacent to sensitive landscapes) to enable consultees and decision makers to develop an informed view of the impact of the infrastructure development. 14 montages for a development of this scale which impacts on an Area of Outstanding Natural Beauty does not give anyone enough detail to make sound decisions on the landscape impact of the A66 upgrade.

52. At the Open Floor Hearings on the afternoon of 29th November, I raised the lack of photomontages as an issue. Mr Allen the Lead Examiner asked me to suggest where I thought photomontages should be provided. He asked me to use the ZTV to identify possible photomontage locations. I sent an email to the Examining Authority on 30th November setting out where photomontages would be most helpful. These can be found below.

Kirkby Thore area suggestions

- Footpath along the Eden Grid Ref 363673 524706 – looking NE
- Near Bolton at bridge over River Eden 364201 523558 – looking NNE
- Chapel Street between Bolton and Eden Bank Cottage 326969 523198 – looking NE
- Whitegate Caravan Park near Long Marton 366545 524885 – looking west

In addition, the following viewpoints marked on the ZTVs would be useful to consider for montages

- 4.12
- 4.19 – but looking east
- 4.20
- 4.22 – looking north

Warcop area – looking out of the AONB

Whilst we acknowledge that a lot of this area is MOD land, there is a section of Open Access land to the NE of the A66. On this basis we suggest that there needs to be viewpoints identified along the scar (cliff edge) that runs NW-SE from Middle Fell to Hellbeck Intake, grid references 377645 517922 to 380075 516300

Warcop area – looking into the AONB

Suggest montages at Viewpoints

- 6.2
- 6.3 (looking east) and
- 6.13

53. Having looked at the maps to suggest potential locations for photomontages, it would be good to get clarification from the applicant why the ZTV mapping shows what can be seen from a vehicle on the upgraded road as opposed to where the upgraded road can be seen from the surrounding countryside. Surely the receptors that should be considered are those that will be impacted by the road, rather than those driving along the road.

7. Tranquillity

54. The introduction of a wider, faster road designed to have double the current capacity of the A66 will have a significant impact on tranquillity. An increase in traffic is a given as described in the applicant's documentation and above in the induced traffic section. More traffic equals more disturbance within the landscape. Not just from traffic noise but vehicle movements during the day and lights at night and the imposition of major infrastructure into places where it has not previously been of this size or scale.
55. The foregrounding of the stretch to the east and north of Kirkby Thore is of particular concern. The road is longer and wider than the existing A66 as well as being halfway up

the slope and then on a viaduct across Troutbeck so will produce more noise and more visual disturbance both during the day and at night.

56. The boundary of the noise assessment (APP-114) is too tightly drawn; it needs to be extended to include the valley bottom opposite Kirkby Thore. Receptors there need to be identified due to the change in height of the road as it comes past Sleastonhow Farm and onto the Troutbeck Viaduct.

8. Biodiversity – Habitats and Wildlife

57. The scale and magnitude of this road development will cause a considerable loss of habitat which are important for protected species such as otter, bats, badger, polecat, red squirrel and brown hare.
58. This is along with severance of wildlife corridors such as hedgerows and hedgerow trees, linear woodlands, scrub and field margins. For example, the Biodiversity report there are over 50 locations where potential bat flight routes would be directly affected by the proposed scheme.
59. We are aware of a number of fields along the proposed route which are important for breeding and feeding waders including golden plover which are a qualifying species of the North Pennines SPA, as well as curlew, lapwing, snipe, redshank etc wading birds cited in the Appleby Fells SSSI citation. These fields are not within protected sites, but are an important habitat for these wading birds many of which are IUCN Red List species of conservation concern
60. We consider that the huge land-take of the A66 will have an unacceptably adverse impact on wildlife along the route.

9. Trees/Arboricultural Report

61. Having listened to Session 5 of ISH2 we are very concerned about National Highways refusal to provide an Arboricultural EIA for trees that will be affected by this scheme. We cannot understand how the A66 DCO has got to this stage without an assessment by the applicant about how many trees will be lost to the development and how these will be compensated for.

62. There appeared to be no appreciation by National Highways representatives in ISH2 that without actually identifying individual trees (by location, species and condition level) along the route there can be no means of quantifying what will be lost and therefore ensuring that suitable replacements can be guaranteed. On this basis, how can National Highways make a statement that they will replace every tree lost with two new ones if they are not identifying where trees will be lost from and where and how they will be replaced?
63. This also seems to show a negligent attitude towards trees along the route. Not all trees are equal in value. For example, veteran trees and hedgerow trees will have significantly more value to the landscape and for biodiversity than non-native conifers or small saplings. Without a proper evaluation of individual trees along the route, there is a high possibility that significant trees in the landscape will be lost.
64. The lack of identification and listing of individual trees will also make it more likely that trees that are retained will be damaged during land clearance and construction by not having root protection zones identified on mapping. We also share the concerns of the Examining Inspector as stated in ISH2 that trees will be taken out during groundworks because they are inconvenient to retain.
65. National Highways need to quantify and map the worst-case scenario tree loss. This needs to be done before a determination on the DCO is made just like for any other planning decision. It cannot be left until after the DCO is consented as then there will be no way of regulating tree loss and ensuring it is minimised.

10. Lake District National Park World Heritage Site Impact Assessment

66. We are concerned that there has been no assessment of the impact of the Project on the English Lake District World Heritage Site. All major infrastructure that could have an impact on a World Heritage Site should be accompanied by a Heritage Impact Assessment.
67. As the applicant is expecting more cars to travel to and through the Lake District this will have a material effect on the World Heritage Site and negatively impact the Outstanding Universal Values found in the World Heritage Site Inscription.

68. The lack of a Heritage Impact Assessment for the English Lake District World Heritage Site will raise concerns for ICOMOS (the International Council on Monuments and Sites), UNESCO's (United Nations Education, Scientific and Cultural Organisation) Advisory Body.
69. In ICOMOS' evaluation of the Inscription of the English Lake District World Heritage Site it *'...considers that the main threats to the property [include] tourism...'* The IUCN (International Union for Conservation of Nature) *'also raised concern over tourism pressure (the nomination dossier mentions over 15 million annual visitors) and potential adverse impacts from tourism'*
70. An upgraded A66 increasing visitor numbers for the Lake District National Park without any concomitant increase in support for sustainable transport options in an internationally protected landscape which already suffers from major traffic and congestion issues is of significant concern.
71. Outcome 5 Sustainable Travel and Transport of The Lake District National Park Partnership Management Plan 2020-2025 (adopted Oct 21) states:

'The challenge for the Lake District is to be a place where everyone, regardless of wealth or ability is able to access, via different modes of transport, the national park sustainably.

Low carbon travel needs to be the obvious and most attractive choice for essential and leisure travel. The nation's mental and physical health benefits from active travel in an inspirational landscape need to be secured.

Our measures of success include:

- ***Reduction in visitors stating car as their main mode to travel around by 15% on 2018 baseline.***
- *Reduction in carbon from visitor travel of at least 10% on 2018 baseline.*
- ***Increase in number of people arriving in the Lake by bus and rail by 15% on 2019 baseline.***⁹

⁹ <https://www.lakedistrict.gov.uk/caringfor/lake-district-national-park-partnership/management-plan/sustainable-travel-and-transport> (accessed 15/12/22)

72. Also see Policy 21 of the Lake District National Park Authority Local Plan 'Sustainable Access and Travel'

'We will support the development of sustainable transport infrastructure to broaden and encourage use of sustainable travel modes for visitors thereby reducing the need to travel by private vehicle.'

11. Lack of engagement

73. Friends of the Lake District has raised the issue of a lack of pre S42 consultation on several occasions with National Highways. We were invited to environmental Focus Groups at the Mercure Hotel in Darlington in September 2018, however, we had no further contact about the environmental focus groups with National Highways between 2018 and the consultation in 2021.

74. On raising this with National Highways earlier in 2022 via email, phonecall and letter, they could give no clear reason why Friends of the Lake District had not been invited to further environmental sector focus groups.

75. It was raised again in our Relevant Representation, to which National Highways replied:

The Consultation Report (Document Reference 4.4, APP-252) describes the approach to and the outcomes of engagement and consultation on the Project. It describes the large number of consultation events and engagement activities over several years that have been undertaken to fully understand the concerns of the local communities and the wider public and where possible resolve their issues.

This included a series of focus groups, which were established, and meetings were held at the Holiday Inn Scotch Corner in March 2019. The focus groups included the business and freight group, local authority group, emergency services group, environmental interest groups, Statutory Environmental Bodies and walkers, cyclists, and horse riders' group. These focus groups gave the project team the opportunity to outline the proposed options and explore any local constraints and issues raised by members. The focus groups also had an opportunity to discuss the options consultation and stress test the proposed consultation materials prior to non-

statutory options consultation. The Friends of the Lake District (FLD) were invited to be part of these focus groups (as confirmed in table 2.1 of the Consultation Report).

76. We have no record of an invite to any of these focus groups in March 2019. Just because National Highways says our invites were 'confirmed in Table 2.1' does not mean that we were actually invited.

77. Not attending the focus groups meant that we were unable to request specific viewpoints and photomontages, that we were unable to contribute to design development and to raise concerns about the proposed development. On the basis that we engaged wholeheartedly up to September 2018, why would we cease to engage in the next round of focus groups when they were so important? We have therefore made a Freedom of Information Request to National Highways in order to find out who they sent invites to at Friends of the Lake District in spring 2019.

Dr Kate Willshaw
Policy Officer
Friends of the Lake District
December 15th 2022