

The national networks national policy statement: 2023 draft

Personal details

Q1. Your (used for contact purposes only):

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Q2. Are you responding:

on behalf of an organisation?

Organisation details

Q3. Your organisations name is?

Campaign for National Parks

NNNPS process

Q4. In your view does the draft NNNPS provide suitable information to those engaged in the process of submitting, examining and determining applications for development consent for nationally significant infrastructure projects on the:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
strategic road network?					X	
strategic rail network?					X	
strategic rail freight interchanges?					X	

Explain why, referring to specific sections of the NNNPS in your response.

Campaign for National Parks strongly disagrees that the draft NNNPS provides suitable information for those involved in the development consent process for Nationally Significant Infrastructure Projects (NSIPs). There is far too strong an assumption that major new infrastructure is the appropriate solution and a lack of emphasis on encouraging modal shift. Our position is that there should be a re-prioritisation of spending away from road-building/improvements to measures which support walking, cycling and public transport to, from and within National Parks and that road building in National Parks should always be an option of last resort. Where new road infrastructure is considered to be the best solution, it should be introduced in conjunction with demand management measures, so it does not lead to traffic growth or undermine public transport use, walking and cycling by making car use more attractive. In addition, where new road infrastructure cannot be avoided the design should be sensitive to the particular landscape setting and any locally distinctive characteristics. Any major new rail infrastructure should also be designed to take account of National Park purposes.

It is essential that all relevant policy and guidance produced by Government should reflect the need to protect the special qualities of National Parks. We, therefore, welcome the fact that the draft National Networks National Policy Statement (NNNPS) emphasises that National Parks and AONBs have the highest status of protection and that it makes some positive references to the need to take particular account of this, for example the reference in para 5.221 to the proximity to National Parks being a factor to consider when determining the likely noise impact of a scheme. However, we are concerned that if implemented the policy set out in the draft NNNPS would lead to the approval of schemes, particularly road schemes, which would be very damaging for National Parks and put at risk the significant social, environmental and economic benefits that these areas provide.

The draft NNNPS highlights the need for applicants to comply with additional duties in National Parks and AONBs (in para 5.155), but there is a growing body of evidence that the existing 'duties of regard' as they are known are too weak. In its response to the Glover Landscapes Review (<https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response>) the Government acknowledged that the current duties are too weak and have allowed damaging practices to occur and proposed that they should be strengthened. Unfortunately, this legislative change has not yet happened and in the meantime, approval has been granted for yet another highly damaging road scheme – the A57 Link Roads – where the applicant has been too easily able to claim compliance with this weak duty. Until such time as statutory duties are strengthened to fulfil the Government's commitment, the NNNPS should make it clear that applicants should not only have regard to the statutory purposes of National Parks and AONBs but should be seeking to further those purposes. The policy on designated landscapes (paras 5.162-5.166) should state that there should be no building of new roads or strategic rail freight interchanges within National Parks and AONBs and their settings. The importance of these Protected Landscapes and their biodiversity to the nation means there are no exceptional circumstances in which major new infrastructure would be acceptable in these areas.

The draft NNNPS is far too weak on the need to address the carbon emissions associated with major new infrastructure (see our response to Q12 for further details on this), and on the need for effective community engagement. The draft NNNPS is concerned only with consultation with the regulators and local communities are almost totally excluded from scheme development. The revised NNNPS should set standards for early community participation in the development consent process including requirements for the local community to be engaged in the options' appraisal before the Preferred Route announcement and full information about the NSIP to be available for public scrutiny during the statutory consultation stage. We are particularly concerned about the way in which National Highways engaged with communities in connection with consultations on the A57 Link Roads and the A27 Arundel Bypass schemes, both of which have an impact on a National Park. This engagement did not follow best practice according to the Cabinet Office guidance (2018) or the Gunning Principles.

There is also a need for the draft NNNPS to be rural proofed in order to ensure that its policies take account of rural circumstances and needs and do not disadvantage rural areas. This should include a consideration of how changes to the strategic road network can lead to increases in traffic on local rural roads.

Developing national networks

Q5. Does the draft NNNPS adequately set out:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
the need for developing national networks?					X	
our policy for addressing the need for the development of national networks?					X	

Provide comments on improvements referring to specific sections of the NNNPS in your response.

The draft NNNPS is fundamentally flawed as it does not clearly establish the need for development of the national networks. Although the statement of need identifies supporting the Government's environment and net zero priorities as one of the key drivers of the need to develop national networks, it is not at all clear how these priorities will be delivered by the approach set out in the NNNPS nor how conflicts between the different drivers of need will be taken into account. Given the scale of the climate and nature emergency, the need to support environment and net zero priorities should take precedent over all the other drivers listed.

We are also deeply concerned that the statement of need is still based on a 'predict and provide' model which assumes that increases in population will result in increases in demand for travel even though such an approach has now been widely discredited. The statement in para 3.3 that 'Evidence that development on the network leads to induced demand is limited' is incorrect. In fact, the evidence review cited in the following sentence found that induced demand may be significant in some circumstances. It is clear that increasing new capacity simply encourages more traffic, as well as increasing car dependency and having huge negative impacts on the landscape and the environment. The approach adopted does not take sufficient account of the options available to reduce the demand for new infrastructure, such as road pricing and encouraging greater use of alternative modes and the use of communications technology to avoid the need to travel. It is also essential that the need for new infrastructure on the SRN is based on an accurate understanding of the demand for long-distance travel. Where a significant proportion of the demand is generated by those using the SRN for relatively short distances then greater attention should be paid to considering the opportunities offered by improving alternative modes before new infrastructure is considered.

General policies and considerations

Q6. In your view, is there any information missing from the "General Principles and considerations" chapter?

Yes

Information missing from General Principles and considerations

Q7. Provide comments on missing information, referring to specific sections of the NNNPS in your response.

The approach to addressing climate change is totally inadequate. It relies too heavily on reductions in emissions as a result of other transport policies and fails to take account of the cumulative impacts resulting from other development in an area (see our response to Q12 for more detail on this).

We would also like to see the wording of para 4.2.1 amended to make it clear that the mitigation hierarchy should always be applied before biodiversity net gain, so that any net gain is additional to what must be provided by way of mitigation or compensation. We note that under Schedule 15 of the Act that the Secretary of State will provide a biodiversity net gain statement, to be incorporated in the NPS after further consultation. Given the significant scale and duration of NSIPs, the ambition for biodiversity net gain should be at least 20%; the metric must be demonstrated to be fit for purpose to assess large-scale projects; biodiversity gain must be maintained in perpetuity; it must be additional to the mitigation hierarchy and not conflated with compensation measures; it must exclude irreplaceable habitats; there must be long-term post-implementation monitoring, and there must be no exemptions for any class of NSIPs.

Environmental ambitions

Q12. Does, in your view, the NNNPS adequately address:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
carbon considerations in the development of national networks?					X	
wider environmental targets in the development of national networks?					X	

Explain why, referring to specific sections in your response.

Carbon

As the draft NNNPS notes, transport is currently the largest contributor to UK domestic greenhouse gas emissions (para 2.18), and the vast majority of carbon emissions from the construction and operation of the strategic road network are generated by the vehicles that travel on it (para 2.24). Yet, the policies set out in the draft NNNPS will do nothing to support the actions needed to reach net zero by 2050. Furthermore, many local authorities have committed to reaching net zero earlier than the national deadline of 2050, but the draft NNNPS takes no account of these local targets.

We are particularly concerned about the wording of para 5.37 which assumes that non-planning policies will deliver such large reductions in greenhouse gas emissions that it will still be possible to allow significant increases in emissions from new national network infrastructure and meet transport decarbonisation targets. This is completely unrealistic and this paragraph should be deleted. We do not have any confidence that economy-wide measures will be sufficiently effective or timely to do away with the need for a proper assessment of the carbon assessments of individual NSIPs. Evidence submitted to the Examination for the A66 Northern Trans-Pennine Project by the climate expert, Dr Andrew Boswell, (Microsoft Word - D8_A66_D8_CEPP-BOSWELL_FINAL.docx (planninginspectorate.gov.uk)) highlights errors in the reporting of the road transport baseline carbon emissions which were found to be 130MtCO₂ higher between 2023-2037 (the period of the UK's 4th, 5th and 6th carbon budgets) than in the original UK Net Zero Strategy. This error was corrected in the 2023 version of the Net Zero Strategy. However, the accompanying Carbon Budget Delivery Plan (CBDP) acknowledges the high risks of relying on zero emission vehicles or lower carbon fuels and reveals that the Government only has 'high confidence' in policies covering 40% of the emissions savings needed by 2037. It should also be noted that Dr Boswell's evidence emphasises that approving this one scheme (the A66 scheme) would be totally at odds with delivering the Net Zero Strategy.

The weakness of the draft NNNPS' approach to carbon emissions are further highlighted by evidence in the recent 'Reverse Gear' publication by Professor Greg Marsden (<https://www.creds.ac.uk/wp-content/uploads/CREDS-Reverse-gear-2023.pdf>) which assesses the effectiveness of our current national transport emission reduction policies. The analysis undertaken for this report shows that as demand management policies have largely been abandoned, almost three-quarters of the potential reduction of surface transport carbon emissions set out in the Transport Decarbonisation Plan have now been lost in the CBDP on the grounds that they are not anticipated to be either feasible or necessary. 'Reverse Gear' makes it clear that the UK cannot rely on transport to meet its contribution to the UK's Paris Agreement commitment, the sixth carbon budget or net zero 2050.

If the UK Government is serious about developing national network infrastructure which supports environment and net zero priorities, it should adopt an approach similar to that of the Welsh Government which has committed to only considering investment in roads which meet a series of tests including supporting modal shift and reducing carbon emissions.

Wider environmental targets

We welcome references to the Environment Act 2021, the Environment Improvement Plan 2023 and related plans, policies and targets in sections 4 and 5 of the NNNPS. However, given the climate and nature emergency the NNNPS should provide a much stronger steer on avoiding damage to, and loss of biodiversity, at both the strategic and project planning stages of development, and for the mitigation hierarchy to be robustly applied before consideration is given to biodiversity net gain (see also our response to Q7).

Environmental targets not only require the strong protection of habitats, but their enhancement, restoration or creation. Projects should therefore not only avoid damage to habitats or species of principal importance but be required to enhance them as well. Detailed mitigation, management and monitoring plans should be submitted by scheme promoters for public examination.

Furthermore, the revised NNNPS needs to be updated to reflect the latest World Health Organisation (WHO) guidelines on air quality and noise exposure levels.

Generic impacts

Q13. In your view, is there any information missing from the Generic Impacts chapter (chapter 5)?

Yes

Missing information for Generic impacts

Q14. Provide comments on missing information, referring to specific sections of the NNNPS in your response.

Biodiversity and nature conservation

This section generally covers an appropriate range of issues and is consistent with policies for biodiversity and nature conservation contained in the current National Planning Policy Framework (NPPF). However, it is important to maintain strong and consistent policies for biodiversity and nature conservation across the Town and Country Planning Act 1991 and Planning Act 2008 regimes. As, the NPPF tends to be revised more regularly than national policy statements, and a major revision is due in the next year which may further strengthen biodiversity policies, consideration must be given to how the NNNPS can reflect the most up-to-date policy.

Development that impacts adversely on internationally and nationally important habitats and species and on irreplaceable habitats, such as ancient woodland, veteran trees, and peat, should be an absolute bar to consent. As we cannot afford further decline in any of these habitats or species there are no 'wholly exceptional circumstances' with which to allow further damage. Para 5.58 should be revised to reflect this.

Some sites of regional and local biodiversity interest are of equivalent ecological value to Sites of Special Scientific Interest, and all could form an important contribution to the Government's objective of protecting and effectively managing 30% of land for nature by 2030. The final sentence of paragraph 5.60 should be deleted; given the statement of need made elsewhere in the NNNPS it is unnecessary and further undermines their protection.

Landscape and visual impacts

There is a similar issue here with ensuring that the NNNPS reflects the most up-to-date policy and legislative requirements. The draft NNNPS highlights the need for applicants to comply with additional duties in National Parks and AONBs (paragraph 5.155), but as we noted in response to Q4 there is a growing body of evidence that the existing 'duties of regard' as they are known are too weak and the Government has proposed that they should be strengthened. Until such time as statutory duties are strengthened to fulfil the Government's commitment, the NNNPS should make it clear that applicants should not only have regard to the statutory purposes of National Parks and AONBs but should be seeking to further those purposes. The policy on designated landscapes (paras 5.162-5.166) should state there should be no building of new roads and strategic rail freight interchanges within National Parks and AONBs and their settings. The importance of these Protected Landscapes and their biodiversity to the nation means there are no exceptional circumstances in which major road building would be acceptable.

Dust, odour, artificial light, smoke, steam

This section (paras 5.111-5.119) should specifically cover the protection of existing dark skies and reducing the light pollution associated with any new infrastructure. Dark skies are a special quality of many parts of our National Parks and light pollution can have a profound impact on both wildlife and humans.

Appraisal of sustainability (AoS)

Q16. Do you agree or disagree with the findings of the AoS?

Strongly disagree

AoS findings

Q17. Explain why, referring to specific sections of the AoS in your response.

The main value of the appraisal of sustainability (AoS) should be in identifying the most sustainable option for the NPS and suitable mitigation measures to minimise adverse effects. The AoS compares an approach which prioritises environmental sustainability objectives with an approach which prioritises wider economic and levelling up benefits, and unsurprisingly concludes that a 'balanced' approach (the NNNPS) is preferred. It admits that the alternative scenarios are not vastly different in their approach to how issues and investment are prioritised and states that "different issues need to be balanced at different locations on the National Networks; an approach which supports this flexibility will help promote sustainable growth."

The AoS identifies uncertain effects related to greenhouse gas emissions and does not consider what will happen if we fail to meet carbon reduction targets. The National Road Traffic Projections (NRTP) are not referenced anywhere in the AoS even though the draft NNNPS relies on them as evidence for the need for development of the SRN (paras 3.30-3.31). In addition, the AoS clearly shows that the draft NNNPS would deliver a negative outcome for a number of environmental objectives, including changes to landscape or visual intrusion during operation. We are very concerned about the implications of this for National Parks and believe that the Government has failed in its statutory duty to have regard to National Park purposes by proposing to introduce a policy which so clearly detracts from objectives which make a significant contribution to those purposes.

This approach to appraisal does not achieve anything useful and the AoS needs to be repeated using an effective demand management approach; two climate change scenarios - 2 degrees and 4 degrees global temperature increases - as recommended by the Treasury Green Book and Defra; and the two scenarios showing the least traffic growth and the strongest reduction in carbon - mode-balanced decarbonisation (scenario 7) and behavioural change (scenario 8) from DfT's NRTP. It should also include road pricing.

Habitats regulation assessment (HRA)

Q18. Do you agree or disagree with the findings of the HRA?

Disagree

HRA findings

Q19. Explain why, referring to specific sections of the HRA in your response.

We agree with the assumption that adverse effects to the integrity of European sites could occur, that could not be mitigated. We agree that individual NSIPs must complete project-level HRA as appropriate to their potential to cause Likely Significant Effects to European sites, and that the findings of this HRA should not be taken to predetermine the potential for individual NSIPs to lead to effects on any European site, or to predetermine the outcome of any individual project HRA.

However, in our response to Q17 we have noted our reservations about the approach to alternatives used in the Appraisal of Sustainability (AoS), which were also used in the HRA. We agree with the HRA finding that Alternative 1 is considered likely to better meet the environment objectives and therefore is considered likely to have lesser adverse effects on European sites relative to the revised NPS. Alternative 1 is considered technically, legally and financially feasible. The only reason it is rejected is that it does not fully achieve all the objectives that must be addressed by the revised NPS, and yet the AoS states that the alternatives are not vastly different.

An 'integrated' approach which prioritises 'win-win' solutions, where environmental objectives are always delivered alongside other goals, is also likely to have lesser adverse effects on European sites. We therefore disagree with the conclusion that no suitable alternative solutions exist; they just have not been tested properly.

Our conclusion is that in its approach to need and alternatives, the NNNPS is fundamentally flawed. We need an alternative vision for national networks which places the achievement of environmental goals (for biodiversity and net zero) at its centre.

Public Sector Equality Duty

Q20. Do you think the NNNPS could further support the aims of the PSED, particularly relating to the characteristics protected by the Equality Act 2010?

Don't know