



Department
for Transport

Consultation on a Draft National Policy Statement for the National Road and Rail Networks

December 2013

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Foreword

Transport is an engine for growth. Well-connected and high performing road and rail networks with sufficient capacity are vital to meet the country's long term needs and support a prosperous economy.

For commuters travelling to work, people visiting friends or relatives and the conveyance of goods to market, our national road and rail networks form a vital backbone supporting economic activity and social wellbeing. Our vision is for a transport system that supports economic growth and jobs, but is also greener and safer and improves quality of life in our communities.

The Planning Act 2008 introduced a new planning regime for nationally significant infrastructure projects. These are infrastructure projects that support the country through the generation and distribution of energy, the disposal of waste and the transportation of goods and people. Such projects have the potential to affect a wide range of people and businesses, from those who will use them, to those who live or work close to proposed sites.

The Planning Act recognised both the imperative for these projects, and their potential for having very wide ranging effects. The new planning process for nationally significant infrastructure projects, whilst providing a strong emphasis on transparency and consultation, offers the potential to speed up decision-making on major projects. Integral to this are National Policy Statements.

This consultation covers the draft National Networks National Policy Statement (NN NPS). The NN NPS will set the overall policy against which the Secretary of State for Transport will make decisions on applications for nationally significant infrastructure projects on the national road and rail networks. It describes the need for development of these networks and Government policies for ensuring necessary development, within the context of Government's long term goals for sustainable transport.

Development of the national networks must be designed to minimise environmental and social impacts and also address existing problems. The NN NPS sets out the way in which we think the planning system

should take account of environmental impacts, including the standards and mitigation measures that we expect to be required to safeguard the quality of life that we all value.

This document sets out the background to the consultation and the aims of the NN NPS and also poses a number of questions, which we invite you to consider. I strongly encourage you to respond to this consultation to help inform this important document.

We look forward to receiving your response.

A handwritten signature in black ink, appearing to be 'R. Goodwill', with a large loop at the top and a small dot at the end.

Robert Goodwill MP

Parliamentary Under Secretary of State for Transport

How to respond

The consultation period began on 4 December 2013 and will run until 26 February 2014. Please ensure that your response reaches us before the closing date. If you would like further copies of this consultation document, it can be found at <https://www.gov.uk/government/consultations/national-road-and-rail-networks-draft-national-policy-statement> or you can contact the National Networks National Policy team at the address below if you would like alternative formats (Braille, audio CD, etc).

Please send consultation responses to

National Networks National Policy Statement Consultation
Zone 3/23
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When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

If you have any suggestions of others who may wish to be involved in this process please contact us.

Freedom of Information

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of

Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

1. Context

- 1.1 This consultation document covers the draft National Networks National Policy Statement (NN NPS). The consultation period begins on 4 December 2013 and finishes on 26 February 2014.

National Policy Statements

- 1.2 The Planning Act 2008 introduced a new planning regime for nationally significant infrastructure projects. These are infrastructure projects that support the country through the generation and distribution of energy, the disposal of waste and the transportation of goods and people. The Planning Act regime incorporates a strong emphasis on transparency and consultation as well as the potential to speed up decision making on major projects. Integral to this are National Policy Statements.
- 1.3 National Policy Statements set out, for the relevant sector, the need for new or expanded infrastructure, as well as detailed guidance on how impacts of developments are to be assessed and impacts mitigated. They set out the policy against which the relevant Secretary of State makes decisions on applications for development consent for nationally significant infrastructure projects, and bring together a range of social, environmental and economic policies with the objective of contributing to the achievement of sustainable development.
- 1.4 In setting out the Government's policies, National Policy Statements are intended to provide clarity and certainty for scheme promoters and remove the need for lengthy planning inquiry consideration of fundamental questions at the application stage.
- 1.5 National Policy Statements must undergo a process of public consultation and Parliamentary scrutiny before being formally designated. Once designated, the policy set out in the National Policy Statement is not open to debate at public inquiries held in relation to individual developments.

- 1.6 National Policy Statements already exist for Energy (Fossil Fuel, Renewable Energy, Gas, Electricity Networks, Nuclear Power), Ports, Waste Water and Hazardous Waste.

The National Networks National Policy Statement

- 1.7 The NN NPS sets out the Government's vision and approach to development of nationally significant infrastructure projects on the road and rail networks in England, including the development of strategic rail freight interchanges.¹ It sets out the policy against which the Secretary of State for Transport will make decisions on applications for nationally significant infrastructure projects on the road and rail networks.
- 1.8 The thresholds for nationally significant road, rail and strategic rail freight projects are defined in the Planning Act 2008 as amended by The Highway and Railway (Nationally Significant Infrastructure Project) Order 2013.² These developments are referred to as national road, rail and strategic rail freight interchange developments in this consultation document.
- 1.9 The NN NPS does not cover High Speed Two. The High Speed Two Hybrid Bill will seek the necessary legal powers to enable the construction and operation of Phase 1 of High Speed Two (HS2), including the powers to acquire the necessary land and undertake the works required. A Hybrid Bill process will also be used for Phase 2 of HS2. The NN NPS sets out the Government's policy for development of the road and rail networks and strategic rail freight interchanges, taking into account the capacity and connectivity that will be delivered through HS2.
- 1.10 Once designated, the NN NPS will remain in force unless withdrawn or suspended in whole or in part by the Secretary of State for Transport.

This consultation

- 1.11 The Department for Transport is publishing this consultation document in order to invite views on the draft NN NPS and on the

¹ In Scotland, Wales and Northern Ireland, the authorisation of all national networks projects are devolved to the Scottish Government, Welsh Government and Northern Ireland Assembly.

² The Highway and Railway (Nationally Significant Infrastructure Project) Order 2013 No.1883 Article 4

assessments that accompany it. The documents being published alongside this consultation are:

- Draft NN NPS (Annex A)
- Appraisal of Sustainability, incorporating a Strategic Environment Assessment³ (Annexes B, C, D and E). A Non-Technical Summary is attached at Annex F.
- Appropriate Assessment under the Habitats Regulations (Annex G).

1.12 The main purpose of this consultation is to get views on whether the NN NPS adequately sets out the need for development of nationally significant infrastructure projects on the national networks, the Government's proposals to address that need and detailed guidance on how impacts of developments are to be assessed and impacts mitigated.

Wider context

1.13 The NN NPS is a planning policy document, setting out the policy against which the Secretary of State for Transport will make decisions on applications for nationally significant infrastructure projects on the road and rail networks. Sitting alongside this NPS, but not forming any part of this consultation, will be the statement of the investment programmes for the road and rail networks, the Road and Rail Investment Strategies. These provide a detailed articulation of the Government's funding strategy for the road and rail networks and investment priorities over forthcoming periods.

³ Pursuant to Directive 2001/42/EC as transposed by SI 2004/1633.

2. The need for development of the national networks

2.1 Chapter 2 of the NN NPS identifies a compelling need for development of the national road and rail networks and of strategic rail freight interchanges, and sets out the Government's policy for addressing that need. This section provides a summary of Chapter 2 of the NN NPS document.

The case for development of the national networks

2.2 Transport is an engine for growth. The national road and rail networks that connect our cities, regions and international gateways play a significant part in supporting economic growth and productivity as well as facilitating passenger, business and leisure journeys across the country. Well-connected and high-performing networks with sufficient capacity are vital to meet the country's long-term needs and support a prosperous economy.

Government's vision and strategic objectives for the national networks

The Government will deliver national networks that meet the country's long-term needs; supporting a prosperous and competitive economy and improving overall quality of life, as part of a wider transport system. This means:

- Networks with the capacity and connectivity to support national and local economic activity and facilitate growth and create jobs
- Networks which support and improve journey quality, reliability and safety
- Networks which support the delivery of environmental goals and the move to a low carbon economy
- Networks which join up our communities and link effectively to each other.

- 2.3 Our national networks are already under considerable pressure. On the road network, it is estimated that in 2010 around 16% of all travel time was spent delayed in traffic.⁴ On the rail network, overall crowding on London and South East rail services across the morning and afternoon peaks on a typical weekday in autumn 2012 was 3.0%, with the worst performing operator's services experiencing 7.1% of passengers in excess of capacity.⁵
- 2.4 Increases in economic prosperity and population will increase the pressure on our networks even further. Under central forecasts, road traffic is forecast to increase by 30% by 2030 and rail journeys by 40%, while rail freight has the potential to nearly double.⁶ Even under low demand scenarios, traffic is forecast to grow by 26% and rail journeys by 36%. Without action, congestion and crowding will constrain the economy and reduce quality of life.
- 2.5 There is also a need for development on the national networks to unlock regional growth and regeneration, particularly in the most disadvantaged areas. Improved and new transport links can create opportunities for growth by improving connectivity and performance, opening up new markets, new job opportunities, and new opportunities for growth. It can help rebalance the economy, rather than accentuate existing divisions.
- 2.6 Developments in other sectors will also place pressure on specific parts of the networks. Areas of high growth, housing developments, new employment opportunities and development of other large infrastructure projects will have significant impacts on the use of the national networks.

Government's policy on development of networks

- 2.7 In their current state, without development, the national networks will act as a constraint to sustainable economic growth, quality of life and wider environmental objectives.
- 2.8 The Government's policy is for a significant and balanced package of improvements and enhancements across the road and rail networks, targeting key pressure points and transforming the

⁴ Based on forecast figures from the National Transport Model for all England roads.

⁵ Office of Rail Regulation, <http://www.rail-reg.gov.uk/upload/pdf/nrt-yearbook-2010-11.pdf>

⁶ Road traffic forecast figures from the National Transport Model, August 2013. Rail passenger forecasts from the Network Modelling Framework, October 2011. Rail freight forecasts from Network Rail.

networks for the longer term. This needs to be seen in the context of a significant package of measures to protect the environment and support sustainable transport on the national networks. Across the modes Government's policy is:

- **Roads** – reduce congestion and unreliability by focusing on improving and enhancing the existing national road network, including through enhancements beyond the existing highway boundary. However, in some cases, to meet the demands on the national road network it will not be sufficient to simply expand capacity on the existing network and so some new road alignments and corresponding links will be needed.
- **Rail** – improve the capacity, capability and reliability of the rail network at key locations for both passenger and freight movements to improve journey times, and to maintain or improve operational performance. Where this incremental approach is not sufficient, new or re-opened alignments to improve capacity, speed, connectivity and reliability should be considered. Where major new inter-urban alignments are required, high speed rail alignments are expected to offer the most effective way to provide a step change in inter-city capacity and connectivity, as well as helping to deliver long term sustainable economic growth.
- **Strategic Rail Freight Interchanges** – support the transfer of freight from road to rail and facilitate sustainable rail freight growth. To this end, there is a need for an expanded network of SRFIs to serve regional, sub-regional and cross-regional markets providing good connectivity with both the road and rail network. These will be private sector, commercial developments that need to be located near the business markets they will serve – major urban centres, or groups of centres – and be linked to key supply chain routes. Given the need for effective connections for both rail and road, the number of locations suitable as SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites.

2.9 Whilst most schemes will be brought forward primarily for economic reasons, Government policy is also to bring forward schemes to improve safety, enhance the environment and improve accessibility for pedestrians and cyclists.

Wider Government policy on the national networks

2.10 The Government's policy on development of the networks needs to be seen in the context of the Government's wider policies on the environment, safety, technology, sustainable transport and accessibility. These are set out in Chapter 3 of the NN NPS document.

2.11 Any improvements to the networks must be made in a way that supports sustainable outcomes. This means that our vision for the national networks must be designed to minimise environmental and social impacts and also address existing problems.

2.12 The Government's policy is to:

- decarbonise the transport network through tighter efficiency standards for vehicles and by supporting the switch to the latest ultra-low emission vehicles (ULEVs). ULEVs are now starting to come onto the market in significant numbers, and in the coming decade we will move towards the mass market roll-out of ULEVs. This will deliver improvements in air quality and quality of life along with carbon reduction.
- deliver nationally significant infrastructure projects on the national networks in an environmentally sensitive way, through scheme design that is responsive to the surrounding environment. The Government expects applicants to mitigate environmental and social impacts of new schemes. Applicants should also provide evidence that they have considered reasonable opportunities to deliver environmental benefits as part of schemes.
- mitigate significant increases in air pollution from nationally significant infrastructure projects using techniques such as the management of vehicle speed, increasing the distance between live traffic and neighbouring properties, and working with local authorities and other partners to identify measures that provide benefits over a wider area.
- bring forward specific works, outside the nationally significant infrastructure project regime, to address existing environmental problems on the strategic road network and improve the performance of the network. This includes reconnecting habitats and ecosystems, enhancing the settings of historic and cultural heritage features, respecting and enhancing landscape quality,

improving water quality and reducing flood risk, reducing excessive noise and addressing areas of poor air quality.

- provide people with options to choose sustainable transport modes, and make door to door journeys by sustainable means an attractive and convenient option. This includes addressing the needs of cyclists and walkers in the design of new schemes and tackling existing problems on the national road network where the network acts as a barrier to cycling and walking.
- create a safer, more accessible and inclusive transport system that works for everyone.

2.13 Chapters 4 and 5 of the NN NPS provide detailed guidance to scheme promoters, examining authorities and decision makers on the assessment of economic, environmental and social impacts, including mitigations.

3. Explanation of supporting documents

- 3.1 Accompanying this document is an Appraisal of Sustainability and an Appropriate Assessment under the Habitats Regulations.

Appraisal of Sustainability

- 3.2 The Planning Act 2008 requires that a National Policy Statement must undergo an Appraisal of Sustainability before the Secretary of State can designate it. The purpose of the Appraisal of Sustainability is to ensure that National Policy Statements take account of environmental, social and economic considerations, with the objective of contributing to the achievement of sustainable development. The Appraisal of Sustainability for the NN NPS incorporates a Strategic Environmental Assessment.⁷
- 3.3 The draft NN NPS has been informed by the Appraisal of Sustainability. In particular, building on the ambition set out in *Action for Roads: A network for the 21st Century*,⁸ a more comprehensive set of environmental policies and standards for the strategic road network has been developed.
- 3.4 The Appraisal of Sustainability is a qualitative assessment of the strategic level policy set out in the NN NPS. In reading the Appraisal of Sustainability it is important to consider the overall qualitative scores alongside the supporting explanations. The lack of spatial specificity in the NN NPS means that there are a number of uncertainties, particularly relating to the environmental impacts and mitigations for developments. To deal with the uncertainties a precautionary approach has been taken and so the Appraisal of Sustainability is likely to represent a pessimistic assessment. The limitations of the Appraisal of Sustainability are explained in more detail in that document.

⁷ Pursuant to Directive 2001/42/EC as transposed by SI 2004/1633.

⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212590/action-for-roads.pdf

- 3.5 The Appraisal of Sustainability report is at Annex B. A separate Non-Technical Summary is also provided at Annex F.

Appropriate Assessment

- 3.6 Appropriate Assessments under the Habitats Regulations examine the potential effects of a plan or project on nature conservation sites that are designated to be of European importance. These sites, referred to as Natura 2000 or European Sites, are designated because of their importance to habitats and species of importance to European nature conservation.
- 3.7 An Appropriate Assessment has been carried out for the draft NN NPS. It offers a high-level assessment of the prospective impact of developments on the national networks on protected sites and species. The Appropriate Assessment is at Annex G.

4. Consultation questions

- 4.1 These consultation questions are intended to be read with the draft NN NPS and its supporting documents.
- 4.2 In responding to each question, please provide comments to explain the reason for your response, along with any relevant data or analysis that supports your view.

Draft National Networks National Policy Statement

The draft NN NPS is at Annex A of this consultation document.

Chapter 2 of the draft NN NPS sets out the need for the development of the national networks, and the Government's policy for addressing that need. Chapter 3 sets out wider Government policy on the national networks, covering the environment, safety, technology, sustainable travel and accessibility.

- Q1. Does the draft NN NPS clearly establish the need for development of the national networks? If not why not? (see Chapter 2 of the NN NPS)
- Q2. Does the draft NN NPS adequately explain the Government's policy for addressing the need set out in the NN NPS? If not why not? (see Chapters 2 and 3 of the NN NPS)

Chapter 4 of the draft NN NPS sets out assessment principles and Chapter 5 sets out guidance on generic impacts.

- Q3. Do the Assessment Principles provide adequate guidance to the Secretary of State on how he should assess applications for developments of the national networks? If not why not? (see Chapter 4 of the NN NPS)
- Q4. Does the draft NN NPS give appropriate guidance to scheme promoters? If not why not? (see Chapter 5 of the NN NPS)

- Q5. Does the draft NN NPS consider all of the significant potential impacts of national network development? If not, what other impacts should be included and why? (see Chapters 4 and 5 of the NN NPS)
- Q6. Does the draft NN NPS give appropriate guidance on appropriate mitigation measures? If not why not? (see Chapter 5 of the NN NPS)

Appraisal of Sustainability

The draft Appraisal of Sustainability document is at Annex B, C, D and E of this consultation document. A non-technical summary is at Annex F.

- Q7. Do you have any comments on the Appraisal of Sustainability of the NN NPS?

Appropriate Assessment

The Appropriate Assessment under the Habitats Regulation is at Annex G.

- Q8. Do you have any comments on the Appropriate Assessment on the draft NN NPS?

General

- Q9. Please provide any further comments regarding any aspect of this consultation.

5. What will happen next

Public consultation

- 5.1 The main purpose of this consultation is to get views on whether the NN NPS adequately sets out the need for development of nationally significant infrastructure projects on the national networks and the proposals to address that need, as well as the detailed guidance on how impacts of developments are to be assessed and the mitigation of impacts. This consultation closes on 26 February 2014.

Parliamentary scrutiny

- 5.2 As well as a public consultation exercise, the NN NPS will also be subject to Parliamentary scrutiny. The Planning Act 2008 requires the Government to lay draft National Policy Statements before Parliament, and to respond to the recommendations of a Committee of either House or a resolution of either House made within a specified period.

Government response

- 5.3 Following the consultation period and process of Parliamentary scrutiny of the NN NPS, DfT will publish a response to the consultation detailing the responses received and how these have been taken into account. We will also undertake a review of the draft NN NPS, the Appraisal of Sustainability and Appropriate Assessment in the light of consultation replies.
- 5.4 Subject to this consultation, Parliamentary scrutiny and final ratification by Parliament, the Government intends to finalise and then formally designate this draft NN NPS later in 2014.

Consultation principles

The consultation is being conducted in line with the Government's key consultation principles which are listed below. Further information is available on the Better Regulation Executive website at <https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments about the consultation process please contact:

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