

NATIONAL NETWORKS NATIONAL POLICY STATEMENT (NNNPS)
Consultation response from Cycling UK

1. Respondent:

- Name: **Roger Geffen**
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2. Whether the respondent is:

- ~~an individual~~
- **responding for an organisation**

3. If you are responding for an organisation, what is the name of the organisation?

Cycling UK

4. 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:

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

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

We point to three fundamental flaws with the NNNPS.

Firstly, although Chapters 3 and 4 discuss adaptation to climate impacts, they fail to address mitigation of climate impacts. This is despite the legal requirement (in [section 10\(3\)\(a\) of the Planning Act 2008](#)) for the Secretary of State to have regard to this in designating or revising a NPS. The failure to explain how the policy set out in the draft NNNPS “takes account of Government policy relating to the mitigation of ... climate change”, in chapter 4 or elsewhere, is also potentially a breach of [subsection 5\(8\)](#) of that Act.

Secondly, the section on ‘The drivers of need for development of a national road network’ lists various issues which are clearly relevant to transport policy and planning (network performance and meeting users’ needs, connectivity and economic growth, resilience and adaptation to climate change, environment, safety), but does not make the case that these issues are best addressed through investment on a national roads network. Still less does it advise those involved in the NNNPS process (in whatever capacity) on the need for (and potential benefits of) considering alternatives to road schemes, drawing on the kinds of measures outlined in draft NNNPS paragraph 3.42.

Thirdly, we highlight the NNNPS’s reliance on its claims that:

- the “Government’s Transport Decarbonisation Plan demonstrates how we will deliver transport’s contribution to emissions reductions in line with net zero” (paragraph 2.21); and
- “The National Road Traffic Projections 2022 provide a strong analytical basis for understanding the potential evolution of traffic growth, congestion, and emissions under a wide range of plausible future scenarios.” (paragraph 2.24).

These two statements are highly contentious - as are the statements in paragraphs 5.36 and 5.37 (which we discuss in answer to Q12). Glenn Lyons, Professor of Future Mobility at the University of the West of England, has [said](#) (of the quote from paragraph 2.21): “I’ll give you a similar phrase I just made up which is also true, ‘I have a plan to colonise Mars which is in progress’.”

We also highlight the initial analysis of Prof Greg Marsden (of the Institute for Transport Studies at the University of Leeds) of the assumptions behind the Government’s Transport Decarbonisation Plan (TDP) – assumptions which the Department for Transport (DfT) initially refused to give him in response to his Freedom of Information request, and for which he had to initiate legal proceedings after DfT sought to appeal the Information Commissioner’s ruling that DfT should release the data.

That analysis – outlined in his [submission to the Commons Transport Committee’s inquiry on the 3rd Roads investment Strategy \(RIS3\)](#) – showed that the TDP’s pathway to reaching net zero starts from an assumed level of road traffic in 2022 which was significantly lower (273bn vehicle-km) than what actually occurred that year (341bn veh-km). He then projected forward the TDP’s core and most optimistic scenarios from this real-world starting point and estimated that the cumulative emissions from surface transport between 2019 and 2035 would be between 221 and 307 meta-tonnes of carbon (MtC) higher than the TDP’s most optimistic projection. He therefore concluded that, “As things currently stand ... a roads building programme predicated on growth in traffic is not consistent with the Sixth Carbon Budget”.

He also found that the TDP made highly unrealistic assumptions about the rate of uptake of electric vehicles. He concluded: *“The current traffic growth patterns which feature in the Transport Decarbonisation Plan and the latest National Road Traffic Projections are not consistent with meeting the requirements of the 6th carbon budget,”* and that *“It would be wrong to plan to invest in new or expanded roads in the absence of a credible plan for decarbonisation.”*

In any case, even the more positive policy ambitions of the TDP have been drastically scaled back in the Government’s subsequent Carbon Budget Delivery Plan (CBDP). In Prof Marsden’s more recent [analysis of the CBDP](#), he states: *“72 percent of the potential ambition set out in the TDP has been lost in the CBDP. As policies to lock down the transition to electric vehicles have been advanced, demand management has largely been abandoned. This is not gear change, this is reverse gear.”*

Prof Marsden notes that the Government’s pathways for vehicle electrification *“could still be consistent with the CCC’s Balanced Pathway if a 20% reduction in road traffic levels were also to be achieved by 2030 relative to current plans”*. However, the NNNPS rests on the assumed need to accommodate the scenarios envisaged by the Government’s that national networks are needed to address the growth in road traffic predicted by the various scenarios in its [National Road Traffic Projections](#) (NRTP), all of which assume that road traffic will continue to grow (by between 8% and 54% by 2060). This is despite the fact that numerous reports have concluded that, for surface transport to be on course for delivering its contribution to the Government’s net zero targets, there has to be a reduction in car kilometres of at least 20% by 2030.

In any case, the NRTP themselves are derived from the Government’s [National Transport Model \(NTM\)](#). The NTM is seriously flawed in that it fails to model the impact of potential policies that the Government might apply to avert the growth of road traffic (e.g. greater investment in sustainable transport, various road pricing policies or strengthening the role of planning policies in reducing the need to travel). Using the NTM in this way therefore creates a circular argument whereby it is assumed that road traffic will inevitably grow under all possible scenarios, hence transport network capacity must be expanded to accommodate this growth – even though this is inconsistent with achieving net zero. Despite the Government’s assertions to the contrary, this is still “predict and provide”.

Yet if these highly questionable statements are allowed to remain in the final version of the NNNPS, then Inspectors considering Development Consent Orders (DCOs) for road schemes that are deemed to be Nationally Significant Infrastructure Projects (NSIPs) will be required to take them at face value.

5. Does the draft NNNPS adequately set out:

- the need for developing national networks?
 - ~~Strongly agree~~
 - ~~Agree~~
 - ~~Neither agree nor disagree~~
 - ~~Disagree~~
 - **Strongly disagree**
 - ~~Don’t know~~

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

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

We reiterate our concerns (also expressed in response to Q4) that NNNPS Chapter 3:

- Lists various issues which are clearly relevant to transport policy and planning (network performance and meeting users' needs, connectivity and economic growth, resilience and adaptation to climate change, environment, safety), but does not make the case that these issues are best addressed through investment in a strategic roads network; and
- Fails to address the mitigation of (as distinct from the adaptation to) climate impacts. This is despite the legal requirement (in [section 10\(3\)\(a\) of the Planning Act 2008](#)) for the Secretary of State to have regard to this in designating or revising a NPS. The failure to explain how the policy set out in the draft NNNPS "*takes account of Government policy relating to the mitigation of ... climate change*", in chapter 4 or elsewhere, is also potentially a breach of [subsection 5\(8\)](#) of that Act;

The draft NNNPS therefore fails to set out why there is a need for significant investment in a national roads network.

As regards the NNNPS's policies for addressing the need for a national road network, Cycling UK believes that it would be better – for the climate, air quality, the economy, road safety, public health, social equality and our quality of life – to pursue a strategy focused on the bullet-points in paragraphs 3.42, not merely as a means of mitigating the adverse impacts of significant roads investment, but as an alternative to doing so.

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

- **Yes**
- ~~No~~
- ~~Don't know~~

7. If yes, provide comments on missing information, referring to specific sections of the NNNPS in your response.

We reiterate our concern that Chapter 4 of NNNPS, like Chapter 3, fails to address the mitigation of (as distinct from the adaptation to) climate impacts. This is despite the legal requirement (in [section 10\(3\)\(a\) of the Planning Act 2008](#)) for the Secretary of State to have regard to this in designating or revising a NPS. The failure to explain how the policy set out in the draft NNNPS “takes account of Government policy relating to the mitigation of ... climate change”, in chapter 4 or elsewhere, is also potentially a breach of [subsection 5\(8\)](#) of that Act.

Nor does it indicate the open-mindedness that scheme developers, respondents to consultations and examiners should give to the possibility of non-road solutions, for climate and other reasons (local environmental impacts, safety, air quality, physical inactivity, road safety, ‘levelling up’ and social equity, etc).

Cycling UK believes that the issues raised in this chapter could be better addressed through a policy package in which transport investment is substantially rebalanced in favour of sustainable and active travel, together with measures to restrain demand for travel (e.g. planning policies to reduce the need to travel, together with some form of road pricing).

We also note that Chapter 4 references (in paragraphs 4.10 and 4.11) the Government’s proposals to revise the process for conducting Environmental Assessments, including air quality impacts. Yet so far, we know very little about how this revised process will work. We are therefore concerned that the revised process could weaken current protections against adverse environmental impacts.

8. If yes, there is an option to provide any supporting evidence of your view (using file upload function)

9. Does the NNNPS support development of:

- freight facilities on the strategic road network, including lorry parking facilities?
 - ~~Strongly agree~~
 - ~~Agree~~
 - ~~Neither agree nor disagree~~
 - ~~Disagree~~
 - ~~Strongly disagree~~
 - **Don’t know**
- freight interchange infrastructure that encourages modal shift from road to rail?
 - ~~Strongly agree~~
 - ~~Agree~~
 - ~~Neither agree nor disagree~~
 - ~~Disagree~~
 - ~~Strongly disagree~~
 - **Don’t know**

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

Not applicable

10. In your view, are the changes to the strategic rail freight interchanges section useful for the NNNPS?

- ~~Strongly agree~~
- ~~Agree~~
- ~~Neither agree nor disagree~~
- ~~Disagree~~
- ~~Strongly disagree~~
- Don't know**

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

Not applicable

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

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

Explain why, referring to specific sections in your response.

We reiterate our concern, voiced in response to previous questions that, whilst Chapters 3 and 4 address the issue of adaptation to climate change, it fails to discuss mitigation of climate change. This is despite the legal requirement (in [section 10\(3\)\(a\) of the](#)

[Planning Act 2008](#)) for the Secretary of State to have regard to this in designating or revising a NPS. The failure to explain how the policy set out in the draft NNNPS “takes account of Government policy relating to the mitigation of ... climate change”, in chapter 4 or elsewhere, is also potentially a breach of [subsection 5\(8\)](#) of that Act.

We are particularly concerned about the statement in paragraph 5.36 that, “Given the important role national network infrastructure plays in supporting the process of economy wide decarbonisation, the Secretary of State accepts that there are likely to be some residual emissions from construction of national network infrastructure.”

The following paragraph (paragraph 5.37) then allows for schemes which will result in increases in CO₂ emissions, stating that the “government has determined that a net increase in operational greenhouse gas emissions is not, of itself, reason to prohibit the consenting of national network projects or to impose more restrictions on them in the planning policy framework.” It adds that “Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting carbon budgets, net zero and the UK's Nationally Determined Contribution.”

We have already highlighted (in response to Q4) the concerns of independent transport experts over whether policies set out in the TDP were anywhere near adequate for achieving the level of decarbonisation needed for the transport sector to deliver its contribution to reaching net zero – and that in any case, much of the ambition of the TDP has since been abandoned

Other experts – e.g. Prof Jillian Anable (of the Institute of Transport Studies, University of Leeds) and Prof Phil Goodwin (Emeritus Professor of Transport Policy at University College London and the University of the West of England) have [reached similarly pessimistic assessments](#) of the likelihood that current policy comes anywhere close to being adequate for tackling the road transport sector’s contribution to the climate crisis.

We also highlight the sheer brevity of the discussion in Chapter 5 of climate mitigation (paragraphs 5.32 and 5.33), as compared with its discussions of other environmental impacts, notably air quality (paragraphs 5.14 to 5.16), biodiversity and nature conservation (paragraphs 5.43 to 5.49), landscape and visual impacts (paragraphs 5.156 to 5.160) and noise (paragraphs 5.226 to 5.229).

We reiterate our view that a policy package based on the measures outlined in paragraph 3.42 would be more suitable as an alternative to a strategy of significant roads investment, rather than merely as a means of mitigating its adverse impacts.

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

- **Yes**
- ~~No~~
- ~~Don't know~~

14. If yes, provide comments on missing information, referring to specific sections of the NNNPS in your response.

We note that the overview of Chapter 5, presented in paragraphs 5.1 to 5.6, references the targets of the Environment Act 2021, but not the targets and carbon budgets set under the Climate Change Act 2008. We reiterate our concern (voiced previously in response to Q5, Q7 and Q12) that this failure to consider climate mitigation may amount to a breach of the Planning Act 2008.

More generally, Chapter 5 fails to set out a clear requirement for promoters of road schemes to consider alternatives focused on local sustainable transport. We believe that this is an important omission from the mitigation of several of the impacts outlined in this chapter. However it is especially important – and its absence is especially inexplicable – in the paragraphs on mitigating greenhouse gas emissions (paragraphs 5.32 and 5.33). Our response to Q12 has already noted the sheer brevity of this section, compared to those on mitigating other impacts.

Finally, we note that the section on ‘Impacts on transport networks’ (paragraphs 5.260 to 5.281) fails to mention either the Local Cycling and Walking Infrastructure Plans (LCWIPs, which DfT expects local transport authorities to adopt and which are set to be a required element of future Local Transport Plans) or the Rights of Way Improvement Plans (RoWIPs, which local highway authorities are required to prepare, and which can serve a transport as well as a recreational function).

It is crucial that LCWIP and RoWIP network plans are specifically referenced. Otherwise, plans for road schemes are likely to continue adding to the severance of existing or potential walking and cycling routes (including features such as disused railway lines). Cycling UK (when it was known as the Cyclists’ Touring Club) documented this problem in its report ‘Breaking Point’ (not available online), as long ago as 1993. Yet it persists to this day.

The draft NNNPS also fails to cite a requirement for cycling provision to be made in accordance with the National Highways design standard [CD 195, Designing for Cycle Traffic](#). The lack of such a requirement has led to inadequate provision for cycling infrastructure being included even in major National Highways projects. For instance, in the case of the [A428 Black Cat to Caxton Gibbet road scheme](#), the [inquiry Inspector’s report](#) accepted (at paragraph 6.4.263) that “*far more could have been done by the Applicant to enhance the local NMU network*” [n.b. “NMU” means “non-motorised user”, and “the Applicant” is National Highways]. Yet the Inspector felt compelled to conclude that, in the absence of clearer requirements, there was not a “*robust justification for the provision of additional NMU infrastructure*”. Hence this scheme is set to go ahead with inadequate cycle provision, despite the overall scheme being costed at between £810m and £950m.

The Government’s design guidance to local authorities on [Cycling Infrastructure Design \(Local Transport Note LTN 1/20\)](#) is admirably clear that “there will be a presumption that schemes must deliver or improve cycling infrastructure to the standards in this Local Transport Note, unless it can be shown that there is little or no need for cycling in the particular highway scheme.” Yet it is failing to uphold comparable standards in relation to major schemes delivered by National Highways, despite the Secretary of State having direct control over it.

We therefore urge the addition of a stronger requirement on retaining and enhancing the connectivity of LCWIPs and RoWIPs, and to the use of the cycling infrastructure design standards set out in CD 195.

15. If yes, there is an option to provide any supporting evidence of your view (using file upload function).

16. Do you agree with the findings of the appraisal of sustainability?

- ~~Strongly agree~~
- ~~Agree~~
- ~~Neither agree nor disagree~~
- ~~Disagree~~
- Strongly disagree**
- ~~Don't know~~

17. Explain why, referring to specific sections of the appraisals of sustainability in your response.

We do not believe the [Appraisal of Sustainability](#) (AoS) has been carried out robustly, for two main reasons.

Firstly, the 'reasonable alternative' scenarios, with which the proposed NNNPS is compared in the AoS, are (to quote the AoS itself) *"not vastly different in their approach" to the NNNPS itself. Rather, they present subtle variations with regard to the way issues (and therefore investment) are prioritised*". Specifically, the alternatives are based on an assumption that, *"Under all alternative scenarios, the scale of funding on the SRN will remain relatively consistent in real terms with that during Road Periods 1 and 2."* (see [AoS Appendix 1](#) paragraph 1.1.2).

The consequence of this is that the Draft NNNPS scenario and the two reasonable alternatives all have the same score, for 32 out of the 42 impacts assessed. This limitation in the range of alternatives considered undermines the whole aim of the AoS, namely *"to provide a high level of protection to the environment and contribute to integrating environmental considerations into the preparation, adoption and implementation of plans and programmes to promote sustainable development."* It simply does not identify the potential for an alternative scenario to achieve greater positive impacts and fewer negative ones.

We believe that one alternative scenario should have involved significantly rebalancing transport spending towards the kinds of solutions outlined in NNNPS paragraph 3.42, strengthening planning policy to reduce the need to travel, and/or applying some form of road pricing.

Secondly, we would also question several of the assessed scores, and indeed whether they are based on transparent analysis of decisions made under the previous version of the NNNPS. In particular, the claims that a roads investment programme would have

'uncertain' climate impacts and 'positive' safety and economic impacts flies in the face of the experience of past roads investment. Previous positive trends in road safety have plateaued in the past decade, while the evidence of positive economic impacts from roads investment is strongly contested by many experts. Road schemes continue to cause severance for pedestrian and cycle movement (e.g. see the example given in paragraph below), while air pollution needs to reflect the increases in brake and tyre dust that can be expected to result from allowing for the growth of road traffic.

18. Do you agree with the findings of the habitats regulations assessment?

- ~~Strongly agree~~
- ~~Agree~~
- ~~Neither agree nor disagree~~
- ~~Disagree~~
- ~~Strongly disagree~~
- Don't know

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

Not applicable.

20. The Public Sector Equality Duty (PSED) requires public bodies to consider the needs of people in relation to characteristics protected by the Equality Act 2010. Development applications must demonstrate due consideration for the PSED and wider obligations under the Act. The NNNPS supports applicants to consider this through its policies, including but not limited to accessibility, community severance and good design (paragraph 4.77).

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

- Yes**
- ~~No~~
- ~~Don't know~~

21. If yes, please provide details of how the NNNPS could further support PSED aims, specifying the protected characteristic where possible and providing any supporting information you wish to be considered.

The reference to the Public Sector Equality Duty (in paragraph 4.75) needs to make clear that, as well as considering the impacts of schemes on disabled people, they should also consider how they might affect people of different ages and sexes. For instance, women, children and many older people (as well as many disabled people) are disproportionately deterred from cycling by dangerous road conditions and a lack of safe cycling infrastructure.

22. Any other comments?

We hope the following summary of our key concerns may be helpful:

- The draft NNNPS – and particularly the Appraisal of Sustainability which informed its development – have failed to consider ‘reasonable alternatives’ that are sufficiently different to allow for proper assessment of the impacts of the proposed NNNPS and how the adverse impacts could be better mitigated through an alternative based on shifting resources more towards sustainable and active travel and reducing travel demand (e.g. through stronger planning policies and/or some form of road pricing). Nor does the NNNPS provide a sufficiently strong requirement for promoters of specific schemes to consider these types of alternatives at the scheme level, despite the role they could play in mitigating a range of adverse impacts.
- The ‘Statement of Need’ for a national road network (set out in Chapter 3 of the draft NNNPS) highlights various issues which are clearly relevant to transport policy and planning, yet it does not actually make the case that investment in a national road network is the right response to those issues. Cycling UK believes that an alternative strategy (as outlined above) would provide far greater benefits, for the economy, public health, safety, air quality, the natural and built environment, ‘levelling up’ etc.
- In particular, we are very concerned at the lack of discussion of the need to mitigate the carbon emissions from transport. This potentially a breach of the Planning Act 2008.
- The draft NNNPS makes highly contentious claims that the Government’s Transport Decarbonisation Plan (TDP) “*Will deliver transport’s contribution to emissions reductions in line with net zero*”, and that its “*National Road Traffic Projections 2022 provide a strong analytical basis for understanding the potential evolution of traffic growth, congestion, and emissions under a wide range of plausible future scenarios.*” Plenty of transport experts would disagree with these statements. Yet if adopted in the final version of the NNNPS, inquiry inspectors would be required to take them at face value.
- The draft NNNPS then says that the “*government has determined that a net increase in operational greenhouse gas emissions is not, of itself, reason to prohibit the consenting of national network projects*”, adding that “*Therefore, approval of schemes with residual carbon emissions is allowable.*” Hence the NNNPS risks making it even less likely that the transport sector will achieve the emissions reductions needed for the Government’s carbon budgets and net zero targets.
- The draft NNNPS also fail to require consideration of the Local Cycling and Walking Infrastructure Plans (LCWIPs) and the Rights of Way Improvement Plans (RoWIPs) that local transport and highway authorities are expected or required to draw up. Nor does it require schemes to comply with the cycling infrastructure design standards equivalent to those which the Government expects local authorities to adhere to.

Given these failures, we do not think the draft NNNPS would be effective in supporting levelling up, boosting economic growth or tackling a range of environmental, health and other adverse impacts of road schemes. Its failure to address climate mitigation is likely to result in continued legal challenges to Development Consent Order applications, and it may itself be legally challengeable.