

## Appendix C part 3

### A 142 Ely Railway Crossing Options Assessment Report

#### Overview

Overall English Heritage is concerned that this document lacks clarity in identifying the key driver behind the project (the projected increase in barrier down-time) and the major challenge to a successful resolution (harm to the significance of Ely Cathedral), and believes these two crucial matters have, to some extent, been obscured by a host of secondary issues. The document draws on the separate *Setting Study* which we have also noted lacks objectivity in identifying the importance of views of the Cathedral from the south-southeast-eastern arc, and consequently under-assesses the harm that would result from both Route B and D.

It is English Heritage's understanding that the projected increase in barrier down-time at the A142 Level Crossing in Ely is the key driver for this project and without that the project would not receive the priority treatment and resources that the County Council has allocated to it, and reflected in the title of the document; '*A142 Ely Railway Crossing*'. However, the increase in barrier down-time is only the third bullet point in the executive summary (page 5) and is again only the third bullet in section 2.8 (Summary of Challenges page 20). Someone reading the report for the first time could be mistaken for believing that the severance of the station and adjacent supermarket from the City Centre is in fact the major driver, as this is consistently given priority within the report.

Over a number of years English Heritage has repeatedly raised concerns that some of the options under consideration would result in harm to the significance of Ely Cathedral, a building of acknowledged international importance, through an adverse impact on its setting. Avoiding that harm remains the major challenge that the project will need to overcome. Regrettably the document consistently downplays this issue. In the Executive Summary the matter is swept up in an all embracing 'environmental context' bullet which states: '*Ely has a distinctive landscape and heritage setting, high quality agricultural land, and environmentally sensitive surrounds in terms of habitat, archaeological potential, and flood risk;*' and the Cathedral is not specifically mentioned. Subsequently in Table 3.1 (page 22), which sets out the 'Relationship between challenges and intervention objectives', there is no reference to the Cathedral or any aspect of the historic built environment included under the *challenges*, though 'landscape setting', 'high quality agricultural land' 'environmentally sensitive surrounds in terms of habitat', 'archaeological potential' and 'flood risk' all warrant a mention.

#### Detailed comments

Of the 5 options under consideration in this report, English Heritage accepts that both the HCV Stacking Option and HCV Queuing Option will not provide a long term or cost effective solution to the problems associated with the Ely

Crossing, and indeed may have some disbenefits. We therefore will not comment in any detail on aspects surrounding these two options. We will also not comment on aspects such as biodiversity/Ecology or Water Environment which are outside our areas of expertise.

### **Enabling the growth of Ely**

Reference is made at several points in the report to a requirement to enable the growth of Ely to take place. The next phases in the growth of Ely are already allocated and will take place to the north of Ely and are not dependent on a resolution of the Ely Crossing issues and nor do they require the construction of a new southern by-pass. No specific information has been supplied, such as an analysis of the choices in the wider road network, to underpin the claim that future growth is dependent on a bypass. We therefore question the relevance of including reference to the growth of Ely in this report. One might even question whether further growth of Ely in the short term is truly sustainable since, as noted in Section 2.3 on socio economic and demographic characteristics, 77% of residents of the new estates currently commute out of Ely for work.

### **Setting of Ely and Ely Cathedral**

Where the report makes reference to the Cathedral it is always with reference to its setting. While it is acknowledged that the impact of Route B and D would be on the Cathedral's setting, the issue is how that in turn impacts on the significance of the Cathedral. When considering harm to designated heritage assets the NPPF is specifically concerned with harm to significance, and paragraph 132 of that document refers to significance being harmed by development within an asset's setting. In order to understand the harm that would arise from these options it is therefore necessary to first understand the contribution that setting makes to both the significance of Ely and its Cathedral. While that work may be the subject of the separate '*Setting Study*', it would be helpful if the Options Assessment Report at least clarified the relationship between harm, significance and setting.

### **National Planning Policy Framework (NPPF)**

The report correctly makes reference to the NPPF. However it is a matter of concern that the consideration of the NPPF within Section A4 (page 76) makes no reference to the historic environment even though Section 12 of the NPPF is specifically concerned with conserving and enhancing the historic environment. The report should acknowledge that conservation of the Historic Environment is a core principle within the NPPF and proposals that harm the historic environment, where there is no overwhelming, clear and convincing public benefit to outweigh that harm, are therefore contrary to the Framework and would not meet the criteria required to be classified as 'sustainable development.' This is contrary to the suggestion of a 'Policy Fit' set out in Section 3.4 of the document, where the narrative only references the positive and contains no reference to a potential contravention of policies in the NPPF.

The NPPF is considered further under Appendix Section A5. Within this section Table A.3 (p85) sets out the compatibility of A142 improvement options against core themes of the NPPF, with more detail provided within

Table A.4 – A.7 inclusive. English Heritage has very serious concerns over the scoring used within these tables. At best this suggests an inadequate understanding of the issues, at worst it could indicate a deliberate bias in favour of the Council's preferred option. In the scoring of '*Conserving and enhancing the historic environment*' Option B is given a score of 4, whereas the extent of the harm to the significance of Ely Cathedral clearly warrants a score of 5, while the underpass option is given a score of 3, though since it would have no impact on the Cathedral's significance it should have had a score of 1. Other scores are similarly skewed; for example the Ely Crossing is remote from Ely town centre and all the options will therefore have little bearing on it, yet under the heading of '*ensuring the vitality of town centres*' Route B and D are both given a score of 1 while the underpass is given a score of 5. In economic terms, there is also a case that the unique offer of Ely is its Cathedral, and that harm to the Cathedral's setting is not, in the long term, economically beneficial, potentially harming both tourism and the quality of place that currently draws people and businesses to the city. The positive economic and social benefits of conserving and enhancing heritage is underlined in paragraphs 126 and 131 of the NPPF.

### **Other policy documents**

Appendix A refers to a number of other policy documents. While the NPPF is the most significant, and carries the greatest weight, we would note the following:

A.3.2 Cambridgeshire's Third Local Transport Plan (LTP3) – English Heritage commented in the context of the SEA consultation on the lack of reference to the historic environment in the Strategic Objectives, and drew attention to the potential impacts on heritage in relation to a southern bypass at Ely.

A.4.2 East Cambridgeshire Core Strategy – the Inspector's report (May 2009) on the Core Strategy examination refers to the need for evaluation of the impact of options for a bypass south of Ely on the setting of the city and the Cathedral.

A.4.3 Ely Masterplan – while a useful initiative, the exercise needed to be informed by an appraisal, and resolution, of the Ely Level Crossing issues. English Heritage commented that this appraisal was required.

### **Public consultation Oct/Nov 2011**

English Heritage has serious concerns over the validity of the public consultation exercise that was undertaken in October and November 2011. The County Council has been made aware of these concerns previously, which include the lack of any information/visualisations to advise members of the public of the height of the proposed bridges and embankments, and the consequential impact that these new structures would have on Ely and the Cathedral.

### **Enhancement of Station Gateway**

The document makes considerable reference to the need to enhance the 'Station Gateway' area of the city. English Heritage agrees that the current station environment is poor but we strongly disagree with the statement that *'this can only be achieved with the Bypass options.'* This is incorrect and misleading. Very significant improvements to the Station Gateway could be achieved alongside the option to lower and widen the underpass. Furthermore we would have concerns if the indicative sketch layouts included within the Appendices showing concepts for a new station gateway formed the basis for bringing forward detailed proposals for this area. These plans show no understanding of Ely, nor what makes it distinctive, and do not build on the established historic grain of the town, but rather suggest introducing alien plan forms of indeterminate height that would not encourage good 'place-making'.

### **Disaggregation of impacts**

The appendices seek to break down the issues into a number of separate headings rather than considering the impact 'in the round'. This disaggregation has a tendency to downplay impacts and English Heritage would prefer to see a more holistic consideration of the issues, many of which are interrelated (again, by way of example, townscape in the context of a historic city such as Ely is integral to the Historic Environment, but the two are dealt with separately). We accept that this method of working may be the result of established methodologies; however it is important that where such separate analysis is necessary that the report synthesises and brings out the most significant issues. This will then enable the report to identify that some issues may be of such importance as to be 'critical', where the NPPF indicates that harm would be 'wholly exceptional' and which in layman's terms might be regarded as 'show stoppers'.

### **Noise/Tranquillity**

Within the report the issue of noise is only considered in respect of existing residential properties. The impact of noise from either of the bypass options on the public using the river, or adjacent footpaths and cycleway, is not considered and no quantitative data is provided on either the current background noise levels, or predicted noise levels. The Landscape Worksheets within the appendices include a qualitative consideration of 'Tranquillity' but within these worksheets there is an undervaluing of the existing tranquillity of the area, with the impact of the existing A142 and railway over-emphasised. This, coupled with the suggestion that tree planting on the embankments might mitigate any increased harm, results in only a 'slight adverse' impact on tranquillity for both by-pass options. It is a proven fact that tree planting cannot mitigate traffic noise and no consideration is given to the intrusive 'boom' resulting from vehicles crossing the expansion joints that would be required with any new bridges. English Heritage concludes that the impact on tranquillity of the riverside area has therefore been inadequately assessed, and the harm will be significantly greater than that predicted.

### **Appendices Worksheets and scope of comments**

These comments are, in the main, strategic rather than detailed, in order to provide the County Council with information on English Heritage's main concerns.

The detailed assessments, terminology and methodologies used in the main report, and worksheets, are matters on which we may wish to provide further comment at a future date. We also reserve the right to update and/or add to these comments as more information on the proposals becomes available.

6th August 2012