

Objection number **OBJ23A**
Objector's Name Mark Hackett
Date submitted..... 09 March 2015
NIMVO plot number N/A

TransportNI has considered the correspondence in the above objection and responds as follows:

1. **In connection with the draft orders exhibit and recent information talk given by DRD Transport NI and URS at North Queen Street, I write with the following issues regarding the houses on Little George Street. This letter was circulated to the residents at late notice, they had already completed their group letter process.**

2. **1: In places the proposals raise the road up between 600-900mm and also one lane closer to many of the houses. This has a major impact on the only sunlight, amenity, health, well-being and safety of residents, along with that of future generations and children in these houses. Housing should and does last longer than its current inhabitants.**

The road further impacts on their south and private amenity garden aspect. Good access to sunlight, fresh air ventilation and freedom from excessive noise are essential aspects of healthy living, which the NI Executive and all its departments are committed to at a high policy level.

I do not believe these issues have been assessed and addressed within a best practice, professional and legislative context.

Daylight

- a) TransportNI has completed a Daylight assessment of the Proposed Scheme to determine the impacts, if any, on the adjacent residential properties at North Queen Street, Little Georges Street and Molyneaux Street. The assessment has shown that all living rooms, which are the only occupied rooms of the existing buildings affected by the Proposed Scheme, would still enjoy adequate daylight after the Proposed Scheme is in place.

Amenity

- b) TransportNI accepts that there would be an inevitable perceived disturbance to amenity during the construction phase of the Proposed Scheme, due to transient changes in air quality, noise, visual impact, and local vehicle movements for example. The assessment of these construction-related impacts is described in the various technical chapters in Volume 1 of the Environmental Statement. There are a number of mitigation measures which would be implemented during the works to limit this impact, as discussed in the respective Mitigation & Enhancement Measures section of those various technical chapters.

- c) In the longer term, post-construction, TransportNI believes that the mitigation proposed within the Environmental Statement, including the landscaping mitigation, would, in time, lessen any perceived loss of amenity.

Health and Well-being

- d) An Environmental Statement (ES) has been prepared in relation to the scheme. The ES is a detailed report of the findings of the EIA process. In particular, it predicts the environmental effects that the Proposed Scheme would have, and details the measures proposed to reduce or eliminate those effects. The scope of the environmental assessment has been prepared in relation to the Design Manual for Roads & Bridges (DMRB) Volume 11 (Environmental Assessment), which considers the impact on both the physical and human environment.
- e) An Air Quality assessment has been undertaken for the scheme and reported in Chapter 8 in Volume 1 of the Environmental Statement. Based on this assessment, appropriate mitigation & enhancement measures have been developed and reported in Section 8.7 of the ES. During the operational phase of the Proposed Scheme, no predicted exceedances of the national objective limit values are expected, thus there would be no significant effects on air quality. Therefore, no specific mitigation measures are deemed necessary.

Safety

- f) TransportNI notes that Table 4.1 in Volume 1 of the published ES lists drawings (YSI-URS-XX-XX-DR-RE-RR101) that illustrate where vehicle restraint systems (safety barriers) are proposed, including along the edge of the widened embankment adjacent to the houses in question. These drawings are contained within the separately published Volume 3 of Part 2 of the Proposed Scheme Report (the Engineering, Traffic and Economic Assessment Report).
- g) Road safety is addressed within the design by completing a formal Road Safety Audit process. This process is undertaken in accordance with Standard HD 19 of the DMRB. This has required the completion of a Stage 1 Road Safety Audit by an independent audit team, led by a qualified and experienced Road Safety Auditor. This audit included a review of all reported road traffic collision data within the vicinity of the Proposed Scheme to identify associated trends. The proposed vehicle restraint systems along the verges of the Westlink have been considered as part of the audit process and the Road Safety Auditor has not made any further recommendations in this respect.

Fresh air ventilation

- h) An Air Quality assessment has been undertaken for the scheme and reported in Chapter 8 in Volume 1 of the Environmental Statement. Based on this assessment, appropriate mitigation & enhancement measures have been developed and reported in Section 8.7 of the ES. During the operational phase of the Proposed Scheme, no predicted exceedances of the national objective limit values are expected, thus there would be no significant effects on air quality. Therefore, no specific mitigation measures are deemed necessary.

Noise

- i) A Noise & Vibration assessment has been undertaken for the scheme and reported in Chapter 13 in Volume 1 of the Environmental Statement. Based on this assessment, appropriate mitigation & enhancement measures have been developed and reported in Section 13.7 of the ES, which includes the approximate length and height of proposed acoustic barriers along part of the Westlink. An indicative location for the proposed acoustic barrier along the Westlink, in the vicinity of Little Georges Street, is shown on Figure 13.3 and on Figure 11.7 (Sheets 2 & 3) in Volume 3 of the ES.

j) Thin Surface Course System (TSCS), otherwise known as low noise surfacing, would also be provided on interchange links between Westlink, M2 and M3, and the slip roads from these to the local road network. Whilst the noise benefits of this surfacing are mainly evident at higher speeds, there will be some benefits at the lower speeds on the Proposed Scheme. However, no correction for the low noise surfacing has been included in the calculations and, hence, the noise assessment reported in the Environmental Statement is a worst-case assessment. With this mitigation in place, properties in Little Georges Street are predicted to experience decreases in noise levels with the Proposed Scheme in operation, as shown in Figures 13.3 and 13.4 of the ES.

3. 2: The current landscape, whilst it has not been topped or maintained (it is in DRD ownership) nonetheless provides permeable and natural visual screening, being deciduous it also allows screened sun light through the canopy during winter when light is most needed for health and wellbeing. This does not compare with the solid banks and walls being proposed, the solid aspects of which will be 2 or 2.5m taller than the existing road line and moving closer to the housing.

Landscape Contrasts

a) A Landscape & Visual Effects assessment has been undertaken for the scheme and reported in Chapter 11 in Volume 1 of the Environmental Statement. Based on this assessment, appropriate mitigation & enhancement measures have been developed and reported in Section 11.7 of the ES, and a set of Landscape Mitigation drawings are included as Figure 11.7 (7 sheets) in Volume 3 of the ES. Indicative landscape treatment along the edge of the scheme in the vicinity of Little Georges Street is included in these drawings (Sheets 2 & 3).

Right to Light

b) TransportNI has completed a Daylight assessment of the Proposed Scheme to determine the impacts, if any, on the adjacent residential properties at North Queen Street, Little Georges Street and Molyneaux Street. The assessment has shown that all living rooms, which are the only occupied rooms of the existing buildings affected by the Proposed Scheme, would still enjoy adequate daylight after the Proposed Scheme is in place.

4. 3: The residents and houses have an established 'right to light'.

Right to Light

a) As stated above, TransportNI has completed a Daylight assessment of the Proposed Scheme to determine the impacts, if any, on the adjacent residential properties at North Queen Street, Little Georges Street and Molyneaux Street. The assessment has shown that all living rooms, which are the only occupied rooms of the existing buildings affected by the Proposed Scheme, would still enjoy adequate daylight after the Proposed Scheme is in place.

5. 4: Whilst air quality issues for the overall area may appear neutral to DRD - It is clear the study has not been specific to this street and its houses, those living closest to the motorway and below it.

Residents confirm that Air Quality was not monitored at the rear elevation of the houses and compared to a standard in a nearby street. Without such 'control' readings, such studies as DRD have conducted cannot claim to address the issue in this specific case.

Air Quality

- a) An Air Quality assessment has been undertaken for the scheme and reported in Chapter 8 in Volume 1 of the Environmental Statement. The assessment follows the approach set out in DMRB Volume 11, Section 3, Part 1 for a 'Detailed' assessment of local air quality and a 'Simple' assessment of regional impacts.
- b) The air quality assessment has given specific consideration to current conditions and likely future conditions at properties on Little Georges Street. Measurements of existing concentrations of nitrogen dioxide were collected at locations between the rear façade of these properties and the Westlink. The monitoring locations are illustrated on Figure 8.1 in Volume 3 of the Environmental Statement as blue circles and labelled as 'URS Diffusion Tube' 1 and 3.
- c) The measurement data was used to calibrate the performance of the dispersion model that was used to calculate the current and future concentrations of the air pollutants at the nearest façade of all properties in Little Georges Street to the Westlink.
- d) TransportNI is content that it has undertaken a robust air quality assessment in accordance with standard practice.

6. **5: Notwithstanding the major issues noted above, the landscape proposals on the retained bank are not detailed and well enough considered. At the end of the building process individual gardens will suffer and there is no provision for betterment or compensation in providing good quality planting on a garden by garden basis. Good landscape can cover many ills, and well designed landscape at all scales will be key to integrating this project. One observes other parts of the road network, in more rural and suburban areas, where landowners have been compensated for the loss of existing hedges, lanes, gateposts and walls.**

Landscape Treatment

- a) TransportNI concurs that treatment of the area between the Little Georges Street properties and the Westlink would require careful consideration as the scheme design progresses.
- b) Based on the Landscape & Visual assessment, appropriate mitigation & enhancement measures have been developed and reported in Section 11.7 of the ES, and a set of Landscape Mitigation drawings are included as Figure 11.7 (7 sheets) in Volume 3 of the ES. Indicative landscape treatment in the vicinity of Little Georges Street is included in these drawings (Sheets 2 & 3).

Compensation

- c) Where applicable, compensation would be offered in accordance with the provisions of the relevant legislation (see the Land Acquisition and Compensation (NI) Order 1973). No residential properties at Little Georges Street, Molyneaux Street or North Queen Street adjacent to the Proposed Scheme have been identified for inclusion within the draft Vesting Order. In addition, no works have been identified at this time that would require loss of existing hedges, lanes, gateposts and walls owned by the residents.

d) Part II of the Land Acquisition and Compensation (NI) Order 1973 includes a right to compensation for reduction in value caused by the use of public works.

7. 6: There has been no early or detailed professional study of the building issues noted above.

Firstly, an assessment should have been made on the retention of the houses

Secondly, if retention would meet the professional and legal standards required of decent family housing, what aspects are needed to ensure its habitability?

Thirdly, the question of road alignment adjustment would have been raised at an earlier stage

This proposal has been designed the 'wrong way around' - DRD have designed a roads and engineering solution, rather than assess the context first with the relevant professionals. (who in this case of existing houses and buildings could only be fully qualified architects)

If such an assessment by a professional RIBA architect suggests the houses could be retained and meet decent housing needs (I express my professional doubts regarding this) then a professional and technical study should specify and agree the measures to address the light, sunlight, air, noise and garden amenity issues. I believe such a process is necessary if Transport NI and URS are to fulfil their professional 'duty of care' and meet regulations.

Such a DRD employed architect should act within their code of conduct and duty of care to residents, not DRD, as their primary professional concern. I cite the relevant RIBA Code of Conduct issues such an architect will be required to address in an appendix.

Retention of existing residential properties at Little Georges Street

- a) The existing residential properties at Little Georges Street were constructed following completion of the original Westlink scheme. As occupied residential properties, they were identified as a constraint on the development of the Proposed Scheme since the current commission was formalised in 2008. TransportNI has developed the Proposed Scheme to ensure that these properties will not be subject to vesting and subsequent demolition as part of the works.
- b) The environmental effects that the Proposed Scheme would have on the retained properties has been assessed in accordance with the requirements of the Design Manual for Roads & Bridges (DMRB) Volume 11 (Environmental Assessment), which considers the impact on both the physical and human environment. The published ES is a detailed report of the findings of the EIA process. In particular, it predicts the environmental effects that the Proposed Scheme would have, and details the measures proposed to reduce or eliminate those effects. The assessment process has been completed by a team of competent professionals from URS – an IEMA accredited organisation.
- c) On the basis of the findings from the completed EIA, TransportNI does not consider that the impacts of the Proposed Scheme are such that the assessment on the retention of the houses needs to be reconsidered.

d) The alignment of the Proposed Scheme has been developed in line with the engineering requirements of the Design Manual for Roads and Bridges. Deviation from the geometry incorporated within the Proposed Scheme for the identified road link would result in a reduction of road design standards. As such, the Proposed Scheme represents an optimum solution within its defined physical constraints.

Relevant Authority for Development of Proposed Scheme

e) Under the provisions of The Roads (Northern Ireland) Order 1993 (as amended), TransportNI remains the relevant statutory body for the development of strategic road improvement schemes in Northern Ireland, in consultation as appropriate with the other government departments.

8. 7: Transport NI should resource the residents to have access to independent technical assistance to deal with the issues the proposal is inflicting on them.

Independent Technical and Financial Assistance

a) In line with current policy, TransportNI does not provide financial assistance to parties objecting to the draft Orders and ES.

9. 8: Finally - and most relevant for the expenditure of public funds. The recent proposals for the elevated motorway at this street indicate:

- **difficult and restricted excavation between existing housing and a motorway**
- **the installation of two piles at frequent centres. (are these bored not driven piles?)**
- **a large continuous pile cap slab.**
- **off this is built a specialised steep slope.**
- **an expensive sound barrier (possibly perspex although this will get dirty and grubby)**
- **the costs involved in addressing point 6/**
- **acoustic glazing, ventilation and sound reduction measures, enhanced landscape**

I find it difficult to believe that the linear cost of piling, ground slab, retaining structures and mitigating measures will not exceed the value of the properties to rebuild or rehouse in more appropriate location.

Should this matter not be resolved, I suggest it is referred to the auditors for review, is this a good use of public funds?

As mentioned in the recent meeting, such a solution would not be advocated, I believe, in any other part of the EU. What this illustrates is a failure, in my view, in joined up governance where the urban design / cost / impacts and benefits for the city would be assessed in a holistic manner, by all agencies in a team approach.

Motorway funds ultimately come from EU funds, I doubt that the EU will want photographs showcasing children playing in the shadow (literally) of this road in 2023 as an example of EU infrastructure quality.

Expenditure of Public Funds

- a) TransportNI is content that a robust assessment has been made of the proposed retaining solution, taking into account the relevant engineering constraints. It should be noted that a number of the engineering features listed in your response would potentially be required for any earthwork solution at that location, based on reported ground conditions. The completed Environmental Impact Assessment has not identified a requirement for the provision of acoustic glazing or ventilation measures in the Proposed Scheme.
- b) The results of the COBA economic assessment reported in the published Proposed Scheme Report indicate that the Proposed Scheme, including the associated costs of the proposed retaining solution at Little Georges Street, represents good value for money with an overall Net Present Value of £99.780m and a Benefit to Cost Ratio of 2.334.

10. Finally, we would ask the engineers and people working on this project to reflect on their designs and positions from a human and professional point of view, and work with the relevant professionals to propose humane solutions that respect the right of local people to decent health, home and family life.

Wider Team

- a) Under the provisions of The Roads (Northern Ireland) Order 1993 (as amended), TransportNI remains the relevant statutory body for the development of strategic road improvement schemes in Northern Ireland, in consultation as appropriate with the other government departments.

Humane Solutions

- b) The development of the Proposed Scheme and the subsequent completed Environmental Impact Assessment has been completed by a team of competent and highly qualified professionals, in consultation with relevant professionals in statutory and non-statutory organisations. The environmental effects that the Proposed Scheme would have on the retained properties has been assessed in accordance with the requirements of the Design Manual for Roads & Bridges (DMRB) Volume 11 (Environmental Assessment), which considers the impact on both the physical and human environment.