

THE HIGHWAYS ACT 1980

-and-

THE ACQUISITION OF LAND ACT 1981

THE HIGHWAYS (INQUIRIES PROCEDURE) RULES 1994

COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007

REFERENCE: LAO/NW/SRO/2013/40 and LAO/NW/CPO/2013/41

REBUTTAL PROOF

-of-

Paul Colclough in relation to the Report

of

presented by Stephen Houston 218 Chester Road, Poynton, Cheshire SK12 1HP

The Metropolitan Borough Council of Stockport

acting on its behalf and on behalf of

-Manchester City Council -and-

Cheshire East Borough Council

**to be presented to a Local Public Inquiry on the 16th October 2014 to consider
objections to**

**THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO
MANCHESTER AIRPORT A555 CLASSIFIED ROAD) COMPULSORY PURCHASE ORDER
2013**

**THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO
MANCHESTER AIRPORT A555 CLASSIFIED ROAD) (SIDE ROADS) ORDER 2013**

Parveen Akhtar

Head of Legal and Democratic Governance

The Metropolitan Borough Council of Stockport

Corporate and Support Services

Town Hall, Stockport SK1 3XE

This rebuttal proof of evidence sets out the Council's response to the objector's further rebuttal report in relation to their objection to the A6 to Manchester Airport Relief Road

Compulsory Purchase Order and/ or Side Road Order that was submitted to the Programme Officer on 16th October 2014 by Stephen Houston, 218 Chester Road, Poynton, Cheshire SK12 1HP

This rebuttal proof is compiled by the Council's Air Quality specialist for the A6MARR scheme, Paul Colclough.

Expert Witness	Initials	Proof of Evidence Name and Reference Number
Paul Colclough	PC	Volume 5

50: Stephen Houston 218 Chester Road, Poynton, Cheshire SK12 1HP		
Element of objector proof	Objection	Response
50/RRR01	<p>1) In Mr Colclough's rebuttal of our AQC report (50/2/010), and at the Inquiry, he contradicted the assessment shown in table 8.9 of the ES that the scheme increased the length of road in exceedance by more than 1%. When I questioned him on this contradiction at the Inquiry he said that the table was incorrect and he maintained that the scheme did not increase the length by more than 1%.</p> <p>ES Table 8.9 -showing in column D, that the scheme increases length of road in exceedance by greater than 1%.</p>	<p>IAN 175/13 states "2.6 Annex A contains the compliance risk flow chart, which should be used in conjunction with the information prepared in Table 2.3. This will allow a series of yes / no decisions to be made to enable the compliance risk to be determined.</p> <p>For each road determine whether the change in NO2 concentrations, would result in:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A compliant zone becoming non-compliant; and / or <input type="checkbox"/> Delay Defra's date for achieving compliance for the zone i.e. the change on a road link would result in concentration higher than the existing maximum value in the zone. <input type="checkbox"/> An increase in the length of roads in exceedance in the zone which would be greater than 1% when compared to the previous road length.."
50/RRR02	<p>2) The guidance used by the applicants, IAN 175/13 (now apparently withdrawn) says that if B, C, D or E are answered in the affirmative the applicants would have to demonstrate the effectiveness of the Air Quality Action Plan (IAN175/13 par. 2.6).</p>	<p>The table within the ES was responded to as presented which requires a response of Yes in Column D if the length of road "exceeds".</p> <p>However, the text of the document (see above) refers to an increase in road length in the zone of greater than 1%. In answer to the text, no AQAP was required.</p> <p>The Table is in error (missing 1% increase) and may be a reason for its subsequent withdrawal.</p>

50/RRR03	<p>3) Mr Colclough has presented several alternative assessments for Disley which show varying numbers of residences that are brought into exceedance by the proposed road. In the ES it is three receptors but he has since indicated a more realistic model predicts 11 and other models up to 23 receptors. It was not clear at the Inquiry if all these predictions are within the 1% limit.</p>	<p>The 1% refers to road length within the Merseyside North west zone of which Disley is a part. All the receptors referred to in Disley are within its current AQMA. We expect that changes in Disley will make no impact on the length of roads in exceedance in the Merseyside and North west zone.</p> <p>The A6 in Disley is also not part of the Compliance risk assessment.</p>
50/RRR04	<p>4) Despite column E also being marked as 'Yes' no attempt has apparently been made by the applicant to demonstrate an effective AQAP and therefore prove there is only a 'low risk' of the scheme being non-compliant with the EU Air Quality Directive. We think this is a massive deficiency in the application.</p>	<p>See response to points 1 & 2.</p> <p>Section 2.6 of IAN 175/13 (see above) refers to an increase in road length in the zone of greater than 1%. Consequently, no AQAP was required.</p> <p>The Table is in error (missing "1% increase") and may be a reason for its subsequent withdrawal.</p>
50/RRR05	<p>5) In Mr Colclough's rebuttal to my own evidence dated 9th October he states that the background NO2 level at Queensgate School is 20ug/m3 (50/RR05). This is not consistent with the analysis given to the parents and local MP when the parents association demanded a meeting with the SEMMMS team in February 2013 after assessments were published showing a raised risk of pollution local to the school. (See appendix 1) Mouchel's analysis shows only 12ug at the school facade and 11.9ug at the boundary fence nearest the road. No predicted or measured value would be less than the background level. Also 20ug is very</p>	<p>Mr Colclough sought to respond in very short time to Mr Houston's pro rata calculations, presented late within the Inquiry.</p> <p>As discussed at the Inquiry, there is no holistic background concentration.</p> <p>Defra LAQM 1km x 1km background maps in which the Queensgate school is located indicates NO2 background concentrations of approximately 20ug/m3.</p> <p>That is not to say that 'background' concentrations will not vary within that 1km square dependent on proximity to transport, domestic and industrial pollution sources.</p> <p>Monitored NO2 concentrations at specific locations will vary with that location and the season of the year.</p>

	<p>high for this greenbelt setting. For example, the background for the much more urban area around Stepping Hill is 16.17ug/m³.</p> <p>6) It is therefore likely that Mr Colclough quotes this 20ug value in error and it does not show that my calculation of the exceedance near the road is necessarily incorrect.</p>	
50/RRR06		<p>See above. Mr Houston's calculation does not take into account the complexities of road traffic flows, speeds and characteristics and local meteorology. It is overly simplistic.</p>
50/RRR07	<p>7) If on the other hand, Mouchels now believe their estimates for the school were incorrect they should make good their errors and inform the school.</p>	<p>NO₂ measurements presented in the ES (appendix 8C) in proximity to the Queensgate school were as follows Location 48 Albany Road 17.3ug/m³ Location 49 Medway 19.5ug/m³.</p>
50/RRR08	<p>8) Mr Colclough suggests there is no public access 4m from the kerb opposite Spath Lane East Caravan site (50/RR06) and therefore no requirement to meet the hourly limit value/objective.</p>	<p>This is correct.</p>
50/RRR09	<p>9) I was not trying to demonstrate a breach at this particular location, but more to draw attention to the very real possibility of widespread breaches of the hourly limit value near the road along the whole length of this particularly busy section between the A34 and the A5102.</p> <p>The proposed cycle path passes well within 4m from the kerb for a significant lengths and would be subjected to high levels of NO₂. There is as a consequence a high risk of non compliance with the Directive.</p>	<p>Again Mr Houston is confusing compliance with the Directive and our assessment undertaken to assess the significance of the scheme on air quality objectives and public health.</p> <p>The assessment of compliance with the Directive, undertaken using the then current guidance, indicated low risk. No zone was brought into exceedance, there was no predicted delay in achieving compliance and any increase in the length of roads in exceedance in the zone were less than 1% of non compliant road length.</p>

50/RRR10	<p>10) There is a strong case therefore that there is a high risk of non compliance with the Air Quality Directive along the A555. Moreover this will worsen further if a Phase 2 completes the connection to the M60. Rebuttal</p>	<p>The assessment of compliance with the Directive, undertaken using the then current guidance, indicated low risk. No zone was brought into exceedance, there was no predicted delay in achieving compliance and any increase in the length of roads in exceedance in the zone were less than 1% of non compliant road length.</p> <p>The assessment of Phase 2 would be undertaken if/when that proposed scheme is brought forward.</p>
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