

The Public Inquiry into the proposed Thames Gateway Bridge ended in May 2006 after 11 months including a two month break when Transport for London, the promoters, were required to produce new traffic forecasts. The Inspector's report, published in July 2007, recommended refusal of planning permission. Rather than accept the Inspector's recommendation, the Secretary of State for Communities and Local Government decided to re-open the Public Inquiry and give TfL another chance to argue that the Bridge will assist the regeneration of the Thames Gateway area. The Public Inquiry is not expected to re-open until 2009

The following extracts from the Inspector's Conclusions show that he accepted most of the arguments put by opponents of the Bridge, who included Transport 2000 (referred to in the Inspector's Conclusions as T2000, now the Campaign for Better Transport), Friends of the Earth and a large number of local people and groups. In an unprecedented arrangement which should be a model for future public inquiries, the opponents were assisted by expert advisers. These advisers were paid for by the promoters under a deal struck by the Green Group in the Greater London Assembly with the Mayor who needed their support to secure approval of his budget. TfL provided £65,000 for the opponents; its own budget for the Inquiry was around £4 million.

## Extracts from the Inspector's Conclusions in the Thames Gateway Bridge Inquiry

(Some key passages are highlighted in bold italics.)

### **Accuracy of the traffic model**

9.57 It seems to me therefore that the model does not meet the most appropriate available guidance, as set out in the DMRB<sup>i</sup>, in respect of its accuracy. Nor does it represent the PM peak in a way consistent with the DMRB. For both of these reasons, it is less reliable than it otherwise would be.

9.58 Other than the DMRB criteria, indicators of the degree of accuracy achieved by the Cordon Model include substantial discrepancies – those where modelled and observed flows differ by a factor of 2 or more - at over half the sites in the five Boroughs nearest the scheme that were considered in the calibration/validation report for the Cordon Model; and the large adjustments applied to flows in junctions on the A406. These also suggest a lack of reliability in the model.

### **Compliance with the development plan**

9.80 The scheme would therefore increase the net traffic capacity of the corridor.

9.85 It would therefore not improve safety for all road users.

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<sup>i</sup> The Design Manual for Roads and Bridges, published by the Highways Agency

9.90 It therefore seems to me that the potential usefulness of the bridge in providing a new route for pedestrians and cyclists would be in large part offset by its exposure to the wind, its length and its design.

9.93 ***There is no dispute, however, that overall the scheme would reduce travel by cycling and walking.***

9.96 The evidence is that fewer people would choose cycling or walking as a transport mode if the scheme were built than if it were not. From this I conclude that the scheme would not improve conditions for cyclists or pedestrians.

9.124 I share the concern of objectors that there is no means of assessing the overall effect of these different and separately considered elements of what is put forward as a package of measures<sup>ii</sup> to improve accessibility and public transport with a view to achieving regeneration.

9.145 ***The evidence is that if the scheme were built, then there would be more traffic than if it were not built.*** In fact, the aim of the TGB is to enable people to travel further within a given journey time, whether by public transport or by car. ***The criterion of accessibility used by the promoters treats people travelling further to make 45 minute journeys by car as a benefit. The whole justification of the TGB is based not on reducing the need to travel, but on increasing it.***

9.146 ***T2000 identifies that trips classified by TfL as “local” (because they would be made wholly within the four Boroughs) could be as long as 22 km, and that other trips so classified (because they would either start or end in the four Boroughs) could be of any length at all.*** Car journeys would form the majority of trips across the bridge and such trips would be likely to be longer than the current average length of car trips in London. The evidence is that total annual average daily traffic on the whole modelled network in 2016, measured in vehicle kilometres per day, would increase by about 1.75% as a result of the scheme. ***The scheme would facilitate commuting by car.***

9.148.....Whatever the aim, it seems to me that an effect of the scheme would probably be to accommodate more long distance travel than predicted by the promoters, both in routine circumstances and additionally when congestion occurs at the Blackwall Tunnel or the Dartford Crossing.

9.153 I conclude that the scheme would not reduce the need to travel, especially by car, and so it would not contribute to the third objective in paragraph 4 of PPG13.

9.155.....***The evidence is that the area’s public transport system with the scheme would be less well used than it would without the scheme.***

9.159 .....the scheme would not contribute to the second objective in paragraph 4 of PPG13.

9.185 .....***Should the situation arise in which Parliament approves Crossrail and the Secretaries of State are minded to authorise or that they have authorised the TGB, however,***

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<sup>ii</sup> ie the package of river crossings which normally refers to the TGB, the Docklands Light Railway tunnel at Woolwich, now under construction, and a planned road crossing at Silvertown

***I consider that an arrangement would need to be made to identify and if necessary mitigate the combined traffic effect of the two schemes at that stage.***

9.186.....because the mitigation funding would be limited and the traffic model unreliable, there would be a risk that the funding for traffic mitigation measures would be insufficient, which could lead to further congestion.

9.187..... I have concluded that, on balance, the scheme ***would be likely to cause increased congestion.***

9.188 ***Overall, therefore, I conclude that the scheme would not accord with national planning policy on transport in relation to minimising the need to travel, particularly by private car; maximising non car modes of travel; and in relation to the impact of the proposed development on traffic congestion in the local area.***

### **Issue c – Effects of noise and pollution**

9.238 ***I note, however, that it is accepted that air quality would be worse in 2016 with the TGB than it would without the bridge. Despite the equanimity with which the authorities in the area greet this, it is a matter which causes me concern, which I draw to the attention of the Secretary of State.*** It is a matter to which I return when considering issues raised by the objectors to the proposal concerning health.

### **Issue f – Implications for regeneration**

9.285 .....the promoters' regeneration model cannot be relied upon to any extent to predict changes in employment density or population density that might arise from the scheme. It appears that the absence of any assessment of the nature of the interaction between future land use changes and transport further reduces the model's usefulness as a tool to help assess future conditions.

9.294 Had the WebTag been followed rigorously, it might have added substantial confidence to the employment assessment outcome. But it was not, and the promoters' assessment using their own method stands alone.

#### ***Findings regarding the regeneration model***

9.298 A model has been developed to simulate accessibility, population density and employment density in London in 2001 and correlations have been identified. Among other things, the model relies on the traffic model's assessment of travel time, the accuracy of which does not comply with Government guidance.

9.299 The use of those correlations as predictive tools has not been verified. The predictive model relies in very large part on the view of some practitioners and academics that there is likely to be a positive correlation between accessibility and the densities of employment and population.

9.300 It therefore seems to me that the regeneration model developed by the promoters cannot be relied upon to any substantial extent to predict changes in employment density or population density that might arise from the scheme.

9.301 The potential for changes to the toll regime adds to the uncertainty about the regenerative effect of the scheme.

**9.302 *Contrary to Government guidance, the potential of the scheme for giving rise to negative economic effects has not been assessed by the promoter. The evidence is that it would be likely to be associated with an increase in deprivation.***

9.309 I conclude that it is likely that the scheme would give rise to increased regeneration but that there is no reliable evidence of the likely degree of that regeneration.

## **Issue h – Other material planning considerations**

### *Cost benefit analysis*

**9.332 *In view of the lack of reliability of the traffic model and the other uncertainties I have identified here, it seems to me that the proposition that the benefit to cost ratio reliably shows the scheme to offer high value for money is not supported by the evidence.***

### *Global warming and climate change*

9.379 The estimated proportion of all greenhouse gas emissions in the UK that comes from transport varies according to the views of different estimators, but is generally thought to lie in a range between about 21% and about 32%. Private cars account for about 10% of UK carbon dioxide emissions.

9.380 Carbon dioxide reduction from transport is possible to the level required by national policy, but it would require behavioural change. TfL's evidence is that the scheme would result in the emission of an additional 55,000 tonnes of carbon dioxide in 2016.

9.381 TfL respond that this is only an increase of 0.4% across the study area. Even if it were doubled, it would be less than 1%.

9.382 It seems to me that even a small increase offers no assistance in achieving a reduction to which the Government has made a commitment.

## **Appraisal Summary Table**

9.403 In summary, I consider that the judgements shown in TfL's AST should be amended in the following respects – greenhouse gases should be slight adverse; physical fitness should be slight adverse; accidents should be moderate adverse; and I do not agree that strong beneficial impacts have been convincingly shown in relation to wider economic benefit and land use policy.

### Compliance with the Development Plan

9.409 The traffic model ultimately used (the Cordon Model) complies with few DMRB criteria and includes substantial discrepancies. It feeds into the economic case for the scheme, the regeneration case and the environmental case (in particular, through the noise and air quality assessments). Those are all key issues when considering the compliance of the scheme with the Development Plan.

9.412 TfL have not used the WebTag guidance on appraisal in their consideration of the economic impacts of the TGB scheme. They have used their own methodology.

9.413 At its highest, it seems to me, it can be said that the economic case suggests that the scheme would improve accessibility and lead to increases in employment and population density; but ***there is no reliable measure of the changed accessibility the scheme would bring, or of its consequences for the economy. Indeed, the do-minimum and do-something cases each assume the regeneration which they ascribe to the scheme to be independent of the scheme. They assume it would happen anyway, either in London or elsewhere in the South East.***

9.414 Moreover, tolling is seen as an essential measure to control the amount of traffic able to use the scheme. But proposed changes in tolling arrangements discussed during the inquiry made a significant change to the prediction of the traffic model, and therefore reduced the prediction of the regeneration effects of the scheme.

9.415 For all of these reasons I question the extent to which the proposed development would bring net economic benefit to Newham (Policy T11 of their UDP) or contribute to London's economic regeneration and development (Policy 3C.15 of the London Plan). It seems to me that there may be a benefit, but it is hard to determine how substantial it would be.

9.416 .....***It is accepted by the promoters that air quality would be worse in 2016 with the bridge than without the bridge. In an area in which air quality has historically been low, and where it is identified as a current problem, I do not regard that as acceptable.***

9.417 It does not seem to me that this brings a net benefit to Newham's environment, or (in terms of the London Plan) a net benefit to London's environment.

9.422 In my view, ***the key to this is the economic regeneration benefits claimed for the scheme. If they had been robustly shown, they might have been sufficient to tip the balance. But I do not consider the evidence to be strong enough or reliable enough to outweigh substantially the disbenefits of the scheme in terms of increased traffic, reduced safety, increased air pollution, and a shift against walking, cycling and public transport, in favour of the private car.***

9.423 ***Despite the very specific endorsement of the TGB in a variety of national and regional policy documents, I do not consider that the scheme now produced complies with Policy 3C.15 of the London Plan. The policies support a bridge in this area, but the proposed bridge does not in my view meet the policy requirements, given the adverse impacts which I find it would inevitably (and despite the proposed mitigation) cause.***

9.424 I conclude that the proposal does not conform to the adopted Development Plan.

### **The determining issues**

9.425 The determining issues in relation to the main bridge applications are, to my mind, very simple. They are:

a. Do the applications conform to the adopted Development Plan?

I have concluded that they do not comply with Policy 3C.15 of the London Plan.

b. If not, are there relevant material planning considerations which indicate that the applications should be approved?

9.426 On this, ***I find few positive benefits flowing from the scheme.*** It could achieve a noteworthy design under the arrangements made by the promoters. It would appear to offer a good return on investment, though this is uncertain because of the limitations of the traffic modelling, which delivers the largest positive input. It could assist regeneration, but again the extent of the positive contribution is difficult to assess, and there is evidence that much of the positive result would occur with or without the bridge. There could be benefits to the health of the local community through reduction in unemployment, but, once more, the scale of the benefit is suspect, and this needs to be balanced against health disadvantages through air pollution.

9.427 On the other hand, ***I consider that the proposed TGB would not comply with national planning policy on transport, and it would result in a negative contribution to the Government's commitment to reducing greenhouse gases.***

9.428 I do not consider that there are material considerations which indicate that the applications should be approved, notwithstanding their failure to conform to the adopted Development Plan.

9.429 I conclude that planning permission should be refused for applications ref:P/04/1170 and ref: 04/1800/F.

### **Other matters**

9.434 T2000 ask me to recommend, on the basis of my experience at this inquiry, that the provision of resources for objectors to engage professional assistance to present their cases should become the norm at public inquiries. Such a recommendation is beyond my remit, but ***it was certainly helpful at this inquiry to receive the evidence of the expert witnesses engaged by the objectors with the benefit of funds provided by the promoters.***

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