

## **Appendix 2**

### **Council representations to YSI Public Inquiry**

The Council made the following submission for consideration at the public inquiry in relation to the issues outlined below:

- Design, linkages and connections;
- Air quality;
- Contaminated land; and
- Noise.

#### **Design issues, linkages and connections**

The Council emphasised the need for careful design to reduce the visual impact of the interchange and to enhance connectivity for pedestrians and cyclists. The Council considers that some modest investment by the Department for Regional Development in the design of the interchange proposal with the aim of improving development and regeneration potential and non-motorised movement could generate significant future social, economic and environmental benefits for the York Street area and for the wider city.

#### **Pedestrian provision**

The Council considers that it is critical that sympathetic and careful design ensures connected north / south routes for pedestrian and cyclists alongside more creative solutions to reduce the visual impact of the interchange and make more effective use of potentially under-utilised space.

The Council would support inclusion in the scheme of a budget to ensure the upgrade from more basic paving material and finishes to a high quality public realm that would link to the Streets Ahead initiative. There was agreement at the Strategic Advisory Group that this will be considered for the three priority routes.

It is the Council's view that aesthetics must consider wider connectivity and not look at the scheme in isolation. The Council considers that the York Street interchange scheme should secure the enhancement of the wider environment to support improved connectivity for adjacent communities and these improvements should be included in the overall project budgets.

The Council would emphasise the need to minimise any impacts from the scheme on the adjoining residential areas and enhance connectivity through high quality public realm and finishes. For example, the York Street interchange will present an opportunity to enhance the environment around the off-ramps and steps access in the North Queen Street area. The poor pedestrian access and physical environment have been raised by the local community as issues which should be addressed in the proposals for the widening of the North Queen Street Bridge.

The Council would emphasise the need for high quality landscaping through a comprehensive streetscaping programme as part of the overall project. The Council would support the integration of the scheme with adjacent initiatives such as Streets Ahead Phase 3.

In addition, the introduction of the York Street Interchange will result in excess road capacity on some of the city centre routes that already have over provision for large parts of the day, notably the A2 in the vicinity of Dunbar Link, which the Council suggests could be freed up to support more sustainable transport, cyclists and pedestrians.

### **Underpasses**

The Council would support a programme of greening and landscaping as part of the York Street proposal which could make a big difference. The Council would also support a programme of vibrant public art and lighting which could brighten up the dreary environment, making it seem much safer. The Strategy also proposes that the underpass areas could actually be turned into productive community spaces.

The North Queen Street bridge and underpass will be widened as part of the proposal and the Council would support a high quality finish and the use of lighting to enliven the pedestrian environs and the area beneath the structure.

### **York Street Bridge**

The Council would support the enhancement of design and finishes along York Street and the new bridge as this will be an important gateway to the city centre and university area.

### **Cycling Provision**

The Council would strongly support high quality segregated cycle lanes in urban areas particularly on routes where traffic volumes and speeds may be high. It is considered that the York Street proposal presents an opportunity to develop segregated cycle lanes along with other innovative measures for cycling infrastructure such as bus stop bypasses.

There are a number of proposed developments in the vicinity of the YSI proposals such as City Quays and the new Ulster University campus development on York Street. The need to increase the opportunity for active travel access to the new University campus, the city centre and the harbour area is vital.

### **Gamble Street Rail Halt**

The Council would strongly support the integration of the strengthening works as part of the construction of the proposed YSI. The Gamble Street halt could provide an important sustainable transport access to this area of the city.

### **Air Quality**

The M1 / Westlink Corridor including the York Street junction has been declared as an Air Quality Management Area for predicted exceedences of the NO<sub>2</sub> annual mean air quality objective and also the NO<sub>2</sub> 1-hour mean objective.

The council has been working closely with the Department for Regional Development (DRD) on the development of a new Air Quality Action Plan for the city. The TransportNI (a business unit within the DRD) York Street Interchange scheme has been identified as one of the principal measures to include in the new Belfast plan to improve air quality in that area.

The York Street Interchange will provide full grade separation for traffic travelling on the strategic road network between the A12 Westlink and the M1 and M2 Motorways. The proposed improvements to this key junction will provide continuous links between three of the busiest roads in Northern Ireland; the M2, M3 and A12 Westlink. The scheme is considered as a means of reducing localised transport related emissions on connecting roads (i.e. as a result of relieving a significant congestion hotspot) and, to a lesser extent, incremental reductions in background NO<sub>2</sub> emissions, which will have a wider beneficial impact on exposure across the city.

The URS Environmental Statement in support of the scheme has demonstrated that no exceedences of air quality objectives will occur at relevant receptors. Based on the URS results, coupled with indicative tests undertaken by the council and its competent authority partners as part of the development of the Belfast Air Quality Action Plan, the council considers that the proposed scheme has the potential to reduce transport related NO<sub>2</sub> emissions in vicinity of the York Street Interchange and to deliver associated human health benefits.

#### **Contaminated Land.**

The Council welcomed that the road upgrade proposals had been supported by a Contaminated Land Risk Assessment (CLRA), which had generally been undertaken in line with current relevant industry guidance. The proposals for addressing land contamination encountered during the construction process were also welcomed.

The Council notes, however, that the data upon which the above-mentioned conclusions had been drawn were not included in the Environmental Statement report and no details of the specific guideline values used to complete the human health and other risk assessments of the data were presented. At that time, the Council concluded that it could not therefore fully appraise the appropriateness of the work completed and the conclusions presented. The Council requested to review all relevant technical data before it could be satisfied that the conclusions with regard to the protection of human health drawn were valid.

In addition, the Council expressed concerns that all pathways associated with the potential exposure of site users and users of adjacent sites had not been fully considered within the Environmental Statement. The Council highlighted that some elevated levels of Total Petroleum Hydrocarbons (TPH) were detected within shallow groundwater beneath the site, however, no specific quantitative assessment of the potential risks to human health posed by vapour inhalation from these contaminants appeared to have been presented.

The abovementioned comments were acknowledged by TransportNI on 2 October 2015 in their communication COM12. The Council was also referred to the following additional URS Ground Investigation report 47037827/GIR and dated 20 June 2015.

As part of the Council's consideration of the Ground Investigation report 47037827/GIR, the following additional documents were obtained from the DRD TransportNI York Street Interchange website and reviewed.

DRD-YSI-3-10 York Street Interchange Factual Ground Investigation Report, comprising:  
DRD-YSI-3-10 A *Causeway Geotech Ltd Factual Report on Ground Investigation December 2013*  
DRD-YSI-3-10BCPD *SI1305 York Street Interchange Additional Fieldwork Belfast Report September 2013*  
DRD-YSI-3-11 York Street Interchange Stage 2 Public Consultation Report November 2011  
DRD-YSI-4-04-C York Street Interchange Proposed Scheme Report: Part 1 Environmental Statement January 2015.

Following an announcement by the Minister that a Public Inquiry would be held to examine the York Street Interchange, the Council contacted URS on 14 October 2015 in order to seek further clarification on the following technical points.

**1. Made Ground - information to address the risk of mobilising asbestos to the atmosphere and to offsite receptors and site workers:**

- Information regarding former land uses within the site that may indicate a possibility of contamination;
- Additional information regarding targeted shallow made ground characterisation and assessment for asbestos containing material (ACM) and;
- Information regarding a control of asbestos risk assessment.
- It is unclear whether waste acceptance criteria (WAC) testing been completed and a waste (soil) management plan been developed. It is considered that this may be an issue if plots of land are to be developed in the future. For example, any reprofiled areas for use as public space would need to be proven as suitable for that end use by chemical analysis and comparison to the relevant soil guidance values.

**2. Groundwater - To address the risk of mobilising volatile organic chemicals in groundwaters to offsite receptors and site workers the following information would be required:**

- Modelled groundwater flows or identification of perched shallow groundwaters;
- Modelled groundwater flows or level modifications as a result of the construction of the underpasses and;
- Completion of a piling risk assessment or assessments, which characterise any shallow contamination which may be transported to the Sherwood Sandstone Formation

**3. Ground Water Quality - To address the risk of direct contact with contaminants to site workers and off site receptors.**

- The availability of additional water or soil chemistry data which has not been presented in the abovementioned reports.

At the time of compiling the Council's Statement of Case, detailed responses to all of these enquiries have not been received from TransportNI / URS. In order to assist the Inquiry to come a decision regarding the human health risks from land contamination however, the Council has provided the following land contamination interim summation.

The Council accepts that significant works have already been undertaken in order to characterise and understand the human health impacts from land contamination sources associated with the proposed York Street Interchange upgrade. It is noted that the scientific reports have substantially characterised the nature of the made ground and have provided the initial findings of intrusive sampling in report DRD-YSI-3-10A.

The conclusions reached tentatively indicate that there is no risk to local residents or site workers from made ground, based upon the data available to date. The Environmental Protection Unit acknowledges these conclusions and accepts TransportNI / URS's assertion that given the nature of the made ground and the numerous former industrial land uses located on land to be used for the Interchange upgrade, that further ground investigation works will be required as the Interchange upgrade process continues. This work may uncover new sources of contamination which would require assessment. Furthermore, the Council notes that the majority of trial pits and borehole samples were taken at depth and would therefore welcome an assessment of human health risk based upon targeted shallow sampling to determine the risk posed by asbestos, heavy metals and organic contaminants in shallow made ground (less than 1m).

Accordingly, Belfast City Council would encourage TransportNI to continue to liaise with the Council regarding future analytical results of any made ground and hydrogeological groundwater monitoring. The Council notes TransportNI / URS's intention to generate a hydrogeological model in order to determine the likely impact of deep engineering structures on the surrounding water table. Changes to this water table may have implications for contaminant mobilisation, ground gas generation and contaminant transport to offsite receptors. However, the Council is broadly satisfied with the TransportNI's management strategy towards ground contamination and towards the mitigation of risk posed by contaminated land. The Council anticipates that additional analytical data and modelling will help to refine the conceptual site model for the development but is recommended that adjacent residents and site workers' safety should continue to be a primary consideration.

## **Noise**

### **Operational Phase Noise Impacts**

Whilst Belfast City Council is not the competent authority in relation to operational noise from major roads developments and END requirements, as the Council have been consulted on the application we have included comments in relation to the potential noise impacts.

The URS Environmental Statement (ES) advises that DRD's round 2 Noise Action Plan identifies one CNMA within the proposed scheme, the area of Little Georges Street.

The ES demonstrates, with the proposed scheme in operation, that noise levels to properties in Little Georges Street are predicted to decrease by approximately 3 to 7 dB, subject to mitigation by emplacement of additional noise barriers (detailed in sub-section 13.7.1). The ES, therefore, concludes that the scheme addresses the noise issues for this CNMA as required by the Noise Action Plan.

The URS ES also advises that the Proposed Scheme is not predicted to result in any properties qualifying for noise insulation subject to the identified mitigation measures being successfully implemented (noise barriers).

Overall, the URS ES concludes that the operational impact of the proposed scheme in terms of traffic noise is assessed as resulting in a negligible increase at the vast majority of residential premises with a minor increase expected at other premises along North Queen Street when comparing the future year of 2035 with and without the scheme in operation.

The Council welcomes the statement by TransportNI (DRD) that, subject to the scheme proceeding, it will prepare an operational phase Verification Report to confirm / inform Noise Insulation Regulations (NI) 1995 eligibility and identify any actions arising out of duties under the Environmental Noise Directive.

### **Construction Phase Impacts**

Belfast City Council has powers under the above mentioned legislation allowing the service of an enforcement notice specifying hours of work, noise limits etc and plant and machinery but it is noted that these powers shall not apply to any such works carried out by a government department. However, the Council would expect the same degree of liaison and co-operation from the Department as it would form a private developer in demonstrating the adoption of best practices in line with relevant British Standards to minimise construction noise and vibration impacts.

Belfast City Council notes the response from TransportNI (DRD) dated 2<sup>nd</sup> October 2015 in relation to comments made by BCC regarding further information that has been requested regarding construction noise and vibration impacts.

Most comments have been addressed, however, the Council would stress the need for the detailed construction programme including proposals for the chosen piling methods and hours of proposed works to be communicated and agreed with the Council well in advance of works commencing.

While the Council acknowledges the need to carry out certain works at night, it remains concerned that full details of such works will need to be agreed well in advance of such works commencing to determine what methods the Contractor proposes to employ to mitigate noise disturbance during the sensitive night time period.