



Adroddiad

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gan A L McCooey BA MSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 18.05.2020

Report

Inquiry opened on 10/03/2020

Site visits made on 18/03/20

by A L McCooey BA MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 18.05.2020

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

**THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY
TO PENBLEWIN IMPROVEMENT AND DE-TRUNKING) ORDER 201-**

**THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY
TO PENBLEWIN IMPROVEMENT) (SIDE ROADS) ORDER 201-**

**THE WELSH MINISTERS THE LONDON TO FISHGUARD TRUNK ROAD (A40)
(LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT) COMPULSORY PURCHASE
ORDER 201-**

GLOSSARY AND ABBREVIATIONS USED IN THIS REPORT

BCR	Benefits to Costs Ratio
CD	Core Document (see Annex B)
CEMP	Construction Environmental Management Plan
CPO	Compulsory Purchase Order
dB	Decibel
DCFW	Design Commission for Wales
DMRB	Design Manual for Roads and Bridges
EIA	Environmental Impact Assessment
ES	Environmental Statement for the Scheme
GHG	Greenhouse Gases
HGV	Heavy Goods Vehicle
HWEZAB	Haven Waterway Enterprise Zone Advisory Board
ID (PID)	Inquiry Document
LCA	Landscape Character Area
LVCC	Llanddewi Velfrey Community Council
NRW	Natural Resources Wales
PCC	Pembrokeshire County Council
PMA	Private Means of Access
PPW	Planning Policy Wales
REAC	Register of Environmental Actions and Commitments
SAC	Special Area of Conservation
SIAA	Statement to Inform an Appropriate Assessment
SPA	Special Protection Area
SRO	Side Roads Order
SSSI	Site of Special Scientific Interest
WCHR	Walkers, Cyclists & Horse-Riders

WeITAG	Welsh Transport Appraisal Guidance
WG	Welsh Government
WS2+1	Wide Single 2+1 Carriageway as proposed in the Scheme
WTS	Wales Transport Strategy

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CASE DETAILS

- The draft Amendment Line Order would be made under Section 10 of the Highways Act 1980 and is known as: THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT AND DE-TRUNKING) ORDER 201- (Doc. 2.01.01).
- The draft Side Roads Order would be made under Sections 12, 14, 125 and 268 of the Highways Act 1980 and is known as: THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT) (SIDE ROADS) ORDER 201- (Doc. 2.02.01.).
- The draft Compulsory Purchase Order would be made under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and under Section 2 and paragraphs 1(1)(b), (3) and (4) of Part 1 of Schedule 2 to the Acquisition of Land Act 1981 and is known as: THE WELSH MINISTERS (THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT)) COMPULSORY PURCHASE ORDER 201- (Doc. 2.03.01).

SUMMARY OF RECOMMENDATIONS

I recommend that the draft Line Order be made.

I recommend that the draft Side Roads Order be modified and as modified be made.

I recommend that the draft Compulsory Purchase Order be modified and as modified be made.

PREAMBLE

- 1.1 I was appointed by the Minister for Economy and Transport at the Welsh Government pursuant to Paragraph 7 of Schedule 1 of the Highways Act 1980 and Schedule 13 (2) of the Acquisition of Land Act 1981 to hold a Public Local Inquiry into the above proposed Orders and to report to the Welsh Ministers. The proposed Orders and the de-trunking proposals together collectively comprise the Scheme.
- 1.2 I held a Pre-Inquiry meeting in Llanddewi Velfrey Village Hall on 15 January 2020, to discuss the Inquiry process and administrative arrangements. A note of the meeting was sent to all attendees and those who had made objection or representation about the proposed Orders.
- 1.3 I refer to the Public Local Inquiry into the Proposed Orders as “the Inquiry” in this report. I held the Inquiry at the Llanddewi Velfrey Village Hall over a total of 6 sitting days between 10 March and 19 March 2020. I undertook an end-to-end unaccompanied site inspection and an accompanied inspection of specific locations on 18 March 2020. I also undertook unaccompanied site inspections at other times before and during the course of the Inquiry.
- 1.4 A total of 36 representations received were classified by the Welsh Government as raising an objection to some aspect or aspects of the Proposed Orders. There were 20 statutory and 16 non-statutory objections to the Proposed Orders and included a number of representations made after the formal objection period. 25 objections were withdrawn, with 3 of these then going on to express support for the Scheme. 61 individual communications and 1 petition of support were received. I have taken all the matters raised into account in arriving at my conclusions and recommendations.
- 1.5 Eight witnesses gave evidence at the Inquiry on behalf of the Welsh Government. The Chair of Llanddewi Velfrey Community Council gave evidence in support of the Scheme. Throughout the Inquiry Welsh to English simultaneous translation facilities were available.
- 1.6 3 objectors either appeared or were represented at the Inquiry, as follows:
- | | |
|-------|------------------------------------|
| R0040 | Pembrokeshire Friends of the Earth |
| R0024 | Mr & Mrs Peett |
| R0026 | Ms Margaret R Thomas |
- 1.7 The proposed Orders relate to a new roundabout to the East of Llanddewi Velfrey and a new road bypassing the village to the north tying into the existing A40/A478 roundabout at Penblewin. Side roads are proposed from the A478 to Trefangor burial ground; near Ffynnon Chapel; and from the proposed roundabout to the rear of Bethel Chapel.

- 1.8 The main grounds for objection to the draft Order proposals were:
- There is no need for the Scheme, especially in the context of the current climate emergency and its impact on carbon emissions;
 - The scheme represents poor value for money and that the money should be spent elsewhere and/or on public transport improvements;
 - The impact on the natural environment and especially Ancient woodland;
 - the negative effects on local businesses as a result of the loss of passing trade.
- 1.9 This report contains a brief description of the area and the Scheme to which the Proposed Orders relate, the gist of the cases presented (both by way of evidence to the Inquiry and by way of written objection) and my conclusions and recommendations. Lists of appearances and documents are appended at Annex A and Annex B respectively. Annex C sets out the modifications to the proposed Orders proposed by the Welsh Government. Annex D contains an overview of Welsh Government's dossier of compliance with the statutory procedures.

PROCEDURAL MATTERS

- 2.1 The Inquiry was conducted under the Highways (Inquiries Procedure) Rules 1994 and The Compulsory Purchase (Inquiries Procedure) Rules 2010. No formal legal submissions or substantive procedural issues were raised at the Inquiry. Remarks about the legality of proceeding with the Scheme following the successful challenge to the UK Government's decision on expansion of Heathrow Airport are dealt with under the relevant objections below.
- 2.2 The Scheme comprises a 4.3 km length of wide single 2+1 (WS2+1) road from the Penblewin roundabout in the west to a new roundabout east of the village of Llanddewi Velfrey. This would bypass the village. Most of the Scheme would be off-line with a total of around 2km overtaking lanes eastbound and 1km westbound.
- 2.3 At the Inquiry the Welsh Government confirmed that all Statutory Procedures had been properly completed and submitted copies of the relevant documentation concerning this in a file note entitled Overview of Statutory Procedures (Summary in Annex D).
- 2.4 The draft Line Order, Side Roads Order (SRO) and Compulsory Purchase Order (CPO) were published in July/August 2019. The objection period ended on 20 September 2019. An Environmental Statement (ES) was published on 31 July 2019. The ES identifies the main environmental effects of the Scheme and describes the proposed measures to avoid, remedy or reduce effects and provide environmental enhancement where practicable.

- 2.5 There are five Special Areas of Conservation (SAC) within 10km of the Scheme (Afonydd Cleddau; Yerboston Tops; Pembrokeshire Bat Sites and Bosherton Lakes; Pembrokeshire Marine; and Carmarthen Bays and Estuaries) and a Special Protection Area (SPA) within 30km (Carmarthen Bay). As a result of the proximity of these sites, an Assessment of the Implications of the Scheme on European Sites has been undertaken and a Statement to Inform an Appropriate Assessment (SIAA) has been prepared.

SUMMARY OF SCHEME/ORDER LANDS

- 3.1 At its western end, the Scheme would start at the Penblewin Roundabout, which would be enlarged to accommodate the proposed trunk road. I note that there are plans to improve the A40 to the west of Penblewin roundabout. The arm off the roundabout serving the existing A40 would be required in order to maintain access to the Rest Area and Lorry Park. Travelling east from Penblewin, the new road would be located north of the existing A40. Two lanes would be provided in the eastbound direction and a single lane would be provided in the westbound direction.
- 3.2 The new road would sever the existing route used by equestrians at Henllan Lodge. Therefore, new bridleways would be provided along the northern and southern boundaries of the proposed route, connecting at a new underpass east of Ffynnon Chapel. After Henllan Lodge, the new road would be constructed on the line of the existing A40; the eastbound WS2+1 overtaking section would narrow to a single lane section in advance of Llanddewi Velfrey West Junction.
- 3.3 Llanddewi Velfrey West Junction would be a staggered T-junction and would be constructed to the north of the existing A40. Right turn refuge areas in the central reserve would allow free flow along the mainline and provide right turn traffic with a safe refuge whilst waiting for an opportunity to cross. A northern arm would provide access to Ffynnon Chapel and various properties and farms in the vicinity, whilst a new southern arm would provide access into the village of Llanddewi Velfrey. Traffic exiting from the village wanting to join the A40 at this location would be prohibited from turning right onto the eastbound lane.
- 3.4 From Llanddewi Velfrey West Junction, the new A40 would head northeast, away from the line of the existing A40. The road would pass between the farm buildings of Pen-Troydin-fâch and Maes-y-Ffynnon in a shallow cutting. East of Pen-Troydin-fâch, an overtaking section would be provided for westbound traffic. The road would enter a cutting and a new overbridge would be provided for Llanfallteg Road to pass over the new road.
- 3.5 East of Llanfallteg Road, the route passes in a south-easterly direction. Overtaking provision would switch to provide eastbound overtaking. The road would enter a section on embankment with a bund on the north side to provide noise and visual screening. A new footpath underpass would be provided to connect three footpaths severed by the Scheme.

- 3.6 The road would continue in a south-easterly direction until it meets the new Llanddewi Velfrey East Roundabout. A north-eastern arm at the roundabout would provide a new access to Bethel Chapel and surrounding properties. This would replace the existing access between Bethel Chapel and the Vestry, which will be stopped up. A new southern arm would provide access to Llanddewi Velfrey. The eastern arm of the roundabout would join the A40 between the Llanddewi Velfrey East Roundabout and the tie-in point at Fron Hill junction.

4. THE CASE FOR THE WELSH GOVERNMENT

Background

- 4.1 In November 2001, the National Assembly for Wales published The Transport Framework for Wales. This outlined that the east-west transport corridor in West Wales along the A40 west of St Clears was in need of improvements.
- 4.2 In March 2002, the Trunk Road Forward Programme (CD 4.01.44) was published and included the A40 west of St Clears. A multi-modal study considered public transport improvements and concluded that the costs associated with enhanced passenger services were likely to exceed revenue, thus requiring an operating subsidy. It was also acknowledged that improvements to public transport would not address the identified transport problems on the A40 trunk road. Early work, therefore, steered the decision to pursue highway led enhancements on the A40 and a route options study explored single and dual carriageway options.
- 4.3 In 2004, two major single carriageway improvement schemes for the A40 west of St Clears were announced:
- i. A40 Penblewin - Slebech Park; and
 - ii. A40 Llanddewi Velfrey - Penblewin.
- 4.4 The first of these schemes has been completed in 2011 with a bypass of Robeston Wathen, to Slebech Park. Further development work was also undertaken for the A40 Llanddewi Velfrey - Penblewin project. This resulted in several proposed route options being developed and during a period of public consultation, there was clear public support for the current by-pass route, along with improvements between Ffynnon Wood and Penblewin Roundabout. A preferred route for the Llanddewi Velfrey to Penblewin Improvements was announced in March 2010.
- 4.5 The Scheme is listed under reference R15 in the National Transport Finance Plan for Wales 2015: Update 2018 (CD 4.01.27) a framework of schemes pursuant to policy aims set out in the Wales Transport Strategy 2008 (CD 4.01.29). Written ministerial statements in 2013 and 2015 referred to progressing the Scheme as a matter of urgency. The National Strategy 2017 (CD 4.01.33) and Taking Wales Forward 2016-2021 (CD 4.01.37) include a commitment to deliver a significant improvement to

the A40 in West Wales. The Scheme is also listed in the 2019 Wales Infrastructure Investment Plan – Project Pipeline Update (CD 4.01.40). Sufficient land to safeguard a route for the Scheme is identified under Policy GN.39 Transport Routes and Improvements of the Pembrokeshire Local Development Plan (CD 4.01.58).

- 4.6 The A40 is a route of national and international strategic importance forming part of the trans-European transport network (TEN-T). At a regional and local level, it serves the county town of Haverfordwest, the tourist economy of central and northern Pembrokeshire, the port of Fishguard and the industrial town of Milford Haven to the south.
- 4.7 Preparatory work in 2004 led to public consultation in 2006 on 4 route options for the Scheme. Following the public consultation, a preferred route was announced in 2010. In 2017 Welsh Government appointed Carillion to develop the Scheme. Carillion entered liquidation in January 2018 and Welsh Government appointed the current consultant team to continue the development of the Scheme.
- 4.8 The WelTAG study (CDs 4.03.03 to 4.03.08) identified a range of actual and perceived problems to be addressed on the A40 between Llanddewi Velfrey and Penblewin.
- Limited and inconsistent overtaking opportunities, which lead to journey time unreliability, driver frustration and associated risky manoeuvres with severe collision incidents;
 - Platooning (when there are convoys of heavy goods vehicles from the ferry ports and slow-moving agricultural vehicles accessing the many side roads and farm accesses along the A40) contributes to journey time unreliability when combined with the limited overtaking opportunities and mix of local and HGV traffic;
 - The A40 passes through the populated area, creating severance and air and noise pollution problems within the local community at Llanddewi Velfrey;
 - Slow-moving traffic during the summer months exacerbate the problems with tourists causing a significant increase in traffic and slow-moving vehicles including caravans;
 - Lower than national average productivity levels in the region with a reliance on limited economic sectors. High unemployment in Milford Haven and Pembroke Dock;
 - The absence of higher education establishments in Pembrokeshire means that prospective students have to leave the County to study; and
 - Pembrokeshire is perceived to be remote and that this is deterring inward investment, tourism and the development of the travel-to-work market within the Swansea Bay City Region

- 4.9 In accordance with the WeITAG Guidance (CD 4.01.11), an objectives-led approach has been adopted. The study work has identified objectives for the scheme, which are:
- 01 to enhance network resilience and improve accessibility along the East-West transport corridor to key employment, community and tourism destinations;
 - 02 to improve prosperity and provide better access to the county town of Haverfordwest, the Haven Enterprise zone and the West Wales ports of Fishguard and Milford Haven;
 - 03 to reduce community severance and provide health and amenity benefits;
 - 04 to reduce the number and severity of collisions;
 - 05 to promote active travel by walking, cycling, and horse-riding (WCHR) in order to provide opportunities for healthy lifestyles;
 - 06 to deliver a scheme that promotes social inclusion and integrates with the local transport network to better connect local communities to key transport hubs;
 - 07 deliver a project that is sustainable in a globally responsible Wales, taking steps to reduce or offset waste and carbon;
 - 08 give due consideration to the impact of transport on the environment and provide enhancement when practicable.
- 4.10 The WeITAG Stage 3 Report (CD 4.03.07) assesses how well the Scheme performs against the objectives. The results show that the Scheme performs well against objectives 1 to 6; would be neutral for no. 7 and would be slight adverse for objective 8.

Legislation and Policy Compliance

Inspector's note

The evidence considers all applicable legislation and policy. I report the gist of the evidence on legislation and policy requirements here, in the interests of a focussed and concise report to Ministers.

- 4.11 Whilst this is not a report on a planning inquiry, section 10 (2) of the Highways Act 1980 requires the Welsh ministers, when considering proposals to construct a new trunk road, to give due consideration to the requirements of local and national planning, including the requirements of agriculture. The evidence examines whether the scheme has been developed in accordance with the sustainable development principle in the Well-being of Future Generations (Wales) Act 2015 (WFGA) (CD 4.01.10), and the extent to which it would contribute to the seven well-being goals in the Act.

The Environment (Wales) Act 2016

- 4.12 Section 6 of the Act (CD 4.01.05) introduced an enhanced duty for public authorities in the exercise of their functions to seek to maintain and enhance biodiversity so far as is consistent with the proper exercise of their functions and in so doing to promote the resilience of ecosystems. Information on the impacts of the Scheme is presented in the ES and SIAA. The evidence presented to the Inquiry concludes that as a consequence of the scheme's design and mitigation proposals, the requirements of the Environment Act have been met.

The Well-Being of Future Generations (Wales) Act 2015 (WFGA)

- 4.13 WeITAG 2017 provides a framework for assessing proposed changes to the transport system of Wales. It revised and updated the guidance to embed the principles of sustainable development contained in the WFGA and has been endorsed by the Future Generations Commissioner for Wales. The objectives were reviewed against the seven well-being goals in the WFGA. The stage 3 report (CD 4.03.07) sets out an assessment of the preferred option against the Welsh Government's well-being objectives. This exercise demonstrated how the preferred option would address the problems and objectives identified for the scheme and how it would contribute to a number of the well-being objectives and hence achievement of the well-being goals.
- 4.14 The development of the Scheme has met the five ways of working as set out in the WFGA. The Scheme would address the identified problems in the longer term. The ES considers the various impacts that the Scheme would have and proposes extensive mitigation to address these impacts. An integrated approach has been adopted: for example, the objectives of the scheme were agreed by a review group that included Pembrokeshire County Council.
- 4.15 The sustainable development report (CD 4.03.09) analyses the contribution the Scheme would make to national and local well-being objectives and hence to the national well-being goals. It demonstrates positive contributions to the achievement of 9 of the national well-being objectives and to several local objectives.
- 4.16 Steps have been taken to reduce carbon emissions of the Scheme by means of reduced lighting, an earthworks balance and by reducing pavement thickness. Nonetheless it would have an adverse impact on reduction of carbon emissions and combatting climate change. Over the 60-year appraisal period, there would be an 8.4% increase in total carbon emissions from the construction, operation and use of the road, compared to the do-minimum. It would not therefore contribute to meeting one of the national well-being objectives but would make a positive contribution to the majority the others.
- 4.17 Welsh Government declared a climate change emergency in April 2019 and committed to reducing Greenhouse gas (GHG) emissions in Wales by 95% by 2050. However, this has not resulted in a ban on all new road building in Wales. Inquiry document (ID) 10 sets out the context for the declaration of a climate emergency. It also sets out a timeline of Welsh

Ministers' statements since the declaration endorsing various road schemes in Wales and committing government to pursuing their construction. Another important point is that Welsh Government is taking action across all areas for which it has responsibility in order to meet its climate change target. The actions the government is taking to tackle this issue are set out in the evidence. Therefore, whilst the Scheme would result in some small increase in GHG emissions, this must not be seen in isolation but rather in the context of the government's wider initiatives. It would be wrong and impractical to conclude that the project did not amount to sustainable development on the basis of a potential adverse impact in respect of one well-being objective or goal, without taking its positive contributions to other well-being objectives and goals into account. The scheme would overall make a significant contribution to achievement of the national well-being goals and would hence be part of the process of improving the well-being elements of sustainable development as defined in the WFGA.

The Active Travel (Wales) Act 2013

- 4.18 This Act (CD 4.01.13) creates new duties for highways authorities to consider the needs of walkers and cyclists and make better provision for them. It also requires both the Welsh Government and local authorities to promote walking and cycling as a mode of transport so that local communities rely less on cars when making short journeys. In bypassing the village, the scheme would reduce traffic and conflict between traffic and residents or pedestrians. This would help create a safer and more pleasant village environment and reduce the potential for accidents. There are opportunities for benefits to walkers, cyclists and horse riders (WCHR), in the proposals for the de-trunked section of the existing A40 that would be bypassed by the scheme. These benefits are set out in the de-trunking proposals. It is considered that the scheme aligns with this Act.

Prosperity for All: A Low Carbon Wales

- 4.19 This document (CD 4.01.24) sets the foundations for Wales to transition to a low carbon nation. Reference is made to the targets set in the Climate Change Act 2008 (CD 4.01.15) and the Environment (Wales) Act 2016. Welsh Government is taking action across all its areas of responsibility in order to meet its ambitions to tackle climate change, whilst recognising the serious challenges faced. The 2020-21 budget provided funds to support decarbonisation. So, whilst the Scheme would result in a small increase in GHG emissions, this should not be seen in isolation but in the context of the Welsh Government's wider initiatives aimed at decarbonising transport by encouraging electric vehicles and providing charging infrastructure. It is also important to emphasise that the user emissions projections for the Scheme are very conservative and do not allow for increased use of electric vehicles.

National Transport Finance Plan 2015 and Update 2018

- 4.20 The National Transport Finance Plan Update 2018 (CD 4.01.27) lists the different transport schemes that the Welsh Government will deliver, pursuant to the Wales Transport Strategy 2008 (CD 4.01.29). This Scheme is listed under reference R15. In July 2013 the then Minister published a written statement outlining her priorities for transport. It stated that improving the A40 as a priority has been identified by the Haven Waterway Enterprise Zone Board and that the Minister intended to undertake further development of previously proposed improvements. She made several references to progressing this Scheme in other written statements in 2014 and 2015.

Planning Policy Wales Edition 10 (PPW)

- 4.21 The Scheme would deliver on a number of the National Sustainable Placemaking Outcomes defined in PPW 10 (CD 4.01.30). PPW10 defines 3 place-related themes aimed at sustaining or creating sustainable places and delivering the national sustainable placemaking outcomes. The Scheme would meet the first of these themes – Active and Social Places. It is included in national and local transport policies. It would reduce severance in Llanddewi Velfrey and improve accessibility for WCHR. The sustainable transport hierarchy¹ does not apply as it is for the assessment of new developments and not improvements to the main road network. The Scheme would achieve Active and Enterprising Places objectives in PPW. The benefits include improved highway safety; boosting the local economy and tourism by improving access to this remote area; reduced air pollution, noise and community severance for Llanddewi Velfrey, and improved opportunities for active travel.
- 4.22 The third theme is Distinctive and Natural Places, which includes consideration of the historic environment, landscape, biodiversity/ecology, air quality and noise impacts.
- 4.23 The position on GHG has been set out above. The impacts on the historic environment have been carefully considered in close liaison with Cadw and the Dyfed Archaeological Trust. An extensive programme of mitigation and recording is proposed in the ES. The landscape impact has been minimised by the siting and design of the Scheme; and comprehensive landscaping proposals. The implications for biodiversity have been considered and mitigation and enhancement measures are proposed. Natural Resources Wales has confirmed that it has no objections and is content with the mitigation proposals. The evidence confirms that the scheme meets the requirements of the Environment Act, the Wildlife and Countryside Act, PPW and Technical Advice Note 5 – Nature Conservation & Planning. The loss of small areas of Ancient woodland is justified by the benefits of the Scheme. The Scheme would result in improved air quality and less noise impacts for a considerable number of dwellings. The scheme therefore accords with the WFGA and PPW in relation to this theme and goals such as A Healthier Wales. Finally, the Scheme is considered to be consistent with the strategic

¹ PPW paragraph 4.1.11

policies and objectives of the emerging draft National Development Framework.

Traffic and Economics²

- 4.24 The evidence shows that traffic flows freely on the existing network through the Scheme area. There is limited congestion of between 15 and 17% at peak times, this is likely to be the result of a combination of slow-moving vehicles and a lack of safe overtaking opportunities. This will increase with forecast traffic growth.
- 4.25 In the 10-year period between 2006 and 2015 there were nine accidents on the A40 in the village with a speed limit of 40mph, of which one resulted in serious casualties. A further 13 accidents all leading to slight casualties, were recorded between the village and Penblewin roundabout. The accidents include several head on collisions and collisions whilst overtaking. Several sections of the A40 between Haverfordwest and St Clears have been upgraded to WS2+1 roads. Accident data shows that the accident rate for WS2+1 roads with a 50 or 60mph speed limit is 36% lower than the equivalent accident rate for single carriageway roads with the same speed limit. When compared with single carriageway roads with a 30 or 40mph speed limit, the accident rate for WS2+1 roads is 52% lower.
- 4.26 A fixed trip matrix approach was chosen because of the specific circumstances of the study area and traffic. Evidence is provided of how the model was calibrated and checked, which demonstrates that the Scheme traffic model provides a robust representation of observed traffic conditions in the base year and is therefore fit for purpose for the preparation of future year traffic forecasts in order to appraise the proposed scheme.
- 4.27 Car journey time savings resulting from the scheme would be in the order of approximately 20 seconds eastbound and approximately 10 seconds westbound. The journey time saving for HGVs are very similar. The time savings are reduced slightly by new junction delays associated with the proposed roundabout at the eastern end of the scheme. The congestion measure shows that the road would be expected to operate under free flow conditions scenarios. Again, it is noted that this analysis does not capture the impact of slow-moving vehicles on other road users. Observations confirm that road users are at times held up behind slow-moving vehicles and the occurrence of this would become more frequent as travel demand rises.
- 4.28 The costs and benefits of the scheme have been monetised and calculated in accordance with the relevant guidance. The benefits include a monetised allowance for fewer casualties as a result of the lower accident rates for WS2+1 roads. This is a conservative estimate. The overall costs include appropriate allowances for risk and optimism bias again in accordance with the approved methods. The costs at 2018 prices are estimated at £39.5m. The standard UK approach requires figures to be

² Background reports at CD 4.5.01 – 05

discounted to 2010 values so that all Schemes can be compared on a like-for-like basis. These figures are £28.96m costs and £3.74m benefits, resulting in a BCR of 0.13. Qualitative benefits are not taken into account. The Scheme would remove 96% of the existing traffic from the village. This would result in considerable community benefits in terms of reduced severance, less noise, better air quality and improved opportunities for walking and cycling. Traffic benefits of improving journey time reliability; providing overtaking opportunities in order to avoid platooning and driver frustration; and addressing higher traffic flows in the holiday periods.

- 4.29 Sensitivity analysis has been undertaken. Under a low traffic growth, the BCR decreases to 0.1 and under high growth scenario the BCR increases to 0.16. The initial design for the eastern end of the Scheme proposed a staggered T-junction to access Llanddewi Velfrey (compliant with design standards). During consultation a change to a roundabout was requested by the public. This would have obvious benefits in terms of safety and traffic flow on to the main road from the village. In order to assess the effect of this change on the BCR an additional sensitivity test to assess the impact of the proposed roundabout at the eastern end of the scheme as compared to a staggered T-junction was undertaken. If a T-junction had been provided, instead of a roundabout, then the BCR for the scheme would have been 0.4. This illustrates that the BCR is very sensitive to relatively small changes in the scheme design.
- 4.30 Another sensitivity test undertaken involves an assessment of suggested proposals to improve safety through the study area by reducing the speed limit through the village from 40mph to 30mph. It should be noted that this has also been suggested by several objectors. A do minimum scenario in which the speed limit is reduced to 30 mph through the village and 50 mph to Penblewin was tested. When the Scheme proposals were compared against this do minimum with lower speed limits in place, it significantly increases the BCR to around 0.6, illustrating the sensitivity of the case to the speed limit.
- 4.31 The relevant authorities have confirmed that the European Regional Development Fund would be available for the Scheme despite Brexit and the withdrawal from the European Union. This funding would meet approximately two-thirds of the overall cost.

Engineering

- 4.32 The scheme generally accords with the applicable standards. The junction to the west of the village has been changed to a left/right stagger in order to: reduce land ownership impact and increase the length of overtaking lanes. This requires a departure from standard, which has been approved by Welsh Government. Details of the road construction, including side roads and low road noise surfacing are provided. An independent road safety audit has been carried out on the proposed Orders. The auditors made 25 recommendations and almost all of these have been accepted by the design team. There were two instances where it was considered that the auditor's recommendations should not be followed. A Road Safety

Audit exceptions report has been approved by Welsh Government (ID 15), which accepts that there are good reasons for the exceptions.

- 4.33 Details of the proposed earthworks and cuttings and embankments are provided. Overall, a balance of cut and fill is proposed. The highway drainage system is described in the drainage strategy report (CD 4.04.04). A positive drainage system would be provided for the scheme in accordance with the relevant standards which includes an allowance for climate change. Surface water run-off would be collected and conveyed in below ground pipes to attenuation facilities. Attenuation would be provided in ponds, sized to accommodate the 1 in 100-year event +30% to allow for climate change. As a result of the drainage proposals water quality would be maintained to the required standards. There have been no objections to the drainage arrangements from NRW or the county council.
- 4.34 The design of the Scheme was amended following engagement with the public and has been reviewed by the Design Commission for Wales (DCFW) at a series of meetings. Their comments on sustainability and GHG emissions have been addressed. At the latest meeting in February 2020³ the Promoters were commended for their engagement with the process. The linkage with the de-trunking proposals is very positive and was welcomed. DCFW made a number of suggestions which will be considered by Welsh Government and presented to DCFW at the next review. One suggestion related to the production of additional design requirements for the Scheme and the associated Active Travel and de-trunking proposals. Welsh Government has committed to developing these for inclusion in the contract documentation.
- 4.35 Subject to the satisfactory completion of the statutory procedures, a Design and Build contractor would be procured for the detailed design and construction of the Scheme. Construction is expected to take approximately 18 months commencing in early 2021 with completion at the end of 2022. A Buildability Report (CD 4.04.09) has been prepared which provides an outline construction methodology for the Scheme, including phasing / sequencing diagrams at key interface locations.
- 4.36 The construction and buildability consideration in the development of the preliminary design provides confidence that the Scheme can successfully be delivered in an efficient and timely manner with adequate recognition of the various environmental and engineering, issues and impact on residents, businesses and traffic. The construction period has been taken into account in terms of maintaining highway connections, private accesses and rights of way during construction. For example, during the construction of Llanfallteg Road overbridge, a temporary road would be provided immediately west of Llanfallteg Road to provide continuity of access whilst works are undertaken. The normal project working hours would be 0700 to 1900 on weekdays and 0700 to 1700 on Saturdays. Any working outside normal hours would be agreed with the local environmental health officer in advance and local residents would be informed.

³ See note at ID 17

- 4.37 The Traffic Signs and Road Marking Strategy (CD 4.04.02.) provides details of the measures to inform road users of local facilities, which are based on those used at the nearby Robeston Wathen section of the A40 improvements. This would partly address the objections of those concerned about the impact of the scheme on the local shop, post office and petrol station operating under the name of Preseli Services Station.
- 4.38 Road lighting would only be provided at roundabouts and on their immediate approaches. The benefits of reducing the extent of the lighting are reduced cost, reduced visual impact reduced impact on protected species (bats) and a reduction in greenhouse gas emissions. This approach accords with previous improvements on the A40. The reduced extent of lighting is not compliant with standards and two departures have been approved as part of the scheme design.
- 4.39 The evidence describes the improvements for active travel that would be undertaken on the sections of the former A40, which are to be de-trunked. In providing the Active Travel and De-trunking Proposals, along with the provision within the proposed Orders, the following Scheme Objectives are achieved: reduce the number and severity of collisions (O4); promote active travel by cycling horse riding and walking to provide opportunities for healthy lifestyles (O5); to reduce community severance and provide health and amenity benefits (O3).
- 4.40 The Active Travel and De-trunking Proposals for the existing A40 would complement and maximise the benefits of the Scheme. The Active Travel and De-trunking Proposals do not form part of the proposed Orders, nor do they require any land take within the CPO. The proposals have the support of PCC and are ensured by their inclusion in the Contract Notice issued on 16 March 2020 (see ID18).
- 4.41 The Welsh Government considers that there is a compelling case for the scheme and that the public interest necessitates permanent and temporary acquisition of land and rights. The land and rights to be acquired as shown in the draft CPO is the minimum necessary to construct, mitigate, operate and maintain the proposed scheme. The new length of trunk road would run through predominantly agricultural land and would require approximately 36 ha of land in total (including temporary land for construction). One residential property, known as Trefangor cottage, would be demolished as a result of the scheme. This property is already in the ownership of the Welsh Government. A process of engagement with those affected by the draft CPO has been undertaken and modifications to the proposed Orders have been proposed, with the agreement of the relevant landowners.

Environment

- 4.42 The highway drainage system would consist of a three-stage treatment train of filter drains, catch pits and attenuation basins to remove and retain soluble and suspended pollutants to ensure discharges to groundwater or local watercourses are at acceptable levels. Details of the maintenance of the treatment ponds is set out in document WG 1.4.4. Standard good practice measures to protect water resources would be

implemented during construction. Therefore, it is anticipated that the impacts on the water environment as a result of the construction and operation of the scheme would not result in any significant adverse effect.

- 4.43 An assessment of landscape and visual effects of the Scheme was carried out in accordance with the prescribed methodology within DMRB. The impact on areas included within landscape designations was assessed and it was found that there would be no significant effects. There are 16 landscape character areas within the study area. 14 would experience a neutral effect and 2 would experience an overall adverse effect. The effects would be large adverse during construction and year one. Proposed mitigation would reduce these effects to moderate adverse by year 15. Similar results were obtained for the representative viewpoints identified in the visual impact assessment. With large adverse effects on 10 viewpoints close to the scheme. By year 15, significant residual adverse visual effects are predicted for eight residential properties and sections of 13 public rights of way. There would be significant beneficial effects for four properties and two rights-of-way.
- 4.44 The scheme could result in physical damage to buried archaeological remains. A programme of archaeological evaluation and mitigation is set out in the ES. There would be negligible adverse impacts on two scheduled ancient monuments. Two listed buildings and the village war memorial would be affected in a beneficial manner as a result of traffic on the existing A40 being reduced and by screening. There would be a negligible effect on six other listed buildings.
- 4.45 The scheme has been designed to minimise the impact on agricultural land, but it will involve the permanent loss of approximately 27 ha of agricultural land. None of the land lost that would be affected is of best or most versatile category and its loss would be of minor adverse significance. Seven farms would be affected by the scheme. All will experience significant changes in day-to-day operations, but the viability of the holdings would not be threatened.
- 4.46 In terms of air quality, existing pollution concentrations in the study area are low and air quality objectives are currently met. The impact of the scheme shows that there would be no exceedances of the NO₂ or PM₁₀ objectives. The results of the assessment show that the scheme would improve air quality for the majority of residents in the area.
- 4.47 Environmental management of construction effects would be controlled under the construction environmental management plan (CEMP)⁴, which would manage the environmental performance and actions of the contractor during construction. It will be updated prior to construction and periodically throughout the construction phase. The CEMP would be supplemented by a Register of Environmental Actions and Commitments (REAC)⁵, prepared method statements, environmental master plans and other relevant documents such as the Protected Species Conservation Strategy. Although the environmental commitments are non-statutory,

⁴ A preliminary version (the pre-CEMP) is at Appendix 2.2 of the ES

⁵ See ID 7a

Welsh Government treats them as binding. The CEMP will form the basis for the after-care documents and hand over documents once construction is completed.

- 4.48 Environmental considerations have influenced the design of the scheme so as to minimise the impact of the new road on the landscape and ecology of the area. Embedded mitigation includes a cut/fill balance, keeping the scheme as low as possible in the landscape, comprehensive landscaping and hedge planting particularly on the large embankments, and route selection to avoid areas of ancient woodland where possible. It is inevitable that hedges will be lost as a result of the scheme, but wherever possible existing hedges would be retained or translocated. Healthy trees would be retained and protected where possible and changes to the alignment has enabled the protection of an increased number of individual mature hedgerow trees. Planting would also be provided to assist in protected species mitigation as set out in the ecology evidence.

Ecology

- 4.49 The requirements of relevant legislation, policy and guidance in relation to ecology and nature conservation have been considered and addressed. Appropriate surveys were undertaken in accordance with best practice guidelines. The results are set out in the evidence and ES. Consultation with environmental stakeholders was undertaken, including meetings with Natural Resources Wales (NRW).
- 4.50 The potential effects on habitats and watercourses are set out. The construction of the scheme will result in the loss of grassland, woodland and hedgerow habitats. The loss of habitats from the construction of the scheme is not considered to be significant due to the low value of habitats.
- 4.51 The potential impacts on protected species present in the study area have been carefully considered and appropriate mitigation and avoidance measures would be adopted in the Scheme. The effects of the Scheme on European designated sites are set out in the SIAA and chapter 8 of the ES. The potential significant effects (in the absence of any mitigation measures) relate to the effects on otters, greater horseshoe bat, lesser horseshoe bats and Barbastelle bats through collision with vehicles and habitat fragmentation.
- 4.52 The CEMP sets out appropriate monitoring arrangements during the construction and after-care periods. The results of monitoring will be reported to NRW and other relevant statutory environmental bodies on an annual basis. In addition, the scope, methods and results of the monitoring will be discussed through further engagement with the environmental liaison group during and post construction.
- 4.53 NRW had raised some concerns with the proposed mitigation measures. These concerns have been addressed and NRW are now satisfied with the mitigation proposals. The scheme design has been revised to include culverts of suitable size for "woodland bat species" in line with the

recommendations of the leading experts in this field⁶. The size of culverts proposed was found to greatly increase their use by Greater Horseshoe bats on the nearby Robeston Wathen improvements to the A40⁷. There are several pedestrian underpasses proposed within the scheme, which will be effective bat crossing points. The location of some of these underpasses has been changed to align with identified bat flight corridors.

- 4.54 Further analysis of the survey data has been undertaken to assess the potential risk to bats, especially the SAC feature species. The witness concluded that the potential for horseshoe bat species to be in collision with vehicles is very low given their infrequent presence and the low traffic levels at the times of night when those species are likely to be crossing the scheme.
- 4.55 Lighting would be restricted to the two roundabouts in order to avoid effects on species such as bats, dormice, badgers and otter. The lighting design will limit the light spill to avoid the lighting of vegetation close to the scheme. Existing trees will be retained where possible and larger specimens planted on either side of the road to provide safe crossings for bats at each of the identified hop-over crossing points. Enhancement works can be undertaken to contribute to biodiversity and various action plans and policies. At the west end of the Scheme the land between the former trunk road and the new road has potential for the creation of wildflower grassland and other habitat types, which will contribute to Welsh Government biodiversity action plan and green corridors initiatives.
- 4.56 Protected species fencing is proposed along the scheme due to the presence of otters and badgers. The proposed mitigation measures will be effective to prevent otter and other terrestrial mammal species from accessing the carriageway and will provide safe crossing points (such as culverts). The proposed replacement habitat planting will provide suitable habitat for use by dormice, at a ratio of 2.15 ha for each hectare lost. The larger culverts and underpasses would contain suitable dormice crossings. These revised mitigation proposals will be effective to maintain the connectivity of dormice populations on either side of the Scheme.
- 4.57 The SIAA concluded that with appropriate mitigation measures as identified and described, there would be no adverse effects on the integrity of the European sites being considered. The ES concluded that with the various mitigation and compensatory measures proposed, the potential effects of the Scheme would be reduced to levels that would not be significant.
- 4.58 A protected species mitigation plan has been prepared and discussed with NRW, who has confirmed that the proposed mitigation is satisfactory subject to the addition of several environmental commitments to the register. NRW is also satisfied that the proposals would not have an adverse effect on the integrity of the European sites considered in the SIAA. The concerns have been addressed and NRW are now satisfied with the mitigation proposals and the revised SIAA.

⁶ Berthinhussen and Altringham (2015) CD 4.06.17

⁷ Davies (2019) CD 4.06.23

Noise

- 4.59 The scheme has the potential to cause temporary, short-term increases in noise and vibration at some sensitive receptors during construction works, and changes in traffic noise levels (both increases and decreases). The assessment included a baseline noise survey, calculation of construction noise and vibration impacts and computer modelling to determine the traffic noise impacts. All these components of the assessment were carried out in accordance with the relevant guidance in British standards and DMRB. The modelling was robust and appropriate for this assessment. For the construction period, the provisions of environmental protection legislation apply. Construction noise and vibration will be controlled by the requirement to adhere to best practicable means of working, in accordance with the relevant British standard. Llanddewi Velfrey is a designated noise action plan priority area, given the negative impacts of noise from traffic on the A40.
- 4.60 The ES concluded that with additional mitigation applied, the construction noise impacts could be reduced to levels such that no significant effects would arise. The traffic noise assessment results in the ES have been recalculated because of low noise surfacing on the existing A40 being more extensive than assumed and the correct figures provided. The noise levels are predicted to fall at most dwellings in the short and long-term, with 43 experiencing major reductions in the opening year, including several currently experiencing very high noise levels. 14 would have major reductions in the design year. In the opening year 88 properties would have a minor to major noise level decrease and 49 of those would continue in the design year. Three isolated residential properties and one sensitive receptor would experience a major noise increase in the opening year with one major impact remaining in the design year. However, two of these would still experience relatively low absolute noise levels below World Health Organisation thresholds even with the windows open. An increase would be experienced at 15 residential properties ranging from minor to major in the opening year and 8 in the design year. These impacts were assessed as not causing a significant effect when considering the other factors set out in the ES.⁸
- 4.61 In summary the ES demonstrated that no significant effects of construction noise or vibration would arise (by ensuring that best practicable means of working are followed, and appropriate mitigation is included). The community of Llanddewi Velfrey would experience significant permanent beneficial effects through a reduction in traffic noise as a result of the scheme. No significant adverse effect of traffic noise was indicated from the assessment.

Conclusions on the Scheme

- 4.62 The evidence submitted by the Welsh Government should be accepted as a reasoned justification for the proposed Orders. The evidence was comprehensive and detailed. That evidence demonstrates that an acceptable solution is deliverable. Clear and balanced expert evidence

⁸ paragraph 14.3.78

was provided on the key issue of mitigation to reduce or avoid impacts. That evidence whether it was in respect of the protection of species or the provision of replacement woodland has been carefully thought through and provides a careful balance of the various economic, traffic, engineering, ecological and environmental factors within a solution which properly weights these different interests.

- 4.63 The plans to improve this section of the A40 have been within policy for very many years and, as the Scheme has developed, it has remained part of policy both at general, strategic and local level. ID 10 demonstrates that this has not changed as a result of the declaration of a climate emergency on 29 April 2019. The Welsh Government's position has been clear that that event has not resulted in a change of its policy in relation to the building of roads in general or the support or promotion of this Scheme in particular.
- 4.64 The Welsh Government has made a range of policies aimed at addressing climate change, such as: Prosperity for All: A Low Carbon Wales (CD 4.01.24), the recent Bus Services Bill including a scheme to support the provision of more buses by local authorities (see ID 20) and its substantial investment into more silent, cleaner and greener transport in Wales as evidenced by the spending commitments made within the 2020-21 budget to support the transition to low emission vehicles with a view to having a zero-emission bus and taxi/private hire fleet by 2028. That said, whether the policy of the Welsh Government should be different is not a matter for the Inquiry. Several objections offend the Bushell Principle in criticising Welsh Government policy rather than its application to the Scheme and problems before this Inquiry.
- 4.65 The Scheme addresses the problems identified as part of a WelTAG study, and best meets the objectives set out as a result of that Study. Welsh Government seeks to optimise the benefits from the de-trunking of the section of the existing A40. The proposals are being developed with the Council and local residents in order to make improvements for the local environment and community. The commitment to provide for these works has been proven by their inclusion in the Contract Notice for the Scheme (ID 18).
- 4.66 The engineering design achieves the correct balance to meet the objectives and to address the physical and connection issues posed by the environment. The Road Safety Exceptions Report presents conclusions on the road safety audit that have been approved by Welsh Government. The solution proposed is a sensitive solution. The land-take has been justified in respect of all acquisitions. The impacts of construction have been considered in detail as set out in the Construction and Buildability Report. In respect of the Side Roads Order, reasonable alternative means of access have been identified and are provided. The Welsh Government's case is that environmental considerations and requirements have been satisfied. The Welsh Government has also confirmed that all statutory procedures and processes have been followed.

- 4.67 Turning to the requirements of planning policy, the Scheme satisfies some of the wide range of policies in PPW10 but conflicts with others. It is therefore necessary to come to a balanced view, weighing the benefits against adverse impacts. Paragraph 2.24 of PPW10 advises that the social, economic, environmental and cultural benefits are considered in the decision-making process.
- 4.68 In this case there are benefits to highway safety and journey reliability, and potential benefits to the local economy and to tourism, all of which attract considerable weight. The promoter attaches great weight to the benefits to the residents of Llanddewi Velfrey though reduced community severance, air pollution and traffic noise, improved opportunities for active travel and the opportunity to create a safer environment.
- 4.69 Against these benefits must be set the long-term impact on the landscape and the increased GHG emissions. 14 LCAs would not be significantly affected and extensive landscaping measures would reduce the long-term impact on the 2 affected LCAs to moderate. The mitigation measures for protected species have been carefully designed to respond to the concerns of NRW, who has no objection to the Scheme or SIAA. For these reasons limited weight should be attached to the landscape and potential biodiversity impacts. The increase in emissions must be weighed in the context of the Welsh Government's actions across all its areas of responsibility, including transport, aimed at reducing emissions in Wales and tackling climate change.
- 4.70 The social, economic, environmental and cultural benefits resulting from this Scheme, which are supported by robust evidence, outweigh its limited adverse impacts. The overall conclusion on the requirements of planning is that the Scheme accords with national planning policies in PPW10 and the emerging policies of the NDF.

5 THE CASE FOR THE SUPPORTERS

Supporter who attended the Inquiry

Mr Keith Thomas Chairman of Llanddewi Velfrey Community Council⁹
(R0022)

- 5.1 Improvements to the A40 around the village were first mooted in 1980 by the Welsh Office. A report commissioned by the former Countryside Council for Wales in 1995 highlighted the problems with the volume and speed of the traffic (especially HGVs) through the village. A series of newspaper articles referring to the problems experienced by residents were highlighted. The Deputy First Minister on opening the Robeston Wathen bypass in 2011 announced the current Scheme would go ahead. He said that the Robeston Wathen bypass had liberated the centre of the village from the effects of the heavy trunk road traffic and would improve the safety and quality of life for the local community. This is exactly what the residents of Llanddewi Velfrey have been seeking for many years so that they can access local facilities safely and children can get to school in safety. The journey time savings and economic benefits of better connectivity are noted. But for residents the Scheme is about their safety, well-being and quality of life.

Written Expressions of Support

Pembrokeshire County Council (PCC) (R0052)

- 5.2 One of the strategic aims of the Council is to support the delivery of the Scheme and other key road schemes, to improve Pembrokeshire's connectivity across road, rail, water and digital. The background to the Council's corporate plan is explained. Attention is drawn to the third objective, which is to make Pembrokeshire economically competitive productive and prosperous. A great place to visit, live and work. In order to further these objectives, it is necessary to overcome disadvantages such as being relatively remote from main centres of population as well as not being well connected. To address this, it is considered that investment is needed in key infrastructure to support the local economy and its main industries. If this does not happen, the concern is that the impact would fall on future generations. Milford Haven is the U.K.'s fifth busiest port and includes the Haven Waterway Enterprise Zone. It is a very important zone in terms of energy supplies and allied infrastructure. The A40 provides an important strategic link to the enterprise zone. It is also noted that the local health board has made a positive commitment for a new hospital to be built somewhere between Narberth and St Clears. Clearly, an improved road would support this initiative. The Scheme is therefore seen strategically as a key piece of infrastructure to help improve access for Pembrokeshire.

⁹ Mr Thomas explained that he was speaking on behalf of all the community councillors and many residents of the village

- 5.3 As well as stressing the wider economic benefits as outlined above, the local benefits to the community in terms of relieving the impact of traffic through the village are also noted. The Council's programme also has a focus on casualty reduction and safer roads. The Council has, over the years, also been made aware of significant concerns locally over the traffic issues through the village. The Scheme will ameliorate most of these concerns and the improvements to walking and cycling facilities in the area proposed as part of the Scheme, will bring improved opportunities and significant road safety benefits. Whilst supporting this Scheme, the Council also supports other transport measures, such as: improved rail links to Pembrokeshire and a network of cycle and walking routes between towns to reduce car usage and encourage people to be more physically active.

Llanddewi Velfrey Community Council (R0083)

- 5.4 The Council wholeheartedly supports the proposed bypass. The clerk shares the concerns of local residents that have been recorded for many years, certainly since 2002. There have been many letters sent by the council and residents to MPs, AMs, et cetera requesting improvements to be made to the road. The Council's concerns are the excessive speed of vehicles travelling through the village (see traffic surveys) and inadequate enforcement of speed limits. The existing road has a poor safety record, poorly aligned junctions, a lack of safe crossing places for pedestrians, especially schoolchildren crossing to reach their school buses. The narrow footways are unsafe for pedestrians and inadequate for persons of reduced mobility. As a result, elderly residents drive to the local shop as it is too dangerous to walk along the road. Engineers carrying out survey work on the pavements alongside the A40 have said that it breached health and safety guidelines. These problems have led to a divided community, which the by-pass would resolve. The Community Council is aware that the scheme will have a negative effect on some residents but feel that this would be significantly outweighed by the major benefits to the community as a whole.

Mid and West Wales Fire and Rescue Service (R0018)

- 5.5 The proposed Scheme has been considered. It will provide a total of 2 km overtaking lanes eastbound and 1 km westbound. It will make improvements to the poor road which runs through the centre of the village, access to the village and its environs will remain unaffected and will increase safety through design, construction and lighting. As this proposal is designed to increase road safety and reduce traffic construction, bypassing the village, it is supported in its entirety.

The Haven Waterway Enterprise Zone Advisory Board (HWEZAB) (R0109)

- 5.6 The proposal would improve strategic connectivity and the reliability of links to Cardiff and Bristol, which is important to address peripherality. Significant improvements to reliability, capacity and journey time on the A40 would be a big enhancement. The scheme is strongly supported.

Points made in individual written submissions

Inspector's Note

There have been 61 individual communications of support for the scheme. In addition, a petition of support with over 151 signatories has been received¹⁰. Many of these communications make similar points and in order to assist the reader the following paragraphs summarise the main points made.

- 5.7 The A40 is the main artery for traffic using the Fishguard ferry and is the only section between Haverfordwest and Carmarthen with a 40mph speed limit. The village is often congested so accessing the A40 from any junction in the village is hazardous. The volume of traffic due to tourism is greatly increased during the holiday periods, compounding these problems. Touring caravans create issues along with the high volume of HGVs and local traffic all using this section of road.
- 5.8 The bypass has been planned for many years and should go ahead given the clear need for the A40 to be rerouted around the village. A dossier was submitted with the petition. It contains the Countryside Council for Wales Report from 1995 as well as other documents, plans and press clippings about traffic problems and the proposed by-pass (the earliest dating to 1980). There is concern that the project may be delayed again to the detriment of residents.
- 5.9 The existing footpath to the garage is extremely dangerous and many residents choose to drive in order to make that short journey. Many residents refer to difficulties with exiting onto the A40 and they prefer to turn left and perform turning manoeuvres rather than attempt to cross the main road. Residents refer to incidents involving HGVs and near misses and accidents. Local residents consider the road to be a death trap. There are high volumes of traffic through the village, most of which ignores the 40mph speed limit. There is 24-hour traffic noise and pollution as a result of the increasing traffic. Several residents refer to growing up in the village and having to cross the road to catch the school bus or go to the park. The road is particularly dangerous for children and young people. Many parents choose to drive their children to school because accessing the school bus is too dangerous. The scheme involves improved pedestrian links to the village which would encourage residents living nearby to walk or cycle for short trips to the village.
- 5.10 Several local residents have relevant qualifications as town planners or scientists and having considered the detail of the scheme are in full support of the proposed bypass.

¹⁰ ID 22 Summary of Representations estimates that 244 persons were named and that the total level of support equates to 192 individuals

6 THE CASE FOR THE OBJECTORS

Inspector's Note

Almost all of the statutory objections to the Scheme were withdrawn by the close of the Inquiry as a result of continued negotiations and modifications proposed by Welsh Government to address the concerns raised. The agent for objection R0026 appeared at the Inquiry. Agreement was reached with Welsh Government the next day and the objection was withdrawn. Outstanding objections from Dwr Cymru/Welsh Water and Western Power Distribution were also withdrawn. Unhelpfully the latter objection was only withdrawn the day before the objector was due to attend the Inquiry. Due to the low number of outstanding objections, I have not followed the conventional reporting format. I have instead reported objections followed immediately by the Welsh Government response.

Objectors who appeared at the Inquiry

The case for Pembrokeshire friends of the Earth (R0040)

- 6.1 Over a great number of years Pembrokeshire Friends of the Earth has supported limited improvements of the A40 such as the Robeston Wathen bypass, while fighting the dualling of this road. It is acknowledged that the residents of the village are in support of the bypass. However, the costs of the Scheme outweigh the benefits.
- 6.2 The Welsh Government and both Pembrokeshire and Carmarthenshire County Councils have acknowledged that we are facing a climate emergency and that in order to protect the world from global warming we must act now. This is supported by the recent legal judgement against the third runway at Heathrow Airport, making the case that all policy must take into account the Paris Agreement and the reductions in GHG emissions that Governments have agreed to and confirmed in law. The development of the scheme was undertaken prior to the Welsh Government's declaration of a climate emergency in April 2019. The scheme should be reassessed in the light of the recognised crisis.
- 6.3 Prosperity for All: A Low Carbon Wales (CD 4.01.24) states that the best way of reducing transport related emissions is to reduce use of the private car. The Scheme is estimated to increase GHG emissions from traffic by 8%, compared to not constructing the Scheme. The assessment by the promoter demonstrates that the scheme would have a moderate adverse greenhouse gas impact. It will also result in increased CO₂ emissions by impacting on mature woodland and by construction. Increased traffic speeds will result in increased levels of noise and exhaust fumes reducing air quality.
- 6.4 PPW talks about avoiding the creation of car-based developments. The Scheme would do the opposite. PPW requires the use of a sustainable transport hierarchy in relation to new development. The hierarchy places cars at the bottom so the Scheme is contrary to policy. Welsh Government argues that the hierarchy does not apply as it seeks to address existing difficulties and is not associated with new development. However, it is also claimed that the Scheme will have economic benefits and improve access to higher education. So, either this is not true, or the hierarchy should apply.

- 6.5 In terms of the WFGA: the scheme is not compatible with Well-being Goal 7 – a globally responsible Wales. The objector understands that Welsh Government is due to publish a new transport strategy and this scheme is likely to fall outside the road improvements envisioned by this new strategy.
- 6.6 The Welsh Government's evidence to the Inquiry is that the economic case for the scheme indicates poor value for money. Money spent would be better used improving local transport services, including the bus and train network. The need for eastbound buses to turn right into the village and cross the A40 may impact on journey times and reliability. Little consideration has been given to public transport in relation to the scheme. The Welsh Government's assessment ignored the potential for rail improvements due to the lack of stations within the study area. However, the majority of traffic through the village originates in Haverfordwest, Fishguard or Milford Haven. All three of these towns have rail links to Carmarthen, Swansea and beyond, which are the major destinations. Reference is made to innovative bus services and community transport schemes in other areas and countries.
- 6.7 Improving journey times is given as a significant advantage of the scheme. However, the figures show that the timesaving would only be around 10 or 20 seconds, which is a small improvement to journey time. Any improvement is very likely to be offset by increased congestion at Haverfordwest and Carmarthen. This congestion will impact on air quality in these built-up areas.
- 6.8 Highway safety has been cited as a major advantage of the scheme. There are a number of ways to achieve this without building a completely new road. Money should be reallocated to improving local conductivity, safe routes for cycles, pedestrians and public transport. This would include a safe crossing in the village with widening of pavements and traffic calming measures. In particular, there appears to be no justification for the section from west of the village to Penblewin, which does nothing to reduce community severance. There is no evidence that the public supports an off-line improvement for this section, having analysed the results of the consultation exercises. The western section therefore provides little benefit other than insignificant time savings at a considerable financial and environmental cost. The Welsh Government's assessment illustrates that the proposed Scheme performs badly with regard to environmental aspects. Five of eight criteria have negative impacts. Improvements in relation to noise and air quality from the expected transition to electric vehicles would reduce noise and air pollution regardless of whether the Scheme goes ahead. The Scheme will result in a significant impact on ancient woodland, it will impact negatively on a number of farms and there is concern regarding its impact on a number of nationally and internationally important species including bats and otters.

The response by Welsh Government

- 6.9 The objector supported improvements to the A40, in particular the Robeston Wathen bypass. The scheme is similar to that bypass which was completed in 2011. The objector clearly recognises the value of the scheme to many residents of the village. The force of feeling within the locality for the removal of traffic from the village is clearly recognised. The Witness' position that the negative effects could be remedied within the village did not stand up to scrutiny.
- 6.10 Many of the arguments made offend the Bushell principle in that they referred to the policies of the Welsh Government rather than their application to the particular problem before this Inquiry. This point should be noted for several other objections.
- 6.11 The Heathrow decision is not relevant to this Inquiry because it concerned an English National Policy statement, which was found not to have been produced in accordance with the law. This scheme has been prepared under Welsh legislation. Of most relevance to this issue is the WFGA. The Scheme has been prepared in accordance with WelTAG which is based on the requirements of the WFGA.
- 6.12 Objectors dispute the extent to which the Scheme would contribute positively to the national well-being objectives and emphasise the failure to encourage modal shift and the increased GHG emissions. Nonetheless, it would be wrong to reject the Scheme based solely on its inability to contribute to one of the seven well-being goals, effectively ignoring its positive contributions to the others. A balanced view must be taken that weighs a failure to contribute to one goal against all positive contributions to other wellbeing goals. Furthermore, the WFGA does not require that every action by the Welsh Government must contribute positively to every one of the well-being goals. It would not be practicable to impose such a requirement. Section 3(2)(a) of the WFGA requires that a public body's well-being objectives should maximise 'its' contribution to achieving the goals. It is, therefore, the actions of the Welsh Government collectively rather than the contributions of individual projects that should be considered.
- 6.13 A central part of the Welsh Government's actions to tackle climate change is their declaration of a climate emergency in April 2019 (Doc 4.01.65). Objectors argue that this Scheme is incompatible with that declaration; their arguments imply that all road-building schemes should cease. However, the Welsh Government has not banned all new road schemes in Wales but is taking action across all areas for which it has a responsibility to meet its ambitions to tackle climate change. Prosperity for All: A Low Carbon Wales, published in March 2019 (Doc 4.01.24), contains 100 policies and proposals spread across all the Welsh Government ministerial portfolios. The Government's 2020-21 budget allocates £140m to support initiatives aimed at decarbonising transport. The objector criticises the Welsh Government's actions on transport decarbonisation but that is not a matter for this Inquiry.

- 6.14 The scheme would result in increased GHG emissions. However, when the Welsh Government declared a climate change emergency it did not announce a ban on new road building. This has been confirmed in several public statements by Welsh Ministers (ID 10). The objector refers to possible changes in transport policy in the future. However, decisions can only be made in the context of existing policy. The Scheme is part of the Welsh Government's National Transport Strategy and is included in the Pembrokeshire County Local Development Plan (CD 4.01.58).
- 6.15 Paragraph 4.1.11 of PPW refers to the use of a sustainable transport hierarchy in relation to new development. The next paragraph states that the sustainable transport hierarchy is intended to prevent car-dependent developments in unsustainable locations. It is clear that it has limited relevance to this Scheme. Paragraph 5.3.13 states that new road schemes and road improvements should take into account the transport hierarchy, whereby active and sustainable transport is considered before private motor vehicles. However, the next part of this paragraph states that this will help minimise community severance and adverse impacts on the safety, convenience and amenity of routes for journeys on foot, bicycle and public transport. There can be no dispute that this Scheme would considerably reduce community severance in Llanddewi Velfrey and provides the opportunity to create a safe and attractive route through the village and its surroundings for walking, cycling and access to bus services. The Scheme does not conflict with national planning policies
- 6.16 Much of the cost of the scheme would be funded by European Regional Development Fund. This funding would not be available to improve other local transport services. Whilst the BCR of 0.13 indicates a poor economic case, as set out in the traffic and economics evidence, there are many non-monetised benefits that cannot be quantified. These are set out earlier, but are in summary, journey time reliability improvements by providing an improved trunk road (the scheme is part of the overall A40 corridor improvement), reducing driver stress and frustration and other environmental and social impacts. It has also been shown that minor adjustments to the scheme or speed limits through the village result in a significantly improved BCR.
- 6.17 Detailed consideration has been given to possible improvements to the existing public transport system in and around the village¹¹. The conclusion reached was that the ability to achieve modal shift by transferring trips along this section of the A40 onto rail is likely to be limited. The dispersed rural population would have to use car journeys to access rail stations and journey time savings would not encourage rail use. Improved bus services are best targeted at a regional level and the studies show that this would not address the problems along the A40.
- 6.18 The impacts on ancient woodland have been assessed in the ES as reported in the evidence of Mr Sumner and in the response to the objection by the Woodland Trust. NRW has no objection in this regard or in relation to the impacts on protected species and designated sites.

¹¹ document 4.03.04

- 6.19 The inclusion of the Western section would provide significantly greater extent of 2+1 carriageway and therefore additional safe overtaking opportunities. This would reduce driver stress, increase journey quality and reliability, improve access to employment and services and reduce the number of potential accidents. There would also be the opportunity to create a safe and convenient route for walkers, cyclists and horse riders utilising the proposed public rights of way network and the de-trunked A40, which would provide health and amenity benefits.

Inspector's Note: Friends of the Earth had referred to the provision of an underpass, widened pavements and traffic calming in the village in their original objection. The response on these matters is reported below in relation to objection R0015.

The case for Mr and Mrs Peett (R0024)

- 6.20 The objectors raised additional issues of principle in oral submissions to the Inquiry as follows: Access to the Haven Waterways Enterprise Zone is used as a justification for the Scheme, despite the fact that this area is served by the A477, which is a more attractive route. The design of the by-pass is poor with a roundabout and limited overtaking for west-bound traffic. In the objectors' experience, 2+1 roads are more dangerous than single roads. The Scheme is poor value for money and safety in the village could be improved by pavement widening and reduced speed limits. The Scheme is not part of an overall strategy to improve the A40 and will just move problems down the road. Does the Scheme comply with the Climate Change Act 2008 in the light of the Court of Appeal ruling on the proposed expansion of Heathrow airport? The Scheme is contrary to Welsh Government's declaration of a climate emergency. Loss of agricultural land and GHG emissions are important considerations. The reported cost of the Scheme has varied widely, and the Welsh Government has a poor track record on sticking to budgets.
- 6.21 The original objection concerned the effect of the proposal on the value of their property by virtue of increased noise and light pollution. The most important issue was noise. Long-term noise levels above 55dbA are damaging to health. Noise monitoring surveys have not been undertaken at the property, this flawed approach potentially underplays the impact, particularly as all bedrooms and the garden are on the A40 side of the property. Noise bunds in a suitable location and double glazing should be provided to the south facing elevation. Their B&B business will be seriously affected by the construction and operation of the scheme, as one of its main selling points is its tranquil location. The extent of the proposed lighting at Penblewin roundabout was queried.
- 6.22 There would be a clear line of sight from the proposed road and private means of access (PMA) known as Trefangor Lane towards the objectors' property, contrary to the evidence of Welsh Government. The visibility splays (eastern direction) at the junction of the PMA with the A478 would be inadequate. There is a field access close to the proposed PMA junction. This is an unacceptable location which could be dangerous. The speed limit on the A478 must be reduced before it reaches the PMA junction, especially as the PMA will be used by farm traffic. There were concerns in

relation to surface water run-off from the A478 onto the property, which will be exacerbated by the proposal¹².

Inspector's Note

The objectors promoted the provision of an alternative PMA with an underpass from the former A40 close to the entrance to Bounty Farm. The Welsh Government case against pursuing this alternative (two options) persuaded the objectors to withdraw it at the Inquiry (ID26).

The response of Welsh Government

- 6.23 The matters of value for money and the need for the Scheme have been addressed above. The traffic flows on the A40 have not been significantly affected by changes to the A477 or the removal of the Cleddau bridge tolls. The variation in the costs of the Scheme stem from an early estimate when construction firm Carillion was awarded the contract in 2016. The Scheme was re-appraised following the collapse of Carillion and the quoted costs are now accurate. The Welsh Government has taken steps to limit budget overruns as set out in the economics evidence and ID 19.
- 6.24 The Heathrow decision is not relevant to this Inquiry because it concerned an English National Policy statement, which was found not to have been produced in accordance with the law. This scheme has been prepared under Welsh legislation. Of most relevance to this issue is the WFGA. The Scheme has been prepared in accordance with WeITAG which is based on the requirements of the WFGA.
- 6.25 Concerns about the effect of the proposal on the value of the property and the B&B business are matters of compensation and not for this Inquiry.
- 6.26 A proposed Side Road (referred to as Trefangor Lane) would have joined the A478 near the objectors' land. The concern regarding whether appropriate visibility would be met at the junction between the A478 and the proposed Side Road was shared by the Inspector. Welsh Government has re-considered and agrees that there would be a problem with visibility due to a crest in the A478 nearby. The Scheme has been amended to move the junction north to an existing field gate, with the landowners' agreement¹³. This ensures that adequate visibility would be provided and addresses the issue of the junction being too close to the existing field gate.
- 6.27 The views towards the objectors' property from the Scheme would be extremely limited, even when the intervening hedge and trees are leafless in winter. The combination of distance (350m), landform and screening would mean that there would be no significant visual effect on the property.
- 6.28 The noise assessment has been carried in accordance with the guidance in DMRB. No noise survey was undertaken at the property as it was considered unnecessary to do so given its location and distance from the

¹² The objection refers to Trefangor Lane as a PMA. It is a side road in the Scheme. The visibility splay referred to is in the northern rather than eastern direction.

¹³ Modification 18

scheme. A noise survey has now been undertaken at the objectors' request, although there was no technical need for these measurements. A comparison of the predicted baseline levels and the measured baseline levels shows that the modelling under-predicted the baseline levels particularly at night. The baseline noise model is based on average annual weekday traffic flows, as required by guidance, and therefore is inherently unlikely to be exactly the same as any sample data. Furthermore, it relates only to traffic on the roads modelled and does not take into account other sources of background noise. These other noise sources may explain the differences between the measured noise levels and the modelled noise baseline. The use of either the measured or the predicted baseline would not affect the conclusions of the traffic noise assessment.

- 6.29 The traffic noise level at the property is predicted to increase by less than 1 dB, which is barely perceptible and not significant. Both daytime and night-time noise levels at the property would remain well below outdoor noise level standards of the World Health Organisation.
- 6.30 The average daily level for construction noise would be in the range of 42 – 54 dBA LEQ over the assessment period. This would obviously be a temporary impact during the construction period. The evidence shows that the 55-dBA level would not be breached. It would therefore appear that this objection is not well-supported, and that mitigation may not be absolutely necessary. That said, the current intention on the basis of the Environmental Management Plan is for there to be a Pembrokeshire hedge bank and headlight screen parallel to the north side of the carriageway at an appropriate distance back from the road. The extent of that bank is currently anticipated to be along the side of the second field from the roundabout. The Welsh Government recognises that the bank itself, the design of which is yet to be finalised, will bring acoustic benefits to the objectors and the hedging may provide some level of screening.
- 6.31 The run-off from the proposed PMA will fall south towards Penblewin roundabout and a drainage ditch will be provided. The scheme will not therefore exacerbate surface water run-off issues at the entrance to the objectors' property. The speed limits on the A478 are a matter for the local highway authority (the county council). Following the request from the objectors, a meeting was held with PCC, who would be amenable to the suggested changes to the speed limits in the area around the entrance to the property. These would be matters for PCC and not the Scheme.

Written Objections

The case for the Woodland Trust (R0053)

- 6.32 The Woodland Trust is the U.K.'s leading woodland conservation charity that aims to protect native woods, trees and their wildlife for the future. The Woodland Trust objects to the Scheme on the basis of damage and loss to 2 areas of ancient woodland, which are both recorded as restored ancient woodland sites on the ancient woodland inventory. PPW states that ancient woodland is an irreplaceable natural resource with significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in

their loss or deterioration unless there are significant and clearly defined public benefits. In the case of a site recorded on the ancient woodland inventory, the advice of NRW should be considered.

- 6.33 The impacts were defined as: direct loss to Ffynnon Wood and an unnamed woodland from the creation of the new road; fragmentation as a result of the destruction of adjacent semi natural habitats; where the wood edge overhangs the road network, branches and even whole trees could be indiscriminately lopped or felled, causing reduction of the woodland canopy; there may be changes to the hydrology altering groundwater and surface water quantities; and temporary works associated with the scheme may cause long-term damage to habitats. The Trust was also concerned about increased noise and light pollution from traffic, as well as dust pollution during construction. The woodlands will also be subject to increased NO₂ emissions from vehicles, which can change the character of the woodland vegetation.
- 6.34 The Trust argues that in order to protect ancient woodland from the impacts of the scheme, a buffer zone of at least 30 m should be implemented prior to works commencing, in order to avoid root damage and to allow for the effect of pollution from the scheme.

The response of Welsh Government

- 6.35 The Scheme would pass through two areas of restored ancient woodland at Ffynnon Wood and Blaen-Pentroydin Wood. Ffynnon Wood is included in the Register of ancient woodland. However, much of the woodland that would be affected by the Scheme is not restored ancient woodland. It is part of the existing A40 embankment that was re-planted with non-native coniferous trees some years ago. 1,387 m² of the 2,085 m² affected is already within the highway boundary. At Blaen-Pentroydin Wood a narrow strip of ancient woodland amounting to 3,266 m² would be affected by the Scheme.
- 6.36 The Scheme alignment has been carefully chosen to minimise the ancient woodland loss in both locations. Mitigation in the form of 6.6 ha of new or replacement woodland is proposed. The soil resource from the areas of ancient woodland would be re-used in these planting areas. The benefits of the Scheme must be balanced against the loss of these small areas of ancient woodland. The views of NRW are an important consideration and NRW had no objection in this regard. It is concluded that the Scheme meets the requirements of PPW in relation to policy for the protection of Ancient woodland.
- 6.37 The ES predicts that there would be no adverse effects on groundwater or surface water, or air quality or as a result of pollution from vehicles. These conclusions are reinforced by the fact that the proposal would be on embankment through both sections of ancient woodland, which increases the distance from the roadway and dispersal rates for emissions. Appropriate dust control measures would be employed.
- 6.38 The intention is to minimise the loss of trees and canopy as a result of the Scheme. The approach to be taken would be controlled in the Contractor's Environmental Management Plan (part of the ES). The CEMP requires the

contractor to ensure that retained trees and their root protection areas are adequately safeguarded in accordance with relevant British Standards. The CEMP and REAC would address the process for translocation of soils, hedges and coppiced trees.

The case for J Webb (R0005)

- 6.39 It is accepted that the road through the village is busy and there is a problem. The enlargement of Penblewin roundabout and the new road to provide access to the village from the east are unnecessary expenses and a waste of money.

The response of Welsh Government

- 6.40 The existing A40 from Penblewin roundabout is to be retained in order to provide access to the rest area, agricultural land and property. As the roundabout would be accommodating an extra road it would need to be enlarged. No other alternative would offer the same benefits. The village link road to the eastern roundabout would be required to be raised in height to provide a suitable gradient. This means that the existing A40 cannot be used as suggested.

The case for Mr Thomas Wheeler (R0015)

- 6.41 The Scheme would be contrary to Welsh Government policies and targets on climate change and reducing GHG emissions, in the context of the declared climate emergency. The Promoter requests that this project is seen in the wider context of Welsh Government's efforts in other sectors to tackle climate change. Actions on transport decarbonisation have been very limited and every extra tonne of CO₂ makes achievement of global warming targets more difficult. The Scheme is not compatible with the target of 43% reduction in transport sector emissions by 2030 set in Prosperity for All: A Low Carbon Wales (CD 4.01.24).
- 6.42 This bypass would be contrary to Planning Policy Wales sustainable transport hierarchy, which is relevant to transport infrastructure. New road building sends out the wrong message and would adversely affect the aim to discourage use of the private car. The new road would lead to reduced use of public transport and adversely affect journey times for buses. The Scheme does not include rail improvements to offset the increased attractiveness of the A40 that would result. Improvements to rail services to Pembrokeshire are suggested as an alternative to the Scheme.
- 6.43 The Scheme would result in induced traffic. The promoter's claim of economic benefits to the wider area must generate more traffic and this is contradictory to the claim that the proposed road will not induce traffic. The WelTAG assessment shows that the Scheme would not contribute to meeting Scheme objectives 7 and 8. The Scheme would be poor value for money, with a BCR of 0.13.
- 6.44 The Scheme would result in the loss of ancient woodland in two locations as well as other woodland; severing links to other areas of ancient woodland.

- 6.45 The Scheme would result in the loss of passing trade for local businesses. Improvements to the west of Llanddewi Velfrey to Penblewin are not necessary. Problems in the village could be addressed by the provision of a pedestrian crossing or a footbridge or an underpass. Other suggestions were reducing the speed limit to 30 mph and traffic calming measures. There is sufficient highway width for pavement widening along the A40 and side roads. These measures would be a fraction of the cost of the Scheme.

The response of Welsh Government

- 6.46 Welsh Government's response to issues of compatibility with the WFGA, climate change policy and increased GHG emissions as a result of the Scheme have already been reported above. The assessment of impacts on woodland and ancient woodland have also been addressed in response to other objections, such as that by the Woodland Trust, for example.
- 6.47 It is correct that Prosperity for All: A Low Carbon Wales was published prior to the Welsh Government declaration of a climate emergency. There has been no subsequent declaration changing Welsh Government policy on road schemes. There has been no change to the commitment in Prosperity for All: The National Strategy (CD 4.01.33) to deliver enhancements to the A40 in West Wales. Criticisms of the Welsh Government's policies on climate change are not a matter for this Inquiry. Improving the A40 in West Wales is still part of Welsh Government policy; this Scheme is the preferred method of making the much-needed improvements.
- 6.48 Paragraph 4.1.11 of Planning Policy Wales refers to the use of a sustainable transport hierarchy in relation to new development. The next paragraph states that the sustainable transport hierarchy is intended to prevent car-dependent developments in unsustainable locations. It is clear that it has limited relevance to this Scheme. Paragraph 5.3.13 states that new road schemes and road improvements should take into account the transport hierarchy, whereby active and sustainable transport is considered before private motor vehicles. However, the next part of this paragraph states that this will help minimise community severance and adverse impacts on the safety, convenience and amenity of routes for journeys on foot, bicycle and public transport. There can be no dispute that this Scheme would considerably reduce community severance in Llanddewi Velfrey and provides the opportunity to create a safe and attractive route through the village and its surroundings for walking, cycling and access to bus services. The Scheme does not conflict with national planning policies.
- 6.49 The effect on local businesses as a result of the loss of passing trade is considered below under R0016.
- 6.50 The inclusion of the western section of the Scheme to Penblewin allows for the provision of greater safe overtaking opportunities, thereby meeting several Scheme objectives. It would also assist in reducing community severance by providing a safe route for WCHRs to the west of the village.

- 6.51 The option to use existing rail lines was investigated in a study carried out in 2002. It was concluded that the costs associated with enhanced passenger services were likely to exceed revenue, thus requiring an operating subsidy. It was also acknowledged that improvements to public transport would not reduce the amount of traffic on the A40 Trunk Rd. A public transport option was also considered during the WelTAG stage 1 appraisal and similar conclusions were reached.
- 6.52 The Scheme would not have an adverse impact on public transport because it would improve journey time reliability through the village for buses. This would compensate for any time taken to negotiate the junctions into and out of the village onto the by-pass. The small journey time savings as a result of the Scheme would not lead to induced traffic and would not have any significant effect on modal shift from cars to public transport. The Traffic Forecasting Report (CD 4.05.03) indicates that traffic volumes east and west of the Scheme would be unaffected, indicating that there would be no induced traffic as a result of the Scheme.
- 6.53 The suggested alternatives¹⁴ (pedestrian crossing, traffic calming and reduction in speed limits) would adversely affect the identified problems for traffic through the village on an important Trunk road (part of the TEN-T European network. They would not achieve the Scheme objectives and could cause problems in their own right. Further delays as a result of a reduction in traffic speed through the village would improve the economic case for the Scheme. The effect on noise levels from traffic would be negligible. An underpass would be difficult to construct without affecting the existing roadway. The pavements could be widened once the Scheme is completed as traffic volumes would be reduced by 96%. This would be part of the Active Travel and De-trunking proposals.

The case for Mr Jenkins of Preseli Service Station (R0016)

- 6.54 The road is free running with no fatalities and the Scheme is a waste of taxpayers' money. The Scheme would remove passing trade to the detriment of the business, which would be forced to close after 20 years. This would result in the loss of an important local facility, shop and post office.

The response of Welsh Government

- 6.55 Access from the local area and the A40 would be maintained. Signage at either end would direct passing traffic to the local facilities available in the village including the objector's premises. Local access for pedestrians will be improved as part of the Scheme. Improvements to the footpaths and reduced traffic would encourage local use of the facility. Similar signs were provided as part of the Robeston Wathen Scheme and 9 years after the Scheme's opening the petrol station continues to operate. There are elements of the business that do not rely on passing trade and/or have a local catchment.

¹⁴ These are not alternatives to the Scheme within the meaning as defined in the Highways Act 1980

- 6.56 The Welsh Government has provided clear evidence of the need for the Scheme which has also been explained in the response to other objections above. The value for money evidence indicates the benefits of the Scheme make it worthwhile.
- 6.57 As reported earlier, the personal injury accident data has been reviewed as part of the scheme appraisal. This indicates that nine accidents occurred through the village and a further 13 accidents occurred on the remainder of the route. The relevant statistics demonstrate that the type of road proposed in this scheme has a superior safety record. The accident rate is up to 52% lower. The scheme would remove the vast majority of traffic from the village, thereby creating a safer environment. The removal of through traffic would provide the opportunity to widen footways and make walking, cycling and horse riding more attractive for trips within the village.

The case for Sandra Rowlands (R0019)

- 6.58 The main points of the objection were: the impact of the location of an attenuation pond on agricultural access routes to her land south of the A40; the alignment of the proposed road to the village and its impact on an oil tank at Glenfield (the farmhouse); the proposed access provision onto land north of Bethel Chapel and the inclusion of plot 3/6AH within the CPO; potentially severed parcels of land north of Glenfield; the alignment of the proposed public footpath numbered 3/H and 3/I on the draft side roads order. Some of these issues have been addressed by amendments. However, the provision of access to the fields near Awelfa¹⁵ involves joint use as a cycleway/footpath which raises questions of liability in the event of an accident.
- 6.59 The process of compulsory purchase of land taken for the Scheme has been very stressful for the family over the last few years. There has been constant new information and amendments, some aimed at addressing our concerns. The full extent of losses and/or changes to property should be revealed from the start.

The response of Welsh Government

- 6.60 Access to the land south of the attenuation pond would be safeguarded by a modification to the fence line to retain use of the existing access track. Access to the land west of the attenuation pond would also be safeguarded. It is acknowledged that the access adjacent to Awelfa would not be suitable and a proposed modification showing an existing field access to be retained and designated as a private means of access for Glenfield farm. The alignment of the village link road is dictated by geometry standards for new highways. The position of the roundabout has been changed since the April 2017. The amended location will reduce the impact on the existing A40 allowing for a free flow of traffic during construction.

¹⁵ Awelfa is a dwelling on the A40 at the eastern end of the village

- 6.61 There is no intention to impact the existing oil tanks along the eastern boundary of Glenfield farm. The proposed CPO boundary has been modified to show this clearly. The proposed access onto land north of Bethel Chapel has been the subject of some discussions and the promoter is prepared to facilitate the objector's requirements. Plot 3/6AH within the CPO is required for widening the junction between the lane and another lane. This widening is essential to ensure that emergency vehicles can gain access to the properties along that lane. The promoter would facilitate access to severed parcels of land north of Glenfield¹⁶. In relation to the proposed public rights of way: one of the objectives of the scheme is to promote active travel, which is required under the relevant legislation. Footpaths numbered 3/H and 3/I provide a critical link between the village and other rights of way to the east. Footpath 3/H can be incorporated within the highway so as to avoid running within the objector's land. A modification would address this.
- 6.62 The objector's concerns regarding use of a PMA as a cycleway have been addressed by a proposal to retain that part of the former A40 as a side road adopted by PCC. The Council has agreed to adopt this approximately 100m of road and as such there would be no liability on the objector in the event of an accident.
- 6.63 The Project Team has met with the objector and her Agent on numerous occasions and visited the site. Detailed explanations and plans of the impact of the Scheme on the property, PMAs and farmland were provided. Considerable efforts have been made to resolve the objector's concerns. Modifications have been proposed in order to address each of the 7 issues raised. These modifications are to her benefit and should be incorporated into the proposed Orders, if made.

The case for John and Linda Smith (R0028)

- 6.64 The objectors had initially objected on the basis of the impact of the Scheme on their access, water supply and broadband connection. These issues were resolved, and the original objection was withdrawn.
- 6.65 A further letter of objection was submitted raising the following points: The scheme does not represent value for money given the significant pressure for resources in the public sector. The scheme would entail significant loss of trade to the petrol station and shop, this could cause it to close and deprive us of a very welcome local amenity.
- 6.66 There are worrying indicators that actual climate change is occurring. The fact that the Scheme is a resource and energy hungry project, allied with the loss of yet more precious Welsh agricultural and natural open space, should be given significant weight in any decision. It is clear that "business as usual" is not a sensible approach to the precautionary principle.

¹⁶ This would have been covered by modification 9. However, as this requires additional land and the landowner has not given consent, Welsh Government has confirmed that it should not be included. The works are to the objector's benefit and can be included as accommodation works at a later date.

The response of Welsh Government

- 6.67 The case on value for money has been addressed above. Whilst the BCR is low, this calculation does not capture all of the expected benefits of the Scheme, which are set out in the Welsh Government's evidence. These include the reduction of community severance in the village and better opportunities for WCHR.
- 6.68 The effect on the local shop/ petrol station and the impact on climate change have been addressed above in response to other objectors.
- 6.69 None of the agricultural land lost is of best and most versatile quality. There are no objections from agricultural businesses. There is no designated open space that would be lost.

The case for James Cullingford (R0058)

- 6.70 The Scheme is a wasteful, short-sighted proposal, which will not solve perceived problems and will cause permanent damage. There is a need to address climate change, avoid environmental damage and protect natural resources. This type of environmental damage would not be allowed in similar areas that are AONBs or National Parks. Money should rather be spent on transport schemes to tackle congestion on the M4. The aim should be to reduce traffic and improve rail services.

The response of Welsh Government

- 6.71 The need for the Scheme in terms of the role of the A40 as a strategic route and part of the TEN-T European network and the traffic problems experienced has already been set out. The problems experienced by local residents add considerable weight to these arguments. The Scheme is part of the Welsh Government's programme of improvements to the A40.
- 6.72 The impact of the Scheme on climate change and the environment have been assessed above. The impact on farms and loss of agricultural land would not be significant. The landscape and visual impact of the proposal would be reduced in time by the extensive planting and mitigation measures proposed. The Scheme is not in a National Park or AONB, but in any event, road improvements have been undertaken within National Park areas e.g. the A470 in Snowdonia. The Scheme would be part-funded by European funding, which can only be spent in designated areas, such as this. The funding cannot be spent in the M4 corridor. The identified problems on the A40 would not be resolved by improvements to the rail network.

The case for Moira Rowlands (R0060)

- 6.73 This objection makes similar points to the previous objector (Mr Cullingford), which are not repeated. The justification for the Scheme is weak, especially on the grounds of safety. This was claimed in support of improvements to the A477. The result is a dangerous road, with pressure for it to become a dual carriageway. No road is safe, and they don't assist tourism.

The response of Welsh Government

- 6.74 Reducing the number and severity of accidents (collisions) is one of the Scheme objectives. The evidence shows that WS2+1 roads between Haverfordwest and St Clears have a 36% lower accident rate than single carriageway roads with similar speed limits and 52% lower than those with a 30 or 40 mph speed limit.

The case for Sally Amooore (R0069)

- 6.75 The Scheme will put the petrol station out of business and the village will lose its shop, post office and fuel station. The Scheme would adversely affect wildlife, biodiversity and hundreds of acres of prime farmland. There will be an increase in noise levels. There are far more important improvements that need to be made to the road system.

The response of Welsh Government

- 6.76 The impact on the local Petrol Station, wildlife and farms have been addressed above. The ES has assessed the noise impacts of the Scheme as reported above. The objector's property is outside the study area and was not considered individually. A calculation of the traffic noise for the property has been prepared that indicates that there would be a minor reduction in noise levels in the assessment year (2036) with the Scheme.

7 CONCLUSIONS

7.1 Having regard to the foregoing, I have reached the following conclusions.

Introduction to Conclusions

- 7.2 To recommend that the Scheme proceeds, it needs to be shown that, on balance, and having regard to local and national planning policies, including the requirements of agriculture and potential adverse impacts, it is expedient and in the public interest.
- 7.3 If I am to recommend that the Line and De-trunking Order be made, I also need to be satisfied with the compatibility of this Order with the Scheme details and proposals for de-trunking and Active Travel in relation to the existing trunk road through Llanddewi Velfrey to Penblewin.
- 7.4 In the case of lands to be acquired under the Compulsory Purchase Order, and having regard to both statutory criteria and advice, it must be shown that there is a compelling need for compulsory purchase in the public interest which justifies interference with the human rights of those with an interest in the land, that the Welsh Government has a clear idea how it intends using the land it seeks to acquire, that the necessary resources to carry out these plans would be available within a reasonable time scale, and the Scheme is unlikely to be blocked by any impediment to implementation.
- 7.5 With regard to the Side Roads Order it must be shown that alternative routes to highways proposed for stopping up are reasonably convenient and that, where private means of access (PMA) are to be stopped up, another reasonably convenient access is available, or would be provided by the Scheme, if needed.

Support and Objections

- 7.6 The Scheme has the support of PCC. The Council has also been very supportive of the de-trunking proposals and has expressed a clear willingness to assist with active travel measures and the proposed modifications as necessary. The local Community Council expressed very clear support for the Scheme and its Chair attended the Inquiry to give evidence. The Haven Waterway Enterprise Zone Board and local Fire Service also support the Scheme. The Board highlights the economic benefits of road improvements to the area.
- 7.7 I am informed that there are 61 unique expressions of support in writing, with 5 representations that do not object to the Scheme. A petition of support with 167 names of 115 different individuals and a dossier containing press clippings, a report and other documents has been submitted.
- 7.8 There were 36 objections to the Scheme, of which 20 were statutory objectors. 25 had been withdrawn by the end of the Inquiry. Three of these objectors have now expressed their support. This leaves 11 outstanding objections – 3 statutory (R0019, 24 & 28) and the remainder non-statutory.

- 7.9 Several objectors argued that the funding for the Scheme should be used or spent elsewhere. These points were made despite advice at the pre-inquiry meeting that the distribution of Government money is not a matter for any Public Local Inquiry. I also note the Welsh Government's response that European funding could not be spent in the M4 corridor, as some objectors suggested. I draw attention to those concerns here, but I make no further comment on the distribution of Government funds in this report.
- 7.10 Objectors oppose the Scheme because they considered, in the light of the climate emergency declared by the Welsh Government, that no further road schemes should be built, or other non-road based national transportation policies should be developed instead. Whilst drawing attention to the objections, it is inappropriate to make further comment on them since they are not matters that are within the remit of a local Inquiry and, even if that was not the case, none of those objectors adduced any compelling objective evidence to demonstrate that the current problems, let alone the future ones could be addressed satisfactorily by means other than the Scheme.
- 7.11 Objections also referred to various forms of public transport improvement as an alternative to the Scheme, but again none produced any compelling evidence that the current problems could be addressed satisfactorily by these other means. Welsh Government produced evidence that all other alternatives had been considered both early on in the process and latterly as part of the WelTAG 2017 process. In this regard, I am satisfied that the evidence is clear that the identified problems could not be addressed by public transport improvements.
- 7.12 The Welsh Government evidence convincingly explained why there would be little or no induced traffic as a result of the construction of the Scheme. The objectors' claims to the contrary were not supported by any analysis. They relied on general studies based on very different scenarios elsewhere. The Welsh Government evidence relied on actual and projected traffic data for the Scheme area.

The Case for Constructing the Scheme

- 7.13 The Scheme is relatively small-scale with modest time savings. The BCR for the Scheme is very low at 0.13 and on the face of it represents poor value for money. However, this is not the complete picture. There are several other factors which could and should be included in the assessment of the case for the Scheme. These are Welsh Government policy for transport improvements and the contribution to meeting policy and Scheme objectives. I shall consider the benefits and adverse impacts of the Scheme (and the objections raised) before reaching my overall conclusions.
- 7.14 The Scheme is part of a programme of improvements to the A40 in West Wales (part of the TEN-T) network. It has been included in national policy (along with the now completed nearby Robeston Wathen bypass) and programmes for many years. It should be viewed in that context.

- 7.15 There are several identified problems on this part of the network and the identified objectives of the Scheme seeks to address or assist in addressing those problems. I attach considerable weight to the evidence of a large number of local residents as to the adverse effects caused by traffic through the village (including HGVs travelling to the ferry port). This has led to problems of community severance, noise and disturbance and poor facilities for walking and cycling. The Scheme would directly address those issues. The proposed bypass would result in significant amenity benefits for many residents through reduced noise, which is the principal aim in a designated Noise Action Plan Priority Area. The Scheme would improve air quality in the village.
- 7.16 The Scheme would assist in improving the strategic network in West Wales stimulating the economy and addressing perceptions of remoteness. For this reason, it is supported by the HWEZAB. The Scheme would assist in addressing the identified traffic problems by improving journey time reliability; providing overtaking opportunities in order to avoid platooning and driver frustration; and addressing seasonal traffic issues.
- 7.17 I am also mindful that relatively small changes to the Scheme or the speed limits through the village have a major effect on the BCR. This was demonstrated by the sensitivity tests in the Welsh Government evidence. The inclusion of a roundabout at the eastern end of the Scheme provided considerable access and safety benefits but reduced the BCR from 0.4. The evidence demonstrated that if speed limits through the village were to be reduced to 30mph the BCR would increase to 0.6.
- 7.18 The Scheme has been designed to the standards set in the DMRB. 3 departures from standards are necessary, which have been approved by Welsh Government. Details of construction demonstrate that the earthworks would be in balance, low noise surfacing would be used, appropriate drainage arrangements avoiding pollution would be provided and the structures have been designed in accordance with standards and to meet environmental mitigation requirements. I am satisfied that the construction issues have been addressed in the buildability reports. The majority of the proposal is off-line and there is considerable experience of roadbuilding in this area. This reinforces my conclusions on buildability and the accuracy of cost estimates. Evidence demonstrates that funding for the Scheme has been appropriately considered and that if the proposed Orders are made there is every likelihood that implementation of the Scheme will follow.
- 7.19 Regard has been had to the requirements of PPW. The evidence of Welsh Government persuades me that an appropriate balance has been struck between economic policy objectives seeking to deliver better road transport links and those concerning environmental objectives such as reducing GHG emissions, and protecting nature conservation, heritage assets and the landscape. The increase in emissions must be weighed in the context of the Welsh Government's actions aimed at reducing emissions in Wales and tackling climate change across all its areas of responsibility, including transport. The Scheme would enhance the quality of life of residents in Llanddewi Velfrey. The case presented for the Scheme recognises that there would be adverse residual effects on the

landscape and ancient woodland and in terms of GHG emissions. However, it is clear that the environmental effects of the Scheme have been fully considered and properly evaluated throughout the design process. Environmental impacts have been comprehensively assessed, using recognised methodologies; where there would be potentially significant adverse effects, steps are proposed to reduce and mitigate those impacts where practicable. The concerns of NRW regarding the effectiveness of the proposed mitigation measures have been comprehensively addressed.

- 7.20 The guidance in both WeITAG 2017 and PPW have been prepared in accordance with the WFGA, which requires the actions of public bodies to accord with the sustainable development principle and to consider the five ways of working. The evidence of Welsh Government demonstrates how the Scheme contributes to the well-being goals and how it has been developed in accordance with the five ways of working. The Sustainable Development Report considers the Scheme against the Welsh Government's commitments to sustainable development within the context of the WFGA. I conclude that compliance with the Act's requirements has been appropriately demonstrated.
- 7.21 The Active Travel (Wales) Act 2013 requires the Welsh Government and local authorities to continuously improve facilities and routes for pedestrian and cycle travel. It is also appropriate to bear in mind the recreational and health benefits of walking and cycling. I have considered the proposals to maintain and enhance the local network of footpaths and bridleways. I consider that the Active Travel and De-trunking Proposals for the existing A40 would ensure that facilities for walking and cycling in Llanddewi Velfrey would be much improved. The proposed new bridleway to the west and proposed underpasses would enhance the connectivity of the local network for WCHRs. I stress that these measures should be implemented as part of the overall Scheme. They are required in order to meet the Scheme objectives and would maximise the benefits of the Scheme. I am reassured of their implementation by the evidence of their inclusion in the contract notice (ID18).
- 7.22 Around 27 ha of agricultural land would be lost to the Scheme. The land is all Grade 3b or 4 and so no best and most versatile agricultural land (Grades 1, 2 or 3a) would be lost. The impact on farm businesses has been comprehensively assessed. Whilst the magnitude of impact would be significant in terms of the day-to-day running of these units, their viability would not be affected. The scheme has been designed to minimise the impact on agricultural businesses and ensure that access to farms and fields would be maintained. Welsh Government has worked closely with landowners so that the majority of objections on these grounds have been resolved. In all these circumstances, I conclude that the effect of the Scheme on agriculture would not be significant.
- 7.23 The ES concluded that with the various mitigation and compensatory measures proposed, the potential effects of the Scheme on nature conservation would be reduced to levels that would not be significant. The SIAA concluded that with appropriate mitigation measures as identified and described, there would be no adverse effects on the integrity of the

European sites. NRW had raised some concerns with the proposed mitigation measures. A protected species mitigation plan has subsequently been prepared and discussed with NRW, who has confirmed that the proposed mitigation is satisfactory subject to the addition of several environmental commitments to the REAC. This addresses appropriate mitigation and protection measures for the impact on bat species, otters, dormice and badgers. NRW is also satisfied that the proposals would not have an adverse effect on the integrity of the European sites considered in the SIAA. I therefore conclude that the impact on ecology has been adequately addressed in the Scheme and proposed mitigation measures.

- 7.24 The Scheme's effects in terms of noise and vibration and air quality have been comprehensively assessed, using DMRB approved methodologies, in relation to both the construction and operational phases. The ES demonstrated that no significant effects of construction noise or vibration would arise (by ensuring that best practicable means of working would be followed, and appropriate mitigation is included in the Scheme). The community of Llanddewi Velfrey would experience significant permanent beneficial effects through a reduction in traffic noise as a result of the scheme. Whilst there would be an increase in noise levels at a small number of properties, the operational noise impacts were assessed as not causing a significant effect when the other factors set out in the ES are taken into account. During construction, the CEMP would require the contractor to employ best practice in a range of ways in order to minimise adverse impacts on nearby residents. Best practice requirements would include those relating to noise and vibration, dust and fumes, and vehicle and plant movements. In relation to air quality, there would be no exceedances of the NO₂ or PM₁₀ objectives. The results of the assessment show that the Scheme would improve air quality for the majority of residents in the area.
- 7.25 The landscape and visual effects of the Scheme have been assessed in accordance with prescribed assessment methodology. Large landscape impacts are relatively localised and would occur in 2 of the 16 LCAs in the study area. I am satisfied that the design approach seeks to deal with these impacts through appropriate engineering techniques, landscaping and vegetation planting. This would reduce the impact on the affected LCAs to moderate by the summer of the design year. The potential adverse effects of new lighting would be minimised by restricting lighting to where it is essential for safety purposes and by employing lighting which minimises light spill. DCFW have been involved in the Scheme from an early stage. The evidence regarding sustainability and GHG emissions has addressed the issues raised by DCFW. I note their comments that the Scheme should be a design exemplar and that Welsh Government will develop additional design requirements for the Scheme and the associated Active Travel and de-trunking proposals and include them in contract documentation. DCFW is at pains to stress the importance of the Active Travel and de-trunking proposals.
- 7.26 Overall, the effects on cultural heritage would be largely confined to potential buried archaeological remains. A programme of archaeological evaluation and mitigation is set out in the ES. There would be negligible

adverse impacts on two scheduled ancient monuments. Two listed buildings and the village war memorial would be affected in a beneficial manner as a result of traffic on the existing A40 being reduced and by screening. There would be a negligible effect on six other listed buildings. The Scheme therefore meets legislative requirements and policy in respect of the historic environment.

- 7.27 The ES includes Environmental Master Plans¹⁷, which illustrate the landscaping and mitigation proposals for the Scheme, arrived at via the ES and engagement with relevant bodies. Commitments made in the ES, SIAA and through consultation with landowners, residents and consultees have been captured in the REAC. These would be carried through to detailed design, construction and routine maintenance of the Scheme. Commitments relating to Scheme construction would be implemented via the CEMP. The CEMP would continue to be developed as the detailed scheme design progresses. The Scheme contractor would be contractually bound to comply with the CEMP and REAC provisions; independent compliance monitoring would be undertaken by appropriately qualified personnel.

Consideration of Objections

Pembrokeshire Friends of the Earth (R0040)

- 7.28 The declaration of a climate emergency has not changed the policy statements in support of the Scheme as reported in the evidence of Welsh Government. The Welsh Government has referred to 100 policies and proposals referred to in Prosperity for All: A Low Carbon Wales and other measures that it is taking or will take to combat climate change. This is in addition to the measures already in place as a result of past actions and the background of the WFGA, which places sustainability at the heart of decision-making.
- 7.29 I consider that it is clear that the Welsh Government has not proposed a ban on all new roadbuilding as a result of the declaration of a climate emergency. The ministerial statements included in ID10 confirm this fact. I agree with Welsh Government that the Heathrow decision is not relevant to this Inquiry for the reasons given, principally because it specifically related to an English National Policy statement.
- 7.30 The Scheme would result in increased GHG emissions and would not directly encourage a modal shift in transport. Thus, it would not contribute to one of the seven well-being goals under the WFGA (Goal 7). However, regard must also be had to the contribution of the Scheme to other well-being goals and a balanced conclusion reached. The WFGA does not require that all actions contribute to all the goals equally. I agree that it is the actions of Welsh Government collectively that must be considered and not each individual action. The Welsh Government evidence considers compliance with the WFGA in this way and I agree with the conclusions reached (as stated above).

¹⁷ ID 13 updates the Plans to reflect changes to the Scheme since the ES

- 7.31 The sustainable transport hierarchy in PPW appears to me to relate more to proposals for new developments such as housing and employment. Paragraph 5.3.13 is within a section of PPW dealing with the strategic road network, which emphasises the importance of the trunk road network and proper planning for road infrastructure. The WelTAG process has been revised to align with the requirements of the WFGA and consider active and sustainable transport options at the outset. This ensures that the requirements of PPW 5.3.13 are met. I also note that in this case the Scheme would considerably reduce community severance and enhance safety, convenience and amenity of the village and adjoining areas for journeys on foot, bicycle and public transport. This would be achieved by the removal of 96% of traffic from the village and the enhanced facilities proposed as part of the de-trunking and Active Travel arrangements.
- 7.32 The value of the western section of the Scheme lies in the provision of further overtaking lanes, contributing to the Scheme objectives. There would also be improved WCHR linkages via the de-trunked road and a new bridleway, spacious underpass and footpath links.
- 7.33 Environmental and ecology impacts have been considered in the ES, SIAA and Protected Species Mitigation Plan. NRW agree with the conclusions reached and now has no objection to the Scheme. I have concluded that the impact on ecology has been adequately addressed in the ES and SIAA for the Scheme and that the proposed mitigation measures are satisfactory.

Mr and Mrs Peett (R0024)

- 7.34 The late objections to the principle of the Scheme repeat many of the issues considered above as part of my conclusions on the Pembrokeshire Friends of the Earth objections. These conclusions are not repeated here. I have considered the evidence on the impact on farms above and concluded that the effect of the Scheme on agriculture would not be significant. The accident data demonstrates that the proposed WS2+1 carriageway is safer than the single carriageway road it replaces. Traffic flow data on the A40 since the removal of the Cleddau Bridge tolls shows that this has had a negligible effect on traffic volumes¹⁸. An explanation for the various quoted cost figures has been provided in ID19. The current figure is based on past submitted tenders and the significantly greater level of design detail that is now available. ID19 also sets out how the additional surveys undertaken and procurement strategies that would be adopted, together with contractual arrangements, will limit cost overruns. These measures together with the risk and optimism bias allowances reassure me that the cost estimates are as accurate as possible and that appropriate controls on overruns are in place.
- 7.35 The objectors confirmed that the most important issue for them was noise from construction and operation of the Scheme. I am satisfied that appropriate noise surveys and modelling have been undertaken in accordance with guidance in DMRB. The long-term effect of the increase in traffic noise (operational noise) would be barely perceptible at the

¹⁸ See ID20

objectors' property. The evidence shows that construction noise would remain within the range 42 – 54 dBA LEQ over the assessment period, and obviously this would be a temporary effect. Despite this level being below the 55-dBA quoted by the objectors, Welsh Government proposed mitigation in the form of a Pembrokeshire hedge bank and headlight screen parallel to the north side of the carriageway at an appropriate distance back from the road.

- 7.36 The hedge bank should be constructed at the first available opportunity during the construction process. This would bring acoustic benefits and may provide some screening. On this point, I agree that from my observations during the site visit, the visual impact on the property would be limited. Concerns about the effect of the proposal on the value of the property and the B&B business are matters of compensation and not for consideration at this Inquiry.
- 7.37 The revised position for the junction of the proposed Side Road known as Trefangor Lane with the A478 would resolve the objectors' concerns in relation to its position being too close to a field access. The revised position incorporates the field access. It would also address the concerns raised about the visibility at the junction. The revised position is shown on Modification 18 and is on land in the objectors' ownership. Their agent has subsequently confirmed in writing that this would be acceptable to the objectors. I commend this modification as an improvement to the Scheme and side roads.
- 7.38 The evidence shows that the surface water drainage arrangements would not affect the objectors' property. PCC has indicated a willingness to review the speed limits on the A478 approaching the Penblewin roundabout, in line with the objectors' request. I note this here but also advise that this is a separate matter and not part of the Scheme. I also note the objectors' suggested alternatives have been withdrawn.

The Woodland Trust (R0053)

- 7.39 The possible impacts on ancient woodland have been assessed in the ES. The Scheme has been designed to avoid as much ancient woodland as possible by its routing to the north of the main Blaen-Pentroydin Wood, which means that it would traverse a narrow strip of ancient woodland. At Ffynnon Wood much of the affected woodland shown on the register is actually part of the existing A40 embankment and is not ancient woodland. I note that mitigation and re-use of the soil resource is also proposed.
- 7.40 The ES predicts that there would be no significant effects on groundwater, air quality or as a result of dust or light pollution. The proposed mitigation measures will be secured by REAC, the CEMP and the Environmental Master Plans. NRW raised no concerns in relation to loss of ancient woodland. I consider that the loss of these relatively small amounts of ancient woodland would be justified by the benefits of the Scheme.

J Webb (R0005)

- 7.41 I note that the road linking the proposed eastern roundabout to the village is essential and that the Penblewin roundabout must be enlarged to accommodate the Scheme's requirements. This objection is therefore without any basis.

Mr Thomas Wheeler (R0015)

- 7.42 The objections to the principle of the Scheme repeat many of the issues considered above as part of my conclusions on the Pembrokeshire Friends of the Earth objections. These conclusions are not repeated here. I have also considered the impact on ancient woodland above. Little evidence of any detrimental effects of the claimed severance of areas of woodlands was provided.
- 7.43 The inclusion of the western section of the Scheme allows for the provision of greater safe overtaking opportunities, thereby meeting several Scheme objectives. It would also assist in reducing community severance by providing a safe route for WCHRs to the west of the village.
- 7.44 The Welsh Government evidence convincingly explained why there would be little or no induced traffic as a result of the construction of the Scheme. Public transport options were considered at an early stage and as part of the WelTAG process. This included possible rail improvements. The conclusion was that they would not be viable or effective in reducing traffic on the A40. The Scheme would remove 96% of traffic from the village and improve journey time reliability. These factors would more than compensate for the time taken by buses to negotiate the junctions into and out of the village onto the by-pass.
- 7.45 Mr Wheeler and several other objectors referred to addressing community severance and poor pedestrian access in the village by some sort of crossing (be it by underpass, footbridge or at grade) and footpath improvements. They also referred to traffic calming and reduced speed limits to address the impact of traffic on residents' quality of life and safety. Some of these suggestions would be difficult to implement within the context of the existing highway, which is a trunk road. Reductions in the speed limit would adversely affect achievement of improvements in the TEN-T trunk road. The suggestions would not achieve the Scheme objectives and could cause problems in their own right. Further reductions in traffic speed through the village would improve the economic case for the Scheme. There would be little effect on noise levels from traffic.
- 7.46 In contrast the Scheme would remove 96% of the existing traffic from the village. This would allow for the provision of improved footpaths, safe crossings and enhanced pedestrian and cycling facilities as part of the Active Travel and De-trunking proposals. The benefits for local residents have been noted above and clearly articulated in the many communications of support for the Scheme submitted to the Inquiry.

Mr Jenkins of Preseli Service Station (R0016)

- 7.47 The Scheme would result in some loss of passing trade for the business. As against this, local access would be improved, especially for pedestrians. The objector provided no evidence of the effect of loss of passing trade on viability. Some elements of the business would not rely on passing trade. The proposed signage would alert traffic on the A40 to the availability of local services. Similar signage was provided on the Robeston Wathen bypass and the garage and shop there remains open 9 years after the opening of that Scheme. I consider that Welsh Government have made all reasonable efforts to address the objector's concerns in this regard.
- 7.48 I have addressed the need and economic case for the Scheme above. The accident data has been provided. The Scheme would result in road safety improvements and remove 96% of traffic from the village. This would allow for the provision of improved footpaths, safe crossings and enhanced pedestrian and cycling facilities as part of the Active Travel and De-trunking proposals.

Sandra Rowlands (R0019)

- 7.49 I note the efforts made by Welsh Government to explain the Scheme and its effect on the objector's land and property. Welsh Government has sought to accommodate the objector's concerns, including through proposing several modifications to the Scheme. The objection recognises that some of the amendments to the Scheme were aimed at resolving the concerns raised.
- 7.50 Welsh Government has confirmed that modification 9 cannot proceed in the absence of the landowner's consent, as it would involve additional land outside the CPO. I have removed it from Annex C but retained the numbering as before in order to avoid confusion for other objectors. Although the objector has not accepted the proposed modifications, I consider that they would be to the objector's and/or public benefit and every issue raised has been addressed insofar as Welsh Government has been able.

John and Linda Smith (R0028)

- 7.51 The issues raised have all been addressed under other objections above.

James Cullingford (R0058)

- 7.52 Many of the issues raised have been addressed under other objections above. I conclude above that the landscape and visual impact of the proposal would be reduced to moderate by the summer of the design year. The objection states this type of environmental damage would not be allowed in similar areas that are AONBs or National Parks. This scheme is not in not in an AONB or National Park. Welsh Government also points out that road schemes have been constructed in National Park areas such as for example, the A470 in Snowdonia.

Moira Rowlands (R0060)

- 7.53 Many of the issues raised have been addressed under other objections above. The accident data shows that WS2+1 roads are safer than the single carriageway roads they replace. Welsh Government has no plans to construct dual carriageways in this area.

Sally Amore (R0069)

- 7.54 The impact on the local Petrol Station, wildlife and farms have been addressed above. The ES has assessed the noise impacts of the Scheme as reported above. The noise impact on the objector's property has been assessed and the results demonstrate that the property not be adversely affected by noise.

The Orders required for the Scheme

Conclusions with regard to the Line and De-trunking Order

- 7.55 I am satisfied that the proposed changes to the trunk road network would, bearing in mind the requirements of local and national planning policy, including the requirements of agriculture, be expedient and in the public interest for the purposes of improving the national system of routes for through-traffic in Wales.
- 7.56 I am also satisfied that the proposals for de-trunking a length of the existing A40 trunk road are expedient with regard to the Active Travel (Wales) Act 2013. The tests set out at the start of this section are therefore met.

Conclusions with regard to the Compulsory Purchase Order

- 7.57 I have closely studied the Schedule and Plans accompanying the Compulsory Purchase Order and can find no evidence of any proposal to purchase any land or rights other than those necessary to implement the Scheme.
- 7.58 The Welsh Government has recommended modifications to some areas, rights or ownership details included in the CPO. I have closely studied the proposals for modifying the Order and endorse all the modifications as being necessary for the purposes of the Scheme, or for improvement of it in the interests of all, and for the correct definition of the Order. Where the modifications seek to extend the scope of the CPO, I am satisfied that interested parties have agreed the modifications in writing. I am satisfied that all the modifications would not adversely prejudice any party. As noted above, there are a series of modifications that address objection reference R0019. Modification 9 requires additional land and as the landowner has not given consent, Welsh Government has confirmed that it should not be included. The works are to the objector's benefit and can be included as accommodation works at a later date. Modification 9 has been removed from Annex C, but the numbering is unchanged to avoid confusion.
- 7.59 I am further satisfied that the whole Order, as modified, addresses no more land than is necessary and that the need for the whole of the CPO has been explained to my satisfaction. Budgetary provision has been

made for the Scheme. It appears to me that there is no impediment to the Scheme proceeding. If the proposed Orders are made work could start soon, for which reason I am satisfied that no land would be purchased ahead of time.

- 7.60 In coming to a view on this I have had regard to the Compulsory Purchase Order tests summarised at paragraph 7.4 above. I conclude that the Compulsory Purchase Order should be modified, in accordance with Annex C to this report, and as modified should be made.

Conclusions with regard to the Side Roads Order

- 7.61 I am satisfied that the proposals for improving or stopping up the highways, and for the stopping up of private means of access in the Order are necessary to meet the Scheme's objectives. With regard to highways, other convenient routes would be made available by the Scheme.
- 7.62 With regard to the private means of access, those reasonable replacement means of access still required would become available before each stopping up takes place, or temporary measures would be provided. During the Inquiry the need for a number of minor modifications arose. Welsh Government and PCC have agreed that several PMAs will become adopted highways, to the benefit of local users. I am satisfied that these have been dealt with in the list of modifications proposed by the Welsh Government at Annex C.
- 7.63 Therefore, I am satisfied that reasonably convenient means of passage would be provided by the Scheme and therefore the tests set out at paragraph 7.5 above have been met.

Overall Conclusions on the Scheme

- 7.64 As set out above, I consider that a range of factors indicate that the Scheme should proceed, despite its low BCR. The Scheme is part of a programme of improvements to the A40 in West Wales (part of the TEN-T) network.
- 7.65 In my view there is a compelling case for the Scheme to be implemented in order to address the identified problems. The Scheme would best achieve the objectives, and this would, in my view, provide a substantial public benefit. This public benefit outweighs the small increase in GHG emissions, the impact on the landscape and loss of Ancient woodland as a result of the Scheme. I note that Welsh Government is taking action in many other areas to meet its many commitments to tackle climate change.
- 7.66 For the reasons I have set out above I conclude that the modifications to the Side Roads and Compulsory Purchase Orders proposed by the Welsh Government are needed and those modifications would make those Orders acceptable.
- 7.67 The incorporation of those modifications would make the draft Side Roads and draft Compulsory Purchase Orders acceptable. I do not regard any of the modifications proposed to be such as to make a "substantial change" of the magnitude necessary to cause further representation to be

necessary in accordance with stipulations of Schedule 1 Section 8 (3) of the Highways Act. It follows that the Scheme is acceptable.

- 7.68 It is accordingly my view that the Scheme is in the public interest and should be allowed to proceed. The Scheme would not, to my mind, have any disproportionate adverse impacts.
- 7.69 In coming to this view, I have had regard to all objections and representations made in writing and the oral presentations at the Inquiry, but individually or collectively, they do not outweigh the conclusions I have reached.

8. RECOMMENDATIONS

I recommend that:

- THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT AND DE-TRUNKING) ORDER 201-
be made.
- THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT) (SIDE ROADS) ORDER 201-
be modified as set out in Annex C and as modified, be made.
- THE WELSH MINISTERS (THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT)) COMPULSORY PURCHASE ORDER 201-
be modified as set out in Annex C and as modified, be made.

A L McCooey

Inspector

ANNEX A

APPEARANCES AT THE INQUIRY

ANNEX B

DEPOSIT DOCUMENTS

AND

LIST OF EVIDENCE OF WELSH GOVERNMENT

Inquiry Documents

- ID 1 Inspector's Notes of PIM on 15 Jan 2020
- ID 2 Notice of Public Local Inquiry
- ID 3 Inquiry Programme (updated 27.02.2020) - subject to change
- ID 4 SWWITCH Rail Strategy Exec Summary by AECOM
- ID 5 Welsh Government Counsel Opening Statement
- ID 6 Objector's Suggested Alternatives Brochure
- ID 7 Register of Environmental Actions and Commitments
- ID 8 Pembrokeshire County Council - Acceptance of Modifications
- ID 9 Note on Milford Haven Port Clarification
- ID 10 Climate Change Announcements Timeline
- ID 11 Note on Review of Accident Data
- ID 12 Counter Objectors to the Alternatives - LIVE (updated 17/03/20)
- ID 13 Environment Master Plans updated
- ID 14 Note on Distribution of Alternative Brochure
- ID 15 Road Safety Audit - Exception Report March 2020
- ID 16 Arboricultural Survey Results / Individual Trees / Tree Groups
- ID 17 Design Commission for Wales Update
- ID 18 Contract Notice re Active Travel and de-trunking works
- ID 19 Note on historic changes in scheme costs and cost overrun mitigation
- ID 20 Note of impact of Cleddau Bridge toll removal
- ID 21 Note on Structures - Bat Mitigation
- ID 22 Note on summary of supporters, objectors and representations
- ID 23 Gazetteer of Cultural Sites Table
- ID 24 Note on Bus Services (Wales) Bill
- ID 25 Mr & Mrs Peett Agreement to Modification 18
- ID 26 Withdrawal of Alternatives
- ID 27 Welsh Government Counsel Closing Submission
- ID 28 Welsh Government Counsel Note on the Heathrow Judgement

1. Welsh Government Proofs of Evidence

Document Number	Description
WG 1.0.1	Outline Statement of Case
WG 1.1	Mark Dixon (Chief Witness)
WG 1.1.1	Part A – Policy Statement Statement of Welsh Government’s Reasons for Proposing that the Published draft Orders should be made.
WG 1.1.2	Part B – Statement of Need Statement of Welsh Government’s Reasons for Proposing that the Published draft Orders should be made.
WG 1.1.3	Part C – Summary Statement Statement of Welsh Government’s Reasons for Proposing that the Published draft Orders should be made.
WG 1.1.4	Errata to Statement of Case
WG 1.2	Philip Thiele (Traffic & Economics)
WG 1.2.1	Summary of Traffic & Economics Proof of Evidence
WG 1.2.2	Traffic & Economics Proof of Evidence
WG 1.2.3	Traffic & Economics Proof of Evidence - Appendices
WG 1.3	Thomas Edwards (Engineering)
WG 1.3.1	Summary of Engineering Proof of Evidence
WG 1.3.2	Engineering Proof of Evidence
WG 1.3.3	Engineering Proof of Evidence – Appendices
WG 1.3.4	Llanfallteg Road Overbridge updated GA drawing (1.8m parapets)
WG 1.4	Andrew Sumner (Environment)
WG 1.4.1	Summary of Environmental Proof of Evidence
WG 1.4.2	Environmental Proof of Evidence
WG 1.4.3	Environmental Proof of Evidence - Appendices
WG 1.4.4	Errata to Andrew Sumner Proof of Evidence
WG 1.4.5	Addendum – ES Appendix 9.3 Arboriculture Survey Drawings Schedules of Individual Trees Schedule of Tree Groups (ID.016)
WG 1.4.6	Addendum – Gazetteer of Cultural Sites Table (ID.023)

WG 1.5 **Pete Wells (Ecology)**

- WG 1.5.1 Summary of Ecology Proof of Evidence
- WG 1.5.2 Ecology Proof of Evidence
- WG 1.5.3 Ecology Proof of Evidence - Appendices
- WG 1.5.4 Errata to Pete Wells Proof of Evidence

WG 1.6 **David Hiller (Noise)**

- WG 1.6.1 Summary of Noise Proof of Evidence
- WG 1.6.2 Noise Proof of Evidence
- WG 1.6.3 Noise Proof of Evidence - Appendices
- WG 1.6.4 Errata to David Hiller Proof of Evidence
- WG 1.6.5 Errata to David Hiller Appendices

WG 1.7 **John Davies (Planning & Sustainable Development)**

- WG 1.7.1 Summary of Planning & Sustainable Development Proof of Evidence
- WG 1.7.2 Planning & Sustainable Development Proof of Evidence
- WG 1.7.3 Errata to John Davies Proof of Evidence
- WG 1.7.4 Amendment to John Davies Proof of Evidence

Respondent Proofs of Evidence

Objectors

- R0046 Pembrokeshire Friends of the Earth
- R0024 Mr R & Mrs C Peett

Supporters

- R0052 Pembrokeshire County Council (did not attend)
- R0083 Llanddewi Velfrey Community Council (K Thomas) Statement

Written statement and Welsh Government rebuttals links and references are available on the PI website.

Core Documents

2. Draft Orders

Draft Orders	
Document Number	Description
Doc. 2.01	Draft Line and De-trunking Order
2.01.01	Draft Line Order
2.01.02	Draft Line Order - Cover Sheet
2.01.03	Draft Line Order - Plan
Doc. 2.02	Draft Side Roads Order
2.02.01	Draft Side Roads Order
2.02.02	Draft Side Roads Order - Cover Sheet
2.02.03	Draft Side Roads Order - Key plan
2.02.04	Draft Side Roads Order - Site Plan 1
2.02.05	Draft Side Roads Order - Site Plan 2
2.02.06	Draft Side Roads Order - Site Plan 3
2.02.07	Draft Side Roads Order - Schedule
Doc. 2.03	Draft Compulsory Purchase Order
2.03.01	Draft Compulsory Purchase Order
2.03.02	Draft Compulsory Purchase Order - Cover Sheet
2.03.03	Draft Compulsory Purchase Order - Key plan
2.03.04	Draft Compulsory Purchase Order - Site Plan 1
2.03.05	Draft Compulsory Purchase Order - Site Plan 2
2.03.06	Draft Compulsory Purchase Order - Site Plan 3
2.03.07	Draft Compulsory Purchase Order - Schedule
Doc. 2.04	Public Notices
2.04.01	Public Notice - Line & Side Road Order
2.04.02	Public Notice - Notice of Determination
2.04.03	Public Notice - Notice of ES & SIAA
2.04.04	Public Notice - Public Exhibition Notice
2.04.05	Public Notice - CPO Public Notice
2.04.06	Public Notice - CPO Site Notice
2.04.07	Public Notice – Notice of Intention for Pre-Inquiry Meeting
2.04.08	Public Notice – Notice of Public Local Inquiry Details

Draft Orders	
Document Number	Description
2.04.09	Public Notice- Alternatives
Doc. 2.05	Letters
2.05.01	Letter - 100 Metre Letter Drop
2.05.02	Letter - Line and Side Road Order
2.05.03	Letter - Deposit Points
2.05.04	Letter - Statutory Bodies
2.05.05	Letter - Non-Statutory Bodies
2.05.06	Letter - CPO Letter (Table 1 with No Essential Licence)
2.05.07	Letter - CPO Deposit Points
2.05.08	Letter - Agents & Solicitors
2.05.09	Letter - (Table 1 with Essential Licence)
2.05.10	Letter - CPO Mortgagees
2.05.11	Letter - Table 2 Interests
2.05.12	Letter – Relevant Date
2.05.13	Letter – Pre-Inquiry Meeting
2.05.14	Letter – Outline Statement
2.05.15	Letter – Statement of Case
2.05.16	Letter – Alternatives
Doc. 2.06	Ancillary Documents
2.06.01	Ancillary Documents - Explanatory Statement
2.06.02	Ancillary Documents - Statement of Reasons
2.06.03	Ancillary Documents - Land Referencing Site Plan 1
2.06.04	Ancillary Documents - Land Referencing Site Plan 2
2.06.05	Ancillary Documents - Land Referencing Site Plan 3
2.06.06	Ancillary Documents - Land Referencing Schedule

3. Environmental Statement

Environmental Statement	
Document Number	Description
3.01.01	Chapter 1 - Technical Assessment Report
3.01.02	Chapter 1 - Figures

Environmental Statement	
Document Number	Description
3.01.03	Chapter 1 - Appendices
3.02.01	Chapter 2 - Technical Assessment Report
3.02.02	Chapter 2 - Figures
3.02.03	Chapter 2 - Appendices
3.03.01	Chapter 3 - Technical Assessment Report
3.03.02	Chapter 3 - Appendices
3.04.01	Chapter 4 - Technical Assessment Report
3.04.02	Chapter 4 - Appendices
3.05.01	Chapter 5 - Technical Assessment Report
3.06.01	Chapter 6 - Technical Assessment Report
3.06.02	Chapter 6 - Figures
3.06.03	Chapter 6 - Appendices
3.07.01	Chapter 7 - Technical Assessment Report
3.07.02	Chapter 7 - Figures
3.07.03	Chapter 7 - Appendices
3.08.01	Chapter 8 - Technical Assessment Report
3.08.02	Chapter 8 - Figures
3.08.03	Chapter 8 - Appendices
3.09.01	Chapter 9 - Technical Assessment Report
3.09.02	Chapter 9 - Figures
3.09.03	Chapter 9 - Appendices
3.10.01	Chapter 10 - Technical Assessment Report
3.10.02	Chapter 10 - Figures
3.10.03	Chapter 10 - Appendices
3.11.01	Chapter 11 - Technical Assessment Report
3.11.02	Chapter 11 - Figures
3.12.01	Chapter 12 - Technical Assessment Report
3.12.02	Chapter 12 - Figures
3.13.01	Chapter 13 - Technical Assessment Report
3.13.02	Chapter 13 - Figures
3.13.03	Chapter 13 - Appendices
3.14.01	Chapter 14 - Technical Assessment Report
3.14.02	Chapter 14 - Figures

Environmental Statement	
Document Number	Description
3.14.03	Chapter 14 - Appendices
3.15.01	Chapter 15 - Technical Assessment Report
3.15.02	Chapter 15 - Figures
3.15.03	Chapter 15 - Appendices
3.16.01	Chapter 16 - Technical Assessment Report
3.16.02	Chapter 16 - Figures
3.17.01	Chapter 17 - Technical Assessment Report
3.17.02	Chapter 17 - Appendices
3.18.01	Chapter 18 - Technical Assessment Report
3.18.02	Chapter 18 - Appendices
3.19.01	Chapters 19, 20, 21 - Technical Assessment Report
3.19.02	Chapters 19, 20, 21 - Figures
3.19.03	Chapters 19, 20, 21 - Appendices
3.20.01	Chapter 22 - Technical Assessment Report

4. Core Documents

Policy and Legislation	
Document Number	Description
4.01.01	National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672)
4.01.02	Government of Wales Act 2006
4.01.03	Highways Act 1980
4.01.04	Acquisition of Land Act 1981
4.01.05	Environment (Wales) Act 2016
4.01.06	NOT USED
4.01.07	Welsh Government, National Natural Resources Policy
4.01.08	NRW, Area Statements
4.01.09	Historic Environment (Wales) Act 2016
4.01.10	Well-being of Future Generations (Wales) Act 2015
4.01.11	Welsh Transport Appraisal Guidance 2017 (WeITAG) Study
4.01.12	NOT USED
4.01.13	Active Travel (Wales) Act 2013
4.01.14	Active Travel Action Plan for Wales 2016
4.01.15	Climate Change Act 2008
4.01.16	Explanatory Memorandum for the Environment (Wales) Act Environment (Wales) Act 2016 Explanatory Note
4.01.17	Welsh Government (2019) What is the Welsh Government doing to tackle climate change?
4.01.18	Natural Environment and Rural Communities Act 2006
4.01.19	UK Government Rural Strategy, July 2004 (Defra, 2004).
4.01.20	Wildlife and Countryside Act 1981
4.01.21	Countryside and Rights of Way (CRoW) Act 2000
4.01.22	Human Rights Act 1998
4.01.23	Prosperity for All: A Climate Conscious Wales 2019
4.01.24	Prosperity for All: A Low Carbon Wales 2019
4.01.25	Green Corridors on the Welsh Government Trunk Road and Motorway Network 2018
4.01.26	Trunk Road Estate Biodiversity Action Plan (TREBAP) 2004-2014
4.01.27	National Transport Finance Plan for Wales 2018
4.01.28	National Transport Plan 2010 (subsequently updated 2017 and 2018)

Policy and Legislation	
Document Number	Description
4.01.29	Wales Transport Strategy 2008
4.01.30	Planning Policy Wales (Edition 10) 2018
4.01.31	Road Safety Framework for Wales 2013
4.01.32	Review of the Road Safety Framework for Wales 2018
4.01.33	Prosperity for All: The National Strategy 2017
4.01.34	Prosperity for All: the national strategy (well-being statement) 2017
4.01.35	Prosperity for All: Economic Action Plan 2017
4.01.36	Technical Advice Note 24: The Historic Environment 2017 (TAN 24)
4.01.37	Taking Wales Forward 2016-2021
4.01.38	Technical Advice Note 23: Economic Development 2014 (TAN 23)
4.01.39	Wales Infrastructure Investment Plan 2012
4.01.40	Wales Infrastructure Investment Plan – Project Pipeline Update 2019
4.01.41	Economic Renewal, A New Direction 2010
4.01.42	Technical Advice Note 5: Nature Conservation and Planning 2009 (TAN 5)
4.01.43	One Wales: One Planet 2009
4.01.44	Trunk Road Forward Programme, 2002, 2004 and 2008
4.01.45	The Wales Spatial Plan Update 2008
4.01.46	Planning (Wales) Act 2015
4.01.47	draft National Development Plan 2019
4.01.48	One Wales: Connecting the Nation – The Wales Transport Strategy 2008
4.01.49	Technical Advice Note 18: Transport 2007 (TAN 18)
4.01.50	Environment Strategy for Wales 2006
4.01.51	State of the Environment report, July 2012
4.01.52	Wales – A Vibrant Economy 2005
4.01.53	Technical Advice Note 15: Development and Flood Risk 2004 (TAN 15)
4.01.54	Technical Advice Note 11 Noise 1997 (TAN 11)
4.01.55	Joint Transport Plan for South West Wales 2015-2020
4.01.56	South West Wales Tourism Strategy, 2004-2008
4.01.57	Pembrokeshire Destination Management Plan 2013-2018
4.01.58	Pembrokeshire County Council Local Development Plan 2013
4.01.59	Pembrokeshire Coast National Park Local Development Plan 2010

Policy and Legislation	
Document Number	Description
4.01.60	National Assembly for Wales Revised Circular on Compulsory Purchase Orders NAFWC14/2004
4.01.61	Design Manual for Roads and Bridges DMRB
4.01.62	The Pembrokeshire Well-being Plan 2018
4.01.63	Draft National Development Framework (NDF)
4.01.64	Learning to Live Differently
4.01.65	Written Statement by Lesley Griffiths, Minister for Environment, Energy and Rural Affairs declaring a climate change emergency 29 April 2019
4.01.66	Written Statement by Lesley Griffiths Minister (as above) accepting advice of Climate Change Committee on GHG reductions in Wales
4.01.67	Welsh Government Draft Budget Proposals 2020-21
4.01.68	Welsh Government Draft Budget Proposals 2020-21 Narrative
4.01.69	WebTAG
4.01.70	Natural Resources Wales Well-being Statement
4.01.71	Environmental Protection Act 1990
4.01.72	Control of Pollution Act 1974
4.01.73	Government of Wales Act 1998
4.01.74	The Pembrokeshire Coast National Park Authority's 2017/2018 Corporate Plan
4.01.75	The Highways (Inquiries Procedure) Rules 1994
4.01.76	The Compulsory Purchase by Ministers (Inquiries Procedure) (Wales) Rules 2010
4.01.77	Town and Country Planning (General Development Procedure) Order 1995
4.01.78	Welsh Transport Appraisal Guidance (WelTAG) 2008

Scheme Development	
Document Number	Description
4.02.01	Route Options Report 2004 (ROR) - A40 West of St Clears Volume 1
4.02.02	Route Options Report 2004 (ROR) - A40 West of St Clears Volume 2
4.02.03	Welsh Assembly Government A40 West of St Clears – Technical Appraisal Report, (February 2004)

4.02.04	Welsh Assembly Government A40 West of St Clears – Stage 2 Environmental Assessment Report (2004)
4.02.05	Welsh Assembly Government A40 West of St Clears – Stage 1 Scheme Assessment Report (2004)
4.02.06	Welsh Assembly Government, [A40 West of St Clears] Addendum to the Technical Appraisal Report, (2006)
4.02.07	Statement of Results from Public Consultation 2006
4.02.08	Preferred Route TR111 Plan
4.02.09	Stage 2 Layout 358432-MMD-00-XX-DR-C-0008
4.02.10	Welsh Government A40 St Clears to Haverfordwest Study, Design Options Report, (June 2015)
4.02.11	A40 St Clears to Haverfordwest, Economic Activity & Location Impacts (EALI) Study

Scheme Reports	
Document Number	Description
4.03.01	Non-Technical Summary (NTS) of the Environmental Statement
4.03.02	Stage 3 Scheme Assessment Report
4.03.03	WeITAG Stage 1 Report
4.03.04	WeITAG Stage 1 Impact Assessment Report
4.03.05	WeITAG Stage 2 Report
4.03.06	WeITAG Stage 2 Impact Assessment Report
4.03.07	WeITAG Stage 3 Report
4.03.08	WeITAG Stage 3 Impact Assessment Report
4.03.09	Sustainable Development Report (SDR)
4.03.10	DCFW Report Jun 2017
4.03.11	DCFW Report Nov 2018
4.03.12	DCFW Report Dec 2019

Engineering Reports	
Document Number	Description
4.04.01	Design Options Report
4.04.02	Alignment and Junctions Strategy Report
4.04.03	Departures from Standard Report
4.04.04	Drainage Strategy Report
4.04.05	Stage 1 Road Safety Audit
4.04.06	Stage 1 Road Safety Audit - Designers Response
4.04.07	Active Travel and Detrunking Proposals
4.04.08	Geotechnical Design Report (GDR)
4.04.09	Construction and Buildability Report
4.04.10	Statutory Authorities Works Report
4.04.11	Road Lighting Strategy

Traffic and Economics Reports	
Document Number	Description
4.05.01	The Initial Traffic and Accident Data Report
4.05.02	The Local Model Validation Report
4.05.03	Traffic Forecasting Report
4.05.04	Traffic Data Collection Report
4.05.05	Economic Assessment Report

Environmental Documents	
Document Number	Description
4.06.01	World Health Organization Environmental Noise Guidelines for the European Region
4.06.02	Jones K 2012. Tranquillity: An Overview. ECRD Report 1207. Environmental Research and Consultancy Department, Civil Aviation Authority

Environmental Documents	
Document Number	Description
4.06.03	Natural Resources Wales 2016. The State of Natural Resources Report (SoNaRR): Assessment of the Sustainable Management of Natural Resources
4.06.04	The Ramsar Convention
4.06.05	The Eels (England and Wales) Regulations 2009
4.06.06	The National Parks and Access to the Countryside Act 1949 (as amended)
4.06.07	The protection of Badgers Act 1992
4.06.08	The Hedgerow Regulations 1997
4.06.09	The Wild Mammals (Protection) Act 2016
4.06.10	Conservation of Habitats and Species Regulations 2017 (as amended)
4.06.11	NOT USED
4.06.12	Statement to Inform an Appropriate Assessment (SIAA)
4.06.13	Assessment of the Implications on European Sites (AIES)
4.06.14	Aldridge H. (1986). Kinematics and aerodynamics of the greater horseshoe bat, <i>Rhinolophus ferrumequinum</i> , in horizontal flight at various flight speeds. <i>Journal of Experimental Biology</i> 126: 479-497
4.06.15	BCT. (2012). <i>Bat Surveys: Good Practice Guidelines (Second ed.)</i> . London: Bat Conservation Trust.
4.06.16	Berthinussen A, Altringham J (2012). Do Bat Gantries and Underpasses Help Bats Cross Roads Safely? <i>PLoS ONE</i> 7(6): e38775. https://doi.org/10.1371/journal.pone.0038775
4.06.17	Berthinussen A, Altringham J (2015). WC1060 Development of a cost-effective method for monitoring the effectiveness of mitigation for bats crossing linear transport infrastructure. DEFRA Science and Research Projects.
4.06.18	Berthinussen A, Altringham J (2017). <i>Bats and Linear Infrastructure: A summary of DEFRA research project WC1060 by Br Anna Berthinussen and Professor John Altringham. Natural Resources Wales, Bangor.</i>
4.06.19	Catherine Bickmore Associates. (2003). <i>Review of Work Carried out on the Trunk Road Network in Wales for Bats</i> . Cardiff: Welsh Government & Countryside Council for Wales.
4.06.20	NOT USED

Environmental Documents	
Document Number	Description
4.06.21	CIEEM. (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Winchester: Chartered Institute of Ecology and Environmental Management.
4.06.22	NOT USED
4.06.23	Davies, J. (2019). Effectiveness of mitigation of the impacts of a new road on horseshoe bats <i>Rhinolophus ferrumequinum</i> in Wales, UK. Conservation Evidence 16, 17 – 23.
4.06.24	NOT USED
4.06.25	European Commission. (1992, 07 22). Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora. Official Journal L., 206, 009-0050.
4.06.26	NOT USED
4.06.27	JNCC. (2012). UK Post-2010 Biodiversity Framework. Peterborough: Joint Nature Conservation Committee and Defra on behalf of the Four Countries' Biodiversity Group.
4.06.28	Limpens, H., Twisk, P., & Veenbaas, G. (2005). Bats and Road Construction. Delft, The Netherlands: Rijkswaterstaat.
4.06.29	NOT USED
4.06.30	Pembrokeshire Biodiversity Partnership. (2011). A Local Biodiversity Action Plan for Pembrokeshire. Haverfordwest: Pembrokeshire County Council.
4.06.31	NOT USED
4.06.32	NOT USED
4.06.33	NOT USED
4.06.34	EIA Directive EC2014/52/EU
4.06.35	The Environmental Impact Assessment (Miscellaneous Amendments Relating to Harbours, Highways and Transport) Regulations 2017
4.06.36	Wales Action Plan for Pollinators (2013)
4.06.37	NOT USED
4.06.38	The State of the Roads in Wales Welsh Government October 2019
4.06.39	Noise and Soundscape Action Plan
4.06.40	The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

ANNEX C

MODIFICATIONS SOUGHT BY THE WELSH GOVERNMENT

MODIFICATIONS SOUGHT BY THE WELSH GOVERNMENT

The following modifications are requested by the Welsh Government. Please note that modification 9 has been removed.

Modification 1

Draft Side Roads Order

On Site Plan 3, amend 'Caerau Farm' to state, 'Valley View'. There is no change to Schedule 3 of the draft Side Roads Order.

Modification 2

Draft Compulsory Purchase Order

Substitute extract from CPO Modification 2 Plan into draft CPO Site Plan 3.

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
3/6m, 3/6p, 3/6u	Plot 3/6m: reduce from 269 square metres to 134 square metres Plot 3/6p: reduce from 808 square metres to 474 square metres Plot 3/6u: Amend Owner and Occupier in Column 3 to be Pamela Merle Lewis, Awelfa, Llanddewi Velfrey, Narberth, Pembrokeshire, SA67 7EG Plot 3/14: New Plot 220 square metres. Owner and Occupier in Column 3 to be Tessa Plowden, Abystree Crych, Robeston Wathen, Narberth, SA67 8ET Plot 3/14a: New Plot 88 square metres. Owner and Occupier in Column 3 to be Tessa Plowden, Abystree Crych, Robeston Wathen, Narberth, SA67 8ET Plot 3/15: New Plot 50 square metres. Owner and Occupier in Column 3 to be Peter Thomas, Huw Thomas, Ruth Thomas, Mai Johns and Linda Bolton, c/o Hafod, Llandissilio, Narberth, Pembrokeshire, SA66 7JJ Plot 3/15a: New Plot 114 square metres. Owner and Occupier in Column 3 to be Peter Thomas, Huw Thomas, Ruth Thomas, Mai Johns and Linda Bolton, c/o Hafod, Llandissilio, Narberth, Pembrokeshire, SA66 7JJ

Modification 3

Draft Side Roads Order

Substitute extract from SRO Modification 3 Plan into draft SRO Site Plan 1.

Extract from SRO Modification 3 Plan into draft SRO Plan. There is no change to Schedule 1 of Site Plan 1 of the draft Side Roads Order.

Modification 4

Draft Side Roads Order

Substitute extract from SRO Modification 4 Plan into draft SRO Site Plan 2.

On Schedule 2 of Site Plan 2, under 'Reference Number of New Private Means of Access', remove 2/5a, 2/6a, 2/7a, 2/8a, 2/9a, 2/10a, 2/11a and 2/12a.

On Schedule 2 of Site Plan 2, under 'Reference Number of New Private Means of Access', add 2/14a.

On Schedule 2 of Site Plan 2, under 'Particulars of New Highways', add 2/I and 2/J. Pembrokeshire County Council is to be listed as the Highway Authority for highways 2/I and 2/J.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
2/8f	Plot 2/8f: reduce from 599 square metres to 187 square metres Plot 2/8s: New plot of 187 square metres

Modification 5

Draft Side Roads Order

Substitute extract from SRO Modification 5 Plan into draft SRO Site Plan 3.

On Schedule 3 of Site Plan 3, under 'Reference Number of New Private Means of Access', remove 3/8a, 3/8b and 3/11a.

On Schedule 3 of Site Plan 3, under 'Particulars of New Highways', add 3/F and 3/J. Pembrokeshire County Council is to be listed as the Highway Authority for highways 3/F and 3/J.

Modification 6

Draft Side Roads Order

Substitute extract from SRO Modification 6 Plan into draft SRO Site Plan 1.

On Schedule 1 of Site Plan 1, under 'Reference Number of New Private Means of Access', add 1/7a and 1/8a.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
1/2d,	Plot 1/2d: increase from 854 square metres to 2202 square metres
1/2f,	Plot 1/2f: increase from 41 square metres to 187 square metres
1/2g,	Plot 1/2g: increase from 3622 square metres to 3656 square metres
	Plot 1/2aa: New plot of 57 square metres
	Plot 1/6e: New plot of 49 square metres

Modification 7

Draft Side Roads Order

Substitute extract from SRO Modification 7 Plan into draft SRO Site Plan 2.

On Site Plan 2, substitute extract from SRO Modification 7 Plan into draft SRO Site Plan 2.

On Schedule 2 of Site Plan 2, under 'Private Means of Access to be stopped up', add 2/14 and the required description. On Schedule 2 of Site Plan 2, under 'Reference Number of New Private Means of Access', add 2/14a.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
2/1u,	Plot 2/1u: reduce from 692 square metres to 243 square metres
2/1t,	Plot 2/1t reduce from 2606 square metres to 2604 square metres
2/3ac	Plot 2/1aa: New plot of 450 square metres

Modification 8

Draft Side Roads Order

Substitute extract from SRO Modification 8 Plan into draft SRO Site Plan 3.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
Plot 3/2k	Plot 3/2k: Reduced from 25519 square metres to 22998 square metres
Plot 3/2q	Plot 3/2q: Increased from 310 square metres to 742 square metres
Plot 3/2r	Plot 3/2r: Increased from 89 square metres to 2178 square metres
Plot 3/4	Plot 3/4: Reduced from 492 square metres to 30 square metres
Plot3/4a	Plot3/4a: Reduced from 71 square metres to 34 square metres
Plot 3/4b	Plot 3/4b: Reduced from 568 square metres to 454 square metres
Plot 3/4c	Plot 3/4c: Increased from 140 square metres to 169 square metres
Plot 3/4d	Plot 3/4d: Reduced from 419 square metres to 96 square metres
Plot 3/4e	Plot 3/4e: Increased from 1820 square metres to 1980 square metres
Plot 3/4f	Plot 3/4f: Increased from 194 square metres to 233 square metres
Plot 3/4g	Plot 3/4g: Increased from 6082 square metres to 7404 square metres

Modification 9

Removed by Welsh Government

Modification 10

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Reference Letter of New Highway', add 3/E.

Modification 11

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Particulars of New Highways', list 3/G and 3/H as a cycleway. Add. Add 3/L as a length of footpath. Pembrokeshire County Council is to be listed as the Highway Authority for highway 3/L. Part of new footpath 3/H to be co-existent with new Private Means of Access 3/6a where it crosses that access.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
	Plot 3/1n: Increased from 131 square metres to 144 square metres
	Plot 3/1s: Reduced from 8391 square metres to 8381 square metres
	Plot 3/1y: Reduced from 47 square metres to 46 square metres
	Plot 3/6x: Reduced from 524 square metres to 514 square metres
	Plot 3/6aa: Reduced from 3113 square metres to 2603 square metres
	Plot 3/6ab: Reduced from 508 square metres to 486 square metres
	Plot 3/6aq: New Plot of 515 square metres
	Plot 3/6ar: New Plot of 11 square metres
	Plot 3/6as: New Plot of 23 square metres

Modification 12

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Particular of New Highways', add 3/L. List Pembrokeshire County Council as Highway Authority.

Modification 13

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Private Means of Access to be Stopped Up, remove 3/6.

On Schedule 3 of Site Plan 3, under 'New Private Means of Access', remove 3/6a.

Modification 14

On the draft CPO, the amount of land within the field directly east of Glenfield Farm has been reduced.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
Plot 3/6q	Plot 3/6q: Increased from 273 square metres to 283 square metres
Plot 3/6s	Plot 3/6s: Reduced from 3583 square metres to 3237 square metres

Modification 15

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
Plot 3/6ac	Plot 3/6ac: Reduced from 6530 square metres to 3599 square metres
Plot 3/6ad	Plot 3/6ad: Increased from 1204 square metres to 2067 square metres
Plot 3/6ak	Plot 3/6ak: Increased from 487 square metres to 1857 square metres

Modification 16

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
	Plot 3/4aa: New plot of 1396 square metres. Owner and Occupier in Column 3 to be Talfan Evans & Vera Elizabeth Jayne Evans c/o Henglos, Whitland, Carmarthenshire. SA345 OST

Modification 17

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
Plot 3/7	Plot 3/7: Reduced from 145 square metres to 132 square metres
Plot 3/8	Plot 3/8: Reduced from 57 square metres to 46 square metres
Plot 3/8a	Plot 3/8a: Reduced from 83 square metres to 78 square metres

Modification 18

Draft Side Roads Order

Substitute extract from SRO Modification 18 Plan into draft SRO Site Plan 1.

On Schedule 1 of Site Plan 1, under 'Private Means of Access to be Stopped Up', add 1/9.

On Schedule 1 of Site Plan 1, under 'New Private Means of Access', add 1/9a.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot(s)	Description of Modification
Plot 1/1	CPO Plot 1/1: Increase from 5208 to 5489 square metres
Plot 1/1a	CPO Plot 1/1a: Increase from 5259 to 5512 square metres
Plot 1/2d	CPO Plot 1/2d: Increase from 854 square metres to 3061 square metres
Plot 1/2f	CPO Plot 1/2f: Increase from 41 square metres to 44 square metres
Plot 1/2g	CPO Plot 1/2g: Decrease from 3622 square metres to 3278 square metres
	CPO Plot 1/6: New plot of 468 square metres
	CPO Plot 1/6a: New plot of 138 square metres
	CPO Plot 1/6b: New plot of 50 square metres

Modification Cover Sheets
(with further information thereon)

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 01

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0028 – John & Linda Smith

Outline:

Modification 1 has been reserved for any errors that do not have a material impact on the content of the published draft Orders (i.e drafting errors). The following drafting errors have been corrected:

- On Site Plan 3 of the draft Side Roads Order (SRO), reference was made to a property called “Caerau Farm”. The Project Team have been notified that the correct name for the property is “Valley View”. Site Plan 3 of the draft SRO has been amended accordingly.

Terms of Modification to the Published Draft Orders

N/A

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 02

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0019 – Sandra Rowlands
- R0029 – Peter Thomas et al
- R0041 – Tessa Plowden
- Pamela Merle Lewis, Awelfa, Llanddewi Velfrey (No Respondent ID)

Outline:

Modification 2 corrects land ownership information in the vicinity of Glenfield Farm. Certain plots were incorrectly listed as being in the ownership of Leslie Beaumont Rowlands of Glenfield.

Terms of Modification to the Published Draft Orders

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **02** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/6m – Plot reduced to 134 square metres

CPO Plot 3/6p – Plot reduced to 474 square metres

CPO Plot 3/6u – Change of address for owner and occupier in column 3

CPO Plot 3/14 – New plot

CPO Plot 3/14a – New plot

CPO Plot 3/15 – New plot

CPO Plot 3/15a – New plot

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 03

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0052 – Pembrokeshire County Council
- R0037 – AGP & JWP Lewis

Outline:

AGP & JWP Lewis raised concerns regarding passing provision at the Side Road (labelled 2/B on the draft SRO) at Henllan Lodge. A passing place has now been provided, and the corner around Henllan Lodge has been widened. As the paved width has increased, Pembrokeshire County Council has been consulted.

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 04

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0052 – Pembrokeshire County Council
- R0025 – David John Hughes
- R0034 – Michael & Karen Brown
- R0035 – Wynn Evans Griffiths
- R0026 – Margaret Rhian Thomas

Outline:

Ffynnon Lane was listed in the draft Side Road Orders as lengths of Private Means of Access (PMA). Pembrokeshire County Council have now agreed to adopt this length of PMA.

The modification also includes provision for a Private Means of Access for Margaret Rhian Thomas from the end of Ffynnon Lane to join with Trefangor Side Road.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Site Plan 2, Ffynnon Lane is now proposed as an adopted highway instead of a length of shared use Private Means of Access (PMA). Substitute extract from SRO Modification 4 Plan into draft SRO Site Plan 2.

On Schedule 2 of Site Plan 2, under 'Reference Number of New Private Means of Access', remove 2/5a, 2/6a, 2/7a, 2/8a, 2/9a, 2/10a, 2/11a and 2/12a.

On Schedule 2 of Site Plan 2, under 'Reference Number of New Private Means of Access', add 2/14a.

On Schedule 2 of Site Plan 2, under 'Particulars of New Highways', add 2/I and 2/J. Pembrokeshire County Council is to be listed as the Highway Authority for highways 2/I and 2/J.

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **04** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 2/8f: reduce from 599 square metres to 187 square metres

CPO Plot 2/8s: New plot of 187 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 05

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0027 – Trustees of Bethel Chapel
- R0028 – John & Linda Smith
- R0030 – Richard Watson
- R0031 – Talfan & Vera Evans

Outline:

Several respondents objected on the basis that Bethel Lane was originally included within the draft Orders as a Private Means of Access with maintenance responsibilities to be shared by several parties. Following discussions with PCC, they have now agreed to adopt Bethel Lane, therefore PCC will adopt the maintenance liability

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Site Plan 3, Bethel Lane is now proposed as an adopted highway instead of a length of shared use Private Means of Access (PMA). Substitute extract from SRO Modification 5 Plan into draft SRO Site Plan 3.

On Schedule 3 of Site Plan 3, under 'Reference Number of New Private Means of Access', remove 3/8a, 3/8b and 3/11a.

On Schedule 3 of Site Plan 3, under 'Particulars of New Highways', add 3/F and 3/J. Pembrokeshire County Council is to be listed as the Highway Authority for highways 3/F and 3/J.

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 06

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0026 - Margaret Rhian Thomas
- R0037 – AGP & JWP Lewis

Outline:

Concerns were raised regarding the lack of appropriate passing provision along Side Road 1/A, namely Trefangor Burial Side Road.

Additional Private Means of Accesses (PMAs) have also been proposed where the proposed Attenuation Pond A has blocked field accesses.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Site Plan 1, the alignment of Trefangor Lane (New Highway 1/A) has been amended from that shown on the published draft Side Roads Order. New Private Means of Accesses are also proposed to access fields. Substitute extract from SRO Modification 6 Plan into draft SRO Site Plan 1.

On Schedule 1 of Site Plan 1, under 'Reference Number of New Private Means of Access', add 1/7a and 1/8a.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

Plot 1/2d: increase from 854 square metres to 2202 square metres

Plot 1/2f: increase from 41 square metres to 187 square metres

Plot 1/2g: increase from 3622 square metres to 3656 square metres

Plot 1/2aa: New plot of 57 square metres

Plot 1/6e: New plot of 49 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 07

Relevant draft Order(s)

- CPO
- SRO

Relevant respondents:

- R0037 – AGP & JWP Lewis

Outline:

Concerns were raised about the proposed access to Ffynnon Wood. The access proposed has been amended to share an access with the access provision to Attenuation Pond B.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Site Plan 2, a field gate providing access into Ffynnon Wood has been stopped up. A new Private Means of Access, 2/14a, has been proposed as a replacement. Substitute extract from SRO Modification 6 Plan into draft SRO Site Plan 2.

On Schedule 2 of Site Plan 2, under 'Private Means of Access to be stopped up', add 2/14 and the required description. On Schedule 2 of Site Plan 2, under 'Reference Number of New Private Means of Access', add 2/14a.

Draft Compulsory Purchase Order

CPO Table 1 and 2 to be amended as follows:

CPO Plot 2/1u: reduce from 692 square metres to 243 square metres

CPO Plot 2/1t reduce from 2606 square metres to 2604 square metres

CPO Plot 2/1aa: New plot of 450 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 08

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0046 – NRW
- R0052 - PCC

Outline:

The alignment of new highway 3/C has been amended to align with an existing bat flight route. This is part of the Protected Species Mitigation Strategy

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Site Plan 3, the alignment of the Underpass 3/C has been amended from that shown on the published draft Side Road Orders. Substitute extract from SRO Modification 8 Plan into draft SRO Site Plan 3. There is no change to Schedule 3 of the draft Side Roads Order.

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **08** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/2k: Reduced from 25519 square metres to 22998 square metres

CPO Plot 3/2q: Increased from 310 square metres to 742 square metres

CPO Plot 3/2r: Increased from 89 square metres to 2178 square metres

CPO Plot 3/4: Reduced from 492 square metres to 30 square metres

CPO Plot3/4a: Reduced from 71 square metres to 34 square metres

CPO Plot 3/4b: Reduced from 568 square metres to 454 square metres

CPO Plot 3/4c: Increased from 140 square metres to 169 square metres

CPO Plot 3/4d: Reduced from 419 square metres to 96 square metres

CPO Plot 3/4e: Increased from 1820 square metres to 1980 square metres

CPO Plot 3/4f: Increased from 194 square metres to 233 square metres

CPO Plot 3/4g: Increased from 6082 square metres to 7404 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 09

Modification 9 has been removed.

As modification 9 requires additional land and the landowner has not given consent, Welsh Government has confirmed that it should not be included. The works are to the objector's benefit and can be included as accommodation works at a later date. Modification 9 is removed, and the numbering is unchanged to avoid confusion.

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 10

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0052 – Pembrokeshire County Council

Outline:

The A40 Trunk Road for a length of 577 metres in a generally easterly direction from a point 169 metres northwest of the entrance to the property known as Glenfield to a point 9 metres west of footpath SP19/5/2, is to be stopped up. The reference letter of New Highway is 3/E.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Site Plan 3, reference to new highway 3/E needs to be included on the SRO Schedule. On Schedule 3 of Site Plan 3, under 'Reference Letter of New Highway', add 3/E.

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 11

Relevant draft Order(s)

- CPO
- SRO

Relevant respondents:

- R0019 - Sandra Rowlands and Family

- R0052 - PCC

Outline:

The Footpath SP19/17/1 has been stopped up and amended to a Cycleway, referenced 3/G, 3/H and 3/L, and additional footpath, 3/I. An additional Footpath, 3/I, has been included in Modification 11 to provide connectivity to the access to Attenuation Pond D.

On Site Plan 3, the Project Team have agreed an alternative arrangement for cyclists at the eastern end of the Scheme. The length of Public Right of Way labelled 3/L in the proposed modification has also been re-aligned following consultation with the landowner.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Particulars of New Highways', list 3/G and 3/H as a cycleway. Add 3/L as a length of footpath. Pembrokeshire County Council is to be listed as the Highway Authority for highway 3/L. Part of new footpath 3/H to be co-existent with new Private Means of Access 3/6a where it crosses that access.

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **11** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/1n: Increased from 131 square metres to 144 square metres

CPO Plot 3/1s: Reduced from 8391 square metres to 8381 square metres

CPO Plot 3/1y: Reduced from 47 square metres to 46 square metres

CPO Plot 3/6x: Reduced from 524 square metres to 514 square metres

CPO Plot 3/6aa: Reduced from 3113 square metres to 2603 square metres

CPO Plot 3/6ab: Reduced from 508 square metres to 486 square metres

CPO Plot 3/6aq: New Plot of 515 square metres

CPO Plot 3/6ar: New Plot of 11 square metres

CPO Plot 3/6as: New Plot of 23 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 12

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0032 – Paul Richardson and Maureen Tinson
- R0033 – Bernard & Pearl Bill
- R0035 – Wynn Evans Griffiths

Outline:

On Site Plan 3, the access to the proposed Cul-de-Sac from Llanddewi Velfrey Link Road (existing A40) has been widened. A turning area has been introduced, namely 3/L.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Particular of New Highways', add 3/L. List Pembrokeshire County Council as Highway Authority.

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 13

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0019 – Sandra Rowlands

Outline:

On Site Plan 3, Pembrokeshire County Council have agreed to adopt a longer length of highway to provide Miss Rowlands with access to her existing field gate.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

On Schedule 3 of Site Plan 3, under 'Private Means of Access to be Stopped Up', remove 3/6.

On Schedule 3 of Site Plan 3, under 'New Private Means of Access', remove 3/6a.

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 14

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0019 – Sandra Rowlands and Family

Outline:

On the draft CPO, the amount of land within the field directly east of Glenfield Farm has been reduced.

Terms of Modification to the Published Draft Orders

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number 14 for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/6q: Increased from 273 square metres to 283 square metres

CPO Plot 3/6s: Reduced from 3583 square metres to 3237 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 15

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0019 - Sandra Rowlands and Family

Outline:

On the draft CPO, the amount of land required for Attenuation Pond D has been reduced following discussions with the landowner.

Terms of Modification to the Published Draft Orders

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **15** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/6ac: Reduced from 6530 square metres to 3599 square metres

CPO Plot 3/6ad: Increased from 1204 square metres to 2067 square metres

CPO Plot 3/6ak: Increased from 487 square metres to 1857 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 16

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0031 - Talfan & Vera Evans

Outline:

A severed parcel of land is being acquired within the CPO for Environmental Mitigation.

Terms of Modification to the Published Draft Orders

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **16** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/4aa: New plot of 1396 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 17

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0029 – Peter Thomas et al
- R0032 – Paul Richardson and Maureen Tinson
- R0035 - Wynn Evans Griffiths

Outline:

Plots 3/7, 3/8 and 3/8a have been reduced to ensure that a small area of hardstanding outside of the properties of Penllain and Croft House were not included within the draft CPO

Terms of Modification to the Published Draft Orders

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **17** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 3/7: Reduced from 145 square metres to 132 square metres

CPO Plot 3/8: Reduced from 57 square metres to 46 square metres

CPO Plot 3/8a: Reduced from 83 square metres to 78 square metres

A40 Llanddewi Velfrey To Penblewin

MODIFICATION 18

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0024 – Mr & Mrs Peett

Outline:

The junction where the proposed Trefangor Side Road meets the existing A478 is being amended in order to overcome a slight visibility issue. The new location is proposed on the crest of the A478 vertical alignment.

Terms of Modification to the Published Draft Orders

SRO

Draft Side Roads Order

Substitute extract from SRO Modification 18 Plan into draft SRO Site Plan 1.

On Schedule 1 of Site Plan 1, under 'Private Means of Access to be Stopped Up', add 1/9.

On Schedule 1 of Site Plan 1, under 'New Private Means of Access', add 1/9a.

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **18** for the entries in the published Draft Compulsory Purchase Order, Table 1

The following changes are required to the draft published CPO Schedule:

Table 1:

CPO Plot 1/1: Increase from 5208 to 5489 square metres

CPO Plot 1/1a: Increase from 5259 to 5512 square metres

CPO Plot 1/2d: Increase from 854 square metres to 3061 square metres

CPO Plot 1/2f: Increase from 41 square metres to 44 square metres

CPO Plot 1/2g: Decrease from 3622 square metres to 3278 square metres

CPO Plot 1/6: New plot of 468 square metres

CPO Plot 1/6a: New plot of 138 square metres

CPO Plot 1/6b: New plot of 50 square metres

ANNEX D

Overview of Statutory Procedures

Project	A40 Llanddewi Velfrey to Penblewin Improvements
Subject	Overview of Statutory Procedures
File Reference	A40LVP-ARP-LSI-SWI-FN-ZL-0001
Prepared by	Geraint Jones
Status	S4 SUITABLE FOR STAGE APPROVAL
Revision Date	P01 10/03/20

1 Project Title

The project title is as follows:

Gwelliannau'r A40 Llanddewi Felfre i Benblewin A40 Llanddewi Velfrey to Penblewin Improvements

2 Published draft Statutory Orders

The published draft Statutory Orders are as follows:

Title	Background Legislation	Publication Date	End of Objection / Comment Period
<p>The London to Fishguard Trunk Road (A40) (Llanddewi Velfrey to Penblewin Improvement and De-trunking) Order 201-</p> <p>The "Line Order" (Doc. 2.01.01)</p>	<p>Highways Act 1980; Sections 10 and 12 (Doc. 4.01.03)</p>	<p>31 July 2019</p> <p>Orders material served as required</p>	<p>20 September 2019 (although Public Notice invited written responses until 30 September 2019 any of which were accepted)</p>

The London to Fishguard Trunk Road (A40) (Llanddewi Velfrey to Penblewin Improvement) (Side Roads) Order 201-	Highways Act 1980; Sections 12, 14, 125 and 268	31 July 2019 Orders material	20 September 2019 (although Public
Title	Background Legislation	Publication Date	End of Objection / Comment Period
The "Side Roads Order" or "SRO" (Doc. 2.02.01)		served as required	Notice invited written responses until 30 September 2019 any of which were accepted)
The Welsh Ministers (The London to Fishguard Trunk Road (A40) (Llanddewi Velfrey to Penblewin Improvement)) Compulsory Purchase Order 201- The "Compulsory Purchase Order" or "CPO" (Doc. 2.03.01)	Highways Act 1980; Sections 239, 240, 246, 250 and 260, as extended and supplemented by: Acquisition of Land Act 1981; Sections 2, and Schedule 2, Part 1 (paragraphs (1)(1)(b), (3) and (4)) (Doc. 4.01.04)	7 August 2019 Orders material served as required	20 September 2019

3 Published Environmental Reports

Title	Background Legislation	Publication Date	End of Objection / Comment Period
Statement to Inform an Appropriate Assessment The "SIAA" (Doc. 4.6.12)	Conservation of Habitats and Species Regulations 2010, Regulations 84 & 61 which implements EC Directive (92/43/EEC)	31 July 2019	20 September 2019

4 Summary of Statutory Procedures

Title	Background Legislation	Publication Date	End of Objection / Comment Period
Environmental Statement The "ES" (Doc. 3.01.01)	European Council (EC) Directive 2011/92/EU, as amended by Directive 2014/52/EU, as applied by section 105A of the Highways Act 1980, as amended by The Highways (Assessment of Environmental Effects) Regulations 1999 and The Highways (Environmental Impact Assessment) Regulations 2007 and the Environmental Impact Assessment (Miscellaneous Amendments relating to Harbours, Highways and Transport) Regulations 2017.	July 2019	20 September 2019
Date	Statutory Requirement		

31 July 2019	Public Notice announcing the draft Line and Side Road Order published in the London Gazette and the Western Telegraph and posted in the locality. (Doc. 2.04.01)
31 July 2019	Public Notice announcing: i. the Determination of the need for an Environmental Impact Assessment (EIA) and Assessment of Implications for European Sites (AEIS); and ii. an Environmental Statement (ES) on the Environmental Impact Assessment (EIA) and Assessment of Implications for European Sites (AIES) published in the London Gazette and the Western Telegraph. (Doc 2.04.03)
31 July 2019	Draft Orders and Environmental Statement placed on deposit at 5 deposit points as follows: <ul style="list-style-type: none"> • Welsh Government, Cathays Park, • Pembrokeshire County Council County Hall • Preseli Services Petrol Station, Llanddewi Velfrey • Queen's Hall, Narberth • Whitland Library (Doc. 2.05.03)

Date	Statutory Requirement
31 July 2019	Public Notice announcing details of the draft Orders exhibitions published in the Western Telegraph and posted in the locality. (Doc. 2.04.04)
31 July 2019	Public Notices and associated reporting posted to those in Llanddewi Velfrey village and those within 100 metres of the proposed scheme. (Doc. 2.05.01)
07 August 2019 and 14 August 2019	Public Notice announcing the draft Compulsory Purchase Order published in the Western Telegraph and posted on in the locality. (Doc. 2.04.05).
07 August 2019	Draft Compulsory Purchase Order and associated documents served as required (Docs. 2.05.06, 2.05.08, 2.05.09, 2.05.10 and 2.05.11 and placed on deposit at the 5 deposit point locations listed above. (Doc 2.05.07)
15 August 2019	Draft Orders Exhibition held at Llanddewi Velfrey Village Hall.

5 September 2019	Draft Orders Exhibition held at Llanddewi Velfrey Village Hall.
20 September 2019	End of comment period for the ES and SIAA.
30 September 2019	Published end of period for written objections to Line and Side Roads Order
17 October 2019	Service of written notice on each statutory objector (and all correspondents) of the intention to hold a Public Local Inquiry. (Doc. 2.05.12)
05 November 2019	Service of letter to all correspondents enclosing pre-inquiry detailed Public Notice and link to the PLI booklet on the Welsh Government website. (Doc. 2.05.13)
06 November 2019	Public Notice of Intention to hold a Pre-Inquiry Meeting and details of date, time and venue posted in the locality and published in the Western Telegraph. (Doc. 2.04.07)
11 December 2019	Service of Outline Statement on all correspondents. (Doc. 2.05.14)
15 January 2020	Pre-Inquiry Meeting held at Llanddewi Velfrey Village Hall.
29 January 2020	Public Notice announcing details of Public Local Inquiry and details of date, time and venue posted in the locality and published in the Western Telegraph. (Doc. 2.04.08)
04 February 2020	Service of Statement of Case on all correspondents. (Doc. 2.05.15)
10 March 2020	Start of Public Local Inquiry.