



Adroddiad

Ymchwiliad a agorwyd ar 10/11/2020
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gan **A L McCooey BA MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 04.01.2021

Report

Inquiry opened on 10/11/2020
Site visits made on 12/11/2020

by **A L McCooey BA MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 04.01.2021

THE HIGHWAYS ACT 1980

THE ACQUISITION OF LAND ACT 1981

THE LONDON TO FISHGUARD TRUNK ROAD (A40) (PENBLEWIN TO REDSTONE
CROSS IMPROVEMENT AND DE-TRUNKING) ORDER 202-

THE LONDON TO FISHGUARD TRUNK ROAD (A40) (PENBLEWIN TO REDSTONE
CROSS IMPROVEMENT) (SIDE ROADS) ORDER 202-¹

THE WELSH MINISTERS (THE LONDON TO FISHGUARD TRUNK ROAD (A40)
(PENBLEWIN TO REDSTONE CROSS IMPROVEMENT)) COMPULSORY PURCHASE
ORDER 202-

¹ Title as amended by Modification 8

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
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
PID (PPID)	Inquiry Document
LCA	Landscape Character Area
NAPPA	Noise Action Plan Priority Area
NPV	Net Present Value
NRW	Natural Resources Wales
PCC	Pembrokeshire County Council
PPW	Planning Policy Wales
REAC	Register of Environmental Actions and Commitments
SAC	Special Area of Conservation
SIAA	Statement to Inform an Appropriate Assessment
SRO	Side Roads Order
TEN-T	Trans-European Transport Network
WCHR	Walkers, Cyclists & Horse-Riders
WelTAG	Welsh Transport Appraisal Guidance
WFGA	Well-being of Future Generations (Wales) Act 2015
WS2+1	Wide Single 2+1 Carriageway as proposed in the Scheme

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CASE DETAILS

- The draft Line Order would be made under Section 10 of the Highways Act 1980 and is known as: THE LONDON TO FISHGUARD TRUNK ROAD (A40) (PENBLEWIN TO REDSTONE CROSS IMPROVEMENT AND DE-TRUNKING) ORDER 202- (CD 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) (PENBLEWIN TO REDSTONE CROSS IMPROVEMENT) (SIDE ROADS) ORDER 202- (CD 2.02.01.)².
- 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) (PENBLEWIN TO REDSTONE CROSS IMPROVEMENT)) COMPULSORY PURCHASE ORDER 202- (CD 2.03.01).

² Title as amended by Modification 8

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 Welsh Ministers 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 Orders and the de-trunking proposals together collectively comprise the Scheme. I shall refer to the Scheme as so defined throughout this report.
- 1.2 A Pre-Inquiry note was issued on 8 October 2020 to all those who had made objection or representation about the draft Orders. This was a procedural note that set out the Inquiry process, administrative arrangements and details of the Public Inquiry website. The scope of the Inquiry was also explained, including that matters such as the merits of Government Policy, the allocation of resources and the compensation of affected landowners are not for local inquiries. The tests that must be satisfied for the three draft Orders were set out.
- 1.3 I refer to the Public Local Inquiry into the draft Orders as “the Inquiry” in this report. I held the Inquiry at the Queen’s Hall, Narberth over a total of 4 sitting days between 10 November and 13 November 2020. The Inquiry was filmed and streamed live on the Public Inquiry website for interested spectators. As no party requested an accompanied site visit, I undertook an end-to-end unaccompanied site inspection at specific locations on 12 November 2020. I also undertook unaccompanied site inspections at other times before and during the course of the Inquiry.
- 1.4 Prior to the Inquiry a total of 22 representations received were classified by the Welsh Government as raising an objection to the draft Orders, of which 8 were statutory objections. 3 individual communications of support were received and 6 were received that clearly do not object to the Scheme. At the close of the Inquiry 9 objections (5 statutory) were withdrawn, 4 individual communications of support and 12 that did not object to the Scheme had been 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. Throughout the Inquiry Welsh to English simultaneous translation facilities were available.
- 1.6 2 objectors appeared at the Inquiry, as follows:
R0017 Ms Bettina Becker for Pembrokeshire Friends of the Earth
R0018 Mr Stephen Jennings
Other objectors relied on their original objections or on written statements of evidence that were submitted in accordance with the agreed procedures. Welsh Government submitted replies to all objections and rebuttals to all statements of evidence.

1.7 The main grounds for objection to the Scheme 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 including on public transport improvements;
- The impact on the natural environment and loss of habitat;
- The negative effects on a farming business as a result of the acquisition of extensive areas of land and woodland for the purposes of environmental mitigation; and
- The negative effect on a local business as a result of the loss of passing trade.

1.8 This report contains a brief description of the area and the Scheme, the main points of the cases as presented by Welsh Government, supporters and objectors (both by way of evidence to the Inquiry and by way of written objection). The cases in relation to the suggested alternatives follows. Then finally my conclusions and recommendations.

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.

2.2 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 (PID 011).

2.3 The draft Line Order, draft Side Roads Order (SRO) and Compulsory Purchase Order (CPO) were published in late July and early August 2020. The period for comments or objections ended on 9 September 2020. An Environmental Statement (ES) was published on 29 July 2020 (CD 3.01.01 to 3.21.01). The ES identifies the main environmental effects of the Scheme and describes the proposed measures to avoid, remedy or reduce effects and provide essential environmental mitigation and enhancement where practicable. I have taken this information into account in this report.

2.4 There are four Special Areas of Conservation (SAC) within 10km of the Scheme (Afonydd Cleddau [1.2 km west]; Pembrokeshire Marine [4.5 km west]; Yerboston Tops [7.2 km SW]; Pembrokeshire Bat Sites and Bosherton Lakes [7.9 km SW]) and a two further SACs designated for bats within 30km of the Scheme. 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) was published on 29 July 2020 (CD 4.06.12). It was confirmed to the Inquiry³ that this document contains both stages i.e. the Assessment

³ Paragraph 3.106 of PID 08

of the Implications of the Scheme on European Sites and SIAA. I have also taken this information into account in this report.

- 2.5 On 13 October 2020 the Welsh Government published a new circular 003/2019: Compulsory Purchase in Wales and 'The Crichel Down Rules' Wales Version 2020. The evidence before the Inquiry related to the 2004 Circular, which was cancelled by Circular 003/2019. The relevant tests for the CPO remain broadly consistent and Welsh Government has confirmed that the necessary information has been provided. The requirements of Circular 003/2019 are taken into account in this report.
- 2.6 Lists of appearances and documents are appended at Annexes A and B respectively. Annex C sets out brief details of the modifications proposed by the Welsh Government to the draft Orders. Following discussions with the landowner, the Welsh Government withdrew modification 1. The list therefore refers to modifications 2 to 9 only.

SUMMARY OF SCHEME LANDS

- 3.1 The Scheme would improve a 1.8 km length of the A40 trunk road from the roundabout at Penblewin to a point at Sodston Lodge approximately 550m west of the existing Redstone Cross junction. Almost all of the Scheme would be off-line bypassing the Redstone Cross junction. A new overbridge would be constructed to carry the B4313 over the new road.
- 3.2 At its western end the Scheme would leave the line of the existing A40 and head south first on an embankment to around chainage 0+400. It would then begin to descend entering a cutting that would be around 6.3m deep where it meets Redstone Road between Redstone Cross and Blaenmarlais Care Home (chainage 0+570). Redstone Road would cross the Scheme on a bridge and join the de-trunked A40 east of the former Redstone Cross junction. The former A40 would continue as a local road to join the Scheme at the Penblewin roundabout.
- 3.3 From Redstone Road to chainage 0+800, the Scheme would transition from cutting to an embankment and curve gently to the left. The embankment would continue eastwards crossing 2 minor watercourses and entering a shallow right-hand curve. At chainage 1+400 the embankment would end, and the Scheme would enter a cutting up to 8m deep before joining the Penblewin roundabout at existing ground level.
- 3.4 Penblewin roundabout would be enlarged to a 6-arm roundabout, which would accommodate the proposed trunk road (east and west), the A478 (north and south) and two proposed de-trunked sections of the former A40. As part of the Scheme the former A40 to the west would be de-trunked and provide access to Redstone Cross when travelling from the east. The eastern de-trunked section forms part of plans to improve the A40 to the east of Penblewin roundabout around the village of Llanddewi Velfrey⁴. The arm off the roundabout serving the existing A40 to the east would be required in order to maintain access to the Rest Area and Lorry Park.

⁴ This scheme is the subject of a separate Inquiry and report to Ministers

4. THE CASE FOR THE WELSH GOVERNMENT

Background

- 4.1 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.
- 4.2 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.
- 4.3 In March 2002, the Trunk Road Forward Programme (CD 4.01.44) was published. It states that the A40 in West Wales forms the lowest standard section of the Trans European Road Network in the United Kingdom and that improvement to the A40 between St Clears and Haverfordwest is needed. 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.
- 4.4 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.
- 4.5 Part of the first scheme was 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. A preferred route for the Llanddewi Velfrey to Penblewin Improvements was announced in March 2010.
- 4.6 This Scheme was included in the A40 Design Options Report 2015 (CD 4.02.10), which was a high level WelTAG stage 1 appraisal. Redstone Cross was identified as an accident cluster location and the Scheme was to be included as part of the Llanddewi Velfrey to Penblewin Improvements at that time. The opinions of the public on improvements to Redstone Cross were sought as part of the Public Information Exhibition on the Llanddewi Velfrey to Penblewin Scheme in 2017.
- 4.7 The Llanddewi Velfrey to Penblewin 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). This document also included: New 2 – improvements to the A40 – 10.8 km of improved 2 + 1 highway between St Clears and Haverfordwest in the medium term. A

Written Ministerial Statement in 2013 referred to improving the A40 as a matter of urgency. Prosperity for All: The National Strategy 2017 (CD 4.01.33) and Taking Wales Forward 2016-2021 (CD 4.01.37) include commitments to deliver a significant improvement to the A40 in West Wales. Protecting sufficient land to safeguard improvements to the A40 west of St Clears is referred to in Policy GN.39 Transport Routes and Improvements of the Pembrokeshire Local Development Plan (CD 4.01.58).

- 4.8 In July 2018 HM Senior Coroner issued his report to prevent future deaths, following his investigation into the circumstances of a fatal accident at Redstone Cross (CD 4.01.06). In August 2018, the Cabinet Secretary for Economy and Transport, Mr Ken Skates MS, replied in writing (CD 4.01.83). He stated *"there is a risk of future deaths at this location unless appropriate action is taken... Preliminary investigations have begun to develop further overtaking opportunities & safety improvements along the length of the A40. This includes improvements at Redstone Cross. These additional A40 improvements are included in the update of the National Transport Finance Plan"*.
- 4.9 The draft Orders for the Llanddewi Velfrey to Penblewin A40 Improvement Scheme were published in July 2019. A Public Local Inquiry was held in Llanddewi Velfrey in March 2020. The Inspector's report of that Inquiry is with the Welsh Ministers for a decision.
- 4.10 Preparatory work on the Penblewin to Redstone Cross Scheme in 2019 led to public consultation on 4 route options. The public consultation favoured the adoption of a southern route, which has been chosen as the route for the Scheme. This option initially had no junction on the new A40 at Redstone Road. Following the receipt of concerns from local residents and businesses, a westbound only junction was added to the preferred route published in November 2019.
- 4.11 The WeITAG 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.
- The A40 Redstone Cross junction is below modern standards. Poor visibility and a sub-standard junction layout can lead to severe road accidents.
 - Limited overtaking opportunities leading to journey time unreliability and driver frustration.
 - Occasional convoys of heavy goods vehicles from the ferry ports and slow-moving agricultural vehicles can contribute to periods of platooning and journey time unreliability, which is exacerbated with the limited overtaking opportunities.
 - Seasonal variations in traffic volumes along the A40, especially during the summer months can lead to slow-moving traffic, causing journey time unreliability, which is exacerbated with the limited overtaking opportunities.

- There are many side road junctions and direct accesses to properties and agricultural fields off the A40, which can contribute to operational problems along the road.
- A mix of traffic types using the road can contribute to journey time unreliability and driver frustration, risky manoeuvres and collision incidents.
- A lack of strategic public transport connectivity in Pembrokeshire generally means there is a dependence on the private car for inter-urban connections.

4.12 In accordance with the Welsh Transport Appraisal Guidance (CD 4.01.11), an objectives-led approach has been adopted. The study work has identified objectives for the Scheme, which are:

- O1 to enhance network resilience and improve accessibility along the East-West transport corridor to key employment, community and tourism destinations.
- O2 to improve prosperity and provide better access to the county town of Haverfordwest, the Haven Enterprise zone and the West Wales ports of Fishguard, Milford Haven and Pembroke Dock;
- O3 to reduce community severance and provide health and amenity benefits;
- O4 to improve the Redstone Cross junction safety (including perceived safety) and reduce the number and severity of collisions;
- O5 to promote active travel by cycling, horse riding and walking to provide opportunities for healthy lifestyles;
- O6 to deliver a scheme that promotes social inclusion and integrates with the local transport network to better connect local communities to key transport hubs;
- O7 deliver a project that is sustainable in a globally responsible Wales, taking steps to reduce or offset waste and carbon;
- O8 give due consideration to the impact of transport on the environment and provide enhancement when practicable.

4.13 The WeITAG Stage 3 Report (CD 4.03.07) assesses how well the Scheme performs against the objectives. The results show that the Scheme would contribute positively to objectives 1 to 6 and would have some adverse impacts on objectives 7 and 8.

4.14 The relevant authorities have confirmed that the European Regional Development Fund would be available for the Scheme despite Brexit and the UK's withdrawal from the European Union. This funding would meet approximately two-thirds of the overall cost.

Legislation and Policy Compliance

- 4.15 Whilst this is not a planning inquiry, section 10 (2) of the Highways Act 1980 requires the Welsh Ministers, when considering proposals to construct a new section of trunk road, to give due consideration to the requirements of local and national planning, including the requirements of agriculture.

The Environment (Wales) Act 2016

- 4.16 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)

- 4.17 The evidence examines whether the scheme has been developed in accordance with the WFGA (CD 4.01.10), and the extent to which it would contribute to the seven well-being goals in the Act. 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 formulated taking into account the seven well-being goals in the WFGA. The WeITAG 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.
- 4.18 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 (PCC). The Scheme has evolved in response to requests from the community. For example, the addition of a ghost island junction for west-bound traffic in order to meet the concerns raised about the lack of local connectivity to Redstone Road.
- 4.19 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.

- 4.20 Steps have been taken to reduce carbon emissions of the Scheme by means of reduced lighting, re-using excavated material within the works, and minimising pavement thicknesses where possible. 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 a 1% increase in total carbon emissions from the construction of the road compared with the Do Minimum. The use (or operation) of the road would actually reduce carbon emissions because the new section of road would be shorter than the section it replaces. Overall, the Scheme would not therefore contribute to meeting one of the national well-being objectives but would make a positive contribution to the majority of the others.
- 4.21 Welsh Government declared a climate change emergency in April 2019 and committed to reducing Greenhouse gas (GHG) emissions in Wales by 95% by 2050. Welsh Government also has an aspiration to reach net zero emissions by 2050. However, this has not resulted in a ban on all new road building in Wales. PID 12 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 actions⁵ the government is taking to meet the target 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 actions. 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

- 4.22 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 to undertake purposeful journeys. 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 Redstone Cross and providing a bridge over the A40 at Redstone Road, the scheme would reduce traffic and conflict between traffic and pedestrians. This would help create a safer and more pleasant environment and reduce the potential for accidents. There are also other 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

⁵ The top 8 actions are set out on the Welsh Government website.

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

- 4.23 This document (CD 4.01.24) sets the foundations for Wales to transition to a low carbon nation. The plan identifies measures for how the Welsh Government plans to meet the first carbon budget for the period 2016 – 2020. 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 plan sets out 100 policies and proposals that Welsh Government has introduced across all ministerial portfolios. 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

- 4.24 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 NEW2, which comprises 10.8km of improvements to the A40 (2+1 schemes) between St Clears and Haverfordwest. The Llanddewi Velfrey Scheme is listed under R15. There is potential to deliver this Scheme in conjunction with the Llanddewi Velfrey Scheme.
- 4.25 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.

Planning Policy Wales Edition 10 (PPW)

- 4.26 The Scheme would deliver on a number of the National Sustainable Placemaking Outcomes defined in PPW 10 (CD 4.01.30). PPW 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 and improve accessibility for WCHRs. The sustainable transport hierarchy⁶ 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

⁶ PPW paragraph 4.1.11

include improved highway safety; boosting the local economy and tourism by improving access to this remote area; reduced air pollution, noise and community severance, and improved opportunities for active travel.

- 4.27 The third theme is Distinctive and Natural Places, which includes consideration of the historic environment, landscape, biodiversity/ecology, air quality and noise impacts.
- 4.28 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. A programme of mitigation and recording is proposed in the ES. The landscape impact has been minimised by the design and comprehensive landscaping proposals of the Scheme. The implications for biodiversity have been considered and mitigation and enhancement measures are proposed. Natural Resources Wales (NRW) 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 Scheme would result in improved air quality and less noise impacts for a number of dwellings. The scheme therefore accords with the WFGA and PPW in relation to this theme and goals such as A Healthier Wales.
- 4.29 The National Development Framework complements PPW. The latest version is called Future Wales and is currently before the Senedd for scrutiny⁷. The outcomes set a vision for the next 20 years and emphasises the importance of good connections (physical and digital). There is a regional growth area for the South West region around the Pembrokeshire Haven Towns. The importance of tourism and the A40 connection is recognised. The Scheme would improve access to the Strategic Gateways of the Haven Towns and Fishguard. Improvements to exposure to noise and in air quality would be achieved. The Scheme would improve safety and journey time reliability on a TEN-T route. It would therefore accord with the policies and objectives of Future Wales.

Traffic and Economics

- 4.30 The importance of the A40 as part of the Trans European Road Network and the poor quality of the section between St Clears and Haverfordwest has been recognised. The problems with the existing road have been set out above. The studies of the network and junctions within the Scheme area demonstrate that traffic flows freely on this part of the existing A40. There is limited congestion of between 18 and 25 % at the two 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.
- 4.31 In the 10-year period between 2008 and 2018 there were 9 accidents on the stretch of the A40 to be replaced. The accidents include several head on collisions and collisions whilst overtaking. Further analysis is provided below.

⁷ By the time this report was prepared the recommendations of the scrutiny Committees had been presented to the Minister for consideration.

- 4.32 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 54% lower than the equivalent accident rate for single carriageway roads with the same speed limit.
- 4.33 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. The projected traffic from planned future developments in Narberth was also taken into account.
- 4.34 Journey time savings resulting from the scheme would be between 3 and 5 seconds eastbound and between 11 and 15 seconds westbound. This does not take into account the cumulative benefits of overtaking opportunities elsewhere in improving journey times on the A40. The congestion measure shows that the road would be expected to operate under free flow conditions scenarios. This does not capture the impact of slow-moving vehicles on traffic speeds. Observations confirm that road users are at times held up behind slow-moving vehicles and the occurrence of this could become more frequent as travel demand rises.
- 4.35 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 £23m. The standard UK approach requires figures to be discounted to 2010 values so that all Schemes can be compared on a like-for-like basis. These figures are £15.74m costs and £4.24m benefits, with a net present value (NPV) of -£11.5m resulting in a BCR of 0.27. The analysis does not include other benefits such as improving journey time reliability; providing overtaking opportunities in order to avoid platooning and driver frustration; addressing higher traffic flows in the holiday periods; positive environmental and connectivity benefits; wider economic benefits; and the benefits of the Scheme's active travel proposals.
- 4.36 Sensitivity analysis has also been undertaken. Under a low traffic growth, the BCR decreases to 0.21 and under high growth scenario the BCR increases to 0.38. Two other tests were undertaken.
- 4.37 The first analysis⁸ related to the accident statistics for the existing A40 in the Scheme area for the period 2008 to 2018. Over that time 9 accidents occurred on the section of the A40 that would be replaced by the Scheme. There was one fatal, one severe and three slight accidents at the Redstone Cross junction. The fatal and severe accidents were from

⁸ A detailed analysis of accidents is in the Welsh Government rebuttal of objection R0017 – Pembrokeshire Friends of the Earth

collisions as a result of vehicles pulling out of Redstone Road on to the A40. There was one fatal and one severe accident caused by dangerous overtaking on the A40 between Redstone Cross and Penblewin roundabout. There were also two other slight accidents – one west of Redstone Cross and one at Penblewin roundabout. The evidence includes correspondence from members of the public who use Redstone Cross; expressing their safety concerns⁹.

- 4.38 Whilst the number of accidents is consistent with the national average for this type of road, the accident severity in terms of fatalities and injuries caused is statistically much higher. The likelihood of a fatality is 8 times higher than the national average and that of a serious injury is 45% higher. The current software package that is used to calculate the benefit of a reduction in accidents as a result of a Scheme does not allow local observed (or actual) accident severity rates to be applied. This limitation is acknowledged in the software with a note that it will be addressed in future updates.
- 4.39 The software therefore understates the true accident benefit of the Scheme by some margin. Work has been completed to apply the local accident severity rates to the Scheme¹⁰. Over the 60-year appraisal period, the number of casualties saved would be 9 fatalities, 3 serious injuries and 20 slight casualties (rather than the 1 fatality, 3 serious injuries and 24 slight injuries in the original reports). The true monetised benefit of the reduction in the number of accidents would be £7.46m instead of the original £1.5m value. Applying these revised benefits to the Scheme the BCR would increase to 0.67 rather than 0.27.
- 4.40 The second sensitivity test undertaken involves an assessment of suggested proposals to improve safety through the study area by reducing the speed limit at Redstone Cross and approaches to 40mph. This was a possibility suggested by the Coroner in the report on the fatal accident at Redstone Cross and has been supported by several objectors. A scenario in which the speed limit is reduced to 40 mph for a 1.1 km section at the Redstone Cross junction was tested. The Scheme was compared against a do minimum with this 40mph speed limit in place. It would strengthen the economic case for the Scheme as a result of increased journey time savings. The BCR would increase to 0.83 in this scenario.
- 4.41 If the effect of a reduction to a 40mph speed limit and the true accident benefits are both considered, the BCR for the Scheme could be 1.23 with a NPV of around £3.5m. This information is presented to show the sensitivity of the case to changes in the assumptions made (such as the speed limit) and that the original economic case is very conservative.
- 4.42 The economic case for the Scheme indicates poor value for money. However, this is a conservative estimate on the basis that several additional benefits that would be likely to arise are not captured. A key consideration is that the economic appraisal is only one aspect of the overall case for investment, which is why it needs to be balanced against

⁹ In the appendices to the rebuttal to R0017 Pembrokeshire Friends of the Earth

¹⁰ In the appendices to the rebuttal to R0017 Pembrokeshire Friends of the Earth.

other environmental and social costs and benefits. The economic case should therefore be considered in the context of the overall Scheme objectives. There is a good overall case for the Scheme.

Engineering

- 4.43 The A40 between St Clears and Haverfordwest has 6 sections with overtaking opportunities (2 eastbound/ 4 westbound), representing 13% of the total length. This is well below the advised 30% ratio advised in DMRB for this type of route. The junction at Redstone Cross is sub-standard because of the available forward visibility, the short ghost island turning bays and the junction configuration. The Coroner's report on the fatal accident at this junction in 2018 made several recommendations to improve safety. The recommendations may have limited effect in addressing the safety issues identified at Redstone Cross Junction. In particular, the suggested re-configuration of the junction would affect properties in the area and would not resolve the visibility issues. The suggested reduced speed limit would have to be enforced and there are already warning signs on the approach to the junction.
- 4.44 The development of the Scheme has taken into account the environmental factors in terms of detailed routing, alignment and land for environmental mitigation. Several relaxations from DMRB standards are proposed for the benefit of the Scheme as a whole. The extent of the proposed lighting at Penblewin roundabout would be reduced. 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.
- 4.45 An independent road safety audit has been carried out on the Scheme. The auditors made 22 recommendations and all bar one of these have been accepted by the design team. The auditor suggested physical islands at the right turn lane for the proposed Redstone Cross junction. This has not been accepted because it would be a departure from standards to the detriment of highway safety. This approach has been approved by Welsh Government Technical Review Panel. The ghost island junction proposed for Redstone Road is a safe type of junction that complies with the DMRB standards. Details showing the low accident rates at other such junctions on the A40 between St Clears and Haverfordwest are provided (see WG 1.3.4). The proposed junction would be restricted to access from Redstone Road for traffic travelling to and from the west only. A left turn onto the Redstone Road link for west bound traffic on the A40 would be prohibited.
- 4.46 The existing 4-arm roundabout at Penblewin would be replaced by an enlarged 6-arm roundabout. This would be similar to the enlarged roundabout proposed as part of the adjacent Llanddewi Velfrey to Penblewin Scheme, with the addition of a new side road to connect the de-trunked A40 and the new trunk road proposed under this Scheme. This means that both Schemes can be implemented independently of each other if such a decision were to be made.

- 4.47 Details of the proposed earthworks and cuttings and embankments are provided. Whilst much of the excavated material would be reusable as fill, for landscaping or as topsoil, there would be a need to import a significant amount of bulk infill materials. 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 DMRB 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 basins/ponds, sized to accommodate the 1 in 100-year event +30% to allow for climate change. 5 basins are proposed along the route. Three would receive run-off from the trunk road (maintained by Welsh Government) and two would receive run-off from side roads and would be adopted by PCC. 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 PCC.
- 4.48 The design of the Scheme was amended following public consultation. Concerns were raised that there would be no convenient access from Redstone Road to and from the westerly direction. Several options were considered, and it was concluded that the optimum solution would be the proposed Redstone Road link. This link runs from Redstone Road to the A40 and the proposed junction arrangement would have a ghost island right turn for eastbound traffic on the A40 to access Redstone Road and a left turn only for westbound traffic from Redstone Road.
- 4.49 The Scheme has been reviewed by the Design Commission for Wales (DCFW) at a series of meetings. Their earlier comments on sustainability and GHG emissions have been addressed. At the meetings¹¹ the Promoters were commended for their engagement with the process and were urged to ensure that the contracts for the Scheme secure the maximum public benefit.
- 4.50 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 Autumn 2021 with completion at the end of 2022. There is experience of road building in this area, which has informed the Scheme reports. 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. The Welsh Government's intention is to construct the Scheme and the Llanddewi Velfrey Scheme at the same time, which could have financial and construction efficiencies. The advice of the DCFW on close supervision of the contracts on behalf of the client is noted.
- 4.51 The experience in the area, site investigations 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

¹¹ See CD 4.03.12 - 16

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 Redstone Road overbridge, a temporary road would be provided to provide continuity of access whilst works are undertaken¹². 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. Diversionary works for utility apparatus have been agreed with all relevant statutory undertakers, none of whom object to the Scheme.

- 4.52 Road lighting would only be provided at and close to Penblewin roundabout. 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. Underpasses are proposed to facilitate safe agricultural access for separate farms. These will also provide safe crossings for protected species.
- 4.53 Measures have been taken to reduce GHG emissions as far as practicable. As noted above, the extent of lighting has been minimised. The highway design and alignment has been developed to minimise the earthworks needed as far as possible. Pavement materials are GHG intensive so the pavement thickness would be minimised as far as practicable without impacting durability.
- 4.54 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. The carriageway width would be maintained; the speed limit would be reduced to 40mph; a segregated shared-use cycle and pedestrian path in the verge and existing signage removed. This path would link with paths into Narberth and towards Llanddewi Velfrey (that would be provided as part of that Scheme). In providing the Active Travel and De-trunking Proposals, along with the provision within the draft 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).
- 4.55 The Active Travel and De-trunking Proposals for the existing A40 would complement PCC aspirations to provide an active travel route between St Clears and Haverfordwest. The proposals have the support of PCC. The Council has also recently completed a WelTag Stage 2 study focussing on sustainable travel in Narberth. The Active Travel and De-trunking Proposals could be complementary to that future scheme. The Active Travel and De-trunking Proposals do not form part of the draft Orders, nor do they require any land take. Their implementation would be ensured by inclusion in the Contract Notice (CD 4.02.12).
- 4.56 The Welsh Government considers that there is a compelling case for the scheme and that the public interest necessitates permanent and

¹² Modification 4 provides for the temporary highway

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. A process of engagement with those affected by the draft CPO has been undertaken and modifications to the draft orders have been proposed, with the agreement of the relevant landowners.

Environment

- 4.57 The environmental impact assessment process consisted of screening and scoping, environmental surveys and preparation of the ES proper. The application of the revised DMRB guidance on EIA is set out in Table 1 of document WG 1.4.2.
- 4.58 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. NRW raised a concern regarding the infiltration of surface water into the ground from some of the proposed drainage basins. This will be addressed by an environmental commitment requiring that there no infiltration of surface water drainage into the ground via drainage basins would be permitted without the written consent of the Local Planning Authority.
- 4.59 An assessment of landscape and visual effects of the Scheme was carried out in accordance with the prescribed methodology within DMRB, which refers to the Guidelines for Landscape and Visual Impact Assessment Third Edition¹³. The impact on areas included within landscape designations was assessed and it was found that there would be no significant effects. There are 18 landscape character areas within the study area. 17 would experience a neutral effect and 1 would experience an overall adverse effect. The effects on that character area would be large adverse during construction and year one. Proposed mitigation would reduce these effects to slight adverse by year 15. The visual impact assessment gave similar results for the identified representative viewpoints. With large adverse effects at Penblewin close to the Scheme and moderate adverse effects on a right-of-way at Blaenffynnonau and at Blaenmarlais. By year 15, significant residual adverse visual effects are predicted for three residential properties, all of which are close to the existing A40. The adverse effects at the two viewpoints would be moderate adverse.

¹³ Published by the Landscape Institute and the Institute of Environmental Management and Assessment 2013.

- 4.60 Blaenmarlais Care Home on Redstone Road accommodates residents on two floors. The position of the care home has been carefully considered. The proposed A40 would be in a cutting as it passes by the home. Technical drawings show that the road and traffic would not be visible even from upper windows¹⁴. The proposed planting will further soften the views over time. Operational noise impacts would be mitigated by the cutting, proposed bund and the existing stone garden wall. There may be some temporary noise issues during construction. Air quality impacts would be negligible.
- 4.61 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 is one scheduled ancient monument within 500m of the Scheme, the Redstone Cross Round Barrows, which would experience an improvement because the main road would be further away from the monument. There are two listed buildings at Blaenmarlais Care Home: the house itself and a barn. The impacts of the scheme on the listed house and barn will be minor and negligible, respectively.
- 4.62 The Scheme has been designed to minimise the impact on agricultural land by avoiding unnecessary severance and isolation of land parcels, where possible. The Scheme will involve the permanent loss of approximately 11.8 ha of agricultural land. None of the land that would be affected is of best or most versatile category and its loss would be of minor adverse significance. Five farms would be affected by the scheme. All would experience changes in day-to-day operations, but the viability of the holdings would not be threatened.
- 4.63 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 whilst there would be one minor adverse impact, 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.
- 4.64 Environmental management of construction effects would be controlled under the Construction Environmental Management Plan (CEMP)¹⁵, 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 include prepared method statements, environmental master plans and other relevant documents such as the Protected Species Conservation Strategy (CD 4.06.47) and the Register of Environmental Actions and Commitments (REAC)¹⁶. Although the environmental commitments are non-statutory, Welsh Government treats them as binding. The CEMP will form the basis for the "after-care and hand over" documents once construction is completed.

¹⁴ See PID 22

¹⁵ A preliminary version (the pre-CEMP) is at Appendix 2.2 of the ES

¹⁶ See PID 20

4.65 A series of environmental objectives have guided 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 striving to reduce embankments heights as much as possible, 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 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. Changes to the Scheme 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. There will be scope for some advance planting in proposed mitigation areas, as agreed with NRW¹⁷, and in the vicinity of Blaenmarlais Care Home.

Ecology

- 4.66 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).
- 4.67 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 woodland and hedgerows from the construction of the scheme would be major adverse with a large significance of effect. This is the effect without mitigation. It is significant due to the length of time it takes for new woodland to mature and the importance of the hedgerows.
- 4.68 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 loss of woodland and hedgerow habitat would be adverse for Dormouse and Bat species. The effects of the Scheme on European designated sites (without mitigation) 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; and effects on the Afonydd Cleddau SAC fish populations through polluted run-off.
- 4.69 Details of the construction mitigation are set out in the CEMP and summarised in paragraph 9.12 of WG 1.6.2. The proposed surface run-off pollution control measures during construction and operation of the Scheme would address the potential adverse effects on fish populations. The overall residual effects of the Scheme in operation have been assessed as negligible adverse in EIA terms. There would be no adverse effects on the integrity of the European sites. The impact on foraging and

¹⁷ Paragraphs 3.83 – 3.85 of PID 08 and 3.16 of WG 1.4.4

commuting bat assemblages would reduce to a minor impact with the proposed mitigation. The residual impact on Dormouse would be minor adverse. 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.

- 4.70 The proposed mitigation measures include seven wildlife crossings. Four key flight routes for bats that would be affected by the Scheme were identified. Culverts would be provided on these routes and would be designed to enable bats (and other species) to safely cross the Scheme. NRW had expressed concern about the design of the culverts and revisions to their size and detailed design/planting proposals have been made¹⁸. The mitigation also provides for improved connectivity over the de-trunked former A40. Street lighting will be minimised in order to avoid effects on species such as bats, dormice, badgers and otters. The existing lighting at Redstone Cross would be removed if the Scheme proceeds. Mammal fencing will be provided along the length of the Scheme to prevent the risk of collisions and guide mammals to the safe crossing points. New woodland, hedgerow and grassland habitats are proposed.
- 4.71 The scheme design has been revised to include culverts of suitable size for woodland species in line with the recommendations of the leading experts in this field¹⁹. The size of culverts proposed was found to greatly increase their use by Greater Horseshoe bats on the nearby Robeston Wathen improvements to the A40²⁰. There is evidence that the proposed culverts will be of sufficient size to be effective and safe crossing points.
- 4.72 In response to NRW concerns, the Dormouse mitigation proposals have been clarified and improved by the creation of additional replacement habitat, the provision of nesting tubes and improved crossings. Dormouse habitat is proposed to be created along the length of the Scheme at a compensation ratio of around 2:1 (6ha gained to 3ha lost). Around 40% would be advanced planting ahead of earthworks completion. It is also proposed to enhance around 2ha of existing woodland by underplanting and seeding. Planting around culverts will encourage their use by dormice and provide effective connectivity of habitats across the Scheme.
- 4.73 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 key crossing points. Enhancement works can be undertaken to contribute to biodiversity and various action plans and policies. At the east end of the Scheme the land adjacent to the new road linking the de-trunked A40 is proposed as species rich grassland. All the highway verges and suitable embankments would also provide species rich grassland. The proposed landscaping and mitigation measures will

¹⁸ See CD 4.06.47 Protected Species Conservation Strategy Report

¹⁹ Berthinhussen and Altringham (2015) CD 4.06.17 Limpens et al (2005) 4.06.28

²⁰ Davies (2019) CD 4.06.23

provide a wildlife corridor that will contribute to Welsh Government biodiversity action plan and green corridors initiatives.

- 4.74 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. Mitigation measures have been proposed to ensure compliance with all relevant legislation pertinent to the protection of species and maintaining/enhancing biodiversity.
- 4.75 The Protected Species Conservation Strategy Report has been issued to and discussed with NRW. NRW has confirmed that the proposed mitigation is satisfactory subject to the addition of several environmental commitments to the register. Those commitments have now been added to the REAC. NRW is also satisfied that the proposals would not have an adverse effect on the integrity of the European sites considered in the SIAA.

Noise

- 4.76 The scheme has the potential to cause temporary, short-term increases in noise at a small number of 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 relevant standards, as set out in the CEMP. A low noise surface will be used on the A40 as part of the Scheme.
- 4.77 There is a type of designated Noise Action Plan Priority Area (NAPPA), known as a noise action plan proximity area, close to the Scheme. This encompasses 3 residential properties at Redstone Cross and two at Blackmoor Hill. These properties are subject to high levels of traffic noise given their proximity to the existing A40. The designation is to be taken into account when making decisions that may affect noise levels therein. The Scheme will result in significant noise reductions at these properties thereby addressing the NAPPA by removing most of the traffic and reducing traffic speeds on the de-trunked former A40 to 40mph.
- 4.78 Operational noise levels are predicted to fall at most dwellings in the short and long-term, with 5 experiencing major reductions in the opening year, including several currently experiencing very high noise levels. 3 would have major reductions in the design year. In the opening year 5 properties would have a minor to moderate noise level decrease and 3 of those would continue in the design year. 13 properties would experience a minor noise increase in the opening year with none remaining in the

design year. These impacts were assessed as not causing a significant effect when considering the other factors set out in the ES.²¹

- 4.79 The properties that would experience a noise increase are located mostly on Redstone Road. The noise impact would be attenuated by the fact that the A40 would be in a cutting and by existing and proposed walls and embankments.
- 4.80 In summary: during construction, significant noise effects are expected at a small number of receptors – namely Blaenmarlais Care Home, Redstone Cottages and Penblewin Farm. Best Practicable Means as set out in the Pre-CEMP and noise screening will be used to minimise noise effects during construction. The ES demonstrated that no significant effects of vibration would arise. Some properties close to the existing A40 would experience significant permanent beneficial effects through a reduction in traffic noise as a result of the scheme. No significant permanent adverse effects from traffic noise were indicated in the assessment.

Conclusions on the Scheme

- 4.81 The evidence submitted by the Welsh Government should be accepted as a reasoned justification for the draft Orders. The evidence is comprehensive and detailed. It demonstrates that an acceptable solution is deliverable. Clear and balanced expert evidence is provided on the key issue of mitigation to reduce or avoid impacts. That evidence (especially in respect of the protection of species) 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. The evidence has not been challenged by way of any cross examination.
- 4.82 The plans to improve 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. PPID 12²² 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.
- 4.83 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). There has been a series of announcements which demonstrate that enlightened and progressive approach to transport. These include the taking of the rail network into public ownership with investment in electrification and new rolling stock and the publication on 3 November 2020 of The Energy Generation 2019 report which set out that over half (51%) of Wales' energy needs were met from renewables in 2019. It also showed that in 2019, there were 72,841 renewable energy projects in Wales, 3,841 more than in 2018, and that energy generation in Wales is now coal-free. There is now a permanent Cabinet Sub-Committee to keep

²¹ CD 3.14.01 paragraph 14.7.1

²² Timeline of Welsh Government announcements on climate change and transport

climate emergency a priority. Nearly £20m in EU investment to establish a marine energy sector in Wales has been secured.

- 4.84 The recent Bus Services Bill including a scheme to support the provision of more buses by local authorities 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. Notwithstanding all this, whether the policy of the Welsh Government should be different is not a matter for this Inquiry. Several objections offend the Bushell Principle in criticising Welsh Government policy rather than its application to the Scheme and the problems before this Inquiry.
- 4.85 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. These proposals and the Scheme as a whole have the support of PCC.
- 4.86 The engineering design achieves the correct balance to meet the Scheme objectives and to address the impacts on the environment and nature conservation. The Road Safety Audit Response Report (CD 4.04.06) 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 (CD4.04.09). 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.
- 4.87 In terms of planning policy, the evidence shows that the Scheme satisfies the wide range of policies in PPW. It also complies with other government policy and would not affect the Welsh Government's obligations in respect of climate change and sustainable development. The process followed meets the requirements of the WFGA and the new CPO procedure.
- 4.88 In this case there are considerable benefits from addressing safety issues at Redstone Cross. Reference is made to the safety concerns of users of that junction²³. The promoter also attaches weight to the benefits to the residents of Redstone Cross in terms of reducing traffic noise in a designated Noise Action Plan Priority Area.
- 4.89 The mitigation measures for protected species have been carefully designed to respond to the concerns of NRW, who has no objection to the

²³ See Appendix B of Rebuttal to R0017 Friends of the Earth

Scheme or SIAA. For these reasons limited weight should be attached to the landscape and potential biodiversity impacts. The increase in GHG 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.

- 4.90 The need for the Scheme on the basis of the 8 Objectives, is plain and compelling in order both to address the strategic and local demands of the A40, but also to improve the safety of the Redstone Cross junction, the efficacy of the route and to reduce the risks of overtaking. The design of the Scheme observes the interests of the environment, species, habitat and biodiversity as well as those of local residents. The land the subject of the Scheme is essential and the public interest justifies the interference with individuals' rights.

5 THE CASE FOR THE SUPPORTERS AND THE COMMENTS OF STATUTORY BODIES

Written Expressions of Support

Pembrokeshire County Council (PCC) (R0027)

- 5.1 The Council supports and welcomes an improvement scheme between Penblewin and Redstone Cross, and enhancements to the highway to improve road safety, capacity and access including opportunities for active travel.
- 5.2 PCC has been involved with consultations with the Welsh Government and its consultants regarding the side road material changes, the draft Orders, changes to infrastructure layout and additional services which will come to PCC. PCC has agreed that the additional and modified infrastructure is acceptable and consistent with its functions and the improved active travel infrastructure opportunities tie in with the Council's plans.

Points made in individual written submissions

- 5.3 Two letters clearly expressing strong support for the Scheme have been received. Reference is made to the public exhibitions held in Narberth and the respondent notes that it was most encouraging to see that the views of people living in the area and who understand local issues had been given such substantial weight in the final scheme. One respondent states that the family fully support these plans and feel that ARUP has arrived at the best possible solution.

The Comments of Statutory Bodies

Natural Resources Wales (NRW)

- 5.4 NRW has reviewed the Protected Species and Conservation Strategy Report (CD 4.06.47), submitted in addition to the ES. Based on the information submitted, there remain some areas of the proposals which NRW would wish to develop further. However, NRW is content that these can be agreed and delivered via Commitments added to the Register of

Environmental Actions and Commitments (REAC) and through the European Protected Species permitting process.

- 5.5 NRW advises that commitments should be added to the REAC. Firstly, a commitment requiring the submission of detailed mitigation strategies for Bats and Dormouse based on the Protected Species and Conservation Strategy. Secondly a commitment requiring the submission of a Landscape and Ecology Management Plan (LEMP) which sets out the proposals for the long-term management of the habitats provided in mitigation for impacts on protected species, and species monitoring proposals. A further commitment relating to the details of all lighting to be provided as part of the Scheme and during construction is required.
- 5.6 NRW advised that there may be issues with infiltration of surface water into the ground from the drainage basins and recommended that there should be no infiltration of surface water drainage into the ground via drainage basins without the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
- 5.7 NRW has also considered the SIAA and concluded that if the various mitigation measures outlined are implemented then the proposed scheme would not affect progress towards the achievement of any of the objectives for qualifying features of the European Sites. Therefore, for the purposes of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, NRW agrees there would not be an adverse effect on the integrity of the European Sites considered in this assessment.

Cadw

- 5.8 Cadw has no objection to the Scheme in respect of scheduled monuments and registered historic parks and gardens. The Redstone Cross Barrow Group will experience an improvement as the main road would be further away. Cadw welcomes this improvement to the setting of the scheduled monument. The vast majority of designated sites (scheduled ancient monuments and listed buildings) identified in the 3km buffer zone will have no views of the Scheme when it is operational, due to hills and increasing distance.
- 5.9 Whilst there would be no temporary or permanent direct impacts to any of the listed buildings within 3km, the two listed buildings at Blaenmarlais Care Home²⁴ would be affected by the Scheme as a result of changes within their settings. The new road will be contained in a cutting to the north of BlaenMarlais House and the Barn is located to the south of the house and further from the Scheme. Cadw is in agreement that, as the road itself and vehicles travelling along it will not be visible due to the depth of the cutting, visual and noise impacts of the scheme on the listed house and barn will be minor and negligible, respectively.

²⁴ Blaenmarlais main house and a barn within the grounds

- 5.10 It is concluded that Welsh Government has identified the relevant designated assets, used an appropriate methodology and undertaken an acceptable study to inform the Environmental Statement.

6 THE CASE FOR THE OBJECTORS

Objectors who appeared at the Inquiry

The case for Pembrokeshire Friends of the Earth (R0017)

- 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 there are safety concerns at Redstone Cross junction on the A40. The Coroner's report²⁵ on the fatality at Redstone Cross listed measures that could be implemented without the need to build a new road. For example, the speed limit could be reduced and properly enforced now.
- 6.2 There is no need for the Scheme. Four of the problems as identified in the WeITAG appraisal could be written more succinctly as a single problem: risky manoeuvres as a result of limited overtaking opportunities. This could be resolved by prohibiting overtaking. The Scheme does not completely remove the need for traffic to cross the A40. The evidence demonstrates that there is little congestion. The stated journey time savings are very small. Recent events such as the pandemic and Brexit may well reduce traffic on the A40 further. The Scheme would represent poor value for money as the costs outweigh the benefits.
- 6.3 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. 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.
- 6.4 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 targets in this document for reductions in transport sector emissions do not take into account the Welsh Government's ambition to reduce overall emissions to net zero by 2050. The construction of the Scheme would result in increased GHG emissions. In this climate emergency, we should not build transport infrastructure that increases carbon emissions, however slightly.
- 6.5 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 in providing benefits primarily for people with access to a car is contrary to policy. Welsh Government argues that there is no conflict with the hierarchy. It is agreed that safety issues on highways need to be addressed in a balanced manner as stated in the Welsh Government rebuttal. The Scheme concentrates on car users to the detriment of public transport and so this would not be a balanced approach. The claimed benefits for bus users are not supported.

²⁵ CD 4.01.06

- 6.6 In terms of the WFGA: the Future Generations Commissioner has advised the objector that a modal shift towards more sustainable alternatives is needed in order to achieve well-being goals, as well as carbon reduction targets. The Scheme would not encourage any modal shift and would increase GHG emissions and so is contrary to at least the spirit of the WFGA. The Commissioner argues that transport improvements should move from a predict and provide model to a wider appraisal of what is the most sustainable future transport provision and so a decide and provide approach is to be preferred. She argues that public bodies should not proceed with projects that would increase GHG emissions.
- 6.7 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.
- 6.8 The Scheme would result in the loss of important hedgerows and lowland deciduous woodland. Translocating hedge banks will not preserve biodiversity. Species rich woodland cannot be easily replaced by new planting. The Scheme would not result in a net benefit for biodiversity and would result in the loss and severance of habitats. It would be contrary to PPW for these reasons.

The response by Welsh Government

- 6.9 The problems have been identified in accordance with WelTAG appraisal guidance. The four problems quoted all express different aspects of the issues on the A40. They have also been tested on numerous occasions through stakeholder and public engagement. 79% of respondents agreed that the identification of the problems was appropriate. The number of problems identified does not have any bearing on the WelTAG process and so this point is not of any significance anyway.
- 6.10 The BCR of 0.27 indicates a poor economic case. However, as set out in the traffic and economics evidence, there are many non-monetised benefits that cannot be quantified, such as 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 the other environmental and social impacts identified above.
- 6.11 The need for the Scheme in terms of addressing the problems identified, especially road safety has been set out in evidence. Whilst there are no congestion issues, the traffic projections are in line with the UK Government forecasts that must be used in the assessment of road schemes. The possible future impacts of the pandemic, increased working from home and Brexit are difficult to assess and may be temporary or take years to materialise. The evidence has applied a low growth scenario which provides a broad indication of how the Scheme appraisal would be affected in such circumstances.

- 6.12 Many of the arguments made offend the Bushell principle in that they criticised the policies of the Welsh Government rather than the application of the policies to the particular problem before this Inquiry. This point should be noted for several other objections.
- 6.13 The objector acknowledges the need to do something to improve safety at Redstone Cross and advocates the four recommendations of the Coroner's report. Some of these measures may contribute to some safety improvements, some would have little benefit and one would adversely affect safety at the junction. A reduction in the speed limit would be a temporary solution and would have adverse effects on the TEN-T strategic route. In addition, and very importantly, local improvements to the junction would do nothing to address the strategic problems identified in Welsh Government evidence.
- 6.14 The application of actual accident data to the assessment of the Scheme has resulted in a much stronger case. If that is combined with the Coroner's suggestion to reduce the speed limit on the A40 to 40mph then the BCR increases to 1.23 with a positive NPV of £3.5m.
- 6.15 The evidence of Welsh Government explains the Scheme's contribution to achievement of the Well-being goals as set out in the WFGA. Objectors dispute the extent to which the Scheme would contribute positively to the national well-being objectives and emphasise the increased GHG emissions. Nonetheless, it would be wrong to conclude that the Scheme would contravene the Act (or even the spirit of the Act) 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 the others.
- 6.16 A central part of the Welsh Government's actions to tackle climate change is to declare a climate emergency in April 2019 (Doc 4.01.65). In terms of modal shift and car dependency, the Scheme has not been justified on the basis of reliance on the private car. The road will not increase capacity and the evidence demonstrates it will not lead to induced traffic. The particular circumstances of this case have not been considered by the objectors. 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 to meet the first carbon budget target for the period 2016 to 2020. The Government's second decarbonisation plan is due to be published next year. It will set out the policies and approach to meet the second carbon budget and for the longer term. Preparation work is underway through the Engagement Approach for the Low Carbon Delivery Plan (CD 4.01.91). So Welsh Government's policies and actions are continuing to evolve to meet the target of net zero emissions by 2050.
- 6.17 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. This Scheme would accord with the objectives of paragraph 5.3.13 by addressing the safety issues at Redstone Cross. The Scheme would make local trips easier and safer by the proposed B4313 overbridge. It would also be easier for people to move around locally by means other than the car. The Scheme would also improve the local highway network for use by some buses and also cars accessing bus stops. The active travel proposals would also benefit walkers and cyclists wishing to travel to bus stops.

- 6.18 PPW recognises the importance of the Trunk Road network and it is not intended to prevent necessary highway improvements such as this Scheme. The sustainable transport hierarchy is not intended to be applied blindly and prevent these improvements just because the road is used by cars. The issues need to be addressed in a balanced manner that safeguards communities and opportunities for active travel, which is what the Scheme does. The overall conclusion is that the Scheme does not therefore conflict with national planning policies.
- 6.19 The objector also refers to the statutory duty²⁶ to maintain and enhance biodiversity and promote the resilience of ecosystems insofar as is consistent with the proper exercise of the Authority's functions as quoted in PPW. The hedgerows and woodland lost to the Scheme will be more than replaced. Translocation of species rich hedgerow will be prioritised. New species-rich grassland will be sown on low fertility soils throughout the Scheme area. There would be adverse effects during construction and for some years afterwards. However, once the compensatory planting matures the assessed effect would be neutral. There would be no adverse effects on the integrity of European sites. The mitigation measures for European Protected species have been revised in line with the recommendations of NRW, who has no objection to the Scheme. These mitigation measures have also increased the amount of additional habitat that would be created. The statutory duty as expressed has therefore been met.

The case for Bettina Becker and Stephen Jennings (R0018)

- 6.20 A costly new road is not necessary to address the road safety concerns at Redstone Cross. There are other ways to address this serious issue. The speed limit could be reduced for this short stretch of the A40. Building a bridge for the B4313 to cross the A40 would solve the problems. Connections from Redstone Road onto the A40 are not necessary as there are two other routes into Narberth that traffic could use.

²⁶ Environment (Wales) Act Section 6

- 6.21 Spending money on new roads during a climate emergency cannot be justified. The money should be used to improve public transport and active travel facilities. The Scheme will result in increased GHG emissions, noise and exhaust fumes. It will impact mature woodland and agriculture and would be an eyesore in the landscape.
- 6.22 The progress on meeting Welsh Government carbon reduction targets is not sufficient. This Scheme would adversely affect the achievement of Wales climate change objectives. The Scheme is poor value for money and prioritises the needs of car users. There would be loss and fragmentation of habitats.

The response of Welsh Government

- 6.23 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. Earlier studies have concluded that the ability to achieve modal shift by transferring trips along this section of the A40 onto public transport is likely to be limited.
- 6.24 The objector suggests building a bridge over the existing A40 and closure of the junctions at Redstone Cross would improve safety without the need for the Scheme. 78% of the traffic from Narberth using Redstone Cross joins the A40 rather than proceeding on the B4313. The traffic includes goods vehicles from the business parks and caravans from Noble Court Holiday Park. Closure of the Redstone Cross junction for access to and from the A40 would result in an increase in traffic negotiating the narrow one-way streets of Narberth town centre. This would include heavy goods vehicles and vehicles towing caravans. Journey times would be negatively impacted by traffic diverting to the other two available routes between the A40 and Narberth.
- 6.25 The declaration of a climate emergency by the Welsh Government and its commitment to reduce GHG emissions have not led to a ban on all new road building in Wales or a decision to reassess all Welsh Government road building projects. The Welsh Government's current transport policies establish the policy context for this Scheme, which is included in the National Transport Plan and reaffirmed in the 2017 strategy document Prosperity for All. The key theme 'United and Connected' in this strategy contains a commitment to deliver enhancements to the A40 in West Wales; this strategy has not changed.
- 6.26 There would be no significant effects as a result of noise or on air quality. There would be benefits for residents who live close to the de-trunked A40 (in the NAAPA). The conclusions of the LVIA are set out above. The landscaping design seeks to provide suitable screening and integration of the road into the landscape.

Written Objections

The Case for Mr Malcolm Lewis, Landowner of Plots 1/4 (R0021)

- 6.27 The first element of the objection relates to the acquisition of plots 1/4u, 1/4v, 1/4w and 1/4z, which comprise woodland on the objector's farm. This land is not required for the construction of the road and plays an important part in an agri-environmental management scheme, administered by Welsh Government. Its loss would reduce the area of suitable habitat on the holding and could prejudice any involvement in the scheme. There is also a track that is an important access for storing feed and handling/feeding cattle.
- 6.28 The importance of this land for environmental mitigation of the A40 Scheme is recognised. The objector sets out all the woodland management works proposed in the ES and states that Welsh Government does not need to own the woodland to implement these works. Acquisition of the land would be excessive, especially given all the other land parcels to be acquired for mitigation. The enhancements could be carried out by mutual agreement so that the objector retains ownership but allows Welsh Government rights to undertake the required mitigation works, whilst retaining ownership as required to be part of the agri-environmental management scheme. Access for Welsh Government to undertake and maintain the environmental mitigation could be controlled by a licence agreement or restrictive covenants. The loss of the agri-environmental management scheme would be a major blow.
- 6.29 Objection is also made to the acquisition of plots 1/4aa (a thin strip of land along the northern boundary of a field) because it is a productive area and ample environmental benefit is being gained by the acquisition of other land on the holding.
- 6.30 The objection on the basis of the proposed underpass access to land is not now being pursued, as a suitable underpass has been provided.
- 6.31 Objection is made to the proposed right turn lane on the new A40 at Redstone Road. This would be dangerous and traffic should not be able to cross over the other side of the road as proposed. The existing A40 should be used as a slip road for eastbound traffic wishing to get to Redstone Road²⁷.

The response of Welsh Government

- 6.32 There are statutory duties to mitigate any adverse effects on European Protected Species (in this case especially Bat species, Dormouse and Otter) and to maintain and enhance biodiversity and promote the resilience of ecosystems. The requirements have been specified and agreed with NRW and a European Protected Species licence will be required for the Scheme.
- 6.33 This woodland is used by low flying bat species for flight lines at present. An underpass is proposed to enable them to cross the proposed road more

²⁷ This part of the objection is considered under Alternative 1 below.

safely. The existing woodland will have to be coppiced to guide the bats to the underpass. This will need to be maintained and managed in perpetuity as a condition of the licence. Long-term monitoring by ecologists will also be required. The acquisition of the land is therefore essential to guarantee the long-term maintenance of the vegetation, underpass and fencing to meet the legal requirements set out above. The alternative arrangements suggested by the objector would not provide this guarantee as they could be lost if the land were sold.

- 6.34 The strip of land in Plot 1/4aa is required to provide mitigation for bats and suitable habitat for Dormouse. It is proposed to provide woodland alongside the existing hedge to reinforce an existing bat flight line and to provide additional replacement Dormouse habitat in order to meet the requirements of NRW.
- 6.35 Any loss of earnings would be a matter for compensation.

The Case for Richard Jones and Judith Jones (R0025)

- 6.36 The access to the property is located at the western end tie-in of the Scheme with the existing A40. Concerns are raised regarding the traffic speeds on the A40 at the access. Problems will increase as the new road will encourage higher traffic speeds with the overtaking lane provided close to the access. This will increase the risks for users of the access. Concerns are also raised about any blockage of the entrance during construction where the gradient of the access will be changed. Access is required on a daily basis and the objectors also have a holiday cottage. Compensation for the inconvenience caused will be expected.
- 6.37 The objector supported the re-location of Basin A, which was a proposed modification agreed with the adjoining landowner. It will mean that the risk of the pond overflowing and flooding the objectors' house would be minimised. The new location is on poorer agricultural land than the original.

The response of Welsh Government

- 6.38 The gradient of the westbound approach will be less than at present and that should encourage lower traffic speeds. There will also be a prohibition on overtaking for 600m of the road to the east of the access to the objector's property. There will be no changes to the access to the property as part of the Scheme. The expectation is that private means of access, etc. will be maintained open at all times. Any closure of the access must be agreed in advance with the objector. There will be a Public Liaison Officer who will address any concerns raised.
- 6.39 The landowner has rejected the re-location of Pond A and as a result Modification 1 has been removed from the list. The attenuation basin is designed to accommodate a 1 in 100-year return period event with an additional 30% allowance for climate change, in line with current standards. A freeboard of 0.5m is also provided above the designed pond water level, which provides additional resilience. In the unlikely event that the crest of the attenuation basin is exceeded, the water would flow southwest and be captured by the proposed ditch located in the same

field. This would prevent the water from reaching the Jacob's Park buildings. The cut-off ditch discharges into a watercourse downstream of Jacob's Park.

The Case for Revelation Clothing (R0026)

- 6.40 The business premises are at Redstone Cross next to the B4313. The Scheme will move the B4313 away from the premises and it will be on a cul-de-sac in an island between roads. The business moved there from Rushacre Business Park because it was not a high-profile location. The Redstone Cross location is highly visible and close to a busy junction with a lot of passing trade, which has increased business substantially. The visibility of the premises is enhanced because there are advertising signs outside. In addition, traffic passing the premises is travelling at slow speeds and there are queues at peak times. It is feared that the proposed road layout would adversely affect the business as it did in the previous location.

The response of Welsh Government

- 6.41 The access to the premises would be from a proposed cul-de-sac serving 3 properties. This would be an adopted highway with guaranteed access for the public. The new route would be around 120m longer when travelling from Narberth. This is considered to be a reasonably convenient route. It is not accepted that the site is a highly visible location. Views of the premises are limited to a short stretch on either side. Survey information shows that there were only queues on 10 occasions throughout the day of survey.
- 6.42 The business also has a shop in Narberth town centre and the premises at Redstone Cross is listed as a workshop on the business website. There is no statutory provision for loss of business as a result of approved works properly undertaken by a highway authority. Once the highway works are completed compensation under Section 10 of the Compulsory Purchase Act 1965 for any proven depreciation in the capital value of a property may be claimed. Loss of trade can contribute to a diminution of capital value. The procedures for making such a claim have been set out in detail for the objector.

The case for Mr Thomas Wheeler (R0016)

- 6.43 There are serious safety issues at Redstone Cross that need to be addressed. The construction of a new road is not the right way to do so. The Scheme is focussed on the outdated premise of improving journey times for motorists. It would increase GHG emissions in contradiction of Welsh Government policy to reduce carbonisation.
- 6.44 The Future Generations Commissioner has advised that we need a modal shift towards more sustainable alternatives if we want to achieve well-being goals, as well as carbon reduction targets. The Scheme would not encourage any modal shift and would increase GHG emissions and so is contrary to at least the spirit of the WFGA. The Future Generations Commissioner has clarified that public bodies should not proceed with projects that would increase GHG emissions.

- 6.45 Several areas of hedgerows and woodland, which are valuable habitats, would be lost. It is doubtful that the Scheme can provide a net benefit for biodiversity as it would result in the loss and severance of habitats. It would be contrary to Planning Policy Wales in this case.
- 6.46 The Scheme would be a waste of money. It would have a negative NPV. Additional capacity is not needed on this road and if road traffic increases this would lead to increased GHG emissions. Maintenance of the old A40 would place a financial burden on PCC. A lower cost solution to the real problems is needed and not this Scheme.

The response of Welsh Government

- 6.47 Welsh Government's response on compatibility with the WFGA, has been reported above in relation to Pembrokeshire Friends of the Earth.
- 6.48 The vast majority of GHG emissions (98.9%) would be from operation of the Scheme. Operational GHG emissions would be lower with the Scheme, as the proposed route is shorter. The overall GHG emissions would increase slightly as a result of construction of the Scheme. This would not affect Welsh Government's ability to meet its carbon targets. This will be achieved across the spectrum of Welsh Government actions and policies.
- 6.49 As set out above, there would be no significant effect on overall journey times that would lead to any change in the current mode of transport used on the A40. The improved Active Travel infrastructure (described in evidence) would encourage local journeys to be made by walking or cycling.
- 6.50 A substantial portion of the replacement planting would be on land unaffected by construction and so can be carried out early in the Scheme timetable. The replacement planting would start to function as suitable habitat within 5 to 7 years. The new woodland and hedgerows would link to existing areas to provide wildlife corridors. The Scheme would also provide 6 ha of species rich grassland, this would be a moderate beneficial impact of the Scheme. For all the reasons given in evidence and in the response to the Friends of the Earth objection, it is considered that the Scheme would have a net benefit to biodiversity.
- 6.51 The evidence of Welsh Government explains that the Scheme has other expected benefits that are not captured in the purely economic cost/benefit analysis. It will address the issues and problems identified in the WelTAG studies. The application of actual accident data to the assessment of the Scheme has resulted in a much stronger case. If that is combined with the Coroner's suggestion to reduce the speed limit on the A40 to 40mph then the BCR increases to 1.23 with a positive NPV of £3.5m.

The Case for Redstone Road Residents (R01, R04 to R07, and R0011)

- 6.52 These objections all seek a reduction in the speed limit on Redstone Road to 30 mph. This would improve highway safety and be of considerable benefit to pedestrians. This is a busy road used by HGVs going to the

business parks. This route into Narberth is well-used by pedestrians from the caravan site. Some of the objectors have children and the narrow footways have led to close calls with speeding traffic. This will be worse after the new bridge is built as traffic won't have to slow down to cross the A40. One objection states that a 20mph limit would be even better. Redstone Road will soon be within the development limits for Narberth and as a residential zone with a care home on it too, a lower speed limit is needed.

The response of Welsh Government

- 6.53 Whilst there is an interface with the Scheme, traffic controls on Redstone Road are a matter for the local highway authority (PCC). Welsh Government has consulted PCC on these objections. PCC stated that they are agreeable in principle to the proposal to reduce the speed limit along Redstone Road from 40mph to 30mph by extending the application of the existing 30mph speed limit. However, any such proposal would be subject to the normal statutory consultation as part of the process required to modify or introduce a new Traffic Regulation Order.

The Case for Alan and Jackie Brown (R002)²⁸

- 6.54 The purpose of the Scheme is to remove the dangerous junction at Redstone Cross. The Scheme will replace it with a potentially more dangerous junction, where traffic would be travelling fast. Accidents could happen and would be more serious. Prohibitions on right turns on to the A40 may not be effective and traffic would have to wait in the middle of the road to turn off the A40 onto Redstone Road. The proposed junction is unnecessary as traffic can access via Penblewin roundabout and would only add a couple of minutes to journeys to/from the west. The money saved could be used to provide noise barriers along the new road.

The response of Welsh Government

- 6.55 There was clear public support for a junction on the Scheme at Redstone Road. There are also business parks and development sites located on the road. The proposed junction would be safe with the provision of an additional lane and ghost island to allow vehicles to wait safely before turning right. The accident rates at such junctions are generally low. The safety issues at the existing Redstone Cross are set out in evidence and they are not related to the use of ghost islands. The independent road safety audit did not raise any concerns with traffic crossing the proposed A40 to turn right.
- 6.56 The submitted ES concludes that there would be no significant noise effects from the operation of the Scheme. Appropriate noise mitigation has been included for properties close to the route. The Scheme also provides better value for money than this alternative.

²⁸ The alternative with no junction is Alternative 2 below

7 ALTERNATIVES

- 7.1 Alternatives to the Scheme were suggested in two objections and this afforded Welsh Government the opportunity to work them up to a level where a satisfactory comparison to the published Scheme could be made. The Welsh Government's appraisal is the Alternatives Brochure (PPID 06), which was publicised²⁹ and afforded the public an opportunity to object to or support the alternatives.
- 7.2 The alternatives (and the objections to the Scheme) were predicated on concerns regarding traffic crossing over the A40 to enter Narberth. Mr Spacey (R001)³⁰ and Mr Lewis (R0021 reported above) suggested that the existing A40 east of Sodston Lodge could be retained and used a slip road for eastbound traffic to access Narberth and the B4313, thus avoiding the need for traffic to cross the new A40 at all. This comprises Alternative 1A. This alternative was supported by The Campaign for the Protection of Rural Wales (CPRW) for similar reasons. Welsh Government has refined this alternative by the provision of a diverge taper and a new connector road, which would meet DMRB standards. This comprises Alternative 1B. Alan and Jackie Brown (R002 reported above) suggested the removal of the junction completely in the interests of highway safety. This comprises Alternative 2.
- 7.3 Welsh Government confirmed in response to the supporter of Alternative 1A that the provision of a slip road would not be illegal as originally stated in the Alternatives brochure and in evidence. A slip road is permissible from a dual carriageway under DMRB. A slip road from a single carriageway would not meet DMRB guidance and a departure from standards would be required.
- 7.4 Alternative 1A would cost £0.3m extra and 1B £0.8m extra. The BCR would be very similar to the Scheme. Whilst both would have marginal journey time benefits for traffic turning north towards Bethesda, there would be slight disbenefits to traffic turning south, which is the main direction of travel. Both alternatives would result in extra roads surrounding residential properties at Redstone Cross and adding to visual clutter. There would be additional land required for construction of a new road or retention of the former A40 resulting in landscape impacts. There would also be adverse environmental effects. NRW require sufficient land for additional planting to provide habitat for protected species. Following the rejection of a planned modification to relocate Attenuation Pond A, land to be used for replacement Dormouse habitat was lost. The area of the redundant A40, which was originally proposed be returned to agriculture, would now be kept by Welsh Government as replacement dormouse habitat. Under Alternative 1A this land would no longer be redundant and there would be a decrease in the proposed dormouse habitat mitigation, which would need to be provided by acquiring additional land elsewhere.

²⁹ Details of the publicity are provided in PID 16

³⁰ Reported here because the objection refers only to Alternative 1

- 7.5 Alternative 2 would have marginal journey time and safety benefits for users of the proposed A40. However, the traffic model shows that traffic would be likely to use the B4314 from Robeston Wathen to access Narberth from the west³¹. Traffic from Redstone Road would then have to travel around the one-way system in Narberth town centre to get to the B4314. There would be disbenefits to the town centre as a result of additional traffic (especially HGVs) and congestion. There would be a moderate increase in noise impacts to several residential properties on the B4314 as a result of the additional traffic. This alternative would have some landscape and biodiversity benefits due to less construction and a shorter wildlife underpass being required. The cost of the Scheme would reduce by around £1m. Despite this, the significant increases in journey times for traffic wishing to access Redstone Road (particularly business users) from the A40 west of Narberth mean that the BCR would be much lower at -0.14.
- 7.6 All three alternatives had three counter-objectors who prefer the published Scheme. One is from residents of a property at Redstone Cross who are concerned at being surrounded by trunk roads under the suggested Alternatives 1A and 1B. They are also concerned at the loss of the noise, air quality and landscape benefits of the published Scheme. Additional journey times and inconvenience is also cited.

³¹ See PIQ 01 and PIQ 02

8 CONCLUSIONS

Introduction

- 8.1 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.
- 8.2 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 from Penblewin to Redstone Cross.
- 8.3 In the case of lands to be acquired under the Compulsory Purchase Order, and having regard to both statutory criteria and advice³², 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 that the Scheme is unlikely to be blocked by any impediment to implementation.
- 8.4 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 are to be stopped up, another reasonably convenient access is available, or would be provided by the Scheme, if needed.

Support and Objections

- 8.5 The Scheme has the support of PCC. The Council welcomes the enhancements to the highway to improve road safety, capacity and access including opportunities for active travel. The Council has been involved with Welsh Government regarding the side road material changes, the draft Orders, changes to infrastructure layout and additional services which will become the Council's responsibility. The additional and modified infrastructure is acceptable and consistent with Council functions and the improved active travel infrastructure opportunities tie in with its plans
- 8.6 There are 4 unique expressions of support in writing, with 6 representations that do not object to the Scheme.
- 8.7 There were 22 objections to the Scheme, of which 8 were statutory objectors. 8 objections had been withdrawn by the end of the Inquiry with another withdrawn after its close. This leaves 13 outstanding objections – 3 statutory and 10 non-statutory.

³² Including Circular 003/2019 on Compulsory Purchase procedures

Material Considerations in the Case for the Scheme

- 8.8 In this section I appraise the factors which have been raised in the Welsh Government's assessment of the case for the Scheme. These include whether the Scheme meets relevant policy (including that related to transport improvements) and the objectives set in the WelTAG study (hereafter referred to as the Scheme objectives). I shall also consider the benefits and adverse impacts of the Scheme and then the objections raised before reaching my overall conclusions.
- 8.9 The Scheme is part of a programme of improvements to the A40 in West Wales (part of the TEN-T) network. I am satisfied that improvements to the A40 between St Clears and Haverfordwest has been referred to in national policy and programmes for many years. The stretch from Llanddewi Velfrey to Slebech Park has also been specifically referred to in policy and programmes. Two other Schemes for this part of the A40 have come forward: the contiguous Llanddewi Velfrey Scheme and the now completed Robeston Wathen bypass. I note the point that this Scheme and the Llanddewi Velfrey Scheme have been developed on a comprehensive basis but are capable of being implemented independently of each other.
- 8.10 The WelTAG study identified problems with this part of the network and the Scheme objectives seek to address or assist in addressing those problems. The Scheme would assist in improving the strategic network in West Wales stimulating the economy and addressing perceptions of remoteness. The Scheme would assist in addressing the identified traffic problems by improving journey time reliability; providing overtaking opportunities and thus would avoid platooning issues and the attendant driver frustration. It would also assist in addressing seasonal traffic issues.
- 8.11 The Scheme is relatively small-scale with modest time savings. The BCR for the Scheme is very low at 0.27 and on the face of it represents poor value for money. However, the Welsh Government case is that this is not the complete picture.
- 8.12 Reference has been made to the Coroner's report into a fatal accident at Redstone Cross and the Minister's response to that report³³. The accident statistics for the existing A40 that would be replaced by the Scheme have been provided and analysed in detail by Welsh Government. Whilst the number of accidents is in line with the average for this type of road, the severity of those accidents in terms of fatalities and injuries is not. The likelihood of an accident resulting in a fatality is 8 times higher than the national average or resulting in a serious injury is 45% higher.
- 8.13 I am persuaded by the evidence that the model used to calculate the financial inputs in relation to accidents does not reflect the severity of accidents on this stretch of road as demonstrated by the past accident statistics. The Traffic and Economics witness has applied the actual accident severity figures for this part of the A40 to the traffic model and

³³ CDs 4.01.06 and 4.01.83

calculated the likely severity of accidents over the 60-year appraisal period. I consider that this is a reasonable approach because the evidence was that the existing software has an acknowledged shortcoming in this regard. The outputs demonstrated that the number of casualties avoided should be 9 fatalities, 3 serious injuries and 20 slight casualties rather than the figures of 1 fatality, 3 serious injuries and 24 slight casualties from the initial reports. The monetised accident benefits that would accrue from the reduction in the number of accidents would be £7.46m instead of the original £1.15m value and the BCR would increase to 0.67. For the reasons given, I consider this to be a reasonable analysis of the benefits that would arise from the reductions in the number and severity of accidents in the Scheme area, based on the relevant statistics.

- 8.14 I am also mindful that changes to the speed limits increase journey time and therefore have a major effect on the BCR. This was demonstrated by another of the sensitivity tests in the Welsh Government evidence, which considered potential reductions in speed limits on the existing A40 at Redstone Cross. If the speed limit were to be reduced to 40mph (as suggested by HM Coroner and supported by some objectors) the BCR would increase to 0.83.
- 8.15 Welsh Government then stated that if the effect of a reduction to a 40mph speed limit and the "true" accident benefits were to be both considered, the BCR would be 1.23 with a positive NPV of around £3.5m (as opposed to the -£11.5m in the original appraisal). This is not wholly accurate because, as the traffic witness acknowledged³⁴, the number and severity of accidents at Redstone Cross may be reduced by lower traffic speeds. A lower speed limit could therefore reduce the monetised accident benefits for this part of the A40. Nevertheless, I agree that the combined BCR figure would be somewhere between 0.83 and 1.23.
- 8.16 The evidence demonstrates that the Scheme has been designed to the standards set in the DMRB. One departure from standards (related to the extent of the proposed lighting at Penblewin roundabout) is necessary. This departure has been approved by Welsh Government. Low noise surfacing would be used for the proposed roads. Appropriate drainage arrangements avoiding pollution would be provided. The structures to be provided have been designed in accordance with the relevant standards and to meet environmental mitigation requirements.
- 8.17 Construction issues are addressed in the buildability report (CD 4.04.09). The majority of the proposal is off-line and there is experience of roadbuilding in this area. An appropriate contingency for extra costs has been allowed. I am satisfied that practical matters of buildability have been taken into account. The evidence demonstrates that funding for the Scheme has been appropriately considered and that if the Orders are made there is every likelihood that implementation of the Scheme will follow. There is no reason to suggest that there would be any undue delays or extra costs associated with the Scheme.

³⁴ Paragraph 2.33 of the Rebuttal of R0017 Friends of the Earth

- 8.18 The Welsh Government has set emissions and carbon targets up to 2050. The evidence demonstrates the Welsh Government's approach to meeting these targets. There would be a small increase in GHG emissions as a result of the construction of the Scheme. Operational GHG emissions would be lower as the route is shorter than the stretch of the A40 to be replaced. Notwithstanding this, the increased GHG emissions must be weighed in the final balance and 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.
- 8.19 The guidance in both WelTAG 2017 and PPW has 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 seeks to demonstrate how the Scheme contributes to the well-being goals and how it has been developed in accordance with the five ways of working. The WelTAG process has formulated the Scheme objectives in line with the seven well-being goals in the WFGA. The Sustainable Development Report considers the Scheme's performance against the Welsh Government's commitments and the context of the WFGA. This shows that the Scheme would make a positive contribution to meeting most of the well-being objectives but would not assist in meeting the climate change objectives.
- 8.20 It is correct that the Scheme would not contribute to one of the seven well-being goals under the WFGA. 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. Prosperity for All: A Low Carbon Wales set out the proposals to meet the first carbon budget. The revised targets and aspirations in the journey to complete de-carbonisation will be addressed in the next delivery plan (currently in preparation). Welsh Government's policies and actions are continuing to evolve to meet the target of net zero emissions by 2050. I consider the evidence of how the Scheme would comply with the WFGA to be persuasive and that compliance with the Act's requirements has been appropriately demonstrated.
- 8.21 The Active Travel (Wales) Act 2013 requires the Welsh Government and local authorities to continuously improve facilities and routes for pedestrian and cycle travel for journeys with a purpose, such as for work or shopping. It is also appropriate to bear in mind the recreational and health benefits of walking and cycling. I consider that the Active Travel and De-trunking Proposals for the existing A40 would ensure that facilities for walking and cycling in the area would be improved. PCC has been involved in the development of the Scheme and its aspirations for active travel taken into account. The facilities to be provided would dovetail with the Council's plans and the proposed active travel facilities proposed as part of the Llanddewi Velfrey Scheme. The implementation of the active travel proposals of the Scheme would be secured by their inclusion in the contract notice (CD 4.02.12).

- 8.22 Welsh Government has assessed the effects of the Scheme on agriculture in a detailed report. Around 11.8 ha of agricultural land would be lost to the Scheme. None of the land that would be affected is of best or most versatile category and the report concludes that its loss would be of minor adverse significance. Five farms would be affected by the scheme. All will experience changes in day-to-day operations, but the viability of the holdings would not be threatened. Welsh Government's evidence demonstrates that the scheme has been designed to minimise the impact on agricultural businesses and ensure that access to farms and fields would be maintained. There remains one objection which will be considered below. In all these circumstances, I conclude that the effect of the Scheme on agriculture would not be significant.
- 8.23 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 (in EIA terms). NRW had raised some concerns regarding the proposed mitigation measures. In response a Protected Species Conservation Strategy has been prepared, which NRW has confirmed is satisfactory. NRW has agreed the proposed mitigation measures 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. The concerns of NRW regarding the effectiveness of the proposed mitigation measures have therefore been comprehensively addressed. For these reasons, I conclude that the impact on ecology has been adequately addressed in the Scheme and the proposed mitigation measures. These mitigation measures would include an element of enhancement in terms of new habitat creation. I also conclude that the statutory duty to maintain and enhance biodiversity and promote the resilience of ecosystems insofar as is consistent with the proper exercise of the Authority's functions would be met.
- 8.24 I have analysed the evidence regarding the Likely Significant Effects on European sites³⁵. The SIAA has been prepared to meet the requirements of the Conservation of Habitats and Species Regulations 2017. 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 and NRW agrees. I therefore conclude that there is sufficient information available to inform the competent authority when making its appropriate assessment.
- 8.25 The Scheme's effects in terms of noise, vibration and air quality (in relation to both the construction and operational phases) have been comprehensively assessed, using DMRB approved methodologies. The ES demonstrated that no significant effects of construction noise or vibration would arise (providing that best practicable means of working are followed, and appropriate mitigation is included in the Scheme). Whilst there would be an increase in operational noise levels at a small number of properties, the impacts were assessed as not causing a significant effect.

³⁵ In this case Special Areas of Conservation

- 8.26 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 have a positive impact on local air quality for the majority of residents in the area.
- 8.27 The landscape and visual effects of the Scheme have been assessed in accordance with prescribed assessment methodology. Large landscape impacts are localised to one of the 18 LCAs in the study area. I am satisfied that the design approach seeks to deal with these impacts through appropriate engineering techniques and the landscaping proposals. This would reduce the impact on the affected LCA to slight by the summer of the design year.
- 8.28 The visual impact on residential properties would be limited. There would be large impacts on 4 properties. However, these properties are close to the existing A40 and subject to a visual impact already. There would be a moderate impact on users of the one right-of-way with views of the proposed route. The potential adverse effects of new lighting would be minimised by restricting lighting to where it is essential for safety purposes and by minimising light spill. The DCFW has been involved in the Scheme from an early stage and I am satisfied that Welsh Government has taken its views into account.
- 8.29 Blaenmarlais Care Home is relatively close to the proposed route. Whilst there was no objection made by the owners, I judge that the potential impact on the property has been carefully considered. The road would be in a significant cutting at this point. The evidence persuades me that there would be no views of the proposed A40 from the property or the other dwellings south of the proposed bridge on Redstone Road. As noted above, the noise and air quality impacts have been carefully considered and the evidence shows that there would not be any significant long-term adverse effects.
- 8.30 Surveys have identified the most likely locations for potential buried archaeological remains, which is north of the proposed route. The line of the proposed road has been chosen to avoid the buried remains as far as possible. Importantly, a programme of archaeological evaluation and mitigation is proposed as part of the Scheme. There would be no adverse impacts on scheduled ancient monuments.
- 8.31 The two listed buildings at Blaenmarlais Care Home would be screened from the road. Cadw has concluded that visual and noise impacts of the scheme on the settings of the listed house and barn would be minor and negligible respectively. No other listed buildings or heritage assets would be adversely affected. The Scheme has therefore addressed legislative requirements and policy in respect of the historic environment as far as possible. The minor adverse impact on the setting of the listed building must be weighed in the overall balance.

- 8.32 The ES includes Environmental Master Plans, which illustrate the landscaping and mitigation proposals³⁶ for the Scheme, arrived at via the ES and consultation process. Welsh Government explained that Commitments made in the ES, SIAA and through consultation with landowners, residents and consultees have been captured in the REAC. It was also clarified that these commitments 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. I also note that a commitment ties the REAC to 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. I note that Welsh Government regard these commitments as binding. I have considered the REAC in the light of the comments of NRW and the commitments given. I am satisfied that there would be robust mechanisms in place to secure the necessary mitigation measures and other assurances given by Welsh Government.
- 8.33 The Environmental Master Plans have been updated to reflect the requirements of NRW, who also requested plans showing Dormouse Habitat Proposals and Bat Mitigation. These have been provided and updated to reflect necessary changes to the Scheme as a result of modifications. The bat mitigation proposals require long-term management and monitoring to be in place, which would also be secured by appropriate commitments.

Conclusions on the case for the Scheme

- 8.34 The case presented for the Scheme recognises that there would be residual adverse effects on the landscape and hedgerows; on GHG emissions and on the setting of a listed building. 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 the required methodologies. Where there would be the potential for significant adverse effects, steps are proposed to reduce and mitigate those impacts where practicable. The resulting residual impacts would be minor in nature. Regard has been had to relevant statute and policy, and the requirements of the WFGA and Planning Policy Wales in particular. The evidence of Welsh Government persuades me that an appropriate balance has been struck between economic policy objectives seeking to deliver improved highway safety/better road transport links and those concerning environmental objectives such as reducing GHG emissions, and protecting nature conservation, heritage assets and the landscape. I am persuaded that the benefits of the Scheme as set out above outweigh the adverse residual effects.

³⁶ The mitigation proposals detailed elsewhere in this report.

Consideration of Objections – objectors who appeared at the Inquiry

Pembrokeshire Friends of the Earth (R0017)

- 8.35 I note that the original submission stated that the objector had supported earlier improvements to the A40, in particular the Robeston Wathen bypass which was completed in 2011. This Scheme is similar to that bypass. The need for the Scheme has been clarified in detail and relates to wider improvements to the A40 as a strategic European route. This status and the attendant policy basis have not changed in the light of recent events such as Brexit and the Covid-19 pandemic. The Scheme objectives seek to address the identified problems. The objector argued that four of the problems could be combined into one. I am conscious that there was public support for Welsh Government's identification of the problems. In any event, the WelTAG process is not contingent on the number of those problems. It is the issues raised that is of importance. The identified problems include the very serious issue of highway safety. Welsh Government has also sought to address the public responses anxious to retain access to Redstone Road and the B4313.
- 8.36 Several objectors argue that the funding for the Scheme should be used or spent on other things. The distribution of Government money is not a matter for any Public Local Inquiry. I draw attention to those concerns here, but I make no further comment on the distribution of Government funds in this report.
- 8.37 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. Prosperity for All: A Low Carbon Wales lists 100 policies and proposals 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.
- 8.38 I consider that it is clear that the Welsh Government has not proposed a ban on all new roadbuilding or that existing Schemes should be re-assessed as a result of the declaration of a climate emergency. The Ministerial statements included in PID12 confirm this fact.
- 8.39 The Scheme would result in increased GHG emissions and would not directly encourage a modal shift in transport. However, this Scheme is part of a package of improvements to a strategic route. It has not been justified on the basis of reliance on the car. The Welsh Government evidence convincingly explained why there would be little or no induced traffic as a result of the construction of the Scheme. For the reasons given above, I consider the evidence of how the Scheme would comply with the WFGA to be persuasive.
- 8.40 The sustainable transport hierarchy in PPW primarily relates 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 has considered active and sustainable transport options at the outset. Thus, as the Scheme complies with WelTAG it meets the requirements of paragraph 5.3.13. The Scheme would also address significant safety issues. The proposed bridge and the de-trunking proposals would assist local walking and cycling travel by providing a safe crossing of the A40 and improved WCHR facilities as a result.

- 8.41 The argument that the money should be spent on public transport improvements would not address the current problems on this strategic route. 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 assessment process.
- 8.42 Environmental and ecological impacts have been considered in the ES, SIAA and Protected Species Conservation Strategy. NRW agrees with the conclusions reached and 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. These mitigation measures would include an element of enhancement in terms of new habitat creation. I also conclude that the statutory duty to maintain and enhance biodiversity and promote the resilience of ecosystems insofar as is consistent with the proper exercise of the Authority's functions would be met.

Bettina Becker and Stephen Jennings (R0018)

- 8.43 The issues around the need for and value for money of the new road; GHG emissions; Climate Emergency; carbon reduction; impact on biodiversity and increased car use have been considered above as part of my conclusions on the Pembrokeshire Friends of the Earth objections.
- 8.44 A reduction in the speed limit to 40mph would adversely affect the operation of this strategic route. It would not solve the problems with the Redstone Cross junction layout or the strategic problems identified in the WelTAG studies. The objectors refer to closing the accesses from the B4313 onto the existing A40 and the possibility of building an overbridge without the Scheme. I would question the viability of building a bridge over the A40 in the absence of the proposed Scheme. The traffic studies show that 78% of the traffic from Narberth using Redstone Cross joins the A40 rather than proceeding north along the B4313. This traffic includes goods vehicles from the business parks and caravans from Noble Court Holiday Park. I shall consider the adverse effects on local traffic movements and on Narberth town centre as a result of closure of the Redstone Cross junction below in the section on alternatives.
- 8.45 I have considered the other issues raised above and concluded that the evidence shows that there would be no significant adverse noise effects or deterioration in air quality in the area as a result of the Scheme. Similarly, I am satisfied that the landscape and visual impacts of the Scheme are restricted in extent and would be appropriately mitigated. The evidence also demonstrates that there would be no significant impacts on agriculture.

Written Objections

Mr Malcolm Lewis (R0021)

- 8.46 Mr Lewis' main objection relates to the acquisition of his woodland (plots 1/4u, 1/4v, 1/4w and 1/4z) for the purposes of essential mitigation. This woodland is on an important flight-line for bats. Bats are a qualifying feature of several SACs and are European Protected Species (EPS). This area also contains Dormouse – another Protected Species. NRW require suitable replacement habitat be provided for this species. The Protected Species Conservation Strategy has been prepared to address the ecological impact on these species. NRW has provided detailed requirements for the mitigation proposals that include an underpass on Mr Lewis's land that would be critical in providing a route for bats to safely cross under the proposed road. NRW require that the trees are regularly coppiced and managed in perpetuity to ensure that the underpass continues to function effectively. Management is also required to ensure that the area continues to be suitable as replacement habitat for dormice. Welsh Government must have full control of this woodland in order to secure this long-term requirement for proper mitigation of the Scheme. The acquisition of this land is therefore essential in order to meet statutory duties and to gain an EPS licence.
- 8.47 Similar issues apply to plot 1/4aa, which is a strip of land to be acquired in order to reinforce an existing bat flight-line, as part of essential mitigation. The areas to be acquired will also provide suitable habitat for Dormouse.
- 8.48 Any adverse effects on Mr Lewis' business as a result of the loss of land or access and storage areas within the woodland would be a matter for compensation. This is not a matter for the Inquiry. The objections to the proposed Redstone Cross junction and Alternative 1 are dealt with below.

Revelation Clothing (R0026)

- 8.49 The objection relates to the loss of passing trade to the objector's premises at Redstone Cross. I agree that these premises are visible to users of Redstone Road/Cross. The objector has provided no convincing evidence of the adverse effect of loss of passing trade on the viability of the business. Welsh Government has provided information that the business has premises in Narberth town centre, which has not been countered. No explanation of the respective role of both premises and the importance of the Redstone Cross building has been provided. Welsh Government has set out the proposed access arrangements. The premises would be served off a publicly adopted road close to the proposed B4313. It would involve an additional 120m travel distance for customers. This is not an excessive extra distance. I consider that the benefits of the Scheme outweigh the claimed adverse impacts on the objector's business. Any possible compensation that may be available is not a matter for the Inquiry.

Richard and Judith Jones (R0025)

- 8.50 The property has direct access to the A40, which is subject to the national speed limit at this point. The access will not be affected by the Scheme, which starts to the east. Welsh Government has explained that the overtaking lane would end at least 600m east of the access and that the proposed gradient would not encourage higher speeds than the existing road. Appropriate measures would be put in place to safeguard the objectors' access during the tie-in works. Matters of compensation are not for this Inquiry.
- 8.51 Following the landowner's decision to reject modification 1 and the proposed re-location of attenuation pond A, it would be constructed in the original proposed position close to the road³⁷. The evidence that the provision of basin A in this original location would not pose a risk of flooding of the objectors' property is compelling. It was clarified that the capacity of the basin and the location of the proposed drainage ditch would be sufficient to prevent any surface water from the Scheme affecting the objector's property. The quality of land affected by the Scheme is, in this case, a matter of choice for the landowner who has rejected the revised location for pond A.

Redstone Road Residents (Objections R001, R004, R005, R006, R007 and R0011)

- 8.52 The Scheme would involve a junction on Redstone Road. However, this road would remain the responsibility of PCC as the local highway authority. The speed limits that apply on Redstone Road are a matter for PCC. Welsh Government has sought the views of PCC on these objections and the Council indicated that the residents' request will be taken forward subject to the statutory process involved. I can make no further comment as this matter is not for the Inquiry.

Mr Thomas Wheeler (R0015)

- 8.53 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 objection. These conclusions are not repeated here.
- 8.54 The objection referred to PPW and that there should be a net gain for biodiversity. The evidence of advance planting, the mitigation proposals and habitat creation indicates that there would be a net benefit for biodiversity for this Scheme.
- 8.55 The need for and value for money of the Scheme have been addressed above. The Scheme would address the issues and problems identified in the WelTAG studies. The application of actual accident data to the assessment has resulted in a stronger case for the Scheme.

³⁷ As shown on the original Scheme drawings

Conclusions on the Alternatives for the Redstone Cross Junction

- 8.56 As part of my consideration I shall address the revised version of Alternative 1 prepared by Welsh Government because it would align more closely with the standards in DMRB. This has become Alternative 1B, whereas the objectors' original suggestion is now Alternative 1A. I am satisfied that the procedures for publicity of the alternatives were followed. None of the promoters of the alternatives made any comments on Welsh Government's analysis of them in the Brochure (PID 6).
- 8.57 The alternatives would all avoid the need for right turn movements across the new A40. Welsh Government advise that the proposed Redstone Road ghost island junction and generous right turn lane with ample queueing space would meet modern standards. This junction would offer substantial safety benefits compared to the existing Redstone Cross junction. Consequently, any safety benefits as a result of the removal of the right turn lane would be slight. I was not presented with any convincing evidence that disputes this conclusion and I agree with Welsh Government's assessment. This is the background against which I have considered the alternatives.

Alternatives 1A and 1B

- 8.58 Alternatives 1A and 1B would have some small benefits in terms of safety and for journey times for travellers to and from north of the A40 (i.e. towards Bethesda). The BCR for both would be very similar to that for the Scheme. This is unsurprising as the safety; economic and journey time factors are very similar. This applies to both the original and revised BCR calculations³⁸.
- 8.59 Alternative 1A would not meet DMRB standards and a departure would be required. There would also be safety issues in relation to potential high traffic speeds of vehicles exiting the A40 and approaching the B4313. The re-use of the existing highway would mean that a valuable environmental mitigation area of replacement habitat for Dormouse would be lost and would have to be provided elsewhere. Alternative 1B would also require the acquisition of additional land for the new slip road.
- 8.60 Both 1A and 1B would be more expensive. They would have a greater impact on the landscape and environment. The existing properties at Redstone Cross would be further surrounded by roads to the detriment of living conditions. The additional slip roads would also lead to increased urbanisation and visual clutter. The acquisition of additional land could delay the Scheme.
- 8.61 I conclude that there is no need for Alternative 1A or 1B as the claimed safety benefits are marginal. The identified adverse impacts would significantly outweigh the benefits and I recommend that Alternatives 1A and 1B are not considered further.

³⁸ Revised to take account of accident severity and possible reduction of speed limits

Alternative 2

- 8.62 Alternative 2 was considered in the development of the Scheme. There was widespread public support for the provision of a junction at Redstone Road and it was added to the Scheme. What is now Alternative 2 was therefore rejected in the development of the Scheme.
- 8.63 Alternative 2 would be cheaper than the Scheme. It would have marginal journey time benefits for users of the new A40. It would also have landscape and nature conservation benefits because there would be no new connector road and a proposed wildlife underpass would consequently be reduced in length (by half).
- 8.64 Redstone Road contains several business parks, a caravan park and residential properties. It leads from Narberth town centre to the B4313. There would be significant increases in journey times for Redstone Road traffic to and from the west as a result of traffic having to continue to Penblewin roundabout and double back, as suggested by the objectors. I requested further information on the most likely route that traffic to and from Redstone Cross and Road would use if Alternative 2 was adopted. The traffic evidence showed that the most likely route would be the B4314 from Robeston Wathen to Narberth town centre. This would lead to additional traffic on the B4314 and on the one-way system in Narberth town centre. This would have adverse noise effects for properties on the B4314 and congestion impacts on local roads. There would be therefore be significant journey time effects for local traffic, whether the Penblewin or B4314 route was followed. As a result, the BCR for Alternative 2 is considerably lower than that of the Scheme. I conclude that the identified adverse impacts would significantly outweigh the benefits of this alternative. For these reasons, I recommend that Alternative 2 is not considered further.

Conclusions on the Orders required for the Scheme

Conclusions with regard to the Line and De-trunking Order

- 8.65 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.
- 8.66 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

- 8.67 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.
- 8.68 The Welsh Government has recommended modifications to some areas, rights or ownership details included in the CPO. I noted in Section 2 above that Welsh Government withdrew modification 1, leaving modifications 2 to 9 for consideration. I have closely studied the proposals for modifying the Order and endorse all the remaining 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. I am satisfied that none of the modifications would adversely prejudice any party.
- 8.69 I have carefully considered the objections as set out above and am 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 Orders are made work could start soon, for which reason I am satisfied that no land would be purchased ahead of time.
- 8.70 The tests set out at the start of this section are therefore met. 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

- 8.71 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. This includes the proposed temporary diversion of Redstone Road to enable the construction of the proposed overbridge.

- 8.72 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 for the correct definition of the Order and to resolve objections to the Scheme. I am satisfied that these have been dealt with in the list of modifications proposed by the Welsh Government at Annex C.
- 8.73 Therefore, I am satisfied that reasonably convenient means of passage would be provided by the Scheme and therefore the tests set out at the start of this section are therefore met.

Overall Conclusions on the Scheme

- 8.74 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. There would be considerable safety benefits were the scheme to proceed.
- 8.75 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 WelTAG study objectives, and this would, in my view, provide a substantial public benefit. This public benefit outweighs the small increase in GHG emissions. The benefits of the Scheme would also outweigh its adverse impacts on the setting of the listed building of Blaenmarlais House and on the landscape. I note that the landscape and visual impact would in time be mitigated by planting.
- 8.76 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.
- 8.77 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.
- 8.78 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.

9 **RECOMMENDATIONS**

I recommend that:

- THE LONDON TO FISHGUARD TRUNK ROAD (A40) (REDSTONE CROSS TO PENBLEWIN IMPROVEMENT AND DE-TRUNKING) ORDER 202-

be made.

- THE LONDON TO FISHGUARD TRUNK ROAD (A40) (REDSTONE CROSS TO PENBLEWIN IMPROVEMENT) (SIDE ROADS) ORDER 202-

be modified as set out in Annex C and as modified, be made.

- THE WELSH MINISTERS (THE LONDON TO FISHGUARD TRUNK ROAD (A40) (REDSTONE CROSS TO PENBLEWIN IMPROVEMENT)) COMPULSORY PURCHASE ORDER 202-

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

LISTS OF:

INQUIRY DOCUMENTS

INQUIRY QUESTIONS

PROOFS OF EVIDENCE

CORE DOCUMENTS¹

¹ All documents are available on the Inquiry Website <https://a40prc-publicinquiry.co.uk/>

INQUIRY DOCUMENTS

PID 1	Inspector's Inquiry Procedural Note
PID 2	Notice of Public Local Inquiry
PID 3	Welsh Government Privacy Notice
PID 4	Inquiry Programme - subject to change
PID 5	Inspector's Questions of Clarification
PID 6	Objectors' Suggested Alternatives Report
PID 7	Inspector's Issues and Questions
PID 8	Response to Inspector's Questions of Clarification
PID 9	Objections to Alternative Route Suggestion
PID 10	Opening Statement by Counsel for Welsh Government
PID 11	File Note on Statutory Procedures Overview
PID 12	WG Climate Change & Transport Announcements Timeline
PID 13	Support of Alternative Route Suggestion
PID 14	Statement of Friends of the Earth (R0017) - reply to rebuttal
PID 15	Statement of Jennings-Becker (R0018)
PID 16	File Note on Distribution of Alternatives Report
PID 17	File Note on Economic Appraisal results for objector's alternative
PID 18	File Note on Response to CPRW comments on Alternative 1
PID 19	File Note on Summary of Supporters, Objectors & Representations
PID 20	Register of Environmental Actions and Commitments
PID 21	Closing Statement by Counsel for Welsh Government
PID 22	Blaenmarlais Care Home Drawing
PID 23	Note on Noise Action Plan Priority Area (NAPPA) at Redstone Cross

PUBLIC INQUIRY QUESTIONS & RESPONSES (PIQ)

PIQ.001	Traffic flow figures comparing Core Scenario vs Objector's Alternative 2
PIQ.002	Impact of Alternative 2 Scenario on Narberth & Surrounding Network
PIQ.003	Inspector Query re withdrawal of objection R0022 / Modification 1

1. Welsh Government Proofs of Evidence

Document Number	Description
WG 1.0.1	Outline Statement of Case
WG 1.1	Nathan Duke (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	Geraint Jones (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	Errata to Proof of Evidence
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 Proof of Evidence
WG 1.5	Chloe Delgery (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 Proof of Evidence

WG 1.6 Mr James Bellinger (Air Quality)

WG 1.6.1 Summary of Air Quality Proof of Evidence

WG 1.6.2 Air Quality Proof of Evidence

WG 1.7 Peter Mumford (Noise)

WG 1.7.1 Summary of Noise Proof of Evidence

WG 1.7.2 Noise Proof of Evidence

WG 1.7.3 Noise Proof of Evidence Appendices

WG 1.7.4 Errata to Proof of Evidence

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

Respondent Proofs of Evidence

Objectors

Who attended the Inquiry

R0017 Pembrokeshire Friends of the Earth

R0018 Mr S Jennings & Ms B Becker

Who did not attend the Inquiry

R0021 Malcolm Lewis - Proof of Evidence by Edward H Perkins

R0026 Revelation Clothing - Statement

All other objections, written statements and Welsh Government rebuttals 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
2.02.05	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
2.03.05	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
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

Draft Orders	
Document Number	Description
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
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
2.06.04	Ancillary Documents - Land Referencing Schedule

3. Environmental Statement

Environmental Statement	
Document Number	Description
3.01.01	Chapter 1 – Introduction - Technical Assessment Report
3.01.02	Chapter 1 - Figures
3.01.03	Chapter 1 - Appendices
3.02.01	Chapter 2 – The Project - Technical Assessment Report
3.02.02	Chapter 2 - Figures
3.02.03	Chapter 2 - Appendices
3.03.01	Chapter 3 – Alternatives Considered - Technical Assessment Report
3.03.02	Chapter 3 - Appendices
3.04.01	Chapter 4 – Methodology - Technical Assessment Report
3.04.02	Chapter 4 - Appendices
3.05.01	Chapter 5 – Legislation and Policy Context - Technical Assessment Report
3.06.01	Chapter 6 – Geology and Soils - Technical Assessment Report
3.06.02	Chapter 6 – Figures
3.06.03	Chapter 6 – Appendices
3.07.01	Chapter 7 – Road Drainage and Water Environment - Technical Assessment Report

Environmental Statement	
Document Number	Description
3.07.02	Chapter 7 – Figures
3.07.03	Chapter 7 – Appendices
3.08.01	Chapter 8 – Nature Conservation - Technical Assessment Report
3.08.02	Chapter 8 - Figures
3.08.03	Chapter 8 - Appendices
3.09.01	Chapter 9 – Landscape and Visual - Technical Assessment Report
3.09.02	Chapter 9 – Figures
3.09.03	Chapter 9 – Appendices
3.10.01	Chapter 10 – Archaeology and Cultural Heritage - Technical Assessment Report
3.10.02	Chapter 10 – Figures
3.10.03	Chapter 10 – Appendices
3.11.01	Chapter 11 – Community Effects - Technical Assessment Report
3.11.02	Chapter 11 – Figures
3.12.01	Chapter 12 – Agricultural Assessment - Technical Assessment Report
3.12.02	Chapter 12 – Figures
3.12.03	Chapter 12 – Appendices
3.13.01	Chapter 13 – Air Quality - Technical Assessment Report
3.13.02	Chapter 13 – Figures
3.13.03	Chapter 13 – Appendices
3.14.01	Chapter 14 – Noise and Vibration -Technical Assessment Report
3.14.02	Chapter 14 – Figures
3.14.03	Chapter 14 - Appendices
3.15.01	Chapter 15 – All Travellers - Technical Assessment Report
3.15.02	Chapter 15 – Figures
3.15.03	Chapter 15 – Appendices
3.16.01	Chapter 16 – Materials - Technical Assessment Report
3.16.02	Chapter 16 – Figures
3.17.01	Chapter 17 – Population and Human Health - Technical Assessment Report
3.17.02	Chapter 17 – Appendices
3.17.03	Chapter 17 – Figures

Environmental Statement	
Document Number	Description
3.18.01	Chapter 18 - Technical Assessment Report
3.18.02	Chapter 18 - Appendices
3.19.01	Chapter 19 – Cumulative Effects - Technical Assessment Report
3.19.02	Chapter 19 – Figures
3.19.03	Chapter 19 – Appendices
3.20.01	Chapter 20 – Management of Environmental Effects
3.21.01	Chapter 21 - Conclusions

4.01 Policy and Legislation

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	Report to Prevent Future Deaths (Coroner's Report of fatal collision at Redstone Cross in 2018)
4.01.07	Welsh Government, National Natural Resources Policy
4.01.08	NRW, South West Wales Area Statement Summary of Key Themes
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)
4.01.12	Welsh Transport Appraisal Guidance 2008 (WeITAG)
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

Policy and Legislation	
Document Number	Description
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)
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

Policy and Legislation	
Document Number	Description
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 Framework 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	Not used
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	Pembrokeshire County Council Supplementary Planning Guidance (SPG), Development Sites, Dec 2016
4.01.57	Pembrokeshire Destination Management Plan 2020
4.01.58	Pembrokeshire County Council Local Development Plan 2013
4.01.59	Pembrokeshire Coast National Park Local Development Plan 2010
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	Not used
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

Policy and Legislation	
Document Number	Description
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	State of Natural Resources Report (interim) 2019
4.01.79	Well-being Statement 2017
4.01.80	Not used
4.01.81	Pembrokeshire County Council Deposit Local Development Plan 2
4.01.82	Pembrokeshire Coast National Park Authority Local Development Plan 2
4.01.83	Letter from Cabinet Secretary for Economy and Transport RE inquest of death at Redstone Cross
4.01.84	Building Better Places - The Planning System Delivering Resilient and Brighter Futures
4.01.85	The Highways (Assessment of Environmental Effects) Regulations 1999
4.01.86	The Highways (Environmental Impact Assessment) Regulations 2007
4.01.87	Environmental Impact Assessment (Miscellaneous Amendments Relating to Harbours, Highways and Transport) Regulations 2017
4.01.88	Technical Advice Note 6: Planning for Sustainable Rural Communities
4.01.89	National Transport Finance Plan for Wales 2015
4.01.90	National Transport Finance Plan for Wales 2017

4.02 Scheme Development

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
4.02.12	Scheme Contract Notice

4.03 Scheme Reports

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	WelTAG Stage 1 & 2 Report
4.03.04	WelTAG Stage 1 & 2 Impact Assessment Report
4.03.05	Not used
4.03.06	Not used
4.03.07	WelTAG Stage 3 Report
4.03.08	WelTAG Stage 3 Impact Assessment Report
4.03.09	Sustainable Development Report (SDR)

4.03.10	Not used
4.03.11	Not used
4.03.12	DCFV Report Dec 2019
4.03.13	DCFV Report Feb 2020
4.03.14	DCFV Report April 2020
4.03.15	Not used
4.03.16	DCFV Report July 2020

4.04 Engineering Reports

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

4.05 Traffic and Economic Reports

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

4.06 Environmental Reports

Environmental Documents	
Document Number	Description
4.06.1	World Health Organization Environmental Noise Guidelines for the European Region
4.06.2	Jones K 2012. Tranquillity: An Overview. ECRD Report 1207. Environmental Research and Consultancy Department, Civil Aviation Authority
4.06.3	Natural Resources Wales 2016. The State of Natural Resources Report (SoNaRR): Assessment of the Sustainable Management of Natural Resources
4.06.4	The Ramsar Convention
4.06.5	The Eels (England and Wales) Regulations 2009
4.06.6	The National Parks and Access to the Countryside Act 1949 (as amended)
4.06.7	The Protection of Badgers Act 1992
4.06.8	The Hedgerow Regulations 1997
4.06.9	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

Environmental Documents	
Document Number	Description
	for bats crossing linear transport infrastructure. DEFRA Science and Research Projects.
4.06.18	Berthinussen A, Altringham J (2017). Bats and Linear Infrastructure: A summary of DEFRA research project WC1060 by Br Anna Berthinussen and Professor John Altringham. Natural Resources Wales, Badgor.
4.06.19	Catherine Bickmore Associates. (2003). Review of Work Carried out on the Trunk Road Network in Wales for Bats. Cardiff: Welsh Government & Countryside Council for Wales.
4.06.20	Not Used
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 - now a footnote
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 Biodiveristy 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.

Environmental Documents	
Document Number	Description
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
4.06.41	Highways England - Design Manual for Roads and Bridges Volume 11
4.06.42	Institute of Air Quality Management (IAQM) Assessment of dust from demolition and construction 2014
4.06.43	Institute of Air Quality Management (IAQM) Environment Protection UK Guidance on land-use planning and development control
4.06.44	Interim Advice Note 170/12 v3 Updated air quality advice on the assessment of future Nox
4.06.45	Local Air Quality Management Technical Guidance TG16 2016
4.06.46	Cadw Letter - no objection
4.06.47	Protected Species Conservation Strategy Report
4.06.48	Design Intent Statement
4.06.49	Guidance for Pollution Prevention
4.06.50	Predictive Agricultural Land Classification Map (Wales) Version 2.0 - Guidance Note

ANNEX C

MODIFICATIONS SOUGHT BY WELSH GOVERNMENT

Note of Withdrawn Objections

Modification Cover Sheets

A40 Penblewin to Redstone Cross

MODIFICATION 01

This modification was withdrawn by Welsh Government as the landowner did not agree to the modification.

MODIFICATION 02

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0022 – Raymond Peter Harries

Outline:

RP Harries raised concerns regarding the location of Attenuation Pond C. Pond C has been relocated north of its previously proposed location.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

New Private Means of Access is proposed to access field. Substitute extract from SRO Modification 2 Plan into draft SRO Site Plan 1A.

On Schedule 1 of Site Plan 1A, under 'Reference Number of New Private Means of Access', add 1/11a.

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 1/3f – Plot reduced to 1273 square metres

CPO Plot 1/3j – Plot increased to 13563 square metres

CPO Plot 1/3u – New plot

A40 Penblewin to Redstone Cross

MODIFICATION 03

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0022 – Raymond Peter Harries

Outline:

A Private Means of Access to field would be stopped up located on the western boundary of the existing B4313. An equivalent proposed New Private Means of Access to field for Mr Harries has been provided and a New Private Means of Access proposed previously with the published Draft Side Roads Order has been reduced in size.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

New Private Means of Access is proposed to access field. Substitute extract from SRO Modification 3 Plan into draft SRO Site Plan 1A.

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

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **03** 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 1/1a – Plot reduced to 5890 square metres

CPO Plot 1/1u – New plot

CPO Plot 1/1v – New plot

CPO Plot 1/1w – New plot

A40 Penblewin to Redstone Cross

MODIFICATION 04

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0021 – Malcolm John Benjamin Lewis

Outline:

A new Temporary Highway is required whilst the Redstone Road overbridge is being constructed. Additional land is required in the CPO as Essential Licence.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

New Temporary Highway is proposed to provide access during construction of the overbridge. Substitute extract from SRO Modification 4 Plan into draft SRO Site Plan 1A.

On Schedule 1 of Site Plan 1A, under 'Reference Letter of New Highway', add 1/E.

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 1/4e – Plot reduced to 365 square metres

CPO Plot 1/4ac – New plot

CPO Plot 1/4ad – New plot

CPO Plot 1/4ae – New plot

MODIFICATION 05

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- 0021 – Malcolm John Benjamin Lewis

Outline:

Access is required to the new Cattle Underpass provided for Mr Lewis as a New Private Means of Access.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

New Private Means of Access is proposed to access field via the proposed Underpass. Substitute extract from SRO Modification 5 Plan into draft SRO Site Plan 1A.

On Schedule 1 of Site Plan 1A, under 'Reference Number of New Private Means of Access', add 1/10a.

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **05** 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 1/4t – Plot reduced to 845 square metres

CPO Plot 1/4x – Plot increased to 305 square metres

CPO Plot 1/4y – Plot reduced to 15417 square metres

CPO Plot 1/4aa – Plot reduced to 6398 square metres

CPO Plot 1/4ab – Plot reduced to 700 square metres

CPO Plot 1/4af – New plot

CPO Plot 1/4ag – New plot

CPO Plot 1/4ah – New plot

CPO Plot 1/4aj – New plot

CPO Plot 1/4ak – New plot

CPO Plot 1/4am – New plot

CPO Plot 1/4an – New plot

A40 Penblewin to Redstone Cross

MODIFICATION 06

Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- 0019 – Michael William Plumb

Outline:

Access to the Cattle Underpass as published with the Draft Side Road Order has been amended for both Mr Plumb and Mr Harries in order to segregate tracks.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

Amended proposed Private Means of Access is provided to segregate tracks. Substitute extract from SRO Modification 6 Plan into draft SRO Site Plan 1B.

CPO

Substitute Extract Compulsory Purchase Order, Table 1 Modification Number **06** 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 1/12b – Plot reduced to 392 square metres

CPO Plot 1/12d – Plot reduced to 2086 square metres

CPO Plot 1/12u – New plot

A40 Penblewin to Redstone Cross

Modification 7

This modification corrects the name of the landowner of Plot 1/5 on the CPO Schedule

A40 Penblewin to Redstone Cross

Modification 8

This modification corrects the Title of the SRO.

A40 Penblewin to Redstone Cross

MODIFICATION 09

Relevant draft Order(s)

- SRO

Relevant respondents:

N/A

Outline:

Previously published Draft Side Road Order included a proposed New Private Means of Access for the Mr Lewis, the landowner.

Terms of Modification to the Published Draft Orders

Draft Side Roads Order

Removed proposed New Private Means of Access. Substitute extract from SRO Modification 9 Plan into draft SRO Site Plan 1B.

On Schedule 2 of Site Plan 1B, under 'Reference Number of New Private Means of Access', remove 1/6a.

Withdrawn Objections

R008, R009, R0010, R0012, R0013, R0019, R0020, R0022 and R0024

R0012, R0019, R0020, R0022 and R0024 are statutory objections.