

Adran Seilwaith yr Economi  
Department for Economic Infrastructure



Llywodraeth Cymru  
Welsh Government

**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-**

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

**STATEMENT OF CASE – PART A – POLICY STATEMENT**

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**WELSH GOVERNMENT, CHIEF WITNESS**

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## **1. Personal Statement**

- 1.1 I am Nathan Duke. I am a Project Engineer within the Infrastructure Delivery Division of the Welsh Government where I am responsible, on behalf of the Welsh Ministers, for the delivery of the transport improvement schemes identified in the Wales Transport Strategy.
- 1.2 In the summer of 2010, I graduated from the University of Glamorgan, Wales, with a First Class Honours degree in Civil Engineering.
- 1.3 I am an Incorporated Civil Engineer (IEng MICE) and became a Member of the Institution of Civil Engineers (ICE) in 2016. I am an active member of ICE and in 2016, was elected to the 12-member ICE Wales Cymru Elected Members Committee for a 3-year period and was later re-elected in 2019.
- 1.4 In 2020, I became a Chartered Manager (CMgr MCMI) and Member of the Chartered Management Institute (CMI).
- 1.5 Following graduation, I spent the first two years of my career working for Halcrow Group Limited as a Graduate Engineer principally working on the development of various highways infrastructure schemes throughout the UK.
- 1.6 In 2013, following CH2M's acquisition of Halcrow Group Limited, I was appointed to Assistant Engineer within the Transportation Business Group. Predominantly working within the highways section, I delivered designs and project administration for a variety of highway maintenance and general improvements on the Highways England Trunk Road network.

- 1.7 After attaining my IEng qualification with the ICE in 2016, I was promoted to Senior Engineer working on the Welsh Government's A465 Heads of the Valleys Section 2, Gilwern to Brynmawr Trunk Road improvement. Working for a Design Joint Venture (DJV) during Key Stage 3 (Preliminary Design), I was responsible for the delivery of several aspects of the highway's design with a particular focus on the Intelligent Transport Systems' physical infrastructure and the road safety Vehicle Restraint System provisions. During Key Stage 4 (Statutory Process), I facilitated the preparation and publication of statutory Line, Side Roads and Compulsory Purchase Orders under the Highways Act 1980 and Acquisition of Land Act 1981. I was later appointed to the role of Deputy Commercial Manager for Key Stage 6 (Detailed Design), where my role included Commercial Management, Programme and Progress tracking utilising the Oracle Primavera P6 application.
- 1.8 In 2017, I joined the Transportation Business Group at SWECO. As a Senior Engineer, I was appointed Highways Lead on the Highways England A303 Sparkford to Ilchester Dualling Scheme responsible for the delivery of the highway's design for the upgrade of the A303 between Sparkford and Ilchester, part of a broader portfolio to improve this vital connection between the southwest and southeast of England.
- 1.9 In 2018, I was appointed as the Design Manager on the Highways England M3 Junction 9 to 14 Smart Motorway Scheme. I led a large multi-disciplinary design team charged with the delivery of the detailed design for the upgraded section of the M3 to an 'All Lane Running' Smart Motorway.

1.10 In 2019, I joined the Infrastructure Delivery Division of the Welsh Government as a Project Engineer, responsible for the implementation of the Welsh Government's transport policy, plans and programmes through the delivery of improvement schemes on the Welsh Trunk Road network. Currently, I am primarily employed on the A40 Llanddewi Velfrey to Penblewin Improvements and A40 Penblewin to Redstone Cross Improvements schemes.

1.11 In March 2020, as Project Engineer for the A40 Llanddewi Velfrey to Penblewin Improvements Scheme, I was the Welsh Government Deputy Chief Witness, and was part of the backroom team dealing with Inquiry requests.

## **2. Foreword**

2.1 Numerous functions formerly exercisable by Ministers of the Crown are now exercisable by the Welsh Ministers by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (Doc. 4.01.01) and the Government of Wales Act 2006 (Doc. 4.01.02). These include functions under highways and compulsory purchase legislation. In particular, the Welsh Ministers are the highway authority for Trunk Roads in Wales and may be authorised by an Order made by them to acquire land for highway purposes under the Highways Act 1980 (Doc. 4.01.03) and the Acquisition of Land Act 1981 (Doc. 4.01.04).

2.2 The Welsh Government consists of the First Minister, the Welsh Ministers, the Counsel General and the Deputy Welsh Ministers. The role of the Welsh Government is to exercise the powers conferred on it, to develop and implement policy and to pass legislation on devolved subjects. The Welsh Government is subject to democratic scrutiny by the National Assembly for Wales.

2.3 For the purposes of these Inquiries, the formal functions in respect of highways as provided in the draft Orders are vested in the Welsh Ministers: these are promoted in accordance with the Welsh

Government policies and objectives and are advanced by witnesses in evidence on behalf of the Welsh Government.

- 2.4 This statement primarily addresses legislation, policies, strategies and plans that are focused on transport issues, given my role as Project Engineer. Policies that impact indirectly on transport have not generally been referred to as part of this Statement unless a specific element such as well-being or climate change is particularly relevant to the published Scheme.
- 2.5 Wider policy matters and planning and sustainable development issues pertinent to the published Scheme are addressed expressly by the expert evidence of John Davies (WG 1.8.2).
- 2.6 The remainder of this Statement is thus structured as follows:
- a) Legislation and National Policy Position;
  - b) Regional Policy and Strategies; and
  - c) Local Policy and Plans.
- 2.7 Information and evidence pertinent to the published A40 Penblewin to Redstone Cross Improvements Scheme (hereby referred to as “the Scheme”) is provided in summary throughout, in order to help consider how the Scheme would align or contribute to the relevant legislation, policies, strategies and plans. It is unavoidable that there will be some duplication where information and evidence is relevant to more than one piece of legislation, policy, strategy and plan being considered. However, this Statement has tried to avoid unnecessary duplication where possible, and thus it is important that all sections of this Statement are read together and not in isolation.

## Legislation and National Policy Position

### 3. Environment (Wales) Act 2016

3.1 Enacted in 2016 by the National Assembly for Wales, the Environment (Wales) Act 2016 (Doc. 4.01.05) replaces the Natural Environment and Rural Communities Act 2006 (NERC Act) (Doc. 4.01.18) in Wales. It provides an iterative framework that ensures that managing natural resources sustainably will be a core consideration in decision-making. Natural Resources Wales is the Statutory Body to help deliver the aims of the Act and are required to prepare a number of documents, which include:

- a) State of Natural Resources Report<sup>1</sup> (Doc. 4.01.78);
- b) National Natural Resources Policy (Doc. 4.01.07); and
- c) Area Statements (Doc. 4.01.08)<sup>2</sup>

3.2 These documents will help inform the design of road schemes so that they can be delivered in a way that manages natural resources sustainably. The Act also includes provisions to tackle climate change, through statutory emission reduction targets and carbon budgeting to support their delivery.

3.3 In particular, Section 6 under Part 1 of the Environment (Wales) Act 2016 (Doc. 4.01.05) introduced an enhanced duty (the S6 duty) for public authorities in the exercise of functions in relation to Wales. The S6 duty requires that public authorities must seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing, promote the resilience of ecosystems. To follow the S6 duty public authorities should embed the consideration of biodiversity and ecosystems into their early thinking and business

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<sup>1</sup> <https://naturalresources.wales/evidence-and-data/research-and-reports/state-of-natural-resources-interim-report-2019/?lang=en>

<sup>2</sup> This includes an Area Statement that has been prepared for the South West Wales Area.

planning, including any policies, plans, programmes and projects, as well as their day to day activities.

- 3.4 The Scheme has been developed with the aim of mitigating and enhancing impacts where possible both during construction and operation. An Environmental Statement (ES) (Doc. 3.01.01) has been prepared to report the findings of the Environmental Impact Assessment (EIA) process. A summary of the environmental impacts of the Scheme is provided below.
- 3.5 Expert evidence is presented in the Statement of Chloe Delgery (Ecology) (WG 1.5.2) and Andrew Sumner (Environment) (WG 1.4.2).
- 3.6 John Davies concludes in his proof of evidence (WG 1.8.2) that as a consequence of the Scheme's design and the mitigation proposals, the Welsh Government has met the requirements of the Environment (Wales) Act 2016 (Doc. 4.01.05).

### **Geology and soils**

- 3.7 An assessment of geology and soils has been undertaken, taking into account geology, geological features, mineral resources and land contamination. There are two known quarries within the Scheme area, therefore there is the potential for unknown historical quarrying and infilled land to be encountered which could be a source of contamination. Ground investigations on site have identified a slight risk of land contamination.
- 3.8 Chapter 6 of the ES (Doc. 3.06.01) concludes that no significant effects are anticipated to affect geology as a result of the Scheme during construction or operation.
- 3.9 During construction, all effects have been classed as neutral or slight adverse. The ES identifies that there is potential for unknown historical quarrying and infilled land to be encountered. Ground investigations have identified a slight risk of land contamination. Environmental

management best practice would be applied on Site and would include the adoption of a watching brief for identification of potential land contamination. Appropriate measures would be taken to limit any potential risk to construction workers and controlled water should contaminated land be discovered.

3.10 During operation, all effects have been classed as neutral, slight adverse or neutral / slight beneficial.

3.11 The ES identifies a neutral / slight beneficial effect through the potential for rock exposures to be formed through cuttings along the Scheme which could provide areas of geological interest.

### **Road drainage and the water environment**

3.12 The water environment for the Scheme consists of surface watercourses including a number of unnamed tributaries and ponds, the underlying groundwater and associated groundwater dependant features. An assessment of the potential effects of the Scheme upon the water environment, which considered effects upon water quality, water quantity and flood risk was undertaken.

3.13 Chapter 7 of the ES (Doc. 3.07.01) concludes that no significant effects are anticipated to water quality, water quantity or flood risk as a result of the Scheme during construction or operation.

3.14 During construction, all effects have been classed as neutral or slight adverse. The Scheme would have a slight adverse impact upon surface water quantity at the unnamed tributary of Afon Marlais (watercourse ID8) and also upon groundwater resources.

3.15 During operation, all effects on the water environment have been classed as neutral or slight adverse. Mitigation measures would be implemented in line with best practice guidelines, including for the design of outfalls, and culverts would be implemented for all structures. The

Scheme would have a slight adverse impact upon surface water quantity and a neutral/slight adverse impact upon groundwater.

3.16 Ongoing monitoring is proposed to confirm the mitigation, drainage and treatment measures incorporated into the design has been effective.

3.17 The forecast reduction in traffic on the existing A40 provides a potential benefit to the water environment in that the current drainage network is believed to discharge directly to local watercourses. Therefore, there will be a beneficial impact upon the water quality of road run-off discharged from the existing highway directly into local watercourses. With embedded treatment measures in the proposed Scheme, the overall pollutant load entering watercourses will be reduced.

### **Nature Conservation**

3.18 An assessment has taken place to consider protected sites; habitats; and species of fauna and flora.

3.19 Chapter 8 of the ES (Doc. 3.08.01) concludes that there are some significant effects upon biodiversity as a result of the Scheme.

3.20 During construction, all effects upon biodiversity have been classed as negligible or minor adverse, with the exception of the woodlands and hedgerows which would be moderate adverse. The loss of habitat during construction would be offset by the landscape planting. However, as planting would mostly be limited to towards the end of the construction period, there would be a temporary reduction in planting during construction and while the planting becomes established. The impact upon habitat within the four watercourses being culverted would be minor adverse.

3.21 The effects on roosting bats and foraging and commuting bats during construction have also been considered within the ES. There would be a minor adverse impact upon internationally important foraging and commuting Annex II species, with a minor adverse impact upon locally

important assemblage of foraging and commuting bat species. There would also be a minor adverse impact on dormice, otters, barn owls and spotted flycatchers as a result of the construction of the Scheme.

3.22 There would be no adverse impacts on the integrity of any internationally or nationally designated sites.

3.23 During operation, there would also be no adverse effects on the integrity of any internationally or nationally designated sites.

3.24 There would be a negligible beneficial impact upon roosting bats during the operational phase, however, there would be a negligible adverse impact upon foraging and commuting bats.

3.25 There would be a minor adverse impact upon dormice, barn owls and spotted flycatchers during the operational phase, whilst there would be neutral impacts upon otters, breeding birds, badgers, reptiles and Section 7 species.

3.26 There would be a moderate beneficial impact as a result of the Scheme due to the incorporation of 6-ha of species-rich grassland. The currently improved and poor semi-improved grassland fields used for cattle production would be replaced with wildflower grassland mixes on the verges of the new road. Some of this would comprise pollinator strips which would benefit pollinator species and other invertebrates.

### **Landscape and visual**

3.27 The Scheme occupies part of a prominent ridge and plateau with steep scarp slopes that surround the head of the Afon Marlais and Lampeter Vale. The ridge and plateau are dissected by steep-sided valleys that drain into both Taf and Cleddau rivers. The surrounding area has an undulating topography with numerous river valleys, often with wooded slopes. Pembrokeshire hedge-banks, hedgerows with trees and blocks of woodland cross the landscape and a network of narrow lanes connects villages, single dwellings and rural settlements.

3.28 Chapter 9 of the ES (Doc. 3.09.01) concludes that during construction, the Scheme would have a slight adverse effect upon three landscape character areas of Narberth, Llanddewi Velfrey Ridge and Lampeter Velfrey Slopes. The effect would reduce as the proposed landscape mitigation measures become established.

3.29 A visual impact assessment of 190 residential properties has been carried out and it is anticipated that there would be initial significant adverse impacts upon 11 properties.

3.30 During the operational phase, there would be a minor adverse impact upon the Landscape Character Area of Narberth Rural, but by Year-15, the development of landscape mitigation, banks, extensive tree and shrub planting, and noise barriers that would also serve to assist in screening views. There would be a neutral impact overall across the study area. By year 15, adverse impacts would be reduced to 4 residential properties.

### **Archaeology and cultural heritage**

3.31 A number of heritage features have been identified within the 3km study area including Scheduled Ancient Monuments, Listed Buildings, field systems and bridges. Geophysical surveys also identified a number of areas that could potentially contain buried archaeology.

3.32 Chapter 10 of the ES (Doc. 3.10.01) considers the direct and indirect impacts of the Scheme on cultural heritage assets including buried archaeological features, historic buildings and historic landscapes. A number of heritage features have been identified within the 3km study area including Scheduled Ancient Monuments, Listed Buildings, field systems and bridges. Geophysical surveys also identified a number of areas that could potentially contain buried archaeology.

- 3.33 The construction effects on various heritage assets within the study area have been identified as neutral. The exceptions are the Toll road between St Clears and Canaston Bridge, circular features, a Lane on the Tithe Map and Blaenmarlais house and barn, which are classed as having a neutral or slight significance of effect, the field system and circular cropmark, which are identified as having a slight effect and a standing building, which is identified as having a slight or moderate significance of effect.
- 3.34 There is also a high possibility that intrusive works on the Scheme may uncover previously unrecognised archaeological deposits. As a mitigation measure, an archaeological evaluation programme is planned, which will involve recording existing archaeological remains and trenching.
- 3.35 During operation, no significant effects have been identified for the setting of designated historical assets. The majority of designated sites (scheduled ancient monuments and listed buildings) identified within the 3km buffer zone would have no views of the Scheme due to hills and increased distance.
- 3.36 The Redstone Cross Barrow Group would experience an improvement as traffic on the Trunk Road would be moved further away from the barrows.

### **Community Effects**

- 3.37 The assessment of community and private assets includes effects on community facilities, including doctor surgeries, hospitals, aged people homes, schools, shops, post offices, places of worship, parks, play areas and other public open space and sports centres. It also assesses effects on private and commercial assets, including private property and associated land take, commercial property and development land.
- 3.38 Chapter 11 of the ES (Doc. 3.11.01) considers the effects on community and private assets.

3.39 During construction, no doctor surgeries, hospitals, schools, shops, post offices, places of worship, parks, play areas, tourist and visitor attractions, community halls or development land would be directly affected by construction or operation. Any effects would be indirect due to any traffic congestion caused by temporary traffic management or local amendments to road layouts. The impact has been classed as minor and temporary upon these facilities.

3.40 It is considered that the effects upon the Blaenmarlais Care Home would be moderate adverse during construction due to the restricted accessibility owing to the minor alterations to access off Redstone Road; and also the impacts upon air quality and noise due to the increased proximity to the proposed A40. These impacts would be mitigated through good construction practice, with access for emergency vehicles maintained at all times. Access during operation would be similar to the existing situation.

3.41 The effects upon residential property range from moderate beneficial to slight adverse; with Redstone Farm, The Old Farmhouse, Redstone Cottages, Number 1 Blackmoor Hill and Blackmoor Hill Farmhouse either benefiting from the Scheme or a neutral effect. There would be a neutral or slight adverse effect upon Sodston Lodge and residential properties 260m south of the A40 (RP6 except for RP4 and RP5). It is anticipated that the impacts upon Penblewin Farmhouse would be slight adverse. No residential properties would require demolition.

3.42 For commercial properties, only one property (Revelation Clothing Limited) has been identified as potentially being directly affected during construction with effects assessed as neutral or slight adverse. Other commercial properties would only be potentially impacted by temporary traffic management.

3.43 The Scheme would have some beneficial impacts on residential property; including a moderate beneficial effect on Redstone Farm and The Old Farmhouse as these would be located further away from the

strategic A40 route and would benefit from improved active travel connectivity. Redstone Cottages and Number 1 Blackmoor Hill and Blackmoor Farmhouse could also have neutral or slight beneficial effects as a result of the Scheme.

3.44 During operation, tourist attractions such as the Oakwood and Bluestone visitor attractions would benefit from the improved journey time reliability.

### **Agricultural Assessment**

3.45 The assessment examined the potential effects on agricultural land resources and farm businesses. In assessing land resources, the agricultural land was measured on a scale according to its quality and therefore its sensitivity to effects. The assessment of farm businesses considered the physical effects, including land loss, severance, the potential effects on the movement of livestock, field accesses, drainage and the use of farm buildings, as well as the longer-term consideration of whether the land could continue to be of beneficial agricultural use.

3.46 Chapter 12 of the ES (Doc. 3.12.01) considers the effects upon agricultural land resources and farm businesses.

3.47 The Scheme would result in the loss of 11.8ha of mostly subgrade 3b (moderate quality agricultural land) land, which would result in a minor adverse impact upon agricultural land resources. None of this land has been classed as of the best and most versatile agricultural quality.

3.48 A total of five farm units would lose land to the Scheme which, would cause moderate or minor changes to their day-to-day land management. None would be rendered unviable. The effects in all cases have been considered to be of minor adverse significance.

3.49 During construction, access to land is expected to be maintained for all but one field. Good construction practices would be undertaken to ensure no agricultural weeds or diseases would be spread between

farms; whilst mitigation measures would be in place to reduce the impact of crop loss.

3.50 During operation, no agricultural enterprises would be significantly adversely affected by the operational impacts.

### **Air Quality**

3.51 A detailed air quality assessment was undertaken to establish the potential effects of the Scheme on local and regional air quality. Annual mean levels of nitrogen dioxide and particulate matter (PM10) were measured near to multiple sensitive receptors, such as schools and houses, and were then compared to the predicted levels they will change to if the Scheme were built and traffic consequently altered.

3.52 Chapter 13 of the ES (Doc. 3.13.01) sets out the effects of the Scheme upon air quality.

3.53 During construction, dust and particulate emissions would be temporary. There would be no significant effects of construction on air quality with the mitigations proposed.

3.54 During operation, there would be no significant effect on assessed receptors in the opening year (2022).

3.55 The Scheme would result in the movement of the main A40 traffic away from the existing road alignment, which would provide a benefit to local air quality for receptors on the exiting alignment of the A40.

### **Noise and Vibration**

3.56 A noise and vibration assessment was undertaken to determine the significance of temporary and permanent effects of noise and vibration during the construction and operation phases. The dominant noise source is road traffic from the existing A40.

3.57 Chapter 14 of the ES (Doc. 3.14.01) assesses the effects of the Scheme upon noise and vibration.

3.58 During construction, various receptors have been assessed as not significant. It is anticipated that there would be significant effects at one or more of the construction stages for Redstone Cottages, Blaenmarlais Care Home, Redstone Cottage and Penblewin Farm. It is considered that mitigation, might in some cases reduce the impact from significant to not significant at one or more of the properties.

3.59 Where the construction noise would seriously affect properties for a substantial period of time and no other form of mitigation would be reasonably practicable, noise insulation could be considered.

3.60 The assessment of vibration effects during construction would be not significant for all receptors.

3.61 During operation, there would be no significant effects from operational noise. For properties where the realigned A40 would be closer than the existing A40, adverse likely significant effects have been avoided by the inclusion of landscape / noise mitigation (landscaped bunds) and between the Scheme and the properties.

### **All Travellers**

3.62 The assessment of all travellers includes vehicle travellers and walkers, cyclists and horse riders (WCHR). The potential effects are considered on Public Rights of Way, Cycle routes and other WCHR routes, public highways, overbridges and underbridges, public transport and bus stops, community severance, driver stress and de-trunking.

3.63 Within the study area, the presence of PRow is sparse with only two links available to WCHR. A footpath runs north-south following agricultural land boundaries and currently terminates on the existing A40 east of Blackmoor Hill Farm. Access to the footpath via the A40 is currently unattractive, with no pedestrian footways in an eastbound or

westbound direction, providing no wider connectivity. A bridleway runs west-east to the south of the Scheme between the A478 and B4313. The route is clearly signed at both intersections.

- 3.64 Chapter 15 of the ES (Doc. 3.15.01) considers the effects on both vehicle travellers as well as walkers, cyclists and horse-riders (WCHR).
- 3.65 No significant effects have been identified during construction or operation upon Public Rights of Way; cycle routes and other routes used by WCHR; public highways; overbridges and underbridges; public transport and bus stops; community severance; driver stress; and de-trunking.
- 3.66 During construction, the existing A40, together with most local roads crossing the Scheme or linking to it, would remain open under traffic management where required, except for some overnight weekend road and lane closures during works such as utility diversions and tie-in works. A local diversion would also likely be required along the B4313 in order to enable the construction of the overbridge. It is anticipated that bus services would continue to use the road network as they do at present, following any diversionary routes where necessary. Bus stops would be relocated as part of any diversion where the effect of the works stops at Redstone Cross.
- 3.67 Following the completion of the construction works, the majority of traffic is forecast to utilise the new section of A40 which would provide an improved section of Trunk Road with safe overtaking opportunities. The existing A40 would be de-trunked and given the reduction in traffic along this route, would be more attractive to WCHR users. The de-trunked road and the new overbridge would also provide wider connectivity into the PRow network which currently stops at the A40. The overbridge would also provide a new, safe crossing facility for this section of the A40 for vehicle traffic and WCHR, improving on the current junction arrangement / crossing facilities.

## **Materials**

- 3.68 The construction of the Scheme will require the use of material resources and the generation and management of waste. The assessment has taken into account the types and quantities of materials and waste associated with the construction and operation of the Scheme, their storage and the management of the waste streams.
- 3.69 Chapter 16 of the ES (Doc. 3.16.01) sets out the effects from the use of material assets on their sources and availability and from the generation and management of waste resulting from the Scheme.
- 3.70 A moderate adverse significance of effect remains for material assets and the generation and management of waste due to the relatively fixed volume of imported material assets that would be required for the Scheme. Good practice measures however, do provide a potential for reductions in these effects, whilst controlling and limiting the significance to no greater than the levels that have been assessed.
- 3.71 During operation, no significant effects have been identified.

## **Population and Human Health**

- 3.72 The population and human health assessment examines how the Scheme may influence public health and wellbeing in the areas surrounding the Scheme and includes the distribution of impacts within different social groups where possible.
- 3.73 Chapter 17 of the ES (Doc. 3.17.01) sets out the effects on public health and wellbeing in the areas surrounding the Scheme through environmental and socioeconomic pathways.
- 3.74 During construction, temporary minor adverse effects have been identified as a result of construction noise (increasing to moderate adverse for those people who are likely to spend more time in one place and experience increased exposure) and effects on air quality. There

would also be minor adverse health effects as a result of construction activities making active travel a less desirable option during this time. It is also anticipated that minor adverse health effects would be felt as a result of reduced mobility for certain people as a result of the perception of reduced road safety during construction.

3.75 During operation, no adverse health effects have been identified. As a result of the Scheme, there would be minor beneficial effects upon health from improved: access to open space and nature; access to work and training; and participation in active travel.

### **Climate Change**

3.76 Three assessments have been undertaken, as follows:

- a) a greenhouse gas emissions assessment which quantifies the potential impact of greenhouse gases on the Scheme and identifies mitigation;
- b) a climate change resilience assessment which evaluates the effectiveness and feasibility of adaptation measures integrated into the Scheme; and
- c) an in-combination climate change impact assessment, which evaluates the combined effect of the Scheme and potential climate change impacts on the environment during construction and operation.

3.77 Chapter 18 of the ES (Doc. 3.18.01) sets out the effects of the Scheme on climate change.

3.78 The GHG assessment identified that over the whole life of the Scheme, there would be an increase in emissions associated with the Scheme. The increase is being driven by capital carbon emissions relating to the construction phase of the Project. Over the 60-year appraisal period, the total emissions from the construction, operation and use of the road are expected to increase by 1.0% compared to the Do Minimum scenario. It is the case that the emissions associated with the operational phase of the Scheme would be lower than compared to the 'do minimum' scenario.

- 3.79 The capital carbon emissions represent 1.1% of the total for the appraisal period. Emissions during construction are mainly from the embodied carbon in construction materials and emissions on site from plant, equipment and vehicles. Emissions from vehicles account for the majority of user Greenhouse Gas (GHG) emissions (98.9%).
- 3.80 The net increase in GHG emissions is not considered to have a material impact on the ability of the Government to meet its carbon reduction targets and will not give rise to a significant effect.
- 3.81 The CCR and ICCI assessments did not identify any significant risks associated with climate change. Potential risks associated with flooding are addressed through mitigation measures embedded within the design.
- 3.82 In order to mitigate greenhouse gas emissions as much as possible, opportunities for carbon reduction have been considered where possible, for example, it is proposed to minimise extents of lighting in the Scheme. Carbon reduction would be fully taken into account as the design stages progress and future mitigation measures have been considered, such as using local suppliers during construction to reduce the carbon impact of transporting materials to site.

### **Cumulative Effects**

- 3.83 An assessment of cumulative effects is required due to the potential for separate effects of more than one project to incur a significant effect on receptors. This includes the potential effect associated with the construction and operation of the proposed A40 Llanddewi Velfrey to Penblewin Improvements scheme. Two principal types of cumulative effects are considered:
- a) interrelationships between effects generated by the Scheme, and
  - b) the interaction of effects of the Scheme with other developments.

3.84 For the impact of interrelationships, the assessment identifies a 'modest' effect, based on the extent and complexity of the receptors. For the impact of in combination, a total of nine 'shortlisted' projects were identified and these included a range of land uses. The A40 Llanddewi Velfrey to Penblewin Improvements scheme represents the most potential for a significant in-combination impact, with majority of receptors likely to be affected.

3.85 Chapter 19 of the ES (Doc. 3.19.01) sets out the potential impact of cumulative effects as a result of the Scheme.

3.86 The assessment identifies the potential for moderate adverse significant effects to occur. The Pre-CEMP and REAC set out measures to manage the potential for and to minimise the potential for cumulative effects. Further explanation of this is given by Andrew Sumner (WG 1.4.2).

#### **4. Historic Environment (Wales) Act 2016**

4.1 The Historic Environment (Wales) Act (Doc. 4.01.09) forms part of a suite of legislation, policy, advice and guidance that makes important improvements to the existing systems for the protection and sustainable management of the Welsh historic environment. In broad terms, the Act gives more effective protection to listed buildings and scheduled monuments, enhances existing mechanisms for the sustainable management of the historic environment, and introduces greater transparency and accountability into decisions taken on the historic environment.

4.2 Paragraphs 3.31 - 3.36 provide a summary of the impacts upon archaeology and cultural heritage.

4.3 These impacts are covered in further detail in Chapter 10 of the ES (Doc. 3.10.01) will be covered in further detail by the expert evidence of Andrew Sumner (Environment) (WG 1.4.2).

- 4.4 In addition to desk-based studies and geophysical studies, Cadw and Dyfed Architectural Trust have been consulted regarding the design and development of the Scheme. It is considered that the Scheme complies with the Historic Environment (Wales) Act 2015 (Doc. 4.01.09).
- 4.5 Cadw have confirmed that they do not object to the Scheme.

## **5. Well-being of Future Generations (Wales) Act 2015**

- 5.1 The 2015 Act (Doc. 4.01.10) is about improving the social, economic, environmental and cultural well-being of Wales with an overarching aim of creating a Wales we all want to live in, now and in the future. Table 1 of the Act puts in place seven national well-being goals.
- 5.2 The 2015 Act places a duty on public bodies in Wales and those listed in the Act to work to improve the economic, social, environmental and cultural well-being of Wales.
- 5.3 To help do this, they must set and publish well-being objectives and give greater consideration to the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.
- 5.4 A study into the A40 Penblewin to Redstone Cross has been undertaken in accordance with Welsh Transport Appraisal Guidance 2017 (WelTAG) (Doc. 4.01.11). The combined WelTAG Stage 1 and 2 Reports (Doc. 4.03.03, 4.03.04) identify the problems and objectives and consider the possible solutions, arriving at a recommendation at WelTAG Stage 3 (Doc. 4.03.07) to progress the Scheme. The Scheme objectives have been considered against, and are aligned to, the seven well-being goals set out within the 2015 Act.
- 5.5 The Sustainable Development Report (SDR) (Doc. 4.03.09) has specifically looked at the contribution of the Scheme to the Welsh Government's well-being objectives, as set out within the Well-being Statement, 2017 (Doc. 4.01.79). The SDR concludes that the Scheme would contribute positively to the well-being objectives overall, and by extension, the well-being goals. It is considered that the Scheme would result in opportunities to help achieve the well-being objectives, thus aligning positively to its cross-cutting strategies, contributing to the well-being goals, and helping Welsh Ministers satisfy their duties and obligations under the 2015 Act.

- 5.6 Specifically, it is considered that the Scheme would have direct contributions to 9 well-being objectives, albeit one of these there would only be some contributions. It is considered that for the well-being objective ‘drive sustainable growth and combat climate change’, the Scheme would drive sustainable growth overall however there would be some adverse impacts upon climate change, as a result of increased greenhouse gas emissions. The SDR does identify some indirect, minor contributions to the remaining 3 well-being objectives.
- 5.7 It is further considered that the Scheme would perform positively against all but two of the Scheme-specific objectives, and as such, is expected to contribute positively to the well-being goals overall.
- 5.8 For example, it is considered that the Scheme would provide a high-quality road built to modern standards, which would replace what is considered to be the lowest standard section of TEN-T in the UK, thus contributing to delivering modern and connected infrastructure, one of the well-being objectives.
- 5.9 The Scheme would also improve journey time reliability, particularly at times of incidents and delays, and seeks to improve a key piece of infrastructure for future generations in Pembrokeshire, the wider region and those visiting from elsewhere. This would improve the accessibility of the region which would, for example, provide benefits for tourism as well as the economy in terms of improved access to the Haven Waterway Enterprise Zone.
- 5.10 This would help to build resilient communities and help to promote and protect Wales’ place in the world. The Scheme would also contribute to improving access to health and care facilities, thus contributing to the delivery of quality health and care services fit for the future. These improvements would also help contribute to the well-being objectives: support people and businesses to drive prosperity; and tackle regional inequality; and promote fair work.

5.11 The Scheme would also provide improved active travel connectivity via proposed enhancements along the de-trunked A40 (as well as the overbridge) which would reduce conflicts between vehicles and WCHRs when crossing the proposed A40. It is considered that the overall improvement in active travel connectivity through the Scheme could lead to an increase in physical activity within the local area. The Scheme proposes complementary active travel measures and would also help improve conditions for local bus services and connections by car to railway stations via the A40. These improvements for active travel and connectivity to and for public transport would provide benefits to several of the well-being objectives, most specifically, building healthier communities and better environments, promoting good health and well-being and supporting people and businesses to drive prosperity.

5.12 The Scheme would provide improvements to safety, helping contribute to promoting good health and well-being as well as building healthier communities. Historical accident data between 2008 and 2018 shows that the observed proportion of accidents on the A40 between Penblewin Roundabout and Redstone Cross Junction in the 'killed or seriously injured' category (44.4%) is higher than the WebTAG average default proportion (18.1%). The accident analysis has shown that the severity of accidents on this section of the A40 is particularly skewed towards fatalities, with the likelihood of a fatality around eight times higher than observations on roads of similar standard throughout Great Britain. Of the nine personal injury accidents recorded over the ten-year period, two of these accidents resulted in fatalities and another two accidents resulted in serious casualties. This is presented within the Initial Traffic and Accident Data Report (Doc. 4.05.01).

5.13 Redstone Cross has been identified as a particular accident blackspot with a cluster of collisions recorded at this location. It has also been identified that the majority of non-cluster incidents (67%) occurred due to vehicles veering onto the opposite side of the carriageway. This indicates that issues may exist with the current road layout, resulting in

drivers veering into opposing traffic. This type of movement and associated accident is often associated with a lack of safe overtaking opportunities, driver frustration and risk taking.

- 5.14 Over a 60-year period, the Scheme would result in a saving of 18 accidents with 28 less casualties. Of these 28 casualties, forecasts indicate that there would be one less fatality, three less casualties with serious injuries and a reduction of 24 casualties with slight injury severity. This was forecast by COBA-LT software and is covered in further detail by the expert evidence of Philip Thiele (Traffic & Economics) (WG 1.2.2). Within the evidence of Philip Thiele, it is explained that there are some limitations from the use of COBA-LT software and the analysis is very conservative as it understates the number of fatalities that would be saved by the Scheme.
- 5.15 The Traffic Forecasting Report (Doc. 4.05.03) also records that in the design year (2037) annual average daily traffic passing between Penblewin Roundabout and Redstone Cross is forecast to reduce by 82% as a result of the Scheme. The Scheme's offline nature, improved standard of junction at Redstone Cross, lack of direct accesses onto the Trunk Road and provision of improved overtaking opportunities, would reduce the likelihood of collisions through risky manoeuvres. As a consequence, the types of severe accidents that are associated with the current road configuration would be mitigated.
- 5.16 The A40 between Robeston Wathen and Slebech Park has already been upgraded to the WS2+1 standard proposed for this Scheme. Sections that have been upgraded to WS2+1 standard provide more safe overtaking opportunities than single carriageway roads. This results in a lower accident rate on WS2+1 roads. Between Haverfordwest and St Clears the accident rate for WS2+1 roads with 50 / 60mph speed limit is 54% lower than the equivalent accident rate for single carriageway roads with the same speed limit.

5.17 It is considered that the Scheme would make some minor contributions to the achievement of the following well-being objectives: ‘support young people to make the most of their potential’; ‘build ambition and encourage learning for life’; and ‘equip everyone with the right skills for a changing world’. Whilst contributions to these objectives would be no more than tangential, the Scheme’s impact would nonetheless be positive and would not hinder the Welsh Government’s ability to meet its well-being objectives. It is considered that the Scheme would overall contribute to ‘driving sustainable growth’ however, it is accepted that it would not contribute directly to combatting climate change due to the increase in greenhouse gases overall.

5.18 The WeITAG Stage 3 Impact Assessment (Doc. 4.03.08) and Stage Report (Doc. 4.03.07) (WeITAG Stage 3 reports) confirm that the Scheme would contribute positively to the following Scheme objectives:

- a) To enhance network resilience and improve accessibility along the east-west transport corridor to key employment, community and tourism destinations.
- b) To improve prosperity and provide better access to the county town of Haverfordwest, the Haven Enterprise Zone and the West Wales ports at Fishguard, Milford Haven and Pembroke Dock.
- c) To reduce community severance and provide health and amenity benefits.
- d) To reduce the number and severity of collisions.
- e) To promote active travel by cycling, horse riding and walking to provide opportunities for healthy lifestyles.
- f) To deliver a scheme that promotes social inclusion and integrates with the local transport network to better connect local communities to key transport hubs.

5.19 The two objectives that the Scheme would not contribute positively to relate to reducing or offsetting waste and carbon, and the environmental impact of the Scheme. This is largely because of the construction vehicle

emissions as well as the environmental impacts associated with the construction of the Scheme, such as the impacts on landscape.

- 5.20 Appraisal against the WelTAG impact areas focus on the four pillars of sustainable development, those being: economic; social; cultural; and environmental impacts. Overall, an assessment carried out within the WelTAG Stage 3 reports demonstrates that the Scheme would perform well against the majority of social, cultural and economic criteria. This includes providing benefits to safety, commuting, journey quality and access to services.
- 5.21 Whilst the Scheme is considered to contribute to improved air quality and the water environment, it is acknowledged that there would be some adverse environmental impacts including upon greenhouse gases, landscape and biodiversity.
- 5.22 A full environmental impact assessment of the Scheme is provided within the ES, and further expert evidence is presented within the statement of Andrew Summer (WG 1.4.2).
- 5.23 The ES has informed the WelTAG Stage 3 reports and the SDR for the published Scheme. The SDR considers how the Scheme aligns with the Well-being of Future Generations (Wales) Act (2015) (WFG Act) (Doc. 4.01.10) and its sustainable development principle. The SDR concludes that the Scheme has been designed and developed considering the five ways of working advocated in the WFG Act, whilst its outcomes would help the Welsh Government contribute positively to most of its well-being objectives, and by extension contribute positively overall to the well-being goals.
- 5.24 John Davies builds on the SDR in his evidence (WG 1.8.2) to examine further the extent to which the Scheme has been developed in accordance with the sustainable development principle and its contribution to the well-being objectives.

5.25 John Davies concludes in his proof of evidence (WG 1.8.2) that the Scheme has been identified and developed in accordance with the 5 ways of working set out in Section 5(2) of the WFG Act and hence the Welsh Government has acted in accordance with the sustainable development principle as defined in the Act.

*Table 1 Well-being Goals*

<b>Goal</b>	<b>Description of Goal</b>
<b>A prosperous Wales</b>	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
<b>A resilient Wales</b>	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
<b>A healthier Wales</b>	A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
<b>A more equal Wales</b>	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).
<b>A Wales of cohesive communities</b>	Attractive, viable, safe and well-connected communities.
<b>A Wales of vibrant culture and thriving Welsh Language</b>	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts and sports and recreation.
<b>A globally responsible Wales</b>	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

## **6. Active Travel (Wales) Act 2013**

- 6.1 Enacted in 2013 by the National Assembly for Wales, the Active Travel (Wales) Act 2013 (Doc. 4.01.13) sets a legal requirement for local authorities in Wales to map and plan for suitable routes for active travel and to build and improve their infrastructure for walking and cycling every year. It creates new duties for highways authorities to consider the needs of walkers and cyclists and make better provision for them.
- 6.2 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.
- 6.3 An Active Travel Action Plan for Wales was published in 2016 (Doc. 4.01.14) to set out the actions the Welsh Government will take in light of the Active Travel (Wales) Act (Doc. 4.01.13). The Plan acknowledges that the Act focuses upon walking and cycling as a mode of transport for purposeful journeys and that the Plan goes on to also focus upon walking and cycling in a recreational or competitive sense.
- 6.4 The Plan's vision is for walking and cycling to become the preferred travel choice for shorter distances for people in Wales. The Plan states how there is a need to enable people to choose to walk or cycle by making it easy, safe, convenient and desirable to do so. The Plan states that investments in infrastructure need to ensure the green environment is considered and that the Act requires the Welsh Government to take reasonable steps to enhance the provision for walkers and cyclists whenever investment is made in highway infrastructure.
- 6.5 In the context of road schemes, there is significant opportunity to reconfigure existing infrastructure so that it better meets the needs of existing and new settlements and facilitates active travel.
- 6.6 For example, bypass road schemes can address severance and in doing so provide opportunities for active travel because pedestrians and

cyclists would no longer need to compete with significant volumes of vehicular traffic for short journeys in the locality.

- 6.7 The Scheme would include the provision of an overbridge which would enable WCHR to travel between the north and south of the proposed A40 route without the need to negotiate the strategic traffic flows whilst crossing. The proposed overbridge would provide a safer route for walkers and cyclists by reducing conflict between traffic on the A40 and walkers and cyclists. It would also improve the journey quality between the north and south of the A40.
- 6.8 The Act sets out that where offline improvements are proposed, the new section of road will allow for existing roads to be declassified. This will allow governments and local authorities to explore further opportunities to provide benefits to WCHRs.
- 6.9 The Scheme would not have any direct impacts on existing Public Rights of Way.
- 6.10 It is considered that the Scheme aligns with the Active Travel (Wales) Act 2013 (Doc. 4.01.13).

## **7. Climate Change Act 2008**

- 7.1 The Climate Change Act 2008 (Doc. 4.01.15) imposes a duty on the Secretary of State to reduce UK wide greenhouse gas emissions in 2050 to a level which is at least 80% below the level of emissions in 1990. It also obliges the Secretary of State to set carbon budgets for successive five-year periods and to prepare proposals and policies for meeting those carbon budgets. Part 2 of the Act establishes the Committee on Climate Change.
- 7.2 Parts 4 and 5 of the Act impose limited duties and confer limited powers on Welsh Ministers in terms of contributing towards meeting the UK wide carbon targets. The Environment (Wales) Act 2016 (Doc. 4.01.05),

imposes specific carbon budgeting duties on Welsh Ministers similar to those to which the Secretary of State is subject.

- 7.3 Paragraphs 3.76 to 3.82 summarise the impacts on climate change as a result of the Scheme.
- 7.4 Whilst the Scheme would not significantly influence a modal shift away from the private car to more sustainable transport modes, the Scheme would provide benefits to the local community and visitors in terms of active travel connectivity along the de-trunked A40 and also crossing the proposed A40 via the proposed overbridge.
- 7.5 Every construction project will involve some expenditure of carbon, but the well-being of the people of Wales requires that development takes place, in accordance with the sustainable development principle. The important point is that there is a trajectory of overall emissions reduction, as established for the UK by the Climate Change Act 2008 (Doc. 4.01.15) and most recently for Wales by the Environment (Wales) Act 2016 (Doc. 4.01.05). Neither Act requires specific projects to be subject to these targets, recognising that the response to climate change requires a cross-cutting approach across all sectors.
- 7.6 The Explanatory Memorandum for the Environment (Wales) Act (Doc. 4.01.16) explains (paragraph 162) that the intended effect of the legislation includes flexibility so that slower transition in one area can be balanced by more rapid progress elsewhere.
- 7.7 It is important to note that the Welsh Government is making practical efforts to ensure this transition to a low carbon transport system in Wales including committing £30 million on improving active travel and allocating more than £500,000 for electric vehicle charging infrastructure<sup>3</sup>.

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<sup>3</sup> Welsh Government (2019) What is the Welsh Government doing to tackle climate change? (Doc. 4.01.17) - <https://gov.wales/what-is-the-welsh-government-doing-to-tackle-climate-change>

7.8 Therefore, whilst this specific project would lead to an increase in emissions, this does not mean that the Scheme conflicts with the Climate Change Act 2008 (Doc. 4.01.15) as this does not require every infrastructure project to reduce emissions. The Welsh Government is taking action across all of its areas of responsibility in order to meet its obligations under this Act. Further details are included within Chapter 18 of the ES (Doc. 3.18.01) and the evidence of John Davies also deals with the topic of emissions and climate change in his evidence (WG 1.8.2).

## **8. Natural Environment and Rural Communities Act 2006**

8.1 The Natural Environment and Rural Communities Act 2006 (NERC Act) (Doc. 4.01.18) was designed to help achieve a rich and diverse natural environment and thriving rural communities through modernised and simplified arrangements for delivering UK Government policy. The Act implemented key elements of the (then) UK Labour Government's Rural Strategy published in July 2004 (Defra, 2004) (Doc. 4.01.19).

8.2 In Wales, the functions and obligations of the NERC Act have been replaced by the Environment (Wales) Act 2016 (Doc. 4.01.05).

## **9. Human Rights Act 1998**

9.1 The Human Rights Act 1998 (Doc. 4.01.22) is relevant where there is a need for compulsory purchase to acquire the necessary minimum land to construct the Scheme. The Act outlines that a Compulsory Purchase Order (CPO) should only be made where there is a compelling case in the public interest. An acquiring authority, including Welsh Ministers, should be sure that the purposes for which it is making a CPO sufficiently justify interfering with the human rights of those with an interest in the land affected having regard, in particular, to the provision of Article 1 of The First Protocol to the European Convention on Human Rights and, in the case of dwellings, Article 8 of the Convention.

9.2 The Statement of Case Part B – Statement of Need (WG 1.1.2) will set out that there is a compelling case in the public interest for the Scheme and thus a Compulsory Purchase Order (CPO) is justified.

9.3 It is considered that the Scheme aligns with the Human Rights Act 1998 (Doc. 4.01.22).

## **10. Wildlife and Countryside Act 1981**

10.1 For more than three decades the Wildlife and Countryside Act 1981 (WCA) (Doc. 4.01.20) has been, and remains, the principal mechanism for the protection of wildlife in the UK. The WCA comprises four parts. Part 1 covers the protection of wildlife, including birds, their nests and eggs; wild animals, mammals and wild plants. Part 2 makes provision for the countryside, national parks, the designation of protected areas including Sites of Special Scientific Interest (SSSIs), limestone pavements, National Nature Reserves, and grants by the national nature conservation bodies in England and Wales. Part 3 covers public rights of way, including footpaths and bridleways whilst Part IV deals with miscellaneous provisions.

10.2 Section 3 provides details regarding the environmental impacts of the Scheme.

10.3 Further information is presented within the ES and expert evidence is presented within the Statement of Chloe Delgery (Ecology) (WG 1.5.2), Andrew Sumner (Environment) (WG 1.4.2) and John Davies (WG 1.8.2).

10.4 It is considered that, overall, the Scheme aligns with the Wildlife and Countryside Act 1981 (Doc. 4.01.20).

## **11. Highways Act 1980**

11.1 The Scheme is being promoted and would be constructed using the powers of the Welsh Ministers as Highway Authority in accordance with the Highways Act 1980 (Doc. 4.01.03). These powers were transferred

to them by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (Doc. 4.01.01) and the Government of Wales Act 2006 (Doc. 4.01.02).

11.2 The powers to construct the new section of Trunk Road would be obtained through the statutory Orders which will be published alongside the application in addition to a Compulsory Purchase Order which would enable Welsh Ministers to acquire all land and rights over land necessary for the construction and operation of the proposals.

11.3 As part of the legal process, the Welsh Ministers have considered the responses to the draft Scheme and Orders and have decided to hold a Public Local Inquiry.

11.4 It is considered that the Scheme aligns with the Highways Act 1980 (Doc. 4.01.03).

## **12. Prosperity for All: A Climate Conscious Wales 2019**

12.1 Prosperity for All: A Climate Conscious Wales (Doc. 4.01.23) sets out the Welsh Government's climate change adaption plan for Wales between the years of 2020 and 2025. The Plan sets out how the Welsh Government is taking action to address the areas of greatest risk by:

- a) protecting people, communities, buildings and infrastructure from flooding,
- b) protecting water supplies from drought and low river flows,
- c) tackling land management practices that exacerbate climate risks,
- d) managing risks to ecosystems and agricultural businesses.

12.2 The purpose of the Plan is to take steps to prepare for and adapt to climate-change related changes and to communicate what action the Welsh Government is currently taking under the theme of climate change adaption. For example, the Welsh Government want to ensure that new developments, homes and communities are protected from

flood risk, taking climate risks into account and encouraging climate change adaptation.

12.3 The Plan explicitly states that the focus of the plan is adaptation and does not focus on mitigation and prevention measures.

12.4 Paragraphs 3.76 to 3.82 summarise the impacts on climate change as a result of the Scheme. Specifically, it states that potential risks associated with flooding would be addressed through mitigation measures embedded within the design.

### **13. Prosperity for All: A Low Carbon Wales 2019**

13.1 Pertinent to the Climate Change Act 2008 (Doc 4.01.15), Prosperity for All: A Low Carbon Wales (Doc. 4.01.24) sets the foundations for Wales to transition to a low carbon nation and works within the context of the Environment (Wales) Act 2016 (Doc. 4.01.05) which requires the Welsh Government to reduce emissions of greenhouse gases in Wales by at least 80% for the year 2050.

13.2 The Plan notes how in 2017, the Welsh Government set the ambition of achieving a carbon neutral public sector by 2030. This Plan identifies measures for how the Welsh Government plans to meet the first carbon budget (2016-20).

13.3 The Welsh Government is taking action across all areas for which it has responsibility in order to meet its ambitions to tackle climate change. Prosperity for All: A Low Carbon Wales (Doc. 4.01.24) published in March 2019 contains 100 policies and proposals across all ministerial portfolios. It recognises the serious challenge of decarbonising transport but contains a range of policies and initiatives encouraging a shift to active travel plus an ambitious aim for a zero-emission bus, taxi and private hire vehicle fleet by 2028. The Government's 2020-21 Budget, the first since the declaration of a climate emergency, provides more than £140m of capital funding to support decarbonisation including

investment in active travel and an electric bus fleet. Therefore, whilst this Scheme would result in some small increase in GHG emissions, this must not be seen in isolation but in the context of the Welsh Government's wider initiatives aimed at decarbonising transport, including encouraging zero and low emission vehicles and investing in charging infrastructure.

13.4 On 29 April 2019, the Welsh Government declared a climate emergency in Wales to draw attention to the magnitude and significance of the latest evidence from the Intergovernmental Panel on Climate Change and highlighting the recent climate protests across the UK.

13.5 The Welsh Government expressed their hope that the declaration could help to trigger a wave of action at all levels, that tackling climate change requires collective action and that the government has a central role to making collective action possible.

13.6 The announcement referred to Prosperity for All: A Low Carbon Wales (published the previous month) and stated that its associated Action Plan sets the policies and proposals intended to meet the 2020 carbon emission targets. The statement referred to the Welsh Government's previously set targets in 2017, reaffirming the commitment to achieving a carbon neutral public sector by 2030.

13.7 The Welsh Government stated that the next plan, which will set measures to meet emissions reduction targets by 2021-26, was being prepared and must go further and faster.

13.8 The Explanatory Memorandum for the Environment (Wales) Act (Doc. 4.01.16) explains (paragraph 162) that the intended effect of the legislation includes flexibility so that slower transition in one area can be balanced by more rapid progress elsewhere.

13.9 Paragraphs 3.76 to 3.82 summarise the impacts on climate change as a result of the Scheme. It is important to note that the Welsh Government is making practical efforts to ensure this transition to a low carbon

transport system in Wales including committing £30 million on improving active travel and allocating more than £500,000 for electric vehicle charging infrastructure

13.10 Section 3(2)(a) of the WFG Act requires that a public body's well-being objectives should maximise 'its' contribution to achieving the well-being goals, clearly implying that it is the actions of the body as a whole rather than individual schemes that should be considered. As expressed within the expert evidence of John Davies (WG 1.8.2), this confirms that any assessment of a project against the WFG Act should therefore be made in the round and in the light of all of the Welsh Government's actions across its wide range of functions.

13.11 In this case, the Scheme's impact on GHG emissions, considered in isolation, would be balanced by the Welsh Government's actions across all its areas of responsibility, including transport, aimed at reducing GHG emissions in Wales and tackling climate change. Also, against GHG emissions must be balanced the positive contributions the Scheme would make to national well-being objectives and goals through improved road safety; increased network resilience; enhanced community connectivity, and improved air quality. As expressed within the expert evidence of John Davies (WG 1.8.2), it is considered that the Scheme would overall make a significant contribution to the achievement of the Welsh Government's well-being objectives and would hence be part of the 'process' of improving well-being that amounts to sustainable development as defined in the WFG Act.

#### **14. Green Corridors on the Welsh Government Trunk Road and Motorway Network 2018 and Trunk Road Estate Biodiversity Action Plan 2004-2014**

14.1 The Welsh Government, as the Highway Authority for Wales, has direct responsibility for the maintenance, improvement and development of the Trunk Road and motorway network for Wales. Under the Countryside

and Rights of Way (CRoW) Act 2000 (Doc. 4.01.21), the Welsh Government has a duty to have a regard for the conservation of biodiversity in its work.

- 14.2 The Welsh Government Transport Directorate is already incorporating biodiversity into its work, and the Trunk Road Estate Biodiversity Action Plan (TREBAP) (Welsh Assembly Government, 2004) (Doc. 4.01.26) contributed to this ongoing process.
- 14.3 The Objectives of the TREBAP include encouraging the use and dissemination of best practice for biodiversity in the management and development of the Trunk Road and motorway network.
- 14.4 TREBAP set out a number of Habitat Action Plans and Species Action Plans some of which are directly relevant to the Scheme, further reference to which is provided in Chapter 8 of the ES (Doc. 3.08.01).
- 14.5 The Green Corridors on the Welsh Government Trunk Road (Doc. 4.01.25) and Motorway Network initiative will deliver against the Prosperity for All: Economic Action Plan (Doc. 4.01.35), creating a sustainable economy and promoting economic, cultural, social and environmental well-being, and enhancing people's quality of life in Wales.
- 14.6 Over a five-year period, the initiative will deliver a programme of work and activities such as tree planting to improve structure and age range of the planted area and introducing wildflower areas or improving the diversity of existing areas.
- 14.7 Paragraphs 3.18 to 3.26 set out the impacts of the Scheme upon biodiversity. Where possible the Scheme has been developed with the aim of mitigating and enhancing biodiversity impacts both during construction and operation.

14.8 Further information is presented within the ES and expert evidence is presented within the Statement of Chloe Delgery (Ecology) (WG 1.5.2) and Andrew Sumner (Environment) (WG 1.4.2).

## **15. National Transport Finance Plan for Wales 2018**

15.1 Published in 2015 by the Welsh Government, the National Transport Finance Plan (Doc. 4.01.89) followed the National Transport Plan 2010 (Doc. 4.01.28) and lists the schemes the Welsh Government will deliver across the different areas of transport policy for which it is responsible. The 2015 Plan is not a policy document in itself but provides a framework of schemes pursuant to policy aims set out in the Wales Transport Strategy 2008 (Doc. 4.01.29). The Plan has since been updated in 2017 (Doc. 4.01.90) and 2018 (Doc. 4.01.27).

15.2 Schemes of key relevance to the study are detailed below:

- a) NEW 2 - Improvements to the A40 (2 plus 1 schemes); 10.8km of improved (2+1 configuration) highway between St Clears and Haverfordwest in the medium term.
- b) R15 - Improvements to the A40 - Llanddewi Velfrey to Penblewin in the short term.

15.3 There is potential to deliver the construction of this Scheme in conjunction with the R15 Scheme. In summary, the A40 Llanddewi Velfrey to Penblewin scheme involves:

- a) 2km of new highway to the north of the village of Llanddewi Velfrey;
- b) 2.5km of improved highway west of Ffynnon Wood; and
- c) Improved facilities for non-motorised travel via new cycle tracks and new bridleway, with a means of crossing the new highway either over or beneath.

15.4 In July 2013, Edwina Hart AM CStJ MBE, then Minister for Economy, Science and Transport, published a written statement outlining her priorities for Transport.

15.5 Her statement included the following; *“Improving the A40 has been identified as a priority by the Haven Waterway Enterprise Zone Board and I intend to undertake further development of previously proposed improvements.”*

15.6 In August 2018 the Cabinet Secretary for Economy and Transport, Ken Skates AM, confirmed in writing to the HM Senior Coroner as part of this response to the inquest into the death of a driver joining the A40 at Redstone Cross (Doc. 4.01.83), that:

*“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 (NTFP)<sup>4</sup>”.*

15.7 The strategic rationale for the Scheme is that it would help address road safety issues and improve accessibility to the Haven Waterway Enterprise Zone and employment sites on a TEN-T route.

## **16. Planning Policy Wales (Edition 10) 2018**

16.1 Planning Policy Wales establishes the national planning policy framework for guiding development throughout Wales and Edition 10 of the document (herein referred to as PPW10) was most recently updated in December 2018 (Doc. 4.01.30).

16.2 PPW10 provides a planning framework linked to the Well-being of Future Generations (Wales) Act 2015 (Doc. 4.01.10) and has been specifically structured to deliver the vision for Wales outlined by the goals within the Act. The principles of the 2015 Act have been set out earlier and will not be repeated here, but PPW10 reaffirms the importance of sustainable

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<sup>4</sup> <https://beta.gov.wales/sites/default/files/publications/2017-12/national-transport-finance-plan-2017-update.pdf>

development in the context of the well-being of future generations.

Further information as to how the Scheme has been designed in accordance with the sustainable development principle and thus the Act and PPW10, is provided within the Stage 3 WelTAG reports (Doc. 4.03.07 and 4.03.08) and the SDR (Doc. 4.03.09). The evidence of John Davies (WG 1.8.2) also examines the requirements of national and local planning policy in his evidence.

16.3 In the context of transport schemes, PPW10 recognises that a prosperous Wales can be promoted through the development of modern and connected infrastructure and that in order for cohesive communities to be created they need to be well-connected.

16.4 PPW includes a sustainable transport hierarchy. It is recognised that rural areas may require different approaches to sustainable transport. However, this is not to be established in contrast to the transport hierarchy, with emphasis on reducing reliance on the private car continuing to play a key factor.

16.5 The Scheme would provide benefits to active travel connectivity. This is discussed in further detail within section 0 (paragraphs 6.5 to 6.9).

16.6 Improvements to active travel alone would not provide a solution to all the problems identified, such as the safety issue at Redstone Cross Junction, slow-moving vehicular traffic including agricultural vehicles and caravans and the limited overtaking opportunities, which can lead to dangerous overtaking manoeuvres and driver frustration.

16.7 Within the WelTAG Stage 1 & 2 Impact Assessment Report (Doc. 4.03.04), an option to increase the frequency of bus services was considered to once again, review the impact of improvements to public transport upon the study problems.

16.8 This option was not recommended to become part of the shortlist. In addition to the aforementioned reasons, it was considered that this option would not sufficiently address the study problems. WelTAG

guidance advises that a study develops a Case for Change to understand the current situation. The problem of highway safety concerns, for example, would not be addressed by public transport investment without significant levels of modal shift, which is deemed to be unrealistic even in the long term based on current reliance on the private car for travel in the area. There are wider initiatives being led by the local authority and the Welsh Government separately seeking to increase modal shift.

16.9 The perception of remoteness and relative isolation has been seen to act as a barrier to potential markets, as stated in the A40 St Clears to Haverfordwest Economic Activity & Location Impacts Study 2015 (Doc. 4.02.11). Tourists often rely on the private car to access tourism destinations in the region, and while Pembrokeshire's low population density and rural nature is often a pull factor for tourism, this means that public transport options are limited.

16.10 The WelTAG study concluded Stage 3 (Doc. 4.03.07) with the recommendation to proceed with the published Scheme. The Scheme would best address the problems identified, best meet the objectives and performs best against a wide range of appraisal criteria as assessed within the WelTAG Stage reports (Doc. 4.03.07 and Doc. 4.03.08).

16.11 PPW further states that access to jobs and services through shorter, more efficient and sustainable journeys should be enabled through the planning system. Targeted new infrastructure is shown as an example of how we can achieve more efficient movement of people. The Scheme would provide journey time savings of up to 15 seconds on average in the westbound direction and slight savings of up to 5 seconds in the eastbound direction. This estimate does not take into account when there are incidents or delays, which would increase the journey time savings significantly, benefitting all vehicle types, including public transport services using the existing A40.

16.12 In this section, only the policies in PPW10 directly relevant to transport have been considered. A full examination of the Scheme against all the relevant policies in PPW10 is contained in the evidence of John Davies (WG 1.8.2), who concludes that on overall balance the Scheme accords with national planning policies in PPW10.

## 17. Review of the Road Safety Framework for Wales 2018

17.1 The Road Safety Framework for Wales was originally published in 2013 (Doc. 4.01.31) and set targets for casualty reduction to be achieved by 2020 and 98 actions for the Welsh Government and partners to take. The Framework included a requirement to review progress against the targets; Review of the Road Safety Framework for Wales 2018 (Doc. 4.01.32).

17.2 Three targets have been set against a 2004-08 baseline, as follows:

- a) A 40% reduction in the number of people killed or seriously injured on Welsh roads;
- b) A 25% reduction in the number of motorcyclists killed or seriously injured on Welsh Road;
- c) A 40% reduction in the number of young people killed or seriously injured on Welsh roads.

17.3 In 2018, the review stated that there had been good progress made against the targets for the whole population and amongst young people. However, the target for casualty reduction amongst motorcyclists is currently not on track. Table 2 sets out the changes.

*Table 2 Percentage change in the number of people killed or seriously injured*

	All KSIs	Motorcyclists	Young People
<b>2004-08 average</b>	1406	257	396
<b>2012-16 average</b>	1147	253.6	259
<b>% change</b>	-18.42%	-1.32%	-34.6%

17.4 Paragraph 5.14 provides details of the accident savings and safety benefits of the Scheme. It concludes that the Scheme would result in a

saving of 18 accidents with 28 less casualties over the 60-year appraisal period. Of these 28 casualties, it is anticipated that there would be 1 less fatality, 3 less casualties with serious injuries and reduction of 24 casualties with slight injury severity. As previously noted, within the evidence of Philip Thiele, it is explained that there are some limitations from the use of COBA-LT software and the analysis is very conservative as it understates the number of fatalities that would be saved by the Scheme.

## **18. Prosperity for All: The National Strategy 2017**

18.1 The Welsh Government's National Strategy (Doc. 4.01.33) outlines its long-term aim to build a Wales that is prosperous and secure, healthy and active, ambitious and learning, and united and connected. It's Programme for Government, Taking Wales Forward, sets out the headline commitments it will deliver between now and 2021.

18.2 The National Strategy takes those key commitments, places them in a long-term context, and sets out how they fit with the work of the wider Welsh public service to lay the foundations for achieving prosperity for all. It defines 4 key themes, as set out below.

### **Prosperous and Secure**

- a) Support people and businesses to drive prosperity;
- b) Tackle regional inequality and promote fair work;
- c) Drive sustainable growth and combat climate change.

### **Healthy and Active**

- d) Deliver quality health and care services fit for the future;
- e) Promote good health and well-being for everyone;
- f) Build healthier communities and better environments.

### **Ambitious and Learning**

- g) Support young people to make the most of their potential;

- h) Build ambition and encourage learning for life;
- i) Equip everyone with the right skills for a changing world;

**United and Connected**

- j) Build resilient communities, culture and language;
- k) Deliver modern and connected infrastructure;
- l) Promote and protect Wales' place in the world.

18.3 It is considered that the Scheme would contribute positively to improving prosperity within the region by improving accessibility along the A40 to key towns and employment areas such as Haverfordwest and Carmarthen.

18.4 It is acknowledged that there is a low Benefit to Cost Ratio (BCR) for the Scheme as addressed expressly by the expert evidence of Philip Thiele (WG 1.2.2). The transport user benefits of the Scheme that are captured by the BCR are limited because the Scheme does not seek to contribute significantly to improving journey times during average conditions, with the identified problems relating more to resilience and safety. The Scheme would add resilience to the trunk and local road networks and provide a more reliable east-west connection, which would improve accessibility to markets and the movement of goods and people. These impacts are not captured by the economic appraisal methodology.

18.5 Furthermore, many of the problems are temporary, such as when there is a ferry arrival at Fishguard or high industrial activity at Milford Haven, when agricultural vehicles are travelling along the A40, and / or when there are slow-moving vehicles such as vehicles towing caravans travelling along the Trunk Road, which is most prevalent in summer months. These instances do not reflect the average traffic conditions. However, this does not mean that a temporary problem cannot have significant effects. It is important to recognise that perceptions of problems with the transport system by users, operators, the local

community, visitors and politicians can be equally as important as problems that can be quantified through analysis of data.

18.6 The Scheme would provide an enhanced route, forming a key part of the wider highway network serving the local economy and wider regional centres including the Haven Waterway Enterprise Zone and Swansea Bay City Region. The Scheme would contribute to the provision of a fit for purpose strategic access to the key communities and employment areas in the region and beyond.

18.7 The Scheme would enable improved access to educational institutions through improved accessibility along the Trunk Road, contributing positively to building a Wales that is ambitious and learning.

18.8 The Scheme would improve connections to, within and from Pembrokeshire through the delivery of a to-standard road providing enhanced overtaking opportunities. The A40 between St Clears and Haverfordwest currently has limited overtaking opportunities, amounting to 13% of its total length, compared to an advised 30% for this type of route. This would help build a Wales that is united and connected.

18.9 The Scheme would also contribute positively to promoting a healthy and active Wales through enhanced active travel provision, enhanced community connectivity and safety and accident savings. The actual and perceived safety problem at the Redstone Cross Junction has been identified as a key problem within the WeITAG study. The Scheme would improve access to and from the A40 through the provision of an alternative junction arrangement. Details regarding accident savings as a result of the Scheme are provided within paragraph 5.14. Public engagement has underlined that safety is considered to be a key concern at Redstone Cross Junction, as set out within the WeITAG reports (Doc. 4.03.07 and Doc. 4.03.08).

18.10 The National Strategy includes the commitment to deliver a significant improvement to the A40 in West Wales and the published Scheme,

therefore sits within the Welsh Government's plans to deliver those improvements.

18.11 Prosperity for All: Economic Action Plan (Doc. 4.01.35), which was published later in 2017, is an action plan in line with the National Strategy. It contains actions that will work to grow the economy and reduce inequality. It has been developed to meet the needs of today and to prepare for the challenges and opportunities of the future. The Action Plan supports the delivery of seven of the twelve well-being objectives, including:

- a) Support people and businesses to drive prosperity;
- b) Tackle regional inequality and promote fair work;
- c) Drive sustainable growth and combat climate change;
- d) Build ambition and encourage learning for life;
- e) Equip everyone with the right skills for a changing world;
- f) Deliver modern and connected infrastructure; and
- g) Promote and protect Wales' place in the world.

18.12 In particular, the objective to deliver modern and connected infrastructure directly links to the published Scheme. The EAP states that the Welsh Government will build a connected infrastructure that supports growth and investment, further stating that our roads, among other infrastructure, form the arteries that enable our economy to function. The Scheme would contribute to delivering the EAP by providing enhanced overtaking opportunities through maximising the extent of 2+1 carriageway (with associated reduced risk of incident and delay). It would result in a slight benefit to journey times under average operational conditions. The benefits to journey times would be more significant at times where platooning occurs from port traffic and slow-moving agricultural vehicles, for example. This would benefit all vehicle types, including commuters and those travelling by public transport services using the existing A40.

18.13 The A40 is a strategic east-west link between Pembrokeshire and the wider Swansea Bay City Region and the resilience of the A40 is key to creating a successful economy and encouraging investment to main employment sites such as the Haven Waterway Enterprise Zone. Overall it is therefore considered that the Scheme aligns with Prosperity for All: The National Strategy (2017) (Doc. 4.01.33).

## **19. Technical Advice Note 24: The Historic Environment 2017**

19.1 TAN 24 (Doc. 4.01.36) provides guidance on how the planning system considers the historic environment. The TAN recognises that archaeological remains are a finite and non-renewable resource and the conservation of such remains forms a material consideration in determining an application.

19.2 Paragraphs 3.31 to 3.36 provide a summary of the impacts of the Scheme on the historic environment.

19.3 These impacts are covered in further detail in Chapter 10 of the ES (Doc. 3.10.01) will be covered in further detail by the expert evidence of Andrew Sumner (Environment) (WG 1.4.2).

19.4 In addition to desk-based studies and geophysical studies, Cadw and Dyfed Architectural Trust have been consulted with regarding the design and development of the Scheme. It is considered that the Scheme complies with the Historic (Environment (Wales) Act 2015.

## **20. Taking Wales Forward 2016-2021**

20.1 Taking Wales Forward (Doc. 4.01.37) sets out the government's programme to drive improvement in the Welsh economy and public services, delivering a Wales which is prosperous and secure, healthy and active, ambitious and learning, united and connected. It is considered that the Scheme would contribute positively to these goals.

20.2 Taking Wales Forward 2016-2021 outlines this government's priorities for delivering those improvements. They are ambitious measures, aimed at making a difference for everyone, at every stage in their lives.

20.3 The measures include improvements to the A40 in West Wales as part of its 'United and Connected' commitments. The Scheme forms part of the A40 in West Wales and would improve connectivity within the region through enhanced overtaking opportunities and increased journey time reliability, particularly under traffic conditions such as platooning.

20.4 Alongside the programme, the Welsh Government have published well-being objectives which set out how we will use the Well-being of Future Generations Act 2015 to help deliver its programme for government and maximise its contribution to the seven shared national well-being goals.

20.5 The key objectives relevant to this Scheme include:

- a) Support people and businesses to drive prosperity.
- b) Promote good health and well-being for everyone.
- c) Build healthier communities and better environments.
- d) Build resilient communities, culture and language.
- e) Deliver modern and connected infrastructure.
- f) Promote and protect Wales' place in the world.

20.6 It is considered that the Scheme would provide benefits to active travel within the local area and thus contribute to promoting good health and well-being for everyone and building healthier communities and better environments.

20.7 The improved standard of the junction at Redstone Cross and section of highway between Penblewin Roundabout and Redstone Cross Junction would help to improve actual and perceived safety, contributing positively to all of the objectives mentioned above. Paragraphs 5.12 to 5.14 provide details relating to the accident savings as a result of the Scheme.

20.8 This section of the A40 is not designed to modern highway standards and the lack of overtaking opportunities can be frustrating for drivers during times of platooning of which can lead to risky manoeuvres taking place along the strategic network.

20.9 By improving connectivity through increased journey time reliability and improving the perception of Pembrokeshire as more accessible to businesses, investors and tourists alike, the Scheme would contribute to delivering modern and connected infrastructure, supporting people and businesses to drive prosperity and promoting and protecting Wales' place in the world.

## **21. Technical Advice Note 23: Economic Development 2014**

21.1 TAN 23 (Doc. 4.01.38) provides guidance on economic development, it states that the planning system should recognise the economic aspects of all development and that planning decisions be made in a sustainable way which balances social, environmental and economic considerations. PPW10 defines economic development broadly so that it can include any form of development which is necessary for economic activity.

21.2 Chapter 2 of TAN 23 covers the weighting of economic benefit. This states that where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary. The decision will depend on the specific circumstances and the local planning authority's priorities.

21.3 As stated in paragraph 18.4 above, it is acknowledged that there is a low Benefit to Cost Ratio (BCR) for the Scheme as addressed expressly by the expert evidence of Philip Thiele (WG 1.2.2) but I repeat those points here: The transport user benefits of the Scheme that are captured by the BCR are limited because the Scheme does not seek to contribute significantly to improving journey times during average conditions, with the identified problems relating more to resilience and safety. The Scheme would add resilience to the trunk and local road networks and

provide a more reliable east-west connection, which would improve accessibility to markets and the movement of goods and people. These impacts are not captured by the economic appraisal methodology.

21.4 The Scheme would also result in safety benefits. Paragraphs 5.12 to 5.14 detail the accident savings as a result of the Scheme.

21.5 The Scheme would provide an enhanced route, forming a key part of the wider highway network serving the local economy and wider regional centres including the Haven Waterway Enterprise Zone and Swansea Bay City Region. The Scheme would provide a fit for purpose strategic access to the key communities and employment areas in the region and beyond.

21.6 As explained in the SDR, the Scheme would result in some adverse environmental impacts such as an increase in greenhouse gases, however, consideration must also be given to the economic, social and cultural indicators, in line with the sustainable development principle. The Scheme would contribute to achieving sustainable development overall, although it is recognised that some adverse environmental impacts cannot be fully mitigated. This, together with the weight to be attached to economic benefit, are considered further in the expert evidence of John Davies (WG 1.8.2). It is considered that the Scheme complies with TAN 23: Economic Development 2014.

## **22. Wales Infrastructure Investment Plan 2012**

22.1 The Wales Infrastructure Investment Plan for Growth and Jobs (WIIP) (Doc. 4.01.39) is designed to prioritise, scope and coordinate delivery of the Welsh Government's major infrastructure investments, whilst improving the long term economic, social and environmental well-being of people and communities in Wales.

22.2 The Plan, through Chapter 1, sets a number of high-level investment priorities including: '*Improving transport links, particularly East-West*

*transport links in both North and South Wales*'. This priority is further explored through Chapter 2 of the Plan which outlines an aim to 'secure the most out of the existing road network through well planned maintenance and upgrades to ensure the road network operates more efficiently by:

- a) Prioritising investments which contribute to economic growth – addressing urban congestion and improving access to key areas, and by improving the capacity and reliability of our key east-west corridors.
- b) Being more agile in our approach to developing solutions to underlying problems to address problems that people face every day.

22.3 The A40 forms one of the key east-west corridors and the Plan recognises the importance of the route. Annex 2 of the Plan provides a 10-year indication of the 'direction of travel' for each sector.

22.4 In 2019, the Wales Infrastructure Investment Plan – Project Pipeline Update (Doc. 4.01.40) was published.

22.5 Within the Plan, Rebecca Evans AM Minister for Finance and Trefnydd announced £19m for active travel and addressing pinch points on roads in Wales; £53m to support businesses in the face of Brexit; and £7mn to support the environment.

## **23. Economic Renewal, A New Direction 2010**

23.1 Economic Renewal, A New Direction (Doc. 4.01.41) was published in July 2010. It sets out the role that the Welsh Government can play in providing the best conditions and framework to enable the private sector to grow and flourish.

23.2 Part 3 of the document encourages investment in high quality and sustainable infrastructure to underpin economic growth. People, businesses and communities need to be well connected within and beyond Wales and to have access to the right facilities and services where they live and work. Investors and indigenous businesses must be

able to count on communications, transport, energy and other infrastructure necessary for 21<sup>st</sup> century enterprise.

23.3 The document continues to state that people cannot work if they are not linked to their jobs, training and public services. Businesses cannot operate without access to the labour forces, materials and markets. Furthermore, faster physical connections, such as an efficient and reliable road network, increase productivity because they save time and therefore, lower costs. Excellent infrastructure is also a prerequisite for creating the right conditions to enable businesses to locate and flourish.

23.4 The Scheme would provide enhanced overtaking opportunities through the provision of 2+1 carriageway, positively contributing to journey time reliability and the resilience of the highway network. Whilst the journey time savings under average conditions would be slight, the journey time reliability benefits would be significant, given the problems of platooning would be avoided.

23.5 The A40 is a key strategic route and the Scheme would also contribute to improving perceptions of journey time reliability along the A40 to key employment, community and tourism destinations.

## **24. One Wales: One Planet 2009**

24.1 One Wales: One Planet (Doc. 4.01.43) was first launched by the Welsh Government in May 2009. This document sets out the objectives to achieving the goal of sustainable development. One Wales: One Planet defines sustainable development as ‘enabling all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations.’

24.2 In Wales, this means achieving a better quality of life for this and future generations by:

- a) promoting social justice and equality of opportunity; and

- b) enhancing the natural and cultural environment and respect its limits – using only a fair share of the earth’s resources and sustaining our cultural legacy.

24.3 One Wales: One Planet also sets out sustainable development as a core principle of the Welsh Government’s founding statute. The Welsh Government has a statutory duty to set out how it proposes to promote sustainable development.

24.4 Within the document, five main chapters demonstrate the actions that will be taken to deliver sustainability. They are set out under the following headings:

- a) Sustainable Resource Use;
- b) Sustaining the Environment;
- c) A Sustainable Economy;
- d) A Sustainable Society; and
- e) The Wellbeing of Wales.

24.5 The SDR has been prepared to consider how the Scheme has been designed and developed by taking into account the Welsh Government’s sustainable development principle and in the context of the national well-being goals and local well-being objectives. The Scheme has been developed in accordance with the five ways of working and the development would help secure the long-term prosperity, resilience, health and cohesion of the local communities, benefiting both current and future generations.

24.6 John Davies (WG 1.8.2) will be covering sustainable development by examining the Scheme’s alignment with the sustainable development principle.

## **25. Trunk Road Forward Programme, 2002, 2004 and 2008**

25.1 The aim of the Welsh Government’s 2002 Trunk Road Forward Programme (Doc. 4.01.44) was to improve the economic and social

conditions in Wales, through increasing efficiency and accessibility in all areas.

25.2 The Forward programme indicated the Welsh Government's intentions for road schemes that were expected to cost £1 million or more.

25.3 The A40 St Clears to Haverfordwest was identified in the Forward Programme within the 'East – West (south) strategic corridor'. This identified two specific schemes:

- a) A40 Llanddewi Velfrey to Penblewin; and
- b) A40 Penblewin to Slebech Park.

25.4 Both these schemes were classified as 'Phase 2' schemes, which 'could be ready to proceed by April 2010. This position remained within the 2004 supplement to the 2002 Programme.

25.5 During a reprioritisation of the Programme in 2008, the two schemes were differentiated as follows:

- a) Penblewin to Slebech Park Scheme – identified as a 'Phase 1' high ranking scheme (programmed ready to start between 2008 and April 2011); and
- b) Llanddewi Velfrey to Penblewin Scheme – identified as a 'Phase 3' scheme meaning that further studies were needed to identify best solutions and the scheme is unlikely to be ready to start before April 2014.

25.6 The Penblewin to Slebech Park scheme was subsequently completed in March 2011 with a bypass of Robeston Wathen, to Slebech Park only.

25.7 Draft Orders and an ES were published for the Llanddewi Velfrey to Penblewin scheme in July 2019. The Llanddewi Velfrey to Penblewin Scheme was subject to a Public Local Inquiry in March 2020.

## **26. The Wales Spatial Plan Update 2008**

26.1 The WSP was originally adopted by the Welsh Government in November 2004 and was updated in July 2008 (Welsh Assembly Government, 2008a). Ultimately, through provisions in the Planning (Wales) Act 2015 (Doc. 4.01.46) the Wales Spatial Plan (WSP) will be replaced by the National Development Framework (NDF) when published. A draft National Development Framework (Doc. 4.01.47) has been published with a public consultation concluding on 15 November 2019.

26.2 The Minister for Housing and Local Government stated on 16 July 2020 that progress on the NDF had been delayed by the Covid-19 pandemic. On the same date, the Minister published 'Building Better Places: The Planning System Delivering Resilient and Brighter Futures' (Doc. 4.01.84). This stresses the importance of the NDF, which is to be scrutinised by the Senedd in the autumn of 2020 with publication early in 2021. Until the final publication of the approved NDF the WSP Update 2008 (Doc. 4.01.45) remains relevant to this assessment

26.3 The draft NDF stresses the importance of the connections with Ireland, Europe and beyond and states that Wales's ports, roads and rail line are key connections into wider European networks. The draft NDF further states that Wales will strive to maintain and enhance these connections. The Scheme would contribute to enhancing a section of the Trans European Transport Network (TEN-T) route.

26.4 The draft NDF categorises Pembrokeshire within the Mid and West Wales region and highlights Carmarthen, Haverfordwest, Fishguard, Pembroke Dock, Pembroke and Milford Haven as centres of regional growth. The draft NDF is considered in more detail in the evidence of John Davies (Doc 1.8.2).

26.5 The overall role, purpose and principles of the WSP include the following.

- a) Making sure that decisions are taken with regard to their impact beyond the immediate sectoral or administrative boundaries and that the core values of sustainable development govern everything the Welsh Government does.
- b) Setting the context for local and community planning.
- c) Influencing where money is spent by the Welsh Government through an understanding of the roles of and interactions between places.
- d) Providing a clear evidence base for the public, private and third sectors to develop policy and action.

26.6 It is a principle of the WSP that development should be sustainable. Sustainable development is about improving well-being and quality of life by integrating social, economic and environmental objectives in the context of more efficient use of natural resources.

26.7 The Scheme is located in 'Pembrokeshire – The Haven' as defined by Chapter 18 of the WSP. The vision for this area is 'a network of strong communities supported by a robust, sustainable, diverse high value-adding economy underpinned by the Area's unique environment, maritime access and internationally important energy and tourism opportunities'.

26.8 Improvements to transport links and economic infrastructure is identified as a key strategic priority, which will contribute to achieving the above vision. Furthermore, the WSP recognises that 'the A40 road link between the M4 and the Area's port is designated in the Assembly Government's forward Trunk Road programme. Improvements to the A40 are being made with the current scheme of bypasses. The need for further investment will be kept under review.'

26.9 The Scheme would contribute to achieving this key strategic priority and thus contributing to the vision for 'Pembrokeshire – The Haven' by improving accessibility to the region. The Scheme would provide maximum overtaking opportunities and improve resilience and journey

time reliability; improving accessibility along the A40, a key east-west route.

## **27. One Wales: Connecting the Nation – The Wales Transport Strategy 2008**

27.1 One Wales: Connecting the Nation (Doc. 4.01.48) is the Wales Transport Strategy, published in April 2008. The document establishes a national framework for transport planning in Wales and is therefore pertinent to the Scheme.

27.2 The main aim of One Wales: Connecting the Nation is ‘to promote sustainable transport networks that safeguard the environment while strengthening our country’s economic and social life.’ The One Wales Programme is working towards promoting sustainable transport between communities in different parts of Wales to access services, jobs and facilities where travelling is both easy and sustainable, which will support the growth of the economy.

27.3 Connecting the Nation endorses the proposition that a good transport system is central to achieving a vibrant economy and social justice through equality of access and greater mobility.

27.4 It sees transport as having a leading role to play in adapting to the impacts of climate change. Fundamentally, economic prosperity is at the forefront of Connecting the Nation in order to connect people with businesses for employment, and businesses with their customers and suppliers.

27.5 Chapter 4 of the strategy provides the focus for the national and regional plans. Table 3 sets out the long-term outcomes sought from transport within Wales.

*Table 3 One Wales: Connecting the Nation Long-Term Outcome*

<b>One Wales: Connecting the nation long-term outcomes</b>		
<b>Social</b>	<b>Economic</b>	<b>Environmental</b>
Improve access to healthcare	Improve access to employment opportunities	Increase the use of more sustainable materials
Improve access to education, training and lifelong learning	Improve connectivity within Wales and internationally	Reduce the contribution of transport to greenhouse gas emissions
Improve access to shopping and leisure facilities	Improve the efficient, reliable and sustainable movement of freight	Adapt to the impacts of climate change
Encourage healthy lifestyles	Improve access to visitor attractions	Reduce the contribution of transport to air pollution and other harmful emissions
Improve the actual and perceived safety of travel		Improve the impact of transport on the local environment
		Improve the impact of transport on our heritage
		Improve the impact of transport on biodiversity

27.6 The Scheme has been developed with the principle of sustainable development at the core of the study and Scheme design, as reported within its SDR. The Scheme has been developed with consideration for the economic, social, cultural and environmental well-being of Wales. It is considered that the Scheme would provide positive economic, social and cultural impacts however, there would be some adverse impacts on the environment, as summarised below.

27.7 The positive economic impacts would include improved overtaking opportunities, journey times and journey time reliability. This would provide benefits to business users and transport providers. The Scheme would help reduce the perceived remoteness of the region with improved road conditions which would help benefit perceptions of the region in terms of investment and could help stimulate economic activity and job creation.

27.8 There would be a number of social and cultural benefits afforded through the Scheme including for safety, commuters and other users, physical activity, journey quality, accessibility to services and enhanced community connectivity. The Scheme would provide benefits to physical activity through active travel enhancements within the local area and

would contribute to improved journey quality by providing overtaking opportunities for a prolonged stretch, reducing driver stress.

27.9 Whilst the Scheme is considered to overall contribute to improved air quality and provide benefits to the water environment, it is acknowledged that there would be some adverse impacts including upon greenhouse gases, landscape and biodiversity. The environmental impacts of the Scheme will be expressly addressed by the expert evidence of Andrew Sumner (Environment) (WG 1.4.2).

27.10 One objective of the Scheme is to give due consideration to the impact of transport on the environment and provide enhancement where practicable. Measures have therefore been incorporated to reduce the impacts of the Scheme on the environment including the proposed creation of a species rich grassland to provide habitat enhancement for a range of species.

27.11 Further detail of the impacts of the Scheme are set out within the ES and the WelTAG Stage 3 reports (Doc. 4.03.07 and Doc. 4.03.08).

## **28. Technical Advice Note 18: Transport 2007**

28.1 TAN 18 (Welsh Assembly Government, 2007) (Doc. 4.01.49) encourages an efficient and sustainable transport system as a requirement for modern society. It states that to achieve a more sustainable pattern of development, it is necessary to understand the interactions and linkages between land use and transport and devise integrated strategies, objectives and policies at the national, regional and local levels.

28.2 The Scheme would improve accessibility by providing the maximum extent of 2+1 carriageway. Enhanced overtaking opportunities would provide benefits, including reduced likelihood of risky manoeuvres taking place, improved journey times and journey time reliability. These benefits would, in turn, provide benefits to the economy and society.

28.3 Paragraph 5.14 provides details of the accident savings and safety benefits of the Scheme. It concludes that the Scheme would result in a saving of 18 accidents with 28 less casualties over the 60-year appraisal period. Of these 28 casualties, forecasts indicate that there would be 1 less fatality, 3 less casualties with serious injuries and a reduction of 24 casualties with slight injury severity. As previously noted, within the evidence of Philip Thiele, it is explained that there are some limitations from the use of COBA-LT software and the analysis is very conservative as it understates the number of fatalities that would be saved by the Scheme.

28.4 The Scheme would also enhance active travel connectivity along the de-trunked A40 route and also via the proposed overbridge over the A40. Details of the proposed active travel enhancements are provided within paragraphs 6.5 to 6.9.

28.5 It is considered that the Scheme complies with TAN 18: Transport.

## **29. Environment Strategy for Wales 2006**

29.1 The Environment Strategy for Wales (Welsh Assembly Government, 2006) (Doc. 4.01.50) was published in 2006 and outlines the Welsh Government's long-term strategy for the environment of Wales for the next 20 years. It provides a framework within which to achieve an environment, which is clean, healthy, biologically diverse and valued by the people of Wales. The Strategy is supported by a series of regularly updated action plans which detail specific actions aimed at delivering the vision and outcomes set out in the Strategy.

29.2 The last Environment Strategy annual report for 2010 – 2011 was published at the end of 2011, which coincided with the end of the second action plan. The action plan focuses on ten themes, of which seven – biodiversity, access and recreation, flood and water management, ecosystem services, the historic environment, people and the environment, and environmental quality – are relevant to the Scheme.

29.3 Welsh Government is currently reviewing the Environment Strategy to ensure that it reflects the relevant commitments the Natural Resource Management Programme was designed to deliver:

- a) new policy measures to manage the natural resources of Wales, including the setting of national priorities;
- b) an Environment Bill for Wales (see above);
- c) embedding the ecosystem approach;
- d) working with Natural Resources Wales and coordinating performance management arrangements; and
- e) communications and knowledge transfer work to help deliver the new approach.

29.4 The Scheme has been developed in alignment with the objectives of the Environment Strategy for Wales 2006.

29.5 Paragraphs 3.4 to 3.86 provide a summary of the environmental impacts of the Scheme.

29.6 Further information is presented within the ES and expert evidence is presented within the Statement of Chloe Delgery (Ecology) (WG 1.5.2) and Andrew Sumner (Environment) (WG 1.4.2).

### **30. Wales – A Vibrant Economy 2005**

30.1 Wales – A Vibrant Economy (Doc. 4.01.52) was published in November 2005 and is the strategic framework for economic development in Wales. The main vision of the document is to create; ‘a vibrant Welsh economy delivering strong and sustainable economic growth by providing opportunities for all.’

30.2 As part of the aims for economic development set out in Wales – A Vibrant Economy, one important part of allowing businesses to grow and flourish is by investing in networks and other forms of economic infrastructure whilst always ensuring sustainable development.

30.3 It is the view of the policy that more and more businesses are depending on fast, safe and reliable transport networks and services. Improving the productivity of Welsh businesses by reducing journey times for individuals and goods and encouraging international trade through larger and more connected markets provides an attractive investment environment.

30.4 The Scheme would provide enhanced overtaking opportunities through the provision of 2+1 carriageway, positively contributing to journey time reliability and the resilience of the highway network. Whilst the journey time savings under average conditions would be slight, the journey time reliability benefits would be significant, given the problems of platooning would be avoided.

30.5 The A40 is a key strategic route and the Scheme would also contribute to improving perceptions of journey time reliability along the A40 to key employment, community and tourism destinations.

## **31. Technical Advice Note 15: Development and Flood Risk 2004**

31.1 TAN 15 (Welsh Assembly Government, 2004a) (Doc. 4.01.53) provides technical guidance which supplements the policy set out in Planning Policy Wales in relation to development and flooding. It advises on development and flood risk as this relates to sustainability principles and provides a framework within which risks arising from both river and coastal flooding, and from additional run-off from development in any location, can be assessed (section 1.2).

31.2 A revised draft TAN 15 was issued for consultation in October 2019. This states that development plans and planning decisions should continue to refer to the TAN 15 published in 2004 until such time as an updated TAN 15 is published by the Welsh Government. The consultation ended in

January 2020, but a publication date for the revised TAN 15 is not known.

31.3 A summary of the impacts upon the water environment is provided within paragraphs 3.12 to 3.17 which concludes that no impacts to flood risk are expected as a result of the Scheme and there are no designated areas for the protection of water reserves near to the Scheme. It is considered that the Scheme aligns with TAN 15: Development and Flood Risk.

31.4 It is considered that the Scheme complies with TAN 15: Development and Flood Risk 2004.

## **32. Technical Advice Note 11: Noise 1997**

32.1 TAN 11 (Doc. 4.01.54) provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development. It offers measures that may be used to mitigate the impact of noise, these briefly include:

- a) Engineering;
- b) Layout; and
- c) Administrative.

32.2 A summary of the impacts on noise is provided within paragraphs 3.56 to 3.61 and concludes that during operation, there would be no significant adverse effects. During construction, it is anticipated that there would be some significant adverse effects, however, it is noted that in some cases, the effects could be reduced to not significant for some receptors.

32.3 It is considered that the Scheme complies with TAN 11: Noise 1997.

## **Regional Policy and Strategies**

### **33. Joint Transport Plan for South West Wales 2015-2020**

33.1 Published in 2015, the Joint Transport Plan for South West Wales (Doc. 4.01.55) is the culmination of collaborative working between Carmarthenshire County Council, Neath Port Talbot County Borough Council, Pembrokeshire County Council and the City and County of Swansea. This collaborative working is closely linked with wider initiatives under the Swansea Bay City Region concept.

33.2 The plan provides the framework for improving connectivity to, from and within the region for the period 2015 – 2020.

33.3 The plan is targeted at addressing;

- a) Economic growth: Supporting and Safeguarding jobs in the City Region;
- b) Access to employment: Reducing economic inactivity by delivering safe access to major employment sites in the City Region;
- c) Tackling poverty: Maximising the contribution that transport services can make to targeting improvements to tackling poverty and target improvements at the most disadvantaged communities;
- d) Sustainable travel and safety: Encouraging safer, healthier and more sustainable travel; and
- e) Access to services: Connecting communities and enabling access to key services.

33.4 The plan acknowledges the strategic road network, including the Trans-European Transport Network which links Europe to the Republic of Ireland, as vital gateways to the region for freight and passenger movements and as the most commonly used entry/exit routes to South West Wales.

33.5 This is an important driver for the regional economy and supports growth at Haven Waterway Enterprise Zone in Pembrokeshire and other strategic growth zones such as that of Cross Hands in Carmarthenshire.

33.6 Key policies within the plan, in the context of this Scheme, include;

- a) Policy KS1 - work collaboratively to develop improved public transport services, to link key settlements and their hinterlands with strategic corridors and employment sites.
- b) Policy KS2 - seek to improve the journey time reliability between key settlements and strategic and local employment sites.
- c) Policy KS3 - improve walking and cycling links within and between key settlements.
- d) Policy IC1 - work with the WG through the NTP programme to improve the TENs and the Trunk Road network to facilitate journey time reliability and support the economic regeneration of the region.
- e) Policy IC3 - work collaboratively to facilitate more reliable, effective and sustainable movement of people and freight to, from and through our ports. Also, to improve access to our ports.
- f) Policy IC4 - work with the WG and other parties, to support the development of good access to regional and national airports in the UK, especially by public transport.
- g) Policy SS1 - seek to reduce the number of road casualties and collisions through improvements to highways and traffic management.

33.7 The plan specifically addresses Trunk Road priorities setting out that; 'They are the lifeblood of the region and essential to connect, sustain and grow local and regional economies. Trunk Roads also provide national and international connectivity and support road based public transport connections to and from communities, settlements and employment, training, health care and leisure facilities.'

33.8 Along with the M4, the A477 and the A48, the A40 in West Wales forms part of the Trans-European Transport Network (TEN-T), an important

strategic link between Europe, the rest of the UK and Ireland via the ferry ports of Fishguard and Pembroke Dock.

33.9 By improving accessibility through enhanced overtaking opportunities, the Scheme provides benefits to commuters and other users by reducing journey times and improving journey time reliability. This, in turn, will provide positive impacts for the economy. The provision of safer overtaking opportunities would also reduce the likelihood of dangerous manoeuvres along the A40 by providing an overtaking lane and would reduce driver frustration, given the reduced likelihood of experiencing platooning.

33.10 Whilst the Scheme would not promote a significant shift towards public transport or active travel, it is considered that the Scheme would provide enhancements to active travel connectivity locally as a result of the Scheme's active travel and de-trunking proposals, and reduced conflict between strategic traffic and WCHR.

33.11 It is considered that, overall, the Scheme aligns with the Joint Transport Plan for South West Wales 2015-2020.

## **Local Policy and Plans**

### **34. Pembrokeshire Destination Management Plan 2020-2025, 2020**

34.1 The local planning context for the Scheme is set out within the Local Development Plan (LDP) for Pembrokeshire County Council. The Scheme is being taken forward via the Highways Act (1980) as amended and consequently the Scheme is not governed by local planning policy but does have regard to it. In addition to the LDP, this section also considers other relevant policy and guidance at the local level.

34.2 The Pembrokeshire Destination Management Plan (DMP) (Doc. 4.01.57) has been produced by the Destination Pembrokeshire Partnership. The Partnership works together to deliver a broad range of tourism services and support to the wider tourism sector.

34.3 The ambition of the DMP is to grow tourism for the good of Pembrokeshire and achieve the following:

- a) The value of the visitor economy in Pembrokeshire to increase by 10% in real terms over 5 years.
- b) At least 25% of that value to be generated between October and March.
- c) 75% of tourism businesses to be actively engaged with the Pembrokeshire brand.
- d) Pembrokeshire to become a Top 5 UK destination choice.

34.4 The DMP identifies a number of challenges for Pembrokeshire's tourism industry, including an overreliance on regular repeat visitors from the UK and under-performance in new and overseas markets.

34.5 It is considered that the Scheme would provide improvements to road travel for visitors and potential visitors by providing a 2+1 carriageway that would provide enhanced, safer overtaking opportunities. This would,

therefore help to address the identified issue of Pembrokeshire's relative isolation.

34.6 Currently, journey time reliability is identified as a key problem associated with the A40 between St Clears and Haverfordwest. The long stretches of single carriageway and the alignment of the road currently limits overtaking opportunities and causes platooning, which can lead to driver frustration and longer journey times.

34.7 Completed improvements between Robeston Wathen and Slebech Park have helped to relieve this problem to an extent. However, there continue to be long stretches where overtaking opportunities are limited, including between Penblewin Roundabout and Redstone Cross Junction. For instance, there is no safe opportunity for vehicles travelling east to overtake for at least 19km from Robeston Wathen towards St. Clears. Similarly, for vehicles travelling west, there is no safe opportunity for vehicles to overtake for at least 9.5km from Canaston Bridge to Haverfordwest.

34.8 It is considered that the Scheme would provide benefits for travel to Pembrokeshire for tourists through improved journey time reliability and reduced likelihood of driver frustration given the improved overtaking opportunities provided as part of the Scheme.

## **35. Pembrokeshire County Council Local Development Plan 2013 and Draft Deposit Plan 2020**

35.1 The Pembrokeshire County Council LDP (Doc. 4.01.58) was adopted in 2013 and establishes the local policy framework to guide development in the area.

35.2 The plan identifies three key Trunk Roads whose routes run into Pembrokeshire, namely the A40 (T), A477 (T) and A487 (T). They link to the two ferry terminals, at Pembroke Dock (A477 (T)) and Fishguard

Harbour (A40 (T) and A487(T)). The A4076 (T) is a further important Trunk Road, linking Haverfordwest with Milford Haven.

35.3 Pembrokeshire County Council identified a need for significant investment in transport infrastructure, for example, dualling the A40 and improving the A477.

35.4 This section of the A40 is a key east-west route and part of the TEN-T network. It is considered that its performance is integral to connecting Wales, and West Wales in particular, to the wider European community and the rest of the country.

35.5 The existing stretch of A40 between Penblewin Roundabout offers limited overtaking opportunities. The existing Redstone Cross Junction is below modern design standards.

35.6 The LDP identifies a number of strategic economic priorities citing the tourist industry as the County's largest industry and employer alongside industrial and energy development at the Port of Milford Haven. Improving access to both tourist destinations and employment growth hubs will be important for the future prosperity of the area.

35.7 It is considered that the Scheme would provide the maximum extent of 2+1 carriageway and therefore would maximise safe overtaking opportunities at this section of the Trunk Road, which in turn would positively contribute to improved resilience and journey time reliability. As previously noted, the Scheme would also improve the perception of Pembrokeshire in terms of connectivity.

35.8 As a key east-west route, the Scheme would improve accessibility along the A40 to key towns such as Haverfordwest and Carmarthen. This would provide associated benefits for journeys by motorised vehicles, whilst the Scheme's active travel enhancements would improve the local environment for WCHRs.

35.9 In terms of future growth, the plan identifies a number of allocations within proximity of the study area. In summary, the plan identifies a number of housing and employment allocations within and around Narberth, Clarbeston Road and Haverfordwest. The main strategic areas for growth are located within the settlements of Haverfordwest, Milford Haven, Pembroke and Fishguard. When these sites come forward and development is realised, they will contribute to flows along the A40 corridor. The Scheme would provide additional capacity for these flows although it is accepted that a Do Minimum scenario would be sufficient if capacity were the only consideration.

35.10 Policy SP 1 Sustainable Development states that all development proposals must demonstrate how positive economic, social and environmental impacts will be achieved and adverse impacts minimised. The ES sets out the positive impacts that would be achieved by the Scheme as well as the mitigation measures for adverse environmental impacts.

35.11 Policy SP 5 Visitor Economy sets out how proposals for development relating to the visitor economy will be supported: proposals will be supported provided that they are in sustainable locations, contribute to the diversity and quality of accommodation and attractions, respect and protect the environment and benefit local communities. As discussed in paragraph 16.9, a key barrier for Pembrokeshire is its isolated location. By improving the transport infrastructure, accessibility along the A40 would be improved to key tourist destinations within Pembrokeshire and would positively contribute to perceptions regarding travel to this region and also improve journey time reliability and reduce the likelihood of driver frustration being experienced.

35.12 Policy SP 19 Transport Infrastructure and Accessibility states that Pembrokeshire County Council will approve improvements to the existing transport infrastructure that will increase accessibility to employment, services and facilities, particularly by sustainable means.

The Scheme would provide enhanced overtaking opportunities as well as improve the connectivity to the A40.

35.13 Policy SP16 The Countryside states that the essential requirements of people who live and work in the countryside will be met whilst protecting the landscape and natural and built environment of Pembrokeshire and adjoining areas. The rural nature of the study area means that there is a high reliance on travel by the private car with high levels of car ownership. The Scheme would provide journey time savings of up to 15 seconds on average in the westbound direction and slight savings of up to 5 seconds in the eastbound direction. This refers to the average time savings and does not take into account when there are incidents or delays, which would increase the journey time savings further. It is considered that the Scheme would overall have some adverse impacts on the landscape. However, the route has been designed in order to mitigate impacts on the landscape as much as possible, e.g. through consideration of natural screening.

35.14 It is considered that, overall, the Scheme aligns with the Pembrokeshire County Council Local Development Plan 2013.

35.15 Pembrokeshire County Council is currently preparing a replacement Local Development Plan (LDP2) 2021-2033. A consultation was held on the Deposit Plan (Doc. 4.01.81) between 15<sup>th</sup> January and 11<sup>th</sup> March 2020. Pembrokeshire County Council has recently declared that it is no longer possible to achieve the original timetable for the later stages of the LDP review as a result of some minor delays at earlier stages of the review and due to Covid-19. It is anticipated that a revised Delivery Agreement would be in place by spring 2021.

35.16 The Deposit Plan identifies the county's main transport infrastructure, which is formed of the Trunk Road network, railway connections to Pembroke Dock, Goodwick and Milford Haven and the ferry ports at Pembroke Dock and Fishguard Harbour. Deposit Plan draft policy SP18 states that improvements to the existing transport infrastructure that will

increase accessibility to employment, services and facilities will be supported.

35.17 The Deposit Plan highlights the economic opportunities Pembrokeshire could gain from the Swansea Bay City Deal<sup>5</sup> and specifically the Pembroke Dock Marine project<sup>6</sup>. Similar to the currently adopted LDP, Haverfordwest, Milford Haven, Pembroke Dock and Pembroke have been identified as regional growth centres in alignment with the draft National Development Framework. Narberth is identified as a rural town with Deposit Plan draft policy SP8, highlighting that there are opportunities for further development.

35.18 The Scheme would help to address actual and perceived safety issues relating to connectivity between Narberth and the A40, given the improved standard of junction arrangement and the removal of the current Redstone Cross staggered junction. This would also help to provide a safer junction for users of the employment allocation along Redstone Road and would increase journey time reliability when connecting with the A40. Improvements to the active travel connectivity in the local area would also help to make the locality a more pleasant environment for visitors, residents and workers.

## **36. Pembrokeshire Coast National Park Local Development Plan 2010 and draft Deposit Plan 2018**

36.1 The Pembrokeshire Coast National Park Local Development Plan (Doc. 4.01.59) was adopted in 2010 and provides the framework for town and country planning decisions to be made up until 2021 on how land is used and developed in the National Park.

36.2 In general, although not promoting large scale growth in the same way as the Pembrokeshire County LDP, the Plan is supportive of wider

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<sup>5</sup> <https://www.swanseabaycitydeal.wales/>

<sup>6</sup> <https://www.swanseabaycitydeal.wales/projects/pembroke-dock-marine/>

growth outside of the National Park and in turn, recognises the importance of strategic road routes as a fundamental means of access to the Park. The A40 functions as a key east-west strategic link and provides a key connection to Pembrokeshire Coast National Park.

36.3 Pembrokeshire Coast National Park Authority is replacing their current LDP. The Plan preparation of the replacement LDP known as 'LDP2' is currently at an advanced stage (Doc. 4.01.82).

36.4 The Deposit LDP2, published in March 2018 states that the strategy for the National Park is to improve accessibility and promote it by appropriate means for the people who work, live, rest and play in the National Park whilst reducing the need to travel by car. It is considered that the Scheme would have a variety of impacts and benefits on all users of roads. Whilst it is considered that the Scheme would not significantly influence a modal shift away from the private car, the Scheme would provide enhanced provision for active travel within the local community and visitors.

36.5 The Scheme would improve overtaking opportunities and thus improve journey times and journey time reliability. This, in turn, would help to reduce the perceived remoteness of the region, helping to improve perceptions of the region in terms of accessibility for visitors to the National Park.

36.6 It is considered that the Scheme aligns with the Pembrokeshire Coast National Park Local Development Plan 2010.

## **37. Environmental Statement**

37.1 The ES (Doc. 3.01.01) should be read in conjunction with the Proofs of Evidence. The ES reports the findings of the Environmental Impact Assessment (EIA) process. EIA is a means of identifying and collating information to inform an assessment of the likely significant environmental effects of a project. The findings of the EIA process are

reported in an ES in order to ensure that, when deciding whether to grant consent for a project, the decision-maker has access to information regarding the likely significant effects on the environment. This allows these effects to be considered in the decision-making process.

37.2 For highways schemes, the requirements of the EIA Directive are currently transposed by the Highways Act 1980 (Doc. 4.01.03), as amended by The Highways (Assessment of Environmental Effects) Regulations 1999 (Doc. 4.01.85) and The Highways (Environmental Impact Assessment) Regulations 2007 (Doc. 4.01.86) and more recently by the Environmental Impact Assessment (Miscellaneous Amendments Relating to Harbours, Highways and Transport) Regulations 2017 (Doc. 4.01.87). The latter came into effect on 5 December 2017.

37.3 The ES is structured into the following chapters:

- a) Chapter 1 – Introduction (Doc. 3.01.01)
- b) Chapter 2 – The Project (Doc. 3.02.01)
- c) Chapter 3 – Alternatives Considered (Doc. 3.03.01)
- d) Chapter 4 – Methodology (Doc. 3.04.01)
- e) Chapter 5 – Legislation and Policy Context (Doc. 3.05.01)
- f) Chapter 6 – Geology and Soils (Doc. 3.06.01)
- g) Chapter 7 – Road Drainage and Water Environment (Doc. 3.07.01)
- h) Chapter 8 – Nature Conservation (Doc. 3.08.01)
- i) Chapter 9 – Landscape and Visual (Doc. 3.09.01)
- j) Chapter 10 – Archaeology and Cultural Heritage (Doc. 3.10.01)
- k) Chapter 11 – Community Effects (Doc. 3.11.01)
- l) Chapter 12 – Agricultural Assessment (Doc. 3.12.01)
- m) Chapter 13 – Air Quality (Doc. 3.13.01)
- n) Chapter 14 – Noise and Vibration (Doc. 3.14.01)
- o) Chapter 15 – All Travellers (Doc. 3.15.01)
- p) Chapter 16 – Materials (Doc. 3.16.01)
- q) Chapter 17 – Population and Human Health (Doc. 3.17.01)
- r) Chapter 18 – Climate Change (Doc. 3.18.01)

- s) Chapters 19 – Cumulative Effects (Doc. 3.19.01)
- t) Chapter 20 – Management of Environmental Effects (Doc. 3.20.01)
- u) Chapter 21 – Conclusions (Doc. 3.21.01)

## **38. Land Acquisition and Compensation**

38.1 The Welsh Government (through the Welsh Ministers) acquires and manages land for the Trunk Road network in Wales. It is normally acquired by means of compulsory purchase procedures under the Acquisition of Land Act 1981 (Doc. 4.01.04), but on smaller schemes where only a small number of landowners would be affected, land can be acquired by agreement.

38.2 The Welsh Government's main concerns relating to the acquisition of land are:

- a) to apply the relevant legislation and policy consistently and fairly;  
and
- b) to protect, as far as is reasonably possible, the rights of those affected.

38.3 The National Assembly for Wales Revised Circular on Compulsory Purchase Orders NAFWC14/2004 (Doc. 4.01.60) provides advice to acquiring authorities in Wales that make compulsory purchase orders (CPO) to which the Acquisition of Land Act 1981 applies. It is aimed primarily at local authorities. The Welsh Ministers' CPO powers differ from those of local authorities. Nevertheless, the Welsh Government follows the advice in Circular 14/2004 with the qualifications below:

### **Paragraph 14**

38.4 In drawing up proposals, regard is given to the interference with the rights of all those with interest in the orders land and who will otherwise be affected by the scheme. Land that is subject to a CPO is considered to be the minimum necessary to construct a proposed scheme and provide the necessary mitigation measures.

## **Paragraph 22**

38.5 The Welsh Government negotiates acquisition by agreement (often in parallel with CPO procedures) for smaller schemes that involve the acquisition of land/rights from normally no more than four interests, although consideration will be given to enter into negotiations in excess of this number should the situation warrant it. It uses compulsory powers for all other schemes and for those smaller schemes where it has not reached agreement with all interests after a period of three months.

## **Paragraph 24**

38.6 The Welsh Government is mindful of the recommended use of Alternative Dispute Resolution (ADR) techniques wherever this would be appropriate. Such techniques are not considered appropriate by the Welsh Government when progressing its highways schemes, as it seeks to address issues of concern with individuals/bodies throughout the whole compulsory purchase order process. This can involve considering and advising of any feasible options to overcome individuals concerns/objections and if possible, involve the appointed Valuer at an early stage in concerns about potential levels of compensation. Where objections cannot be resolved, statutory objectors have the right to be heard at a Public Inquiry. If the level of statutory compensation cannot be agreed during formal land acquisition, the Welsh Government advises claimants of their right to refer the dispute to the Upper Tribunal (Lands Chamber).

## **Explanation**

38.7 Negotiating acquisition of land/rights is feasible for smaller scale developments, but not for many of the Welsh Government's transport schemes. Large transport infrastructure schemes usually involve numerous land interests and the scale of negotiations and level of uncertainty going to contract makes it impractical to acquire land/rights by agreement.

38.8 The Welsh Government considers that the CPO process is an open one, providing people with the opportunity to enter into dialogue. For larger more complicated schemes, it is common practice for the Welsh Government to hold a draft orders publication exhibition. Two such exhibitions were held for the published Scheme at Queens Hall, Narberth. These were held on Tuesday 18 August and Thursday 3 September 2020 between 13:00 and 19:00 each day. Throughout the process, project teams seek to address the concerns of those affected and, where objections remain, the Welsh Government may decide to hold a Public Local Inquiry into the proposals.

38.9 The Welsh Government also puts out comprehensive information on its website and in leaflet form to those affected. This includes information about claiming compensation and the role of the Upper Lands Chamber in resolving disagreements.

38.10 The Welsh Government has published a number of information booklets on related compensation issues and these will be available at the Public Local Inquiry, obtained from the address below or can be downloaded from the Welsh Government's website at:

<https://beta.gov.wales/roads-driving>

Booklets available from:

Orders Branch  
Transport  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ.

38.11 The Welsh Government applies a statutory test in order to purchase land or acquire rights over land forming part of a common under Section 19 of the Acquisition of Land Act 1981. This function is transferred to the National Assembly for Wales by the National Assembly for Wales

(Transfer of Functions) Order 1999 (SI 1999/672) and to the Welsh Ministers pursuant to Schedule 11 of the Government of Wales Act 2006.

### **39. Statutory Orders**

39.1 The Welsh Government publishes the draft Line and De-trunking Order and draft Side Roads Order (Doc. 2.01.01 and 2.02.01 respectively) under the Highways Act 1980 and the draft Compulsory Purchase Order (Doc. 2.03.01) under the Highways Act 1980 and the Acquisition of Land Act 1981.

39.2 Line and De-trunking Order - this establishes the line or route of the new Trunk Road and the sections of road that will cease to be Trunk Road.

39.3 Side Roads Order - this identifies the local highways and private accesses that need to be improved or stopped-up, and the new highways and accesses needed to replace them or that they replace.

39.4 Compulsory Purchase Order - identifies all the plots of land and rights over land required to construct the Scheme, allowing it to be operational and maintained.

39.5 Draft Orders - are open to objection, which, if unresolved, may lead to a Public Local Inquiry. It is customary for the Welsh Government to publish the draft Orders concurrently so that these can be dealt with at concurrent Inquiries, as necessary.