



C/o 17 Victoria Road
Kington
HR5 3BX

Tel 01544 230050
rw@gumpol.demon.co.uk

Ms Kelly Gibbons
Principal Planning Officer
Herefordshire Council
Planning Services
PO Box 230
Blueschool House
Hereford
HR1 2ZB

21 August 2015

Dear Ms Gibbons,

**RE: Planning Application P 151314 / F
New single carriageway (Southern Link Road) and associated works**

HCPRE strongly objects to this planning application because:

- A. The road is completely unnecessary as it will not achieve its main objective, which is the reduction in city centre congestion.**
- B. Reasonable alternatives to this road have not been properly evaluated as required by European Directives.**
- C. The road will cause substantial environmental damage, including loss of ancient woodland and high grade agricultural land.**

1. The road is completely unnecessary as it will not achieve its main objective, which is the reduction in city centre congestion.

The Council knows that this road will cause substantial environmental damage, including loss of ancient woodland and the highest grades of agricultural land, and damage to heritage and archaeological features. Yet the Council claims that the environmental damage is all justified because "the main objective of the scheme is to reduce congestion".

HCPRE Objection P 151314 / F

This is contradicted by the Council's own traffic forecasts included in the application documents.

The Environmental Statement Appendix 5.1 "Traffic Data for Air Quality Assessment" shows that, when the SLR is operational:

- (I) the average daily volume of vehicles going over the Greyfriars Bridge will be unchanged (AADT just under 46000)
- (II) Small reductions in traffic volumes on the A465 Asda to Tesco stretch, between 9% and 13% (1800 to 2600 less vehicles per day), are countered with a 15% increase (3300 more vehicles per day) on the Asda to Holme Lacy Road section of the A49.

Therefore the argument that reductions in congestion outweigh the substantial negative environmental impacts cannot be sustained.

2. Reasonable alternatives to this road have not been properly evaluated as required by European Directives.

This SLR project is derived from the Marches LEP's "Strategic Economic Plan" (Final Version dated 31st March 2014). This Plan has not been subjected to strategic environmental assessment, in breach of SEA Directive 2001/42/EC.

One consequence of this breach is that there has been no evaluation of the SLR against reasonable alternatives as required by Article 5(1) of the Directive. Such reasonable alternatives would include:

- (I) Complementary / sustainable transport measures

In a letter to Herefordshire Council dated 7th August 2014 (copy attached as PDF), the Highways Agency stated:

"The Agency notes that the "South Wye Transport Package provided a series of complementary transport measures. This is welcomed in principle as under current guidance the building of new road infrastructure could only be justified in policy terms when other avenues such as travel planning and sustainable travel modes had been developed and shown not to address the transport needs and issues identified."

This Highways Agency guidance is consistent with NPPF paragraphs 29 and 30, and especially paragraph 32 which states:

"Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up, depending on the nature and location of the site, to reduce the need for major transport infrastructure."

Herefordshire Council has not developed any of the complementary (sustainable) transport measures outlined in the South Wye Transport Package. These measures have not even been properly specified, appraised or costed.

(II) Measures to address transport to schools and colleges

In 2010 the Council produced a map showing the difference between term time and non term time AM peak traffic flows at nine locations around the city centre.

This showed that, outside term time, morning peak traffic flows decreased significantly at all nine locations. The smallest decrease was 23%, the largest decrease was 52%. For the South Wye area, peak flows on the A465 were down by 27%, and on the A49 down by 28%.

This suggests that, if reducing city centre congestion is the primary economic objective, addressing transport to schools and colleges should be considered before spending £30m on an environmentally damaging road with questionable benefits. Encouraging walking and cycling to school would also result in health benefits.

(III) an Eastern Link Road

This would link Rotherwas to the Ledbury Road via a second river crossing. In a letter to the Marches LEP dated 4th March 2014, Jesse Norman MP requested the inclusion of the Eastern Link Road in the Strategic Economic Plan, describing it as “...*certainly the most cost-effective single piece of road infrastructure*”, as it would cost less than £20m and reduce traffic on Edgar Street by 20 - 30%. The SLR will cost £30m and will not reduce traffic on Edgar Street. An Eastern Link Road could improve city centre congestion and access to the Enterprise Zone.

In a letter to Balfour Beatty dated 6th August 2014, Jesse Norman MP noted “*it is unclear how, for example, a Southern Link Road would compare with an Eastern Link Road in a cost-benefit analysis, especially in relation to improving access to the enterprise zone*”.

The two economic objectives for the SLR, set out in the Planning Statement para 3.6.5 are to reduce congestion, and to enable access to the Enterprise Zone. While we are not promoting an Eastern Link¹ we do feel that the SLR needs to be evaluated against an Eastern Link Road in terms of the achievement of these objectives. Therefore we would contend that the SLR planning application is premature, because this evaluation has not been carried out.

3. The road will cause substantial environmental damage, including to important heritage features, and loss of ancient woodland and high grade agricultural land.

The road will cause substantial environmental damage, including to important heritage features, and loss of ancient woodland and high grade agricultural land.

¹ HCPRE has long opposed an Eastern By Pass. We have not reached a view on the suggested eastern spur to provide a second river crossing but not a by pass.
HCPRE Objection P 151314 / F

- (I) **Ancient woodland:** The proposal will result in the destruction of part of Grafton Wood, listed on Natural England's National Inventory of Ancient Woodlands and we would reference S118 of National Planning Policy Framework - "*planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss*". We would also reference the Objection of the Woodland Trust and fully support their grounds for objection relating to Grafton Wood and other woodland that will be affected by this development.
- (II) Also, the fact that the supporting document "R ES Vol 2 App 1.1 ESSR Final 22.6MB" states in para 1.6.8 that the SLR routes would pass through Grafton Wood which is "not designated" when in fact it is designated calls into question the selection of this route i.e. would this route have been chosen if this error had been rectified?
- (III) **Agricultural Land:** This development will result in the loss of 31.2ha which according to the environmental statement is grade 2 land. In fact this area is classed as best and most versatile agricultural land and we would reference para 112 of the NPPF: "*Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality*".
- (IV) **Visual Impact:** According to the Amey final report issued 18/05/2012 "*SC1 and SC2 (the subject of this application) cross over the railway line requiring significant approach embankments in the vicinity of Haywood Lodge having significant visual impact upon a small number of properties in the vicinity and on the landscape as a whole with little potential for mitigation.*"
- (V) Parsons Brinkerhoff (PB) acknowledge in their Planning Statement April 2015 "*All of the options cross greenfield land and have an adverse impact on the environment, including increasing traffic noise, reducing air quality, and impacts to the landscape and heritage assets.*"
- (VI) We would also reference the Review of Landscape & Visual Impact Assessment commissioned by Mr & Mrs Priddle and submitted by them as part of a further objection. This concluded with a clear statement that "*The proposed scheme would introduce an alien, engineered and highly urbanising feature into a high quality, sensitive and valuable landscape. It would also result in the permanent loss of land which contributes to the historic setting of an important Grade 11* building. Many of the effects could not be mitigated, and the proposed measures themselves are likely to give rise to adverse effects, being uncharacteristic of, and inappropriate in, the landscape.*"
- (VII) HCPRE endorses this finding and in particular the final point in the author's conclusion that "*The implication of inadequacies in the assessment process is that if decisions are based on flawed information, the decisions themselves may well be flawed.*"
- (VIII) This is a historic landscape as has been pointed out by other objectors yet the application still awaits a full landscape and archeological evaluation. In the absence of these we believe the application to be premature.
- (IX) **Hedgerows:** A total of eight hedgerows located within the scheme meet at least one of the criteria under the Hedgerow Regulations 1997 to be classed as Important and in total. 1,460

linear meters of hedgerows will be lost as a result of the proposed scheme. (ES vol 2 app 7.1 BS5837 Arboriculture report Pt 1”, section 4.4.1).

- (X) ES vol 2 app 8.4 Terrestrial Invertebrate report, 3.2.34 advises regarding Grafton lane’s hedges, “*the invertebrate fauna was found to be relatively abundant and to include a number of uncommon species.*”
- (XI) **Heritage features:** The planned route will cross a landscape of some importance both historically and culturally as well as containing several known heritage assets. For example Haywood Lodge and landscape of the Belmont estate.
- (XII) Historic England in its response, 4th June 2015, echoes the concerns of many respondents namely that insufficient evidence has been provided to properly assess the impact on heritage assets and their settings. It concludes that in its view the application does not conform to the guidance in the NPPF Section 12, Conserving and enhancing the historic environment. In an email of 10th August 2015 this is reinforced by the comment that “*Some analysis of the assets and their setting has been provided but it lacks depth.*”

Conclusion

1. Other objectors have set out in greater detail many of the points we have raised which HCPRE endorses. Also worth noting is that Herefordshire Council’s current Strategic Housing Land Availability Assessment - Interim Rural Report list sites that have no potential for housing development as follows:
 - (I) *Ancient woodlands*
 - (II) Areas within flood risk zone 3 (Exception test is required)
 - (III) Local Nature Reserves
 - (IV) Sites of Special Scientific Interest (SSSI)
 - (V) Special Areas of Conservation (SAC)
 - (VI) *Historic Parks and Gardens (Registered and Unregistered)*
 - (VII) sites which do not have a physical point of access into the site and no prospect of creating an access within or close to the landholding.
 - (VIII) sites that could have significant impact on the AONB landscape
2. On two counts (our italics) this area would not qualify for housing development but is being proposed for highway development. Is this inconsistent?
3. HCPRE shares the concerns of others on the following:
 - (I) inadequate and possibly flawed consultation in the preparation for this application i.e. the no road option plus
 - (II) the problems with the current planning application consultation i.e.
 - (I) inaccessibility of the online supporting documents because of poor labelling and the formatting making online reading a slow and difficult process
 - (II) the fact that the consultation has extended beyond the advertised determination date but has not been publicly advertised
 - (III) the fact that a number of key evidential documents have still to be obtained and made available e.g. archeology, updating the Package Assembly Report.
 - (III) The absence of a specific Business Case Review in support of this application.

(IV)As it stands the Application lacks the full body of evidence required by law and regulation to enable a fair and balanced decision to be made without risk of legal challenge.

4. HCPRE's contention is that this application should be refused.

Yours sincerely

Bob Widdowson
on Behalf of Herefordshire CPRE