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## M4 Corridor around Newport Statement of Case – Part II & III



Welsh Government  
**M4 Corridor around Newport**  
Statement of Case

Issue | August 2016

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 242707

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## Appendices

### Appendix A

List of Proposed Modifications to the draft Orders

## 2 Objections

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### 2.1 Summary of Objections

- 2.1.1** As outlined earlier in this Statement, the Orders were published in draft and provide the opportunity for any person or organisation to object, support, or suggest alternatives to the Scheme.
- 2.1.2** 192 unique correspondence letters or emails have been received that clearly express support for the Scheme. Of these, 54 appear to be on behalf of a company or organisation. 89% of supporters that provided an address are located within Wales.
- 2.1.3** 335 unique objections to the Scheme have been received. Whilst a deadline of 4 May 2016 was identified for support or objection statements, 17 of the unique responses were submitted after this date but have been accepted by the Welsh Government. Of the unique objections 68 have been identified as statutory objectors, either as statutory consultees or those named in the draft Compulsory Purchase Order. 4 objections have been withdrawn by the respective consultees.
- 2.1.4** Of the 335 unique objections, 200 provided postal addresses. From the postal addresses it can be seen that 35% are from Monmouthshire, 26% Newport, 11% Cardiff and 3% Caerphilly. The other 25% of objections providing a postal address are from elsewhere in Wales, England and Scotland.
- 2.1.5** Of the objections 63 were identified as being from a company or organisation. The company/organisation responses included a range of statutory consultees including Natural Resources Wales, land owners, environmental non-governmental organisations (NGOs), businesses, utilities bodies and community groups.
- 2.1.6** In addition to unique responses from companies and organisations, campaigns have been identified with identical responses as part of five coordinated campaigns by: RSPB; Woodland Trust; Wildlife Trust Wales; Gwent Wildlife Trust; and there was also coordinated correspondence from the residents of Common y Coed (although the latter has not been treated as a campaign).
- 2.1.7** Campaign responses total around 6,554 emails or letters, with the majority sourced to the UK-wide RSPB campaign, generating 5,399 email responses.
- 2.1.8** Whilst Welsh Government has taken into account all objections, a number of signatories have responded advising that they had no knowledge of use of their email to register an objection, whilst a number of emails responding to or acknowledging objections have failed to deliver as a result of either incorrect or non-existent email addresses provided. This totalled 406 responses. Within the campaigns, 112 responses / signatories were duplicates. Following a discount for the above reasons, a total of 6,032 objections have been registered through the campaigns.
- 2.1.9** Objections including unique correspondence and identified campaign responses, total around 6,555.

- 2.1.10** A unique 'OBJ' reference number has been attached to each of the objections so that the first processed objection has been provided the reference OBJ0001.
- 2.1.11** As aforementioned, the Welsh Government has taken into account all objections and has provided a notification of receipt, and later a full reply to their points raised in a Welsh Government signed letter. Written responses provided clarification of any matters if needed, and/or set out the Welsh Government's position on their points raised.
- 2.1.12** An overview of the Welsh Government's response to all objections is provided below. For convenience and for the purpose of this summary, objections have been grouped into general themes and local issues on a topic basis. Where a theme or issue may be relevant to more than one topic, where practicable it only features once to try to avoid unnecessary duplication. However, at the Public Local Inquiry evidence will be presented by the relevant expert witnesses to address objections requiring their consideration. More than one expert witness may be required to address an objection if it spans more than one area of specialist expertise.
- 2.1.13** Copies of letters of support and objections in full have been made available to the Inspector and some or all may be made available to all as part of the Public Local Inquiry Library.

## **2.2 Engineering Design**

- 2.2.1** **Objections based on the retention of the existing M4 motorway around Newport and its intelligent transport systems instead of constructing the published Scheme proposals, including traffic management of the existing motorway.<sup>1</sup>**
- 2.2.2** As part of the development work that led to the M4 Corridor around Newport Plan, of which the main element is the proposed new section of motorway to the south of Newport, a wide range of transport options were considered and appraised.
- 2.2.3** The existing M4 around Newport does not meet modern motorway design standards. It has many lane drops and lane gains, resulting in some two-lane sections, an intermittent hard shoulder and frequent junctions. Road safety problems on the existing M4 include vehicles speeding up, slowing down and changing lanes over short distances thereby creating weaving movements that are potentially hazardous. As a result of its road safety problems, accident rates on the M4 around Newport between 2002 and 2008 show that it had an accident rate above the national average for motorways. As part of the major roadworks undertaken between 2009 and 2011, a Variable Speed Limit (VSL) system was installed between M4 Junction 24 and Junction 28, with the specific aim of improving safety on the M4 around Newport.

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<sup>1</sup> OBJ0002, OBJ0005, OBJ0112, OBJ0114, OBJ0162, OBJ0201, OBJ0248, OBJ0279, OBJ0285

- 2.2.4** Accident data for July 2011 to September 2014 show a significant reduction in accident numbers from the average to 2008, indicating that the implementation of the VSL has been successful in improving the accident record on the M4 around Newport. However, analysis of this data has shown that the section between Junctions 24 and 27, which includes Brynglas Tunnels, has a higher than average accident rate.
- 2.2.5** The traffic forecasts for the M4 Corridor around Newport indicate that, without the Scheme, future traffic growth will result in severe congestion on the existing M4, which will result in increased journey times and risk of accidents, causing delays. With the inclusion of the proposed new section of motorway to the south of Newport, the traffic volumes and journey times on the existing M4 around Newport would be expected to reduce.
- 2.2.6** This would allow reclassification of the existing M4 between Magor and Castleton as a trunk road which, in turn, would enable the implementation of improved traffic management, access arrangements and safety measures, such as the 60mph speed restriction through Brynglas Tunnels.
- 2.2.7** The proposed new section of motorway to the south of Newport would be of motorway standard and would have a speed limit of 70mph. The existing Variable Speed Limit up to 70mph would continue to operate along the existing M4 between Junction 24 (Coldra) and Junction 28 (Tredegar Park), but with a maximum speed limit of 60 miles per hour imposed at the Brynglas Tunnels, primarily for safety purposes.
- 2.2.8** **Objections relating to the Blue Route alternative to the published Scheme proposals.<sup>2</sup>**
- 2.2.9** The 'Blue Route', comprises works to the A48 Southern Distributor Road (SDR), and A4810 (also known as the Steelworks Access Road).
- 2.2.10** The Blue Route was put forward by third parties during a strategic consultation in 2013. As a result, consideration was given to the Blue Route in the 'Strategic Appraisal of Alternatives Considered During Consultation' report, which helped inform the Welsh Government's decision making on its Plan for the M4 Corridor around Newport.

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<sup>2</sup> OBJ0002, OBJ0008, OBJ0013, OBJ0016, OBJ0018, OBJ0020, OBJ0024, OBJ0027, OBJ0027, OBJ0028, OBJ0029, OBJ0030, OBJ0035, OBJ0037, OBJ0039, OBJ0040, OBJ0041, OBJ0060, OBJ0061, OBJ0064, OBJ0074, OBJ0075, OBJ0083, OBJ0085, OBJ0086, OBJ0094, OBJ0096, OBJ0101, OBJ0102, OBJ0104, OBJ0105, OBJ0106, OBJ0109, OBJ0110, OBJ0116, OBJ0117, OBJ0118, OBJ0124, OBJ0125, OBJ0131, OBJ0140, OBJ0141, OBJ0142, OBJ0149, OBJ0150, OBJ0153, OBJ0154, OBJ0159, OBJ0166, OBJ0167, OBJ0168, OBJ0174, OBJ0178, OBJ0179, OBJ0180, OBJ0181, OBJ0183, OBJ0184, OBJ0185, OBJ0186, OBJ0191, OBJ0194, OBJ0195, OBJ0200, OBJ0201, OBJ0204, OBJ0206, OBJ0247, OBJ0248, OBJ0252, OBJ0258, OBJ0260, OBJ0262, OBJ0264, OBJ0266, OBJ0269, OBJ0270, OBJ0275, OBJ0282, OBJ0284, OBJ0294, OBJ0295, OBJ0296, OBJ0297, OBJ0307, OBJ0309, OBJ0311, OBJ0314, OBJ0315, OBJ330, OBJ331, OBJ334, OBJ336, OBJ0246.

**2.2.11** Assessment at that time considered that the Blue Route would not address the problems on the existing M4 around Newport, and would create further operational problems. Variants of the Blue Route were analysed to see if any of them could provide a feasible alternative to a new section of motorway to the south of Newport. Conclusions were:

- a) Forecasts of future traffic volumes show that operational problems would continue to be experienced on the M4 around Newport with the variants of the Blue Route in place. Furthermore the addition of motorway traffic to the modified SDR and A4810 would cause operational problems on parts of the Blue Route.
- b) Variants of the Blue Route would require land, beyond current highway boundaries, with associated impacts on businesses and individuals. There would be economic, noise, air quality and social impacts on communities, property and future development land allocations. Whilst disruption on the Gwent Levels would be significantly diminished this must be seen in the context of significantly greater disruption to those living and working along the Blue Route.
- c) Contrary to the suggestion that the Blue Route could be delivered faster than the Scheme, the Welsh Government will submit that delivery of the Blue Route could not be achieved quicker than the published Scheme. Due to the statutory process requirements strategic and preliminary design work, including consultation, would be required. This would take several years. In addition construction of the Blue Route, whilst keeping the SDR and A4810 operational, has numerous uncertainties and construction risks associated with it, such that delivery quicker than the published Scheme would be highly unlikely.
- d) The cost of the Blue Route, as proposed by third parties, does not include free flowing connections to the existing M4, grade separation at existing motorway junctions, or resolution of access to TATA Steel and future development areas from the A4810 (which are already committed via legal agreements). The variants of the blue route considered include these improvements and taking these into consideration the cost of the Blue Route, excluding land and compensation costs, would be in the order of £600-800m (as assessed in 2013), depending on the scope. Such a scheme however would not create economic benefits of the same order of the published Scheme, neither would it alleviate the existing problems of the M4, as referred to above, and therefore the Blue Route cannot be said to provide value for money.

**2.2.12** The Blue Route performed poorly compared to the Black Route when it was appraised at the strategic stage. Overall, it was not considered to provide a sufficient long term solution to the identified problems associated with the M4 around Newport. Consideration of options/alternatives, including the Blue Route is summarised in Chapter 4 of the published Environmental Statement.

- 2.2.13** **Objections relating to the proposed modifications to access from the A48 to the property known as Tyn-y-Brwyn Farm, Coedkernew.**<sup>3</sup>
- 2.2.14** Following the Statutory Orders Exhibitions held at several locations across the Scheme and following correspondence received relating to the publication of draft Orders, the access arrangement has been reviewed and alternatives considered.
- 2.2.15** The published draft Orders permanently stops up the eastern access, from consultation with several affected parties, the project team have reconsidered the proposals and have developed a solution for reinstating the eastern access. After completion of the construction works this would give similar provision to that of the existing conditions.
- 2.2.16** If the Scheme progresses to construction, the eastern access will be required to be closed for a period of approximately 9 months in order to construct the new bridge over the A48, carrying the proposed M4 carriageway. During this time the improved western access, provided in the Side Roads Order (2/13a), would be used to access the properties at Tyn-y-Brwyn. Traffic Management would be in place on the A48 for the safety of road users. After these works are carried out the eastern access would be permanently reinstated.
- 2.2.17** To enable this revised access arrangement to be implemented a modification to the draft Orders will be required.
- 2.2.18** **Objections relating to access between M48 and B4245 between Caldicot and Rogiet.**<sup>4</sup>
- 2.2.19** Traffic volumes along the B4245 are forecast to reduce both through Magor and east of Caldicot, due to traffic re-routeing to use the new junction to access the motorway network.
- 2.2.20** Traffic forecasts indicate that traffic on the B4245 in the vicinity of the new junction are forecast to increase due to traffic from Caldicot and Rogiet using the junction to access the motorway network.
- 2.2.21** Traffic volumes on the B4245 immediately east of the new junction could be expected to increase by around a half compared to the traffic volumes without the Scheme in place.
- 2.2.22** An assessment of the road type, predicted traffic flows and capacity of the B4245 between Undy and Station Road, Rogiet has shown that all sections would operate within capacity / suggested flow range when assessed in accordance with highway standards

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<sup>3</sup> OBJ0003, OBJ0228, OBJ0273, OBJ0330

<sup>4</sup> OBJ0004, OBJ0009, OBJ0099, OBJ0150

- 2.2.23** **Objections relating to provision for pavement or a cycle path along B4245 between Undy and Rogiet.**<sup>5</sup>
- 2.2.24** A length of new shared-use path has been included on the section of B4245 which is to be trunked between Undy and Rogiet in the vicinity of the proposed new motorway junction.
- 2.2.25** **Objections relating to TAG lanes at the Second Severn Crossing.**<sup>6</sup>
- 2.2.26** The lane configuration at the toll plaza and the signing strategy would be agreed with Highways England during the detailed design phase.
- 2.2.27** **Objections relating to access and parking in the Rogiet and Magor area.**<sup>7</sup>
- 2.2.28** The proposed M4/M48/B4245 junction arrangement would improve access to the surrounding area of Magor, Undy, Rogiet and Caldicot, including to Severn Tunnel Junction station.
- 2.2.29** In developing the proposals the project team have liaised with officials from Monmouthshire County Council, who are responsible for parking in this area.
- 2.2.30** **Objections relating to access to land owned by W&M McDonald (Pencarn Farms) from Green Lane.**<sup>8</sup>
- 2.2.31** The proposals are to permanently close Green Lane. An alternative means of access is included in the draft Side Roads Order (SRO). The new access to Percoed Lane and Pencarn Farms will be via the roundabout on the A48 and will follow the black hatched route along Celtic Way and Duffryn Lane to a new section of track labelled 4/3b in the SRO.
- 2.2.32** The route, will pass under a non-motorised user bridge on Percoed Lane, labelled 4/A in the SRO, where normal highway clearance will be provided. This has been designed to ensure there is no derogation in terms of vehicular access when compared to the existing access arrangements, with similar track widths and turning movements.
- 2.2.33** As a result of engagement with the relevant parties, we have further reviewed the access arrangements and will change the alignment with a modification to the SRO and draft Compulsory Purchase Order, if all relevant parties agree to the proposal and associated land requirements.

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<sup>5</sup> OBJ0009

<sup>6</sup> OBJ00010

<sup>7</sup> OBJ0011, OBJ0020

<sup>8</sup> OBJ0019

**2.2.34 Objections with concerns about access to Fair Orchard Farm.<sup>9</sup>**

**2.2.35** Land access has been considered through the design process and has been included within the published draft Side Roads Order (SRO). This can be seen on Site Plan 5 of the SRO.

**2.2.36** The new Lighthouse Road would be built to the west of the existing road. This means that the new overbridge structure and road could be built without impacting on the existing Lighthouse Road. On completion of the new road, traffic would be switched from the existing road, before the construction of the new motorway in the location of the existing Lighthouse Road begins. Construction of the new overbridge and realigned Lighthouse Road would be an early activity during the construction of the Scheme, lasting for approximately 1 year. Accesses, labelled 5/11a and 5/12a on Site Plan 5 of the SRO, would then be in place, which utilise the existing Lighthouse Road as access to Fair Orchard Farm.

**2.2.37** Another north/south connection to Fair Orchard Farm would be via accesses labelled 5/13a, 5/15a, 5/16a and 5/19a. Access 5/13a would be shared with the access to New Dairy Farm. This would pass over the proposed motorway on a new over bridge. Accesses labelled 5/10a, 5/10b and 5/10c provide connectivity through your client's land to replace stopped up PMA 5/10.

**2.2.38** Further to the concerns with the southern access off Lighthouse Road, 5/11a, the project team has reviewed this and an alternative access has been proposed, with engagement ongoing.

**2.2.39** Concerns about potential loss of farmland are also subject to ongoing engagement.

**2.2.40 Objections relating to works to the Tunnel at Brynglas on the existing M4 around Newport as an alternative to the proposed new motorway.<sup>10</sup>**

**2.2.41** As part of the development work that led to the M4 Corridor around Newport Plan, of which the main element is the proposed new section of motorway to the south of Newport, a wide range of transport options were considered and appraised. This included works to the Brynglas Tunnels, including an additional tunnel and widening of the tunnels.

**2.2.42** It was concluded that these options do not sufficiently address the problems or achieve the objectives of the M4 Corridor around Newport (individually or in combination with other identified measures).

**2.2.43** In summary, both an additional tunnel and widening of the existing tunnels at Brynglas were appraised as likely to:

- a) Require property demolition and attract significant public opposition;
- b) Raise significant local social and health issues;
- c) Create large adverse impacts on people and the economy during construction;

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<sup>9</sup> OBJ0216

<sup>10</sup> OBJ0020, OBJ0027, OBJ0104, OBJ0107, OBJ0111, OBJ0135, OBJ0182, OBJ0206, OBJ0279, OBJ0285

- d) Not resolve capacity problems and network resilience issues on the M4 Corridor around Newport; and
- e) Not achieve the wider environmental benefits that the currently achieves, in terms of an overall benefit in air quality and noise.

**2.2.44** An additional tunnel or widening of the tunnels at Brynglas, were not taken forward as the solution to the identified problems.

**2.2.45** **Objections relating to provision for cyclists between the Wentlooge and Caldicot (or Newport) Levels.**<sup>11</sup>

**2.2.46** The existing Sustrans National Cycle Network Route 4 (NCN 4) provides connectivity between the Wentlooge and Caldicot/Newport Levels and will be unaffected by the proposed Scheme.

**2.2.47** There is no provision as part of the Scheme to allow cyclists over the proposed River Usk Crossing. This is on the basis that the existing NCN 4 provides a safe, convenient, attractive and coherent route for pedestrians and cyclists compared to a cycle lane adjacent to a motorway.

**2.2.48** **Objections relating to lighting and alignment of the proposed new motorway at Castleton Interchange.**<sup>12</sup>

**2.2.49** Highway lighting of the published Scheme is described in Chapter 2 of the Environmental Statement (ES) at paragraphs 2.11.11 to 2.11.13. Highway lighting is proposed at the following locations:

- a) On the approaches to and throughout the Castleton Interchange.
- b) On the approaches to the Docks Way Junction and over the full extent of the River Usk Crossing.
- c) On the approaches to and throughout the Glan Llyn Junction and on the new link road connecting the new section of motorway with the A4810 and the A4810 junction and approaches.
- d) On the approaches to and throughout the Magor Interchange.

**2.2.50** In particular care would be taken to avoid lighting of the approaches to and the entrances of culverts and nearby habitats, including watercourses and waterbodies. Following recolonisation of newly created reens and field ditches it is likely that there would be sufficient macrophyte cover to provide shelter for fish species from the low levels of light spillage that may occur in the vicinity of the junctions with the new section of motorway (ES paragraphs 10.9.100 - 10.9.102). Measures adopted to minimise light spill through appropriate design would be sufficient to control the risk of light disturbance to migratory and estuarine fish in the rivers (ES paragraphs 10.9.64 & 10.9.67). However it should be noted that the Newport Transporter Bridge, the Southern Distributor Road Bridge and the existing M4 bridge upstream of the proposed River Usk Crossing are all lit.

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<sup>11</sup> OBJ0021

<sup>12</sup> OBJ0022

**2.2.51 Objections relating to lighting and alignment of the B4245 at Rogiet.<sup>13</sup>**

**2.2.52** The verge on the inside of the bend would be widened to provide adequate visibility to the proposed roundabout for vehicles approaching from Rogiet. A 'map-type' advance directional sign and 'roundabout ahead' warning sign would also warn drivers of the roundabout's presence.

**2.2.53** The existing street lighting on the B4245 around the bend and on the approaches to the proposed roundabout would be maintained, and improved if required. The proposed signs located within the roundabout splitter islands and central island, which would guide vehicles around the roundabout, would also be lit.

**2.2.54 Objections relating to impacts on Network Rail.<sup>14</sup>**

**2.2.55** The Welsh Government's proposals for the M4 Corridor around Newport interface with operational railway land in 3 no. locations as follows:

- a) Duffryn Railway Underbridge over South Wales Main Line (SWM2 ch219.950km approx.)
- b) Usk Viaduct over Uskmouth Railway
- c) Llandevenny Railway Underbridge over South Wales Main Line (SWM2 ch200.150km approx.)

**2.2.56** The project team have attended 16 meetings with various parties from Network Rail, including asset protection managers, route planning managers, access planning managers, route access managers and the Network Rail Great Western Route Modernisation (GWRM) design teams in the period 31st March 2015 to the 1st April 2016. Minutes of all of these meetings have been issued to Network Rail and no responses were received.

**2.2.57** Meetings with Network Rail were held in 2015 on 31st March, 1st April, 6th May, 22nd, 23rd and 30th July, 4th, 17th and 18th August, 29th September and 8th December. In 2016 meetings were held on 15th February, 6th, 15th and 20th April and 1st June.

**2.2.58** At these meetings the Project team discussed and addressed Network Rail's concerns about the Scheme's impact on the South Wales Mainline, the proposed Great Western Route Modernisation including electrification and the Uskmouth Railway. As detailed in the minutes, the Project team have worked in collaboration with Network Rail and the GWRM design team to provide and agree relevant information and details of the bridge span, headroom and clearance requirements, the construction methods and sequence and also impact on existing Network Rail assets.

**2.2.59** A modification has been made to account for the land at Green Lane (St. Brides) that Network Rail has recently acquired to site a feeder station required for the mainline electrification works.

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<sup>13</sup> OBJ0206

<sup>14</sup> OBJ0025

- 2.2.60** The Welsh Government is in the process of entering into a Basic Asset Protection Agreement with Network Rail to ensure continued liaison.
- 2.2.61** **Objections relating to impacts on the Magor motorway service area (MSA) including access, safety and the economic viability of the MSA.**<sup>15</sup>
- 2.2.62** The junction arrangement at existing M4 J23A (Magor) would not be changed, with existing accesses maintained, including that to the Magor services. There would be no closures to access arrangements, including connections between the services and Magor.
- 2.2.63** Our proposed revised junction arrangement at J23 (east of Magor and Undy) would provide a connection between the proposed new section of motorway to the south of Newport, and the existing M4, M48 and B4245 roads which would improve accessibility.
- 2.2.64** The Welsh Government does not currently propose to make any modifications to the Scheme in response to objections from the MSA owners and operators. However, the Welsh Government has requested further information from the operators of the MSA and have indicated that they will be prepared to consider matters again when this is provided.
- 2.2.65** **Objections relating to impacts on Industrial Automation and Control Systems.**<sup>16</sup>
- 2.2.66** Engagement has been had to explain that the proposed alignment is located where it is in order to avoid impacting existing pylons.
- 2.2.67** The project team has been advised by Western Power Distribution that the pylon to the south-east of the property feeds Sudbrook Sub-Station and Network Rail's pumping station for the Severn Tunnels.
- 2.2.68** The tunnels are being closed in September but this feed to the pumping stations would not be shut down during that period. That is to do with works to prevent the tunnels flooding which would have a significant consequence on their future operation.
- 2.2.69** Whilst there are back up systems it would be difficult to switch off this feed for the period of time necessary to move the pylon location and divert the cables. Therefore, a temporary diversion would be required before the new pylon was built to ensure there is continuous feed. Whilst diversion is therefore possible it would result in significant costs and delay to the project as well as impacting more area of the environmentally sensitive Site of Special Scientific Interest.
- 2.2.70** The pylon to the north-east is operated by National Grid. They advise a diversion would cost approximately £10m and could not take place for 5 years.
- 2.2.71** For the reasons presented above there are also engineering challenges as well as cost and programme implications.

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<sup>15</sup> OBJ0026, OBJ0027, OBJ0045, OBJ0053, OBJ0150, OBJ0181, OBJ0206, OBJ0292, OBJ0310, OBJ0314

<sup>16</sup> OBJ0068

- 2.2.72** The Welsh Government has presented as part of ongoing engagement, a potential design change which includes a retaining wall to reduce land take from the property.
- 2.2.73** It has been suggested that large delivery vehicles reverse into the car park and a fork lift is used to transfer the delivery to and from the factory.
- 2.2.74** This arrangement would allow continued access by large articulated vehicles to reverse into the car park as they do presently. It would also not prohibit fork lift truck movement of components into/out of the factory (sizes of which have been provided to the Welsh Government during engagement).
- 2.2.75** It should be noted that the retaining wall would become the highway boundary and therefore as it would be a highways structure the maintaining authority would need periodic access to the land in order to inspect the wall and maintain, if necessary. This would typically be every 2 years for general visual inspections and every 6 years for a more detailed inspection.
- 2.2.76** Negotiations are ongoing.
- 2.2.77** **Objections relating height of the new motorway overbridge structure immediately to the south of Whitecross Farm.**<sup>17</sup>
- 2.2.78** The new motorway in the vicinity of the property would be on an embankment approximately 1m high. The overbridge finished road level would be approximately 9.5m above the existing ground level. The overbridge will have parapets along its edge, which will be 1m high. An extract of the highway visualisation has been provided in correspondence, which gives a visual representation of how the highway will appear from the property when the new highway is complete.
- 2.2.79** It is not proposed to modify the height of the overbridge structure.
- 2.2.80** **Objections relating to a direct access from Junction 23 of the M4 motorway to the Severn Tunnel Junction railway station and/or moving Junction 23 to an alternative location between Rogiet and Caldicot.**<sup>18</sup>
- 2.2.81** The proposed M4/M48/B4245 junction arrangement would improve access to the surrounding area of Magor, Undy, Rogiet and Caldicot, including to Severn Tunnel Junction station.
- 2.2.82** In developing the Scheme proposals the project team have liaised with officials from Monmouthshire County Council.
- 2.2.83** Monmouthshire County Council is currently carrying out a public consultation regarding access and parking facilities at Severn Tunnel Junction station.
- 2.2.84** The project team are meeting with objectors to discuss their suggested alternatives.

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<sup>17</sup> OBJ0207

<sup>18</sup> OBJ0004, OBJ0009, OBJ0099, OBJ0151, OBJ0206, OBJ0210

**2.2.85** **Objections relating to alternative junction arrangements and/or removing the proposed interchange and Junction 23 and providing one at Junction 23A only.**<sup>19</sup>

**2.2.86** As part of the Scheme, new additional or revised junctions are being provided, including:

- a) The new B4245/M48/M4 connection at Junction 23 would reduce traffic through Magor and improve accessibility, including to Severn Tunnel Junction railway station. To the north of Magor, the reclassified M4 would pass through the existing Junction 23A on the same line and level.
- b) Intermediate junctions at Glan Llyn and Docks Way would connect into existing roads at the A4810 and A48, serving Newport and its development sites, and Newport Docks.
- c) A junction at Castleton would connect the route to the existing M4 between Newport and Cardiff.

**2.2.87** These junctions ensure that the Scheme would not bypass Newport, and would provide useful links to key employment, leisure and residential areas in Newport, ensuring that Newport will benefit from the Scheme along with the remainder of Wales.

**2.2.88** There are currently seven junctions between Junction 23 and Junction 29 (J23A, J24, J25, J25A, J26, J27 and J28) on the existing M4 motorway. As part of the Scheme there would be two junctions between Junction 23 and Junction 29 on the proposed new section of motorway. The traffic forecasts indicate that the proposed new section of motorway would have sufficient capacity to accommodate traffic using these junctions.

**2.2.89** **Objections relating to commencing the route of the proposed new motorway to the west of junction 23A.**<sup>20</sup>

**2.2.90** Route options have been considered as part of previous studies, including to the west of Magor and Wilcrick Hill. Routes west of Magor and Wilcrick Hill were not taken forward due to likely significant impacts, and associated risks and costs, at Tata Steelworks at Llanwern, and the Newport Eastern Expansion Area.

**2.2.91** By routing traffic to the west of junction 23A, the suggested alternative would also provide reduced network resilience and there would be increased network management risks when compared to the proposed Scheme as a result of its route and need to cross additional areas of contaminated land. The route alternative to the west of Magor and Wilcrick Hill was considered in more detail during development work.

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<sup>19</sup> OBJ0152

<sup>20</sup> OBJ0153, OBJ0287

- 2.2.92** **Objections relating to the size, complexity and limited access provision of junction 23.**<sup>21</sup>
- 2.2.93** The proposed junction arrangement at J23 (east of Magor and Undy) would provide a connection between the proposed new section of motorway to the south of Newport, and the existing M4, M48 and B4245 roads which would improve accessibility.
- 2.2.94** Traffic volumes along the B4245 are forecast to reduce both through Magor and east of Caldicot, due to traffic re-routeing to use the new junction to access the motorway network.
- 2.2.95** **Objections relating to the impact on Newport Docks.**<sup>22</sup>
- 2.2.96** The Scheme would pass over the Newport Docks which are owned and operated by Associated British Ports (ABP).
- 2.2.97** The River Usk Crossing viaducts would allow access beneath for ABP's land and water based operations.
- 2.2.98** The new bridge across the River Usk and Newport Docks would be a 440m main span cable-stayed bridge (a similar type of structure to the Second Severn Crossing). Clearance would allow for the passage of ships, with a minimum clearance of 25.5m above the docks being provided. Those ships that will not be able to pass beneath the bridge will still be able to be accommodated within the South Dock. In addition, alternative charter arrangements will be able to be made, with different ships to those currently used being able to access north dock, notwithstanding the construction of the bridge.
- 2.2.99** Engagement with ABP (and others) has been ongoing since the early 1990s in order to try to remove or minimise the impacts of the Scheme on the Port of Newport. More recent negotiations have explored the Welsh Government's proposals to utilise the spare capacity in the South Dock, alongside reviews of suggested revised alignments and access/easement arrangements.
- 2.2.100** In addition, the provision of the new Docks Way motorway junction would provide journey time and accessibility benefits to the users and operators of the Port of Newport, and contribute to making this area more attractive for investment with associated commercial and economic benefits. Therefore, operational considerations need to be balanced against the benefits of improved transport links to Newport Docks.
- 2.2.101** Evidence will be presented on the impact of the Scheme on Docks operations and shipping using the Port of Newport. The Welsh Government is awaiting information on the various assertions made in ABP's objection to the draft Orders. The Welsh Government will present evidence to demonstrate that there will be no serious detriment to ABP and the Port of Newport any adverse impacts on ABP and the Port of Newport are outweighed by the benefits of the Scheme to users and operators of the Port, and for the wider public interest.

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<sup>21</sup> OBJ0314

<sup>22</sup> OBJ0031, OBJ0095, OBJ0112, OBJ0147, OBJ0181

- 2.2.102** **Objections relating to a suggested route to the north of Newport Docks as an alternative to the proposed route of the new motorway.**<sup>23</sup>
- 2.2.103** If ABP intends to promote an alternative route to the Scheme, that and further alternative routes will be discussed prior to the Inquiry. A draft of a proposed alternative route was provided to Welsh Government during ongoing engagement and the project team have provided comments for ABP to consider before any formal submission of an alternative.
- 2.2.104** **Objections relating to a suggested route to the north of Magor Service Station and Wilcrick Hill as an alternative to the proposed route of the new motorway.**<sup>24</sup>
- 2.2.105** Engagement with the promoter of this alternative has clarified that it is a variation from a similar option, previously considered prior to the adoption of the M4 Corridor around Newport Plan (2014), known as 'West of Wilcrick Hill'. The promoted alternative has been engineered and assessed, and is known as "Objectors' Alternative West of Wilcrick". A booklet will be produced containing summary information on the alternative, any other alternatives promoted and the proposed Scheme. This booklet will then be circulated in the area of both the proposed Scheme and the alternative(s).
- 2.2.106** **Objections relating to a suggestion putting the proposed route in a tunnel.**<sup>25</sup>
- 2.2.107** Tunnel options have been considered as part of previous studies, but were not taken forward due to initial high level cost estimates deeming tunnelling options financially unviable. Also a tunnel alternative to the current proposed bridge crossing the River Usk was considered in more detail during consideration of options prior to the adoption of the M4 Corridor around Newport Plan (2014).
- 2.2.108** **Objections relating to cycling and walking facilities along the B4245.**<sup>26</sup>
- 2.2.109** A length of new shared-use path has been included on the section of B4245 which is to be trunked between Undy and Rogiet in the vicinity of the proposed new motorway junction.
- 2.2.110** Continuation of the path further along the B4245 is outside the scope of this project and would be a matter for Monmouthshire County Council (MCC).
- 2.2.111** **Objections relating to the proximity of the proposed route and National Grid assets.**<sup>27</sup>
- 2.2.112** All land within the draft Compulsory Purchase Order (CPO) is the minimum land required and is essential for the construction, maintenance and operation of the Scheme.

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<sup>23</sup> OBJ0031, OBJ0071, OBJ0147

<sup>24</sup> OBJ0034

<sup>25</sup> OBJ0111, OBJ0121, OBJ0126, OBJ0203, OBJ0242, OBJ0251, OBJ0293

<sup>26</sup> OBJ0009, OBJ0149, OBJ0151, OBJ0210

<sup>27</sup> OBJ0205

- 2.2.113** The Welsh Government have entered into an agreement with National Grid and funded the production of Stage 1 and Stage 2 feasibility studies following an initial meeting on 17th March 2015.
- 2.2.114** A number of meetings have been held to mitigate any impact on assets however there are still come outstanding issues on clearance which are in the process of being resolved. The findings of trial holes will help our design team to mitigate any possible impact on towers (pylons). This excavation work is programmed for mid-August 2016. It is the intention of Welsh Government and their contractors to work collaboratively with National Grid through all stages of the Project to minimise any impact on assets.
- 2.2.115** **Objections relating to severance of land at New Dairy Farm.<sup>28</sup>**
- 2.2.116** The direct permanent loss at New Dairy Farm may require a slight reduction in the livestock numbers from this large dairy enterprise. Whilst the area of land temporarily affected during construction would be limited, the works being undertaken within and in the vicinity of the holding would be likely to cause disruption to the holding during this period. This would be as a result of the works associated with the replacement of the existing farm access road with a new overbridge as well as works to the reen network in the vicinity of the area of land affected. Engagement has been held to help understand the specific land requirements and the likely impacts of the Scheme. Negotiations on these issues will be ongoing and compensation will be available.
- 2.2.117** **Objection relating to loss of land North of Magor Brewery and other land interests of D.G. Davies.<sup>29</sup>**
- 2.2.118** Engagement has been held to help understand the specific land requirements and the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.119** **Objection relating to loss of land Cefn Hallen Farm.<sup>30</sup>**
- 2.2.120** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.121** **Objection relating to loss of land at Pant Rhiw Goch Farm.<sup>31</sup>**
- 2.2.122** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.

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<sup>28</sup> OBJ0217

<sup>29</sup> OBJ0219

<sup>30</sup> OBJ0220

<sup>31</sup> OBJ0221

- 2.2.123** **Objection relating to impact on the property Courtfield.**<sup>32</sup>
- 2.2.124** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.125** **Objection relating to loss of land at North Court Farm.**<sup>33</sup>
- 2.2.126** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.127** **Objection relating to loss of land at Penterry Farm.**<sup>34</sup>
- 2.2.128** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.129** **Objection relating to loss of land at Caldicot Moor.**<sup>35</sup>
- 2.2.130** The land at Caldicot Moor is required for the purpose of mitigating the loss of areas of grazing marsh from designated Sites of Special Scientific Interest (SSSI) that are required to construct the Scheme. The requirement for this land is subject to discussion with NRW. Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.131** **Objection relating to impact on Land at Langley Villa (pony paddock).**<sup>36</sup>
- 2.2.132** Plot 16/6c is required for the Scheme for the construction of a water treatment area. The project team have considered alternative locations for this water treatment area but there are no viable alternatives that work hydraulically. Plot 16/6b is required for the construction of the trunk road and the realignment of St. Brides Road. This land is essential for the Scheme. Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.133** **Objection relating to impact upon White House Farm.**<sup>37</sup>
- 2.2.134** The land to the north of the M48 labelled 18/9 on CPO Site Plan 18, is required temporarily in order to construct the Scheme. Following the construction phase, the temporary haul road would be appropriately restored and be available to be returned to the current holding at the earliest possible time.

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<sup>32</sup> OBJ0222

<sup>33</sup> OBJ0223

<sup>34</sup> OBJ0224

<sup>35</sup> OBJ0226

<sup>36</sup> OBJ0229

<sup>37</sup> OBJ0231

- 2.2.135** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.136** **Objection relating to impact upon Green Farm.<sup>38</sup>**
- 2.2.137** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.138** **Objection relating to impact at Upper Grange Farm.<sup>39</sup>**
- 2.2.139** Plots 19/5a, 19/5b and 19/6 are required for an easement in order to discharge surface and flood water and for all purposes connected with flood management, including the right to enter and re-enter the land to inspect, cleanse and maintain it in connection with such purposes. Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.140** **Objection relating to impact on The Old Rectory, Coedkernew.<sup>40</sup>**
- 2.2.141** Plots 2/11a, 2/11b and 2/11c that are temporarily required for the construction of a pipe run. Plot 2/11 is required for the construction of a new headwall structure, adjacent to the watercourse. An easement right is required over Plot 2/11b for the Welsh Government to enter and re-enter for all purposes connected with the installation, maintenance and replacement of the drainage pipes.
- 2.2.142** **Objection relating to impact on the Side Road modifications at Ashtenne Ltd.<sup>41</sup>**
- 2.2.143** Plot 10/11 has been included within the draft CPO to allow for the highway improvements that are provided for in the draft SRO. From the draft SRO it can be seen that Nash Road and Meadows Road are to be realigned to allow for the crossing of the proposed Motorway. Ashtenne's land does not have any access off Nash Road into their adjacent area of land and therefore there is no new provision provided. Nash Road is diverted onto the industrial estate road known as Nash Mead. Access to Ashtenne's land will not be affected.
- 2.2.144** **Objection relating to impact upon Unit 4 Nash Mead.<sup>42</sup>**
- 2.2.145** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.

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<sup>38</sup> OBJ0232

<sup>39</sup> OBJ0241

<sup>40</sup> OBJ0257

<sup>41</sup> OBJ0301

<sup>42</sup> OBJ0098

- 2.2.146** **Objection relating to impact upon land at 16 Highfield (plots 14/4b, 14/4d, 14/4e, 14/4f and 14/4j.)**<sup>43</sup>
- 2.2.147** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.148** **Objection relating to impact upon land at Orchard Farm.**<sup>44</sup>
- 2.2.149** Plot 16/17c was proposed for visual screening. It is now understood that there are no residential properties to the north of the motorway in this location so there is no need for the visual screening. This will be removed from the draft Orders. Plots 16/17f are required to provide a new Private Means of Access to Orchard Farm. This aligns with the access labelled 15/9a in the published draft SRO. The land would only be required temporarily to provide the access and would be returned to the land owner on the completion of construction. The Welsh Government would be prepared to proceed by way of license if that can be negotiated, as an alternative to the CPO.
- 2.2.150** **Objection relating to loss of land at Church Farm.**<sup>45</sup>
- 2.2.151** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.152** **Objection relating to impact upon Hendrew Farm.**<sup>46</sup>
- 2.2.153** Plot 19/6 is required for an easement in order to discharge surface and flood water and for all purposes connected with flood management, including the right to enter and re-enter the land to inspect, cleanse and maintain it in connection with such purposes. Plot 15/17 is required to provide exchange land to replace field allotments acquired by the Scheme. Plots 14/4a, 14/4b and 14/4c are required for essential mitigation. Plot 14/4c is required for marsh and wet grassland habitat. Plots 14/4a and 14/4b are required for linear belts of shrub and tree planting. Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.

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<sup>43</sup> OBJ0236

<sup>44</sup> OBJ0238

<sup>45</sup> OBJ0239

<sup>46</sup> OBJ0240

- 2.2.154** **Objection relating to impact upon Moorland View**<sup>47</sup>
- 2.2.155** If the Scheme progresses to construction, the eastern access will be required to be closed for a period of approximately 9 months in order to construct the new bridge over the A48, carrying the proposed M4 carriageway. During this time the improved western access, provided in the Side Roads Order (2/13a), would be used to access the properties at Tyn-y-Brwyn. Traffic Management would be in place on the A48 for the safety of road users. After these works are carried out the eastern access would be permanently reinstated.
- 2.2.156** To enable this revised access arrangement to be implemented a modification to the draft Orders will be required.
- 2.2.157** **Objection relating to impact upon Air Products Ltd.**<sup>48</sup>
- 2.2.158** The plots of land required are such that no cessation of supplies are foreseen whilst construction of the proposed M4Can is undertaken. The current Scheme does not require the removal, closure, alteration or stoppage of Air Product pipelines. Plot 12/1 and part of plot 12/2e is required temporarily during the construction works in order to gain access to the site. Plots 11/1(a) 11/2(ax) are required for the tie in of the new Glan Lyn link road to the existing roundabout on the A4810. This would require minor works such as kerb realignment and resurfacing of the existing carriageway.
- 2.2.159** Plot 11/1a is currently in the ownership of the Welsh Ministers and forms part of the A4810. Proposed roundabout works within these Plots would not intend to undertake removal, closure, alteration or stoppage of Air Product pipelines. Plots 8/4k, 8/4n, 8/10, 91/1a, 9/10a, 9/2c, 9/2p and 21/1 are being taken as temporary easement to form part of the temporary requirements to build the permanent Scheme. These requirements will include but not be limited to storage, offices and car parks as well as working area for the construction of the proposed Scheme.
- 2.2.160** **Objection relating to impact upon Dowd's Shipping Ltd.**<sup>49</sup>
- 2.2.161** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing.
- 2.2.162** All through traffic will be maintained during the Scheme. Dowds Shipping Ltd should advise the Welsh Government of the quantity of through traffic so that it may make provision for this.
- 2.2.163** It is the intention of the Welsh Government to ensure business continuity throughout the construction and operation of the Scheme. Discussions are ongoing with ABP regarding proposed bridge clearance.

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<sup>47</sup> OBJ0256

<sup>48</sup> OBJ0289

<sup>49</sup> OBJ0302

- 2.2.164** **Objection relating to impact upon Western Power Distribution's Networks.**<sup>50</sup>
- 2.2.165** Welsh Government's project team is following the advice given in SA 10/05 New Roads and Street Works Act 1991 – Diversionary Works, a DMRB advice note produced in conjunction with the National Joint utilities Group to give proper consideration of utilities that may be impacted upon by the Scheme. The intention is only to acquire Plot 8/14 from WPD for essential licence or access rights. Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing.
- 2.2.166** **Objection relating to impact upon Hanson's property Plot 8/4e.**<sup>51</sup>
- 2.2.167** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.168** **Objection relating to impact upon Liberty Steel Newport.**<sup>52</sup>
- 2.2.169** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.170** **Objection relating to impact upon CJN Engineering Ltd in Newport Docks.**<sup>53</sup>
- 2.2.171** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.
- 2.2.172** **Objection relating to impact upon Jewson and Saint-Gobain in Newport Docks.**<sup>54</sup>
- 2.2.173** The importance of Newport Docks operation to Jewsons in the west of England and Wales region is noted.
- 2.2.174** Discussions have taken place with International Timber who have been asked to submit a Business Case in order to mitigate any loss.
- 2.2.175** Discussions are ongoing with the Welsh Government and ABP to ensure the continued uninterrupted supply of deliveries.
- 2.2.176** The discussions as stated above also include how best to mitigate the land lost during the construction phase and after completion. These discussions, including temporary storage land, are still ongoing with ABP. Jewsons have been requested to provide details of ships that supply timber to Jewsons and Saint-Gobain.

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<sup>50</sup> OBJ0303

<sup>51</sup> OBJ0305

<sup>52</sup> OBJ0308

<sup>53</sup> OBJ0312

<sup>54</sup> OBJ0313

**2.2.177 Objection relating to impact upon Ronnie S Evans in Newport Docks.<sup>55</sup>**

**2.2.178** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.

**2.2.179 Objection relating to impact upon Marshalls Mono Ltd.<sup>56</sup>**

**2.2.180** Engagement has been held to help understand the specific land requirements and associated with the likely impacts of the Scheme. Negotiations of these issues will be ongoing and compensation will be available.

**2.2.181 Objection relating to impact upon the Care Home at Bryn Ivor Lodge.<sup>57</sup>**

**2.2.182** An acknowledgement letter has been issued, with records updated. Engagement is ongoing.

**2.2.183 Objection relating to impact upon property 18/10.<sup>58</sup>**

**2.2.184** An acknowledgement letter has been issued, with records updated. Engagement is ongoing.

**2.2.185 Objection relating to impact upon new build homes at Kingfisher Rise (not on visuals).<sup>59</sup>**

**2.2.186** Three individual residential properties within the permanent land take area for the Scheme in Magor would be lost; there would be no loss of community facilities; and a new area of allotments at Green Moor Lane would be provided to mitigate for the loss of part of the existing site. Overall, it will be submitted that this would not affect the integrity of the settlement as a whole or its key characteristics.

**2.3 Traffic****2.3.1 Objections relating to concerns that the Scheme would lead to more traffic.<sup>60</sup>**

**2.3.2** New roads increase capacity, however it is not capacity that affects the demand for travel, but the ease of travel provided. For instance where roads are un-congested, adding additional capacity has very little effect on travel times or travel costs, so that travel demands are barely affected.

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<sup>55</sup> OBJ0316

<sup>56</sup> OBJ0329

<sup>57</sup> OBJ0339

<sup>58</sup> OBJ0340

<sup>59</sup> OBJ0309, OBJ0311, OBJ0314

<sup>60</sup> OBJ0001, OBJ0052, OBJ0076, OBJ0151, OBJ0208, OBJ0264, OBJ0275, OBJ0283, OBJ0006, OBJ0023, OBJ0136, OBJ0150, OBJ0204, OBJ0258, OBJ0310, OBJ0061, OBJ0275, OBJ0126, OBJ0338

- 2.3.3** However, the case for building a new road is generally made because of congestion on existing road corridors, as is the case with the existing M4. The provision of additional road capacity in a congested corridor, will ease travel conditions and as a consequence some additional traffic in the road corridor will be incurred. A significant proportion of the additional traffic in the road corridor, will arise from existing traffic diverting or re-assigning from other routes, thereby reducing overall congestion on the road network.
- 2.3.4** There may be instances in which entirely new additional traffic arises from a switch from public transport or in terms of new trips arising from the change in travel costs on the road network. However, frequency changes do not arise for all trip purposes and are generally small by nature. In particular trip frequency changes do not occur for commuting trips, but may occur for instance for leisure/shopping trips, which are likely to occur outside of the peak periods.
- 2.3.5** **Objections relating to concerns about increased traffic at Rogiet and surround area, and/or along the B4245.<sup>61</sup>**
- 2.3.6** Traffic volumes along the B4245 are forecast to reduce both through Magor and east of Caldicot, due to traffic re-routing to use the new junction to access the motorway network. Traffic forecasts indicate that traffic on the B4245 in the vicinity of the new junction are forecast to increase due to traffic from Caldicot and Rogiet using the junction to access the motorway network.
- 2.3.7** Traffic volumes on the B4245 immediately east of the new junction could be expected to increase by around a half compared to the traffic volumes without the Scheme in place. An assessment of the road type, predicted traffic flows and capacity of the B4245 between Undy and Station Road, Rogiet has shown that all sections would operate within capacity / suggested flow range when assessed in accordance with highway standards.
- 2.3.8** **Objections relating to concerns about congestion at and around the Severn Tunnel Junction railway station.<sup>62</sup>**
- 2.3.9** The proposed M4/M48/B4245 junction arrangement would improve access to the surrounding area of Magor, Undy, Rogiet and Caldicot, including to Severn Tunnel Junction station. In developing the M4CAN proposals the project team have liaised with officials from Monmouthshire County Council. Monmouthshire County Council is currently carrying out a public consultation regarding access and parking facilities at Severn Tunnel Junction station.
- 2.3.10** **Objections suggesting demand management measures encouraged reduced need to travel, including working from home.<sup>63</sup>**
- 2.3.11** Between 2010 and 2013 more than 100 possible measures were considered, including network improvements, network management, demand management, alternative modes of transport and smarter sustainable choices. Some of the measures considered avoided road building. These were subject to consultation.

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<sup>61</sup> OBJ0004, OBJ0009, OBJ0151, OBJ0206, OBJ0197

<sup>62</sup> OBJ0004, OBJ0009, OBJ0099

<sup>63</sup> OBJ0008, OBJ0150, OBJ0162, OBJ0279, OBJ0310

The conclusion of Welsh Government was that a new section of motorway to the south of Newport was the sustainable, long term solution that would address the problems. This preferred strategy was set out in the draft Plan for the M4 Corridor around Newport which was consulted upon in 2013. The Plan was adopted in July 2014, following the consideration of consultation responses. Following the adoption of the Plan, Friends of the Earth brought a Judicial Review to the High Court of Justice Queen's Bench Division Planning Court in Wales, which was heard in March 2015. All grounds of challenge were dismissed. Since that time the focus has been on design development.

**2.3.12** From information published by the Office for National Statistics, there were 4.2 million home workers in the UK in January-March 2014 or 13% those in work. Of these home workers, around 1.5 million (or 5% of those in work) worked within their home or its grounds, while the remaining 2.4 million people (8.9% of those in work) used their homes as a base but worked in a different place. However, taking figures for Wales as a whole the percentage of homeworkers in the same period was slightly higher at 14%. However, the percentage point increase between 2008 and 2014 in Wales was 0.1%, the lowest in Great Britain. This suggests that the demand for homeworking in Wales is levelling off and that such methods of working are now well established.

**2.3.13** **Objections including request for traffic data which has informed the J23 and J23A design.**<sup>64</sup>

**2.3.14** Information about the base year transport model and its subsequent validation has been provided. Traffic forecasts have been produced to inform the operational, economic and environmental evaluations of the new section of motorway to the south of Newport. The following scenarios have been tested:

- A 'Do Minimum' scenario, in which committed transport improvement schemes have been added to the base year network; and
- A 'Do Something' scenario, which includes the proposed new section of motorway to the south of Newport and reclassification of the existing M4 around Newport to an all-purpose road.

**2.3.15** **Objections relating to concerns about the need for the Scheme in terms of traffic.**<sup>65</sup>

**2.3.16** In summary, unreliable journey times and traffic congestion, particularly during peak times, are common occurrences on the M4 around Newport. This is due to the lack of capacity and alternative routes, especially during incidents and accidents. The level of congestion is expected to increase.

**2.3.17** The existing M4 motorway between Magor and Castleton does not meet modern motorway design standards and a greater volume of traffic uses it than for which it was originally designed.

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<sup>64</sup> OBJ0026

<sup>65</sup> OBJ0113, OBJ0134, OBJ0149, OBJ0153, OBJ0243, OBJ0247, OBJ248, OBJ259, OBJ0288, OBJ0307, OBJ0310, OBJ0102, OBJ0188, OBJ248, OBJ0287, OBJ0148, OBJ0074

- 2.3.18** The M4 motorway between J24 and J29 is the most heavily trafficked section of road in Wales, forming part of strategic routes to the south west, Midlands and the south east of England. This section of the M4 is often congested, especially during weekday peak periods, resulting in slow and unreliable journey times, stop-start conditions, and with incidents frequently causing delays. Traffic forecasts show that the problems will worsen in the future.
- 2.3.19** For further information, the Local Model Validation Report shows current travel conditions, and is the basis for undertaking traffic forecasting and economic assessment. The Traffic Forecasting Report forecasts the traffic for different future scenarios.
- 2.3.20** **Objections relating to concerns about the transport forecasting.**<sup>66</sup>
- 2.3.21** The Traffic Forecasting Report provides forecasts for different future scenarios, with and without the Scheme.
- 2.3.22** The traffic forecasts that have been prepared are based on traffic growth projections from the National Trip End Model (NTEM) and have been developed in accordance with Guidance in WebTAG Unit M4.
- 2.3.23** **Objections relating to concerns about increased traffic on the A48(M) as a result of the Scheme and/or that the M4 Scheme will have a negative impact upon Cardiff's road network.**<sup>67</sup>
- 2.3.24** The traffic forecasts indicate that, with the Scheme in place, the Average daily traffic levels along the A48(M) would be expected to increase by around 2% in the 2022 opening year and 4% in the 2037 design year compared to the situation without the Scheme. Although the A48(M) currently experiences operational problems, particularly during peak periods on weekdays, the Scheme is not expected to materially affect those operational problems.
- 2.3.25** The Scheme would provide congestion relief to both the strategic and local traffic using the M4 Corridor around Newport and remove the bottleneck created at Brynglas. The Scheme aims to address issues of capacity, resilience, safety and sustainable development on the M4 around Newport. As set out within Chapter 4 of the Environmental Statement, studies have shown that new or improved public transport services would only have minimal impact in terms of reducing traffic on the M4. Investment in public transport measures is therefore aimed at achieving wider benefits to the region than relieving motorway traffic. In parallel with the Scheme, Welsh Government is taking forward a Cardiff Capital Region Metro. The Metro is seeking to improve accessibility to local employment sites, educational facilities and services within the Region and is complementary to the M4 Corridor around Newport proposals.

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<sup>66</sup> OBJ0125, OBJ0136

<sup>67</sup> OBJ0154, OBJ0022, OBJ0131

- 2.3.26** **Objections relating to concerns that should the Severn Crossing tolls be abolished there would be even more traffic.**<sup>68</sup>
- 2.3.27** The traffic forecasts produced for the Scheme assume that the Severn tolls would be removed before the Scheme opening year. However, if tolls were retained then it would be expected that traffic along the M4 would decrease compared to the no tolls situation.
- 2.3.28** **Objections relating to concerns about the traffic impact of the proposed interchange on the B4245 between Undy and Rogiet.**<sup>69</sup>
- 2.3.29** The existing M4 J23A (Magor) is not being relocated. At this location the junction arrangement would not be changed, with existing accesses to the A4810 and Magor Motorway Service Area maintained.
- 2.3.30** The proposed junction arrangement at J23 (east of Magor and Undy) would provide a connection between the proposed new section of motorway to the south of Newport, and the existing M4, M48 and B4245 roads. This would improve accessibility, including to Severn Tunnel Junction railway station, and improve network resilience. Following the completion of the proposed junction, traffic volumes along the B4245 are forecast to reduce both through Magor and east of Caldicot due to traffic re-routing to use the new junction to access the motorway network which would benefit these communities.
- 2.3.31** **Objections based on assertion Superfast Cymru will reduce the need for road travel.**<sup>70</sup>
- 2.3.32** The UK Broadband Impact Study Report predicts that by 2024, without accounting for a population and economic growth, a rise in teleworking could result in a 2% decrease in total commuting travel distance compared to 2008. The decrease has been predominately in car usage (81%). ‘Rebound’ assumptions for the saved commuting trips (due to trips being made anyway, which would otherwise be made in the course of a commuting trip, e.g. for shopping, or dropping children off at school) were of the order of 25% for car commute. The report also suggests total business travel distance would reduce by 9% of the 2008 total, largely through the reduction in car usage (80%) However, the study did not take into consideration population growth or other drivers of demand such as economic growth. The study also concluded that increased teleworking is more likely to result in people working a few days per month from home, rather than teleworking full-time. The M4 Corridor around Newport Transport Model has a 2014 base year and thus some of the predicted reduction has already been accounted for between 2008 and 2014.

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<sup>68</sup> OBJ0206

<sup>69</sup> OBJ0079, OBJ0210, OBJ0292

<sup>70</sup> OBJ0275

## 2.4 Economics

### 2.4.1 Objections relating to concerns about the cost, value for money and/or alleged economic benefits of the Scheme.<sup>71</sup>

**2.4.2** The project has been estimated to cost £1,093m excluding VAT and inflation. It would be funded through a combination of UK Government borrowing and Welsh Government Transport capital budgets.

**2.4.3** It is anticipated that three quarters of the costs of the project would be spent within the Welsh supply chain, with the remainder being spent on specialist products and services not currently available locally.

**2.4.4** The economic performance of the Scheme has been assessed by comparing the costs with the benefits that would be achieved. The costs include both the construction costs and the future maintenance costs. The benefits considered include journey time savings, vehicle operating costs and changes in accident costs.

**2.4.5** Economic appraisal has indicated that the economic benefits of the Scheme exceed the costs, such that the Scheme represents value for money. When taking into account wider economic benefits, the benefits of the Scheme are expected to outweigh the costs by a ratio of almost three to one. However, importantly there are also a range of anticipated economic benefits that are not quantifiable and these must also be considered. The Scheme would also result in improved journey time reliability and would reduce the costs of delays due to traffic incidents. The effects of this are not quantifiable but are expected to be of significant benefit to the Welsh economy.

**2.4.6** The construction of a Scheme of this nature would have economic impacts in its own right, and whilst employment effects of the Scheme are temporary, the investment in training associated with the Scheme is expected to have a lasting impact on the construction sector in the region.

**2.4.7** In addition, during the operational phase, the Scheme is expected to result in reduced transport costs for businesses and increased access to employment opportunities by improving journey times. The Scheme will enhance transport links to key employment sites.

**2.4.8** Overall, the Scheme is expected to improve perceptions of South Wales as a place to visit and do business, and stimulate new investment.

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<sup>71</sup> OBJ0017, OBJ0045, OBJ0092, OBJ0135, OBJ0162, OBJ0163, OBJ0164, OBJ0168, OBJ0181, OBJ0188, OBJ0192, OBJ0203, OBJ0206, OBJ0243, OBJ0258, OBJ0259, OBJ0262, OBJ0314, OBJ0335, OBJ0092, OBJ0265, OBJ0292, OBJ0018, OBJ0024, OBJ0125, OBJ0154, OBJ0307, OBJ0310, OBJ0314, OBJ0338, OBJ0026, OBJ0139, OBJ0150, OBJ0167, OBJ0177, OBJ0185, OBJ0247, OBJ0108, OBJ0283, OBJ0263, OBJ0264, OBJ0285, OBJ0286, OBJ0300, OBJ0081, OBJ0149, OBJ0251, OBJ0290, OBJ0031

### **2.4.9** **Objections relating to concerns that the Severn Bridge tolls would finance the proposals.**<sup>72</sup>

**2.4.10** The Scheme would be funded through a combination of UK Government borrowing and Welsh Government Transport capital budgets. The Scheme would not be financed by the Severn Bridge tolls. The Severn Bridges Act 1992 enables the Secretary of State, once in public ownership, to retain tolls on the Severn Crossings until 2022 and no later than 2027. The opening year for the Scheme and completion of the reclassification works to the existing M4 is 2022, such that unless new legislation is agreed between the Department for Transport and the Welsh Government, the collection of Severn Crossing Tolls will likely cease by the opening year, but could feasibly be in place for first five years of the Scheme's completion.

## **2.5** **Port and Shipping**

### **2.5.1** **Objections relating to concerns about impacts on Newport Docks and vessel restrictions to North Dock.**<sup>73</sup>

**2.5.2** The Scheme would pass over the Newport Docks which are owned and operated by Associated British Ports (ABP).

**2.5.3** The River Usk Crossing viaducts would allow access beneath for ABP's land and water based operations.

**2.5.4** The new bridge across the River Usk and Newport Docks would be a 440m main span cable-stayed bridge (a similar type of structure to the Second Severn Crossing). Clearance would allow for the passage of ships, with a minimum clearance of 25.5m above the docks being provided. Those ships that will not be able to pass beneath the bridge will still be able to be accommodated within the South Dock. In addition, alternative charter arrangements will be able to be made, with different ships to those currently used being able to access north dock, notwithstanding the construction of the bridge.

**2.5.5** Engagement with ABP (and others) has been ongoing since the early 1990s in order to try to remove or minimise the impacts of the Scheme on the Port of Newport. More recent negotiations have explored the Welsh Government's proposals to utilise the spare capacity in the South Dock, alongside reviews of suggested revised alignments and access/easement arrangements.

**2.5.6** In addition, the provision of the new Docks Way motorway junction would provide journey time and accessibility benefits to the users and operators of the Port of Newport, and contribute to making this area more attractive for investment with associated commercial and economic benefits. Therefore, operational considerations need to be balanced against the benefits of improved transport links to Newport Docks.

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<sup>72</sup> OBJ0206

<sup>73</sup> OBJ0147, OBJ0177, OBJ0299, OBJ0315, OBJ0206, OBJ0206, OBJ0112, OBJ0302

**2.5.7** Evidence will be presented on the impact of the Scheme on Docks operations and shipping using the Port of Newport. The Welsh Government is awaiting information on the various assertions made in ABP's objection to the draft Orders. The Welsh Government will present evidence to demonstrate that there will be no serious detriment to ABP and the Port of Newport any adverse impacts on ABP and the Port of Newport are outweighed by the benefits of the Scheme to users and operators of the Port, and for the wider public interest.

**2.5.8** **Objections relating to effects on the security of the Port of Newport<sup>74</sup>**

**2.5.9** The Port Security Authority (for the Maritime Security for the Port of Newport) has a duty to review the port security assessment and port security plan when there is a "major operational change" or "major structural change" in the port, and amend the assessment and plan accordingly. The Welsh Government has offered to meet with the Port Security Authority to discuss the relevant construction and operational information of the M4 Corridor around Newport in the vicinity of the Port of Newport in order to help the Port Security Authority to comply with the relevant statutory obligations.

**2.5.10** The Welsh Government has asked to have sight of the current approved security plan for the Port of Newport and the notice of the security level, which the Secretary of State has given for the Port of Newport. Engagement is ongoing to discuss what amendments would be required to the current security plan and how any amendments would affect the current operation of the Port of Newport

## **2.6** **Landscape & Visual**

**2.6.1** **Objections relating to concerns about the impact of the Scheme on the local landscape, suggesting that it would spoil the distinctive and historic landscape and natural beauty of the area.<sup>75</sup>**

**2.6.2** The effect of the Scheme on landscape character has been assessed in accordance with appropriate guidance and is reported in Chapter 9 of the Environmental Statement (ES).

**2.6.3** It is recognised that currently the sense of tranquillity increases the further south on the Gwent Levels as the distance between the rural landscape and the industrial features of Newport, main roads and rail links increases.

**2.6.4** Despite aligning the proposed new section of motorway as far north as possible to the south of Newport without having a significant detrimental effect of existing residential areas of Newport it is acknowledged that, during construction and operation, the new section of motorway would have a large or very large adverse effect on the landscape character of the Levels. That effect has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

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<sup>74</sup> OBJ0095

<sup>75</sup> OBJ0119, OBJ0123, OBJ0146, OBJ0164, OBJ0199, OBJ0281, OBJ0332, OBJ0089, OBJ0177

- 2.6.5** **Objections relating to concerns about the visual impact on the ancient landscape of the Gwent Levels.<sup>76</sup>**
- 2.6.6** The visual impact of the Scheme has been assessed in accordance with appropriate guidance and is reported in Chapter 9 of the Environmental Statement (ES) during the construction period, the Opening Year (2022) and fifteen years after opening (Design Year: 2037), from approximately 97 representative locations across the Gwent Levels including at 53 residential properties, 4 non-residential properties, 27 on public rights of way, and a further 13 on roads and other transport routes.
- 2.6.7** The level of visual impact at any particular location is partly a function of the distance from the Scheme but often, and more importantly, the nature and density of intervening vegetation and other elements in the view. It is acknowledged that, during construction and operation of the new section of motorway, there would be a significant adverse visual impact on parts of the Gwent Levels.
- 2.6.8** In 2022 no significant views of the Scheme would be visible from 74% of the representative locations across the Wentlooge and Caldicot Levels, increasing to 88% fifteen years later. The residual effects of the proposed new section of motorway, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole..
- 2.6.9** **Objections relating to concerns that the Scheme would lead to unacceptable development with a detrimental effect on green belt land.<sup>77</sup>**
- 2.6.10** Local planning allocations, policies and development control these matters which are the responsibility of local planning authorities. The responsible local planning authorities along the proposed route include Cardiff Council, Newport City Council and Monmouthshire County Council.
- 2.6.11** All local planning authorities in Wales are required to produce local development plans for their areas of responsibility.
- 2.6.12** The proposed route of the Scheme is protected for planning purposes, and is identified within the relevant local development plans.
- 2.6.13** There are no 'green belt' allocations made within the relevant local development plans, but some land is identified as open countryside, with associated local planning policies for proposed development in the open countryside.
- 2.6.14** Wherever reasonably possible the proposed route goes through brownfield land (previously developed land), contaminated land, or areas next to land allocated for development within the relevant local development plans.

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<sup>76</sup> OBJ0037, OBJ0058, OBJ0085, OBJ0091, OBJ0105, OBJ0106, OBJ0111, OBJ0114, OBJ0139, OBJ0173, OBJ0175, OBJ0176, OBJ0179, OBJ0180, OBJ0183, OBJ0194, OBJ0198, OBJ0204, OBJ0249, OBJ0251, OBJ0258, OBJ0261, OBJ0282, OBJ0284, OBJ0290, OBJ0293, OBJ0318, OBJ0334, OBJ0130, OBJ0141, OBJ0144

<sup>77</sup> OBJ0123

### **2.6.15** **Objections relating to concerns about the impact on the character of the village of Magor.<sup>78</sup>**

**2.6.16** The environmental assessment on 'Community and Private Assets' is set out in Chapter 15 of the Environmental Statement for the Scheme. This shows that 3 individual residential properties within the permanent land take area for the Scheme in Magor would be lost; there would be no loss of community facilities; and a new area of allotments at Green Moor Lane would be provided to mitigate for the loss of part of the existing site. Overall, it is considered that this would not affect the integrity of the settlement as a whole or its key characteristics.

**2.6.17** During construction it is acknowledged that there would be some changes to traffic arrangements in Magor and the surrounding area as well as temporary changes to the amenity of community facilities and private assets within the settlement. During this time the Welsh Government with the selected principal contractor will be committed to working closely with the two local authorities and other key stakeholders to minimise the community and environmental impact of the Scheme. There will be full adherence with the legal constraints of the Control of Pollution Act 1974, along with full engagement with the objectives of the Considerate Constructors Scheme. The objectives of the Scheme include good communication and an effective response to issues raised by the public. The platform for delivery will be an effective 'Communication Plan' which would include a dedicated public liaison officer, pre-construction exhibitions, a visitor centre, advance work information notices, project newsletters, project website, a 24 hour helpline and complaints and enquiries procedure.

**2.6.18** Following the completion of the construction works traffic volumes along the B4245 are forecast to reduce both through Magor and east of Caldicot due to traffic re-routing to use the new junction to access the motorway network which would benefit these communities.

**2.6.19** There is the potential for an alteration in the amenity of some individual properties located along the alignment of the Scheme during the operational phase, as a result of changes to their visual and noise environments. Some receptors on the edge of Magor and Undy and within the settlements would have views in daylight hours of the new section of motorway, Junction 23A and the M4/M48 junction, which would mostly be screened or filtered by the maturing linear tree and shrub belts on the embankments along the Scheme. Views of the new section of motorway from Magor Marsh Nature Reserve would be screened by the woodland and vegetation within and surrounding the nature reserve and residential properties within Magor.

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<sup>78</sup> OBJ0053

**2.6.20** With respect to noise, measures have been incorporated into the design of the Scheme to reduce noise for receptors along some sections of the new section of motorway, including the provision of a thin road surface system which provides noise attenuation and screening in the form of planting, bunding and retaining walls. In addition, noise barriers are proposed along some new sections of motorway including:

- North of Magor from Newport Road and Vinegar Hill – providing attenuation to approximately 150 properties.
- West of Magor running south from Green Moor Lane - providing attenuation to approximately 100 properties and Caldicot Levels.

**2.6.21** **Objection with regards to the wooded escarpment to the north of the A48 near Castleton Interchange<sup>79</sup>**

**2.6.22** With regard to the existing wooded embankment to the north of the A48 at Castleton, between the A48 and the existing M4, apart from the belt of trees immediately to the north of the A48 the construction of the westbound off slip from the new section of motorway to the link from the M4 into Cardiff (i.e. to existing M4 J29a) would, for all intents and purposes, require all existing woodland to be felled. Every endeavour however would be made to retain the aforementioned belt of trees. New structure planting would take between 10 and 15 years to become effective in providing screening. The use of young and/or semi-mature planting to provide an 'instant' visual screen is not recommended as such planting often fails or does not mature to its full potential and is therefore not effective in the long term.

**2.6.23** **Objections relating to concerns about visual impact, in particular of being overshadowed by the structures.<sup>80</sup>**

**2.6.24** The visual impact of the Scheme has been assessed in accordance with appropriate guidance and is reported in Chapter 9 of the Environmental Statement (ES) during the construction period, the Opening Year (2022) and fifteen years after opening (Design Year: 2037), from approximately 97 representative locations across the Gwent Levels including at 53 residential properties, 4 non-residential properties, 27 on public rights of way, and a further 13 on roads and other transport routes.

**2.6.25** The level of visual impact at any particular location is partly a function of the distance from the Scheme but often, and more importantly, the nature and density of intervening vegetation and other elements in the view. It is acknowledged that, during construction and operation of the new section of motorway, there would be a significant adverse visual impact on parts of the Gwent Levels.

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<sup>79</sup> OBJ0022

<sup>80</sup> OBJ0139, OBJ0174

- 2.6.26** In 2022 no significant views of the Scheme would be visible from 74% of the representative locations across the Wentlooge and Caldicot Levels, increasing to 88% fifteen years later. The residual effects of the proposed new section of motorway, including taking into consideration all of the proposed mitigation, have to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.
- 2.6.27** **Objections relating to concerns that the route is going through a residential and environmentally precious area.**<sup>81</sup>
- 2.6.28** Whilst earlier options considered and consulted upon by the Welsh Government included some that passed through the middle of the Gwent Levels, much of which are designated as Sites of Special Scientific Interest, the proposed route now takes an alignment located as far as possible towards the northern edge of the Gwent Levels.
- 2.6.29** Taking into account various physical constraints, including the Gwent Levels themselves, the alignment is as far north as possible, in order to minimise impacts on the Sites of Special Scientific Interest, so far as is possible, whilst being to the south of Newport and without having a significant detrimental effect on the existing residential areas of Duffryn and those proposed on the former steelworks site at Llanwern.
- 2.6.30** **Objections relating to concerns about the impact the proposed interchange will have on Llanfihangel Rogiet and the view from 1 Windmill Cottage, Windmill Lane, Rogiet.**<sup>82</sup>
- 2.6.31** The visual impact of the Scheme has been assessed in accordance with appropriate guidance and is reported in Chapter 9 of the Environmental Statement (ES) during the construction period, the Opening Year (2022) and fifteen years after opening (Design Year: 2037), from approximately 30 representative locations in the Llanfihangel Rogiet area including approximately 23 residential properties, 2 non-residential properties, 4 public rights of way and roads and other transport routes in the area.
- 2.6.32** The level of visual impact at any particular location is partly a function of the distance from the Scheme but often, and more importantly, the nature and density of intervening vegetation and other elements in the view as well as the nature of the existing view. It is acknowledged that, during construction and operation of the new section of motorway, there would be a significant adverse visual impact on parts of Llanfihangel Rogiet and surroundings, with all receptors identified as having views of the new section of motorway being subject to a moderate or large significance of effect on their views in 2022.

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<sup>81</sup> OBJ0172

<sup>82</sup> OBJ0004, OBJ0020, OBJ0210

- 2.6.33** Fifteen years later the significance of effect would have reduced for all these receptors due to the maturing screen planting and growth of intervening vegetation and approximately 80% of them would no longer be subject to a significant effect on their views.
- 2.6.34** The residual effects of the proposed new section of motorway, including taking into consideration all of the proposed mitigation, have to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.
- 2.6.35** **Objections relating to concerns about proximity of proposed road in relation to noise and visibility from Arch Farm.<sup>83</sup>**
- 2.6.36** A Proximity Plan has been provided in correspondence and demonstrates the farmstead is approximately 270m from the nearest part of the proposed Scheme. Also provided included a visualisation representation of the Scheme, to aid the understanding of the visual impact.
- 2.6.37** Arch Farm farmhouse current experiences a noise level of approximately 43 (expressed in decibels, dB LA10) which is relatively quiet. With the new section of motorway operating it is predicted that this level would increase by around 10 dB(A) to approximately 53 – 55 dB(A) 15 years after the opening of the motorway with all mitigation in place. Although this would be noticeable in both the short and long term and result in a significant change in the acoustic character of the area it is well below the 68 dB LA10 threshold used for assessment under the Land Compensation Act 1973 for eligibility for noise insulation.
- 2.6.38** **Objections relating to concerns about proximity of proposed road to residential dwelling and suggestion of an alternative dwelling to the north of the New Park Farm buildings to help mitigate the effect of the Scheme.<sup>84</sup>**
- 2.6.39** A meeting has been held and it was expressed that a planning application may be forthcoming to move the New Park Farm residential dwelling in order to mitigate the effects of the Scheme on the residential dwelling. During the meeting planning and compensation matters were discussed and negotiations are ongoing.

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<sup>83</sup> OBJ0218

<sup>84</sup> OBJ0227

## 2.7 Cultural Heritage

### 2.7.1 **Objections relating to concerns about the demolition of a listed building at Magor.**<sup>85</sup>

**2.7.2** The Vicarage, Magor (also known as Woodland House) was built in 1861 and is a Grade II listed building because it is a good example of a largely unaltered mid-19th century architect-designed vicarage with mostly contemporary fittings. The listing of buildings is the responsibility of Cadw, and determination of Listed Building Consent is in the first instance the responsibility of the local authority, in this case Monmouthshire County Council, unless subject to appeal or call in.

**2.7.3** The vicarage was first listed in 1995 at about the same time as the corridor for the new section of motorway was protected against development. Unfortunately, given its location and the physical constraints of a suitable highway route around Magor demolition is required. The fabrics of seventeen other listed buildings in the vicinity of the Scheme are unaffected.

**2.7.4** Should the draft Orders be confirmed and the Scheme goes ahead a detailed record of the building would be made prior to demolition. Further details of the mitigation proposed are set out in the Cultural Heritage Management Plan - Appendix 8.10 of the Environmental Statement.

**2.7.5** The effect of the proposed new section of motorway on cultural heritage, taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

**2.7.6** Prior to the Public Local Inquiry, the Welsh Ministers intend to make an application to Monmouthshire County Council under section 10 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the demolition of the Grade II listed building at Magor.

### 2.7.7 **Objections relating to concerns about the potential impact on the historic environment.**<sup>86</sup>

**2.7.8** The effect of the Scheme on the local historic environment has been assessed in accordance with appropriate guidance and is reported in Chapter 8 of the Environmental Statement (ES). The historic environment includes archaeological sites, historic buildings and historic landscapes.

**2.7.9** The assessment has identified that the Scheme would have a long term adverse effect on the Gwent Levels Landscape of Outstanding Historic Interest. There would also be a permanent adverse effect resulting from the demolition of the Grade II listed Magor Vicarage and a long term adverse effect on one Scheduled Monument (a standing stone east of Undy) and on a Grade II listed farmhouse (Tatton Farm) due to changes within their settings. Further, lesser effects are also identified in the assessment in the ES.

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<sup>85</sup> OBJ0006, OBJ0052, OBJ0083, OBJ0152, OBJ0206

<sup>86</sup> OBJ0012, OBJ0024, OBJ0134, OBJ0144, OBJ0277, OBJ0282, OBJ0281, OBJ0332

- 2.7.10** A significant volume of remote sensing survey and deposit modelling has been undertaken (ES Appendices 8.4, 8.6, 8.7 & 8.8) to inform an understanding of the archaeological potential along the route and across the Gwent Levels. This has informed a proposed programme of further archaeological investigation which is described in a Cultural Heritage Mitigation Plan (ES Appendix 8.10).
- 2.7.11** The effect of the proposed new section of motorway on the historic environment, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.
- 2.7.12** **Objections relating to concerns about archaeological implications including discovery and recording.**<sup>87</sup>
- 2.7.13** In addition to the planned programme of archaeological investigations which would be undertaken throughout the Scheme, an archaeological watching brief would be maintained at all other locations where construction works have the potential to impact on presently unknown archaeological remains. Agreed protocols are in place to ensure that any such discovered archaeological remains are dealt with in a manner commensurate with their importance. An adequate contingency sum has been included within the Scheme budget to cover the costs of this additional archaeological work, which would be managed within the overall construction programme through a process of liaison between the Scheme Archaeologist, the appointed Archaeological Contractor, the construction managers and also (if appropriate) Cadw.
- 2.7.14** **Objections relating to concerns about the impact on the Gwent Levels ancient landscape.**<sup>88</sup>
- 2.7.15** The effect of the Scheme on the local historic environment has been assessed in accordance with appropriate guidance and is reported in Chapter 8 of the ES. The historic environment includes archaeological sites, historic buildings and historic landscapes.
- 2.7.16** The assessment has identified that the Scheme would have a long term adverse effect on the Gwent Levels Landscape of Outstanding Historic Interest. There would also be a permanent adverse effect resulting from the demolition of the Grade II listed Magor Vicarage and a long term adverse effect on one Scheduled Monument (a standing stone east of Undy) and on a Grade II listed farmhouse (Tatton Farm) due to changes within their settings. Further, lesser effects are also identified in the assessment ES.

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<sup>87</sup> OBJ0024, OBJ0185, OBJ0314

<sup>88</sup> OBJ0039, OBJ0040, OBJ0041, OBJ0060, OBJ0065, OBJ0083, OBJ0085, OBJ0086, OBJ0093, OBJ0094, OBJ0105, OBJ0109, OBJ0144, OBJ0178, OBJ0184, OBJ0198, OBJ0244, OBJ0282, OBJ0284, OBJ0282

- 2.7.17** A significant volume of remote sensing survey and deposit modelling has been undertaken (ES Appendices 8.4, 8.6, 8.7 & 8.8) to inform an understanding of the archaeological potential along the route and across the Gwent Levels. This has informed a proposed programme of further archaeological investigation which is described in a Cultural Heritage Mitigation Plan (ES Appendix 8.10).
- 2.7.18** The effect of the proposed new section of motorway on the historic environment, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.
- 2.7.19** **Objections relating to concerns about the impact upon the Standing Stone east of Undy (Llanfihangel).**<sup>89</sup>
- 2.7.20** The Llanfihangel standing stone (also known as the Devil's Quoit) would not be removed. It would remain at the base of a slightly realigned motorway embankment and there would be a water treatment area just to the west of the monument. There would be access to the standing stone from the B4245 Caldicot Road and the monument would be signed from the road. An information board would be placed near to the standing stone and would explain the likely nature and date of the monument.
- 2.7.21** **Objections relating to concerns about the impact upon Llanfihangel Rogiet Church.**<sup>90</sup>
- 2.7.22** Chapter 8 of the Environmental Statement (ES) provides a detailed and comprehensive assessment of the effects of the Scheme on cultural heritage receptors. Paragraphs 8.8.116 to 8.8.120 address the likely effect on the Church of St Michael and All Angels at Llanfihangel as a result of change within its setting, including visual change and also noise. The assessment concludes that the magnitude of impact on the Grade II\* listed church would be minor.
- 2.7.23** This assessment has been reviewed by Welsh Government's independently appointed Archaeological Curator and found to be acceptable.

## **2.8 Ecology & Nature Conservation**

- 2.8.1** **Objections relating to concerns about the Scheme being environmentally damaging with significant negative impacts on the legally protected and nationally important sites for wildlife (including nine sites of importance for Nature Conservation and Gwent Levels designated as a Site of Special Scientific Interest (SSSI) and the River Usk SSSI and Special Area of Conservation (SAC)).**<sup>91</sup>

<sup>89</sup> OBJ0052, OBJ0083, OBJ0152

<sup>90</sup> OBJ0132, OBJ0210

<sup>91</sup> OBJ0012, OBJ0092, OBJ0117, OBJ0132, OBJ0144, OBJ0166, OBJ0174, OBJ0182, OBJ0187, OBJ0196, OBJ0262, OBJ0285, OBJ0008, OBJ0001, OBJ0005, OBJ0020, OBJ0027, OBJ0029, OBJ0030, OBJ0035, OBJ0037, OBJ0039, OBJ0040, OBJ0041, OBJ0042, OBJ0043, OBJ0044, OBJ0106, OBJ0282, OBJ0134, OBJ0024, OBJ0028, OBJ0032, OBJ0045, OBJ0055, OBJ0057, OBJ0032, OBJ0045, OBJ0055, OBJ0057, OBJ0060, OBJ0061, OBJ0065, OBJ0074, OBJ0088,

- 2.8.2** Chapter 10 of the Environmental Statement provides a detailed and comprehensive assessment of the effect of the Scheme on ecology.
- 2.8.3** The Gwent Levels are designated as a series of Sites of Special Scientific Interest (SSSI) primarily because of their reed and ditch habitats, the aquatic vegetation, insect and invertebrate species that those habitats support, and for the presence of the Shrill carder bee. The route corridor also supports other wildlife including badger, birds, bats, dormouse, great crested newt and other amphibians, otter, reptiles and water vole.
- 2.8.4** It is acknowledged that the construction and/or operation of new section of motorway would have a likely significant adverse long-term effect on the series of SSSIs, and on nine locally designated Sites of Interest for Nature Conservation (SINCs) due to habitat loss of grazing marsh, lowland mixed deciduous woodland, hedgerows, saltmarsh, and open mosaic habitats on previously developed land. Species potentially significantly affected in the long term include the shrill carder bee and other terrestrial invertebrates, otter and Cetti's warbler.
- 2.8.5** Neither the Newport Wetlands National Nature Reserve and RSPB Reserve, nor the Magor Marsh and Great Traston Meadows Gwent Wildlife Trust Nature Reserves would be significantly affected, although a small area of land owned by the Gwent Wildlife Trust would be acquired.
- 2.8.6** Welsh Government is under a legal duty to take reasonable steps to further the conservation and enhancement of the flora and fauna by reason of which the Gwent Levels are designated as SSSI. It recognised that without appropriate mitigation the Scheme could have a significant adverse impact on many habitats and protected species found along the route.
- 2.8.7** Having consulted with Natural Resources Wales (NRW) strategies have been developed for drainage and reed mitigation to minimise impacts on the SSSIs and a range of mitigation measures have been proposed. These measures are integral to and embedded within the Scheme design or would be provided as additional mitigation. They include:

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OBJ0089, OBJ0282, OBJ0128, OBJ0160, OBJ0255, OBJ0275, OBJ0314, OBJ0058, OBJ0060, OBJ0060, OBJ0063, OBJ0064, OBJ0065, OBJ0066, OBJ0070, OBJ0074, OBJ0075, OBJ0076, OBJ0077, OBJ0082, OBJ0083, OBJ0084, OBJ0084, OBJ0086, OBJ0091, OBJ0093, OBJ0094, OBJ0100, OBJ0102, OBJ0106, OBJ0107, OBJ0108, OBJ0109, OBJ0111, OBJ0112, OBJ0113, OBJ0114, OBJ0115, OBJ0116, OBJ0121, OBJ0128, OBJ0129, OBJ0131, OBJ0132, OBJ0135, OBJ0135, OBJ0139, OBJ0141, OBJ0144, OBJ0149, OBJ0150, OBJ0154, OBJ0156, OBJ0158, OBJ0161, OBJ0162, OBJ0163, OBJ0165, OBJ0167, OBJ0168, OBJ0173, OBJ0175, OBJ0176, OBJ0178, OBJ0183, OBJ0184, OBJ0185, OBJ0186, OBJ0189, OBJ0191, OBJ0194, OBJ0067, OBJ0077, OBJ0102, OBJ0109, OBJ0121, OBJ0146, OBJ0173, OBJ0178, OBJ0185, OBJ0058, OBJ0093, OBJ0106, OBJ0252, OBJ0197, OBJ0198, OBJ0199, OBJ0203, OBJ0206, OBJ0243, OBJ0244, OBJ0246, OBJ0248, OBJ0249, OBJ0250, OBJ0251, OBJ0252, OBJ0253, OBJ0255, OBJ0258, OBJ0262, OBJ0263, OBJ0265, OBJ0266, OBJ0272, OBJ0275, OBJ0279, OBJ0281, OBJ0282, OBJ0284, OBJ0286, OBJ0290, OBJ0293, OBJ0294, OBJ0295, OBJ0299, OBJ0307, OBJ0310, OBJ0315, OBJ0318, OBJ0319, OBJ0323, OBJ0324, OBJ0328, OBJ0331, OBJ0333, OBJ0334, OBJ0335, OBJ0336, OBJ0113, OBJ0115, OBJ0118, OBJ0123, OBJ0128, OBJ0132, OBJ0140, OBJ0155, OBJ0169, OBJ0170, OBJ0180, OBJ0183, OBJ0192, OBJ0248, OBJ0277, OBJ0284, OBJ0285, OBJ0297, OBJ0300, OBJ0318, OBJ0320, OBJ0325, OBJ0328.

- a) Retention of existing reens by culverting and replacement of reens and ditches lost to the Scheme at a ratio of slightly greater than 1:1 together with measures to encourage colonisation by aquatic plants and invertebrates.
- b) Minimising land take across the Gwent Levels and where practicable avoiding land take to the south of the line of the new section of motorway.
- c) Provision of water treatment areas that includes ponds and reed beds to control the volume and quality of water discharged into the reen system.
- d) Avoidance of lighting other than at junctions and the river crossings and where lighting is required minimisation of light spillage.
- e) Provision of permanent mammal fencing along the new section of motorway, together with underpasses, oversized culverts and mammal crossings at suitable locations.
- f) Safe removal of dormouse, water voles, great crested newts and reptiles from the construction area to suitable habitat.
- g) Removal of bat roosts and the closure of badger setts to be undertaken during the appropriate season and replaced with artificial setts and bat roosts. Eel passes to be provided on all new sluices.
- h) Creation of areas of new habitat including the creation of a new area of saltmarsh and new areas of reedbed.
- i) Conversion of arable land to permanent grassland, enhancement of existing grassland and watercourses at selected locations, and the creation of new grasslands to mitigate for the loss of grazing marsh. Overall some 26 ha of species rich grassland suitable as habitat for Shrilc carder bee would be provided.
- j) Provision of some 83 ha of deciduous woodland and another 20 ha of linear woodland belts and shrubs; a replacement ratio of 2.1 to 1.
- k) Reuse of woodland soils and rootstocks in new planting areas.
- l) Provision of 3.6km of new hedgerow.
- m) No construction in the wetted channels of the Rivers Usk and Ebbw.

**2.8.8** The effect of the proposed new section of motorway on the biodiversity of the Gwent Levels, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

**2.8.9** Whilst SSSIs are legally protected, that protection does not provide a blanket ban on development within the SSSI. The Welsh Ministers are required to take reasonable steps to conserve and enhance the SSSIs, consistent with the exercise of their functions. They have given a significant amount of attention to mitigating the impacts on the SSSI, so far as is practicable, in order to be able to fulfil this requirement.

- 2.8.10** Where European protected species (EPS) are present and a development proposal is likely to contravene the legal protection they are afforded under the Conservation of Habitats and Species Regulations 2010 (as amended) the development can only proceed under licence issued by Natural Resources Wales (NRW). NRW can only authorise a licence if the three tests set out in the Regulations are satisfied. Those tests are:
- a) the development works to be authorised are for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest (IROPI), including those of a social, economic nature and beneficial consequences of primary importance to the environment;
  - b) there is no satisfactory alternative; and
  - c) the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
- 2.8.11** In accordance with the Regulations and the licence requirements Welsh Government is preparing further detailed documentation in respect of, not only EPS, but UK protected species. That documentation will be made publically available.
- 2.8.12** **Objections relating to concerns about the impact on water voles.**<sup>92</sup>
- 2.8.13** Chapter 10 of the Environmental Statement (ES) provides a detailed and comprehensive assessment of the effect of the Scheme on ecology has been undertaken. The assessment includes water vole, in respect of which surveys were undertaken in 2014 and 2015, reported in ES Appendices 10.8 and 10.25 respectively.
- 2.8.14** An extensive water vole population was identified within watercourses to the south of Llandevenny. Water voles have been released in this area by the Gwent Wildlife Trust during 2012 and 2015 as part of a re-introduction programme based on their Magor Marsh Nature Reserve to the east. Other small populations were identified in the general area of Tatton Farm and at Coedkernew.
- 2.8.15** The Scheme has been designed to enable mammals, including water vole, to cross safely from one side of the new section of motorway to the other via culverted watercourses and mammal crossings. In addition, locally, watercourses would be improved for the benefit of any translocated water voles. Where water vole may come into contact with construction activities, mitigation measures designed to displace or translocate water voles prior to the commencement of construction would be set in place in accordance with a water vole Method Statement agreed with Natural Resources Wales (NRW). The exact area of clearance at any location would be determined with regard to habitats and the type of land use and would be agreed with NRW.
- 2.8.16** The potential effects of the Scheme on water vole are described at paragraphs 10.5.89 to 10.5.92; 10.7.84 to 10.7.90; 10.8.219 to 10.8.227; and 10.9.132 to 10.9.135. The assessment concludes that the likely effect of the Scheme on water voles would not be significant.

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<sup>92</sup> OBJ0024

### **2.8.17** **Objections relating to concerns about the loss of ancient woodlands at Berryhill Farm, Pwll Diwaelod, Ifton Quarry.**<sup>93</sup>

**2.8.18** Chapter 10 of the Environmental Statement provides a detailed and comprehensive assessment of the effect of the Scheme on ecology. It is acknowledged that three areas of ancient woodland would fall within the limit for temporary and permanent works for the Scheme. The three areas, Berryhill Farm, Pwll Diwaelod and Ifton Quarry (Roggiett Brake) are included in the Forestry Commission Ancient Woodland Inventory.

#### Berryhill Farm

**2.8.19** Berryhill Farm includes 1.04 ha of ancient woodland which comprises a mature oak and ash woodland including old coppice stools. Part of the original woodland has been replanted with conifers and the main part of wood is heavily infested with Himalayan Balsam, a non-native invasive species. All would need to be removed in order to construct the Scheme. However, where it is ecologically safe to do so, soils from the ancient woodland would be reused elsewhere on the Scheme as a medium for the replacement planting of deciduous broad leaved woodland.

#### Pwll Diwaelod

**2.8.20** Pwll Diwaelod is located at the extreme western end of the Scheme. There are three main areas of woodland at Pwll Diwaelod which are classified as semi-natural ancient woodland. Access routes are required at three locations within those ancient woodlands and, taking a precautionary approach, the environmental assessment states that there would be small losses of the edge of a small ancient woodland at Pwll Diwaelod. During detailed design and the development of the detailed Construction Environmental Management Plan further work would be undertaken to minimise significant adverse effects on the ancient woodland at Pwll Diwaelod.

#### Ifton Quarry (Roggiett Brake)

**2.8.21** Roggiett Brake is located at the extreme eastern end of the Scheme at the end of the proposed haul road to Ifton Quarry. That proposed haul road would pass through the southern end of the ancient semi-natural woodland at Roggiett Brake. However the haul road would use an existing track which was used as a haul road when stone was transported from the quarry for construction of the Second Severn Crossing. Some clearance of scrub which has colonised the former track at the south of Roggiett Brake would be required, as would trimming of vegetation on either side of the haul road, but there would be no significant loss of ancient woodland.

**2.8.22** To the extent that there are localised impacts these must be balanced against the wider economic and environmental benefits of the Scheme. Our proposal is considered to be the sustainable, long-term solution taking into account all social, environmental and economic factors. It forms an essential part of the vision for an efficient integrated transport system in South Wales.

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<sup>93</sup> OBJ0080, OBJ0109, OBJ0111, OBJ0132, OBJ0285

**2.8.23 Objections relating to concerns about traffic creating severance for wildlife.<sup>94</sup>**

**2.8.24** In the Introduction to Chapter 10 of the Environmental Statement (ES) the ways in which road schemes may affect biodiversity are identified. These include (paragraph 10.1.2) - “Severance and/or fragmentation where a scheme may create a barrier and divide existing habitats or affect the continuity of wildlife corridors such as hedgerows.”

**2.8.25** At paragraph 10.9.3 habitat severance/fragmentation is identified as one of the operational effects of the new section of motorway which may affect ecological receptors.

**2.8.26** Potential barrier effects are identified in Chapter 10 of the ES and appropriate mitigation is proposed. Specific examples referred to include artificial lighting (paragraphs 10.9.42 to 10.9.45); effects of introducing culverts (paragraphs 10.9.72 to 10.9.74); fragmentation in respect of otter (paragraph 10.9.123), water vole (paragraph 10.9.132), grass snake (paragraph 10.9.136), great crested newt and other amphibians (paragraph 10.9.140) and freshwater fish populations (paragraph 10.9.147); severance of shrill carder bee habitat (paragraph 10.9.171); the impact of the new junctions at Castleton and Magor (paragraph 10.1.192); mitigation measures for dormice and badgers (paragraphs 10.9.202 to 10.9.208); impact on bats (paragraphs 10.9.262 to 10.9.288); breeding birds including barn owls (paragraph 10.9.288 to 10.9.301) and wintering birds (paragraphs 10.9.302 to 10.9.319).

**2.8.27** To the extent that there are localised impacts these must be balanced against the wider economic and environmental benefits of the scheme. Our proposal is considered to be the sustainable, long-term solution taking into account all social, environmental and economic factors. It forms an essential part of the vision for an efficient integrated transport system in South Wales.

**2.8.28 Objections relating to concerns about the Welsh Government's commitment to the EU Biodiversity Strategy to 2020.<sup>95</sup>**

**2.8.29** Chapter 10 of the Environmental Statement provides a detailed and comprehensive assessment of the effect of the Scheme on ecology. The EU Biodiversity strategy has been taken into consideration during the preparation of the Environmental Statement. The effect of the proposed new section of motorway on the biodiversity of the Gwent Levels, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

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<sup>94</sup> OBJ0328

<sup>95</sup> OBJ0244

**2.8.30** **Objections relating to concerns about the proposals directly opposing the Principles of Sustainable Management of Natural Resources set out in the new Environment Act and Biodiversity & Resilience of Ecosystems Duty objectives.**<sup>96</sup>

**2.8.31** Welsh Government clearly recognises that with the enactment of the Environment (Wales) Act 2016 the Welsh Ministers are required to prepare a national natural resources policy for Wales and to take all reasonable steps to implement that policy. Similarly Welsh Ministers will continue to honour their ongoing commitments to international environmental conventions via the UK Government.

**2.8.32** **Objections relating to concerns about the habitat and species loss outside of protected areas.**<sup>97</sup>

**2.8.33** The habitat losses for the entire Scheme, not just those inside the SSSIs and the River Usk SAC, are quantified in the ES and in the Statement to Inform an Appropriate Assessment (SIAA). The impact on individual species is more difficult to quantify. Extensive surveys for European and UK protected species have been undertaken during 2014 and 2015 to identify the presence or absence of species and further work is continuing to better determine population estimates where species are present.

**2.8.34** Whilst SSSIs are legally protected, that protection does not provide a blanket ban on development within the SSSI. The Welsh Ministers are required to take reasonable steps to conserve and enhance the SSSIs, consistent with the exercise of their functions. They have given a significant amount of attention to mitigating the impacts on the SSSI, so far as is possible, in order to be able to fulfil this requirement.

**2.8.35** Where European protected species (EPS) are present and a development proposal is likely to contravene the legal protection they are afforded under the Conservation of Habitats and Species Regulations 2010 (as amended) the development can only proceed under licence issued by Natural Resources Wales (NRW). NRW can only authorise a licence if the three tests set out in the Regulations are satisfied. Those tests are:

- a) The development works to be authorised are for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest (IROPI), including those of a social, economic nature and beneficial consequences of primary importance to the environment.
- b) There is no satisfactory alternative.
- c) The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

**2.8.36** In accordance with the Regulations and the licence requirements Welsh Government is preparing further detailed documentation in respect of, not only EPS, but UK protected species. That documentation will be made publically available.

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<sup>96</sup> OBJ0244, OBJ0297

<sup>97</sup> OBJ0282

## 2.9 Contamination

### 2.9.1 **Objections relating to the use of the possible toxic infill material from the old Llanwern Steelworks.<sup>98</sup>**

**2.9.2** The design of the Scheme has been subject to an assessment of land contamination and also a remediation strategy has been developed to deal with known and potentially contaminated material following current UK guidance. This is described within Chapter 11 of the ES and supporting information is provided in ES Appendix 11.1 (Land Contamination Assessment Report) and ES Appendix 11.2 (Outline Remediation Strategy Report). The design of the embankment has been undertaken using the sustainable principle of retention and re-use of contaminated materials within the Scheme, provided that such materials do not result in unacceptable risks to human health or controlled waters. Materials from Llanwern Steelworks lagoons would be treated on site by a specialist remediation contractor such that any materials placed within the motorway embankment would comply with suitability criteria (Sections 11.5.3, 11.5.4, 11.9.22 and 11.9.23 of the ES describe this). The potential risks of contaminants leaching from materials placed within the embankment have been assessed as low and this is described throughout Chapter 16 of the ES including Sections 16.7.10-20 and Tables 16.22 to 16.24.

**2.9.3** By reusing and, where necessary treating, contaminated material on site, the Scheme has been designed to avoid the need to dispose large quantities of contaminated materials off site and importing considerable volumes of clean materials on site which is less sustainable and more expensive. A Land Contamination Management Strategy (ES Appendix 11.3) that sets out the principles of how contaminated materials will be managed and regulated has been agreed with Natural Resources Wales and the relevant Local Authorities. The final remediation scheme will also be agreed with Natural Resources Wales and the Local Authorities prior to construction commencing.

## 2.10 Land Use, Community and Recreation

### 2.10.1 **Objections relating to the provision for cyclists along the proposed new section of motorway between the Wentlooge and Caldicot (or Newport) Levels.<sup>99</sup>**

**2.10.2** The existing Sustrans National Cycle Network Route 4 (NCN 4) provides connectivity between the Wentlooge, Caldicot and Newport Levels, and will be unaffected by the proposed Scheme.

**2.10.3** There is no provision as part of the Scheme to allow cyclists over the proposed River Usk Crossing. This is on the basis that the existing NCN 4 provides a safe, convenient, attractive and coherent route for pedestrians and cyclists compared to a cycle lane adjacent to a motorway.

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<sup>98</sup> OBJ0276

<sup>99</sup> OBJ0021

- 2.10.4** Existing cycle routes and proposed cycling measures are shown on the context diagram within the Scheme Assessment Report.
- 2.10.5** **Objections relating to potential impacts upon cyclists in the Magor, Undy and Rogiet Area.**<sup>100</sup>
- 2.10.6** Following consultation, a length of new shared-use path has been included on the section of B4245 which is to be trunked between Undy and Rogiet in the vicinity of the proposed new motorway junction.
- 2.10.7** The extent of this proposed path is shown on the Draft Side Roads Order Plan Sheet 16.
- 2.10.8** Continuation of the path further along the B4245 is outside the scope of this project and would be a matter for Monmouthshire County Council.
- 2.10.9** **Objection to the proposed junction arrangements east of Magor and Undy with regard to impact on cyclists using the B4245.**<sup>101</sup>
- 2.10.10** The junction arrangement at the existing M4 J23A (Magor) would not be changed, with existing accesses maintained, including that to the Magor services. There would be no closures to access including connections between the services and Magor.
- 2.10.11** The proposed revised junction arrangement at J23 (east of Magor and Undy) would provide a connection between the proposed new section of motorway to the south of Newport, and the existing M4, M48 and B4245 roads which would improve accessibility.
- 2.10.12** Traffic volumes along the B4245 are forecast to reduce both through Magor and east of Caldicot, due to traffic re-routing to use the new junction to access the motorway network.
- 2.10.13** Traffic forecasts indicate that traffic on the B4245 in the vicinity of the new junction is forecast to increase due to traffic from Caldicot and Rogiet using the junction to access the motorway network.
- 2.10.14** Traffic volumes on the B4245 immediately east of the new junction could be expected to increase by around a half compared to the traffic volumes without the Scheme in place.
- 2.10.15** An assessment of the road type, predicted traffic flows and capacity of the B4245 between Undy and Station Road, Rogiet has shown that all sections would operate within capacity and the suggested flow range when assessed in accordance with highway standards.

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<sup>100</sup> OBJ0079

<sup>101</sup> OBJ0079

**2.10.16** **Objections relating to the offered cycle routes and encouragement of active travel.**<sup>102</sup>

**2.10.17** The Environmental Impact Assessment on 'All Travellers' set out in Chapter 14 of the Environmental Statement for the Scheme describes the requirements on Welsh Government under the Active Travel (Wales) Act 2013 "to take reasonable steps to enhance the provision made for, and to have regard to the needs of, walkers and cyclists; for requiring functions under the Act to be exercised so as to promote active travel journeys and secure new and improved active travel routes and related facilities; and for connected purposes".

**2.10.18** In accordance with the requirements of this Act, the Scheme includes the creation of new routes for non-motorised users to improve active travel provision. These comprise:

- a) A new public bridleway from Green Lane, to the south of the new section of motorway, to run along the same alignment as the private means of access to Maerdy Farm to meet Percoed Lane on the southern side of the Percoed NMU Bridge.
- b) A new public bridleway running eastwards along Rush Wall from North Row to the south of the new section of motorway, linking to Barecroft Common, along an alignment discussed with Newport City Council and Sustrans. This route would provide an off-road link between National Cycle Network Route 4 at North Row and Magor.
- c) A new public bridleway from public footpath 372/12/4 to the south of the existing M4 to meet St Bride's Road to the west.
- d) A new public bridleway from public footpath 372/12/4 to the south of the existing M4 to meet Grange Road to the east.

**2.10.19** These new bridleways would be available for use by cyclists and would enhance the provision for all non-motorised users i.e. walkers, horse riders and cyclists.

**2.10.20** Additional provision for non-motorised users would be provided as part of the new Newport Road Overbridge at the junction of the B4245 and A4810. A foot/cycle facility would be provided at grade with the proposed roundabout to allow NMUs (including those on the carriageway) to negotiate the roundabout safely, together with a grade separated NMU route using the existing B4245 underbridge to cross the A4810 without needing to negotiate the roundabout.

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<sup>102</sup> OBJ0142, OBJ0148, OBJ0158, OBJ0243, OBJ0247

- 2.10.21** **Objections raising concerns about how pedestrians, cyclists and mobility scooters will traverse the new B4245 roundabout at M4 J23.**<sup>103</sup>
- 2.10.22** A length of new shared-use path has been included on the section of B4245 which is to be trunked between Undy and Rogiet in the vicinity of the proposed new motorway junction.
- 2.10.23** Continuation of the path further along the B4245 is outside the scope of the Scheme and would be a matter for Monmouthshire County Council (MCC).
- 2.10.24** The Scheme includes the provision of improved facilities for pedestrians, cyclists and equestrians. Chapter 14 of the Environmental Statement describes the measures to be included and contains an assessment of effects for all travellers resulting from the proposed Scheme.
- 2.10.25** **Objections to the potential impact on the national coast path.**<sup>104</sup>
- 2.10.26** Chapter 14 sets out the environmental assessment of the effects of the proposal on 'All Travellers' including those using the Wales Coast Path and Chapter 15 sets out the environmental assessment on 'Community and Private Assets' including tourist/visitor facilities such as the Wales Coast Path, the Newport Transporter Bridge, Magor Marsh Nature Reserve, Newport Wetlands Reserve and the River Usk. These sections of the ES explain that there would only be direct land take effects on a section of the Wales Coast Path to the west of the River Ebbw and the east of the River Usk where permanent diversions are proposed to ensure that the integrity of this national route is maintained as close to its existing alignment as possible.
- 2.10.27** **Objections with concerns over pedestrian safety, including suggestions about cycle and footpath provision along the B4245 in the Rogiet area.**<sup>105</sup>
- 2.10.28** A length of new shared-use path has been included on the section of B4245 which is to be trunked between Undy and Rogiet in the vicinity of the proposed new motorway junction.
- 2.10.29** Continuation of the path further along the B4245 is outside the scope of this project and would be a matter for Monmouthshire County Council. The Scheme includes the provision of improved facilities for pedestrians, cyclists and equestrians.
- 2.10.30** **Objections to impacts of the Scheme upon cyclists and pedestrians.**<sup>106</sup>
- 2.10.31** Chapter 14 of the Environmental Statement describes the assessment of effects for all travellers resulting from the proposed Scheme and the provision of improved facilities for pedestrians, cyclists and equestrians.

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<sup>103</sup> OBJ0151

<sup>104</sup> OBJ0195

<sup>105</sup> OBJ0206, OBJ0210, OBJ0314, OBJ009, OBJ0150, OBJ0151, OBJ0206, OBJ0314

<sup>106</sup> OBJ0247, OBJ0150, OBJ0210, OBJ0283, OBJ0247

- 2.10.32** **Objection requesting that the connectivity of the National Cycle Network (NCN) Route 4 is maintained as part of the Scheme, and during its construction.**<sup>107</sup>
- 2.10.33** Connectivity on NCN Route 4 will be maintained throughout construction via a temporary diversion. The published draft SRO provides for stopping up Public Rights of Way (PRoW) and for creating new (including temporary) PRoW.
- 2.10.34** Site Plan 8 of the SRO shows the length of NCN Route 4 affected by the Scheme. Lengths of new highway to be designated as cycletrack replaces the stopped up cycletrack over the same lengths.
- 2.10.35** During construction a temporary highway for the temporary diversion of the Welsh Coastal Path and NCN Route 4 is to be provided. This is labelled 8/C on Site Plan 8 of the SRO.
- 2.10.36** The draft CPO provides for the land required for the provision of the SRO. With regards to the Sustrans land (and also the NCN Route 4), plots 8/5b, 8/5e, 9/2k, 9/2y, 9/2w, 9/2q, 9/2ar, 9/2aq and 9/3d have been provided for the new route of the NCN Route 4.
- 2.10.37** **Objections relating to concerns about impact on agricultural operations and/or loss of farmland.**<sup>108</sup>
- 2.10.38** Discussions are ongoing with the relevant land owners and/or their land agents to try to address the issues raised. Some of the modifications that are in progress (see Appendix A) are examples of where proposed changes to the Scheme would, subject to agreement, satisfy the needs of farm holdings. Further evidence on these matters would be provided by Ms Julia Tindale (on Land Use, Community and Recreation).
- 2.10.39** **Objections relating to a perceived lack of information regarding the essential licence area and the potential use of land at Tyn-y-Brwyn Farm and effect on its agricultural quality following construction.**<sup>109</sup>
- 2.10.40** The land, labelled plots 2/18k on draft Compulsory Purchase Order (CPO) Plan 2, is required to be used temporary during the construction of the Scheme for stockpiling and processing materials.
- 2.10.41** The stripping, storage and reinstatement of any topsoil and/or subsoil materials would be carried out in accordance with a soil handling methodology to be developed using recognised best practice guidance, as described in Appendix 3.2 of the Environmental Statement, the Pre-Construction Environmental Management Plan.

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<sup>107</sup> OBJ0148

<sup>108</sup> OBJ0003, OBJ0019, OBJ0207, OBJ0216, OBJ0217, OBJ0218, OBJ0220, OBJ0221, OBJ0222, OBJ0223, OBJ0224, OBJ0227, OBJ0228, OBJ0231, OBJ0232, OBJ0238, OBJ0239, OBJ0240, OBJ0241, OBJ0273, OBJ0330

<sup>109</sup> OBJ0228

- 2.10.42** The land would be reinstated to an appropriate standard and returned to the owner once the Scheme construction is complete. The Welsh Government would be prepared to proceed by way of licence, if that could be negotiated, in order to ensure that ownership might remain with the land owner.

## **2.11 Water Quality and Flooding**

- 2.11.1** **Objections to the increased risk of flooding and proposed water management measures with run off to the Gwent levels drainage system.**<sup>110</sup>

- 2.11.2** As described in Chapter 16 of the Environmental Statement, the proposed new section of motorway has been designed to capture all surface water run-off via naturally cleansing grass lined channels or conventional concrete channels where this is not practically feasible.

- 2.11.3** Captured water is then to be conveyed by gravity into twelve dedicated water treatment areas located at regular intervals along the alignment. Only once water has been passed through a sequence of treatment processes including sediment and oil traps, an open water lagoon and a large reed bed does water return to the SSSI via a discharge to a main rean.

- 2.11.4** The quality of water at each proposed discharge point has been assessed as meeting water quality requirements for the Gwent Levels. A risk assessment has also been undertaken for the likelihood of serious pollution resulting from potential accidents on the new section of motorway. This assessment showed that the Scheme exceeds the required standards for pollution prevention from accidents.

- 2.11.5** **Objection to the direct water pollution impacts on the lower Ebbw River.**<sup>111</sup>

- 2.11.6** Comments on the water environment relate solely to the proposed untreated discharge to the River Ebbw, stating the following:

“The Welsh Government appears to have failed to consider at all the direct water pollution impacts on the lower Ebbw River, even though this water body is currently failing under the Water Framework Directive chemical status parameters. Water treatment proposed on the discharge (oil interceptors) is wholly inadequate to deal with the water pollution arising from 30,000 vehicle movements per day“.

- 2.11.7** It would appear that Friends of the Earth have not identified that the Ebbw crossing point of the Scheme actually falls within the Usk Water body and therefore has been assessed for direct impacts under the Water Framework Directive (WFD) (see Table 1 of Appendix 16.4 to the Environmental Statement). Section 4.1.5 of Appendix 16.4 states:

Therefore, the WFD water bodies identified for Stage 1 Screening include the following and are shown in Figures 2a to 2d:

<sup>110</sup> OBJ0020, OBJ0077, OBJ0150

<sup>111</sup> OBJ0125

- Usk (GB530905415404), located within the pathway of the new section of motorway at two locations over the River Usk and the River Ebbw around Newport Docks.
- Ebbw R – conf Ebbw Fach R to Maes-glas (GB109056026910), located along the River Ebbw approximately 700 m north of the new section of motorway and adjoining the Usk transitional water body at the eastern boundary of Newport Docks.
- Noting this water body is not directly intersected by the new section of motorway.

**2.11.8** The indirect impacts to the “Ebbw R–conf Ebbw Fach R to Maes-glas” water body have been concluded to be non-existent as it is upstream of the Ebbw crossing point at the following paragraphs from Appendix 16.4:

The Ebbw R – conf Ebbw Fach R to Maes-glas water body is located north of the new section of motorway, approximately 1 km upstream from the location of Intersect B where the new section of motorway intercepts the River Usk water body.

**2.11.9** No construction works are planned to take place within or in close proximity to the water body. In addition, it is considered unlikely that any impacts to water quality, such that could cause deterioration in WFD quality elements, could affect this upstream location, and so no indirect impacts have been identified.

**2.11.10** The Welsh Government acknowledges that the Ebbw R – conf Ebbw Fach R to Maes-glas water body is currently failing to meet good chemical status. However it should be noted that this heavily modified 25km section of the Ebbw flows through the Abercarn / Risca valley before reaching Cardiff Road bridge.

**2.11.11** A DMRB assessment has been undertaken on the proposed discharges for the Ebbw at Annex A of Appendix 16.3 to the Environmental Statement. These show the proposed discharges from the new section of the motorway do not result in breaches of water quality compliance thresholds for dissolved and non-dissolved (sediment) related contaminants including Cu, Zn, Cd and 4 PAH compounds.

**2.11.12** Finally, at paragraph 16.5.8 of their objection letter to the draft Orders dated 4 May 2016, NRW state:

“We are satisfied that discharges to the Rivers Usk and Ebbw have lesser requirements for attenuation and treatment and, provided these requirements are adequately covered to our satisfaction within the Statement of Commitments, we advise that that the proposals presented into these tidal waters are adequate.”

- 2.11.13** **Objections relating to concerns that the proposed water attenuation feature should be moved to reduce the impact on the agricultural land affected at Arch Farm<sup>112</sup>.**
- 2.11.14** The suggestion that the water attenuation pond should be moved onto plots 10/5a and 10/5f in the published draft Compulsory Purchase Order (CPO), was discussed at a meeting where it was explained by the project team that this option would not work hydraulically. These plots have been included in the CPO for landscaping and therefore there is no severed land to the west of the proposed road as also suggested.
- 2.11.15** The location of the pond severs a small parcel of land. An option has been considered which utilises this area of land for the pond and giving the land owner an area of land back out of plot 10/5 and a modification is proposed. Negotiations are ongoing.
- 2.11.16** **Objections relating to concerns over possible effects on a spring water supply.<sup>113</sup>**
- 2.11.17** A meeting has been held at the relevant property, where members of the project team visited the spring. It was concluded that there would be no impact on the spring supply as part of the Scheme, but it would be monitored through the construction of the project to help ensure any potential problems arising would be avoided or resolved expediently.
- 2.11.18** **Objections relating to concerns about surface water route alterations.<sup>114</sup>**
- 2.11.19** An assessment has been undertaken of the likely effects that the Scheme may have on the water environment and this is reported in chapter 16 of the published Environmental Statement (ES). This assessment considers the effects on water quality, physical hydrology, hydrogeology and flood risk that are associated with the construction and operation of the new section of motorway.
- 2.11.20** A Flood Consequences Assessment (FCA) and a Reen Mitigation Strategy have been undertaken to assess the impact of the new section of motorway on the water bodies within the Gwent Levels.
- 2.11.21** The assessment of flood risk has been based on extensive flood modelling of the Gwent Levels and around the wider corridor of the new section of motorway. The FCA has concluded that the construction of the new section of motorway would have no adverse impact on flood risk within the locality.
- 2.11.22** Amendments to the FCA are currently being discussed with NRW.

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<sup>112</sup> OBJ0218

<sup>113</sup> OBJ0227

<sup>114</sup> OBJ0233

- 2.11.23** **Objections relating to concerns about potential flooding, drainage and water run-off management associated with the Scheme.**<sup>115</sup>
- 2.11.24** Chapter 16 of the Environmental Statement provides a detailed and comprehensive assessment of the effect of the Scheme on the water environment.
- 2.11.25** That assessment considers the effects on water quality, physical hydrology, hydrogeology and flood risk that are associated with the construction of the new section of motorway.
- 2.11.26** A Flood Consequences Assessment has been undertaken to assess the impact of the new section of motorway on fluvial and tidal flood risk within the locality.
- 2.11.27** The assessment of fluvial flood risk has been based on extensive flood modelling of the Gwent Levels and around the wider corridor of the new section of motorway. The assessment has concluded that the construction of the new section of motorway will have no significant adverse effect on flood risk within the locality.
- 2.11.28** With regard to tidal flooding, the Welsh Government is committed to the policy of maintaining sea defences, ('hold the line'), to the Gwent Levels through the Severn Estuary Shoreline Management Plan. The proposed M4 motorway can only have adverse effects on tidal flooding if the sea defences are breached by wave action or overtopped.
- 2.11.29** Currently proposed flood defence improvements will provide flood protection for the Gwent Levels against a 0.1% (1 in 1000) tide up to the year 2030.
- 2.11.30** Continued improvements to sea defences beyond 2030, which are consistent with Welsh Government policy to "Hold the Line", set out in the Severn Estuary Shoreline Management Plan, would ensure that the Gwent Levels and hence the Scheme would remain free of tidal flood risk against a 0.1% tide beyond the year 2030.
- 2.11.31** During the construction period, temporary drainage has been designed and would be installed to ensure that the proposed works would not cause unacceptable consequences in the locality.
- 2.11.32** Operational road drainage has been designed to accommodate a 1 in 100 year plus climate change rainfall event. The drainage infrastructure is capable of capturing, conveying and releasing surface water run-off from the new highway within limits which have been agreed with NRW.
- 2.11.33** **Objections relating to concerns about flooding with regard to the land proposed for mitigation on plots 20/2 and 20/3.**<sup>116</sup>
- 2.11.34** The implementation of the proposals would not change the penning levels in the main reens which would continue to be managed by NRW.

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<sup>115</sup> OBJ0020, OBJ0149, OBJ0150, OBJ0310, OBJ0314, OBJ0195, OBJ0206, OBJ0020, OBJ0149, OBJ0150, OBJ0310, OBJ0314, OBJ0195, OBJ0206

<sup>116</sup> OBJ0145

**2.11.35** Flood modelling has been undertaken across the length of the Scheme and has shown that the Scheme does not increase fluvial flood risk, therefore a detailed assessment of this land is not considered necessary.

## **2.12 Air Quality and Carbon**

**2.12.1** **Objections relating to concerns about air pollution, including in areas around Magor, Undy, Rogiet, St Brides, Coedkernew, Castleton, Marshfield, Llandeenny, along the B4245 and at M4 Junction 23<sup>117</sup>.**

**2.12.2** The effect on air quality due to the Scheme has been assessed in accordance with appropriate guidance and is reported in Chapter 7 of the Environmental Statement (ES). A separate Health and Equalities Impact Assessment, included in the ES as Appendix 5.4 to Chapter 5, has also been carried out.

**2.12.3** Air quality monitoring for oxides of nitrogen (NOx) and particulate matter (PM10) specifically for the Scheme was undertaken during 2014 and 2015 and detailed atmospheric modelling has been undertaken. By law local authorities must designate Air Quality Management Areas (AQMAs) where targets for air quality levels (referred to as air quality objectives) are exceeded. Currently Newport City Council has declared four AQMAs in the vicinity of the existing M4 due to NO2 air pollution from the existing M4.

**2.12.4** With the Scheme in place, air quality within those AQMAs would improve significantly. On a wider regional scale air quality is also predicted to improve which will also lead to a consequential improvement in health of the population.

**2.12.5** Locally however, within 200m of the new section of motorway, increases in air pollutants are predicted. However, given the existing low level of pollutant concentrations in those areas, pollutant concentrations would remain well within the relevant air quality objectives and predicted increases in nitrogen deposition on habitats would not be significant. To the extent that there are localised impacts these must be balanced against the wider economic and environmental (including improvements in air quality to a greater number of properties) benefits of the scheme.

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<sup>117</sup> OBJ0004, OBJ0020, OBJ0022, OBJ0034, OBJ0044, OBJ0045, OBJ0078, OBJ0091, OBJ0096, OBJ0131, OBJ0151, OBJ0152, OBJ0153, OBJ0160, OBJ0172, OBJ0227, OBJ0261, OBJ0005, OBJ0015, OBJ0077, OBJ0106, OBJ0114, OBJ0119, OBJ0123, OBJ0125, OBJ0126, OBJ0139, OBJ0150, OBJ0165, OBJ0174, OBJ0175, OBJ0186, OBJ0191, OBJ0192, OBJ0196, OBJ0197, OBJ0202, OBJ0204, OBJ0206, OBJ0207, OBJ0243, OBJ0247, OBJ0248, OBJ0249, OBJ0250, OBJ0258, OBJ0272, OBJ0275, OBJ0276, OBJ0281, OBJ0285, OBJ0286, OBJ0288, OBJ0299, OBJ0300, OBJ0314, OBJ0315, OBJ0330, OBJ0212, OBJ0214, OBJ0216, OBJ0225, OBJ0227, OBJ0229

**2.12.6 Objections relating to concerns about air quality impacts at Arch Farm.<sup>118</sup>**

**2.12.7** Changes to local air quality will be negligible at Arch Farm as a result of the Scheme. Pollutant concentrations drop off rapidly with distance from the road and given the distance of approximately 500m between the property and the Scheme, a very small change in pollutant concentrations is predicted. Predicted concentrations in the area would be well below legal limits set in UK legislation both with and without the Scheme in place. Impacts from construction of the Scheme have also been assessed and mitigation measures will be implemented to minimise the generation of dust from the works. Given the distance of the property from the Scheme effects from construction would be not significant.

**2.12.8 Objections relating to concerns about an increase in climate change emissions.<sup>119</sup>**

**2.12.9** A Carbon Report has been produced for the Scheme and this is included as part of the Environmental Statement (ES) as Appendix 2.4.

**2.12.10** The analysis acknowledges the impact of carbon generation during construction. An element of construction carbon is inherent in the government policy commitment to improving the strategic transport network. During preparation of the published Scheme great attention has been devoted to minimising levels of construction carbon.

**2.12.11** Analysis also sets out that the South Wales road network contributes approximately 4.3% of the total carbon emissions in Wales each year. With the Scheme the total user carbon emissions on the South Wales network would reduce (albeit by a negligible amount – less than 1%), even though the number of vehicle trips would increase. This is due the Scheme being approximately 2.8km shorter than the existing M4, the reduction of the ‘stop-start’ traffic and smoother, more efficient traffic flow.

**2.12.12** Future user carbon emissions are difficult to project beyond 2037 due to uncertainties in future technological improvements in the UK/Welsh vehicle fleet, energy generation and fuel mix.

**2.12.13** The effect of the proposed new section of motorway on carbon, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

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<sup>118</sup> OBJ0218

<sup>119</sup> OBJ0008, OBJ0330

**2.12.14 Objections relating to concerns about the Impact on people's health<sup>120</sup>.**

**2.12.15** The Health and Equalities Impact Assessment (Environmental Statement Volume 3: Appendix 5.4) considers how the Scheme may influence public health and wellbeing in the areas surrounding the proposed new section of motorway and the existing M4 around Newport. It finds that the principal environmental pathways by which the Scheme would have direct public health impacts are changes in air pollutant concentrations and change in noise levels.

**2.12.16** The Health and Equalities Impact Assessment explains how overall the predicted net health effect due to change in air pollutant exposure is dominated by improved health outcomes.

**2.12.17 Objections relating to concerns about air pollution at Whitecross Farm.<sup>121</sup>**

**2.12.18** No significant local air quality effects are anticipated at Whitecross Farm as a result of the Scheme. Pollutant concentrations drop off rapidly with distance from the road and given the distance between the property and the Scheme, changes to levels of NO<sub>2</sub> will increase by only 1% (0.4µg/m<sup>3</sup>) of the legal limit at the property. Total pollutant concentrations with the Scheme in place are less than 50% of legal limits set out in UK legislation and therefore there is no risk of exceeding these. Impacts from construction of the Scheme have also been assessed and mitigation measures will be implemented to minimise the generation of dust from the works and any potential spread of dust from the works to the property.

**2.12.19 Objections relating to the increase in carbon emissions suggested by Professor Anderson and Dr Glynn.<sup>122</sup>**

**2.12.20** Welsh Government is aware of the briefing research note prepared by Anderson and Glynn in 2015 for Wildlife Trusts Wales and its concerns with respect to the potential effect of carbon emissions from the Scheme on climate change.

**2.12.21** A Carbon Report has been produced for the Scheme and this is included as part of the ES as Appendix 2.4.

**2.12.22** The analysis acknowledges the impact of carbon generation during construction. An element of construction carbon is inherent in the government policy commitment to improving the strategic transport network. During preparation of the published Scheme great attention has been devoted to minimising levels of construction carbon.

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<sup>120</sup> OBJ0052, OBJ0123, OBJ0173, OBJ0269, OBJ0278, OBJ0294, OBJ0299

<sup>121</sup> OBJ0207

<sup>122</sup> OBJ0018, OBJ0074

- 2.12.23** Analysis also sets out that the South Wales road network contributes approximately 4.3% of the total carbon emissions in Wales each year. With the Scheme the total user carbon emissions on the South Wales network would reduce (albeit by a negligible amount – less than 1%), even though the number of vehicle trips would increase. This is due the Scheme being approximately 2.8km shorter than the existing M4, the reduction of the ‘stop-start’ traffic and smoother, more efficient traffic flow.
- 2.12.24** Future user carbon emissions are difficult to project beyond 2037 due to uncertainties in future technological improvements in the UK/Welsh vehicle fleet, energy generation and fuel mix.
- 2.12.25** The effect of the proposed new section of motorway on carbon, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.
- 2.12.26** **Objections relating to the Well-being of Future Generations Bill that has been passed, together with commitments to halt losses of biodiversity, reduce our climate change emissions.**<sup>123</sup>
- 2.12.27** The Welsh Government is subject to the duties relating to sustainable development set out in the Well-being of Future Generations Act 2015. A Sustainable development report has been prepared, which describes how the proposed Scheme aligns to the Welsh Government’s sustainable development principles.
- 2.12.28** **Objections concerned about a detrimental effect on greenhouse gas emissions, the Welsh Government’s commitment to tackling climate change and taking into account advice from Climate Change Commission Wales.**<sup>124</sup>
- 2.12.29** A Carbon Report has been produced for the Scheme and this is included as part of the Environmental Statement (ES) as Appendix 2.4.
- 2.12.30** The analysis acknowledges the impact of carbon generation during construction. An element of construction carbon is inherent in the government policy commitment to improving the strategic transport network. During preparation of the published Scheme great attention has been devoted to minimising levels of construction carbon.
- 2.12.31** Analysis also sets out that the South Wales road network contributes approximately 4.3% of the total carbon emissions in Wales each year. With the Scheme the total user carbon emissions on the South Wales network would reduce (albeit by a negligible amount – less than 1%), even though the number of vehicle trips would increase. This is due the Scheme being approximately 2.8km shorter than the existing M4, the reduction of the ‘stop-start’ traffic and smoother, more efficient traffic flow.

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<sup>123</sup> OBJ0018

<sup>124</sup> OBJ0013, OBJ0125, OBJ0142, OBJ0185, OBJ0248, OBJ0258, OBJ0275, OBJ0295, OBJ0297, OBJ0307, OBJ0134, OBJ0330, OBJ0332, OBJ0335

- 2.12.32** Future user carbon emissions are difficult to project beyond 2037 due to uncertainties in future technological improvements in the UK/Welsh vehicle fleet, energy generation and fuel mix.
- 2.12.33** The effect of the proposed new section of motorway on carbon, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

## **2.13 Noise & Vibration**

- 2.13.1** **Objections relating to concerns about the impact of noise including at areas around Newport, Marshfield, Magor, Rogiet, St Brides, Llandevenny, Castleton and/or Coedkernew.**<sup>125</sup>
- 2.13.2** The effect of a changed noise regime due to the Scheme has been assessed in accordance with appropriate guidance and is reported in Chapter 13 of the Environmental Statement (ES). A separate Health and Equalities Impact Assessment, included in the ES as Appendix 5.4 to Chapter 5, was also carried out.
- 2.13.3** When the new section of motorway to the south of Newport and the reclassification of the existing M4 to the north of Newport including the opening up of Junction 25 are considered together, the Scheme would provide a net benefit with respect to noise.
- 2.13.4** Comparing the 'with Scheme' scenario in the Opening Year 2022 with the 'without Scheme' scenario in the same year it is predicted that 4,101 noise sensitive receptors would experience a significant beneficial effect compared to 1,117 experiencing a significant adverse effect. Expressed another way, comparing the two scenarios across the 20,654 properties assessed for 2022 the average noise level difference would be a reduction of 1.4 decibels per property. It is acknowledged that there will be noise detriment to individual properties, but this must be balanced against the wider social, economic and environmental benefits (including noise benefits to a greater number of properties).

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<sup>125</sup> OBJ0004, OBJ0020, OBJ0053, OBJ0078, OBJ0096, OBJ0102, OBJ0131, OBJ0150, OBJ0153, OBJ0160, OBJ0216, OBJ0227, OBJ0337, OBJ0005, OBJ0034, OBJ0043, OBJ0044, OBJ0061, OBJ0064, OBJ0096, OBJ0106, OBJ0111, OBJ0114, OBJ0119, OBJ0123, OBJ0126, OBJ0165, OBJ0172, OBJ0173, OBJ0174, OBJ0175, OBJ0183, OBJ0186, OBJ0191, OBJ0192, OBJ0196, OBJ0197, OBJ0202, OBJ0206, OBJ0207, OBJ0247, OBJ0248, OBJ0249, OBJ0250, OBJ0269, OBJ0276, OBJ0278, OBJ0281, OBJ0282, OBJ0285, OBJ0286, OBJ0287, OBJ0290, OBJ0293, OBJ0294, OBJ0299, OBJ0300, OBJ315, OBJ332, OBJ0337, OBJ212, OBJ214, OBJ216, OBJ218, OBJ225, OBJ227, OBJ229.

- 2.13.5** **Objections concerned about flaws in the noise assessment in relation to ambient background noise levels and mitigation.**<sup>126</sup>
- 2.13.6** Baseline noise measurements were taken around both the alignment of the existing M4 and proposed new section of motorway, including surveys at a number of locations across the Levels. The survey locations and results are provided in Appendix 13.2 of the Environmental Statement. None of the surveys undertaken measured average daytime baseline levels below 40 dB LAeq,16hr or 42 dB LA10,18hr.
- 2.13.7** Within the noise assessment, for some areas where traffic flow data were not available (including smaller roads around the Levels) the predicted noise around these areas was unrealistically low for the existing scenario, and so a lower level of 42 dB LA10,18hr was used as an average daytime baseline level.
- 2.13.8** It is considered that this methodology allows robust assessment of areas where the absence of baseline traffic data prevented a baseline noise level being predicted.
- 2.13.9** There have been suggestions that lower baseline levels may be experienced on some parts of the Gwent Levels. This could (if correct) impact on the extent of change in noise reported but would not impact on the overall noise, which in all cases remains below appropriate threshold criteria adopted in the environmental assessment.
- 2.13.10** **Objections suggesting noise mitigation should be integrated with planting on the south side of the proposed new motorway between the motorway and the A48.**<sup>127</sup>
- 2.13.11** A noise and vibration assessment has been carried out to assess the significance of temporary noise and vibration effects on sensitive receptors associated with the construction works and the significance of permanent noise and vibration effects on sensitive receptors arising from changes in road traffic associated with the Scheme.
- 2.13.12** Full noise results are published for each receptor in the Environmental Statement Appendix 13.3 for noise during construction and Appendix 13.4 for noise with the Scheme in place.
- 2.13.13** It is predicted that there would be an increase of approximately 2.4 dB at the location relevant to the objection in the short term, reducing to a 1.8 dB increase in the longer term as a result of the Scheme. The criteria adopted in the environmental assessment for these changes indicate that the magnitude of the noise effect is minor adverse in the short-term (at opening) and negligible in the long-term. It is for that reason that no noise barriers are proposed at this location. It should also be noted that levels are also below the 68 dB LA10 threshold used for assessment by the Land Compensation Act for eligibility for noise insulation.

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<sup>126</sup> OBJ0272

<sup>127</sup> OBJ0022.

**2.13.14 Objections relating to concerns about noise pollution during construction.**<sup>128</sup>

**2.13.15** From the commencement of the design deliberations, the primary focus has been on adherence to national design standards, buildability, safety, minimising the required land-take and the impact of construction on key stakeholders and the wider communities. Whilst it would be virtually impossible for an infrastructure project of this size and complexity to have a zero impact on the environment or wider community, every effort will be made to ensure the impact of the construction is kept to an absolute minimum and within legal and safe parameters.

**2.13.16** During the construction phase, the Welsh Government with the selected principal contractor would be committed to working closely with the two local authorities and other key stakeholders to minimise the community and environmental impact of the project including affected landowners. There would be full adherence with the legal constraints of the Control of Pollution Act 1974, along with full engagement with the objectives of the Considerate Constructors Scheme. The objectives of the Scheme include good communication and an effective response to issues raised by the public.

**2.13.17** The platform for delivery would be an effective 'Communication Plan' which would include a dedicated public liaison officer, pre-construction exhibitions, a visitor centre, advance work information notices, project newsletters, project website, a 24 hour helpline and complaints and enquiries procedure together with a Construction Environmental Management Plan.

**2.13.18 Objections relating to concerns about noise impacts on plots 6 6a 6b & 6c.**<sup>129</sup>

**2.13.19** Engagement has been held to aid an understanding of the impact on the property.

**2.13.20** Whitecross Farm current experiences a noise level of approximately 62 (expressed in decibels, dB LA10) which is considered a relatively noisy environment, due to its proximity to Lighthouse Road. With the new section of motorway operating it is predicted that this level would increase by around 1 dB(A) (opening year of the motorway) up to 3 dB(A) 15 years after the opening of the motorway which are around the threshold at which changes could be noticeable. In both the short and long term predicted levels are below the 68 dB LA10 threshold used for assessment by the Land Compensation Act for eligibility for noise insulation.

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<sup>128</sup> OBJ0034, OBJ0045, OBJ0207, OBJ0314, OBJ212, OBJ214, OBJ216, OBJ225, OBJ227, OBJ229.

<sup>129</sup> OBJ0207

**2.13.21 Objections relating to concerns about noise impacts at Arch Farm.<sup>130</sup>**

**2.13.22** Arch Farm farmhouse current experiences a noise level of approximately 43 (expressed in decibels, dB LA10) which is relatively quiet. With the new section of motorway operating it is predicted that this level would increase by around 10 dB(A) to approximately 53 – 55 dB(A) 15 years after the opening of the motorway with all mitigation in place. Although this would be noticeable in both the short and long term and result in a significant change in the acoustic character of the area it is well below the 68 dB LA10 threshold used for assessment under the Land Compensation Act 1973 for eligibility for noise insulation.

**2.13.23 Objections relating to concerns about noise impacts at Whitecross Farm.<sup>131</sup>**

**2.13.24** Noise and air quality concerns have been expressed by Whitecross Farm, which currently experiences a noise level from approximately 62 (expressed in decibels, dB LA10) which is considered a relatively noisy environment, due to its proximity to Lighthouse Road. With the modifications and new section of motorway operating it is predicted that this level would increase by around 1 dB(A) (opening year of the motorway) up to 3 dB(A) 15 years after the opening of the motorway which are around the threshold at which changes could be noticeable. In both the short and long term predicted levels are below the 68 dB LA10 threshold used for assessment by the Land Compensation Act for eligibility for noise insulation.

**2.14 Construction****2.14.1 Objections with concerns about the impact of the use of Ifton Quarry during construction.<sup>132</sup>**

**2.14.2** The actual operation of Ifton Quarry would not be under the control of the Welsh Government. However, as the reopening would be linked to the Scheme we would work with the operator to minimise the impact on the local residents. For example, a dedicated earthworks haul road would be constructed across fields from the eastern end of the project near the new M48 / A48 roundabout direct to the boundary of Ifton Quarry, avoiding construction traffic through Rogiet and on the B4245. This haul road route was used by Costain during the construction of the Second Severn Crossing in the mid 1990's with previous mitigation measures still in position such as pipe crossings, gated crossings and concrete protection slabs.

**2.14.3 Objections with concerns about the construction phase, in particular the access arrangements for the residents to the south of the A48 in the vicinity of the Castleton Interchange and clarification of the programme of works and proposed traffic management arrangements on the A48.**

**2.14.4** Traffic Management would be in place on the A48 for the safety of road users.

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<sup>130</sup> OBJ0218

<sup>131</sup> OBJ0207

<sup>132</sup> OBJ0210

- 2.14.5** **Objections with concerns about impacts on Magor and the Rockfield housing area during the construction phase.**<sup>133</sup>
- 2.14.6** As detailed in Section 4.3 of the Buildability Report (ES Appendix 3.1) the access strategy for construction traffic would be to avoid the use of the local road network. At Magor we would create a scheme specific access track within the proposed highway boundary.
- 2.14.7** Compounds would include car parking for operatives with shuttle bus service to the main works areas along the route. All relevant works would be carried out within the proposed site boundary, with the exception of connections/diversions of existing services where required. Therefore construction traffic would not need to use local roads for access or parking.
- 2.14.8** The project team have reviewed proposed diversion routes with Monmouthshire County Council and revised the diversion route for the proposed Knollbury/Rockfield Lane closures to avoid the use of Vinegar Hill.
- 2.14.9** **Objections with concerns about the safety and convenience of using temporary diversions while the bridge at Knollbury and Bencroft Lane is closed.**<sup>134</sup>
- 2.14.10** The project team have reviewed proposed diversion routes with Monmouthshire County Council and revised the diversion route for the proposed Knollbury/Rockfield Lane closures to avoid the use of Vinegar Hill.
- 2.14.11** The works at Knollbury Lane would require the road over the current M4, between Grange Road and Daffodil Lodge to be closed for around 12 months. These works would involve constructing a new bridge just to the north of the existing M4, upgrading the existing motorway overbridge and major utility diversion and upgrade works.
- 2.14.12** **Objections relating to disturbance on property during construction.**<sup>135</sup>
- 2.14.13** From the commencement of the design deliberations, the primary focus has been on adherence to national design standards, buildability, safety, minimising the required land-take and the impact of construction on key stakeholders and the wider communities. Whilst it would be virtually impossible for an infrastructure project of this size and complexity to have a zero impact on the environment or wider community, every effort would be made to ensure the impact of the construction is kept to an absolute minimum and within legal and safe parameters.

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<sup>133</sup> OBJ0045, OBJ052, OBJ0150

<sup>134</sup> OBJ0152, OBJ209

<sup>135</sup> OBJ0225, OBJ0227, OBJ0229, OBJ0230, OBJ0233, OBJ0241, OBJ0232, OBJ0279

- 2.14.14** During the construction phase, the Welsh Government with the selected principal contractor would be committed to working closely with the two local authorities and other key stakeholders to minimise the community and environmental impact of the project including affected landowners. There would be full adherence with the legal constraints of the Control of Pollution Act 1974, along with full engagement with the objectives of the Considerate Constructors Scheme. The objectives of the Scheme include good communication and an effective response to issues raised by the public. The platform for delivery would be an effective 'Communication Plan' which would include a dedicated public liaison officer, pre-construction exhibitions, a visitor centre, advance work information notices, project newsletters, project website, a 24 hour helpline and complaints and enquiries procedure together with a bespoke Construction Environmental Management Plan.
- 2.14.15** **Objections with concerns about the use of the field adjacent to the Tyn-y-Brwyn Farm for temporary storage of soil.**<sup>136</sup>
- 2.14.16** The land, labelled plots 2/18k on draft Compulsory Purchase Order (CPO) Plan 2, is required to be used temporarily during the construction of the Scheme for stockpiling and processing materials.
- 2.14.17** The land would be reinstated and returned to the owner once the Scheme construction is complete. The Welsh Government would be prepared to proceed by way of licence as an alternative to the CPO if that can be negotiated, in order to ensure ownership remains with the landowner.
- 2.14.18** **Objections relating to impact on Little Orchard, Coedkernew during construction.**<sup>137</sup>
- 2.14.19** A proximity plan and a set of visualisation images have been sent in correspondence to aid the understanding of the impact on the property. The embankment that would be constructed for the new motorway would be planted with woodland planting to aid screening. Works to the existing M4 (to be reclassified as trunk road) in this location would involve creating a new link road. This would involve widening the embankment down towards the existing A48. There would be no impact on the A48 from the proposed Scheme, except for traffic management during the construction phase.

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<sup>136</sup> OBJ0003

<sup>137</sup> OBJ0234

- 2.14.20** **Objections relating to the impact on Beeches Caravan Park during construction.**<sup>138</sup>
- 2.14.21** Plots 16/7b, 16/7j and 16/7k on CPO Site Plan 16, are required temporarily in order to store top soil material during construction. Following the construction phase, the land would appropriately be restored and be available to be returned to the current holding at the earliest possible time. The stripping, storage and reinstatement of any topsoil and/or subsoil materials would be carried out in accordance with a soil handling methodology to be developed using recognised best practice guidance, as described in Appendix 3.2 of the Environmental Statement, the Pre- Construction Environmental Management Plan.
- 2.14.22** Although the draft CPO indicates that the Welsh Ministers wish to take title to these plots, their current intention is to negotiate for lesser rights, i.e. a licence to enter these plots and take temporary possession. If such a licence can be negotiated then ownership would remain as per the existing situation.
- 2.14.23** Permanent new access to the land is provided for in the draft Side Roads Order labelled 16/6a on Site Plan 16. This provides a replacement access for that to be stopped up access and labelled 16/6.
- 2.14.24** The contractor would work collaboratively throughout the construction period of the Scheme to ensure that access is maintained, including the movement of caravans on and off the site. This would include access through plots 16/7b and 16/7j. The Public Liaison Officer would be the point of contact and will keep the landowner informed of planned work in the area. The contractor would work to ensure that any temporary effect of the works on the access to the property is minimised.
- 2.14.25** **Objections relating to the impact on Upper Grange Farm during construction.**<sup>139</sup>
- 2.14.26** Plots 19/5a, 19/5b and 19/6 are required for an easement in order to discharge surface and flood water and for all purposes connected with flood management, including the right to enter and re-enter the land to inspect, cleanse and maintain it in connection with such purposes. This is because the potential for flooding occurring due to the widening of the highway and extension of the downstream culvert marginally increases the flood risk. During a storm event (modelled to be a 1 in 100 years) the majority of the land already floods.
- 2.14.27** The Easement covers the entire area of land that currently floods with the addition of the extra land where flood risk will be increased due to the Scheme. The land will remain in the ownership as per the existing situation, with an Easement right for the Welsh Government.
- 2.14.28** In the event that the Scheme proceeds, the Welsh Government may be prepared to enter into an agreement relating to the right to flood, as an alternative to proceeding to acquire a right via CPO. Negotiations are ongoing.

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<sup>138</sup> OBJ0235

<sup>139</sup> OBJ0241

**2.14.29** The plots adjacent to the land that are temporarily required during the construction of the Scheme, labelled 16/3s, 16/7b and 16/9a on the CPO Site Plan 16 are required for top soil storage during the construction phase of the Scheme. There will be no stone extraction from these plots. The plots will be returned to the land owner when construction is complete. The Welsh Government may be prepared to proceed to acquire licences in respect of these plots, for the duration of the works, as an alternative to acquisition of rights by way of CPO, should the Scheme proceed. Again, negotiations are ongoing.

## **2.15 Sustainable Development**

**2.15.1** **Objections based on concerns about how the Scheme aligns to the principles of sustainable development, and/or the objectives of the Wellbeing of Future Generations Act 2015.**<sup>140</sup>

**2.15.2** The Welsh Government is subject to the duties relating to sustainable development set out in the Well-being of Future Generations Act 2015. A Sustainable development report has been prepared, which describes how the proposed Scheme aligns to the Welsh Government's sustainable development principles.

**2.15.3** **Objections based on assertions that rather than invest in roads, Welsh Government money should instead be invested in other regions and services including health, education and industry.**<sup>141</sup>

**2.15.4** Such contentions are beyond the scope of the Inquiry.

**2.15.5** It is for the Welsh Government to decide how to allocate its resources, both geographically and in respect of the services it provides.

**2.15.6** **Objections based on assertions that rather than invest in roads, Welsh Government money should instead be invested in public transport and/or other forms of travel.**<sup>142</sup>

**2.15.7** Such contentions are beyond the scope of the Inquiry.

<sup>140</sup> OBJ0018, OBJ0024, OBJ0044, OBJ0066 ,OBJ0070, OBJ0074, OBJ0087, OBJ0102, OBJ0106, , OBJ0111, OBJ0129, OBJ0136, OBJ0141, OBJ0150, OBJ0154, OBJ0165, OBJ0168, OBJ0185, OBJ0194, OBJ0198, OBJ0204, OBJ0243, OBJ0244, OBJ0248, OBJ0263, OBJ0282, OBJ0284, OBJ0288, OBJ0307, OBJ0310, OBJ0314

<sup>141</sup> OBJ0002, OBJ0032, OBJ0096, OBJ0251, OBJ0286, OBJ0300, OBJ0164, OBJ0284, OBJ0328

<sup>142</sup> OBJ0014, OBJ0023, OBJ0039, OBJ0040, OBJ0043, OBJ0044, OBJ0050, OBJ0060, OBJ0065, OBJ0073, OBJ0074, OBJ0083, OBJ0085, OBJ0086, OBJ0087, OBJ0091, OBJ0093, OBJ0094, OBJ0096, OBJ0096, OBJ0105 , OBJ0106, OBJ0111, OBJ0113, OBJ0126, OBJ0129, OBJ0132, OBJ0142, OBJ0150, OBJ0155, OBJ0170 , OBJ0179, OBJ0180, OBJ0181, OBJ0185, OBJ0186, OBJ0191, OBJ0194, OBJ0203, OBJ0243, OBJ0244 , OBJ0246, OBJ0247, OBJ0248, OBJ0253, OBJ0258, OBJ0259, OBJ0263, OBJ0265, OBJ0266, OBJ0274, OBJ0282, OBJ0283, OBJ0284, OBJ0288, OBJ0290, OBJ0307, OBJ0310, OBJ0323, OBJ0328, OBJ0330, OBJ0335, OBJ0073, OBJ0275

- 2.15.8** As set out within Chapter 4 of the M4 Corridor around Newport Environmental Statement; studies have shown that new or improved public transport services would only have minimal impact in terms of reducing traffic on the M4. Investment in public transport measures is therefore aimed at achieving wider benefits to the region than relieving motorway traffic. However, potential future public transport enhancement measures are considered to be complementary to a motorway solution. Public transport enhancement measures are being progressed by Welsh Government to develop proposals for a Cardiff Capital Region Metro system.
- 2.15.9** **Objections based on concerns about the need for the Scheme, with suggestions that the identified problems could instead be addressed by demand management and/or policies to reduce car travel.**<sup>143</sup>
- 2.15.10** Between 2010 and 2013 more than 100 possible measures were considered, including network improvements, network management, demand management, alternative modes of transport and smarter sustainable choices. Some of the measures considered avoided road building. These were subject to consultation. The conclusion of Welsh Government was that a new section of motorway to the south of Newport was the sustainable, long term solution that would address the problems. This preferred strategy was set out in the draft Plan for the M4 Corridor around Newport which was consulted upon in 2013. The Plan was adopted in July 2014, following the consideration of consultation responses. Following the adoption of the Plan, Friends of the Earth brought a Judicial Review to the High Court of Justice Queen's Bench Division Planning Court in Wales, which was heard in March 2015. All grounds of challenge were dismissed. Since that time the focus has been on design development.
- 2.15.11** As part of the development work that led to the M4 Corridor around Newport Plan, a wide range of transport options were considered and appraised. This included the consideration of a measure to 'Promote local and regional car share schemes'. Whilst the appraisal did not lead to this option being progressed, it has been shared with local authorities and other stakeholders as part of an engagement exercise and the Welsh Government is supportive of car sharing as part of its wider transport strategies.
- 2.15.12** **Objections based on concerns about the Welsh Government taking into account the National Assembly for Wales Environment and Sustainability Committee's Inquiry into the M4 Proposals.**<sup>144</sup>
- 2.15.13** The Environment and Sustainability Committee published their report into the proposals on 21 July 2014. A response to the issues raised was published by the then Minister for Economy, Science and Transport on 1 September 2014. In summary, the letter from the then Minister raised the following rebuttals to the points raised by the Committee:

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<sup>143</sup> OBJ0001, OBJ0091, OBJ0008, OBJ0059, OBJ0275

<sup>144</sup> OBJ0069, OBJ0074, OBJ0142, OBJ0284, OBJ0296

- a) Careful consideration has been given to alternatives to the Plan, including the 'blue route'. Assessment of the 'blue route' showed that whilst providing a degree of increased resilience, would not address the problems on the M4, could cost more than £600m and could not be delivered any sooner than the Plan.
- b) There are clear environmental considerations given the location of the Scheme. A Strategic Environmental Assessment process has been completed following a Strategic Habitats Regulations Assessment (SHRA), and the conclusions of the SHRA have been agreed in principle with Natural Resources Wales (NRW).
- c) This project has a strong business case. The return on investment is calculated using median traffic growth, in accordance with Department for Transport forecasts.
- d) The Plan is compatible with, and will complement, the Cardiff Capital Region Metro and the electrification of the rail network.

**2.15.14** The Welsh Ministers have since adopted the Plan for the M4 Corridor around Newport, progressed the design, published draft Orders and decided to proceed to hold a Public Local Inquiry into the same, notwithstanding the finding of the Committee.

**2.15.15** **Objections based on concerns about the Scheme and its alignment to the National Planning Policy Framework in England, and Planning (Wales) Act 2015.**<sup>145</sup>

**2.15.16** The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, however, as the Scheme is located within Wales, the NPPF and its policies are not applicable. Planning Policy Wales (2016) sets out the main policy objectives and principles for planning in Wales.

**2.15.17** As noted in Chapter 5 of the Environmental Statement (Approach to Environmental Assessment), the Scheme is being taken forward via the Highways Act 1980 as amended, and consequently the Scheme is not governed by planning policy, but does have regard to it. The Welsh Government establishes the overall context for the operation of the planning system through legislation and setting the policy framework through Planning Policy Wales, technical advice notes, circulars and guidance. Where relevant, these have been taken into account and Chapter 6 of the Environmental Statement provides an overarching and strategic legislative and policy context for the Scheme from an environmental perspective.

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<sup>145</sup> OBJ0161, OBJ0284

- 2.15.18** **Objections based on concerns about the impact of the Severn Crossing Tolls on traffic and the economy.**<sup>146</sup>
- 2.15.19** There is no intention the Scheme would be financed by the Severn Bridge tolls. The Severn Bridges Act 1992 enables the Secretary of State, once in public ownership, to retain tolls on the Severn Crossings until 2022 and no later than 2027. The opening year for the Scheme and completion of the reclassification works to the existing M4 is 2022, such that unless new legislation is agreed between the Department for Transport and the Welsh Government, the collection of Severn Crossing Tolls would either cease by the opening year or within the first five years of the Scheme's completion.
- 2.15.20** Should the Severn Crossing Tolls be removed or reduced, there would be increased traffic along the M4 around Newport as a result. This has been taken into account as part of the Scheme design, with traffic forecasts considering scenarios with and without the tolls.
- 2.15.21** **Objections based on assertions that alternatives to the Scheme would have less impact on human health.**<sup>147</sup>
- 2.15.22** The Health and Equalities Impact Assessment (Environmental Statement Volume 3: Appendix 5.4) considers how the Scheme may influence public health and wellbeing in the areas surrounding the proposed new section of motorway and the existing M4 around Newport. It finds that the principal environmental pathways by which the Scheme would have direct public health impacts are changes in air pollutant concentrations and change in noise levels.
- 2.15.23** In summary, the Assessment concluded that the Scheme would essentially transfer a large amount of road traffic from the existing M4 corridor in the relatively densely populated area in the north of Newport to the new section of motorway in the less-populated area south of Newport, therefore reducing the number of people exposed to the greatest air pollution and noise impacts.
- 2.15.24** The noise impact assessment in the EIA reports operational noise impacts ranging from 'major beneficial' to 'major adverse' for residential receptors within 1 km of the existing M4 and new section of motorway. With regard to nuisance, the assessment concludes that 480 to 277 residential receptors (in 2022 and 2037) would experience a significant (>10%) decrease in nuisance and 32 to 27 would experience a significant increase, based on the committed mitigation plus noise barriers scenario vs do-minimum 2022 scenario.
- 2.15.25** With committed mitigation measures in place, no adverse health impact due to land contamination (including soils, ground gas and ground water) or flood risk due to the Scheme is predicted.

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<sup>146</sup> OBJ0206, OBJ0282, OBJ0285

<sup>147</sup> OBJ0272

- 2.15.26** As part of the development work that led to the M4 Corridor around Newport Plan, of which the main element is the proposed new section of motorway to the south of Newport, a wide range of transport options were considered and appraised. It was concluded that the alternatives considered do not sufficiently address the problems or achieve the objectives of the M4 Corridor around Newport (individually or in combination with other identified measures).
- 2.15.27** **Objections based on concerns about the Scheme not aligning to the Welsh Government’s policy commitments to reduce the impact of climate change.**<sup>148</sup>
- 2.15.28** Welsh Government is aware of the briefing research note prepared by Anderson and Glynn in 2015 for Wildlife Trusts Wales and its concerns with respect to the potential effect of carbon emissions from the Scheme on climate change. Those have been addressed.
- 2.15.29** A Carbon Report has been produced for the Scheme and this is included as part of the Environmental Statement (ES) as Appendix 2.4.
- 2.15.30** The analysis acknowledges the impact of carbon generation during construction. An element of construction carbon is inherent in the government policy commitment to improving the strategic transport network. During preparation of the published scheme great attention has been devoted to minimising levels of construction carbon.
- 2.15.31** With the Scheme the total user carbon emissions on the South Wales network would reduce (albeit by a negligible amount – less than 1%), even though the number of vehicle trips would increase. This is due the Scheme being approximately 2.8km shorter than the existing M4, the reduction of the ‘stop-start’ traffic and smoother, more efficient traffic flow.
- 2.15.32** Future user carbon emissions are difficult to project beyond 2037 due to uncertainties in future technological improvements in the UK/Welsh vehicle fleet, energy generation and fuel mix.
- 2.15.33** The effect of the proposed new section of motorway on carbon, including taking into consideration all of the proposed mitigation, has to be weighed against the significant social, economic and other environmental benefits that the Scheme would bring to Newport, the wider Cardiff region and Wales as a whole.

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<sup>148</sup> OBJ0024, OBJ0142, ONJ0185, OBJ0248, OBJ0307, OBJ0314, OBJ0330, OBJ0335

- 2.15.34** **Objections based on concerns that the Scheme might increase taxes.**<sup>149</sup>
- 2.15.35** The Scheme would be funded through a combination of UK Government borrowing and Welsh Government Transport capital budgets.
- 2.15.36** Policies related to transportation taxes and associated legislative powers are not devolved matters, being formulated and implemented at the UK level. The promotion and consultation on the current Scheme is not the occasion or mechanism for questioning the merits of Government policy at a UK or Welsh level. The proposals for the M4 Corridor around Newport have been developed in the context of the current policy framework.
- 2.15.37** **Objections based on assertion that there is no need for the Scheme.**<sup>150</sup>
- 2.15.38** Chapter 2 of the Scheme Assessment Report provides a summary of the background and need for the Scheme. Chapter 3 of the Scheme Assessment Report outlines existing conditions.
- 2.15.39** In summary, for many years, traffic congestion has been a fact of life for those using the existing M4 around Newport and living in the area. Journey times are often unreliable, making it more difficult to access job opportunities or services including education. Problems on the existing M4 around Newport relate to capacity, resilience, safety and issues of sustainable development. These problems are expected to get worse.
- 2.15.40** The transport related problems around Newport discourage business investment and the Welsh Government aims to provide a transport system that improves Wales' economic competitiveness and encourage jobs and growth.
- 2.15.41** In terms of the environment, local authorities in the UK work towards meeting national air quality objectives. If a local authority finds any places where the objectives are not likely to be met, it must declare an Air Quality Management Area (AQMA) Newport has seven of these (AQMAs) and four are associated with the existing M4.
- 2.15.42** Traffic growth along the existing M4 around Newport has also contributed to noise pollution, affecting neighbouring residential communities. Newport has various designated Noise Action Planning Priority Areas (NAPPAs) including along the M4.

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<sup>149</sup> OBJ0006

<sup>150</sup> OBJ0059

- 2.15.43** Since the early 1990s, much assessment and consultation has been undertaken to develop a preferred solution to the transport related problems associated with the M4 around Newport. Traffic forecasts show that the problems will worsen in the future. The Local Model Validation Report shows current travel conditions, and is the basis for undertaking traffic forecasting and economic assessment. The Traffic Forecasting Report forecasts the traffic for different future scenarios.
- 2.15.44** **Objections based on concerns about how the Scheme aligns to the Environment Wales Act 2016 and commitments to protect the natural environment, including the Habitat Directive.**<sup>151</sup>
- 2.15.45** Welsh Government clearly recognises that with the enactment of the Environment (Wales) Act 2016 Welsh Ministers are required to prepare a national natural resources policy for Wales and to take all reasonable steps to implement that policy. Similarly Welsh Ministers will continue to honour their ongoing commitments to international environmental conventions via the UK Government.
- 2.15.46** **Objections based on concerns about the Scheme's Equality Impact Assessment.**<sup>152</sup>
- 2.15.47** There have been a number of health and equalities impact assessment to inform different stages of the planning and decision making process from the strategic level, down to the shortlisted options and through to the final preferred option, including:
- The 2012 Preliminary Health Impact Assessment;
  - The 2013 HIA Consultation Document;
  - The 2014 Health Impact Assessment;
  - The 2014 Equalities Impact Assessment; and
  - The 2016 Integrated Health and Equalities Impact assessment, Appendix 5.4 of the Environmental Statement.
- 2.15.48** Comments have been made in regard to the now superseded 2014 Health Impact Assessment and the 2014 Equalities Impact Assessment, produced to inform a previous stage of planning and decision making.

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<sup>151</sup> OBJ0204, OBJ0244, OBJ0284, OBJ0255, OBJ0328

<sup>152</sup> OBJ0247

- 2.15.49** In regards to the scope of the 2016 Integrated Health and Equalities Impact assessment (HEIA) failing to consider the broader picture, and not considering alternative options, this is not a failing of the 2014 or current EHIA, but is more a misunderstanding that preceding stages of planning and decision making that have already considered such matters. It was the purpose of the Strategic Environmental Assessment (as part of the development of the M4 Corridor around Newport Plan as published in July 2014) to consider a range of options, this filtered down into the preferred options (accompanied by its own suite of technical assessments), which in turn filtered down to selection of the adopted Plan. For each stage of the planning and decision making process, the scope and focus of assessment increases in order to ensure the assessment is robust, but does not cover matters that it cannot influence or does not affect. On this basis, it is not correct to suggest that the EHIA is fundamentally flawed, as the scope and focus of the assessment was defined to inform the specific stage of planning and decision to be made, rather than repeat it.
- 2.15.50** Regarding the lack of detail in the 2014 work, again this reflects the stage of planning and decision making, and how the level of assessment detail increases as the process progresses from the strategic to the project level. The 2016 HEIA report assesses how the project might impact on the areas and at this stage greater information was available to inform the assessment. On the above basis, the concerns raised regarding the scope and detail of the 2014 work, are a simple misunderstanding of how and where such concerns have already been addressed during different stages of planning and decision-making.
- 2.15.51** The 2014 Equalities Impact Assessment is a report submitted to inform a different stage of planning and decision making, and therefore the Welsh Government would encourage interested parties to view the 2016 Integrated Health and Equalities Impact Assessment.
- 2.15.52** **Objections based on concerns that the Scheme would not support an integrated transport policy.<sup>153</sup>**
- 2.15.53** The M4 Corridor around Newport forms an essential part of the Welsh Government's vision for an efficient integrated transport system in South Wales. In parallel with the Scheme, the Welsh Government is taking forward a Cardiff Capital Region Metro. The Metro is seeking to improve accessibility to local employment sites, educational facilities and services within the Region and is complementary to the proposals for the M4 Corridor around Newport.

## **2.16 Alternatives**

- 2.16.1** Of those who objected to the Scheme, there were around 140 instances where alternatives were suggested, sometimes with more than one alternative being suggested within individual correspondence.

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<sup>153</sup> OBJ0275

**2.16.2** The engineering based summary of objections above provides an overview of suggested road based alternatives. In summary, suggested alternatives include:

- a) Alternative route utilising existing A48 and A4810 roads through Newport, often referred to as the 'Blue route';
- b) Alternative alignment west of Wilcrick;
- c) Alternative alignment west of J23A;
- d) Alternative alignment south of Magor;
- e) Alternative alignment through ABP North Dock;
- f) Alternative access to Magor Services;
- g) Alternative access to Severn Tunnel Junction railway station from J23;
- h) Alternatives M48/Severn Tunnel Junction railway station connection;
- i) Alternative access at Junction 23 at Rogiet and Caldicot;
- j) Alternative junction arrangement at J23a;
- k) Alternative alignment south at Queensway (to accommodate Industrial Automation);
- l) Works to Brynglas Tunnels; and
- m) A Magor to Castleton Tunnel.

**2.16.3** Traffic and demand management along the existing M4 has also been suggested. The traffic based summary of objections above provides an overview of suggested demand management and car use reduction based alternatives.

**2.16.4** Other suggested alternatives that do not include highway improvements and/or road building, and are not considered to be pertinent to the Public Local Inquiry as alternatives to the Scheme. They include public transport investment and the Cardiff Capital Region Metro. The sustainable development based summary of objections above provides an overview of suggested non-road based alternatives.

**2.16.5** The Welsh Government has, in responding to all objectors in writing, explained where an alternative has been previously considered, and/or asked whether they would wish to promote their suggested alternative as an advocate at the Public Local Inquiry.

**2.16.6** Any alternatives that are submitted in sufficient detail for consideration at the Public Local Inquiry will be engineered and assessed by the Welsh Government, and included in an Alternatives Brochure, for consultation with those likely to be effected. There will be an opportunity for counter-objections to those promoted alternatives to the Scheme at the Public Local Inquiry.

## 3 List of Evidence

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**3.1.1** A Public Local Inquiry Library will make available all relevant documents that will help inform the Public Local Inquiry. Set out in the remainder of this section is the current list of documents as prepared by the Welsh Government for the purposes of the Public Local Inquiry. The list of documents is subject to change before the proceedings start, whilst additional documents may be added during the proceedings. The Public Local Inquiry Library and its contents will be kept up to date by the designated Programme Officer.

**3.1.2** All available documents will be accessible to all within the Public Local Inquiry Library, either in paper copy at the Public Local Inquiry venue during the course of the proceedings:

- Lysaght Institute, 445 Corporation Rd, Newport NP19 0HE; or
- Online at the M4 Corridor around Newport Public Local Inquiry website:

<http://m4-newport.persona-pi.com/>

**3.1.3** Copies will also be made available during their opening hours at the following deposit centres:

- Newport Central Library, John Frost Square, Newport NP20 1PA; and
- Innovation House, Wales1 Business Park, Magor NP26 3DG.

**3.1.4** Please note that the documents will be made available at the above locations from Monday 22 August 2016, with the following exceptions:

- a) Environmental Statement Supplement (on or around 5 September 2016);
- b) Proofs of Evidence (on or around 4 October 2016); and
- c) Various technical reports supporting the proofs of evidence (on or around 4 October 2016).

**3.1.5** The Welsh Government is considering publishing supplementary draft Orders in relation to the Scheme. There may be a supplementary draft Scheme Order relating to navigation during construction. There may also be a supplementary draft Compulsory Purchase Order relating to land that may be required at Bencroft Lane, Monmouthshire. If published, these would be expected on or around 5 September 2016.

**3.1.6** Documents marked with a single asterisk (\*) relate to those that will be added to be available on or around 5 September 2016. Documents marked with a double asterisk (\*\*) relate to those that will be added to be available on or around 4 October 2016.

## **1 Proofs of Evidence**

### **1.1 Mr Matthew Jones BEng (Hons) CEng MICE – Chief Witness**

1.1.1 Proof of Evidence

1.1.2 Summary of Proof

### **1.2 Mr Bryan Whittaker (Traffic)**

1.2.1 Proof of Evidence

1.2.2 Summary of Proof

### **1.3 Mr Stephen Bussell BSc (Hons) MIED (Economics)**

1.3.1 Proof of Evidence

1.3.2 Summary of Proof

### **1.4 Mr Andrew Meaney BSc (Hons) MSc (Port Economics)**

1.4.1 Proof of Evidence

1.4.2 Summary of Proof

### **1.5 Mr Ben Sibert BEng CEng FICE MIStructE MCIHT (Engineering)**

1.5.1 Proof of Evidence

1.5.2 Summary of Proof

### **1.6 Mr Barry Woodman BSc (Hons) MBA CEng FICE FIHE MCIHT (Construction)**

1.6.1 Proof of Evidence

1.6.2 Summary of Proof

### **1.7 Dr Peter Ireland MA (Oxon), D.Phil (Environment)**

1.7.1 Proof of Evidence

1.7.2 Summary of Proof

### **1.8 Mr Nicholas Rowson BSc (Hons) Hort BLD CMLI MIHort (Landscape)**

1.8.1 Proof of Evidence

1.8.2 Summary of Proof

### **1.9 Mr Mick Rawlings BA (Hons) MIFA (Cultural Heritage)**

1.9.1 Proof of Evidence

1.9.2 Summary of Proof

### **1.10 Ms Julia Tindale BSc (Hons) MI soil SCI (Land Use, Community and Recreation)**

1.10.1 Proof of Evidence

1.10.2 Summary of Proof

### **1.11 Mr Andy Clifton BSc (Hons) MSc CEng FGS CEnv CSci (Contamination)**

1.11.1 Proof of Evidence

1.11.2 Summary of Proof

### **1.12 Dr Michael Bull BSc DIC PhD CEng CEnv CSci FIAQM MIEnvSc MICHemE (Air Quality)**

1.12.1 Proof of Evidence

1.12.2 Summary of Proof

### **1.13 Mr Tim Chapman FICE FIEI FREng (Carbon)**

1.13.1 Proof of Evidence

1.13.2 Summary of Proof

- 1.14 Mr Phillip Evans BSc (Hons) MSc MIOA FGS (Noise & Vibration)**
  - 1.14.1 Proof of Evidence
  - 1.14.2 Summary of Proof
- 1.15 Mr Richard Graham BSc (Hons) MSc FGS (Water Quality)**
  - 1.15.1 Proof of Evidence
  - 1.15.2 Summary of Proof
- 1.16 Dr Paul Canning BEng (Hons) PhD CEng MICE (Tidal Flooding)**
  - 1.16.1 Proof of Evidence
  - 1.16.2 Summary of Proof
- 1.17 Mr Mike Vaughan BEng (Hons) Exon CEng CWEM MICE MCIWEM (Flood Consequences Assessment)**
  - 1.17.1 Proof of Evidence
  - 1.17.2 Summary of Proof
- 1.18 Dr Keith Jones BSc PhD MRSB CBIol (Ecology and Nature Conservation)**
  - 1.18.1 Proof of Evidence
  - 1.18.2 Summary of Proof
- 1.18.3 Ms Joanne Wilson BSc MSc MCIEEM CEnv (Ecology – Dormice and Water Voles)**
  - 1.18.4 Proof of Evidence
  - 1.18.5 Summary of Proof
- 1.19 Mr Richard Green BSc MCIEEM CEnv SocEnv (Ecology – Bats)**
  - 1.19.1 Proof of Evidence
  - 1.19.2 Summary of Proof
- 1.20 Mr Martin Scott BSc (Ecology – Ornithology)**
  - 1.20.1 Proof of Evidence
  - 1.20.2 Summary of Proof
- 1.21 Mr Jonathan Vine MNI (Shipping)**
  - 1.21.1 Proof of Evidence
  - 1.21.2 Summary of Proof
- 1.22 Mr John Davies MBE BSc MRTPI (Sustainable Development)**
  - 1.22.1 Proof of Evidence
  - 1.22.2 Summary of Proof

## **2 Orders**

### **2.1 Draft Orders 2016**

- 2.1.1** THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) SCHEME 201- and associated plans. [including Bridges over the navigable waterways of Newport Docks, River Usk and River Ebbw Bridges]
- 2.1.2** THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON) ORDER 201- and associated plans
- 2.1.3** THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) AND THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON) (SIDE ROADS) ORDER 201– and associated plans and schedule
- 2.1.4** THE M4 MOTORWAY (WEST OF MAGOR TO THE EAST OF CASTLETON) AND THE A48(M) MOTORWAY (WEST OF CASTLETON TO ST MELLONS) (VARIATION OF VARIOUS SCHEMES) SCHEME 201– and associated plans
- 2.1.5** THE WELSH MINISTERS (THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) AND THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON)) COMPULSORY PURCHASE ORDER 201– and associated maps and schedules
- 2.1.6** NOTICE OF A PROPOSED COMPULSORY PURCHASE OF LAND FORMING PART OF A COMMON AND RIGHTS OVER LAND FORMING PART OF A COMMON, SUCH LAND BEING KNOWN AS PART OF FORESHORES OF RIVERS EBBW AND USK (PART OF REGISTER UNIT CL1) IN THE CITY OF NEWPORT and associated plans and schedules
- 2.1.7** NOTICE OF A PROPOSED COMPULSORY PURCHASE OF LAND OVER A FIELD GARDEN ALLOTMENT AT GREEN MOOR LANE, MAGOR IN THE COUNTY OF MONMOUTHSHIRE and associated plans and schedules

## **2.2 Draft Orders Ancillary Documents 2016**

- 2.2.1 The Statement of Reasons (explaining the proposals contained in the draft Compulsory Purchase Order)
- 2.2.2 The Explanatory Statement (explaining the proposals contained in the draft Scheme, draft Line and draft Side Roads Orders)
- 2.2.3 Public Notice of the Public Exhibitions of Draft Order Proposals
- 2.2.4 Public Notice announcing the draft Scheme, draft Line, and draft Side Roads Orders
- 2.2.5 Public Notice announcing the draft Compulsory Purchase Order
- 2.2.6 Public Notice announcing the Variation of the Scheme
- 2.2.7 Environmental Impact Assessment Notice of Environmental Statement and Assessment of Implications for European Sites Notice of Statement to Inform Appropriate Assessment
- 2.2.8 Environmental Impact Assessment Notice of Determination and Assessment of Implications for European Sites Notice of Statement to Inform Appropriate Assessment
- 2.2.9 Public Notice announcing intention to hold a Pre-Inquiry Meeting
- 2.2.10 Public Notice announcing details of the Public Local Inquiry

## **2.3 Draft Orders Supporting Documents 2016**

- 2.3.1 THE WELSH MINISTERS (THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) AND THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON)) COMPULSORY PURCHASE ORDER 201 – Land Reference Plans and Schedule
- 2.3.2 M4 Corridor around Newport Environmental Statement
- 2.3.3 M4 Corridor around Newport Environmental Statement: Non-Technical Summary
- 2.3.4 M4 Corridor around Newport Statement to Inform an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010
- 2.3.5 Welsh Government M4 Corridor around Newport. Assessment of Implications (of highways and/or roads projects) on European Sites. Screening Report 2015
- 2.3.6 M4 Corridor around Newport Scheme Assessment Report
- 2.3.7 M4 Corridor around Newport Economic Appraisal Report
- 2.3.8 M4 Corridor around Newport Wider Economic Impact Assessment
- 2.3.9 Local Model Validation Report 2015
- 2.3.10 M4 Corridor around Newport Traffic Forecasting Report
- 2.3.11 M4 Corridor around Newport Sustainable Development Report
- 2.3.12 M4 Corridor around Newport Land Use and Ownership Report

- 2.3.13 Land reference plans with Scheme Overlay Comparison (Highway Alignment superimposed for checking purposes)
- 2.3.14 Public Information Exhibitions 2015
- 2.3.15 Project Information Brochure 2015
- 2.3.16 Summary Brochure 2015
- 2.3.17 Public Information Exhibitions Report 2015
- 2.3.18 Public Information Exhibitions Report - Appendix A: Copies of the printed publicity materials 2015
- 2.3.19 Draft Orders Exhibition Materials
- 2.3.20 Draft Orders Summary Brochure

## **2.4 Draft Orders Supplements and Modifications 2016**

- 2.4.1 List of proposed Modifications to the draft Orders and the Statement of Reasons explaining the proposals contained within the Order Supplements\*
- 2.4.2 Public Notice announcing the draft Supplementary Compulsory Purchase Order\*
- 2.4.3 Draft Supplementary Compulsory Purchase Order [Bencroft Lane amendments]\*
- 2.4.4 Environmental Statement Supplement\*
- 2.4.5 Traffic Forecasting Report Supplement\*
- 2.4.6 Statement of Case

## **3 Legislation**

### **3.1 General**

- 3.1.1 Newport (Monmouthshire) Harbour Act 1890 [53&54 Vict]
- 3.1.2 Harbour Docks and Piers Clauses Act 1847
- 3.1.3 The Land Compensation Act 1961
- 3.1.4 The Ancient Monuments and Archaeological Areas Act 1979
- 3.1.5 Highways Act 1980
- 3.1.6 Acquisition of Land Act 1981
- 3.1.7 Wildlife and Countryside Act 1981 (as amended)
- 3.1.8 Planning (Listed Buildings and Conservation Areas) Act 1990
- 3.1.9 The Town and Country Planning Act 1990
- 3.1.10 The Environment Act 1995, Chapter 25
- 3.1.11 Human Rights Act 1998
- 3.1.12 The Countryside and Rights of Way (CRoW) Act 2000
- 3.1.13 The Natural Environment and Rural Communities (NERC) Act 2006
- 3.1.14 Climate Change Act 2008
- 3.1.15 Active Travel (Wales) Act 2013
- 3.1.16 Environment (Wales) Act 2016
- 3.1.17 Environment (Wales) Act 2016 Explanatory Memorandum
- 3.1.18 Well-being of Future Generation Act (Wales) 2015

- 3.1.19 Historic Environment (Wales) Act 2016
- 3.1.20 Planning (Wales) Act 2015
- 3.1.21 European Directive 92/42/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna
- 3.1.22 Conservation of Habitats and Species Regulations 2010
- 3.1.23 Hedgerows Regulations 1997
- 3.1.24 The Highways (Assessment of Environmental Effects) Regulations 1999. SI 1999 No 369
- 3.1.25 Water Environment (Water Framework Directive) (England and Wales) Regulations 2003
- 3.1.26 The Highways (Assessment of Environmental Effects) Regulations 2007. SI 2007 No 1062
- 3.1.27 The Newport (South Wales) Harbour Revision (Constitution) Order 2003
- 3.1.28 Newport (South Wales) Harbour Commissioners Byelaws 2015
- 3.1.29 Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the Assessment of the Effects of Certain Public and Private Projects in the Environment
- 3.1.30 Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the Assessment of the Effects of Certain Public and Private Projects in the Environment (codification)
- 3.1.31 The Highways (Assessment of Environmental Effects) Regulations 2007. SI 2007 No 1062
- 3.1.32 The Marine Works (Environmental Impact Assessment) Regulations 2007. SI 2007 No. 1518
- 3.1.33 The Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2011. SI 2011 No. 735

## **4 Scheme Development and Alternatives**

### **4.1 Pre 2006 Route Review**

- 4.1.1 Welsh Office South Wales Area Traffic Study 1990
- 4.1.2 Roads in Wales – Progress and Plans for the 1990s
- 4.1.3 Roads in Wales: Progress and Plans for the 1990s – 1992 Supplement
- 4.1.4 M4 Relief Road Magor to Castleton - Initial Improvement Options report (92/2010) 1992
- 4.1.5 Welsh Office Assessment of Discarded Route Options 1993
- 4.1.6 Welsh Office Review of Northern Route Adopting Reduced Standards 1993
- 4.1.7 M4 Relief Road Magor to Castleton - Initial Forecasting report 1993
- 4.1.8 M4 Relief Road Magor to Castleton Stage 1 - Economic Assessment Report 1993

- 4.1.9 M4 Relief Road Magor to Castleton – Summary Report - Background to the selection of Routes for Public Consultation 1993
- 4.1.10 M4 Relief Road Magor to Castleton Public Consultation Brochure 1993
- 4.1.11 M4 Relief Road Magor to Castleton – Assessment of Discarded Northern Route Options 1993
- 4.1.12 M4 Relief Road Magor to Castleton – Route Selection Final Technical Appraisal (93/2365) 1993
- 4.1.13 Transport Research Laboratory – D of T – The Longer Term Effects of the Tyne and Wear Metro Report 1993
- 4.1.14 M4 Relief Road – Magor to Castleton Stage 1: Technical Appraisal Report vol. 1 1993
- 4.1.15 M4 Relief Road – Magor to Castleton Stage 1: Technical Appraisal Report vol. 2 1993
- 4.1.16 M4 Relief Road – Magor to Castleton Stage 1: Technical Appraisal Report vol.3 1993
- 4.1.17 M4 Relief Road – Magor to Castleton Stage 1: Technical Appraisal Report vol.4 1993
- 4.1.18 M4 Relief Road Magor to Castleton Statement of Results of Public Consultation and Reasons for Selection of Preferred Corridor 1994
- 4.1.19 M4 Relief Road Magor to Castleton Second Public Consultation for Castleton and Magor 1994
- 4.1.20 Welsh Office M4 Relief Road Magor to Castleton: Statement of Results of Second Public Consultation and Further Examination of Options for Crossing the River Usk and Reasons for Selection of Preferred Route 1995
- 4.1.21 Welsh Government press release – William Hague Announces Preferred Route for M4 Relief Road (WG ref W95234 / 027) 1995
- 4.1.22 M4 Relief Road (Magor to Castleton) Welsh Government letters to Chief Executives of Gwent County Council and Monmouth Borough Council (Ref 910175-315-1) with TR111 notification Serial Number 2/95 and Preferred Route plan 1995
- 4.1.23 M4 Relief Road Magor to Castleton – Technical Appraisal Report Third Addendum 1997
- 4.1.24 M4 Relief Road Magor to Castleton Welsh Government letters to Chief Executive of Newport County Borough Council and Monmouthshire County Council (Ref 910175-315-1) with TR111 notification Serial Number 1/97 and TR111 Plan - Modified Preferred Route 1997
- 4.1.25 M4 Relief Road- Magor to Castleton Stage 2- Commissioning Report 1998
- 4.1.26 Welsh Office M4 Motorway between Magor and Castleton: Common Appraisal Framework. Ove Arup and Partners 1999

- 4.1.27 M4 Relief Road Magor to Castleton Stage 2 – Summary of Reports and Working Papers prepared during Stage 1 Commission – 3rd Draft 2000
- 4.1.28 M4 Relief Road Magor to Castleton – Direction in Newport Docks Direction Made under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995-2001
- 4.1.29 Trunk Road Forward Programme 2002
- 4.1.30 Press Release – Sue Essex announces Trunk Road Programme for Wales 2002
- 4.1.31 M4 Relief Road – Magor to Castleton Stage 2 – Summary Working Document 2003
- 4.1.32 Extract from Transport Review 2004 – M4 South East Wales 2004
- 4.1.33 What Light Rail Can do for Cities – Final Report – Prepared for Passenger Transport Executive Group 2005
- 4.1.34 What Light Rail Can do for Cities – Final Report – Appendices 2005
- 4.1.35 New M4 – Project Objectives Workshop Conclusions – Draft 1 2005
- 4.1.36 New M4 – Project Objectives Workshop Conclusions – Draft 1 2006

## **4.2 2006 Preferred Route**

- 4.2.1 Transport Wales M4 Corridor Re-examination of Route Corridors, Workshop Report for 23 February 2006. Welsh Assembly Government 2006
- 4.2.2 Transport Wales New M4 Project - Magor to Castleton, Preferred Route Review. Welsh Assembly Government 2006
- 4.2.3 Transport Wales New M4 Project - Magor to Castleton, Junction Strategy Review. Welsh Assembly Government 2006
- 4.2.4 M4 Relief Road (Magor to Castleton) Protected Route TR111 – Newport City Council 2006
- 4.2.5 M4 relief Road (Magor to Castleton) Protected Route TR111 Plan – Newport City Council 2006
- 4.2.6 M4 Relief Road (Magor to Castleton) Protected Route TR111 – Monmouthshire County Borough Council 2006
- 4.2.7 M4 Relief Road (Magor to Castleton) Protected Route TR111 Plan Monmouthshire County Borough Council 2006
- 4.2.8 New M4 Project (Magor to Castleton) Public Exhibitions Information Leaflet 2006
- 4.2.9 New M4 Project - WeITAG Planning stage: Workshop Information Pack 2007
- 4.2.10 New M4 Project Magor to Castleton - WeITAG Planning Stage Report 2009
- 4.2.11 New M4 Project - Addendum to WeITAG Planning Stage Report Draft 2 2009
- 4.2.12 National Transport Plan – Oral Statement by Ieuan Wyn Jones AM 2009

- 4.2.13 New M4 Project Magor to Castleton – WeITAG Appraisal Report Stage 1 - Draft 1 2009
- 4.2.14 New M4 Project Magor to Castleton – WeITAG Appraisal Report Stage 1 – Draft 3 2010

### **4.3 M4 Corridor Enhancement Measures (CEM) 2010 - 2013**

- 4.3.1 M4 Corridor Enhancement Measures – Strategic Appraisal and Monitoring Report – Draft 2 2010
- 4.3.2 M4 Corridor Enhancement Measures – Stage 1 Review of problems and goals 2011
- 4.3.3 Welsh Government M4 Corridor Enhancement Measures: Appraisal Handbook 2011
- 4.3.4 Welsh Government M4 Corridor Enhancement Measures: Alternatives Considered – Measures Falling Outside of the M4 CEM Programme. Supporting Technical Document 2011
- 4.3.5 Welsh Government M4 Corridor Enhancement Measures Magor to Castleton (M4 CEM) Easing the Flow. Consultation Document. WG14775. 2012
- 4.3.6 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Magor to Castleton – Consultation Document – Easing the Flow Revision A 2012
- 4.3.7 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Magor to Castleton – Consultation Document – Easing the Flow Revision B 2012
- 4.3.8 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Public Transport Overview 2012
- 4.3.9 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Public Transport Overview Appendices 2012
- 4.3.10 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Health Impact Assessment. 2012
- 4.3.11 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Equality Impact Assessment. November 2012
- 4.3.12 Welsh Government M4 Corridor Enhancement Measures (CEM) Strategic Environmental Assessment (SEA) Environmental Report. WG16557. 2012
- 4.3.13 Welsh Government M4 Corridor Enhancement Measures (CEM) Strategic Habitats Regulations Assessment (SHRA) Screening Report. WG16557. 2012
- 4.3.14 Welsh Government M4 Corridor Enhancement Measures (CEM) Strategic Habitats Regulations Assessment (SHRA) Statement to inform Appropriate Assessment. WG16557. 2012
- 4.3.15 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) WeITAG Appraisal Report Stage 1 (Strategic Level) 2013
- 4.3.16 Welsh Government M4 Corridor Enhancement Measures Public Transport Overview Update 2013

- 4.3.17 Welsh Government M4 Corridor around Newport WeITAG Appraisal Report Stage 1 (Strategic Level) 2013
- 4.3.18 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Environmental Assessment Scoping Report 2013
- 4.3.19 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Health Impact Assessment Scoping Report 2013
- 4.3.20 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Equality Impact Assessment 2013
- 4.3.21 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Participation Report Full Report 2013
- 4.3.22 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Participation Report – Executive Summary 2013
- 4.3.23 Welsh Government M4 Corridor Enhancement Measures (M4 CEM) Participation Report – Appendices 2013

#### **4.4 Draft Plan 2013**

- 4.4.1 Welsh Government M4 Corridor around Newport draft Plan: Consultation Document. WG19741
- 4.4.2 Welsh Government M4 Corridor around Newport draft Plan: Equality Impact Assessment. WG19741
- 4.4.3 Welsh Government M4 Corridor around Newport draft Plan: Strategic Environmental Assessment Scoping Report.
- 4.4.4 Welsh Government M4 Corridor around Newport draft Plan: Health Impact Assessment. WG19741
- 4.4.5 Welsh Government M4 Corridor around Newport draft Plan: Consideration of the options in relation to the requirements of the Habitats Regulations. WG19741
- 4.4.6 Welsh Government M4 Corridor around Newport draft Plan: Strategic Environmental Assessment Environmental Report. WG19741
- 4.4.7 Welsh Government M4 Corridor around Newport draft Plan: Consultation Response Form. WG19741.
- 4.4.8 Strategic Environmental Assessment Environmental Report - Appendix B: Review of Relevant Plans, Policies and Programmes
- 4.4.9 Strategic Environmental Assessment Environmental Report - Appendix C: Review of Baseline Information
- 4.4.10 Strategic Environmental Assessment Environmental Report Non-Technical Summary
- 4.4.11 Strategic Environmental Assessment Environmental Report Non-Technical Summary - Appendix A: The draft Plan and Reasonable Alternatives
- 4.4.12 M4 Corridor around Newport Welsh Transport Planning And Appraisal Guidance (WeITAG) Stage 1 Appraisal (Strategy Level) Report

## **4.5 The Plan 2014**

- 4.5.1 Ministerial Statement – Edwina Hart June 2013
- 4.5.2 Ministerial Statement – Edwina Hart July 2013
- 4.5.3 Ministerial Statement – Edwina Hart, Rail Priorities July 2013
- 4.5.4 The Blue Route – A Cost Effective Solution to relieving M4 Congestion around Newport – Institute of Welsh Affairs and Chartered Institute of Logistics and Transport December 2013
- 4.5.5 Welsh Government M4 Corridor around Newport - Motorway South of Newport. WelTAG Stage 1 & 2 (Scheme) Appraisal.
- 4.5.6 M4 Corridor around Newport Outcomes of Draft Plan Process (Redacted)
- 4.5.7 Welsh Government M4 Corridor around Newport: The Plan.
- 4.5.8 Welsh Government M4 Corridor around Newport: The Plan. Health Impact Assessment Report.
- 4.5.9 Welsh Government M4 Corridor around Newport: The Plan. Equality Impact Assessment Report.
- 4.5.10 Welsh Government M4 Corridor around Newport: The Plan. Consultation Participation Report and Appendices.
- 4.5.11 Welsh Government M4 Corridor around Newport. The Plan: Consultation Report, Appendix A1: Full Factual Consultation Report
- 4.5.12 Welsh Government M4 Corridor around Newport: The Plan. Strategic Appraisal of Alternatives Considered During Consultation.
- 4.5.13 Welsh Government M4 Corridor around Newport: The Plan. Strategic Environmental Assessment Post-Adoption Statement.
- 4.5.14 The Plan: Strategic Environmental Assessment: Post-Adoption Statement - Appendix A: SEA Scoping Report: Consideration of Statutory Consultee Responses
- 4.5.15 The Plan: Strategic Environmental Assessment: Post-Adoption Statement - Appendix B: SEA Environmental Report: Statutory Consultee Responses
- 4.5.16 The Plan: Strategic Environmental Assessment: Post-Adoption Statement - Appendix C: SEA Environmental Report: Consideration of Statutory Consultee Responses
- 4.5.17 M4 Corridor around Newport - Motorway to the South of Newport Business Case
- 4.5.18 Welsh Government M4 Corridor around Newport - Motorway South of Newport. Design Manual for Roads and Bridges Stage 2 Scheme Assessment Report
- 4.5.19 Welsh Government M4 Corridor around Newport - Motorway South of Newport. Design Manual for Roads and Bridges Stage 2 Environmental Assessment Vol 1 Report and Vol 2 Appendices.
- 4.5.20 Statement by the Welsh Government update on the M4 Corridor around Newport
- 4.5.21 Cabinet Written Statement

- 4.5.22 Evidence to NAW Environment and Sustainability Committee by Professor Stuart Cole October 2013
- 4.5.23 Submission to NAW Environment and Sustainability Committee by Wildlife Trust Wales Submission October 2013
- 4.5.24 Submission to NAW Environment and Sustainability Committee by Friends of the Earth October 2013
- 4.5.25 Submission to NAW Environment and Sustainability Committee by RSPB October 2013
- 4.5.26 Letter from Chair of NAW Environment and Sustainability Committee to Edwina Hart AM November 2013
- 4.5.27 Letter from Edwina Hart AM to the chair of the E & S Committee with Annexes December 2013
- 4.5.28 Letter from the chair of the E & S Committee to Edwina Hart AM January 2014
- 4.5.29 Letter from Edwina Hart AM to the chair of the E & S Committee February 2014
- 4.5.30 Letter from the chair of the E & S Committee to Edwina Hart AM February 2014
- 4.5.31 Letter from Edwina Hart AM to the chair of the E & S Committee March 2014
- 4.5.32 Letter from the chair of the E & S Committee to Edwina Hart AM June 2014
- 4.5.33 Letter from Edwina Hart AM to the chair of the E & S Committee June 2014
- 4.5.34 Letter from the chair of the E & S Committee to Edwina Hart AM 3 July 2014
- 4.5.35 Letter from the chair of the Environment and Sustainability Committee to Edwina Hart AM 18 July 2014
- 4.5.36 Environmental and Sustainability Committee, Inquiry into Welsh Government proposal for the M4 around Newport 21 July 2014
- 4.5.37 Evidence to Environment and Sustainability Committee by Prof Stuart Cole 21 July 2014
- 4.5.38 National Assembly for Wales – Environment & Sustainability Committee Report July 2014
- 4.5.39 Letter from Welsh Government to Alun Fred Jones AM, Chair of Environment and Sustainability Committee - 1 September 2014
- 4.5.40 Letter from Deighton Pierce Glynn to Welsh Government – Judicial Review Letter before Claim 4 December 2013
- 4.5.41 Letter from Deighton Pierce Glynn to Welsh Government – 18 December 2013
- 4.5.42 Letter to Deighton Pierce Glynn from Welsh Government – Response to Judicial Review Letter before Claim - 18 Dec 2013
- 4.5.43 Letter from Deighton Pierce Glynn to Welsh Government - 20 Dec 2013
- 4.5.44 Email from WG to Deighton Pierce Glynn attaching Letter before Claim and Blue Route Cost Estimate August 2014

- 4.5.45 R (on the application of Friends of the Earth England, Wales and Northern Ireland Ltd) v Welsh Ministers [2015] EWHC 776 (Admin) 2015

## **4.6 2014 Preferred Route**

- 4.6.1 Welsh Government M4 Corridor around Newport Preliminary Sources Study Report 14/9197
- 4.6.2 Welsh Government M4 Corridor around Newport. Statement of Reasons for Modification of the 2006 Preferred Route for a New Section of Motorway South of Newport
- 4.6.3 Welsh Government M4 Corridor around Newport: Responses received from participants
- 4.6.4 M4 Corridor around Newport Junction Strategy Report
- 4.6.5 M4 Corridor around Newport Economic Assessment Report
- 4.6.6 M4 Corridor around Newport Local Model Validation Report
- 4.6.7 M4 Corridor around Newport Traffic Forecasting Report
- 4.6.8 M4 Corridor around Newport – New Section of Motorway South of Newport Welsh Government letters to Chief Executive of Newport City Council and Monmouthshire County Council (Ref qA 1139852) with TR111 notification Serial Number 2/2014 and TR111 Plan – Drg No 199 – TR111 Revision and Plan

## **5 Policy and Guidance (General)**

### **5.1 Policy**

- 5.1.1 Welsh Assembly Government People, Places, Futures: The Wales Spatial Plan Update 2008
- 5.1.2 Welsh Assembly Government One Wales: One Planet 2010
- 5.1.3 Welsh Government Planning Policy Wales Edition 8 2016
- 5.1.4 Welsh Government Programme for Government 2011-2016
- 5.1.5 Welsh Government Wales Infrastructure Investment Plan for Growth and Jobs 2012
- 5.1.6 Welsh Government Wales Infrastructure Investment Plan for Growth and Jobs Annual Report including Annex: Project Pipeline Update 2015
- 5.1.7 Welsh Government National Transport Finance Plan 2015

### **5.2 Guidance**

- 5.2.1 Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Impact Assessment 2004
- 5.2.2 Well-being of Future Generations Act: Technical Information (2015)

- 5.2.3 Welsh Government How do you measure a nation's progress? Proposals for the national indicators to measure whether Wales is achieving the 7 well-being goals in the Well Being of Future Generations (Wales) Act 2015
- 5.2.4 Well-being of Future Generations Act: National Indicators (2015)
- 5.2.5 SPSF1: Core Guidance (Shared Purpose: Shared Future, Statutory Guidance on the Well-being of Future Generations (Wales) Act 2015

### **5.3 Local Development Plans**

- 5.3.1 Newport City Council Newport Local Development Plan 2011-2016, adopted 2015
- 5.3.2 Monmouthshire County Council Monmouthshire County Council Local Development Plan 2011-2021, adopted 2014
- 5.3.3 Monmouthshire County Council (2014) Deposit Local Development Plan Habitats Regulations Assessment (Appropriate Assessment) Addendum Report 2014
- 5.3.4 Cardiff City Council Cardiff Local Development Plan 2006-2026, adopted 2016

## **6 Transport and Engineering**

### **6.1 Policy and Guidance**

- 6.1.1 Welsh Assembly Government Trunk Road Estate Biodiversity Action Plan 2004-2014
- 6.1.2 Welsh Assembly Government Planning Policy Wales Technical Advice Note 18: Transport 2007
- 6.1.3 Highways Agency Design Manual for Roads and Bridges (DMRB) Volume 11, Section 2, Part 1 (HA201/08) General Principles and Guidance of Environmental Impact Assessment 2008
- 6.1.4 Welsh Assembly Government One Wales: Connecting the Nation. The Wales Transport Strategy 2008
- 6.1.5 Welsh Transport Planning and Appraisal Guidance (WelTAG) 2008
- 6.1.6 Welsh Assembly Government National Transport Plan 2010
- 6.1.7 A Cardiff Capital Region Metro: Impact study Executive Summary 2013
- 6.1.8 Manual of Contract Documents for Highway Works – Volume 3 – Highway Construction Details 2014
- 6.1.9 Design Manual for Roads and Bridges 2014
- 6.1.10 Welsh Government Highway Standards Interim Advice Notes 201
- 6.1.11 Web-based Transport Analysis Guidance (WebTAG) January 2014
- 6.1.12 Department for Transport Road Investment Strategy for Period 2015/16-2019/20

- 6.1.13 Interim Advice Note 185/15 Updated traffic, air quality and noise advice on the assessment of link speeds and generation of vehicle data into 'speed-bands' for users of DMRB Volume 11, Section 3, Part 1 Air Quality and Volume 11, Section 3. Part 7 Noise 2015
- 6.1.14 Interim Advice Note 125/15 Environmental Assessment Update Highways Agency 2015
- 6.1.15 HD 19/15 – Road Safety Audit DMRB Volume 5, Section 2, Part 2. March 2015

## **6.2 Reports**

- 6.2.1 M4 Corridor around Newport - Alignment & Junction Strategy Report 2016\*\*
- 6.2.2 M4 Corridor around Newport - Ground Investigation Report 2016\*\*
- 6.2.3 M4 Corridor around Newport - Geotechnical Design Report 2016\*\*
- 6.2.4 M4 Corridor around Newport - Design Options Report Volume 1 2016\*\*
- 6.2.5 M4 Corridor around Newport - Design Options Report Volume 2 2016\*\*
- 6.2.6 M4 Corridor around Newport - Reclassification of the M4 and A48(M): Design and Options Report 2016\*\*
- 6.2.7 M4 Corridor around Newport - Stage 1 Road Safety Audit Report 2016\*\*
- 6.2.8 M4 Corridor around Newport - Stage 1 Road Safety Audit Response Report 2016\*\*
- 6.2.9 M4 Corridor around Newport - Stage 1 Road Safety Audit Exceptions Report 2016\*\*
- 6.2.10 M4 Corridor around Newport - Addendum to Stage 1 Road Safety Audit Report 2016\*\*
- 6.2.11 M4 Corridor around Newport - Addendum to Stage 1 Road Safety Audit Response Report 2016\*\*
- 6.2.12 M4 Corridor around Newport - Addendum to Stage 1 Road Safety Audit Exceptions Report 2016\*\*
- 6.2.13 Stage 1 Road Safety Audit Report – Reclassification of M4/A48(M) Complementary Measure for the M4 Corridor around Newport 2016\*\*
- 6.2.14 Stage 1 Road Safety Audit Response Report – Reclassification of M4/A48(M) Complementary Measure for the M4 Corridor around Newport 2016\*\*
- 6.2.15 Stage 1 Road Safety Audit Exceptions Report – Reclassification of M4/A48(M) Complementary Measure for the M4 Corridor around Newport 2016\*\*
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- 17.3.2 Environment Agency Methodology for the Derivation of Remedial Targets for Soil and Groundwater to Protect Water Resources (R and D Publication 20). 1999
- 17.3.3 Environment Agency Remedial Targets Methodology: Hydrogeological Risk Assessment for Land Contamination 2006
- 17.3.4 TRL Limited, A Study of Water Movement in Road Pavements. Published Project Report PPR082. 2006
- 17.3.5 Titan Environmental Surveys Limited (TESL) New M4 Magor to Castleton Baseline Surface Water Quality Final Report. Report Number: HS0442/F1/2. 2008.
- 17.3.6 Arup Hydrogeological Assessment. 2008
- 17.3.7 Arup Welsh Government M4 Corridor around Newport Preliminary Sources Study Report 14/9197. 2014

## **18 Assessment of Cumulative Effects and Interrelationships**

### **18.1 Policy and Guidance**

- 18.1.1 The Planning Inspectorate Advice Note Nine: Rochdale Envelope 2012
- 18.1.2 The Planning Inspectorate Advice Note 17: Cumulative effects assessment relevant to nationally significant infrastructure projects. 2015

## **19 Environmental Management**

### **19.1 Policy and Guidance**

- 19.1.1 BSI ISO:14001 - Environmental Management Systems. Requirements with Guidance for Use. 2015

## **Appendix A**

### List of Proposed Modifications to the draft Orders

Title	Reference to CPO/SRO Plan as published	CPO Ref	SRO / Line / Scheme Ref	Description
<b>Modification of Scheme Order for Docks Junction and Glan Llyn Link amendments (currently considered at modifications)</b>	Scheme Order Site Plans 4&5		SCHEME MOD 1	<p>Docks way junction- The arrangement has been amended. The Eastbound on slip alignment has been modified and the docks way link road has been removed from the Scheme (as it is now included in the Line Order as a trunk road)</p> <p>Glan Llyn Link Road - To be removed from the Scheme Order and included in the Line Order.</p>
<b>Modification of Line Order for Docks way and Glan Llyn Line Order (currently considered at modifications)</b>	Line order Site Plans 4&5		Line MOD 1	<p>Docks Way Link - The alignment has been amended from the published draft Scheme. The link has been removed from the Scheme and has now been included in the Line Order (as a trunk road).</p> <p>Glan Llyn Link Road - Included in the Line Order (Removed from the Scheme Order)</p>
<b>Modification of CPO for General plan and schedule amendments</b>	Various Sheets	CPO MOD 1		<p>After publication of draft orders, drafting / labelling errors were noted on the drawings which have since been modified.</p>

<p><b>Modification of CPO for ABP Plot Ownership</b></p>	<p>CPO Sheet 7 - Plot 7/3 sequence</p>	<p>CPO MOD 2</p>	<p>Project Team received Land Questionnaire from ABP during the publication process of the draft Orders. Amendments required to separate plots for different land interests and to account for changes in tenancies and leases.</p> <p>Land Designation amendments required based on the amendments to the structural arrangement and to the slip road alignment (see Scheme and Line Modification 1). The new layout is within the footprint of the land shown within the published draft CPO. A new line and scheme order are required for the new layout of the junction, and to change the designation of the Docks link from a special road to a trunk road.</p>
<p><b>Modification of CPO to Combine Plots 16/7 and 16/8</b></p>	<p>CPO Sheet 16 - Plot 16/7 &amp; 16/8</p>	<p>CPO MOD 3</p>	<p>Landowner had been given different Land Referencing plot numbers on the same sheets. Plots affected are 16/7 and 16/8. Modification is to change the plot numbers to follow first plot sequence and exclude last numbers as plots not used.</p>
<p>n/a</p>		<p>CPO MOD 4</p>	<p>n/a</p>
<p><b>Modification of CPO for 18/5 plot - Stephen Phillips Occupier</b></p>	<p>CPO Sheet 18 - Plot 18/5</p>	<p>CPO MOD 5</p>	<p>Mike Davies, the Land Agent of Christine Phillips, notified the project team in a meeting that Stephen Phillips is an occupier on the land. A modification is required to amend plot sequence 18/5 to display Stephen Phillips as an occupier.</p>

<b>Modification of CPO for Care Home change of address</b>	CPO Sheet 1 - Plot 1/8	CPO MOD 6	Through correspondence with Gareth Jones (WG Orders Branch) the project team became aware of a different address for the Care home. Modification required to change address details within CPO Schedule. Plot sequence affected 1/8.
<b>Modification of CPO for Table 2 Ty'n y Brwyn.</b>	CPO Sheet 2 - Plot 2/18b and 2/18e	CPO MOD 7	Residents with access rights in the vicinity of Ty'n y Brwyn to be added to Table 2. Amend schedule to include additional interests.
<b>Modification of CPO for Plot 2/12 gardens (OBJ0257)</b>	CPO Sheet 2 - Plot 2/12	CPO MOD 8	Land owner requested that the essential mitigation for the drainage of the WTA be moved south of current position in order to stay outside of the garden of the landowner. This is linked to Objection number OBJ0257.
<b>Modification of CPO for Change of Address - Susan Martin</b>	CPO Sheet 23 - Plot 23/2	CPO MOD 9	CPO Package returned. Package send to Mrs S Martin at address of 3 Yew tree close. Team advised by Mrs Martin's sister of correct address to use.
<b>Modification of CPO for Returned package. No longer at location-civil and marine</b>	CPO Sheet 11 - Plot 11/2u, v & x	CPO MOD 10	CPO Package returned. Civil & Marine (Slag Cement Limited) are no longer at this location. Remove Civil and Marine from Plots 11/2u,v & x.
<b>Modification of CPO for Change of Address. Cetnik Executor</b>	CPO Sheet 2 - Plots 2/a and 2/4a	CPO MOD 11	CPO Package returned. Advised by Richard Spencer Lewis (Executor ) at DOE change of address. Update CPO Schedule Plots 2/4 & 2/4a

<b>Modification of CPO for Land at Docks Way / SDR Junction</b>	CPO Sheet 7 - Plot 7/2u	CPO MOD 12	The highway embankment land is currently in CPO but is essential licence. Work will be required to construct a new structure on this land to accommodate the proposed junction arrangement. A modification is required to update the CPO schedule.
<b>Modification of CPO for Change of Address</b>	CPO Sheet 15 - Plot 15/5- 15/5g	CPO MOD 13	CPO Package returned. Change to home address as advised by Mr Richard Bowkett. Plots 15/5,15/5a-g amend address and add as modification.
<b>Modification of CPO for Mortgage - Table 2</b>	CPO Sheet 5 - Plots 5/3 sequence  CPO Sheet 20 - Plot 20/2	CPO MOD 14	CPO Package returned - Telephone conversation with NatWest and A Baker to confirm correct mortgage address (historic address previously provided)
<b>Modification of CPO for Change of address - Hanson Quarry Products. Table 2 interest</b>	CPO Sheet 8 - Plots 8/3 & 8/3a	CPO MOD 15	CPO Package returned. Advised by The Crown Estate of lease address. Hanson Quarry Products Europe Ltd. Hanson House 14 Castle Hill Maidenhead FL6 4JJ  Plots 8/3 & 8/3a Remove Aberdare address-update with latest. Update Table 2 of CPO with correct information.
<b>Modification of CPO for Plot sequence 9/2 Sustrans interest (OBJ0148).</b>	CPO Sheet 9 - Plots 9/2c - j	CPO MOD 16	Howard Jones of Railway Paths Limited has raised that Sustrans have an interest in plots 9/2c, 9/2e, 9/2f, 9/2g, 9/2j. In addition to the plots that they already have an interest in. CPO Modification produced to suit land interest information provided.

<p><b>Modification of CPO and SRO for Gwaunshonbrown Farm PMA and footpath along existing Poundhill.</b></p>	<p>SRO Sheet 2 - PMA Ref. 2/7a</p>	<p>CPO MOD 17</p>	<p>SRO MOD 1</p>	<p>Newport City Council requested that Pound hill road be connected with the proposed footpath running along the northern batter of the proposed M4 motorway. This utilises the stopped up pound hill and is shared with a PMA.</p> <p>During the draft Orders exhibition the owners of Gwaunshonbrown requested the PMA running to the south of their property is realigned to follow the existing Poundhill road (which is to be stopped up).</p>
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<p><b>Modification of CPO and SRO for Footpath Extension Ty'n y Brwyn &amp; Ty'n y Brwyn Access Arrangements (OBJ 003, OBJ256, OBJ273, OBJ330)</b></p>	<p>CPO Sheet 2 - Plot 2/18b</p>	<p>CPO MOD 18</p>	<p>SRO MOD 2</p>	<p>Newport City Council requested that the Footpath 390/12 is connected to the A48 via the access leading to the properties at Ty'n-y-Brwyn. This modification creates new footway of this length of track.</p> <p>A number of concerns have been raised by local residents about the access arrangements for the PMA leading to Ty'n y Brwyn. Four objections have been raised during the objection period. Following review in lieu of comments and objections, an alternative access proposal has been developed, which would involve modifying the east access, that is currently stopped-up, to enable future use.</p>
<p><b>Modification of CPO and SRO for PMA provision and Highway stopping up at Nash Road</b></p>	<p>CPO Sheet 9 - Plot sequence 9/10</p> <p>SRO Site Plan 8 - PMA Ref. 8/3</p>	<p>CPO MOD 19</p>	<p>SRO MOD 3</p>	<p>Through discussions with Newport City Council, the extents of the stopping up of Nash Road (and provisions of PMA) is to be modified in the CPO and SRO.</p> <p>Alan R Jones and Sons requested an additional PMA to their yard as they operate a one way system within their yard. Also, Newport expressed interest in stopping up the remaining highway of Nash Road and reproviding as PMA to the remaining interests.</p>

<b>Modification of CPO and SRO for Extension of Tatton Farm PMA</b>	CPO Sheet 10 SRO Site Plan 9	CPO MOD 20	SRO MOD 4	Through correspondence with Newport City Council, they noted that the PMA to Tatton farm should be to the extents of the adopted highway as the current section of road might not have required rights. A new SRO and CPO modification is required to show this extension of the PMA.
<b>Modification of CPO for Tatton Farm mitigation land</b>	CPO Sheet 10	CPO MOD 21		Additional mitigation land at Tatton farm required for environmental mitigation. This is being done as a modification as Tatton Farm is already owned by the Welsh Government.
<b>Modification of CPO for Change of Address for plots 1/4 series.</b>	CPO Sheet 1 - Plot 1/4 series	CPO MOD 22		CPO Package returned. Mark Williams package sent Cotton Court. Agent is informing of latest address. Plots 1/4a - h & 1/4 -k.
<b>Modification to CPO for listing of grazier on Mrs Daphne Alred's land</b>	CPO Sheet 5 - plot 5/9 sequence	CPO MOD 23		Derek David is listed as an occupier on the plots but is in fact a grazier. Listing to be changed.
<b>n/a</b>		CPO MOD 24	SRO MOD 6	n/a
<b>Modification to CPO for Change of lessee on NCC land</b>	CPO Sheet 8 - plot 8/12	CPO MOD 25		CPO lists that plot 8/12 is owned by NCC but is vacant. Noel Fitzpatrick are lessees on part of this plot. ACE Portable Accommodation Ltd are the lessee's of another part of this plot. Plan and schedule to be updated.

<b>Modification of CPO for Susan Anstey land in CPO Schedule</b>	CPO Sheet 23 - Plot 23/7	CPO MOD 26		(Meeting with Mike Davies Land Agent) Field in the ownership of Susan Anstey is show in the CPO as in the ownership of the adjoining land owner (Christopher Jones). Schedule to be updated.
<b>Modification of CPO for Landscaping - New Park Farm (OBJ0227)</b>	CPO Sheets 1 & 2 - Plots 1/3p, 2/2c, 2/2j	CPO MOD 27		In a meeting, the landowners requested reduction and modification to landscaping on their land. This is being done as a modification to the CPO. Objection OBJ0227.
<b>Modification of CPO for Mrs Barbara Joan Ward</b>	CPO Sheet 15 - Plot 15/26	CPO MOD 28		CPO Package returned - from Ms Barbara Joan Ward 30 Bennett Park Blackheath London SE3 9RB. Rang contact number and she is no longer at that address. Land Registry still shows the address in database and in Land Registry. (Plot 15/26).
<b>Modification of CPO for Landscaping - Golf Club. (OBJ049)</b>	CPO Sheet 3 - Plot 3/2b	CPO MOD 29		In a meeting, landowners requested reduction and modification to landscaping on their land. This is being done as a modification to the CPO. Objection OBJ 049.
<b>Modification of CPO and SRO for Fair Orchard Farm (OBJ216)</b>	CPO Sheet 6 SRO Site Plan 5 - PMA 5/11a	CPO MOD 30	SRO MOD 7	A modified access to Fair Orchard Farm has been proposed for the landowner, from lighthouse road to his farm. This is to be confirmed at a meeting with the owner that has been organised for 21/07/2016. Linked to Objection 216.
n/a		CPO MOD 31		
n/a		CPO MOD 32		

<b>Modification of CPO and SRO for Orchard Farm (OBJ238)</b>	CPO Sheet 16 - Plot 16/17c  SRO Site Plan 15 - PMA Ref. 15/11a	CPO MOD 33	SRO MOD 8	Land was acquired in the published CPO for planting of trees for screening purposes. Mr Smith objected due to the property itself being a farm outbuilding, and Mr Smith has requested that he keep the land for use for pasture. Mr Smith also requested a change of layout for his PMA in order to reduce the land take on his property. Modification to the CPO and SRO required to allow for these changes.
<b>Modification of CPO and SRO for Langley Villa Bridleway Amendment (OBJ229)</b>	CPO Sheet 16 - Plot 16/6d  SRO Site Plan 15 - Highway Ref. 15/E	CPO MOD 34	SRO MOD 9	The owners of Langley Villa have requested that the bridleway proposed outside their property be moved to the other side of the Water Treatment Area in the adjoining field for privacy. A modification is required to the SRO and CPO to show this change. Objection Number OBJ0229)
<b>Modification to CPO for Blight - White Cottage</b>	CPO Sheet 2 - Plots 2/3 & 2/3a	CPO MOD 35		White Cottage has been purchased by Welsh Government - change of ownership in CPO Schedule Required.
<b>Modification to CPO for Blight - The Glen</b>	CPO Sheet 2 - Plot 2/7	CPO MOD 36		The Glen has been purchased by Welsh Government - change of ownership in CPO Schedule Required.
<b>Modification to CPO for Blight - San Remo</b>	CPO Sheet 2 - Plot 2/6	CPO MOD 37		San Remo has been purchased by Welsh Government - change of ownership in CPO Schedule Required.
n/a	n/a	CPO MOD 38		
<b>Modification to CPO for Blight - Spring Cottage</b>	CPO Sheet 1 - Plots 1/17 & 1/17a	CPO MOD 39		Spring Cottage has been purchased by Welsh Government - change of ownership in CPO Schedule Required.
<b>Blight - Quarry Cottage</b>	CPO Sheet 2 - Plot 2/10 and 2/10a	CPO MOD 40		Blight application in progress- update CPO with details upon completion

<b>Modification to CPO for Blight - Moorland View</b>	CPO Sheet 2	CPO MOD 41	Discretionary blight application accepted by WG but awaiting owner's decision - update CPO with details upon completion
<b>Modification to CPO for Blight - Dunline</b>	CPO Sheet 16 - Plots 16/10 sequence	CPO MOD 42	Blight application in progress- update CPO with details upon completion
<b>Modification to CPO for Solicitors no longer address.</b>	CPO Sheet 1 - Plots 1/5c and 1/5d	CPO MOD 43	CPO Package returned. John Horrigan c/o John Bell Solicitors named as a caution in favour on Plots 1/5c & 1/5d, as per title register. John Bell Solicitors no longer appears to exist. Possibly merged with another company no listing under solicitors.
<b>Modification to CPO for Residual Land mineral rights</b>	CPO Sheet 18 - Plot 18/10	CPO MOD 44	Letter received from Residual lands detailing land that they have an interest in the minerals over. (Plot 18/10) They also state that there maybe more plots. Update CPO schedule table 2 with Residual lands details information.
n/a		CPO MOD 45	n/a
<b>Modification to CPO for Pond Modification - Arch Farm (OBJ0218)</b>	CPO Sheet 10 - Plot 10/5	CPO MOD 46	Through an objection, Mr German asked that the shape of the pond and access track be modified to avoid severed areas of land and therefore make best use of the remaining land. A modification is required to the CPO on agreement with the principle with the agent/landowner.

<b>Modification to CPO for New Dairy Farm - severed plot (OBJ0217)</b>	CPO Sheet 6 - Plot 6/9ar	CPO MOD 47	The owners of New Dairy Farm have made the project team aware that there is a severed plot with no access due to the works. . A modification to the CPO would be required. Linked to Objection OBJ0217.	
<b>Modification to CPO for Mr Colley land interest in plot (OBJ0215)</b>	CPO Sheet 22 - Plot 22/2	CPO MOD 48	Plot 22/2 is thought to be in the ownership of Mr Colley (Great House Farm) not RES, as advised by Mike Davies (land agent). Awaiting confirmation of this from the agent.	
<b>Modification to CPO for Tarmac - Glan Llyn Link</b>	CPO Sheet 11	CPO MOD 49	An option is being investigated to reduce the land take around Tarmac plant at Glan Llyn Link. A modification will be prepared when the detail of the amendments have been confirmed.	
<b>Modification to CPO for Industrial Automation Ltd (OBJ0068)</b>	CPO Sheet 10 - Plot 10/1cx	CPO MOD 50	Following an objection, a retaining wall will be required in order to retain land for Industrial Automation Ltd. A new right for the WG will be required in order to provide access for maintenance of the retaining wall. This is to be done as a modification to the CPO.	
<b>Modification to CPO and SRO for PMA provision for to fields for Pencarn Farm fields (OBJ0019)</b>	CPO Sheet 5 - Plot 5/6 sequence	CPO MOD 51	SRO MOD 10	Objection letter regarding access to fields requires geometry of provided PMA to be amended.
	SRO Site Plan 4 - PMA Ref. 4/3			

<b>Modification to CPO and SRO for PMA provision for Tata access</b>	CPO Sheet 11 SRO Site Plan 10	CPO MOD 52	SRO MOD 11	Access provision off the Glan Llyn link road into Tata's land.
<b>Modification to CPO for reduction in land associated with SUP 1</b>	CPO Sheet 18	CPO MOD 53		Reduction in land take on Mr Phillips' land in association with SUP 1
<b>Modification to CPO for change of ownership of land adjacent to Green Lane (Network Rail)</b>	CPO Sheet 5 - plots5/5/b,c,f,g	CPO MOD 54		Network Rail informed project team that they acquired land adjacent of Green Lane for access to a proposed sub-station. Modification needed to show land ownership change, and also ensure adequate PMA.