



Dear Sir/Madam,

**THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT AND DE-TRUNKING) ORDER 2021**

**THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT) (SIDE ROADS) ORDER 2021**

**THE WELSH MINISTERS (THE LONDON TO FISHGUARD TRUNK ROAD (A40) (LLANDDEWI VELFREY TO PENBLEWIN IMPROVEMENT)) COMPULSORY PURCHASE ORDER 2021**

**ENVIRONMENTAL IMPACT ASSESSMENT DECISION UNDER PART VA OF THE HIGHWAYS ACT 1980**

**CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 - REGULATION 63: ASSESSMENT OF IMPLICATIONS FOR EUROPEAN SITES**

#### **DELEGATION ARRANGEMENTS**

1. The function of deciding whether or not to make the Orders identified above, has been transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006. The decision falls under the responsibility of Ken Skates, Minister for Economy, Transport and North Wales, (“the Minister”), one of the Welsh Ministers.

## **INTRODUCTION**

2. A Public Inquiry (the Inquiry) into the above draft Orders and comments on the Environmental Statement was held from 10 March 2020 to 19 March 2020. The Inspector was Mr A. L. McCooey, BA MSc MRTPI.

## **EXISTING CONDITIONS**

3. In November 2001, the National Assembly for Wales published The Transport Framework for Wales. This outlined that the east-west transport corridor in West Wales had been the subject of a multi-modal study, which concluded that the A40 west of St Clears was in need of improvements.

4. For the 4.3km section between Llanddewi Velfrey and Penblewin, route options were developed and evaluated for both online and offline alignments. These options were subject to formal public consultation between September - October 2006 and led to the Welsh Government publishing a Preferred Route and accompanying TR111 plan in 2008. Further studies in 2015 reconfirmed the justification for the scheme and the earlier route selection and public information exhibitions were held in April and October 2017 into the proposals.

5. The studies undertaken identified a range of actual and perceived problems associated with this section of the A40 which included:

- limited and inconsistent overtaking opportunities;
- substandard road alignment;
- substandard visibility and stopping sight distances;
- lack of provision for active travel;
- multiple private / agricultural accesses directly onto the trunk road;
- platooning and slow-moving traffic;
- community severance, air and noise pollution;
- Pembrokeshire is perceived to be remote, deterring inward investment and development of tourism;

## **PROPOSED SCHEME**

6. The proposed scheme would comprise a 4.3km long Wide Single (WS) 2+1 Road providing two lanes in one direction and one lane in the opposite direction throughout. The proposed scheme would provide a total of 2.08km overtaking length in the eastbound direction and 1.05km overtaking length in the westbound direction. There are 4 structures within the scheme comprising 1 side-road overbridge, 3 underpasses (variously for pedestrians, equestrians and agricultural connectivity). In addition, existing watercourses would be maintained by constructing a number of culverts crossing beneath the proposed scheme. The proposals described in this paragraph 6 constitute, for the purposes of this decision letter, the Scheme.

## **THE ORDERS**

7. The draft Line Order (Line Order) and draft Side Roads Order (SRO) were published on 31 July 2019. The draft Compulsory Purchase Order (CPO) was published on 7 August 2019. (Collectively referred to as the draft Orders). If made, the draft Orders would authorise: the construction of new lengths of trunk road; the de-trunking of existing lengths of trunk road; the stopping up, construction of new and improvement of existing highways;

the stopping up of private means of access and provision of new means of access; the acquisition of land and rights necessary for the construction and future maintenance of the new trunk road; associated side roads works; ancillary works and the implementation of measures to mitigate the impact on the environment.

## **THE ENVIRONMENTAL STATEMENT**

### **Consultation**

8. The Environmental Statement (ES) was issued on 31 July 2019, in accordance with Part VA of the Highways Act 1980 (as amended) and EC Directive 2011/92/EU. A Statement to Inform an Appropriate Assessment (SIAA) that assessed the implications of the Scheme on the Special Areas of Conservation (SACs) and related matters was also published on 31 July 2019 in accordance with EC Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2017.

9. In accordance with Section 105B of the Highways Act 1980, Regulation 63 of the Conservation of Habitats and Species Regulations 2017, public notices were placed in the London Gazette and the Western Telegraph on 31 July 2017 announcing that it had been determined that the Scheme would be made subject to an Environmental Impact Assessment and an Assessment of the Impacts on European Sites which was published on the said date and inviting comments on the ES & SIAA by 20 September 2019. The Notices, together with all of the associated documents, were placed on deposit at the locations listed in paragraph 10 below and sent, together with the Non-Technical Summary (NTS) of the ES, to the list of statutory and non-statutory recipients at Annex A.

### **DEPOSIT LOCATIONS**

10. Copies of the draft Orders, ES, NTS and SIAA and their supplements, were made available for inspection at the following locations:

- Welsh Government Offices, Cathays Park, Cardiff, CF10 3NQ;
- Pembrokeshire County Council, County Hall, Haverfordwest, SA61 1TP;
- Preseli Services Petrol Station, Llanddewi Velfrey, Narberth, SA67 7PD;
- Queens Hall, 44 High Street, Narberth, SA67 7AS;
- Whitland Library, Town Hall, King Edward Street, Whitland, SA34 0AA.

### **OBJECTIONS AND SUPPORT CORRESPONDENCE**

11. 36 objections were received 20 statutory, 16 non-statutory; 25 of which were subsequently withdrawn. 192 individuals expressed their support for the Scheme by letter or a petition of support. 11 objections to the principle of the Scheme remained by the close of the Inquiry 3 statutory, 8 non-statutory.

### **THE INSPECTOR'S REPORT**

12. Enclosed is a copy of the Inspector's Report (the Report), which the Minister has now considered. While a summary of the Inspector's conclusions is set out later in this decision letter for ease of reference, this should not be taken as a substitute for the full conclusions included in the Report. All references in this decision letter to paragraph numbers are to paragraph numbers in the Report unless specifically stated otherwise. This decision letter sets out the Minister's decision.

13. The Inspector has reported in the following manner:

- Section 2 – procedural matters;
- Section 3 – summary of scheme/order lands
- Section 4 – the case for the Welsh Government;
- Section 5 – the case for the supporters;
- Section 6 – the case for objectors with the Welsh Government’s response to the objections;
- Section 7 – conclusions;
- Section 8 – Inspector’s recommendations.

## **INSPECTOR’S CONCLUSIONS ON SPECIFIC ISSUES**

### Economic, Social and Safety Benefits

14. The Inspector acknowledges the Scheme is part of a programme of improvements to the A40 in West Wales and has been included in national policy and programmes for many years (paragraph 7.14). The Inspector reports that the Scheme has been subject to economic assessment and notes that whilst the assessed benefit to costs ratio (BCR) is very low at 0.13, this does not provide a complete picture; there are several other factors that should be included in the case for the Scheme, including Welsh Government policy for transport improvements and the contribution to meeting policy and Scheme objectives (paragraph 7.13).

15. The Inspector considers that the Scheme would result in considerable community benefits in terms of reduced severance, less noise, better air quality and improved opportunities for walking and cycling (paragraph 7.15).

16. At paragraph 7.16 the Inspector considers the Scheme would assist in addressing safety and journey time reliability and so reduce or avoid driver frustration.

### National and Local Policy

17. At paragraphs 7.19 – 7.21 the Inspector sets out the legislative and policy considerations and in particular makes reference to PPW, WelTaG 2017, the Active Travel (Wales) Act 2013 and the Well-being of Future Generations Act (Wales) 2015 (WBFG Act). The Inspector considers that, based on the evidence presented, that an appropriate balance has been struck between economic policy objectives seeking to deliver better road transport links and those concerning environmental objectives (paragraph 7.19).

### Funding

18. The Inspector records (paragraph 7.18) that the evidence presented demonstrates that funding for the Scheme has been appropriately considered, he is satisfied with the accuracy of the cost estimates and, if the draft Orders were to be made, there is every likelihood that implementation of the Scheme will follow.

### Environmental Effects, Environmental Statement and Statement to Inform Appropriate Assessment (SIAA)

19. The Inspector acknowledges (paragraph 7.19) that an appropriate balance is to be struck between economic policy objectives seeking to deliver better road transport links and those concerning environmental objectives such as reducing GHG emissions, protecting nature conservation, heritage assets and landscape. The Inspector concludes that the Scheme strikes this balance. The Inspector accepts that there will be adverse residual

effects on landscape and ancient woodland and in terms of GHG emissions but considers that the environmental effects have been fully considered and properly evaluated to achieve an acceptable balance between securing economic development, protecting the environment and sustaining future quality of life.

20. At paragraph 7.19 the Inspector records that the impact on the natural environment has been comprehensively assessed and acknowledges at paragraph 7.23 the ES' conclusions that, with the various mitigation and compensatory measures proposed, the potential effects of the Scheme on nature conservation would be reduced to levels that would not be significant. The Inspector acknowledges that the SIAA concluded that with appropriate mitigation measures as identified and described, there would be no adverse effects on the integrity of the European sites (paragraph 7.23).

21. At paragraph 7.27 the Inspector reports that the Welsh Government has given environmental commitments in the ES and SIAA, which are captured in the Register of Environmental Commitments (REAC). Those commitments that relate to construction will be implemented via the Construction Environmental Management Plan (CEMP). The Inspector acknowledges that the contractors appointed by the Welsh Government will be contractually obliged to comply with these commitments captured in the REAC and CEMP.

#### Landscape and Visual Effects

22. The Inspector reports that large landscape impacts of the Scheme are relatively localised (paragraph 7.25) and would occur in 2 out of 16 of the landscape character areas (LCAs) and that he is satisfied that the Scheme design seeks to deal with these impacts through appropriate engineering techniques, landscaping and vegetation planting so that in the summer of 2038, the design year, the impact on the affected LCAs would be reduced to moderate.

#### Cultural Heritage

23. At paragraph 7.26 the Inspector concludes that the Scheme meets legislative requirements and policy in respect of the historic environment. The Inspector notes that the effects on cultural heritage would be largely confined to potential buried archaeological remains; a programme of archaeological evaluation and mitigation will be undertaken, as set out in the ES. The Inspector acknowledges that there would be a negligible adverse impact on two scheduled monuments and a negligible effect on six listed buildings. However, the Inspector highlights that two listed buildings and the village war memorial in Llanddewi Velfrey village would be affected in a beneficial way as a result of traffic reduction on the existing A40 and screening.

#### Agricultural Land

24. The Inspector concludes (paragraph 7.22) that the impact on farm businesses has been comprehensively assessed. The magnitude of impact would be significant in terms of the day-to-day running of the affected farm units, but their viability would not be affected. None of the land that would be lost would be of the best or most versatile category. The Inspector concludes that the effect of the Scheme on agriculture would not be significant.

#### Noise, Vibration and Air Quality

25. The Inspector is satisfied that the Scheme's effects in terms of noise, vibration and air quality have been comprehensively assessed (paragraph 7.24) and that no significant effects of construction noise or vibration would arise (by ensuring that best practicable means of working would be followed). The Inspector considers that the community of

Llanddewi Velfrey would experience significant permanent beneficial effects through a reduction in traffic noise as a result of the Scheme, however the Inspector acknowledges there would be an increase in noise levels at a small number of properties. The Inspector further notes there would be no exceedances of the NO<sub>2</sub> or PM<sub>10</sub> objective and that the Scheme would improve air quality for the majority of residents in the area.

### Departures

26. At paragraph 7.18 the Inspector acknowledges that the Scheme has been designed to largely meet the standards set in the Design Manual for Roads and Bridges (DMRB). The Inspector notes that 3 departures from standard are necessary and that they have been approved by Welsh Government the Technical Review Panel (TRP) within Welsh Government's Department for Economic Infrastructure.

### Sustainable Development

27. At paragraph 7.20 the Inspector acknowledges that the evidence of Welsh Government demonstrates how the Scheme contributes to the well-being goals set in the WBFG Act and how the Scheme has been developed in accordance with the five ways of working). The Inspector notes that the sustainable development report considers the Scheme against the Welsh Government's commitments to sustainable development within the context of the WBFG Act and concludes that compliance with the WBFG Act's requirements has been appropriately demonstrated.

### The Active Travel (Wales) Act 2013 and Active Travel Action Plan 2016

28. The Inspector considers (paragraph 7.21) that the active travel and de-trunking proposals for the existing A40 would ensure that facilities for walking and cycling in Llanddewi Velfrey would be much improved. The Inspector notes that these measures along with bridleway provisions are required in order to meet the Scheme objectives and would maximise the benefits of the Scheme.

### Individual Objections

29. The Inspector has recorded his conclusions in respect of individual objections at paragraphs 7.28 to 7.54 of his Report and should be read accordingly. Specific issues arising out of the Inspector's conclusions on the individual objections have been considered by the Minister as recorded at paragraphs 50 to 65 of this decision letter.

## **THE INSPECTOR'S RECOMMENDATIONS AND OVERALL CONCLUSIONS FOR THE ORDERS AND SCHEME**

30. At Section 8 of the Report, the Inspector recommends the making of the draft Orders incorporating the modifications to the SRO and CPO as listed at Annex B to this decision letter.

The Inspector's overall conclusions on the Scheme are recorded at paragraphs 7.64 to 7.69 of the Report.

### **Line Order**

31. The Inspector is satisfied that the Scheme is expedient and in the public interest and should be allowed to proceed on the basis of his recommendations in section 8. The

Inspector recommended that the Line Order be made with no suggested modifications (paragraphs 7.55, 7.56 and section 8 of the Report).

### **Compulsory Purchase Order (CPO)**

32. Subject to the modifications, the Inspector recommended that the CPO be made. The Inspector is satisfied that the tests set out in paragraph 7.4 of his Report are met and that there is therefore a compelling need for compulsory purchase in the public interest which justifies interference with the private rights of those with an interest in the land (paragraphs 7.57 – 7.60 and section 8 of the Report).

### **Side Roads Order (SRO)**

33. Subject to the modifications, the Inspector recommends that the SRO be made. The Inspector concludes that the SRO as modified makes reasonably convenient alternative provision in respect of highways and private means of access (paragraphs 7.61 – 7.63 and section 8 of the Report).

### **Conclusions on the Scheme**

34. The Inspector considers that there is a compelling case for the Scheme to be implemented in order to address the identified problems; the Scheme would best achieve the objectives, and he concludes that this would provide a substantial public benefit. Further, the Inspector states that this public benefit outweighs the small increase in GHG emissions, the impact on the landscape and loss of Ancient woodland as a result of the Scheme.

## **MINISTER'S CONSIDERATION**

### **SPECIFIC ISSUES**

#### Economic, Social and Safety Benefits

35. The Minister agrees with the Inspector with regard to the Scheme's delivery of improved safety and journey time reliability and that in addition, it would result in considerable community benefits in terms of reduced severance, reduced noise, better air quality and improved opportunities for walking and cycling.

#### National and Local Policy

36. The Minister notes the Inspector's conclusion that the Scheme strikes an appropriate balance between economic policy objectives seeking to deliver better road transport links and those concerning environmental objectives and the Minister agrees with this conclusion. The Minister considers that Scheme is consistent with national and local policy and the relevant legislation.

#### Funding

37. The Minister confirms that the European Regional Development Fund would be available for the Scheme despite the withdrawal from the European Union; the Ministers notes that this this funding would meet approximately two-thirds of the overall cost of the Scheme.

#### Environmental Effects, Environmental Statement and Statement to Inform an Appropriate Assessment (SIAA)

38. The Minister notes that the Inspector considers that the impact on the natural environment has been comprehensively assessed and that with the various mitigation and compensatory measures proposed, the potential effects of the Scheme on nature conservation would be reduced to levels that would not be significant. Furthermore, the Minister notes that the ES concluded that with appropriate mitigation measures as identified and described, there would be no adverse effects on the integrity of the European sites.

39. The Minister notes the Inspector's acknowledgment that there will be adverse residual effects on landscape and ancient woodland and in terms of GHG emissions but considers that the environmental effects have been fully considered and properly evaluated to strike an appropriate balance between securing economic development, protecting the environment and sustaining future quality of life.

40. Taking all relevant factors into account, the Minister has carefully considered the case for the Scheme, the ES, the SIAA and all the opinions expressed on the ES and SIAA by members of the public and consultation bodies. The Minister is satisfied that they were published in accordance with the relevant legislative requirements and that the comments on them have been carefully and properly considered and that none of the issues raised require further changes to the Scheme proposals/mitigation measures and thus the ES. The Minister accepts that this Scheme is needed to address the existing problems outlined in paragraph 5 of this decision letter, but that this need must be balanced against the environmental impact of the Scheme and any opinions expressed by members of the public and consultation bodies.



41. The Minister notes the Inspector's conclusions in respect of the SIAA, 'that the impact on ecology has been adequately addressed in the Scheme and proposed mitigation measures' (paragraph 7.23) and is satisfied that responses to the ES have been adequately addressed. The Minister is also satisfied that the Assessment of Implications on European Sites reported in the SIAA is in accordance with the Conservation of Habitats and Species Regulations 2017. In reaching this conclusion, the Minister notes that the Minister for Environment, Energy and Rural Affairs is satisfied that the Scheme would not have an adverse effect on any European Sites and that, accordingly, the Scheme may proceed in accordance with Regulations 63, 64, 68 and 87 of the Conservation of Habitats and Species Regulations 2017.

#### Landscape and Visual Effects

42. The Minister notes the Inspector's comments and conclusions regarding the effects on LCAs and the Minister takes reassurance from the fact that the Design Commission for Wales has been engaged and consulted on the aesthetic aspects of the Scheme from an early stage.

#### Cultural Heritage

43. The Minister notes that the Inspector is satisfied that the Scheme meets legislative and policy requirements in respect of the historic environment and acknowledges that the effects on cultural heritage would be largely confined to potential buried archaeological remains. The Minister is reassured that some cultural heritage assets in Llanddewi Velfrey village would be affected in a beneficial way as a result of traffic reduction on the existing A40.

#### Agricultural Land

44. In the context of a rural, agricultural economy, the Minister acknowledges that the Inspector considers the impacts of the Scheme on farm businesses have been comprehensively assessed and the Minister is reassured by the Inspector's conclusions that whilst the overall effect of the Scheme on agriculture would be significant with reference to day-to-day operations, the Scheme would not threaten the viability of the affected agricultural holdings. The Minister notes that the land lost to the Scheme would be of minor adverse significance and is reassured by the Inspector's overall conclusion that the effect of the Scheme on agriculture would not be significant. The Minister agrees with the conclusions of the Inspector in this regard.

#### Noise, Vibration and Air Quality

45. The Minister acknowledges that the Inspector considers the effects of the Scheme in terms of noise, vibration and air quality have been comprehensively assessed and is satisfied that no significant effects of construction noise or vibration would arise. The Minister is reassured to note that the community of Llanddewi Velfrey would experience significant permanent beneficial effects through a reduction in traffic noise as a result of the scheme and that the Scheme would improve air quality for the majority of residents in the area.

#### Departures

46. The Minister is satisfied that any required relaxations and departures from standards will be subject to careful scrutiny by the appropriate Welsh Government officials in the

Technical Review Panel (TRP) and that these departures will be subject to a further review and separate TRP approval at the Detailed Design stage.

### Sustainable Development

47. The Minister is satisfied that the Scheme is consistent with the sustainable development principle within the context of the WBFG Act and notes that a sustainable development report was presented to and considered in detail at the Inquiry. In particular the Minister notes the case put forward by the Welsh Government for the Scheme seeks to provide positive contributions to the achievement in whole or in part, of the national well-being objectives and the well-being goals. The Minister notes that the Inspector considers that the evidence of Welsh Government demonstrates how the Scheme contributes to the well-being goals and how it has been developed in accordance with the five ways of working.

48. The Minister is reassured that the Inspector has concluded that compliance with the WBFG Act's requirements has been appropriately demonstrated and is in agreement with the Inspector in this regard. The Minister considers that full consideration of the WBFG Act has been given in the preparation of the Scheme, at the Inquiry and in the Report and the Minister has given consideration to the WBFG Act in reaching his decision.

### The Active Travel (Wales) Act 2013 and Active Travel Action (ATA) Plan 2016

49. The Minister notes the active travel proposals which form part of the Scheme and agrees with the Inspector that the active travel and de-trunking proposals for the existing A40 would ensure that facilities for walking and cycling in Llanddewi Velfrey would be much improved. Furthermore, the Minister acknowledges that the Inspector considers that these measures along with bridleway provisions, are required in order to meet the Scheme objectives and the Minister agrees that these measures should be implemented as part of the overall Scheme.

### Individual Inquiry Objection/Issues

#### Pembrokeshire Friends of the Earth (PFoE)

50. The Minister is content that PFoE's objections have been properly considered by the Inspector at paragraphs 7.28 to 7.33. In particular, the Minister agrees with the Inspector's statement that declaration of a climate emergency has not changed the policy statements in support of the Scheme as reported in the evidence of Welsh Government.

51. In the context of the preceding paragraph, the Minister notes that the Welsh Government has not proposed a ban on all new road building and the Scheme is considered to comply with the WBFG Act.

52. The Minister notes the Inspector's report (paragraph 7.23) that environmental and ecology impacts have been considered in the ES, SIAA and the Protected Species Mitigation Plan. Furthermore, the Minister is reassured that NRW agrees with the conclusions reached and now has no objection to the Scheme. The Minister agrees with the Inspector's conclusion that the impact on ecology has been adequately addressed in the ES and SIAA for the Scheme and that the proposed mitigation measures are satisfactory.

Mr and Mrs Peett

53. The Minister notes that the issues raised by Mr and Mrs Peett have been considered by the Inspector at paragraphs 7.34 to 7.38 and agrees with the Inspector's conclusions.

54. With particular reference to noise and visual impact, the Minister notes the Inspector's conclusion that the long-term effect of the increase in traffic noise (operational noise) would be barely perceptible at the objectors' property and that the visual impact on the property would be limited. Notwithstanding this, the Minister is content with the Welsh Government's proposed mitigation in the form of a Pembrokeshire hedge bank and headlight screen.

55. The Minister notes the objectors' concerns in relation to the position of the junction of the proposed side road known as Trefangor Lane with the A478. The Minister acknowledges the revision of the junction position and consequent modification to the draft Orders, is a satisfactory, agreed resolution to the objectors' concerns.

#### The Woodland Trust

56. The Minister notes the Inspector's consideration and proposed mitigation at paragraphs 7.39 and 7.40. The Minister is content that NRW has raised no concerns in relation to loss of ancient woodland and agrees with the Inspector's conclusion that the loss of the relatively small amount of ancient woodland in this instance would be justified on the basis of the benefits brought about by the Scheme.

#### J Webb

57. The Minister acknowledges and agrees with the Inspector's conclusion at paragraph 7.41, that the objection is without basis.

#### Mr Thomas Wheeler

58. The Minister has noted the concerns raised by the objector and the Inspector's conclusions at paragraphs 7.42 to 7.46 in respect of the same. The Minister acknowledges that public transport alternatives would not be viable or effective in reducing traffic on the A40.

59. With reference to community severance, the Minister notes the Inspector's conclusions, with which he agrees, that the objector's suggestions would not achieve the Scheme objectives and could cause problems in their own right.

#### Mr Jenkins of Preseli Service Station

60. The Minister has considered the objector's position and acknowledges that the Scheme would result in some loss of passing trade for the business. However, the Minister notes the Inspector's conclusion that with the provision of signage alerting traffic to the availability of local services, Welsh Government has made all reasonable efforts to address the objector's concerns in this regard. The Minister agrees with the Inspector's conclusions and is satisfied that this objection has been considered accordingly.

#### Sandra Rowlands

61. The Minister notes the efforts made to address the objector's concerns through modifications to the CPO (paragraphs 7.49 and 7.50). Notwithstanding that the objector has not accepted the proposed modifications, the Minister notes the Inspector's conclusions that they would be to the objector's and/or public benefit and every issue raised has been

addressed insofar as Welsh Government has been able. Accordingly, the Minister agrees with the modifications proposed, excluding modification 9 which cannot proceed in the absence of the landowner's consent on the basis that they would be in the public benefit.

John and Linda Smith

62. The Minister notes and agrees with the Inspector's conclusion at paragraph 7.51, that the issues raised have all been addressed, to the satisfaction of the Minister, under other objections.

James Cullingford

63. The Minister acknowledges Mr Cullingford's concerns with reference to landscape and visual impact but notes that the Scheme is not within an Area of Outstanding Natural Beauty or National Park. The Minister is of the view that a comprehensive assessment and full consideration has been given to landscape and visual impact of the Scheme during the course of the Inquiry and by the Inspector in his Report. The Minister agrees with the Inspector's conclusions regarding landscape and visual impact and in particular notes that the Inspector concludes that the impact would reduce to moderate at the design year.

Moir Rowlands

64. The Minister notes the objector's position and also the Inspector's conclusions in respect of this at paragraph 7.53. The Minister notes in particular that accident data shows that wide single 2+1 roads are safer than the single carriageway roads they replace and that Welsh Government has no plans to construct dual carriageways in this area. The Minister is satisfied that this objection has been considered accordingly.

Sally Amore

65. The Minister notes and agrees with the Inspector's conclusion at paragraph 7.54 that acoustic assessment has demonstrated that the objector's property would not be adversely affected by noise from the Scheme.

## **THE MINISTER'S DECISION**

66. In considering whether to exercise this discretion the Minister is satisfied that he has sufficient information before him to give full consideration to the issues.

67. The Minister agrees with the Inspector's overall findings and has accepted the Inspector's recommendations at Section 8 of his report that the draft Orders can be made incorporating the modifications at Annex B to this decision letter.

68. The Minister notes that all modifications listed in Annex B have been subject to the Inspector's scrutiny during the Inquiry and that no additional modifications have been proposed or agreed since the close of the Inquiry.

69. In accepting the Inspector's recommendations, the Minister has carefully considered whether the purposes for which the CPO was prepared, incorporating its supplement and the modifications put forward at the Inquiry and minor modifications agreed with landowners, sufficiently justify interfering with the human rights of those with interests in the affected lands and who will otherwise be affected by the Scheme. The Minister is satisfied that such interference with private rights is justified and that there is a compelling case in the public interest for the land, the subject of the CPO, to be compulsorily acquired to

deliver the Scheme (giving consideration to the well-being goals of the WBFG Act). The Minister is satisfied that the purposes of the Orders could not be achieved by other means, there is a clear idea how the land is intended to be used, all land is required for the Scheme, the necessary resources to carry out the Scheme would likely be available within a reasonable time scale and there are unlikely to be any impediments to the implementation of the Scheme. In particular, he has considered the provisions of Article 8 of, and Article 1 of the First Protocol to, the European Convention on Human Rights. In this respect the Minister is satisfied that in making the CPO a fair balance has been struck between the use of compulsory purchase powers and the interference with those rights.

**70. Consequently, the Minister has decided that the draft Orders can be made incorporating the modifications detailed in Annex B to this decision letter.** The Orders will then become operative on the date on which the notice announcing their making is first published.

## CONVEYANCE OF DECISION

71. This decision letter, the Report and the enclosed ES Public Notice (PN) have been sent to all those who expressed an opinion on the Scheme and other interested parties. Copies of this decision letter, the Report and the enclosed PN, the made Orders together with the ES and SIAA and their supplements are also available for inspection at the following deposit locations until 5 May 2021:

- Preseli Services Petrol Station, Llanddewi Velfrey, Narberth, SA67 7PD (during normal business hours of this establishment);
- Queens Hall, 44 High Street, Narberth, SA67 7AS. Viewings are strictly by appointment only and arrangements should be made via the Public Liaison Officer, Mr Martin Gallimore, using the following contact information: mobile phone 07923 887119 and email [a40enquiries@arup.com](mailto:a40enquiries@arup.com).

## RIGHT OF CHALLENGE

72. If any person aggrieved by the Line Order or SRO desires to question the validity of them, or of any of the provisions contained in them, on the ground that:

- a. it is not within the powers of the Highways Act 1980; or
- b. that any requirement of the Highways Act 1980 or of regulations made under it has not been complied with,

that person may, within 6 weeks of them becoming operative make an application for the purpose to the High Court.

73. If any person aggrieved by the CPO desires to question the validity of the Order, or of any of the provisions contained therein, on the ground that:

- a. the authorisation of a compulsory purchase thereby granted is not empowered to be granted under the Acquisition of Land Act 1981 or any such enactment as is mentioned in section 1(1) of the Acquisition of Land Act 1981; or
- b. any relevant requirement has not been complied with,

that person may, within 6 weeks of it becoming operative make an application to the High Court.

Yours faithfully



**ANDY FALLEYN**

**Deputy Director**

Strategic Road Network Division

**Statutory Bodies Distribution List****Addressee**

Richard Jones  
 Chris Davies, Area Engineer (West)  
 Ian Westley, Chief Executive  
 Darren Thomas, Head of Infrastructure  
 Matt Cloud, Definitive Map Officer - Public Rights of Way  
 Trevor Theobald, Planning Ecology  
 Vicky Mitchell, Clerk  
 Caroline Coaker, Clerk  
 Traffic Management Officer  
 Chris Davies, Chief Fire Officer  
 Rob Jeffery, Production Manager  
 Openreach National Notice Handling Centre  
 -  
 -  
 -  
 Wayleaves  
 Cable & Wireless UK  
 Keith Davies, Advisor Wales (Planning)  
 Michelle Price, External Relations  
 NRSWA Section  
 Registered Office  
 -  
 National Grid Plant Protection  
 National Plant Enquiries Team  
 Plant Protection Department  
 National Plant Enquiries Team  
 Natasha Starynsky, Legal Officer  
 Christine Thorpe, Solicitor  
 Julie Osmond, Head of Protection and Policy

**Email**

Network Alterations Wales  
 Network Alterations UK

**Organisation**

South Wales Trunk Road Agency (SWTRA)  
 South Wales Trunk Road Agency  
 Pembrokeshire County Council  
 Pembrokeshire County Council  
 Pembrokeshire County Council  
 Pembrokeshire County Council  
 Pembrokeshire County Council  
 Llanddewi Velfrey Community Council  
 Narberth Town Council  
 Dyfed Powys Police  
 Mid & West Wales Fire & Rescue  
 Welsh Ambulance Services NHS Trust  
 BT Openreach  
 National Power PLC  
 Powergen Property  
 Magnox Electric PLC  
 SP Energy Networks  
 Cable & Wireless UK, c/o Atkins Telecoms  
 Natural Resources Wales  
 Natural Resources Wales  
 Western Power Distribution - Mapping Centre  
 Western Power Distribution  
 Wales & West Utilities  
 National Grid  
 Virgin Media  
 Fibrespeed - JSM Group Limited  
 NTL Telewest  
 Dwr Cymru Welsh Water  
 Dwr Cymru Welsh Water  
 Cadw

Openreach BT  
 Openreach BT

# **ANNEX B**

## **MODIFICATIONS TO THE DRAFT ORDERS**



## **MODIFICATIONS SOUGHT BY THE WELSH GOVERNMENT**

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

### **Modification 1**

#### **Draft Side Roads Order**

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

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### **Modification 2**

#### **Draft Compulsory Purchase Order**

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

CPO Table 1 and 2 to be amended as follows:

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

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### **Modification 3**

#### **Draft Side Roads Order**

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

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

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### **Modification 4**

#### **Draft Side Roads Order**

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

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

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

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

### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

### **Modification 5**

#### **Draft Side Roads Order**

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

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

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

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### **Modification 6**

#### **Draft Side Roads Order**

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

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

#### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

## **Modification 7**

### **Draft Side Roads Order**

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

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

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

### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

## **Modification 8**

### **Draft Side Roads Order**

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

### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

## **Modification 9**

Removed by Welsh Government

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## **Modification 10**

### **Draft Side Roads Order**

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

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### **Modification 11**

#### **Draft Side Roads Order**

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

#### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

### **Modification 12**

#### **Draft Side Roads Order**

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

---

### **Modification 13**

#### **Draft Side Roads Order**

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

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

---

### **Modification 14**

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

### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

### **Modification 15**

#### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

### **Modification 16**

#### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

### **Modification 17**

#### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

---

### **Modification 18**

#### **Draft Side Roads Order**

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

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

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

### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

**Modification Cover Sheets**  
**(with further information thereon)**

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 01**

### Relevant draft Order(s)

- SRO

### Relevant respondents:

- R0028 – John & Linda Smith

### Outline:

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

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

### **Terms of Modification to the Published Draft Orders**

N/A

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 02**

### Relevant draft Order(s)

- CPO

### Relevant respondents:

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

### Outline:



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

## **Terms of Modification to the Published Draft Orders**

### **CPO**

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

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

#### **Table 1:**

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

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

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

CPO Plot 3/14 – New plot

CPO Plot 3/14a – New plot

CPO Plot 3/15 – New plot

CPO Plot 3/15a – New plot

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 03**

#### **Relevant draft Order(s)**

- SRO

#### **Relevant respondents:**

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

#### **Outline:**

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

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 04**

### Relevant draft Order(s)

- SRO
- CPO

### Relevant respondents:

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

### Outline:

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

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

### **Terms of Modification to the Published Draft Orders**

#### **Draft Side Roads Order**

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

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

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

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

### **CPO**

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

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

**Table 1:**

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

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 05**

Relevant draft Order(s)

- SRO

Relevant respondents:

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

Outline:

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

#### **Terms of Modification to the Published Draft Orders**

##### **Draft Side Roads Order**

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

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

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

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 06**

### Relevant draft Order(s)

- SRO
- CPO

### Relevant respondents:

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

### Outline:

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

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

### **Terms of Modification to the Published Draft Orders**

#### **Draft Side Roads Order**

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

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

#### **Draft Compulsory Purchase Order**

CPO Table 1 and 2 to be amended as follows:

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

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

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

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

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

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 07**

### Relevant draft Order(s)

- CPO
- SRO

### Relevant respondents:

- R0037 – AGP & JWP Lewis

### Outline:

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

### **Terms of Modification to the Published Draft Orders**

#### **Draft Side Roads Order**

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

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

#### **Draft Compulsory Purchase Order**

#### **CPO Table 1 and 2 to be amended as follows:**

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

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

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

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 08**

### Relevant draft Order(s)

- SRO
- CPO

Relevant respondents:

- R0046 – NRW
- R0052 - PCC

Outline:

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

**Terms of Modification to the Published Draft Orders**

**Draft Side Roads Order**

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

**CPO**

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

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

**Table 1:**

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

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

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

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

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

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

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

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

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

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

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 09**

Modification 9 has been removed.

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 10**

Relevant draft Order(s)

- SRO

Relevant respondents:

- R0052 – Pembrokeshire County Council

Outline:

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

#### **Terms of Modification to the Published Draft Orders**

##### **Draft Side Roads Order**

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 11**

Relevant draft Order(s)

- CPO
- SRO

Relevant respondents:

- R0019 - Sandra Rowlands and Family

- R0052 - PCC

### Outline:

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

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

### **Terms of Modification to the Published Draft Orders**

#### **Draft Side Roads Order**

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

### **CPO**

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

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

#### **Table 1:**

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

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

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

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

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

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

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

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

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



## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 12**

#### Relevant draft Order(s)

- SRO

#### Relevant respondents:

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

#### Outline:

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

#### **Terms of Modification to the Published Draft Orders**

##### **Draft Side Roads Order**

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 13**

#### Relevant draft Order(s)

- SRO

#### Relevant respondents:

- R0019 – Sandra Rowlands

#### Outline:

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

#### **Terms of Modification to the Published Draft Orders**

##### **Draft Side Roads Order**

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

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

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 14**

### Relevant draft Order(s)

- CPO

### Relevant respondents:

- R0019 – Sandra Rowlands and Family

### Outline:

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

### **Terms of Modification to the Published Draft Orders**

#### **CPO**

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

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

#### **Table 1:**

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

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

# **A40 Llanddewi Velfrey To Penblewin**

## **MODIFICATION 15**

### Relevant draft Order(s)

- CPO

### Relevant respondents:

- R0019 - Sandra Rowlands and Family

### Outline:

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

### **Terms of Modification to the Published Draft Orders**

#### **CPO**

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

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

**Table 1:**

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

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

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 16**

Relevant draft Order(s)

- CPO

Relevant respondents:

- R0031 - Talfan & Vera Evans

Outline:

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

#### **Terms of Modification to the Published Draft Orders**

#### **CPO**

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

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

**Table 1:**

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 17**

Relevant draft Order(s)

- CPO

Relevant respondents:

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

### Outline:

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

### **Terms of Modification to the Published Draft Orders**

#### **CPO**

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

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

#### **Table 1:**

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

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

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

## **A40 Llanddewi Velfrey To Penblewin**

### **MODIFICATION 18**

#### Relevant draft Order(s)

- CPO

#### Relevant respondents:

- R0024 – Mr & Mrs Peett

#### Outline:

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

### **Terms of Modification to the Published Draft Orders**

#### **SRO**

##### **Draft Side Roads Order**

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

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

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

## **CPO**

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

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

### **Table 1:**

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

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

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

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

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

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

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

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