

---

## Adroddiad

## Report

Ymchwiliad a agorwyd ar 20 Mawrth 2012  
Ymweliadau a safle a wnaed ar 19, 28 a'r 28  
Mawrth 2012

Inquiry opened on 20 March 2012  
Site visits made on 19, 28 and 28 March 2012

gan W S C Wadrup BEng(Hons), CEng,  
MICE, FCIHT

by W S C Wadrup BEng(Hons), CEng,  
MICE, FCIHT

Arolygydd a benodir gan Weinidogion Cymru an Inspector appointed by the Welsh Ministers

Dyddiad: 02/05/2012

Date: 02/05/2012

---

### HIGHWAYS ACT 1980

### ACQUISITION OF LAND ACT 1981

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO  
HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO  
EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY  
TRUNK ROAD (A470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR  
TO TREDEGAR) (AMENDMENT) ORDER 201-

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO  
HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO  
EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY  
TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR)  
(SIDE ROADS) ORDER 201-

THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465)  
(ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF  
ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD) (A4060) AND CARDIFF  
TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS)  
(BRYNMAWR TO TREDEGAR) COMPULSORY PURCHASE ORDER 201-.



## TABLE OF CONTENTS

|   |    |
|---|----|
| CASE DETAILS .....  | 4  |
| 1. PREAMBLE .....   | 5  |
| 2. PROCEDURAL MATTERS .....   | 6  |
| 3. SITE DESCRIPTION .....   | 6  |
| 4 THE CASE FOR THE WELSH GOVERNMENT .....   | 7  |
| 5 THE CASE FOR THE SUPPORTERS .....   | 26 |
| 6 THE CASE FOR THE OBJECTORS .....  | 27 |
| 7 THE CASE FOR THOSE MAKING REPRESENTATIONS.....  | 31 |
| 8 THE WELSH GOVERNMENT'S RESPONSE TO OBJECTIONS AND<br>REPRESENTATIONS.....                 | 33 |
| 9 THE ALTERNATIVES TO THE DRAFT ORDERS AND COUNTER-<br>OBJECTIONS TO THE ALTERNATIVES ..... | 37 |
| 10. CONCLUSIONS .....   | 44 |
| 11. RECOMMENDATIONS OF INSPECTOR.....   | 58 |
| 12. ANNEX A - APPEARANCES AT THE INQUIRY .....  | 59 |
| 13. ANNEX B - LISTS OF SUPPORTI   |    |



## 1. PREAMBLE

- 1.1 I was appointed by the Minister for Local Government and Communities at the Welsh Government pursuant to Paragraph 7 of Schedule 1 of the Highways Act 1980 and Schedule 13 (2) of the Acquisition of Land Act 1981 to hold Public Local Inquiries concurrently into the above draft Orders and to report to the Welsh Ministers (DD204, DD206).
- 1.2 For ease of reference I shall refer to the Public Local Inquiries as “the Inquiry” in this report. I held the Inquiry at the General Offices, Steelworks Road, Ebbw Vale over 6 days between 20 March 2012 and 28 March 2012. A widespread accompanied site inspection took place on 28 March 2012 as well as a targeted inspection of the areas of existing and proposed replacement Common Land. I undertook unaccompanied site inspections on 19 and 29 March 2012. These included a visit to communities, well clear of the scheme that would be affected

properly surfaced.

The road line should be diverted to avoid land owned by AB Cardinal Packaging at the Rassau Industrial Estate.

The effect of the scheme on reservoirs and water infrastructure would be unacceptable.

The re-routing of traffic would burden communities and the side road proposals should be amended to correct that.

The area of Common Land that would be offered in exchange for that which would be taken by the scheme is inadequate.

- 1.7 At the Inquiry the Welsh Government confirmed that all Statutory Procedures had been properly completed (ID4).
- 1.8 This report contains a brief description of the area, the gist of the cases presented and my conclusions and recommendations. Lists of appearances and documents are appended at Annex A and Annex B respectively. Annex C

area of Garn Lydan. It would occupy ground that generally overlooks the industrial valleys to the south, whilst views of the proposed road from the north, and from the bulk of the National Park, would be obscured by a predominant ridgeline that runs east-west just to the north of the reservoirs. Much of the ground over which the scheme would run is reclaimed land arising

Abergavenny and Gilwern and between Tredegar and Dowlais Top respectively, are complete. The Orders that were the subject of this Public Inquiry were for section 3-between Brynmawr and Tredegar.

- 4.5 In March 2010 Carillion were awarded an Early Contractor Involvement (ECI) contract to design and construct section 3. The design established advantages in amending part of the 1999 scheme. The Design Commission for Wales formally reviewed the emerging design (ID20, ID21). The Designer's reaction to the Commission's observations is at ID22.
- 4.6 The made Line Order for the whole of the 1999 scheme gives the Welsh Ministers authority to proceed with the whole of the original scheme. The purpose of the current draft Amendment Order is to substitute the line approved by the 1999 Order with a fresh line for section 3, including new junction and slip road arrangements and a large rest area near Garn Lydan. Should the draft Amendment (Line) Order be made, the length of the existing A465 that would be de-trunked would alter relative to that confirmed by the 1999 Order. The Amendment (Line) Order and the Associated draft Side Roads and Compulsory Purchase Orders constitute the subject matter of this Inquiry. Should these current draft Orders not be made following this Inquiry the 1999 Order would remain in force un-amended (WG01A, ID49).
- 4.7 In considering the Orders before the Inquiry it is only necessary to consider the statutory tests in respect of section 3 of the overall scheme, because approval for all 6 sections of the A465 widening was given by the Secretary of State in 1999 and remain legally secure (ID49).
- 4.8 A fresh 2011 ES for section 3 was developed to reflect the design changes brought forward. Later modifications to that ES, in the form of a 2012 Supplement, were published to bring the documentation up to date in terms of local policies and national technical methodology (DD043-DD047).

#### Relevant National Policy

*The Wales Transport Strategy-One Wales: Connecting the Nation (DD101)*

- 4.9 This document, in recognising the importance of good, reliable connectivity in Wales and between Wales, the UK and EU for business and tourism, sets out the Welsh Government's strategy for transport with strategic aims, including the following:

Reducing greenhouse gas emissions and other harmful environmental effects.

Integrating local transport.

Improving access between key settlements and health care.

Improving access to employment opportunities.

Improving the efficient reliable movement of freight, people and visitors.



Enhancing international and national connectivity, and

Increasing safety and security, and

Improving the impact of transport on the local environment, heritage and biodiversity.

In line with this policy the scheme would:

Ensure new transport infrastructure is resilient to climate change.

Reduce traffic noise, severance, air and water pollution and the harmful effects on biodiversity by employing extensive mitigation measures.

Provide walking and cycling links to communities and to the long-distance cycle network.

Improve the reliability of the road networks between key settlements and local employment sites.

Improve strategic east-west routes, and

Reduce road casualties by providing a safer form of carriageway and removing collision prone cluster sites.

*The National Transport Plan of March 2010 (DD104)*

4.10 The Plan sets out how the Transport Strategy would be delivered over the 2010-2015 period. It recognises, at item 82, that “ *The A465 HOV Road provides a strategic link for the northern Valleys, supporting regeneration and providing an alternative link between West Wales and the Midlands. The dualling of this road will be completed by 2020.*” The Plan also states “ *we will complete the dualling of the A465 Heads of the Valleys Road from Brynmawr to Tredegar by 2014*”. The National Transport Plan was prioritised in December 2011 and confirmed the proposed start for section 3 as 2012-2013, which is consistent with the formal Reprioritisation of the Trunk Road Forward Programme. Inclusion of the scheme within the National Transport Plan confirms that it meets the general sustainability requirements of Government policy documents (WG01A, ID49, DD43, DD110).

4.11 In line with the National Transport Plan the improvements to the A465 would:

Help the integration of local transport by reducing congestion on local roads for local transport.

Improve access between key settlements and sites by improving journey times and reliability.

Enhance international connectivity, because the A465 is part of the Trans European Transport Network.





associated carbon emission levels. The Framework recognises the scheme as one that would give impetus for economic and social regeneration of this area of South Wales (WG01A).

*The Environment Strategy for Wales (DD106)*

- 4.23 The Welsh Government's long-term strategy for the environment is set out in the document Environment Strategy for Wales. Its aim is to provide a framework within which an environment that is clean, healthy, biologically diverse and valued by the people can be achieved and one which is thriving and contributing to the economic and social wellbeing of all the people of Wales. The development of the scheme has sought to provide a balance between its advantages, including environmental advantages, and its environmental disadvantages. The scheme would improve the environment by removing congestion and reducing community severance, visual intrusion, noise and emissions, but it would, to a degree, adversely affect communities close to the scheme and bring with it environmental costs (WG01A).

Relevant Local Policy

*Blaenau-Gwent County Borough Council- Deposit Local Development Plan (LDP) and Adopted Unitary Development Plan (UDP)*

- 4.24 The LDP under policy T6 and the UDP under policy T2/A state that the scheme would facilitate the regeneration of the area and that there is an expectation that the improvement will generate new and sustained economic activity and investment.

*Brecon Beacons National Park Authority (BBNP) Unitary Development Plan and Local Plan*

- 4.25 The Plans stipulate development control policies and that major developments should only take place where proven to be in the public interest. The scheme is not recognised in the un-adopted UDP but is recognised in the BBNP Local Plan. This states, " *The NPA will oppose any proposal to construct a new route through the National Park, or any programme of major improvements to existing routes that would cater for or encourage their use by additional*

### *South East Wales Transport Alliance Regional Transport Plan*

- 4.26 The Alliance is made up from ten local authorities in South East Wales. Its aim is to encourage more sustainable, environmentally beneficial transport solutions to the current problems of transport. The scheme would be compatible with some of the objectives in the Plan but not all (DD107).

### *Blaenau-Gwent Regeneration Strategy (2009)*

- 4.27 The strategy states that the A465 is the area's most important link to the national road network. Upgrading it is crucial for competitive advantage in the area. Enhancement of the A465 would have a fundamental impact on the upper Valleys (DD113).

### *Landscape Strategy for the A465 (2007).*

- 4.28 This would provide a strategic and consistent approach to all sections of the A465 widening. It includes the provision of visitor facilities, (such as the proposed rest area at Garn Lydan), for gateway access facilities to towns and to the more wide ranging attractions of the Brecon Beacons and the Blaenavon World Heritage Site. The Strategy would be compatible with the biodiversity action plans for the various sections of the improvement (WG07, DD120, DD121).

### The Objectives of the Scheme

- 4.29 The objectives of the scheme would be to:

Maintain the current level of service and to carry out improvements.

Reduce journey times and journey time variability and improve resilience of the A465 and of the strategic South East Wales network.

Facilitate economic activity and accessibility.

Bypass congested towns and villages.

Enhance road safety and reduce casualties.

Construct a sustainable scheme with proper care for the environment.

Promote cycling, walking and healthy lifestyles, and

Minimise future maintenance and disruption of the highway.

## The Engineering Details of the Scheme

- 4.30 A set of detailed plans and a detailed description of the scheme engineering can be seen at WG03 and WG03A.
- 4.31 The scheme would be 7.8 km long and would extend from just north of the Brynmawr roundabout to the Nant-y-Bwch junction at Tredegar. It would include 4.7 km of new off-line dual carriageway from near the summit point of the existing A465 to Dukestown cemetery at Tredegar. The remainder would be improved by on-line dualling of the 3-lane single carriageway.
- 4.32 From Brynmawr the dual carriageway would run northwest along the trace of the existing trunk road cutting into the hillside on its north side. A climbing lane would be provided along this steep length. It would be economically justifiable and would be contained within the land-take that would be needed for the scheme without such a lane (ID7, ID8, ID41).
- 4.33 To the south of Blaen-y-Cwm reservoir an east facing grade separated interchange would be formed between the proposed and existing trunk roads. That would facilitate access to and egress from Ebbw Vale. The eastbound link road from Ebbw Vale would be bridged over the proposed dual carriageway, whilst the westbound link road would diverge from the dual carriageway at ground level.
- 4.34 Thereafter the road would pass through Common Land on a low embankment between Blaen-y Cwm reservoir and the residential area of Rassau, before passing under the B4560 (Llangynidr Road) in a deep cutting. The B4560 would be bridged over the dual carriageway without connection to it. From the B4560 the dual carriageway would proceed westward and just north of the Rassau Football Club to cross on embankment about 25 metres above both Reservoir Road and the River Ebbw to the south of the Carno Reservoir.
- 4.35

and approaches would have road lighting , with all lanterns fully cut-off to reduce night glare.

4.39

At Dukestown the horizontal geometry would have a different radius.

At Beaufort Wells the Ebbw Vale west junction would be reconfigured.

Through the Rassau Industrial Estate the alignment would be moved southwards away from the estate.

At Carno the alignment would be moved southwards away from the proximity of the reservoir.

At Garn Lydan slip roads and a lay-by would be introduced, and

The original alignment would be moved southwards away from power lines.

#### The Environmental Statements for the Scheme (ES)

4.47 An ES for the entire widening between Abergavenny and Hirwaun was published in 1997. In order to accurately report the environmental effects that would arise from the design changes it emitted immediately above a fresh ES was published in 2011. (DD20-DD37).

4.48 The effects of the scheme on the environment and the mitigation measures proposed to reduce its impact are set out in detail in the fresh ES (DD05-DD08). A non-technical summary of the ES is at DD17. The 2012 update of the ES, known as the Supplemental 2012 ES, updated matters of policy, ecological surveys, severance, landscape and water quality. Changes to traffic, noise and vibration guidance, set out in the Design Manual for Rongl[ ( rity. C46(si5(Manua)ideningoh)-



Cadw.

Blaenau-Gwent County Borough Council, and

Brecon Beacons National Park Authority.

- 4.51 These bodies, together with representatives of the Royal Society for the Protection of Birds, the Valleys Regeneration Park, the Campaign for the Protection of Rural Wales and others, form an Environmental Liaison Group that would continue to meet for about 5 years after the scheme was built.
- 4.52 Consultations on the fresh 2011 ES and later the 2012 Supplement to it took place with all Statutory Environmental Bodies and both general and specific topic discussions were held, in order to understand the impact that the scheme, together with the impacts from other committed projects, would have.
- 4.53 The Welsh Government published an Appropriate Environmental Impact Assessment Notice in respect of the scheme on 24 November 2010 (DD11, DD15).

#### The Appropriate Assessment of the Environmental Effect of the Scheme

- 4.54 A Statement to Inform Appropriate Assessment was prepared by the Welsh Government to enable Welsh Ministers to have regard to the potential implications of the scheme on the Usk Bat Sites SAC (DD11, DD15, DD 49). The following species types and habitats would be encountered in the SAC:

Lesser Horseshoe Bat.

Dry Heaths Degraded raised bogs.

Blanket Bogs.

Calcareous rocky slopes with chasmorphic vegetation.

Caves, and

Tilo-Acerion Forests.

- 4.55 The impact that the scheme would have on these has been assessed primarily because of air pollution. No works would be undertaken within the SAC but the road would be 700 metres from it and would affect an area used by bats from its eastern end to the Rassau Industrial Estate. To comply with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 extensive

and the Environment Agency Wales. These would continue.

#### Traffic and Capacity Justification (WG02, WG05)

- 4.57 Traffic predictions for both the existing road network and the proposed scheme were formed from counts and analysis based on roadside interviews, automatic, manual and video traffic surveys and journey time surveys in 2009 and 2010. Current flows on the A465 were in the order of 21,000-22,000 vehicles on an average day (vpd). This volume of traffic would grow to about 29,000 vpd by 2030. About 8% of current flows are heavy goods vehicles and that percentage would remain reasonably constant over time. From 2006 to 2010 A465 traffic growth, of about 10%, has outstripped growth on other Welsh trunk roads, as the effects of sections 1 and 4 of the A465 improvement draw more traffic into the corridor (ID16, DD505).
- 4.58 From the traffic count data collected a local traffic model was populated for the scheme. Details of the model and its testing are set out in the Local Model Validation Report and its February 2012 update. The traffic model validated satisfactorily (DD506, DD507, DD510).
- 4.59 Using national traffic growth factors future traffic flows were calculated to show that, whilst there were no significant current problems of capacity on the links between roundabouts, these would emerge by 2030. The current traffic predictions are similar to those established at the 1999 Inquiry but should the remaining sections of widening be constructed they would draw substantially more traffic into the corridor. A dual carriageway between Brynmawr and Tredegar would have sufficient capacity to cope with the enhanced traffic for the foreseeable future (WG05, WG05A, DD511, ID17, ID24).
- 4.60 No capacity or delay problems occur at present at the Nant-y-Bwch or Rassau West (Crown) roundabouts. There are small delays at the Ebbw Vale roundabout. By 2030 there would be significant peak hour queues at the Nant-y-Bwch and Ebbw Vale roundabouts and the single carriageway links in between the roundabouts would be unsatisfactorily loaded. With the scheme in place no delays would be experienced on the network and significant reductions in journey time would become evident between Brynmawr and Tredegar.

#### Collisions and Road Safety Justification (WG05)

- 4.61 Between 2004-8 there were 65 collisions on the A465, 44 of which were at cluster sites at the roundabouts or at the Llangynidr Road junction. The cost benefit analysis has shown that with the proposed scheme operational collisions between Brynmawr and Tredegar would reduce over a 60-year

£16m has been included to cover risk and a further £7.1m for contingencies that may arise (Table 1 of WG02).

4.63 The Economic Assessment Report sets out the beneficial return of the scheme, when considered against the capital and maintenance costs (Benefits to Cost Ratio) (BCR). The discounted scheme cost would be in the order of £78.3m and the corresponding benefits that would accrue for the nation would be in the order of £101.8m, giving a BCR of about 1.30, which means that for every £1 of public money spent on the scheme it would reap £1.30 in public benefit over a period of 60 years. It would be a sound investment of public funds. Of the £57m of predicted user benefits, 72% would accrue to businesses because of the improved efficiency in the movement of freight and works traffic (DD508, DD512, DD517).

4.64 The above figures take account of traffic queues and delays during construction and maintenance works, both on the proposed road and on the existing A465, which, as a single carriageway, currently presents significant maintenance challenges and delays to traffic.

4.65 With wider community and business benefits taken into account the BCR for the scheme would increase to 1.52 (WG02, DD534).

4.66 The effect of the opening of the remaining sections of the A465 improvement would be to enhance the economic case for the scheme (section 3) and increase its BCR from 1.30 to 2.09, without the wider benefits being taken into account (WG02).

4.67 Funding for construction would be raised from the Welsh Government's Transport budget and has been earmarked for the budget years of 2012/13-2015/16 (WG01).

4.68 The scheme would be situated entirely within the economically deprived Heads of the Valleys Reg -0.001 -2.leysds.33( situ2o6 Tc -0.0009 Tc -1bWve)-5(bW7o001 7(works4 -15busin

progressively from late 2013. Drainage lagoons would be constructed early to act as silt traps and thereby protect watercourses from pollution. All local public rights of way would remain open during the construction period or be temporarily diverted.

- 4.71 The bulk earthworks design has been optimised to balance cut and fill volumes and consequently little import or export of earthworks material would be necessary. Contaminated materials would be disposed of in a licensed disposal area and construction



proper reinstatement of land carried out after construction ends. That would be done (ID25).

- 4.83 The impact on Hirgan Farm would be severe with over half the land (6.7ha) lost to the scheme with most of the remaining land severed.
- 4.84 There would be a negligible impact on those whose stock graze the Common Land because the 3.5ha that would be affected only represents about 0.2% of the unrestricted Common area. There are 21 registered graziers with rights to the Common but only one currently exercises the rights. Two underpasses currently provide access to the Common one of which would be closed. A nearby full height underpass would remain in open and a further full height underpass would be provided to link the severed area of the Common to the rest of it. The overall effect on the Common would be negligible.

#### The Effect of the Scheme on the Landscape (WG07, WG07A)

- 4.85 The Brecon Beacons National Park is the principal landscape designation affected by the scheme. The widened road would lie within the National Park for the limited length from its eastern end to the River Clydach. Beyond the River Clydach the scheme would flank the southern aspects of the operational Blaen-y-Cwm and Carno reservoirs, and would cross a sensitive area, which is exposed to views from the National Park to the north. Thereafter the road scheme would enter open moorland through Trefil and Garn Lydan and run to the north of Beaufort Common. These areas are predominantly used for grazing but with areas of deciduous and coniferous woodland, heath and moor nearby. To the west it would run adjacent to the southern boundary of the imposing Rassau Industrial Estate from which it would proceed across pasture farmland to rejoin the A465 en route to the Nant-y Bwch roundabout (ID6).
- 4.86 In order to incorporate the scheme into the sensitive landscape widespread mitigation measures are proposed as follows:

Road lighting would be restricted to junctions and their approaches and the lanterns would be fully cut-off to prevent glare at night.

Tree and shrub planting and woodland would be managed to reflect existing features of the landscape.

## Ecology, Habitat and Cultural Heritage Issues (WG06, WG06A)

- 4.92 The environmental impacts of the scheme are set out in the 2011 ES and the 2012 Supplemental ES.
- 4.93 There would be a negligible effect on the Usk Bat Sites SAC and the Cwm Clydach Woodlands SAC. The Mynydd Llangatwg SSSI would be susceptible to air pollution, but not to any significant degree given that only 0.5% of the 727 ha of the SSSI would be affected.
- 4.94 The scheme would have a negligible impact upon cultural heritage in an area that has already been subjected to widespread industrial disturbance.
- 4.95 Some habitat would be destroyed by the scheme but new habitat would be created, approximately in a ratio of 2:1. Long-term management of these new habitat areas would follow the construction of the scheme. Water quality in streams and rivers would improve because of run-off pollution control measures. No such control measures exist on the existing A465.
- 4.96 Widespread measures would be incorporated into the scheme to aid bats, amphibians, birds, potentially otters, grassland and woodland cultivation (DD15, DD218, DD307, DD314).

## The Effect of the Scheme on Air Quality (WG10, WG10A)

- 4.97 The main pollutants associated with road transport are nitrogen dioxide and fine particle matter. Air quality limit values and objectives are set at a European and National level. The Air Quality Standards (Wales) Regulations 2010 transpose the European Directive 2008/50/EC into National regulation and the UK Air Quality Strategy was published in July 2007 (DD126, DD221).
- 4.98 The impact that the scheme would have in terms of air quality has been assessed from survey data gathered by the Blaenau Gwent County Borough Council from 17 sites in November 2010-December 2011 in the area of the scheme. The surveys and analysis revealed that:
- The local nitrogen dioxide concentration was well below the annual mean objective of 40 µg/m<sup>3</sup> and at background sites was very low (less than 30% of the objective value). This finding is consistent with those of Defra in its report on UK wide air quality.
- The air quality within the area is well within the relevant air quality standard at present with the exception of nitrogen concentrations in the SSSI area.
- With improvements in vehicle and other industrial technology nitrogen concentrations would decrease, although the scheme would cause a slight increase over the levels and that would otherwise be achieved by significant technology gains. By 2015 nitrogen concentrations are expected to meet relevant guideline standards. By 2030 levels would still be well below air quality objective guideline levels for nitrogen dioxide



concentrations at all reception points.

objections, in respect of the modifications to either the CPO or the Side Roads Order, had been made.

## 5 THE CASE FOR THE SUPPORTERS

The material points were:

Supporter who attended the Inquiry \_\_\_\_\_

*The Blaenau-Gwent County Borough Council (S3)*

5.1 The Council is fully supportive of the strategic aims and objectives of the scheme and supports the Line and Side Roads Orders. The scheme would robustly help to deliver the aims of

the UK). Manufacturing needs good road communications and the scheme would provide that (DD519).

*The Road Haulage Association (S7)*

- 5.5 The scheme would assist the safe and efficient movement of goods with minimal impact on the environment. It would remove driver frustration, improve safety at roundabouts and enhance journey reliability.

*Mr Roger Leadbeter (S1)*

- 5.6 The scheme, including the important grade-separated junctions, would provide safety and economic development benefits. The Llangynidr Road junction would require careful design to reduce its accident potential should the re-establishment of a right-turn facility proceed.

*SUSTRANS (S4, also R1)*

- 5.7 The cycling elements of the scheme, which would complement the development of National Cycle Network Route 46, are broadly supported.

## 6 THE CASE FOR THE OBJECTORS

*After the end of the objection period but before the closure of the Inquiry, discussions took place between the parties leading to agreements being reached between the Welsh Government and Objectors. These resulted in the formal withdrawal of some of the points of objection that I have, for completeness, recorded immediately below. Where agreements were reached before the close of the Inquiry I have acknowledged those agreements in Section 8 of this Report- "Response by the Welsh Government to Objectors and those making Representations".*

The material points were:

*Mr D M Evans (O1)*

- 6.1 The proposed road scheme should be substituted by a rail-based alternative for east-west traffic.
- 6.2 Funds that are earmarked for the proposed viewing and rest area at Garn Lydan should be used for other purposes because few people would use the rest area.
- 6.3 A redesign of the Ebbw Vale West junction should allow the existing access into the Rassau Industrial Estate to continue as at present.



- 6.10 The objection was to all 3 of the draft Orders. The case for the scheme, some 14 years after the original Public Inquiry cannot now be seen as compelling or economically justifiable in the public interest. There is no certainty of increase in traffic flow and therefore the scheme could be premature. In a time of reduced economic growth it would be inappropriate to apply standard rates of traffic growth. Improved roads by their nature cause traffic growth and traffic problems. Traffic calming alone could reduce accidents. There was inadequate justification for the proposed grade separation at Nant-y-bwch. The scheme would have a devastating effect on Mr Verma's business, as would the loss of

essential in order to protect enjoyment of the dwelling.

*Mr Paul and Mrs Susan Jones (Hirgan Farm) (O11)*

- 6.15 The proposed CPO would decimate the farm, which is currently only 11.3ha (29ac) with associated Common Land rights. That would reduce the farm to half its size with a further reduction of Common Land rights that would be accessed by an unsuitable access and a long detour.
- 6.16 There would be no adequate access provided to the land severed by the road to the north. An underpass should be provided or access provided from the new bridge from Crown Avenue. The access along the bridleway (332/59/1) must be made suitable for the passage of stock and farm vehicles. No proper cost analysis of access alternatives has been undertaken. An access directly off the proposed Crown Roundabout would be preferable to the overly tight and apparently unworkable access proposed through Plot 2/8k and which would serve the farmstead.
- 6.17 Proper consideration has not been given to the siting of the Lapwing mitigation site. Plot 2/8i has been earmarked but this should be removed in favour of land already in the Welsh Government's ownership (The Wells Farm). Similarly Plot 2/8g, which has been earmarked for tree planting, should continue in agricultural use and the landscaping moved onto Wells Farm land. Land already owned by the Welsh Government should be offered to Mr and Mrs Jones in exchange for that which would be taken by the making of the CPO.

*The Countryside Council for Wales (CCW) (O12)*

- 6.18 The CCW had concerns in relation to the ES and the impact, which the scheme would have on the natural environment. In particular the scheme, over its off-line length, would cause loss of habitat, including woodland, heath and moor, coniferous plantation, scrub and trees. Mitigatory land must be made available through the CPO process. Emphasis needs to be placed on long-term management of grassland habitats.
- 6.19 The surveys undertaken by the Welsh Government of the effect of the scheme on the Usk Bats Sites SAC are proportionate to the effect that the scheme would impose on the natural environment. The area through which the scheme would run is not particularly important for bat foraging. The level of usage by bats appears to be low but it cannot be ruled out and mitigation is needed to offset potential harm, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. Road kill mortalities could represent a risk to bats and the potential problem should be studied in detail and long term security of the proposed mitigation measures guaranteed. The proposed planting near the Beaufort Hills cattle creep should be removed because the underpass would be closed by the scheme and over road flight would threaten bats that were attracted to, familiar with or residual in the area. A similar problem would occur near Rassau Industrial Estate where broadleaf woodland is proposed either side of the road because that would offer good bat foraging. The design should be refined to reflect these concerns.

6.20 The ES does not currently demonstrate the degree to which the special qualities and statutory purposes of the Brecon Beacons National Park are affected or the effects mitigated. Noise and visual impact are a concern. The impact on air quality from Section 3 of the Heads of the Valleys project is not significant but in combination with other impacts may become significant.

*Mrs Maureen Lloyd- Bainbridge (O14)*

6.21 Mrs Lloyd-Bainbridge has not been in receipt of early correspondence about details of the scheme. It now emerges that the scheme details in the vicinity of the Nant-y-Bwch junction have changed and are different from when she purchased her property at Pant-y-Dwr. These fresh proposals only came to her attention recently because she was not contacted by the Welsh Government during the public consultation exercise or subsequently.

## 7 THE CASE FOR THOSE MAKING REPRESENTATIONS

The material points were:

*CTC (R1)*

7.1 The routes of proposed cycle paths are well defined but they should have sealed surfaces to avoid deterioration and encourage use. The existing 3 lane A465 should be remarked to give room for safe cycling and pedestrian use. Overtaking lanes should not be retained. These measures would render the scheme cycle friendly and meet the policy objective of promoting cycling.

*Everything Everywhere (R2)*

7.2 The Company's mast seems to be unaffected by the scheme but access would be adversely affected. It is imperative that the vehicular access to the property remains operational, including during the construction period. *The*

*Tredegar Town Council (R3\*, also S6)*

*\* Following discussions with the Welsh Government the Council confirmed its support for the scheme, a matter on which I have reported at paragraph 5.3 above.*

7.3 Because the Tredegar roundabout would be higher than the existing one there would be light pollution affecting Station Road. Properties there should be shielded from it. Landscaping should be maintained throughout the year and a Tredegar gateway feature incorporated into the scheme. A direct link from the scheme to the Tafarnaubach Industrial Estate would be welcomed.

*Royal Society for the Protection of Birds (R4)*

7.4 The RSPB has a membership of over 1 million. The area is important for the



*The Brecon Beacons National Park Authority (O13 redefined as R6)*

*Following their attendance at the Pre-Inquiry Meeting the Authority formally requested that their objection be re-classified as a representation in response to the draft Orders.*

- 7.8 Road expansion would lead to an increase in emissions as a consequence of attracting additional vehicles and new industrial development alongside. The scheme may frustrate the aim of achieving a 3% year-on-year reduction in CO<sub>2</sub> emissions. That would be contrary to the Welsh Government One World: One Planet policy. The scheme would lead to an increase of 1.75% in CO emissions and therefore would be contrary to the Welsh Government's own definition of sustainability. The scheme would not be sustainable. A low-key scheme should be considered in place of dualling.
- 7.9 The meteorological stations at Rassau would be a more appropriate location for air quality monitoring. Local background concentrations for particulate and

modifications are recorded at Annex C of this report and at ID34 and ID35.

- 8.4 The objections remaining at the start of the Inquiry were those from Mr Martin Evans (OB1), Mr and Mrs Paul Jones of Hirgan Farm (OB11) and Mrs Maureen Lloyd-Bainbridge (OB14). The Welsh Government's responses to these are set out below, as is a response in respect of the reclassified objection (representation) from the Brecon Beacons National Park (BBNP).

*Mr Martin Evans (OB1) (Reb1)*

- 8.5 A number of points of objection were withdrawn by Mr Evans before the start

hillside in order to provide acceptable gradients. The addition of a fifth arm

Nature conservation must be addressed in mitigation.

- 8.14 Policy is not a matter for debate at a Local Public Inquiry, except for insofar as there is an issue as to the conformity with or delivery of relevant policy in the implementation of a scheme. The conformity of the scheme with a wide range of national and local policies has been set out at the Inquiry and in the evidence-in chief. Following earlier concerns by the BBNPA a review of the inter-relationship of policies with the scheme was covered in the Supplemental ES. There has been no adverse comment on that Supplemental ES.
- 8.15 The scheme is totally consistent with, and an integral part of, the A465 Abergavenny to Hirwaun road widening project on which the Secretary of State made the Line Order in its entirety in 1999. The BBNPA supported that overall scheme at the 1999 Inquiry (reference paragraph 719 of the Inspector's report (DD041) and paragraph 17 of the Decision Letter (DD040) issued by the Welsh Office) and recognised it in BBNP policy documents, which refer to the acceptability of future schemes and their protection (DD525-DD527).
- 8.16 Consistency of standards between the various sections of the entire project would be essential for an efficient strategic trunk road. Such standards could not be met by simply applying local safety schemes and traffic calming to any one of the sections. The dualling of the remaining sections of the A465 forms part of the National Transport Plan (NTP) published in April 2010 (WG01, DD104).
- 8.17 This Plan was developed in close liaison with the development of the Climate Change Strategy, which reflects some of the key interventions within the NTP that would help to deliver emissions reductions. A Strategic Environmental Assessment aimed at integrating environmental considerations into the planning and decision-making process was undertaken at the time of the development of the NTP, as was a Habitats Regulations Assessment (DD40, DD41, DD524- DD527).
- 8.18 The NTP sets out how the development of a more integrated transport system would contribute to the reduction of emissions alongside the need to support sustainable economic development and social inclusion. With the Welsh Government's policies for transport there will be an overall reduction in emissions, but it is recognised that not every single transport scheme can reduce carbon emissions. For major trunk road development there would inevitably be a need to achieve a balance between the competing demands of various policies. The development of the scheme has recognised and addressed, where practicable, these competing demands (WG01).
- 8.19 The scheme has been assessed in accordance with the DMRB, which is clear on what developments should be taken into account during scheme development. Other developments are not part of the statutory process for this scheme. They should be considered within the context of the Welsh Government's Spatial Plan and the Blaenau-Gwent County Borough Council UDP.
- 8.20 In terms of air quality the Sennybridge Meteorological Station was used because of data quality assurance. Sennybridge could be relied upon whereas

other more local stations could not provide the necessary quality assurances (WG10).

8.21 An analysis of the data, and of the effect of the scheme, has concluded that:

At 150m from the road the influence of vehicle emissions would be negligible. There would be no difference in the air quality with or without the scheme at a distance of 200m from it. The vast majority (99.5%) of the Mynydd Llangattoch SSSI would be well over 200m from the road.

There would be a very small increase in nitrogen deposition resulting from the scheme on the Cwm Clydach Woodlands SAC. By 2030, there would be no difference between the “do minimum” and “do something” scenarios. The 2015 increases would be insignificant. The Countryside Council for Wales, which is the Statutory Authority for nature conservation in Wales, accepted that there would be no unacceptable impact on Cwm Clydach Woodlands and the Council required no mitigatory action there.

Air quality impacts during construction would be temporary. The Construction Environmental Management Plan would control dust and other site works emissions (WG10).

8.22 In 2012 a review of the scheme was undertaken having regard to the landscape and to the local Plan, UDP, LDP and National Park Management Plan. This was reported in the 2012 Supplemental ES. As a consequence landscape mitigatory proposals have been built into the scheme from Blaen-y-Cwm reservoir to the proposed Llangynidr cutting (WG07, WG07A).

8.23 Replacement grassland and woodland habitat in the order of 2:1 would be provided by the scheme. The longer-term management of those areas would remain with the Welsh Government. The CCW have accepted such an arrangement. No landscaping objection to the proposals in the Supplemental ES has been received (WG06).

## 9 THE ALTERNATIVES TO THE DRAFT ORDERS

*Two objectors' alternatives were advanced and published locally by the Welsh Government before the commencement of the Inquiry. Alternative 1 attracted significant counter objections. Details of both alternatives are set out at OB1 and ID 51.*

The material points were:

*Alternative 1*

The Proposal

9.1

Road to the north of the Garn Lydan. The junction, with slip roads either side of the B4560, would provide for movement between the A465 and B4560 in all directions (ID51).

#### Rebuttal of Alternative 1 by the Welsh Government

- 9.2 This alternative would cost £3.4 million. It would improve the cost benefit analysis of the scheme from 1.30 to 1.41. The BCR for the alternative itself is about 4. The alternative is therefore cost effective.
- 9.3 The Alternative would increase 2015 traffic flows on the B4560 mountain road between Garn Lydan and Llangynidr by 160 vpd (6%). It would substantially reduce traffic by about 900 vpd on the B4560 where it passes through the built up area of Garn Lydan, thereby being beneficial to residents in terms of safety, noise, pollution and severance. The 2015 levels of traffic on the B4560 would be in the order of 2,989 vpd.
- 9.4 The Alternative would require about 3.4ha of grassland, of which 3.1ha would be Common Land. The Alternative would meet only about half of the scheme's objectives. The landscape of the National Park would be adversely affected, principally because of road lighting on the approaches to the junction but it is accepted that the lanterns would be fully cut-off with limited glare. The alternative would need about 320m of lighting to comply with standards. That length could be reduced to about 105m should the 2tabousfBe woult.at6e6J 0. rece. It would improve

causing intrusion into the countryside. The loss of the community playing fields would represent a major detrimental impact on the local community. The Alternative would necessitate alterations to the proposed Rest Area exit lane and thereby have a slight negative impact for traffic users of the facility. Overall the advantages of the alternative are outweighed by its disadvantages. The Council would not support it.

#### Powys County Council (CO10)

- 9.8 Although the Alternative has not been put before the Council it is likely that the Council would not support it. Most of the traffic on the B4560 is commuter traffic although summer visitors use the route in order to gain panoramic views. The Alternative would facilitate reduced traffic through Beaufort and Garn Lydan thereby being of benefit for local residents. It would also theoretically load the B4560 with additional traffic. That would be detrimental to road safety on a road that has a history of tragic accidents and animal deaths. Llangynidr already attracts many visitors. Significant additional traffic would be detrimental to the village environment and to the Grade 1 listed bridges between Talybont-on-Usk and the A40, and across The Usk at Llangynidr.

#### The Countryside Council for Wales (CO16)

- 9.9 The Alternative would carry a significant adverse effect on the implementation of the mitigation works that would be necessary to make the dual carriageway scheme acceptable. It, and the associated road lighting, would probably have implications for views from within the National Park. It would also create difficulties for designing a restored landscape in order to avoid severance between areas currently used by the Lesser Horseshoe bat from the Usk Bats Sites SAC population.

#### Councillor Rosemarie Harris of Powys County Council (CO7)

- 9.10 Councillor Harris is the Llangynidr Ward County Councillor. The community support the published scheme but are concerned about Alternative 1 because of traffic effects on Llangattock and Llangynidr and on the graziers of the Common land whose stock would be under increased threat from additional traffic. The B4560 is unfenced and would probably remain so because of landscape concerns. It is treacherous and its alignment and topography mean that its improvement would be impractical. Heavy goods vehicles and cars "shortcutting" between south and mid Wales use it, but further traffic should be discouraged not least because of the impact on the listed bridges at Llangynidr and Crickhowell. There would be no local support for Alternative 1 because of its cost, effect on the environment and the undesirable impact on the National Park.

Brecon Beacons Park Society (CO8)

9.11 The Society, which is opposed to Alternative 1, is a voluntary organisation whose aims are “ *to advance the enhancement, protection and conservation of the countryside and other amenities of the Brecon Beacons National Park for the benefit of the public*”. The National Park would suffer increased light pollution from Alternative 1. That would be contrary to the statutory purposes of a National Park and contrary to Planning Policy Wales (Section 5.3.7), which states, “... *the duty to have regard to National Park... and ANOB purposes applies to activities affecting these areas that lie within or outside the designated areas*”. The dark night skies are one of the special qualities of the BBNP. The proposed junction, being unnecessary, would be contrary to the beauty, wildlife and cultural heritage of the BBNP. The junction would bring development closer to the National Park. Traffic on the unfenced mountain road would be a threat to sheep and horses and would be unwelcome in Llangynidr and across its ancient bridge.

Sue Dale, Clerk to the Llangynidr Community Council (CO6)

9.12 The Council is concerned about increase  
ro.

Llind thp2(ro)-rotescn an6-7(g)-5( )JTJ 0.0302 TJ -0.0021 Tw 0 -1.219 TD s itsignroteCtcb s sttdlns gbs



fatalities to people and animals that can roam freely in daylight and darkness. Additional traffic would exacerbate the problem. Pedestrians, including children, would be threatened in Garn Lydan. There is an established children's playground near the road and an elderly persons' residence. Additional traffic would threaten those most vulnerable in our society. The football field has been run for children and adults by a dedicated team of local people since 1988, to the extent that the Club has become the focal point in the community where children socialise in safety and adults exercise and meet. All that would be lost should Alternative 1 proceed. The football field is common land and is home to a variety of wildlife. The Infants School, which is only 100m away, would be threatened by a new junction, as would the National Park and the value of local property.

Mr Paul Nash (Secretary of the Garn Lydan AFC) (CO5) and

Mr Leonard Hutton (Chairman of the Garn Lydan AFC) (CO11)

9.16 The Alternative would destroy the football pitch and the Club. It was formed in 1988 and brings the whole community together. Recently £19,000 has been spent on improving the field and facilities. Over £75,000 of National Lottery Funding was received in 1995 to enable the changing rooms and parking facilities to be completed. These are being progressively improved. The Club

speed in the chs in the Gay and 5(f)-4(the-5(ceien)-6ts5(and i(d)-5-6(ildren s(n. T5(and is )tTJ 0.0004

financial restraint. The deprived area needs community facilities, not the removal of them. Traffic, and headlights would affect the enjoyment of local residences.

#### Local Petition from Residents of Garn Lydan (ID42)

9.20 Mrs Sandra Bounds submitted a petition to the Inquiry of over 300 local signatories opposing the Alternative, from the residents of homes shown on the plan at ID46.

#### Mrs Julie Birch (CO2)

9.21 The Alternative would bring negative social and safety effects on the community of Garn Lydan, on the Llangynidr Road and to the National Park. A well-used local playing field would be destroyed. Lighting and noise would be adverse in the area of the junction. The scheme, without the Alternative, would satisfactorily cater for the needs of traffic. The advantages to travellers on the B4560 should not outweigh the disadvantages to local people. The additional £3.4m should not be spent in the current economic climate.

#### Dr John Wyburn (CO14)

9.22 The published scheme is supported but the alternative is opposed because of its unacceptability in terms of noise, dust and light pollution. It would destroy community investment, and be a threat to children, dwellings and the National Park.

#### *Alternative 2*

The material points were:

#### The Proposals

9.23 The options for Alternative 2 are set out in the published document, “ *A465 Dualling Section 3 Brynmawr to Tredegar Objectors Alternative Proposals March 2012*” (ID51). In place of the draft Orders proposals to divert Bridleway 332/59/1 (which would be severed by the scheme) via the proposed bridge at Alan Davies Way Alternative 2 would either:

Reduce the length of the draft Order diversion by the construction of a bridleway bridge across the proposed dual carriageway, at the point of interception of the bridleway, or

Reduce the length of the draft Order diversion by the creation of a new

## Rebuttal of Alternative 2 by the Welsh Government

- 9.24 A bridleway/footbridge, with the required headroom of 5.7m above the carriageway would necessitate the approach ramps on either side. That would cause visual intrusion within the landscape. The structure of the bridge could provide a vantage point for predators of the Lapwing, which would be encouraged to inhabit and breed on the grassland adjacent to the bridge. The footbridge version of the Alternative would cost about £550,000 more than the published scheme. Should the bridge be constructed it would still be necessary to provide a vehicular private means of access from Alan Davies Way to the local community and the communication mast located to the west.
- 9.25 It is accepted that the bridge would shorten the diversion distance between common points by over 300 metres. Two surveys in March 2011 revealed low use of the bridle path with only 7 pedestrians and 1 cyclist observed on a weekday and 6 pedestrians and 7 cyclists observed at the weekend. The additional cost could not be justified in the public interest given that the provisions of the draft Side Roads Order would provide a reasonably level diversion.
- 9.26 In order to accommodate the second option for the diversion of the bridleway the over-bridge at the Ebbw Vale west junction would need to be lengthened by about 5 metres and alterations made to the main line and slip roads at the junction in order to provide the necessary headroom. That would incur additional costs in the order of £300,000. It is accepted that would reduce the bridleway diversion from about 1040 metres with the scheme to about 660 metres with the alternative. Such a saving in distance could not be justified given the low usage of the bridleway, the substantial extra cost and the potential disturbance to Lapwing (ID40).

## Counter Objectors to Alternative 2

### The Blaenau-Gwent County Borough Council

- 9.27 The scheme provides for an appropriate diversion of the existing bridleway. The Alternative (beneath the over-bridge) would reduce the length of the diverted bridleway by 378 metres but that would only apply to walkers and cyclists, as the route would be unable to accommodate equestrians. The 378m saving is not significant for walkers or cyclists. The Alternative, on either of the routes advocated, would potentially impact adversely on the Lapwing habitat area. There is little usage of the bridle path. The Council, which would be the Highway Authority for the bridleway, does not support the Alternative and does not oppose the draft Order routing.

## 10. CONCLUSIONS

- 10.1 Having regard to the foregoing, I have reached the following conclusions. Reference has been given in brackets to earlier paragraphs of this report where appropriate.

### Introduction

- 10.2 If I am to recommend that the scheme proceeds, it needs to be shown that, on balance, and having regard to local and national planning policies including the requirements of agriculture and potential adverse impacts, it is expedient and in the public interest.
- 10.3 The purpose of the Amendment (Line) Order is to substitute its details for those that were contained in the 1999 made Line Order between Brynmawr and Tredegar, and to provide for changes to junction arrangements, the introduction of a rest area off the westbound carriageway at Garn Lydan, and the corresponding extent of de-trunking of the existing A465. If I am to recommend that the Amendment (Line) Order be made I need to be satisfied with the compatibility of this Order with the overall scheme for improving the A465 and for detrunking the existing road, and that the scheme between Brynmawr and Tredegar, as now proposed, is expedient.
- 10.4 In the case of lands to be acquired under the Compulsory Purchase Order, and having regard to both statutory criteria and advice, it must be shown that there is a compelling need for compulsory purchase in the public interest which justifies interference with the human rights of those with an interest in the land, that the Welsh Government has a clear idea how it intends using the land it seeks to acquire, that the necessary resources to carry out these plans would be available within a reasonable time scale, and the scheme is unlikely to be blocked by any impediment to implementation.
- 10.5 With regard to the Side Roads Order it must be shown that alternative routes to highways proposed for stopping up are reasonably convenient and that where private means of access are to be stopped up that another reasonably convenient access is available or will be provided by the scheme if needed.
- 10.6 In relation to the Section 19 Certificate, it must be shown that the land to be given in exchange is not less than that which would be taken and is equally advantageous to the public.

### The Scheme for Dualling Section 3 of the A465 Widening Scheme

- 10.7 There were no sustained individual local objections to the principle of the scheme, although the Brecon Beacons National Park Authority, in reclassifying its earlier Objection to that of a Representation, continued to challenge the National Policy basis for proceeding with this or other road schemes in Wales,



- 10.13 Confirmation of funding for the scheme was established by its inclusion in the Welsh Government's programme. The cost/benefit analysis for the scheme was undertaken in accordance with nationally adopted procedures. These indicated that the scheme would represent a sound investment of public funds and that should the remaining sections of the overall A465 widening scheme be completed the value for money of constructing Section 3 would be further advanced. I have also taken note of the wider reaching economic benefits that could accrue to the community. These would arise from the benefits that better transport would facilitate should the scheme be built, but these additional potential community benefits, whilst material, are not crucial for the establishment of a sound economic case for the scheme. In my opinion the scheme would have a proven economically beneficial case notwithstanding its more wide ranging potential. I conclude that there is a good economic case for proceeding with the scheme, that funding should be made available within a reasonable timescale and that its construction should aid efforts to regenerate the Heads of the Valleys area [4.62-4.68].
- 10.14 The effect of the scheme on agriculture would be adverse but I am satisfied that all of the 66ha of agricultural land required is agricultur04 Tc 0.mes di5nd

the landscaping proposals have evolved from professional and thorough preparation and, as presented to the Inquiry, are comprehensively acceptable. There are no sustained views to the contrary [4.85-4.88, 5.4].

10.18 I recognise that the scheme has been difficult to engineer without recourse to

and 7.9 of this report.

- 10.24 I conclude that, in terms of air quality, the scheme would be beneficial for residents in the A465 area and that the small (less than 0.5%) pollution increase at the SSSIs and SAC is acceptable to the Countryside Council for Wales (the Statutory Authority for nature conservation in Wales). In my judgement Section 3 of the A465 widening scheme should not be prevented from proceeding because of air quality issues.
- 10.25 I am satisfied that proper regard has been had to the requirements of the Habitats Regulations Assessment procedure and that it is evident from the evidence of the experts that the scheme would not have any significant adverse affect on the integrity of European Sites. I am not aware of any reason to disagree with the expert evidence presented to the Inquiry [4.54-4.56, 8.13, 8.17, 8.21].
- 10.26 The Welsh Government's Environmental Statement was published in accordance with European and UK Directives and it is noted that the Statutory Authorities have been consulted in the course of the scheme's development. The comments and representations by the statutory bodies and the Environmental Statement have been taken into account in reaching my conclusions. There were no serious challenges to the Environmental Statement that were not addressed by the published version of the Supplemental ES and correspondence between the parties. Production of that Supplemental ES was helped by the response by the Brecon Beacons National Park Authority to its scoping exercise. I have taken into account the comments made by the statutory consultees [1.7, 4.47-4.52].
- 10.27 I am satisfied that the ES and the Supplemental ES:
- Meet the requirements of the various Acts and Directives [4.49].
  - Satisfy the concerns of the Countryside Council for Wales and the Environment Agency Wales [6.18-6.20, 7.5-7.7, 8.1].
- 10.28 I turn now to my consideration of the individual objections and representations to the draft Orders. From my study of the correspondence between the various parties I am satisfied that discussions took place and agreements were reached with 10 of the original 14 objectors. Some of these agreements rested on the Welsh Government seeking modifications to the published draft Orders



set out at paragraphs 10.46-10.57 below. Apart from his arguments in favour of the Alternative he sustained two of the issues from his original objection [6.2-6.4].

- 10.30 Firstly I accept that the removal of carriageway traffic management measures from the B4560 at Garn Lydan is entirely a matter for the Blaenau-Gwent County Borough Council as local Highway Authority for the road. In my view

8.8].

- 10.35 I accept that the Welsh Government has a statutory duty to provide habitat for the Lapwing and that after discussions with the Countryside Council for Wales, and with the Royal Society for the Protection of Birds the site, part of which would affect Hirgan Farm, was judged to be the most suitable. I heard no convincing evidence to the contrary. I conclude that the compulsory purchase of the necessary land is in the interests of nature conservation to enable the site to be managed and maintained properly [6.17, 8.10].
- 10.36 Mr and Mrs Jones challenged the justification for compulsory purchase of Plot 2/8g on the basis that the landscaping of the roundabout for the benefit of residents of Beaufort Wells should be located further north on Welsh Government land and therefore Plot 2/8g should be retained by them in agricultural use. In my opinion, it is clear that such a proposal could not satisfy the landscaping needs of this relatively isolated area. I accept the Welsh Government's view that a 20 metre wide strip of

Mrs Maureen Lloyd-Bainbridge (O13)

10.39 The objection of Mrs Lloyd-Bainbridge is essentially a matter of administration and in my opinion is not of relevance to the case for or against the Draft Orders. I note that the Welsh Government have indicated that correspondence in respect of the scheme was posted to properties in Pant-y-Dwr and that a representative met with Mrs Lloyd-Bainbridge in March 2012. These seem to me to represent a satisfactory dischar

10.45 In my view there was no counter evidence of substance or fact to indicate that the scheme would cause unacceptable levels of air pollution in the Brecon Beacons National Park, other than the assertion that as critical thresholds are already reached no further development should be permitted as a matter of policy. No such policy appeared at the Inquiry, or in any written Objections or Representations. On the contrary there was a plethora of national and local evidence in support of the scheme [7.8, 8.21, 8.22].

10.46 I conclude that there is no policy reason to prevent the scheme from proceeding. Clearly it has been assessed thoroughly, and properly in accordance with the DMRB. It would seem to me to be entirely proper in local planning terms to assess local developments in accordance with the Spatial Plan and the relevant UDP. I therefore conclude that the scheme has been prepared and assessed in accordance with the national approach for trunk road development. I further conclude that, on the basis of the evidence presented and the acceptability of it to the Countryside Council for Wales, there is no established reason to prevent the scheme proceeding because of the limited air pollution that it would cause [7.8, 8.19].

10.47 No evidence was adduced to support the notion that a low key improvement would suffice for Section 3 and, in noting the Welsh Government's response, it seems to me that such a suggestion would be wholly inappropriate as a solution to the current and future demands of Section 3 of the A465 widening scheme. In my opinion the

prominent power lines, a wind turbine and communication mast that do much to spoil this area of the National Park. Therefore, I do not give much weight to the criticisms of the alternative in respect of visual impact [9.5, 9.9, 9.12, 9.13, 9.14, 9.16, 9.17].

- 10.51 I accept that any junction located in the vicinity of the B4560 would give rise to engineering challenges that would necessitate a major re-design of the proposals associated with the rest area in order to make the resultant scheme safe and acceptable. That is a material consideration but I give little weight to the argument that such a junction would not be compatible with the strategic nature of the A465 to the point of distracting long distance drivers from using the trunk road [9.5, 9.6].
- 10.52 I also accept that the design changes that would be necessary would delay the project by about a year. It is clear that delays of that magnitude (or more) would deflate the economic advantages that have been claimed, as overall first year benefits would be sacrificed [9.5].
- 10.53 In my view the main disadvantage of the alternative would be its devastating effect on the Garn Lydan Football Club, its playing field and facilities. The facilities not only provide for the playing of football matches but also act as a focal point that evidently harmonises the social well being of the whole community and provide safe outdoor activity and opportunity for young people effectively on their doorsteps. I have come to the conclusion that, whilst other matters are reasonably balanced, the wiping out of these progressively improved and much cherished local facilities would deliver a disservice to the people of Garn Lydan of such magnitude as to make the advantages of the alternative unacceptable in the overall public interest [9.7, 9.15, 9.16, 9.17, 9.19, 9.21, 9.22].
- 10.54 I conclude that the alternative should not be incorporated into the scheme and need not be considered further.

#### Conclusion with regard to Alternative 2

- 10.55 The alternative was in reality a pair of options aimed at reducing the diversion length along Bridleway 332/59/1. I am satisfied that both options would be practicable but despite that the proposals contained in the draft Orders would still be necessary in order to provide access to the communications mast which would otherwise be severed to the north of the road. In such circumstances it follows that there would be little compensatory cost saving in adopting either of the alternative options. I therefore accept that the cost of both the alternatives would be appreciably more than the published scheme proposals. This would be in the order of £550,000 more for the over-bridge option and about £300,000 for the under-bridge route to the west [9.23- 9.26, 9.27].
- 10.56 Whilst it is clear that both options would represent a threat to the Lapwing, in this case I do not give much weight to that argument because the draft Order route would have a similar drawback [9.24, 9.27].
- 10.57 I note that the walking and cycling facilities are sparingly used at present and

that the Bridleway is rural in nature and one along which long-distance walking or cycling would be expected. [9.25, 9.27].

- 10.58 The key questions are whether the draft Order proposal would be reasonably convenient relative to the route that would be severed, and whether it is so inferior relative to the options that substantial additional public expenditure would be justifiable.
- 10.59 In my opinion the draft Order proposal is , in the context of the rural bridleway, reasonably convenient. I note that the Blaenau-Gwent County Borough Council, as inheriting Local Highway Authority have accepted it. I also conclude that both alternatives would be better than the draft Order route in terms of distance savings but they both carry appreciable cost and other disadvantages relative to the published route. Given the low level of usage I have come to the view that the extra costs that would be incurred for little material overall benefit cannot be justified in the overall public interest. I conclude that the Alternative options should not be adopted and need not be considered further [9.26, 9.27].

### The Orders for the Scheme

#### Conclusions with regard to the Line Order

- 10.60 I am satisfied that the proposed changes to the trunk road network would, bearing in mind the requirements of local and national planning, including the requirements of agriculture, be expedient and in the public interest for the purposes of improving the national system of routes for through-traffic in Wales. I am also satisfied that the proposal

for the shielding of the scheme from its environs. That would require a strip of land about 18 metres wide located tight along the southern boundary of the plot. Mr and Mrs Jones have specifically requested the field remains in their ownership and in agricultural use to mitigate, to a small extent, the severe adverse impact that the scheme would have on Hirgan Farm. The Welsh Government sought to acquire that remnant portion so that it could be managed accordingly, having regard they say to the SINC alongside and just





proposed Common Land areas. From these observations and a study of the relevant correspondence I conclude that it would be appropriate to issue a Section 19 Certificate [4.80].

#### Overall Conclusions on the Scheme

10.74 In my view there is a compelling case for the scheme to be implemented in order to improve safety along the trunk road, improve its efficiency as an international route along part of the strategic road network and potentially facilitate economic regeneration of the Heads of the Valleys area.

10.75 The scheme for the construction of Section 3 of the overall A465 improvement would be compatible with the adjoining sections of the improvement and I am satisfied that the criteria set out in paragraph 10.3 above have been met.

10.76 For the reasons I have set out above I conclude that the modifications to the Orders proposed by the Welsh Government are needed. I have made one further recommended modification to the Compulsory Purchase Order and Side Roads Order in respect of plot 2/8g and its associated access.

10.77 The incorporation of those modifications would make the draft Line, Side Roads and Compulsory Purchase Orders acceptable. I do not regard any of the modifications proposed to be such as to make a "substantial change" of the magnitude necessary to cause further representation to be necessary in accordance with stipulations of Schedule 1 Section 8 (3) of the Highways Act. It follows that the scheme is acceptable.

10.78 It is accordingly my view that the scheme is in the public interest and should be allowed to proceed without the incorporation of any of the alternatives

suggested in the alternatives statement. I am satisfied that the scheme is in the public interest and should be allowed to proceed without the incorporation of any of the alternatives suggested in the alternatives statement.

## 11. RECOMMENDATIONS

### 11.1 I recommend that

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A 4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A 470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR TO TREDEGAR) (AMENDMENT) ORDER 201-

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR) (SIDE ROADS) ORDER 201-

THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR) COMPULSORY PURCHASE ORDER 201-

are all modified in accordance with Annex C of this report and, as modified, be made.

11.2 I further recommend that a Certificate under Section 19 of the Acquisition of Land Act 1981 be issued in respect of the Common Land.

W S C Wadrup

Inspector

## 12. ANNEX A - APPEARANCES AT THE INQUIRY

### For the Welsh Government

Mr Graham Walters of Counsel, instructed by Mr John Davies of the Welsh Government Legal Division Advocate for the Welsh Government who called:

|   |                                    |
|---|------------------------------------|
| Mr Matthew Enoch B Eng (Hons), CEng, MICE                           | Chief witness and policy witness.  |
| Mr Ben Sibert BEng, CEng, MICE, MStruct E, MIGHT                    | Engineering design witness.        |
| Mr Mike Cummine BEng (Hons)   | Construction and contract witness. |
| Mr Andrew Jenkins BSc (Hons), MSc, MCILT, FCIHT                     | Traffic witness.                   |
| Mr Lee Jones BSc (Hons) DIPTP, MR TPI, CMLI                         | Environment witness.               |
| Ms Jo Wall BSc, BLD, CMLI, MBIDP                                    | Landscape witness.                 |
| Dr Michael Bull PhD, DIC, BSc, CEng, CSci, FIAQM, MIEEnvSci, MICHEM | Air Quality witness.               |
| Mr Stephen Bussell BSc (Hons)                                       | Transport & Economics witness.     |
| Mr Tony Kernon BSc (Hons) MRICS FBIAC                               | Agricultural witness.              |
| Mr Greg Harris MSc, MIOA  | Noise witness                      |

### As Supporters of the Scheme

Mr Chris Engle M.L.I.DIPUD Blaenau-Gwent County Borough Council

### As Counter-Objectors to Alternative No.1

|                     |  |
|---------------------|--|
| Mrs Rosemary Harris | Member of the Powys County Council – Llangynidr Ward |
| Mr George Moretta   | Member of the Llangynidr Community Council           |
| Mrs Donna Symonds   | A resident of Llangynidr Road, Rassau                |
| Dr John Wyburn      | A resident of Garn Lydan                             |
| Mr Paul Nash        | The Secretary of the Garn Lydan Football Club        |
| Mr David Mantle     | A local farmer of Llangynidr                         |

---

## 13.ANNEX B - SUPPORTING DOCUMENTS

### DOCUMENTS RELATING TO THE EVIDENCE OF THE WELSH GOVERNMENT WITNESSES

|        |   |
|--------|---|
| WG01/A | Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made - Part A – Policy Statement- Evidence of Mr Matthew Enoch  |
| WG01/B | Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made - Part B. – Statement of Need-Evidence of Mr Matthew Enoch |
| WG01/C | Appendix to Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made- Evidence of Mr Matthew Enoch                  |
| WG01/D | Summary Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made- Evidence of Mr Matthew Enoch                      |
| WG02   | Transport and Economic Justification Proof of Evidence of Mr Stephen Bussell  |
| WG02/A | Appendix to Transport and Economic Justification Proof of Evidence of Mr Stephen Bussell  |
| WG02/B | Summary of Transport and Economic Justification Proof of Evidence of Mr Stephen Bussell   |
| WG03   | Engineering Design Proof of Evidence of Mr Ben Sibert   |
| WG03/A | Appendix to Engineering Design Proof of Evidence of Mr Ben Sibert   |
| WG03/B | Summary of Engineering Design Proof of Evidence of Mr Ben Sibert  |
| WG04   | Construction Proof of Evidence of Mr Mike Cummine   |
| WG04/A | Appendix to Construction Proof of Evidence of Mr Mike Cummine   |
| WG04/B | Summary of Construction Proof of Evidence of Mr Mike Cummine  |
| WG05   | Traffic Proof of Evidence of Mr Andrew Jenkins  |
| WG05/A | Appendix to Traffic Proof of Evidence of Mr Andrew Jenkins  |
| WG05/B | Summary of Traffic Proof of Evidence of Mr Andrew Jenkins   |
| WG06   | Environment Proof of Evidence of Mr Lee Jones   |
| WG06/A | Appendix to Environment Proof of Evidence of Mr Lee Jones   |
| WG06/B | Summary of Environment Proof of Evidence of Mr Lee Jones  |
| WG07   | Landscape Proof of Evidence of Ms Jo Wall   |
| WG07/A | Appendix to Landscape Proof of Evidence of Ms Jo Wall   |
| WG07/B | Summary of Landscape Proof of Evidence of Ms Jo Wall  |
| WG08   | Noise and Vibration Proof of Evidence of Mr Greg Harris   |
| WG08/A | Appendix to Noise and Vibration Proof of Evidence of Mr Greg Harris   |
| WG08/B | Summary of Noise and Vibration Proof of Evidence of Mr Greg Harris  |
| WG09   | Agriculture Proof of Evidence of Mr Tony Kernon   |
| WG09/A | Appendix to Agriculture Proof of Evidence of Mr Tony Kernon   |
| WG09/B | Summary of Agriculture Proof of Evidence of Mr Tony Kernon  |
| WG10   | Air Quality Proof of Evidence of Mr Tony Kernon   |

DD201-DD222 Regulations, Rules and Acts  
 DD301-DD321 Design Manual for Roads & Bridges etc.  
 DD401-DD407 British Standards and Other Standards  
 DD501-DD537 Other Documents not in the above Categories

|       |  |
|-------|--|
| DD001 | THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR TO TREDEGAR) (AMENDMENT) ORDER 201- and associated plans                               |
| DD002 | THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS)(BRYNMAWR TO TREDEGAR) (SIDE ROADS) ORDER 201- and associated plans and schedules                            |
| DD003 | THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) BRYNMAWR TO TREDEGAR)) COMPULSORY PURCHASE ORDER 201-and associated maps and schedules |
| DD004 | FORMAL NOTICE OF INTENTION TO ISSUE A CERTIFICATE FOR THE PROPOSED COMPULSORY ACQUISITION OF LAND AND RIGHTS OVER COMMON LAND KNOWN AS MYNYDD LLANGATTWG – BEAUFORT (BCL017) AND MYNYDD LLANGATTWG (BCL018) NORTH OF BEAUFORT AND BRYNMAWR IN THE COUNTY BOROUGH OF BLAENAU GWENT - and associated maps and schedules              |
| DD005 | A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 1 -Technical Assessment Report.   |
| DD006 | A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 2 – Figures.  |
| DD007 | A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 3 -Technical Appendices Part 1 Appendix A – E11.  |
| DD008 | A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 3 -Technical Appendices Part 2 Appendix E12 – L.  |
| DD009 | The Public Notice announcing the publication of the draft Amendment Order and the draft Side Roads Order.  |
| DD010 | The Public Notice announcing the publication of the draft Compulsory Purchase Order.   |
| DD011 | The Public Notice announcing the publication of the Environmental Statement and the Statement to Inform an Appropriate Assessment.   |
| DD012 | The Public Notice announcing unknown ownership part of the draft Compulsory Purchase Order.  |
| DD013 | The Explanatory Statement explaining the proposals contained in the draft Amendment Order and the draft Side Roads Order   |
| DD014 | The Statement of Reasons explaining the proposals contained in the draft Compulsory Purchase Order.  |
| DD015 | The Notice of Determination explaining proposals will be made subject to an Environmental Impact Assessment and that an Assessment of Implications for European Sites (AIES) is required.  |
| DD016 | A465 Dualling Section 3 Brynmawr to Tredegar – Stage 3 Scheme Assessment Report (August 2011).   |
| DD017 | A465 Dualling Section 3 Brynmawr to Tredegar– Environmental Statement Non - Technical Summary (August 2011).   |
| DD018 | Public Notice announcing intention to hold a Pre - Inquiry meeting.  |
| DD019 | Public Notice announcing details of the Public Local Inquiry.  |
| DD020 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.0 Introduction to the Environmental Assessment.  |

|       |   |
|-------|---|
| DD021 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.1. Section 1: Abergavenny to Gilwern.   |
| DD022 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.2 Section 2: Gilwern to Brynmawr.   |
| DD023 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.3 Section 3: Brynmawr to Tredegar.  |
| DD024 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.4 Section 4: Tredegar to Dowlais Top.   |
| DD025 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.5 Section 5: Dowlais Top to A470 Junction.  |
| DD026 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.6 Section 6: A470 Junction to Baverstock.   |
| DD027 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.7 Section 7: Baverstock to Hirwaun.   |
| DD028 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.8 Summary and Overall Assessment of Proposed Scheme.  |
| DD029 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.1 – Air Quality.  |
| DD030 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.2 – Cultural Heritage.  |
| DD031 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.3 – Ecology-1.  |
| DD032 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.3 – Ecology-2.  |
| DD033 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.3 – Part of Volume 2.3B and 2.3C (This is an environmentally sensitive document that was not put on deposit).   |
| DD034 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.4 – Landscape and Visual.   |
| DD035 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.4 – Visual Impact Schedules.  |
| DD036 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.5 – Noise.  |
| DD037 | A465 Abergavenny to Hirwaun Dualling Environmental Non-Technical Summary October 1997.  |
| DD038 | Outline Statement of the Welsh Government's Principal Submissions to be put forward at the Public Local Inquiry.  |
| DD039 | The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060) and Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) Order 1999 and associated plans. |
| DD040 | Welsh Office letter of March 22nd 1999 conveying the Secretary of State's decision to make the draft Line Order 199-  |
| DD041 | The 1998 Inspector's report of the Public Local Inquiry into the draft Line Order 199-  |

|       |  |
|-------|--|
|       | Work Report. 2003 (Unpublished previously).  |
| DD048 | Environmental Mitigation Management Plan.  |
| DD049 | Public Notice announcing the publication of a Supplement to the Environmental Statement and a Supplement to the Statement to Inform an Appropriate Assessment. |
| DD050 | Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.2 – Gazeteer.  |
|       |  |
| DD101 | One Wales: Connecting the Nation – The Wales Transport Strategy (WAG 2008).  |
| DD102 | People Places Futures – The Wales Spatial Plan (WAG 2004).   |
| DD103 | People Places Futures – The Wales Spatial Plan 2008 Update (WAG 2008).   |
| DD104 | The National Transport Plan (WAG March 2010).  |
| DD105 | Prioritised National Transport Plan (WG December 2011).  |
| DD106 | The Environment Strategy for Wales (WAG 2006).   |
| DD107 | SEWTA Regional Transport Plan December 2010.   |
| DD108 | Trunk Road Forward Programme 2002.   |
| DD109 | Supplement to the Trunk Road Forward Programme 2004.   |
| DD110 | 2008 Reprioritisation of the Trunk Road Forward Programme.   |
| DD111 | Strategic Environmental Assessment.  |
| DD112 | Walking and Cycling Action Plan for Wales 2009.  |
| DD113 | Blaenau-Gwent Regeneration Strategy (2009).  |
| DD114 | National Transport Model Department for Transport 2009   |
| DD115 | National Trip End Model TEMPRO Department for Transport (Version 5.4).   |
| DD116 | National Trip End Model TEMPRO of the Department for Transport.  |
| DD117 | Turning Heads-Towns and City Strategy for the Heads of the Valleys.  |
| DD118 | Rassau Industrial Estate Regeneration Strategy 2005.   |
| DD119 | A465 Heads of the Valleys Road Landscape Strategy June 2007.   |
| DD120 | Trunk Road Estate Biodiversity Action Plan (TREBAP).   |
| DD121 | UK Biodiversity Action Plan (UK BAP) 1994.   |
| DD122 | Institute of Ecology and Environmental Management 'Guidelines for Ecological   |

|       |   |
|-------|---|
| DD212 | Noise Insulation Regulations (1988).  |
| DD213 | Not Used  |
| DD214 | EU Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment. |
| DD215 | EU Directive 97/11/EC.  |
| DD216 | Public Participation Directive 2003/35/EC.  |
| DD217 | Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.            |
| DD218 | Conservation of Habitats and Species Regulations 2010.  |
| DD219 | Countryside and Rights of Way Act 2000.   |
| DD220 | Natural Environment and Rural Communities Act (NERC) (2006).  |
| DD221 | Air Quality Standards (Wales) Regulations 2010.   |
| DD222 | Welsh Office Circular 60/96.  |

|       |  |
|-------|--|
| DD301 | Design Manual for Roads and Bridges Volume 6 Section 1 Part 1 TD 9/93 Highway Link Design (incorporating Amendment No.1 dated Feb 2002). |
| DD302 | Design Manual for Roads and Bridges Volume 6 Section 1 Part 2 TD 27/05 Cross-Sections and Headroom.                                      |
| DD303 | Design Manual for Roads and Bridges Volume 6 Section 2 Part 3 TD16/07-   |



|       |   |                                     |
|-------|---|-------------------------------------|
| DD404 | BS 5228-1:2009 and BS 5228-2:2009 Code of construction and open sites.  | Practice for noise and vibration on |
| DD405 | BS 6472-1:2008 and BS 6472-2:2008 Guide to vibration in buildings.  | evaluation of human exposure to     |
| DD406 | BS 7385-2:1993 - Evaluation and measurement for vibration in buildings – Part 2: Guide to damage levels from ground-borne vibration.  |                                     |
| DD407 | BS ISO 4866:2010 – Mechanical vibration and shock - Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures. |                                     |
|       |   |                                     |

|       |  |
|-------|--|
| DD501 | Stage 1 Road Safety Audit Report.              |
| DD502 | Stage 1 Road Safety Audit Designer's Response. |
| DD503 | Not used                                       |
| DD504 | Traffic and Collisions Report.                 |
| DD505 | Traffic Survey Report.                         |

|       |  |
|-------|--|
| DD537 | GLA The control of dust and emissions from construction and demolition Best Practice Guidance. |
|-------|--|

DOCUMENTS SUBMITTED TO THE INQUIRY LIBRARY DURING THE INQUIRY PERIOD

|      | INQUIRY DOCUMENTS (ID)  |
|------|---|
| ID1  | Inspector's note of the Pre-Inquiry meeting.  |
| ID2  | Counsel for Welsh Government opening speech.  |
| ID3  | Questions from Inspector regarding Alternatives 1 and 2.  |
| ID4  | Statutory procedures folder.  |
| ID5  | Plan/environmental mitigation management plan.  |
| ID6  | Boundary of the National Park.  |
| ID7  | Climbing lane assessment- economic.   |
| ID8  | Full assessment of climbing lane between Ebbw Vale East junction and Brynmawr junction- Qualitative.  |
| ID9  | Arrangements for the tie-in with section 2.   |
| ID10 | Agricultural land take-correction to land area discrepancy in the technical scheme assessment report. |
| ID11 | Strategic traffic box of South Wales.   |
| ID12 | Comparison of A465 and A40/A449 AADT flows.   |
| ID13 | Exchange of land-Duke of Beaufort Estate Commoners Association-letter of acceptance.                  |
| ID14 | Comparative levels of economic deprivation.   |
| ID15 | Effect of A465 dualling on travel times to and from selected locations.                               |
| ID16 | Traffic growth comparisons 2006-2009.   |

|      |  |
|------|--|
| ID41 | Climbing lane details (to be read in conjunction with ID7 and ID8 and exceptions report ID28).   |
| ID42 | Petition from Garn Lydan Residents (counter-objecting to Alternative 1).   |
| ID43 | Llangynidr Road local traffic movements.   |
| ID44 | Amended (Line) Amendment Order (incorporating all corrections and amendments).   |
| ID45 | Schedule of Modifications to the SRO.  |
| ID46 | Locality of signatures from the petition (ID42).   |
| ID47 | Traffic Route A between B 4560 and Ebbw Vale town centre.  |
| ID48 | Traffic Route B and C between B4560 and Ebbw Vale town centre.   |
| ID49 | Closing statement by Welsh Government (by Mr Graham Walters).  |
| ID50 | Record of Attendees at the Inquiry.  |
| ID51 | WG publication of details of Alternatives 1 & 2  |
| ID52 | Comprehensive file of all cases of withdrawn written objections, including correspondence and associated rebuttals and of all cases of parties making representations with the exception of the Brecon Beacons National Park Authority |

THE WELSH GOVERNMENT DOCUMENTS OF REBUTTAL EVIDENCE TO NON WITHDRAWN OBJECTIONS OR TO ONE UNSATISFIED REPRESENTATION.

Reb1 REBUTTAL TO THE EVIDENCE OF MR MARTIN EVANS

Reb2 REBUTTAL TO THE EVIDENCE OF MR PAUL AND MRS SUSAN JONES

Reb3 REBUTTAL TO THE EVIDENCE OF MRS MAUREEN LLOYD-BAINBRIDGE

Reb4 REBUTTAL TO THE BRECON BEACONS NATIONAL PARK AUTHORITY REPRESENTATION

FILES CONTAINING EVIDENCE OF WRITTEN OBJECTIONS AND THE CORRESPONDING REBUTTALS ARE SET OUT UNDER PREFIX O... AND THOSE OF COUNTER-OBJECTORS' CO...

---

14. ANNEX C - MODIFICATIONS SOUGHT BY THE WELSH GOVERNMENT  
AND RECOMMENDED BY THE INSPECTOR

*The following modifications are requested by the Welsh Government and endorsed by the Inspector.*

To the Amendment (Line) Order

The Amendment Order requires typographical amendments in order to correct the dimensional inaccuracies defined at ID44. These Modifications are set out below

| Paragraph of the Amendment Order | Line of the relevant paragraph | Change from | Change to |
|----------------------------------|--------------------------------|-------------|-----------|
| (All on page 3)                  |                                |             |           |
| 7                                | 1                              | 0.75km      | 0.89km    |
| 7                                | 3                              | 520m        | 570m      |
| 7                                | 7                              | 250m        | 290m      |
| 8                                | 1                              | 0.5km       | 0.6km     |
| 8                                | 3                              | 520m        | 570m      |
| 8                                | 7                              | 60m         | 50m       |
| 9                                | 4                              | 0.25km      | 0.27km    |
| 9                                | 2                              | 0.09km      | 0.12km    |

To The Side Roads Order

Modification 1

On schedule 1 of Site Plan 1 amend Highways to be stopped up and Particulars of

Add an additional qualifying person (as specified at ID32) in respect of plots 4/6, 4/6a, 4/6b, 4/6d, 4/6e, 4/6f, 4/6g and 4/6h.

#### Modification 3

Substitute CPO Schedule 1, Tables 1 and 2 Modifications 3 for the entries in the draft CPO Schedule 1, Tables 1 and 2.

Reduce plot 1/12 from 195 m<sup>2</sup> to 110 m<sup>2</sup> and amend the description as requested by objector (OB 6) – delete “Tredegar Hand Wash and Valeting Service” from the Occupiers column.

Establish the following new Plots and rights:

Plot 1/12a -41m<sup>2</sup> (formerly part of plot 1/12) title

Plot 1/12b -7m<sup>2</sup> (for PMA ref 1/16a) title

Plot 1/12c -56m<sup>2</sup> (for footpath ref 1/f) title

Plot 1/12d -new rights over 113m<sup>2</sup>

Plot 1/12e -new plot 15m<sup>2</sup> essential licence

Plot 1/12f -new plot 28m<sup>2</sup> essential licence

Table 2: insert qualifying persons in columns 5 and 6 for plots 1/12, 1/12a, 1/12b, 1/12c, 1/12d, 1/12e and 1/12f

Substitute Extract CPO Sheet Modification 1 Drawing No A465 S3-LP-339 Rev P1 for the extract in the draft CPO.

#### Modification 4

Substitute Extract CPO Schedule 1 Table 1 Modification 4 for the entries in the draft CPO Schedule 1 Table 1.

Table 1:

Reduce Plot 1/8b from 894m<sup>2</sup> to 876m<sup>2</sup> (rights)

Create new Plot 1/8d of area 18m<sup>2</sup>.

Number A465 S3-LP-341 Rev P1 for the extract from the draft CPO.

#### Modification 5

Substitute Extract CPO Schedule 1 Table 1 Modification 5 for the entries in the draft CPO Schedule 1 Table 1.

Table 1: Plot 1/11a - insert the rights to provide construction and maintenance of drainage works.

#### Modification 6

Substitute Extract CPO Schedule 1 Table 1 Modification 6 for the entries in the draft CPO Schedule 1 Table 1.

Table 1:

Reduce Plot 5/4h from 1,335m<sup>2</sup> to 1,133m<sup>2</sup> (rights)

Increase Plot 5/4i from 6,410m<sup>2</sup> to 6,616m<sup>2</sup> and add in the description "the bed and banks of the River Clydach" (title).

Table 2: Plot 5/4i add "Environment Agency Wales" in column 6 as a qualifying person.

Substitute Extract CPO Sheet 5 Modificati on 6 Drawing No A465 S3-LP-343 for the

Increase Plot 2/15a from 808m<sup>2</sup> to 1057m<sup>2</sup> (essential licence)

Substitute extract CPO Sheet 2, Modification Drawing No A465 S3-LP-346 Rev P0 for the extract in the draft CPO.

Modification 10

Substitute extract CPO Schedule 1 Tables 1 and 2 Modification 10 for the entries in the draft CPO.

Table 1: Delete Plots 2/3, 2/3d, 2/3e and replace with new plots 2/3f of 15m<sup>2</sup> (title) and 2/3g of 38m<sup>2</sup> (rights). 2

Reduce Plot 2/6a from 933m<sup>2</sup> to 818m<sup>2</sup> (rights).

Create Plot 2/6f of 17m<sup>2</sup> (rights) and create Plot 2/6g of 13m<sup>2</sup> (rights).

Substitute extract CPO Sheet 2 Modification 10 drawing A465 S3-LP-347 Rev P0 for that published in the draft CPO Sheet 2.

---

*The following Modification was not sought by the Welsh Government but is recommended by the Inspector.*

*Reference should be made to paragraphs 10.61 & 10.62 of this report.*

### ***Side Roads Order - Site Plan 2***

*Add new private means of access from bridleway 332/59/1 to the isolated remnant area of plot 2/8g.*

### ***Compulsory Purchase Order - Site Plan 2***

*Reduce the area of Plot 2/8g by restricting the width of the Plot (in the made CPO) defined by a line parallel to the southern boundary of the Plot (the proposed highway boundary) extending only 18 metres (or thereabout) into the plot. The area that would lie beyond 18 metres from its boundary should remain with the current owners.*