

PROOF OF EVIDENCE (STATEMENT)
ON BEHALF OF HEYWOOD PARISH COUNCIL

PUBLIC INQUIRY INTO THE WILTSHIRE COUNTY COUNCIL
PLANNING APPLICATION W07.09002

**WILTSHIRE COUNTY COUNCIL (A350 WESTBURY BYPASS CLASSIFIED ROAD)(SIDE
ROADS AND OTHER WORKS) ORDER 2007
THE WILTSHIRE COUNTY COUNCIL (A350 WESTBURY BYPASS) COMPULSORY
PURCHASE ORDER 2007
APPLICATION BY WILTSHIRE COUNTY COUNCIL-LAND EAST AND NORTH OF
WESTBURY, WILTSHIRE**

**Planning Inspectorate References: APP/K3930/07/V/1201863
DN5079/55/7/07
DN5079/60/1/13**

Department for Transport Reference: TSS/04600

1. BACKGROUND

- 1.1 Heywood Parish is situated astride the A350 just North of Westbury and includes the West Wilts Trading Estate (WWTE). A section of the North end of the proposed bypass and virtually all of the separate highway (the Glenmore Link) part of the overall Scheme lie within Heywood Parish.
- 1.2 Heywood Parish Council has given broad support to the bypass proposals but has made specific objections to detailed proposals at each consultation stage. For convenience these are included at Appendices OBJ/HPC/A/1 to OBJ/HPC/A/5 to this Statement. The Parish Council wishes to maintain the objections as set out in this correspondence but does not want to add to them in this Statement beyond the comments below.

2. ADDITIONAL COMMENTS

- 2.1 Visual, light and noise pollution will arise from the planned Glenmore Link, the most intrusive section of the overall Scheme, and will lead to a loss of amenity to residents of the Ham and those of the Heywood, Norleaze and Hawkeridge settlements.
- 2.2 The Application claims that new techniques have obviated the need for conventional street lighting at the “Madbrook Roundabout” (to accommodate wildlife). The three remaining lit roundabouts are all in Heywood Parish and should be afforded the same techniques to avoid unnecessary light pollution. The lighting along the Link itself and the affected stretch of the B3097 should be treated similarly.

- 2.3 The suggested “bat mitigation” measures are disproportionate and are experimental and unproven. Four of the seven proposed “bat gantries” and eight of the proposed fifteen sets of “bat screens” together with in most cases low level lighting are sited in the Parish. The impact on visual amenity of these measures is not fully described or considered in the written texts in the Environmental or Technical Statements supporting the Application, but we consider that it will be both substantial and adverse. The gantries generally extend some six metres in height above the highest point of the carriageway, (resulting, for example, in an overall height of the gantry at ch 5210 on Shallow Wagon Lane, Heywood of approximately ten metres above the present ground level) are up to twenty-nine metres in length and some two and a half metres in width. Similarly, all the proposed screens sited in the Parish are located on the tops of embankments of up to eight metres above the present ground level, and in three cases (at ch 3900, ch 4040 and ch 5210) impede three rights of way.
- 2.4 The need for, and the extent of the “bat mitigation” measures should be reassessed taking into account their potentially serious effect on the amenity of those Heywood Parish residents within sight of this section of the Scheme.

3. ADDITIONAL COMMENTS ON AN ALTERNATIVE ROUTE FOR THE GLENMORE LINK

- 3.1 The Glenmore Roundabout is unnecessary, costly and prejudicial to the residential amenity on The Ham by reason of the resulting increase in traffic along it, and it should be removed from the Scheme. The Link can, and should be rerouted to run directly from the “Cement Works Roundabout” to the “Hawkeridge Roundabout”. It is clearly possible to reroute the Link to curve northeast of the electricity sub-station after crossing the railway line and to join the B3097 directly at the intended “Hawkeridge Roundabout” at the entrance to the WWTE. This is a much cheaper and technically satisfactory solution along the lines suggested in earlier WCC proposals for this section of the Scheme. While it is anticipated that a sketch of such realignment will be available shortly, until the WCC Highways Authority provide better particulars, the alternative route may be taken to be approximately on the alignment of their earlier pre-Application proposals.
- 3.2 Attached at Appendix OBJ/HPD/A/6 is a copy of our letter to WCC following a recent meeting with the Highways Improvement Manager to discuss a number of our outstanding comments on the Application and the Orders. A supplement to this Statement will be prepared once the matters referred to in the letter have been addressed.

P A Sexstone (Col.), Chairman Heywood Parish Council

17 May 2008

Att. Appendices OBJ/HPC/A/1 – OBJ/HPC/A/6

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HEYWOOD PARISH COUNCIL

Please reply to:

Mr F H Jones
Clerk to Heywood Parish Council
46 Marshmead
Hilperton
TROWBRIDGE
Wiltshire
BA14 7SE

Mr Jason Day
Principal Planning Officer
Environmental Services Department
Wiltshire County Council
County Hall
Trowbridge, Wiltshire
BA14 8JD

Your Ref: JDD/05/09011

14 May 2005

Dear Mr Day,

**CONSULTATION ON COUNTY COUNCIL DEVELOPMENT APPLICATION,
05/09011 – “PROPOSED WESTBURY BYPASS”**

Thank you for allowing us additional time in which to respond to the above application.

This Parish Council does not object to the generality of the application but does object to certain detailed proposals within it. At this stage we OBJECT to:

- the projected traffic flow figures in the proposal that are in some cases mathematically incorrect, for example: the critical projected traffic flow on The Ham in 2007 and the significant 2022 figures on the A350 between the Cement Works Roundabout and the A350/ Church Road junction;
- those traffic flow figures that apparently do not take account of the more recent developments affecting traffic in the Parish;
- the change in the Glenmore Link Roundabout arrangements from those originally proposed on the grounds that it will encourage an increase in traffic movements along The Ham to/from Northacre Park and the Brook Lane Trading Estate. We believe that this is avoidable and that an arrangement would be possible that allows the Glenmore Link to curve northeast of the electricity sub-station after crossing the railway line to

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join directly at the proposed Hawkeridge Roundabout. This would not only obviate the need for one roundabout (cheaper) and also at the same time it would encourage the traffic flow into the WWTE and thence to Northacre and Brook Lane. The Mill Lane connection might, if it cannot be accommodated on the Hawkeridge Roundabout, take the form of a "T" junction at a suitable point on the realigned Glenmore Link;

- the failure to provide alleviation to the increased traffic movement at the junctions of Church Road, Heywood and Park Lane, Heywood on the unimproved section of the A350 which shows a significant increase in the traffic flow predicted subsequent to the building of the Bypass. The existing difficulties at the Church Road/A350 junction are well known and the Park Lane junction is already the site of numerous non-fatal traffic accidents. We believe that in the context of a £23 millions scheme the incorporation of some mitigation measures, must be possible;
- the failure to take account in the scheme under application of the likely creation of a "rat-run" along Church Road and Dursley Road in Heywood at times of traffic congestion at the Yarnbrook Roundabout.
- the failure to close off the redundant length of the existing access road to the LC(UK) works on the grounds that it will attract fly-tipping, abandoned cars, traveller encampments and so on;
- the arrangement of Heywood Footpath 28 where it crosses the Bypass on the grounds that it is unnecessarily circuitous and inconvenient; and,
- the failure to continue the proposed cycleway along the old Hawkeridge Road at the Southern end along to the beginning of The Ham and at the other end to the proposed Hawkeridge Roundabout. Without these extensions the cycleway comes from nowhere and goes nowhere – an opportunity missed!

Yours sincerely,

P A Sexstone (Col), Chairman

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HEYWOOD PARISH COUNCIL

Please reply to:

Mrs C A Hackett
 Clerk to Heywood Parish Council
 23 Orchard Close
 West Ashton
 TROWBRIDGE
 Wiltshire
 BA14 6AU

Tel. 01225 760372

Mr Jason Day
 Planning Implementation Manager
 Environmental Services Department, WCC
 County Hall
 TROWBRIDGE
 Wiltshire
 BA14 8JD

Your Ref. JDD/W07/09002

21 March 2007

Dear Mr Day,

CONSULTATION ON COUNTY COUNCIL DEVELOPMENT APPLICATION

Thank you for your letter dated 23 February 2007 in which you invite observations on Planning Application W07/09002 (Proposed Westbury Bypass).

This Parish Council does not object to the generality of the application but invites you to treat their letter dated 14 May 2005 (copy attached), less the final paragraph which appears to have been addressed, as a duly made representation on the current application to which they now wish to add the observations below.

- There is concern over possible visual, light and noise pollution arising from the Glenmore Link directly affecting residents of Heywood Parish.
 - New techniques have obviated the need for conventional street lighting at the Madbrook Roundabout. The three remaining lit roundabouts are all in Heywood Parish and, in order to avoid the possibility of light pollution from them the Council asks that the same techniques are used here or, failing this they wish to be assured that the most advanced technology for the prevention of light scatter will be used at both the roundabouts and generally along the other lit portions of the Link.
 - Most dwellings on the South side of the Heywood, Norleaze and Hawkeridge hamlets are vulnerable to visual and noise pollution from the Link. The Parish Council urges that the maximum practical reduction of these pollutants be achieved by use of additional trees and hedgerows along the length of the Link.
- The designation of areas "L" and "M" at the Glenmore Roundabout as spoil disposal areas is unacceptable. They form part of an Area of Archaeological Significance (AAS G) identified for its pre-historic and Romano British deposits and features (Para. 10.88 and Fig. 10.7 of the Environmental Statement), and are characterised as Regionally Significant (Paras. 10.100 and 10.111). The opportunity for subsequent archaeological investigation in these areas should not be jeopardised.
- The current proposals address the penultimate paragraph of the Parish Council's 2005 observations concerning Heywood Footpath 28 by proposing to stop portions of Footpaths 18 and 28 (totalling some 600 metres). The Council notes that it will be necessary to create a few metres of footpath to connect the remainder of Footpath 28 to the existing Footpath 15. They believe that this provides a suitable opportunity to achieve a commitment to restore or recreate other footpaths that were in place prior to the commencement of the clay workings some 40-50 years ago. Restoration/recreation of these footpaths (as soon as is reasonably practicable) over the now filled and capped working would make good substantially more than that lost by the stopping up of Footpaths 18 and 28.

The Parish Council hopes these observations are helpful.

Yours sincerely,

C A Hackett (Mrs), Clerk to the Parish Council

Att. Heywood Parish Council letter dated 14 May 2005, "Consultation on County Council Application, 05/09011 – Proposed Westbury Bypass".

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HEYWOOD PARISH COUNCIL

Please reply to:

Mrs C A Hackett
Clerk to Heywood Parish Council
23 Orchard Close
West Ashton
TROWBRIDGE
Wiltshire
BA14 6AU

Tel. 01225 760372

Your Ref. APP/K3930/V/07/1201863

The Planning Inspectorate
4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay, BRISTOL
BS1 6PN

15 August 2007

Dear Sirs,

**ADDITIONAL COMMENTS ON APPLICATION BY WILTSHIRE COUNTY COUNCIL
W07/09002 - LAND AT: EAST AND NORTH OF WESTBURY, WILTSHIRE**

We believe the proposed “bat mitigation measures” are disproportionate and as far as we are aware, experimental and unproven, and we object to the current proposals on the grounds of loss of visual amenity in the Parish that will be caused by these measures.

Four out of the seven proposed bat gantries and eight out of the proposed fifteen sets of bat screens together with, in most cases, associated “low level” lighting are in Heywood Parish. Although the impact on visual amenity of these measures is not adequately described or considered in the written texts of the Environmental Statement and the Technical Statement supporting the application, it will be both substantial and adverse. The structures will be very ugly and intrusive, particularly to those living in sight of them. The gantries generally extend some six metres in height above the highest point of the carriageway, are up to twenty-nine metres in length and approximately two and one half metres in width, resulting for example, in a total height of the gantry at ch 5210 on Shallow Wagon Lane, Heywood of some ten metres above the present ground level. Similarly, all the proposed screens in the Parish are located at the top of embankments up to eight metres above the present ground level. Furthermore, the bat screens at ch 3900, ch 4040 and ch 5210 will impede rights of way (Numbers; 18, 15 and 24 respectively) crossing the bypass at grade at these points in Heywood Parish. Obstructing rights of way with four metre high screens is unacceptable.

Yours faithfully,

P A Sexstone (Col), Chairman

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HEYWOOD PARISH COUNCIL

Please reply to:

Mrs C A Hackett
 Clerk to Heywood Parish Council
 23 Orchard Close
 West Ashton
 TROWBRIDGE
 Wiltshire
 BA14 6AU

Tel. 01225 760372

The Secretary of State for Transport
 Government Office for the Northeast
 Local Authority Orders Section
 Citygate, Gallowgate
 Newcastle upon Tyne
 NE1 4WH

7 October 2007

Dear Sir/Madam,

**THE WILTSHIRE COUNTY COUNCIL (A350 WESTBURY BYPASS) COMPULSORY
 PURCHASE ORDER 2007 – COMPULSORY PURCHASE OF LAND AND NEW RIGHTS IN
 THE PARISHES OF WESTBURY AND HEYWOOD**

1. As the Parish Council for the Parish of Heywood we wish to OBJECT to the above Order in respect of the following plot numbers that affect land within the Parish containing the public rights of way indicated:

- | | |
|-----------------------------|--|
| a. Plot No. 22B | – Coach Road; |
| b. Plots Nos. 26 and 26A | – Footpath HEYW 18; |
| c. Plots Nos. 27, 28 and 29 | – Footpaths HEYW 15 and HEYW 18; |
| d. Plot No. 30 | – Footpaths HEYW 15 and HEYW 28; |
| e. Plots Nos. 31 and 32 | – Footpath HEYW 15; and, |
| f. Plot No. 34 | – Footpath HEYW 12, HEYW WEST 6 (Church Path)
and Bridleway HEYW 24 (Shallow Wagon Lane). |

2. We also OBJECT to the Schedule to the Order as follows:

- a. Contrary to its description in Schedule 1, Plot 21 lies wholly within the Parish of Westbury and contains no land within the Parish of Heywood.
- b. Contrary to their descriptions in Schedule 1, Plots 22, 22A, 22C, 23, 24, 26, 26A, 27, 31, 32, 33, and 34A – 34H inclusive lie wholly within the Parish of Heywood and contain no land within the Parish of Westbury.
- c. Contrary to its description in Schedule 1, Plot 34 also includes land East of Shallow Wagon Lane and a portion of the lane itself.
- d. Contrary to their descriptions in Schedule 1, Plots 39 and 40 do not lie “South of Plot 29”.
- e. In respect of Table 2 of the Schedule to the Order, we are not aware what easements exist over Plots 37, 37C, and 37D in favour of Prospect Land Ltd. or Northacre Industrial Park.

Yours faithfully,

P A Sexstone (Col.), Chairman

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Please reply to:

Tel. 01225 760372

Mrs C A Hackett
 Clerk to Heywood Parish Council
 23 Orchard Close
 West Ashton
 TROWBRIDGE
 Wiltshire
 BA14 6AU

The Secretary of State for Transport (Confirmation of Fax copy sent on 24 October 2007 at 21.33)
 Government Office for the Northeast
 Local Authority Orders Section
 Citygate, Gallowgate
 Newcastle upon Tyne
 NE1 4WH

25 October 2007

Dear Sir/Madam,

**THE WILTSHIRE COUNTY COUNCIL (A350 WESTBURY BYPASS CLASSIFIED ROAD)
 (SIDE ROADS AND OTHER WORKS) ORDER 2007**

This Parish Council OBJECTS to the confirmation of the above Order for the reasons given below.

1. Apparent Discrepancies in the Statement of Reasons

- 1.1. In 6.26. It appears that "Coach Road o..." is stated in error for "Footpath HEYW 15 to...".
- 1.2. In 6.32. It appears that "WEST 6..." is stated in error for "HEYW 18...".
- 1.3. In 6.39.
 - The second sentence appears erroneous and should be deleted
 - In the last sentence, "T" and "W" should be referred to as "footpaths".

2. Apparent Discrepancies in the Side Roads Order

2.1. Schedules 1 and 2.

- Locality. Contrary to their descriptions, the locality is exclusively within the Parish of Westbury and does not include any part of the Parish of Heywood.

2.2. Schedule 3.

- Locality. Contrary to its description, the changes stated in this Schedule are exclusively within the Parish of Heywood and do not affect any part of the Parish of Westbury.
- Highways to be Stopped-up. It appears that the length of Footpath HEYW18 intended to be stopped-up is that running eastwards from its junction with Footpath HEYW 15 (not northwards).

- Private Means of Access to be Stopped-up. The description of “1” should be amended to correspond with that given at 6.22 of the Statement of Reasons.

2.3. Schedule 4.

- Highways to be Improved. It appears that “Unclassified Ham Road...” is stated in error for “B3097 Ham Road”, and that “Bridleway HEYW24 (Shallow Wagon Lane)” should be added under this heading.

- Highways to be Stopped-up.

- Second item. New Highways “U” and “V” are erroneously shown as footpaths. It appears elsewhere (see 6.38 of the Statement of Reasons) that they are intended to be bridleways.

- Third Item. It appears the “W” should read “U”.

3. Letters of Objection

Please treat our three letters of objection to the Planning Applications dated 14 May 2005, 21 March 2007 and 15 August 2007 sent in triplicate to the Planning Inspectorate under cover of our letter dated 16 August 2007 (APP/K3930/V/07/1201863) and our letter dated 7 October 2007 to the Secretary of State for Transport objecting to the Compulsory Purchase Order as duly made objections to the Side Roads Order too.

4. Alternative Routes

4.1. As you will see from our objections to the Planning Applications already submitted, the Parish Council proposes an alternative route for the Glenmore Link omitting the Glenmore Roundabout. Unless and until the Highways Authority provides us with better particulars, that alternative route may be taken to be on the alignment shown in their earlier proposals.

4.2. We propose as an alternative route that the Scheme is extended to upgrade the A350 from the intended Cement Works Roundabout to Yarnbrook Roundabout, including improved junctions with Church Road and Park Lane.

4.3. We propose as an alternative route an extension to the Scheme to achieve a weight limit of 7.5 tonnes on Ham Road and Hawkeridge Road. We anticipate that this proposed extra element of the Scheme could be funded from the amount of £1.3M earmarked for improvements to roads within the Scheme envelope.

Yours faithfully,

C A Hackett (Mrs), Clerk to Heywood Parish Council

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Heywood Parish Council

Please reply to the Clerk, Mrs C A Hackett
23 Orchard Close, West Ashton. Wilts BA14 6AU

Mr D Bullock
Highways Improvements Manager
Environmental Services Department
Wiltshire County Council
County Hall
TROWBRIDGE, Wiltshire
BA14 8JN

Your ref: 7108/05HP
22 April 2008

Dear Mr Bullock,

A350 WESTBURY BYPASS

Following your letter dated 15 January 2008 in which you outline how you intended to address our statutory objections dated 7 and 25 October 2007, you met on 21 February with Cllr Francis Morland and me to clarify and discuss these objections.

At the conclusion of the meeting you, inter alia, kindly took actions to:

- check and respond to the points of accuracy/detail we had raised on the Compulsory and Side Roads Orders;
- look again at the traffic modelling of the effects of retaining/removing the proposed Glenmore Roundabout node and inform us of the results;
- clarify and inform us of measures that could be taken as part of the bypass works to improve road safety at the sub-standard Park Lane, Heywood/A350 junction, and
- clarify and inform us of the measures being considered, extra to the bypass works, to improve road safety at the sub-standard Church Road, Heywood/A350 junction.

To date we have received no feedback on any of the above. As you know from our meeting and the subsequent pre-inquiry meeting on 3 March 2008 Heywood Parish Council currently intends to be represented and give evidence at the Inquiries. We have now been informed that we are required to send a copy of our proof of evidence to the Inspector no later than 20 May 2008.

The time available to prepare the evidence is therefore already running short, particularly in view of the other commitments to hand. I would therefore be very grateful if you would as a matter of some urgency let us know how you are progressing with assembling the information we are expecting and when we might receive it so that we can start to frame our proof of evidence accordingly.

Yours sincerely,
P A Sexstone (Col.), Chairman Heywood Parish Council

Copy to. Cllr F Morland

Clerk to the Parish Council. Please pass any response to this letter immediately to Cllr Morland and me.

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APPENDICES

**OBJ/HPC/A/1 - HPC consultation response dated 14 May 2005 on
Wiltshire County Council Development Application W05/09011**

**OBJ/HPC/A/2 - HPC consultation response dated 21 March 2007 on
Wiltshire County Council Development Application W07/09002**

**OBJ/HPC/A/3 - HPC additional consultation response dated 15 August 2007 on
Wiltshire County Council Development Application W07/09002**

**OBJ/HPC/A/4 - HPC consultation response dated 7 October 2007 on
Wiltshire County Council (A350 Westbury Bypass) Compulsory
Purchase Order 2007**

**OBJ/HPC/A/5 - HPC consultation response dated 25 October 2007 on
Wiltshire County Council (A350 Westbury Bypass Classified
Road)(Side Roads and Other Works) Order 2007**

**OBJ/HPC/A/6 - HPC letter dated 22 April 2008 to WCC requesting certain
relevant information**