

The Westbury Bypass Plan

Warnings ignored on the road to an environmental disaster

By *Patrick Kinnerly*

If ever a part of rural England called out for protection it is the western escarpment of Salisbury Plain. The landscape of the Westbury White Horse is self-evidently spectacular, historic and beautiful. Standing on the path above the famous chalk hill figure on a summer's day, the Mendips a distant smudge of blue, the land falls away before you with breathtaking suddenness into the tranquil seclusion of the Wellhead Valley, more than a hundred metres below.

Behind you, sheep graze the ramparts of the iron-age hill fort where Alfred's army is thought to have set upon the encamped Danes in AD 878. This was the decisive battle of Edington that led to the Danes abandoning their hold on Wessex and eventually on England as a whole. Further back, beyond the kite fliers and the sarsen stone commemorating the battle (in English, not Danish!) the immensity of Salisbury Plain stretches eastwards, past the stolen village of Imber to the garrison towns and the gunnery range of Larkhill, all the way to Stonehenge.

The Wessex Ridgeway and the White Horse Trail follow the edge of the escarpment, skirting the fenced perimeter of the MOD lands. This landscape is so obviously of national importance that in 1950 the National Parks Commission listed it as an area which could eventually be designated under the 1949 National Parks Act.

Designation was never confirmed. The NPC deliberately excluded the area in MoD ownership but regarded the escarpment of Salisbury Plain as meriting designation, even as a long thin strip. But the mantle of lilac hatching the commission wrapped round the margins of the plain, from Heytesbury in the south to beyond Charlton in the east, did not have the 'critical mass' required for national park designation.

Today the landscape of the White Horse and the Wellhead Valley is 'only' a Special Landscape Area ... but only a Philistine would think that this makes it a suitable place to build a major highway.

Enter Wiltshire County Council, bearing its cunning plan for a bypass to carry the A350 round the east of Westbury. At some point in the council's dim and distant past it must have looked like a good idea. From a road-builder's point of view there wasn't much in the way - just some farmland between the town and the lower slopes of the escarpment; the cement works and the other landowners would not object to the land being opened up for development. To cap it all, on paper at least the eastern route was cheaper than one to the west. It was also a better fit with the council's grand plan to provide the landlocked county with strategic highways to the Channel ports of Poole and Southampton.

Ten years later the folly of all those assumptions is abundantly clear. In a national press release last year CPRE called for 'one of England's iconic landscapes' to be saved: 'It is incredible that the county council wants to push forward this intrusive and damaging scheme.'

Wiltshire Life magazine put it even more strongly in its March 2007 issue: 'The spectacular landscape of Westbury and its White Horse clearly shouts out to the world "This is Wiltshire". That we should be even thinking about blighting this unique part of the country with tarmac and oversized juggernauts is almost tantamount to treason.'

A majority of people in Westbury and surrounding communities seem to agree. Whether or not they wanted 'a' bypass, they didn't want it to wreck the landscape to the east of town. The unpopularity of the scheme was one of the reasons given by the District Plan inspector in 2003 when he recommended against safeguarding of the eastern route.

The county council ignored him, as it ignored the majority of parish councils in the area, the town council and the business community. Almost immediately it asked the government to fund a cut-down version of the eastern bypass, omitting the section that would have bypassed Yarnbrook and West Ashton.

This meant ignoring the recommendations of its own consultants: in 1999 Parkmans had advised that levels of traffic in Westbury did not justify a bypass; in contrast, they said, congestion at Yarnbrook and West Ashton did require relief.

The government turned down the 2003 bid. WCC pressed on regardless. By 2005 it should have been obvious that the plan was running into insurmountable environmental obstacles. The Environment Agency opposed a major highway across the protected water catchment and close to the Wellhead Springs borehole. Wessex Water did not want to sell the borehole that supplied pure drinking water to West Wiltshire. Soon the fields around Wellhead Springs were bristly with tube-wells testifying to the council's abortive search for an alternative source. None of the wells had delivered the reliable alternative supply required by EA and Wessex Water.

Dawning recognition of the international importance of the bat populations in the area did not stop the council applying for planning permission in 2005. The County Ecologist and the Planning Officers were worried about environmental impacts and asked for more surveying for bats and dormice. The council withdrew the application. Undeterred, they were back with another planning application in the spring of 2007. Solicitors acting for the A36/A350 Corridor Alliance (ACA) warned the county council that the environmental statement was defective and any decision to approve the application could be unlawful. Conditional planning permission was duly granted. With a contractor already appointed, WCC was confident that construction could begin in 2008.

Fortunately the Secretary of State for Communities disagreed and ordered a full planning inquiry into the scheme, something the county council had not experienced before.

By now the statutory watchdogs charged with defending wildlife and water resources had withdrawn their long-held objections. The Countryside Agency (now part of 'Natural England') had not objected in the first place; nor had English Heritage, guardians of the

White Horse, the Bratton Camp hill fort and a trail of archaeological sites along the route.

In their absence it fell to local objectors, parish councils and environmental campaigns to raise the money to do their job for them.

The White Horse Alliance was formed in August 2007. It is now a coalition of 12 organisations committed to stopping the Westbury eastern bypass and seek a better way to meet transport and environmental needs. With a membership ranging from national environmental groups, including CPRE and the Woodland Trust, to local objectors led by the formidable fundraisers of the Westbury Bypass Alliance and three parish councils, we speak for a constituency of at least 5,000 local people.

The scale of this constituency was undoubtedly what persuaded the government's lawyers to accept under threat of legal challenge that the start of the inquiry should be delayed from April, which suited WCC and the Planning Inspectorate, to June, which gave us time to raise money and commission expert witnesses on everything from dormouse conservation to carbon emissions.

Under scrutiny from experts and two vigilant inspectors, Wiltshire's traffic model fell apart within days. The number of HGVs in the model had been underestimated by a half. Doubling the number of trucks did not worry Natural England but the Woodland Trust objected to the increased level of nitrogen oxides that would harm its ancient woodland at Picket and Clanger Woods. It refused to accept money from the council for 'mitigation' work, telling the council and the inspectors that no mitigation was possible.

The traffic model continued to unravel. It soon emerged a weight limit on the bridge over the railway in Station Road was not so much an adjunct to the town centre improvements but an integral part of the bypass scheme, forcing trucks to take the long route round the Glenmore Link and eastern bypass to reach the A36 instead of taking the short and uncongested route through town. The effectiveness and economics of a western bypass route had not been modelled with a weight limit.

After adjournments to allow for traffic numbers to be revised and the public to be consulted about the lorry ban on the 'unsafe' Station Road bridge, it was October before the inquiry closed.

By then the county council's attempts to overcome the environmental obstacles in the path of its eastern bypass had pushed the development cost of the road to over £4M. Allowing for cost overruns, the final cost of the road could reach £40M.

By the end of the inquiry the Alliance and other witnesses had shown that -

* **There** is no serious traffic congestion in Westbury. Traffic volumes had not changed much since the Parkman report of 1999.

* **Villages** to the north already had more and faster lorry traffic. The bypass would make it worse for them. * **Air** pollution in Westbury will reach acceptable limits by 2011 without a bypass. A bypass would increase carbon emissions.

* **The** scheme would do nothing for transport integration. It would not link to the railway station or the proposed rail-freight terminal, both on the west side of town. The scheme contains nothing to improve public transport.

* **The** council's vision of the A350 as a strategic highway was not shared by the Secretary of State. She has recommended deleting the A350 from the region's list of significant routes.

* **Bath's** vision of the A350 as a way to remove trucks from the World Heritage city was not supported by the Bristol/Bath to South Coast Study in 2004.

* **There** is no evidence that Westbury needs the road for 'economic regeneration'. Westbury and West Wiltshire are not a deprived area. The West Wilts Trading Estate is thriving without a bypass and has plans to expand.

The 'mothballing' of the Lafarge cement works announced in February removes the only industry that would have been directly served from the eastern route. Closure will also remove the bulk cement carriers from the A350 and the refuse trucks that would have carried Wiltshire's waste for incineration in the cement kilns.

Not a 'done deal'

Defying the recommendations of the Secretary of State, the county council has asked the region to approve funding for no less than three road schemes on the A350 - Westbury, a 7.3 mile Yarnbrook-West Ashton improvement and dualling of the Chippenham bypass, making a total of nearly £72M for expansion of a route the government says should not be enlarged. To complete the trade route to Poole, Dorset CC wants £102M for schemes on the A350 and C13.

In its bid for the Westbury bypass WCC gives the impression that the decision of the Secretary of State is the 'only outstanding barrier to delivery.' In a statement to the Regional Transport Board on 29 January we pointed out that the inspectors had not completed their report, let alone submitted it to the government.

Department for Transport experts assessing the council's funding bid had requested more work on traffic modelling. The DfT team has since made it clear that they have no intention of 'fast-tracking' the funding bid. There will be a meeting with the council and the WHA in Westbury and further revision to the bid document.

Biodiversity and the Habitats Directive

The Alliance warned the Regional Transport Board of another possible 'barrier to delivery' - legal challenge. If the government ignores our evidence that the road could have severe impacts on species given the strictest protection under the Habitats Directive, any subsequent go-ahead could be a breach of European law, leading to an application for judicial review.

White Horse Alliance expert witnesses challenged the county council's assessment of impacts on European species. Michael Woods, an internationally recognised expert on dormouse ecology, told them that, without a new green bridge to link two areas of woodland, the impact on a vulnerable population of dormice would be 'Very largely adverse'.

Professor Altringham of Leeds University concluded

“There is no objective evidence to suggest the ‘severe adverse’ effects the road will have on bats will be significantly diminished by the proposed mitigation measures. If the scheme goes ahead, this important bat assemblage could suffer significant population declines.”

The Wiltshire Wildlife Trust appears to share our concerns over the legal risks of approving this road. In evidence to the inquiry it listed 17 protected species that would experience an adverse impact if the road were built and was highly critical of the council's wildlife mitigation plans.

In the January issue of *Wiltshire Wildlife* the Trust says that the result of the planning inquiry will have ‘important national implications’ in the light of government policy requiring us to restore and enhance biodiversity through the planning system: ‘If we lose,’ says the Trust, ‘the Government will no longer be able to claim that its policies can ensure wildlife has a secure future alongside all new development.’

The European Habitats Directive does not permit ‘severe’ and ‘very large’ adverse effects on Annex II species. Any development that could threaten the conservation status of these bats and dormice would have to show ‘imperative reasons of overriding public interest’ and the absence of any satisfactory alternative. It is difficult to see how the Westbury bypass could pass these tests: adverse effects are not denied; need is not proven; there are alternative ways to meet Westbury’s transport and environmental needs.

Unfortunately our countryside is full of pointless and damaging roads. We won't know until well into Spring if we killed this one off at the inquiry. We have to be prepared for the government to decide that throwing money at any old roads will be an easier way to fight the recession than investing in a proper railway system.

But this is not any old *place*. If a road can be built here, through a protected landscape, over a protected water source and through the habitats of Europe's most strictly protected wildlife, then anything can be built anywhere. Nowhere is safe.

We intend to make this a test case for sustainable development in the 21st Century, and to fight it all the way to the High Court and the European Court of Justice if necessary. Generous support from the Wiltshire branch of the CPRE, the West Wilts group and groups and members across the SW has helped us get this far. If we lose this battle the bulldozers could start to cut a great scar into the chalk some time later this year. Please help ensure that we have the resources to carry on until this threat has finally been lifted from the landscape of the Westbury White Horse.

Patrick Kinnersly is the Secretary of the White Horse Alliance. www.corridor-alliance.co.uk