

Hilary Benn MP  
Secretary of State for the Environment, Food and Rural Affairs  
**Department for the Environment, Food and Rural Affairs**  
Nobel House  
17 Smith Square  
London, SW1P 3JR

1 May 2009

Dear Secretary of State,

**Re: Westbury Bypass**

We understand that the Secretary of State for Communities and Local Government is or will soon be considering the inspectors' report on the Westbury Bypass public inquiry. We are exceptionally concerned about this scheme's environmental impact, and the clear failure of Wiltshire Council to adequately follow Department for Transport guidance.

In light of the recent announcement on carbon budgets, the Department for Transport's increasing emphasis on the need to appraise a wide range of options, as well as the serious impact on landscape, biodiversity and heritage, we regard this scheme as a test case as to the Government's willingness to stand by its appraisal framework and to make the difficult decisions needed to reduce the transport sector's carbon emissions.

**The bypass conflicts with national policies**

The scheme conflicts with a number of core Government planning policies, including PPG13 Transport, PPS1 (the need to reduce greenhouse gases and promote sustainable development); PPS9 (the need to prevent harm to biodiversity and geological conservation interests) and especially PPS7, which states that "Planning authorities should continue to ensure that the quality and character of the wider countryside is protected, and where possible enhanced".

In this regard we note and indeed applaud the Secretary of State for Communities and Local Government's proposed deletion of the A350 from the list of strategically significant routes in the region's draft RSS. We suggest that this alone would justify rejection of a proposal that is not prompted by local traffic conditions, and cannot possibly justify its exceptional impacts upon local biodiversity, landscape and heritage.

**Carbon budgets**

The UK's first carbon budget proposed a 34% reduction in greenhouse gas emissions by 2020, including a 10% cut in non-traded sectors, which includes road transport. The Climate Change Committee has previously highlighted "the importance of ensuring that investment over the next 12 years does not lock us into high-carbon capital assets which make achieving the 2050 target more difficult" (p106 in *Building a Low Carbon Economy*).

While it may be argued that the impact of the Westbury Bypass in itself will have a limited impact on overall carbon budgets, the decision whether to approve it or not is likely to be the first decision taken on a road scheme following the publication of the carbon budget and raises important questions as to the aggregation of seemingly small changes in emissions levels and the allocation of such changes between departments and local authorities.

### **There would be irreparable damage to biodiversity, landscape and heritage**

The scheme would, if built, see a three-lane highway running beneath the White Horse monument on the western scarp of Salisbury Plain, irreparably scarring this protected landscape and fundamentally altering the local environment. The Wellhead Valley between Bratton and Madbrook provides habitat for an assemblage of bats of European significance. Among the 12 species of bat found here are all four of the rarest (Annex 2) species given special protection under the European Habitats Directive. The bypass would destroy a hedge in which dormice nests have been found, as well as separate two areas of woodland essential for the survival of a viable and genetically diverse population of this Annex 2 species.

The road would have an adverse impact on a total of 17 protected species including otters, badgers, newts and water voles, and is opposed by the Wiltshire Wildlife Trust. The public inquiry heard expert testimony that the impact of this road on protected wildlife would be likely to breach the European Habitats Directive. Approval would therefore likely result in a legal challenge in the High Court and the European Court of Justice.

### **The council failed to consider non-road alternatives**

Wiltshire Council, the scheme's promoters, have failed to follow Department for Transport guidance on option appraisal, which states that the Department expects local highway authorities to work up a detailed assessment of the scheme against alternative options.

The promoters have clearly breached DfT guidance that states that it "expect[s] authorities promoting highway schemes to examine the scope for achieving the scheme objectives through non-road building options *such as public transport improvements or demand management measures*", further that "If the promoting authority concludes that non-road building options are not capable of delivering the objectives, *robust evidence to demonstrate this should be provided*".

Wiltshire has not carried out any quantitative analysis of non-road alternatives and has adopted the do minimum model as its non-road alternative, which clearly neither constitutes public transport improvements or demand management measures.

### **The bypass is in the wrong place for transport integration**

While HGV traffic in Westbury remains low, especially when compared to the neighbouring communities of Yarnbrook, Rode, North Bradley and Southwick, there may be a case for improving access on the Western side of the town to better enable HGVs and other vehicles to access the West Wiltshire Trading Estate and the site of the proposed rail freight terminal.

The bypass plan has no link to the regionally important rail junction at Wesbury station, and full-size buses still cannot reach the station itself. To provide access to the employment areas on the west of town the present scheme requires a link road from the eastern bypass. To ensure that HGVs would use this detour rather than taking the short and uncongested route through town, the scheme relies on a weight limit being placed on the Station Road bridge between the town and the trading estates.

### **There is fierce local opposition to the Eastern route**

We know that you are aware that this is a highly unpopular scheme. The District Plan Inspector mentioned this among his reasons for recommending against safeguarding of an eastern route in 2003. We believe the strength of local opposition was a factor in your decision to call in the 2007 planning application and then to order a delay to the start of the inquiry in 2008.

Nearly every parish council in the Westbury area opposed the 2007 planning application. Three parish councils are members of the White Horse Alliance which also includes CfBT, FoE, CPRE and the Woodland Trust as national members. The Wessex Chambers of Commerce and the West of England Economic Partnership both stressed in consultation that they were disappointed with the choice of route for the road, because it fails to give a western access to the West Wilts Trading Estate, while impacting on an area that attracts tourists to West Wiltshire. The local MP has also stated many times that he is convinced that the wrong route for the bypass has been chosen.

The Westbury Bypass is a classic example of what Eddington described as "solutions looking for problems". It is one of the last vestiges of the government plan, abandoned in the 1990s, for a high-speed route between the M27 and the M4. Local authorities resisted the 1998 Roads Review recommendation to 'de-trunk' the route and the 2004 recommendation of the Government's Bristol/Bath to South Coast Study that long-distance HGV traffic should be diverted away from the A350 onto the trunk and motorway networks. The proposed Westbury bypass, and Wiltshire's other A350 schemes, at Yarnbrook and Chippenham, testify to the reluctance of Wiltshire to abandon outdated major highway aspirations for the M4 to South coast corridor.

We look forward to hearing from you at your earliest convenience. Please reply to Stephen Joseph on behalf of the others.



Pat Kinnersely  
Chair, White Horse Alliance



Stephen Joseph  
Executive Director, Campaign for Better Transport



Shaun Spiers  
Executive Director, Campaign to Protect Rural England



Andy Atkins  
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