

Adran yr Economi a'r Seilwaith  
Department for Economy and Infrastructure



---

Llywodraeth Cymru  
Welsh Government

**Objection Ref OBJ0078**

**File Ref WG/REB/OBJ0078 – Llandeenny Residents**

**Response to Objector's Evidence: Llandeenny Residents**

## **1. GROUNDS FOR OBJECTION**

### **1.1. Details**

1.1.1. A group of Llandeenny residents have submitted a Statement of Evidence dated December 2016 in relation to the draft statutory Orders associated with the Welsh Government's proposals for the M4 Corridor around Newport, which has been received via the Programme Officer.

1.1.2. The Welsh Government understands the evidence submitted within their Statement to be based on the following:

1. States that the Welsh Government has not struck a 'fair balance' between Magor and Llandeenny residents citing Welsh Government should not discriminate against a minority community because there are only a small number of properties and businesses.
2. States that the Welsh Government is failing to discharge its duties to guarantee residents' right to respect their homes and wellbeing.
3. States that the well-being and rights of the Llandeenny residents should weigh as heavy as any other community.
4. States that the Welsh Government and its agents have not adequately taken into account the concerns of Llandeenny residents regarding the impact of air pollution on their quality of life.
5. States that the Welsh Government and its agents have not adequately taken into account the concerns of Llandeenny residents regarding the impact of noise pollution on their quality of life.
6. Concerns about the requirements of an acoustic barrier and the manner in which Llandeenny has been viewed by the Welsh Government.
7. States that the Welsh Government Noise Map (June 2012) shows Llandeenny having an estimated noise range of 55dB – 59.9dB and the B4245 (parallel to the current M4) has a noise range of 65dB – 69.9dB. During night time these ranges fall to 50dB – 54.9dB and 60dB – 64.9dB respectively. These figures do not take into consideration the noise levels of the A4810.

8. States that the proposed motorway will increase noise levels and bring Llandeveyeny noise ranges similar to those of the B4245, which will have a significant detrimental effect on Llandeveyeny.
9. States that the Welsh Government 'Core Documents' regarding 'Noise' concentrate on construction noise levels and not the lasting legacy of noise pollution once the scheme is completed.
10. States that the 'Welsh Government Technical Advice Note 11: Noise' discriminates against existing residential areas, in this case Llandeveyeny, when a new noise source is imposed on an existing residential development.
11. States that the Welsh Government have not provided detailed calculations regarding noise levels they expect the properties will experience, giving vague estimates in correspondence such as 'low fifties' and one property experiencing a level of 60.5dB.
12. States that it would appear significant that any predictions of a general increase in noise pollution is estimated at 6 to 7dB. When the threshold for noise insulation is 68dB. Welsh Government accept that an increase of 6 to 7dB is a major impact in environmental assessment terms for the hamlet.
13. States that predictions do not take into account noise from the A4810 or the 'reflection' of noise from the proposed acoustic barrier designed to 'protect' 250 homes in Magor.
14. States that there are several areas that should have been taken into account when making noise calculations regarding Llandeveyeny, these have not been properly addressed, e.g. gradient of the proposed motorway.
15. States that the raised road surface will increase noise pollution due to an unobstructed flow of noise from the motorway.
16. States that the construction of an acoustic barrier on the far side of the motorway will result in noise from motorway traffic being reflected towards Llandeveyeny, added to this will be the noise generated by the A4810.

17. States that an acoustic noise barrier has been suggested to protect the interests of Llandevenny but it was dismissed.
18. States that when a suggestion was made to erect a barrier either side of the motorway it was again dismissed with the reasoning being that Welsh Government could only erect such a barrier on land that they had control of. The land either side of the motorway would be under Welsh Government control, so this would be feasible.
19. States that a far better option would be to work with Monmouthshire County Council and erect a barrier that would encompass both M4 and A4810.

**2. REBUTTAL****2.1. Points Raised**

2.1.1. The above points are dealt with by topic by the relevant witnesses in the following sections. Readers should also make reference to the Proofs of Evidence in their entirety for a full understanding of the Welsh Government's case. For ease of reference the places where the above points are addressed in this Rebuttal are listed in the table below:

Objector's point reference	Rebuttal paragraph reference	Objector's point reference	Rebuttal paragraph reference
1	2.2.1	16	2.4.7
2	2.2.2	17	2.4.8
3	2.2.1	18	2.4.9
4	2.3.1	19	2.4.10
5	2.4.1	20	2.4.11
6	2.4.2	21	2.4.12
7	2.4.3	22	2.4.13
8	2.4.4	23	2.4.14
9	2.4.5	24	2.4.15
10	2.4.6		

## 2.2. Matthew Jones (Chief Witness)

2.2.1 Response to **Points 1 and 3** (States that the Welsh Government has not struck a 'fair balance' between Magor and Llandeenny residents citing Welsh Government should not discriminate against a minority community because there are only a small number of properties and businesses) and (States that the well-being and rights of the Llandeenny residents should weigh as heavy as any other community):

1. Paragraphs 5.3-5.11 and 24.8 of Matthew Jones' Proof of Evidence (WG1.1.1) outline the stakeholder engagement undertaken during the Scheme development.
2. Since the early 1990s, much assessment and consultation has been undertaken to develop a preferred solution to the identified transport related problems associated with the M4 around Newport. Taking responses to the consultation and its associated assessments into account, the Welsh Government decided to adopt its Plan for the M4 Corridor around Newport in July 2014. A revised TR111 Notice was published in July 2014 to protect a modified preferred route for a new section of motorway to the south of Newport. In March 2016, the draft Orders for the Scheme were published, alongside an Environmental Statement, Statement to Inform an Appropriate Assessment, and associated reporting.
3. At the Public Local Inquiry, independent inspectors examine the social, environmental and economic issues and hear evidence from technical specialists, supporters and objectors. The inspectors will consider the proposed solution and all suggested alternatives and report on the findings. This will inform the final decision on whether to go ahead with construction.

2.2.1. Response to **Point 2** (States that the Welsh Government is failing to discharge its duties to guarantee residents' rights to respect their homes and wellbeing):

1. Paragraph 24.8 of Matthew Jones' Proof of Evidence (WG1.1.1) outlines how, taking into account the rights of those affected by the Scheme, the impacts on those affected needs to be considered against the local, regional and national benefits the Scheme would deliver.

3.2.2 I confirm that the statement of truth and professional obligations to the inquiry from my main proof still applies.

### **2.3. Michael Bull (Air Quality)**

2.3.1. Response to **Points 4** (States that the Welsh Government and its agents have not adequately taken into account the concerns of Llandeveyeny residents regarding the impact of air pollution on their quality of life):

1. Chapter 7 of the Environmental Statement (Document 2.3.2) and its Supplements (Documents 2.4.4 and 2.4.14) provides a comprehensive assessment of the air quality impacts of the Scheme. This assessment includes an air quality receptor in Llandeveyeny. Therefore the impact of the Scheme on local air quality in Llandeveyeny is shown in the Environmental Statement and its Supplements. The assessment shows that the impact on air quality at the receptor in Llandeveyeny is negligible.

2.3.2. I confirm that the statement of truth and professional obligations to the inquiry from my main proof still applies.

### **2.4. Philip Evans (Noise and vibration)**

2.4.1. Response to **Point 5** (States that the Welsh Government and its agents have not adequately taken into account the concerns of Llandeveyeny residents regarding the impact of noise pollution on their quality of life):

1. Paragraph 8.29 of Philip Evans' Proof of Evidence (Document 1.14.1) outlines consideration given to the community at Llandeveyeny, as does the Welsh Government's letter ref. dated 31<sup>st</sup> August 2016 to Mrs J Pickup (correspondence reference qA1174612/OBJ0078).
2. The community of Llandeveyeny is separated from the published Scheme by the existing Steelworks Access Road. Consideration has been given to providing additional mitigation in the form of a noise barrier for the residents but no reasonably practicable, effective solutions have been identified, i.e. if a barrier was placed along the published Scheme, noise from traffic on the Steelworks Access Road would still dominate.

3. The village would experience a noise increase of around 5 dB, increasing from the low to mid 50s dB (LA10, 18hr) and this effect is considered in the overall assessment of the Scheme.

2.4.2. Response to **Point 6** (Concerns about the requirements of an acoustic barrier and the manner in which Llandeveyney has been viewed by the Welsh Government):

1. Paragraph 8.29 of Philip Evans' Proof of Evidence (Document 1.14.1) outlines consideration given the community at Llandeveyney, as does the Welsh Government's letter ref. dated 31st August 2016 to Mrs J Pickup (correspondence reference qA1174612/OBJ0078).
2. As well as outlining the consideration given to the community at Llandeveyney, paragraph 8.29 gives the reasons why further mitigation would not be warranted for this area. Noise effects were considered at all communities and residential areas along the length of the Scheme with a view to providing additional mitigation to that embedded in the design where this would be effective. Noise barriers have been proposed in four areas where they would be effective and they would protect a significant number of dwellings.

2.4.3. Response to **Point 7** (States that the Welsh Government Noise Map (June 2012) shows Llandeveyney having an estimated noise range of 55dB – 59.9dB and the B4245 (parallel to the current M4) has a noise range of 65dB – 69.9dB. During night time these ranges fall to 50dB – 54.9dB and 60dB – 64.9dB respectively. These figures do not take into consideration the noise levels of the A4810):

1. The traffic noise model generated for the Scheme includes both the Scheme and all major roads within the corridor of assessment including the A4810. Noise from this road which lies between the village and the Scheme provides near dominant noise levels which is why providing a noise barrier on the proposed M4 adjacent to Llandeveyney would not be effective.

2.4.4. Response to **Point 8** (States that the proposed motorway will increase noise levels and bring Llandeveyney noise ranges similar to those of the B4245, which will have a significant detrimental effect on Llandeveyney):

1. The traffic noise model has predicted noise levels for all significant roads in the area.
- 2.4.5. Response to **Point 9** (States that the Welsh Government 'Core Documents' regarding 'Noise' concentrate on construction noise levels and not the lasting legacy of noise pollution once the scheme is completed):
1. It is not clear which Welsh Government documents are being referred to but "A noise action plan for Wales 2013-2018" clearly focuses on operational noise from a range of sources including roads and specifically mentions the Newport agglomeration.
  2. As outlined above, Paragraph 8.29 of Philip Evans' Proof of Evidence (Document 1.14.1) outlines consideration given the community at Llandeenny as part of the Scheme assessment of noise.
- 2.4.6. Response to **Point 10** (States that the 'Welsh Government Technical Advice Note 11: Noise' discriminates against existing residential areas, in this case Llandeenny, when a new noise source is imposed on an existing residential development):
1. Welsh Government Technical Advice Note 11 does not discriminate against residential areas. The document, as revised by CL-01-15 Updates to Tan 11 Noise - Noise Action Plan (2013-18) Commitments, fairly considers both noise generating and noise sensitive development in Sections 7 to 10 and Annexes A and B.
- 2.4.7. Response to **Point 11** (States that the Welsh Government have not provided detailed calculations regarding noise levels they expect the properties will experience, giving vague estimates in correspondence such as 'low fifties' and one property experiencing a level of 60.5dB):
1. The Operational Noise Technical Appendix R13.4 of the Environmental Statement (Document 2.3.2) and its Supplements (Documents 2.4.4 and 2.4.14) includes full noise predictions.
  2. The electronic document can be searched by address, or detailed model output can be provided as required. However, with around 22,000 receptor points and multiple scenarios to assess, it is not practicable to have included all of these in main Environmental Statement or the Proof of Evidence on noise.

2.4.8. Response to **Point 12** (States that it would appear significant that any predictions of a general increase in noise pollution is estimated at 6 to 7dB. When the threshold for noise insulation is 68dB. Welsh Government accept that an increase of 6 to 7dB is a major impact in environmental assessment terms for the hamlet):

1. Tables 4.5 and 4.6 of Philip Evans' Proof of Evidence (Document 1.14.1) show the short and long term impacts in accordance with the DMRB mythology (the appropriate guidance). These are major in the short-term and moderate in the long term. It is accepted that the community of Llandevenny will be subject to a significant noise effect. Mitigation has been considered and the community will benefit from the embedded mitigation that is to be provided.

2.4.9. Response to **Point 13** (States that predictions do not take into account noise from the A4810 or the 'reflection' of noise from the proposed acoustic barrier designed to 'protect' 250 homes in Magor):

1. The noise model takes both of these factors into account and these effects are included in the model output results.

2.4.10. Response to **Point 14** (States that there are several areas that should have been taken into account when making noise calculations regarding Llandevenny, these have not been properly addressed, e.g. gradient of the proposed motorway):

1. It is not known which areas are being specifically referred to. Noise receptors (prediction sites) have been placed on all known dwellings within all areas of the corridor of assessment. The corridor of assessment was widened from 600 m either side of the carriageway edge to 1 km either side of the carriageway edge to ensure all potential receptors were included. Highway gradient has been taken into account as part of the Scheme noise modelling.

2.4.11. Response to **Point 15** (States that the raised road surface will increase noise pollution due to an unobstructed flow of noise from the motorway):

1. The raised alignment will result in lower ground absorption effects where there is soft ground present and hence slightly higher noise levels but this effect reduces with distance.

2.4.12. Response to **Point 16** (States that the construction of an acoustic barrier on the far side of the motorway will result in noise from motorway traffic being reflected towards Llandeenny, added to this will be the noise generated by the A4810):

1. The noise model takes both of these factors into account and these effects are included in the model output results.

2.4.13. Response to **Point 17** (States that an acoustic noise barrier has been suggested to protect the interests of Llandeenny but it was dismissed):

1. Paragraph 8.29 of Philip Evans' Proof of Evidence (Document 1.14.1) outlines consideration given the community at Llandeenny and gives the reasons why further mitigation would not be warranted for this area.

2.4.14. Response to **Point 18** (States that when a suggestion was made to erect a barrier either side of the motorway it was again dismissed with the reasoning being that Welsh Government could only erect such a barrier on land that they had control of. The land either side of the motorway would be under Welsh Government control, so this would be feasible):

1. Full consideration has been given to providing a barrier where it would be possible and effective. However, the outcome of this consideration was that it would not be feasible or effective to provide a barrier or barriers in this area.

2.4.15. Response to **Point 19** (States that a far better option would be to work with Monmouthshire County Council and erect a barrier that would encompass both M4 and A4810):

1. This is not a practicable solution given the likely height that any barrier would have to be to mitigate traffic noise from both roads.

2.4.16. I confirm that the statement of truth and professional obligations to the inquiry from my main proof still applies.



**Annex – Correspondence List**

<b>Date</b>	<b>In/Out</b>	<b>Author</b>	<b>Email/Letter/Meeting</b>
20/04/2016	In	Llandevenny Residents	Letter
27/04/2016	Out	The Welsh Government	Letter
31/08/2016	Out	The Welsh Government	Letter
15/09/2016	In	Llandevenny Residents	Letter
02/12/2016	Out	Llandevenny Residents	Email