

[REDACTED]

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**From:** max wallis <[REDACTED]>  
**Sent:** 14 December 2016 12:09  
**To:** Planning & Transportation (Customer Care)  
**Cc:** green keith; Ian Perry  
**Subject:** Re: 2016/00305/RG3 Questions on the Five Mile Lane plans

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I attach a formatted version of our 'late reps', submitted by e-mail in-line a few minutes ago (to meet the 12 noon deadline).

Would you please substitute this formatted version in you late-reps to the Committee.

*Max Wallis, Planning manager*

*Friends of the Earth, Barry & Vale*

tel. [REDACTED] or [REDACTED]

On 14 December 2016 at 11:58, max wallis <[REDACTED]> wrote:  
Please find enclosed "late representations" to the Planning Committee tomorrow.

We note you failed to respond to our request

Could you please

- a) send us all representations that are missing from the file in addition to our own, and
- b) ensure the file is fully updated in good time before the matter is taken to Committee?

We believe this means your procedural obligations have not been met, and would ask that the Committee does not proceed to determine the application at tomorrows meeting

*Max Wallis, Planning manager*

*Friends of the Earth, Barry & Vale*

tel. [REDACTED] or [REDACTED]

Case Officer Mr I Robinson,,

Planning Dept., Vale of Glamorgan Council

14 Dec. 2016

**2016/00305/RG3 VoG (A4226 Five Mile Lane Highways Improvements)**

Our letter of 1<sup>st</sup> Nov. with questions and requests for further information has been inadequately reported. It was not posted on the website by 13 Dec (midnight) so is not available within the 3-days required.

A new strategic highway. The assessment failed to assess it as creating a strategic highway. The VoG advertised it as a departure from the development plan only after our letter of 1<sup>st</sup> Nov. There's failure to re-assess it as such, in particular the design to use a hardly-improved, badly congested junction at Waycock Cross.

Ponting out the Parsons-Brinckerhoff transport assessment's data on severe congestion, (queues of 200 vehicles and more predicted at peak), we asked for evidence that "this is acceptable to the Council as Highways Authority". The Planning Officer has not supplied evidence or answered why in his report. The VoG Highways department could have objected and forced the Welsh Government to consider 'strategic' alternatives.

Such alternatives are obvious, cut across west to join the A4050 at the airport turn, or upgrade Waycocks Cross with grade separation/ sliproad. The Environmental Statement's EIA-appraisal has to set out alternatives considered and say why they were dismissed. It omits to do this. The only 'alternatives' it gives for this A4226 road are small variations in engineering design of the new section. The omission of alternatives to meet the congestion problem is a critical deficiency of the ES/EIA.

The design for a 60mph strategic road omits the interests of pedestrians, cyclists and bus-users:

# says it provides no facilities for walking – the 2-m cycleway would have to be used by walkers, but is substandard on the Welsh 'Active Travel' standards

# it omits any provision for buses – ie. Bus-stops and bus pull-ins.

# the side road junctions with ghost islands rather than real islands are less safe for pedestrian, bus and cyclist crossing (for the reason that they wish to avoid slowing of the 60mph traffic).

# the most-used and most-needed walking route to the Hawking Centre (and College Annex) is poor design and includes no safe crossings; the original layout to the east of the road is better for the environment and avoids walkers/cyclists having to cross short of the Sutton Farm junction.

These design features do not accord with the Active Travel (Wales) Act 2013. The consultants used wording and took over material from before the Act came into force in Sept. 2014, apparently without review to accord with the new legal duties for highways authorities to consider the needs of walkers and cyclists and make better provision for them. The VoG Highways officers appear not to have made the 'Active Travel' case for local users.

Avoid or minimise damage to archaeological and nature interests: alternative design that meets the Council planning/conservation duty has been given little or no weight. would damage ("large adverse impacts") three known archaeology sites (Whitton Lodge Roman villa, ring ditch, Iron Age/Romano-British settlement), with "potential for an extensive burial ground with national significance" (says the consultant's report). It also damages nature conservation sites – takes one acre from the Barry SSSI Woodlands and further land from two SINC's (near Whitton Rosser and Blacklands farms). Alternatives to minimise the damage to nature have not been as the law requires; it is faulty in law to choose 'mitigation' via new planting rather than avoiding loss of a large are of the SSSI.

On 7 December 2016 at 09:02, max wallis <[REDACTED]> wrote:

**2016/00305/RG3 VoG (A4226 Five Mile Lane Highways Improvements)**

I see there is new material posted on 1st December on the website from Natural Resources Wales. We expect to respond to it.

Our letter from 2nd Nov. and subsequent representations and objections are still not posted on the file. I see no indication of your seeking further information as we requested on 2nd Nov.

Could you please

- a) send us all representations that are missing from the file in addition to our own, and
- b) ensure the file is fully updated in good time before the matter is taken to Committee?

I should appreciate confirmation that you are seeing to this request and of your time-scale for compiling your report to the Committee.

*Max Wallis, Planning manager*

*Friends of the Earth, Barry & Vale*

tel. [REDACTED] or [REDACTED]

On 22 November 2016 at 18:24, max wallis <[REDACTED]> wrote:

Case Officer Mr I Robinson,

Planning Dept., Vale of Glamorgan Council

I see our letter of 2nd November is still not entered on the on-line file.  
I would confirm that we want the questions treated as holding objections to the scheme. Would you please confirm you are dealing with the letter, asking for the further information that we seek?

*Max Wallis, Planning manager*

*Friends of the Earth, Barry & Vale*

tel. [REDACTED] or [REDACTED]

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On 8 November 2016 at 18:07, max wallis <[REDACTED]> wrote:

Case Officer Mr I Robinson,,

Planning Dept., Vale of Glamorgan Council

**2016/00305/RG3 VoG (A4226 Five Mile Lane Highways Improvements)**

I see there's new material posted up 7th Nov. on the website with re-consultation on it. We shall expect to submit a response.

But our letter of 2nd November is not yet posted up. Would you please confirm you are dealing with it, asking for the further information that we seek?

*Max Wallis, Planning manager*

*Friends of the Earth, Barry & Vale*

tel. [REDACTED] or [REDACTED]

On 2 November 2016 at 14:03, max wallis <[REDACTED]> wrote:

Case Officer Mr I Robinson,,

Planning Dept., Vale of Glamorgan Council

### **2016/00305/RG3 VoG (A4226 Five Mile Lane Highways Improvements)**

We would put questions in the attached letter, seeking further information on each. Some concern the fact that the present information in the EIA is incomplete, so that a section 19 Notice would be appropriate.

In view of the related public Inquiry on the CPOs, could you please give a time scale for provision of the information?

*Max Wallis, Planning manager*

*Friends of the Earth, Barry & Vale*

tel. [REDACTED] or [REDACTED]