

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**HIGHWAYS ACT 1980**

**AND**

**ACQUISITION OF LAND ACT 1981**

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (HEREFORD WESTERN  
BYPASS – PHASE 1 ) COMPULSORY PURCHASE ORDER 2026**

**[THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (HEREFORD WESTERN BYPASS  
– PHASE 1)(CLASSIFIED ROAD)(SIDE ROADS) ORDER 2025]**

**STATEMENT OF REASONS**

## Appendix 1

**1. INTRODUCTION**

- 1.1. On [ ] the County of Herefordshire District Council (the "**Council**" and the "**Acquiring Authority**") resolved to make the County of Herefordshire District Council (HEREFORD WESTERN BYPASS – PHASE 1) Compulsory Purchase Order 2026 (the "**Order**"). The land and interests over land proposed to be compulsorily acquired pursuant to the Order comprises areas of land within the South Wye area of Hereford and are described in greater detail in section 3 below.
- 1.2. The Order is made pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (the "**1980 Act**") for the acquisition of all interests (except any specifically excluded) in the land shown coloured pink (the "**Order Land**") on the plan attached to the Order (the "**Order Plan**"), and as described in the Schedule to the Order.
- 1.3. The Order is being sought to enable the construction of a new single carriageway (two lane) road, of approximately 3.6 kilometres in length, and associated works (the "**Scheme**"). The new road will run between the A49/B4399 junction (more specifically the Ross Road/Rotherwas Access Road roundabout) to the A465 and B4349 Clehonger Road to the south of Hereford. The road will be known as the Hereford Western Bypass Phase 1
- 1.4. Phase 1 of the Hereford Western Bypass is the first phase of a broader proposal ("**HWB**"), which aims to promote economic development by unlocking the barriers to economic growth in Hereford by:
  - (i) reducing congestion and delay;
  - (ii) enabling access to the Hereford Enterprise Zone ("**HEZ**");
  - (iii) reducing the concentration of traffic pollutants;
  - (iv) reducing traffic noise;
  - (v) reducing collisions; and
  - (vi) encouraging physical activity
  - (vii) enabling additional housing provision.
- 1.5. The Council is seeking to assemble in its ownership the land as set out in the Order to facilitate and enable the Scheme. The Order will enable the acquisition of the interests in the Order Land and new rights over the land coloured blue on the Order Map for the purposes of carrying out the Scheme.
- 1.6. It is currently planned that the Scheme will be completed by [the end of 2028].
- 1.7. The most recent government guidance on the compulsory purchase process was published in January 2025 and entitled "*Guidance on Compulsory purchase process*" (the "**Guidance**"). The Council has considered the Guidance carefully. The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 2 of the Guidance) which justifies the overriding

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of any private rights in the land sought to be acquired. It is considered that a compelling case exists here and this is explored further below in section 6.

- 1.8. [In addition to promoting the CPO, the Council has made The County of Herefordshire District Council ( HEREFORD WESTERN BYPASS – PHASE 1 - )(Classified Road) (Side Roads) Order 2025 (“the **Side Roads Order**”) in order to carry out works to existing highways as well as private means of access which are necessary to enable the road to be built.]
- 1.9. The purpose of this Statement of Reasons is to explain the Council’s proposals and to provide sufficient detail about the extent and nature of the land required for the proposals as well as the effects of the works on side roads, including those that are to be stopped up.

## 2. EXPLANATION OF USE OF THE PARTICULAR ENABLING POWER

- 2.1. The Highways Act 1980 empowers the Council to compulsorily acquire land which it requires to construct and improve the highway.
- 2.2. Section 239 of the 1980 Act enables the Council as the highway authority for the area to “acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense”, as well as any land required for improvement of the highway.
- 2.3. Under section 240 of the 1980 Act, the Council as the highway authority may acquire land required for the use in connection with construction or improvement of the highway.
- 2.4. Section 246 of the 1980 Act allows the Council to acquire land for the purpose of mitigating any adverse effect that the existence or use of the new road may have on its surroundings.
- 2.5. Section 250 of the 1980 Act allows the Council as the highway authority to acquire rights over land, both by acquisition of those already in existence, and by the creation of new rights.
- 2.6. Section 260 of the 1980 Act allows the Council to override restrictive covenants and third party rights where land acquired by agreement is included in a compulsory purchase order.
- 2.7. [Section 14 of the 1980 Act enables the Council as the highway authority to make an order to stop up, divert, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified road or is affected, or will be affected, by the construction or improvement of the classified road and, to construct a new highway for the purposes concerned with any alteration and for any other purpose connected with the classified road or its construction.]
- 2.8. [Section 125 of the 1980 Act enables the Council as the highways authority to stop up any private means of access to premises adjoining or adjacent to land comprised in the route of a road, or forming the site of any works authorised by the Order, and to provide a new means of access to any such premises.]

### **3. DESCRIPTION OF THE ORDER LAND AND LOCATION, TOPOGRAPHICAL FEATURES AND PRESENT USE**

- 3.1. The Order Land (being the land, interests and new rights over land proposed to be compulsorily acquired pursuant to the Order) comprises approximately 33.4 hectares. This comprises 328,675.51 square metres for which title to the Order Land is required and 5,315.90 square metres for which rights over land are required for access to, constructing and maintaining structures and culverts and the provision of drainage to the new road. The Order Land in some areas covers a wider area than the route corridor for the new road as it includes land that is required for construction purposes, drainage, landscaping and mitigation.
- 3.2. The Order Land, which is in a variety of ownerships, is rural and largely comprises arable fields, small woodlands and coppices, small settlements, farmland, and part of the garden of one residential property.
- 3.3. The topography of the Order Land is undulating, rising from approximately 85m Above Ordnance Datum (AOD) in the north to approximately 105m AOD in the south. Two brooks pass within the Order Land: Withy Brook and Newton Brook. There are also small scattered woodlands and orchard trees, including Grafton Wood (which is categorised as Ancient Semi-Natural Woodland) and veteran trees.
- 3.4. Full details of the Order Land appear in the Schedule to the Order and known interests and new rights to be acquired are recorded in the Schedule. The Schedule has been prepared based upon information gathered through inspection of Land Registry title documents and information provided by owners and occupiers following the service of section 5A of the Acquisition of Land Act 1981 notices.
- 3.5. Part of the Order Land described within the Schedule to the Order is required for construction and siting of the new road and will be retained in perpetuity. However, other parts of the Order Land and related rights will be returned to the owners on completion of the Scheme.
- 3.6. The only private residential property affected by land take is Pykeways with the loss of approximately 135sqm of garden land equating to just under 7% of the total land area of the property.
- 3.7. The total loss of agricultural land is identified as being 31.2ha and sixteen field units would be crossed by the proposal. The land crossed is a mixture of Grade 2 (very good quality) and Grade 3 (good to moderate quality) agricultural land. Further agricultural land will be used for construction areas but will be returned to agricultural land on completion of the Scheme.
- 3.8. The extent, description and situation of the Plots as they appear in the Schedule to the Order and which make up the Order Land, and the reason for their inclusion in the Order, are set out in the table below.

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Plot number	Description and Reason for compulsory purchase
1	The land is currently public highway and grass verge known as B4349, Clehonger Road, Hereford. The land consists of an area of 1,436.86 square metres. The land is designated public highway and is intended to be improved, eventually forming part of the new highway and its supporting retaining assets, including embankments
2	This land is public highway and verge known as B4349 Clehonger Road, Hereford from the junction with Copper Beeches leading north east to Forest View. The land consists of an area of 1,856.32 square metres. The land is highway to be Stopped Up, and will be re-developed into a restricted bridleway in compliance with Sections 247 / 248 of the Town & Country Planning Act 1990
3	The land is 4,294.07 square metres of arable land, to the east of Dunan Lodge and south of B4349 Clehonger Road. The land will form part of the new highway and supporting embankments.
3A	The land is 32.48 square metres of arable land, south-west of Copper Beeches and B4349 Clehonger Road. The land will form vehicular access from the highway to Copper Beeches.
4	The land is 5,673.56 square metres of arable land south-east of Copper Beeches and B4349 Clehonger Road. The land will form part of the new highway and supporting embankments.
5	This land is 359.16 square metres of Golden Post Road, south of B4349 Clehonger Road leading to Pykeways from the junction with Copper Beeches. The land will form part of the new highway and supporting embankments.
5A	This land is 157.17 square metres of Golden Post Road, south of B4349 Clehonger Road and fronting Pykeways, Allensmore. The land will be stopped up under the Side Roads Order.
6	This is 149.66 square metres of land to the rear of Pykeways, Allensmore. The land will form part of the new highway and supporting embankments.
8	This is 39.72 square metres of land providing part access to arable land directly southeast of Pykeways, Allensmore. The land will be used to form a new turning head for vehicles at the top of the lane near Pykeways, including the Council's refuse vehicles serving Pykeways.
9	This is 133.55 square metres of Golden Post Road, north of Golden Post Cottage Hereford with Pykeways to the north east. The land will be used to form a new turning head for vehicles at the top of the lane near Pykeways, including the Council's refuse vehicle serving Pykeways.
10	This is 6,722.58 square metres of arable land to the south-east of Pykeways and on the east side of Golden Post Cottage, Belmont, Hereford. The land will form part of the highway and supporting embankments. Part of the land near the south-east within this parcel will be used in connection with the new A465 Roundabout.

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11	This is 7,075.91 square metres of public highway known as A465, Abergavenny Road, Hereford north-east of Golden Post Cottage. The highway on this land will be stopped up and then used for the new highway and supporting embankments, as well as construction of the new A465 Roundabout. Part of the land currently used as A465 Abergavenny Road will be improved, to provide for enhanced access to the and Roundabout.
12	This is 63,480.83 square metres of arable land which leads east and south-east from A465 Abergavenny Road to Haywood Lane. The majority of this land will be used to form part of the highway and supporting embankments, as well as construction of the new A465 Roundabout. Part of the land near to the new roundabout will be used for construction of an attenuation basin.
12A	This is 50,067.28 square metres of arable land to the south-east of A465, Abergavenny Road with Golden Post Cottage to the north. This is land required for essential licence, as it is required to build a temporary site compound for storage and parking of vehicles and materials in relation to construction of the new public highway. The land will be restored and handed back to the original owners following completion of the new highway. Also, a new means of access is to be built near the north-east corner of this plot of land, to enable access to the field from Abergavenny Road once the road has been upgraded.
12B	This is 1,065.28 square metres of arable land south-east of A465, Abergavenny Road with Golden Post Cottage to the north. The land is required for Dedicated rights, to provide for a public footpath and to enable the Council to access the Newton Brook underpass for maintenance and repair.
12C	This is 7,322.64 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is to be acquired for the construction of a new attenuation pond.
12D	This is 468.24 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required for construction of a new footpath, in order to link up and provide access to the public footpath HA3 to the east, the Newton Brook underpass and the footpath at plot 12B.
12E	This is 666.85 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required as Essential Licence to complete the works to construct the footpath, and will then be returned to the original owners once the works have been completed.
12F	This is 937.88 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required as Essential Licence to complete the works to construct the footpath, and will then be returned to the original owners once the works have been completed.
12G	This is 18,535.81 square metres of arable land to the south of Merryhill Park, Belmont with Haywood Lane to the east. This is land required for essential licence, as it is required to build a temporary site compound for storage and parking of vehicles and materials in relation to construction of the new highway. The land will be restored and handed back to the original owners following completion of the new highway
12K	This is 612.24 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required for drainage rights to provide an outfall from overland flows heading towards Clehonger link, runoff from the highway embankments and flows from the ditch..
12L	This is 193.65 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required for drainage rights to provide an outfall from the highway drainage.

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13	This is 790.55 square metres of public highway known as Haywood Lane, Hereford to the north of Haywood Lodge Cottages. The land is owned by Herefordshire County Council as highway authority. The land is required to build the new highway and supporting embankment, as well as to construct a new overbridge to allow Haywood Lane to continue over the highway.
14	This is 21,493.18 square metres of arable land on the East side of Haywood Lodge Cottages, Hereford and south of Beech Grove. The land is required to build the new highway and associated retaining structures, as well as an underpass near to the railway line to allow the public to continue to access Haywood Lane by foot from the north.
14A	This is 1,993.08 square metres of private access track on the East side of Haywood Lodge Cottages, Hereford with Beech Grove to the north. The land is required to grant Network Rail and the Council permanent rights to gain access from Haywood Lane to the railway bridge underneath the new highway, for maintenance and repair.
14B	This is 542.39 square metres of public footpath heading east from Roman Byre towards Grafton. It is owned is required to realign the existing public footpath HA7 (which will be partially stopped up by construction of the new highway) with the legal boundary of the property, which will also reflect the realistic current usage by members of the public.
14D	This is 73.82 square metres of arable land on the East side of Haywood Lodge Cottages, Hereford and south of Beech Grove. It is land required to provide access from the end of the current public footpath no. HA7 to the underpass, linking up with the footpath at plot 14B.
15	This is 867.56 square metres of Railway Line, owned by Network Rail. The airspace above the railway line is being acquired to facilitate the construction of the over the railway.
16	This is 24,752.76 square metres of arable land on the south east side of the West Midland Railway line and south of Beech Grove. It is required to construct the highway and supporting embankments.
16A	This is 1,614.00 square metres of private access track southeast of the West Midland Railway line. This land is required for rights, to provide access for the Council from Haywood Lane to the railway bridge underneath the highway for maintenance and repairs, and to provide the trustees of the Edwards Family Trust with access to their land north of the via the railway underpass.
17	This is 7,379.68 square metres of arable land on the Grafton smallholdings Estate, Grafton to the north of Withy Brook, Hereford. It is required for construction of the highway and supporting embankments.
18	This is 22,015.47 square metres of arable land at Grafton smallholdings Estate, Grafton, Hereford north west of The Green. It is required for construction of the highway and supporting embankments.
19	This is 970.33 square metres of public highway known as Grafton Lane, Hereford north of The Green. It is required to construct the highway and supporting embankments, and to provide continued use of Grafton Lane for vehicular traffic via an underpass.
20	This is 4,484.55 square metres of arable land forming part of Leys Farm south east of public highway known as Grafton Lane. It is required for construction of the highway and supporting embankments.

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20A	This is 308.80 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm. It is required for Dedication in order to build a new footpath to provide for members of the public to have foot access between public footpath GF3 and Grafton Lane.
21	This is 736.36 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm. It is required for construction of the highway and supporting embankments.
22	This is 23,909.87 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm and part of Grafton Wood. It required for construction of the highway and supporting embankments. The branch of this land leading up to plot 22B is required for construction of an attenuation pond and drainage, the outfall of which will be located within plot 22B.
22A	This is 857.49 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm. It is required for Dedication in order to build a new footpath to provide for members of the public to have foot access between public footpath GF3 and Grafton Lane.
23	This is 12,557.96 square metres of arable land with Grafton Wood to its West and the A49, Rotherwas Roundabout to its east. It is required to construct the highway and supporting embankments.
23A	This is 34,948.13 square metres of arable land with the A49, Ross Road lying to the east. It is required for the mitigation of adverse effects of the Scheme, with the land to be planted to offset the acquisition of land within Grafton Woods.
23B	This is 427.00 square metres of arable land on the south east side of Grafton Lane, forming Part of Court Farm. The land is required to provide an outfall from the attenuation pond at plot 22 to the nearby ditch.
24	This is 457.11 square metres of the A49 Ross Road at its junction with Rotherwas Roundabout. It is required for construction of the highway and supporting embankments.
25	This is 838.20 square metres of the A49 Ross Road at its junction with Rotherwas Roundabout. It is required for construction of the highway and supporting embankments.

#### 4. GENERAL DESCRIPTION OF THE SCHEME

- 4.1. The line of the proposed new road is shown on the map in Appendix A.
- 4.2. The new road would start as a new arm on the A49 (Ross Road)/B4399 (Rotherwas Access Road) roundabout heading northwest through existing hedgerow and across arable farmland. The new road passes through Grafton Wood with a new culvert located east of the wood to convey ditch flows. A construction compound (the Eastern Construction Compound) will be on a parcel of land to the south east of Grafton Wood and upon completion would be planted as a rich native broad-leaved woodland with adjacent pond.
- 4.3. The middle of the public footpath GF3, which runs from the A49 to Grafton Hamlet will be severed by the proposed new road where it leaves the northern side of Grafton Wood. The footpath will be diverted to run along the fenceline of the southern edge of the new road to a new termination point on Grafton Lane, near the property known as The Green. The northern part of the footpath will be extinguished. A new footway through the new underpass on Grafton Lane will connect to a new public footpath created in a field to the north of the new road, west of Grafton Lane.

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- 4.4. Travelling westwards the new road climbs on an embankment, crossing over Grafton Lane by way of a new structure to be known as the Grafton Lane Underpass. This allows vehicular, pedestrian, cycle and equestrian users to continue to use Grafton Lane. Grafton Lane will be lowered slightly to ensure sufficient clearance for motorised vehicles to pass beneath the proposed road in accordance with highway design standards. To the west of Grafton Lane a watercourse known as Withy Brook will be culverted underneath the new road.
- 4.5. Continuing westwards the new road is raised on embankment over a new wildlife underpass known as the Central Underpass. This is located in line with an existing hedgerow and established bat flight path.
- 4.6. In order to cross over the Hereford to Newport railway line, the new road will climb onto an embankment and the railway crossing will be a single span bridge structure known as the "Railway Underbridge". This structure has been designed to ensure compliance with the minimum headroom requirements for the railway as well as providing access underneath the bridge structure for bridge maintenance and connectivity to both sides of the new road.
- 4.7. Public footpath HA7 crosses the field situated to the west of the railway and a localised diversion will be provided for the public footpath to route a section of the footpath along the combined farm accommodation/bridge maintenance track which will be provided immediately west of the railway, underneath the bridge. Furthermore, the section of the footpath HA7 leading down from Haywood Lane to the railway line will be altered to run along the field margin (where people currently walk) rather than diagonally across the field, which is the current definitive line of the footpath.
- 4.8. The proposed new road continues in a northwesterly direction across arable farmland and underneath Haywood Lane. A section of Haywood Lane, where it crosses the new road, will be raised marginally as part of the overbridge works at this location. During construction an area of land to the north of the new road at Haywood Lane Overbridge is proposed as the Central Construction Compound which will be reinstated to agricultural use on completion of construction of the new road.
- 4.9. The new road will continue in a north-westerly direction towards the A465 (Abergavenny Road) with a culvert allowing the new road to cross Newton Brook. The new road severs the northernmost section of public footpath HA3, which runs from Merry Hill to the A465. An underpass (the Newton Brook Underpass) allows bats and other wildlife to pass beneath the proposed scheme and is also the diversion route for footpath HA3, as well as a potential route for agricultural vehicles/machinery to access severed land south of the new road. The land to the southeast of the A465 and southwest of the new road would be used as the Western Construction Compound. From the Newton Brook Underpass public footpath HA3 will run westwards along the northern side of the field hedgeline to reach public bridleway HA6 which connects to the A465. The northern section of the existing footpath HA3 will be extinguished.
- 4.10. A new roundabout is proposed on the A465 to link in with the proposed road. A new link road from the roundabout, about 580m long, is also proposed to connect the B4349 (Clehonger Road) at a point to the south of Clehonger Court and Copper

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Beeches. The proposed road, passes on the northern side of the dwelling known as Pykeways and south-west of properties known as 1 and 2 Forest View. The road also crosses an unclassified road known as Golden Post Road that runs between the A465 and B4349.

- 4.11. Short sections of the B4349 and Golden Post Road (located north-west of Pykeways) will be stopped up to motorised traffic. Access to Pykeways will be from the A465 end of Golden Post Road only, near Golden Post. Access to existing properties on the B4349 (east of Forest View Cottages) will be via the existing A465/B4349 T-junction. However, through routes will be retained on the B4349 (west of Forest View Cottages) for non-motorised users and maintenance vehicles only, to connect with the new road.
- 4.12. The B4349 will intersect with the A465 via the Clehonger Link, and new roundabout on the A465. The Clehonger Link will sever the northern end of public footpath CH9 which currently terminates on the southern side of the B4349 opposite the entrance to Clehonger Court. The new footpath termination point will be a gate on the southern fenceline of the new link road. The alignment of public footpath CH9 south of this point will remain unaltered.

## 5. THE NEED FOR THE SCHEME

- 5.1. The Council has been considering options to address transport-related problems in Hereford for a number of years. A range of technical studies undertaken over the last 20 years have concluded that a combination of new highway links on the periphery of the town should go hand-in-hand with investment in integrated modes of travel, including wherever possible walking, wheeling, cycling and public transport, with supporting funding of non-infrastructure measures such as behaviour change and demand management.
- 5.2. The council is investing in many integrated travel interventions identified within the former South Wye Transport Package (SWTP) and Hereford Transport Package (HTP) ahead of new road infrastructure to encourage take up of those modes as traffic levels on existing infrastructure reduces once alternatives new road routes are in place.
- 5.3. A requirement for a new road between the A49(T) and A465 was set out in the Unitary Development Plan (2007), the Herefordshire Local Plan Core Strategy (2015) (the "**LPCS**"), the Infrastructure Delivery Plan (2014) and Herefordshire's Economic Vision. The road that is now proposed sits within a section of that proposed highway corridor. The ambition for a western bypass was carried forward into the Regulation 18 Local Plan which was consulted upon in March 2024 and received broad public support in respect of a bypass to alleviate current congestion. This plan was not carried forwards to Regulation 19 due to the changes to the NPFF that amended the standard method and required a 70% increase in housing. The Draft Local Plan 2024 therefore has had to be shelved; it carries no legal or material weight and has no weight in planning decisions. The significant increase in housing will need to be met with additional infrastructure to support the level of growth.
- 5.4. The concept of a new road is part of a larger goal identified in the Local Transport Plan (2016-2031)(the "**LTP5**") which sets out plans to support economic and social inclusion within the county by improving the transport network and access to services.

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5.5. Analysis has identified a series of inter-related problems and issues in the South Wye area, both now, and into the future, as follows:

- Transport pressures arising from economic growth and development, including increasing traffic flows and longer and unreliable journey times and poorer air quality,
- Significant daily variation in journey times arising from impacts upon the current A49 and lack of alternative routes available.
- A cap on development trips from the HEZ providing a barrier to economic and employment growth;
- A cap on new housing provision due to lack of supporting strategic infrastructure.
- No direct route between the A49 and A465 to enable vehicle journeys, including freight, to avoid the urban area of Hereford for accessing the HEZ;
- Drivers choosing to utilise unsuitable alternative roads south-west of Hereford to avoid congestion;
- Vehicle traffic contributing to poor air quality and high noise levels in premises close to the A465 and A49;
- Reliance on car journeys for short trips by some residents;
- Low levels of physical activity;
- Substantial day-to-day variation in bus journey times;
- Geometric constraints that inhibit opportunities to reallocate to or accommodate alternative modes of travel and high traffic levels on the main roads, which act as a barrier to making journeys by cycle or on foot.
- A high proportion of reported road collisions in the area result in injuries to pedestrians and cyclists; and
- Public perception of road danger which deters walking and cycling.

5.6. Hereford is identified in the LPCS as the county's main settlement for growth and development, and the principal economic centre of the sub-region. The LPCS provides for regeneration of the city centre and development at three urban expansion areas, including Lower Bullingham on the southern edge of Hereford, where 5 hectares of employment land and a minimum of 1,000 homes are to be provided. In addition, the HEZ at Rotherwas provides a major catalyst of additional economic activity to the City of Hereford and the wider economy, with a range of plots available for further development.

5.7. As a consequence of this growth, demand for travel in the peak hours across the City of Hereford is forecast to grow considerably. There is expected to be an increase in car, Light Goods Vehicle and Heavy Goods Vehicle traffic. This growth is forecast to impose significant adverse impacts on the transport network which, without intervention, will lead to deterioration in network performance against a number of indicators relating to congestion and transport emissions. Increased freight movements (OGV1 & OGV2 categories) will further accelerate the deterioration of the highway asset incurring additional maintenance liability for the council.

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- 5.8. Traffic capacity problems have the potential to limit growth, particularly at the HEZ. Traffic generated by developments on the HEZ will increase vehicular movements on the A49 and has the potential to cause further congestion at certain points on that network.
- 5.9. The A49(T), the A465 and Holme Lacy Road radiate out through the South Wye area connecting from Greyfriars Bridge, the main river crossing. Whilst the Rotherwas Access Road enables vehicular traffic, including freight, to avoid the urban area between the A49(T) and the HEZ, there is no such equivalent between the A49(T) and the A465. In response to the congestion on radial routes including the A465 and A49(T) many drivers re-route on alternative routes to find a quicker way to their destination. The alternative routes on more minor roads over a wide area southwest of Hereford, tend to be unsuitable, running through rural communities. These include the C1226 Haywood Lane and the C1228 between the B4348 and Haywood Lane. The introduction of the new road will substantially reduce traffic flows along these routes.
- 5.10. Journey time surveys are undertaken bi-annually on Hereford's key radial routes and reported in the Local Transport Plan Annual Progress Report. The most recent available data indicates that average journey times during peak hours have considerably lengthened over recent years.
- 5.11. Vehicle traffic in the South Wye area contributes to poor air quality and high noise levels, impacting on key nearby receptors, such as schools and homes. The former Air Quality Management Area, designated by the Council in 2006, includes the Asda Junction. It was designated due to breach of the annual mean objective for Nitrogen Dioxide (NO<sub>2</sub>), with vehicle exhaust emissions being a key source. A local air quality assessment at 11 locations across the South Wye area in 2014 found higher concentrations of NO<sub>2</sub> along roads with higher volumes of traffic and levels of congestion, including the A49(T) and A465. Whilst, improvements in vehicle technologies have improved emissions significantly since that time resulting in the AQMA proposed to be removed, increase in traffic levels throughout the day resulting through growth may see pollutant levels increase again.
- 5.12. Around half of all car journeys in Hereford at peak times are short trips of less than 2 miles long with start and end points in the urban area. Automatic traffic count data shows that there are substantial differences in traffic flows between the edge of the City of Hereford and close to the Asda Junction, highlighting the number of motorised journeys generated within the South Wye area itself. Incorporating more journeys made by walking, wheeling, cycling and public transport into daily life is acknowledged to be one of the easiest ways to be more active and avoid the greatest risks to health from inactivity. Many residents have low levels of physical activity, with knock-on effects in terms of obesity and resultant poor health. The provision of a new road will remove traffic, and in particular HGV traffic, from the busy Asda junction, Belmont Road, Ross Road, Holme Lacy Road and Walnut Tree Avenue resulting in a more appealing environment for non-motorised modes of transport.
- 5.13. Parts of the A465, including sections within the Hereford urban area, have trunk road characteristics, being very wide with extensive areas of white hatched road markings and dedicated right-turn facilities. This type of road design, combined with the high levels of

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traffic, creates community severance and acts as a substantial barrier to walking and cycling journeys. It reduces the ability of residents to make local journeys safely, cheaply and healthily on foot or by cycle, including journeys to essential services and schools. The 2011 census identifies that in some South Wye neighbourhoods less than 50% of households have access to car or van, compared to 75% of South Wye and Hereford City households as a whole. These neighbourhoods are therefore more reliant on non-car transport modes to access employment, education, retail and leisure facilities, health services and wider opportunities and more likely to feel the impacts of severance.

- 5.14. Whilst South Wye has relatively high levels of cycling and some quality off-road routes there is not yet a full and continuous network of routes suitable for people of all abilities to use. Currently little dedicated and segregated highway space is given over to cycling on the main road corridors in South Wye.
- 5.15. The perception that cycling is unsafe and concerns regarding the danger posed by busy roads is commonly cited in consultation responses as a reason for people not walking and cycling.
- 5.16. Bus use is well below national and regional averages. Poor punctuality reduces the attractiveness of the bus as a travel mode, leads to increased bus operating costs and can affect the frequency of services which can be maintained. The New Transport Hub at Hereford Station is hoped to attract greater uptake of bus use as part of multi modal journeys. Reducing journey time variation on routes such as the A465 and A49, and beyond, are critical in realising this ambition.

*Relationship of phase 1 to the wider Hereford Western Bypass*

- 5.17. The proposed road forms the first phase of the Hereford Western Bypass (HWB) which seeks to divert traffic away from the city centre by providing an additional bridge crossing of the River Wye, and improving resilience and capacity on both local and strategic road networks. The objectives of the HWB are as follows:

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- To enable the development of new homes and employment land to create more better paid jobs and all related community services to support the growth of Hereford (such as schools and local centres) by 2041

- Moving strategic traffic out of Hereford City Centre.

- Improvement to the Strategic Road Network (SRN), providing journey time reliability benefits by separating local and strategic journeys, and delivering safety benefits.

Safer, at level, controlled crossing and roadside facilities across and on the SRN for walkers, cyclists and horse riders in communities along the route.

Reduction of severance for local communities and improvement of integrated travel facilities.

- Increase in the number and proportion of journeys made by sustainable travel modes
- Thriving local economy that enables improved employment and investment opportunities within Herefordshire for the benefit of residents and local businesses.
- Support to the realisation of government agendas.

5.18. The HWB objectives particularly accord with the LTP5 objectives The objectives aim to address the range of inter-related problems currently experienced in the South Wye area, as described above.

5.19. The LTP objectives are

- Supporting a thriving and prosperous economy;
- Enabling healthy behaviours and improving wellbeing;
- Improving accessibility and inclusivity;
- Improving transport safety and perceptions of security;
  - Tackling Climate Change and protecting and enhancing the natural and built environment.

#### Development of the Scheme

5.20. Having identified the need for a southern link road, the Council commissioned Amey to carry out the *Hereford Relief Road South Core – Corridor Assessment* which reported its findings in May 2012. It considered six routes, two of which (SC1 and SC2) originated from the *Hereford Relief Road Study Of Options Report* (Amey, September 2010) and a further four (SC3-6) arose from a review of the Department of Transport route from the 1990s. The *Belmont Transport Package Stage 2 Appraisal* (Amey, February 2013) included an additional two routes for consideration. Route SC2A followed route SC2 but would pass underneath the railway rather than over it, and SC7 was a hybrid of routes SC5 and SC6. <sup>1</sup>

5.21. On the basis of the technical work in the Stage 2 Appraisal, the four better performing, southern, routes (SC2, SC2A, SC5 and SC7) were taken forward for further consideration.

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The more northerly routes (SC1, SC3, SC4, SC6) were discounted, mainly on the basis of the environmental impacts, and the significant cost required to mitigate these impacts. The main impact identified with these northern routes would arise from traversing Newton Coppice and Hayleasow Wood, categorised as Ancient Semi-Natural Woodland.

5.22. Routes SC2, SC2A, SC5 and SC7 were presented at the formal Public Consultation Exhibition held in Hereford between 30 June and 3 July 2014, as follows:

- o **SC2** – located at the southern edge of the previously identified southern link road route corridor. The route crosses over the railway line and underneath Haywood Lane;
- o **SC2A** – a variation on route SC2, except that the new road would pass underneath the railway line;
- o **SC5** – located further north of the SC2 and SC2A within the southern link road route corridor and south of the Merryhill Lane, crossing under the railway line and Haywood Lane; and
- o **SC7** – similar to the SC5 but with a more sinuous alignment to avoid environmental designations.

5.23. A number of alternative alignments or amendments to the shortlisted routes were suggested by the public and third parties during the summer 2014 public consultation. Three additional routes were deemed viable and were appraised to the same level of detail as the four initial routes.

Two plans showing the different route options are appended in Appendix B

These were assigned route references SC8, SC8A, and SC9. Following the principles set out in government guidance, each route was assessed against economic outcomes, impact on the environment and social implications, as well as a review against stakeholder acceptability and deliverability. This process is documented in the South Wye Transport Package Preferred Option Report ("**the Preferred Option Report**"), forming part of the Cabinet meeting papers for 13 November 2014. This report identified that all of the routes provide many benefits to the economy, including reduced congestion, improved journey times and enhancing access to the HEZ, for example. All crossed undeveloped land and had a negative impact on aspects of the environment, including heritage, biodiversity and landscape.

5.24. The Preferred Option Report concluded that, on the basis of the information available at the time, SC2 was the best performing route within the technical appraisal. It also received the highest level of support of the four routes taken to public consultation. This proposal was brought forward and the Cabinet meeting of 13 November 2014 resolved that SC2 be selected as the preferred route. This decision was called-in and discussed by the General Overview and Scrutiny Committee at their meeting of 2 December 2014, following which it was resolved to refer the preferred route decision back to the Cabinet, for them to re-examine in the light of the committee's discussions. Taking the committee's information into account, route SC2 was confirmed by Cabinet on 18 December 2014. The SC2 route is the proposed route of the first phase of the bypass.

5.25. An application for planning permission for the Scheme, described in the application as "New single carriageway (Southern Link Road) and associated works", was made on 8 May 2015 under application reference: P151314/F (the "**Planning Application**"). The

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Planning Application covers only the road itself and the works required to construct, operate and maintain the first phase of the bypass and does not deal directly with other improvements and measures being considered and implemented by the Council as part of the active travel measures alongside the new road. Most of the possible active travel measures do not require planning permission. Planning permission was granted on 18 July 2016 for the new road and remains in place. Condition 21 of the planning permission requires that a weight restriction is implemented and effective on Belmont Road prior to the first operation of the new road, unless otherwise agreed.

- 5.26. Documents were submitted as part of the Planning Application, including the Transport Assessment (the "**South Wye Transport Package – Southern Link Road Transport Assessment**", May 2015) and a briefing note on the transport impacts and benefits (dated September 2015). Further modelling was undertaken in 2025 applied to an updated 2023 base model to assure that the benefits identified at the planning application stage remain valid. The findings from the new modelling outline that, with the new road and Clehonger Link opened, traffic flows are forecast to decrease on key sections of the A49(T), the A465, Walnut Tree Avenue, Holme Lacy Road, the newly-created cul-de-sac section of Clehonger Road and some rural roads south-west of Hereford. Traffic is predicted to increase on sections of road closest to the new road as traffic re-routes to take advantage of the reduced journey time and improved accessibility. This indicates that the proposed road is fulfilling its intended purpose with traffic diverting to the new route and creating spare capacity on other roads.
- 5.27. The new road is predicted to provide shorter journey time improvements in comparison to the existing routes, particularly for east-west journeys to the HEZ. Data from the most recent traffic model indicates that, with the new road in place, journeys via the new road and Rotherwas Access Road route would be substantially quicker than via Belmont Road/Walnut Tree Avenue/Holme Lacy Road, when measured from the A465/B4348 crossroads (Lock's Garage) to B4399 Rotherwas Access Road/Straight Mile roundabout. The comparison of journey times between 2023 and 2043 for the morning peak hour also illustrates the worsening of congestion in the area if no new road was to be provided. The new road therefore enables improved accessibility to the HEZ.
- 5.28. The A465 experiences net benefit from the new road being constructed with reductions in vehicle flow over most of its length, but traffic will increase in areas closest to the new road, as traffic re-routes to use the first phase of the bypass. Journeys are forecast to be shorter in scenarios with the new road in place, as compared to the scenarios without it. Some of the A49 Ross Road will experience some traffic relief as a result of the new road being constructed and, as with the A465, those sections of the A49 which will experience an increase tend to be those which are closest to the new road as traffic finds its way to and from the new route.
- 5.29. Progress on the Southern Link Road was stopped by the Council in February 2021 but resurrected by Cabinet in March 2024 as part of a "New Road Strategy for Hereford" seeking to address many significant long term challenges including low productivity and average wages, economic impact arising from the resilience and reliability of the transport system, housing need, employment growth, traffic congestion, air quality

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and the wider regional/ national impact that delays on the A49 have on the strategic road network serving South and Mid Wales; and Shropshire.

- 5.30. The proposals remain very similar to the scheme provided planning consent in 2018, with only minor changes to meet new environmental mitigations currently proposed.

*Development of integrated travel measures*

- 5.31. To complement the new road, the council is investing in integrated travel measures to ensure that the opportunities for modal choice are maximised. The following schemes have been delivered in recent years or are proposed prior to the opening of the first phase of the bypass.

- 20mph residential areas;
- Better walking and cycling routes to HEZ;
- Holme Lacy Road - further walking and cycling improvements; and
- Walnut Tree Avenue / Hunderton Road traffic reduction.

- 5.32. The integrated travel measures for the South Wye area are aimed at encouraging and enabling more journeys to be made on foot, wheel, cycle and public transport, including the transfer of some journeys currently made by motor vehicle. They are anticipated to bring about significant benefits, particularly in economic and social terms, such as through improved physical activity, reduced congestion and improved accessibility.

- 5.33. The council is developing its Local Cycling, Walking and Wheeling Infrastructure Plan for Hereford but it is recognised that there are constraints with being able to deliver further significant and attractive new infrastructure without Hereford Western Bypass Phases 1 and 2, which will reduce through traffic in the City and potentially enable road space to be reallocated.

## **6. THE JUSTIFICATION AND NEED FOR THE CPO**

- 6.1. The powers under which the Council will make the Order are set out in section 2 above but it has been established that the Council is authorised by statute to make the Order.
- 6.2. As can be seen from the Order Map, the Order Land comprises land in a number of ownerships (including land in the ownership of the Council), needed for construction and implementation of the Scheme. As set out at paragraph 1.7 above, the Council understands and acknowledges that the compulsory purchase of land should be a measure of last resort where negotiations have been unsuccessful and that there should also be a compelling case in the public interest that sufficiently justifies interfering with the rights of those with an interest in the land.
- 6.3. The Council has entered into positive negotiations with all relevant parties in respect of the acquisition of the necessary land and rights. All landowners with an interest in the Order Land have been approached to ask if they would be prepared to negotiate the acquisition by agreement of their interest in the Order Land.

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- 6.4. Negotiations will continue with landowners with a view to minimising delays to the Scheme that may otherwise arise from procedural and statutory timescales to be complied with and resulting from acquisition by compulsory purchase.
- 6.5. As the SLR will pass over the Hereford to Newport railway line, the Council have worked closely with Network Rail over a long period of time in connection with the Scheme. A Design has been submitted to Network Rail and technical approval is being sought having previously been provided. Detailed discussions have resulted in agreement over such matters as the required headroom under the bridge, lateral clearances to the abutments, the required upgrades to fencing in the immediate vicinity of the bridge, the type of parapets over the railway and the colour choice for the bridge. The discussions have also closely examined the best means of construction to minimise the risk of disruption to train operations and the possible impacts of the scheme upon Network Rail's signalling and telecommunications equipment.
- 6.6. A Bridge Agreement and Deeds of Easement have been drafted and being discussed with Network Rail officers. These are the legal documents that provide for the construction and future maintenance of the bridge over the railway, as well as a pipe crossing underneath the railway which is required for land drainage.
- 6.7. However, as the Council cannot ensure that it can obtain all the land and rights that it requires by negotiation, the Order is needed to secure implementation of the Scheme. The Council as the acquiring authority cannot achieve its objectives without acquiring all of the Order Land and the compulsory acquisition of the land will enable the works to be carried out by providing certainty for programming. This will enable the Council to achieve its objectives in the timeliest and most cost effective manner.

## **7. [THE JUSTIFICATION AND NEED FOR THE SIDE ROADS ORDER]**

- 7.1. The purpose of the Side Roads Order is to maintain access to all land and property directly affected by the Scheme and to make necessary changes to the highway network. In order to build the new road, it is necessary to improve, or stop up, existing highways and construct new highways to link into the first phase of the Hereford Western Bypass. It will also be necessary to stop up some existing private means of access to land and premises and to replace those where necessary with new means of access. To enable it to do these works the Council is promoting the Side Roads Order.
- 7.2. Highways to be improved under the Side Roads Order include:-
  - B4349 Clehonger Road
  - The junction with B4349, Clehonger Road and A465, Abergavenny Road
  - Golden Post Road leading to "Pykeways"
  - A465, Abergavenny Road
  - Haywood Lane, north east of Haywood Lodge Cottages
  - Grafton Lane from Green Inn to south of Ashley Farm

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## 7.3. New highways to be created include:-

- New public footpath as re-routed part of public footpaths Nos. CH9, HA3, HA7 and GF3

## 7.4. The highways to be stopped up are:-

- B4349, Clehonger Road from a point leading in an easterly direction from Copper Beeches for approximately 397 metres and ending at Forest View
- Golden Post Road from a point leading to the southeast of Copper Beeches and proceeding for a distance of 175 metres and ending at "Pykeways"
- A465, Abergavenny Road from a point 65 metres in a north easterly direction from Golden Post Cottage for a distance of 99 metres
- Public footpath No. CH9 from a point 13 metres in a south westerly direction proceeding from Copper Beeches for a distance of 33 metres
- Public footpath No. HA3 heading in a south easterly direction and leading for a distance of 528 metres
- Public footpath No. HA7 in an easterly direction from Roman Byre for a distance of 420 metres south of Beech Grove
- Public footpath No. GF3 from a distance of 560 metres proceeding in a north westerly direction from Grafton Wood and leading and ending southwest of Cedar Folly

## 7.5. The private means of access to be stopped up are:-

- Access north east of Copper Beeches
- Access to field 33 metres southwest of the main entrance to Copper Beeches
- Access to field 12 metres from a point at its junction with Copper Beeches and Clehonger Road
- Access to field off Haywood Lane leading to Beech Grove

## 7.6. The new private means of access to be created are:-

- Access to field east of Copper Beeches
- Access to field the north of Forest View
- Access to the field east of Pykeways
- Access to the field south of Abbey Cottages
- Access to field at Dunan Lodge with Public Footpath CH10 to its north
- Access to Pykeways
- Access to field south of Pykeways
- Access to field off Abergavenny Road with Golden Post Cottage to the north
- Access utilising the agricultural underpass
- Access to the north of Haywood Lodge Cottages
- Access to field south of Beech Grove
- Access to field off Grafton Lane
- Access to the north of Grafton Wood]

**8. PLANNING POSITION**

- 8.1. The LPCS was adopted by the Council in October 2015 and forms the current development plan for the County. The Callow and Haywood Group Parish Council

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Neighbourhood Development Plan was made on 1<sup>st</sup> December 2016. The National Planning Policy Framework (the “NPPF”) was also a material consideration.

- 8.2. Policy SS1 of the LPCS and paragraph 14 of the NPPF promote a presumption in favour of sustainable development. Policy SS1 of the LPCS sets out that the Council is committed to securing development to improve social, economic and environmental conditions in the County. Policy SS3 of the LPCS acknowledges the need to work with developers, Highways England and transport providers. Policy HD3 of the LPCS seeks to facilitate access and maximise connectivity within the city to reduce congestion, support future prosperity and enable growth.
- 8.3. As set out in section 5 above, the LPCS states that the key element of the long-term Hereford transport strategy is the requirement for a relief road and identifies that the first section of the relief road to be constructed will be the section between the A49 and A465, as part of the SWTP. This has become known as the first phase of the Hereford Western Bypass.
- 8.4. As set out above, the Callow and Haywood Group Neighbourhood Development Plan is now adopted. Policy CH2 sets out that proposals for new roads and in particular, the new road will need to meet requirements to reduce adverse impacts. These include routing roads to integrate with the natural landscape, minimising use of artificial lighting, high quality landscaping, suitable road surface materials used to reduce noise, provide access for wildlife, include provision of appropriate water management and storage, continued access for public footpaths, cycleways and bridleways, continued access for landowners and avoiding severing local lanes. Although the Plan was not adopted at the time the planning application for the new road was submitted, all of these matters were material considerations and taken into account when preparing the Planning Application and mitigation included where required to ensure that any adverse impacts are reduced where possible. This also accords with policy HD3 of the LPCS which states:-  
  

*"The road will be designed and developed in such a way which avoids and mitigates adverse impacts or physical damage to or loss of habitats, noise pollution and vibration, light pollution, air pollution, flood risk and water quality, as well as residential amenity and business interests. Consideration of the impact of the road on heritage assets, their significance and setting, as well as the historic character of the wider landscape will also be required."*
- 8.5. As stated in section 5 above, the Planning Application was made on 8 May 2015 under Application Number: P151314/F. The application was subject to a request by a third party to call in the application by the Secretary of State but, after considering the call in policy, the Secretary of State decided not to call in the application, being content that the application should be determined by the Council as local planning authority. Planning permission for the Scheme was duly granted on 18 July 2016. As such, the requirement for planning permission is not an obstacle to the Council bringing forward the new road.
- 8.6. Further to undertaking more detailed design prior to construction, works in relation to drainage for the new road, as well as maintaining existing drainage systems serving properties and agricultural holdings, have been identified as required to implement the scheme. Some of these works fall outside of the planning application boundary for

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the new road. These works will be subject to a separate planning application due to be submitted in Spring 2026.

- 8.7. In addition, as a result of detailed negotiations with landowners, works to maintain access to agricultural holdings without causing severance, including creation of accesses onto classified highways, will also be subject to a separate planning application.
- 8.8. The planning application will also include an additional haulage route, which will remove heavy construction plant vehicular movements from the existing highway, reducing environmental impacts on properties located along the road (Haywood Lane).
- 8.9. A change of use of the highway to a residential garden will also be sought where the carriageway is being broken up and ownership transferred to a neighbouring resident.
- 8.10. The Council confirms that it is able to continue to meet the pre-commencement conditions attached to the Planning Permission and can therefore confirm that there are no planning impediments to the Scheme proceeding again if the Orders are confirmed.

## 9. HUMAN RIGHTS CONSIDERATIONS

- 9.1. The Human Rights Act 1998 (the "**HRA**") incorporated into domestic law the European Convention on Human Rights (the "**Convention**").
- 9.2. Section 6 of the HRA prohibits public authorities from acting in a way which is incompatible with the Convention. Articles 6 and 8 of the Convention and Article 1 of the First Protocol of the Convention are considered to be relevant by the Council.
- 9.3. The Council has duly considered the rights of property owners under Article 1 of the First Protocol of the Convention, which provides for the peaceful enjoying of possessions. Article 1 further provides that no one shall be deprived of possessions except as provided for by law or where it is in the public interest. It is considered that the Order will strike a fair balance between the private loss of property and the public interest in securing the implementation of the Scheme.
- 9.4. Article 6 of the Convention provides that everyone is entitled to a fair and public hearing in the determination of their civil rights and obligations. It is considered that the statutory procedures, which give the right to object and provide for judicial review, are sufficient to satisfy the requirements of this Article.
- 9.5. The Council has also considered the rights contained in Article 8 of the Convention. This provides that everyone has the right to respect for their private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. It is considered that any interference caused by the Order will fall within these exceptions having regard to the public benefit which will accrue from the Scheme.
- 9.6. The Council has been conscious of the need to strike a balance between the rights of the individual and the interests of the public. It has considered the effect of the Articles and decided that on balance, and in light of the significant public benefit that would arise from the Scheme

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and the nature of the Order Land, it is in the interest of the wider community to make the Order over and above the interests of any individuals affected. Any interference with the Convention rights is considered to be justified in order to secure the transport benefits and the economic regeneration that the Scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions.

## 10. FUNDING

The total estimated cost of the construction of the Scheme will be in the region of [£30-£35m]. Funding of £10.3m has been included in the council's capital programme for the acquisition of land and to bring the scheme to construction. A further £30m for construction of the scheme will be funded by the Council and is included in councils capital programme. The procurement of a Design & Build contractor will provide a more refined cost and will inform future budgetary requirements in future capital programmes.

## 11. LAND REQUIRED FOR MITIGATION OF THE EFFECTS OF THE USE AND EXISTENCE OF THE FIRST PHASE OF THE HEREFORD WESTERN BYPASS

### Ecological Habitat Mitigation

- 11.1. The new road will pass through Grafton Wood, an area of scattered trees and grassland that is included as Ancient Semi-Natural Woodland on the Ancient Woodland Inventory held by Natural England. During preparation of the Environmental Statement for the new road ("the ES") it was identified that approximately 0.53 ha of Grafton Wood would be lost under the Scheme footprint, with the remaining sections severed by the new road. The potential for operational impacts on retained sections of Grafton Wood was also identified; these included winter salt spray and localised increases in air pollution. Due to the required alignment of the new road, it was not possible to avoid or mitigate these impacts. It was therefore necessary to develop a compensation scheme to address the predicted impacts and the loss of trees and habitat. This land has been included as part of the Order Land.
- 11.2. The DEFRA offsetting metric was used informally to guide an assessment of the extent of the compensatory habitat that should be provided, combined with the results of the ecological surveys and the professional judgement. The ecological assessment provided in the ES identified that a minimum of 3.2 ha of compensatory habitat should be provided to address predicted impacts on Grafton Wood.

### Landscape Mitigation

- 11.3. The following measures have been implemented within the landscape design to mitigate the effects on the landscape of the new road:
  - the southern embankment slopes either side of the Railway Underbridge will be eased to 1:4 slopes instead of the standard 1:2 engineered slopes to blend better with the surrounding landform and minimise intrusion into views, some of which are in close vantage;
  - a new area of woodland will be planted adjacent to Grafton Wood (as referred to in paragraphs 11.1 to 11.2 above); and

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- 4725m of species rich native hedgerow will be planted alongside the new road to tie into existing hedgerows and maintain wildlife corridors, and to mitigate the loss of 2279m of species-rich/species-poor hedgerow habitat. Additionally, 359m of hedgerow will be translocated.

11.4. In addition to the above mitigation measures included within the landscape design, the following measures have been included to address the concerns previously raised by Historic England and mitigate impact on the setting of Haywood Lodge:

- increase the density of the planting on the southern embankment of the Railway Underbridge, including the use of native evergreen species, to form a linear belt of trees and shrubs. Planting width will be a minimum of 10m to provide an adequate screen; and
- a close boarded timber fence on either side of S05 will extend for 45m beyond the structure, in order to provide additional screening of vehicular lights to Haywood Lodge as the vehicles cross the bridge.

#### Flood Attenuation

11.5. The attenuation basins are required to retain surface water runoff from the new road until after the peak of the storm has passed. Further outfalls are required which utilise storage pipes for attenuation of surface water; the storage pipes will also retain flows until after the peak of the storm. Whilst the flows are attenuated pollutants will be removed from the surface water runoff.

11.6. The basins and storage pipes are located in such a way that the surface water runoff can be conveyed through gravity, via pipes and chambers to the attenuation systems. The basins and storage pipes have been designed such that they do not overflow for the 1:100 year (1%) event + 30% additional allowance for climate change. All of the basins and storage pipes have been located at appropriate locations to outfall into Withy Brook and Newton Brook.

## **12. SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND**

12.1. There are no special considerations affecting the Order Land.

12.2. The Order Land is not located within a conservation area and there is no consecrated land, renewal area land, allotment land or open space included within it. None of the Order Land is held inalienably by the National Trust.

12.3. The works to construct the A465 roundabout may impact the site of a statutory designated Grade II listed milestone (Milestone HA01/LB 155380). However, this milestone is believed to be missing and therefore no mitigation measures are proposed.

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**13. OTHER INFORMATION THAT MIGHT BE OF INTEREST TO THOSE AFFECTED BY THE CPO**

- 13.1. Anyone who considers that they are affected by the Order can contact Gary MacDonnell by email at [gary.macdonnell@herefordshire.gov.uk](mailto:gary.macdonnell@herefordshire.gov.uk) or Scott Tompkins at [scott.tompkins@herefordshire.gov.uk](mailto:scott.tompkins@herefordshire.gov.uk)
- 13.2. A copy of the Order, Order Map and this Statement of Reasons and the documents referred to in the attached list can be inspected at the Council's Offices at Blueschool House, Blueschool Street, Hereford HR1 2AX between 9:30 a.m. and 5:00 p.m.
- 13.3. Information can also be found on the Hereford Western Bypass on the Council website at: [ ]
- 13.4. The Statement of Reasons for making the Order is not intended to discharge the Council's statutory obligations under the Compulsory Purchase (Inquiries Procedures) Rules 2007 and The Highways (Inquiries Procedure) Rules 1994 in the event of a public local inquiry being held

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**RELEVANT DOCUMENTS FOR INQUIRY**

Should it be necessary to hold an Inquiry into the Order [and/or the Side Roads Order], the Council may refer to or put in evidence the following documents. The Council reserves the right to add to or amend the list as necessary:-

<b>No. of Document</b>	<b>Title of Document</b>		
1	Guidance on Compulsory purchase process Ministry of Housing, Communities & Local Government. (January 2025)		
2	The Compulsory Purchase (Inquiries Procedures) Rules 2007. Statutory Instrument 2007 No. 3617		
3	The Highways (Inquiries Procedure) Rules 1994		
4	The Highways Act 1980		
5	Committee Reports, The County of Herefordshire District Council		
	<i>Committee</i>	<i>Title of report</i>	<i>Date of Committee</i>
A	Cabinet	South Wye Transport Package	13 <sup>th</sup> November 2014
B	General Overview and Scrutiny Committee	Call-in of Cabinet Decision on South Wye Transport Package	2 <sup>nd</sup> December 2014
C	Cabinet	South Wye Transport Package	18 <sup>th</sup> December 2014
D	Assistant Director place based commissioning	South Wye Transport Package planning application – Southern Link Road	28 <sup>th</sup> April 2015
E	Cabinet member infrastructure	South Wye Transport Package active travel measures – public consultation	26 <sup>th</sup> August 2016
F	Cabinet	South Wye Transport Package – southern link road land acquisition of required rights and easements	20 <sup>th</sup> October 2016
G	Cabinet	South Wye Transport Package	16 <sup>th</sup> November

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6	National Planning Policy Framework – March 2012
7	Herefordshire Council Local Transport Plan (2016-2031)
8	Herefordshire Local Plan Core Strategy (adopted 2015)
9	Herefordshire Unitary Development Plan (adopted March 2007)
10	Callow and Haywood Group Neighbourhood Development Plan 2011 - 2031 – December 2016
11	Hereford Relief Road Southern Corridor Assessment Report - May 2012
12	Hereford Relief Road Study of Options Report (Amey – September 2010)
13	Herefordshire Infrastructure Delivery Plan 2014
14	Herefordshire Economic Vision – Invest in Herefordshire
15	Hereford Enterprise Zone Local Development Order (adopted April 2013)
16	Hereford Relief Road Southern Core Corridor Assessment Report (Amey – May 2012)
17	The Belmont Transport Package Stage 2 Appraisal (Amey – February 2013)
18	South Wye Transport Package Preferred Option Report (November 2014)
19	Planning Permission Ref: P151314.F

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**APPENDIX A**



## APPENDIX B



