

NORTH PLANNING COMMITTEE**SCHEDULE OF ADDITIONAL LETTERS****Date: 31st October 2023**

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

Item No.	Application No.	Originator:
1	21/00924/EIA - NWRR	Michael Carron

Volume of traffic on existing roads from commuters from large industrial areas in northern shrewsbury causes accidents for people emerging from their home drives

Item No.	Application No.	Originator:
1	21/00924/EIA	Peter Miller

Question

It was reported in July 2023 in the local press that The Environment Agency (EA) had informed Shropshire Council (SC) **not** to proceed with this Planning Application process on the grounds that EA were not confident over Sc's plans – specifically the Environmental Impact Assessment (EIA) - for the work. Have SC decided to ignore these comments made by EA and if so for what reason/s? The LPA have commissioned an independent third-party review of the EIA which has concluded that information supplied by the applicant is comprehensive and robust to allow the LPA to move to a decision.

Item No.	Application No.	Originator:
1	21/00924/EIA - NWRR	Sharon Neville

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations ok including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924/EIA	Sampson

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not less as claimed by the council. Instead, the council should be using these scarce funds to invest in alternative measures across Shropshire that are proven to cut traffic and congestion (eg, public transport, cycling, and walking) Public transport and active travel are vital if we are to achieve the UK Government's net zero targets. These transport forms are also more resilient to climate change impacts such as flooding. In addition to the greenhouse gas emissions created in its construction, the NWRR will put Shrewsbury's water supply at risk and will destroy the town's unique 'Green Wedge' which brings nature into the heart of the town. During the pandemic, the importance of this local green infrastructure was impossible to ignore as more people used the river and footpaths in this area than ever before. I also wish to object to the amendments to the original plan that were published in September 2021 and February 2023. I do not feel that these changes address my concerns.

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Item No.	Application No.	Originator:
1	21/00924/EIA	Annabel Walker

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924/EIA	Alyson Lanning

I object to the proposed North West Relief Road (planning application reference no. 21/00924/EIA) because to build it is completely inconsistent with the Council's 2019

declaration of a climate emergency. There is a very extensive evidence base to show that building new roads generates new and faster traffic and means more carbon emissions, not less as claimed by the council. Instead, the council should be using these scarce funds to invest in alternative measures across Shropshire that are proven to cut traffic and congestion (eg, public transport, cycling, and walking) Public transport and active travel are vital if we are to achieve the UK Government's net zero targets. These transport forms are also more resilient to climate change impacts such as flooding. In addition to the greenhouse gas emissions created in its construction, the NWRR will put Shrewsbury's water supply at risk and will destroy the town's unique 'Green Wedge' which brings nature into the heart of the town. During the pandemic, the importance of this local green infrastructure was impossible to ignore as more people used the river and footpaths in this area than ever before. I also wish to object to the amendments to the original plan that were published in September 2021 and February 2023. I do not feel that these changes address my concerns.

Item No.	Application No.	Originator:
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1	21/00924/EIA	Mr & Mrs Gregory
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The destruction of countryside, trees, and in particular the Darwin Oak, is neither necessary nor acceptable.

Item No.	Application No.	Originator:
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1	21/00924/EIA	Mike Prior
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Comment:What is the point of this road? Who is going to use it? Look at a map. The only through traffic it would help is for those travelling between Market Drayton and Welshpool and I would suggest that is not very many. For locals it might help those living in the south & west get to Tesco and B&Q a bit easier. Worth all those millions? I don't think so. Where is a PROPER cost/benefit analysis?

Item No.	Application No.	Originator:
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1	21/00924/EIA	Suzanne Thomas
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I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
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1	21/00924/EIA	Edward Swain
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Comment: It is quite apparent that insufficient data has been collected to satisfy the concerns of the environment agency regarding potential contamination of the town water supply. Furthermore the modelling and data regarding emission levels has been superseded by the increasing numbers of electric vehicles.

Additionally little or no research and data has been presented on any alternative schemes. Improvement of currently flawed junctions such as that between the A5/A49 have not even been considered, meaning that the project lacks a comprehensive approach to solving key traffic flow issues.

There is also a large element of doubt regarding the assessment and valuation of the environmental assets, and as such it can be argued that the proposed scheme is in violation of the NPPF guidelines regarding the protection of veteran trees etc.

Finally the lack of regard to the council's net zero aspiration is deeply worrying. Given that we have a manmade climate and overpopulation disaster looming, the pursuit of such a scheme absolutely contradicts the current science and international commitments.

Item No.	Application No.	Originator:
1	21/00924/EIA	Nicola Bradbury

I object to the proposed North West Relief Road (planning application reference no. 21/00924/EIA) because to build it is completely inconsistent with the Council's 2019 declaration of a climate emergency. There is a very extensive evidence base to show that building new roads generates new and faster traffic and means more carbon emissions, not less as claimed by the council. Instead, the council should be using these scarce funds to invest in alternative measures across Shropshire that are proven to cut traffic and congestion (eg, public transport, cycling, and walking) Public transport and active travel are vital if we are to achieve the UK Government's net zero targets. These transport forms are also more resilient to climate change impacts such as flooding. In addition to the greenhouse gas emissions created in its construction, the NWRR will put Shrewsbury's water supply at risk and will destroy the town's unique 'Green Wedge' which brings nature into the heart of the town. During the pandemic, the importance of this local green infrastructure was impossible to ignore as more people used the river and footpaths in this area than ever before. I also wish to object to the amendments to the original plan that were published in September 2021 and February 2023. I do not feel that these changes address my concerns.

Item No.	Application No.	Originator:
1	21/00924/EIA	Melanie Holliday

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924/EIA	Francis Richardson

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge

concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924/EIA	Davina Ploszay

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924/EIA	Andrew Paul Mather

I object to the proposed North West Relief Road (planning application reference no. 21/00924/EIA) because to build it is completely inconsistent with the Council's 2019 declaration of a climate emergency. There is a very extensive evidence base to show that building new roads generates new and faster traffic and means more carbon emissions, not less as claimed by the council. Instead, the council should be using these scarce funds to invest in alternative measures across Shropshire that are proven to cut traffic and congestion (eg, public transport, cycling, and walking) Public transport and active travel are vital if we are to achieve the UK Government's net zero targets. These transport forms are also more resilient to climate change impacts such as flooding. In addition to the greenhouse gas emissions created in its construction, the NWRR will put Shrewsbury's water supply at risk and will destroy the town's unique 'Green Wedge' which brings nature into the heart of the town. During the pandemic, the importance of this local green infrastructure was impossible to ignore as more people used the river and footpaths in this area than ever before. I also wish to object to the amendments to the original plan that were published in September 2021 and February 2023. I do not feel that these changes address my concerns.

Item No.	Application No.	Originator:
1	21/00924/EIA	Karen Pearce

Please would the committee reassure Shrewsbury and the area served by Severn Trent Water's treatment works at Shelton that water supplies will not be affected by the works that will be necessary to relocate underground utility assets beneath Shelton Rough?

The development if granted will be subject to pre-commencement conditions which will require the submission and approval of further details in relation road drainage and piling to be agreed with Severn Trent Water and the Environment Agency.

There is a lack of evidence on the EIA to show that this has even been discussed. I believe that any necessary work to these underground utilities will be no simple matter and that moving the old pipework beneath Shelton Rough will not be easy, likely to encounter problems and may even result in loss of supply to customers. These matters have been the subject of ongoing discussions between the applicant, STW and EA however as information is sensitivity and covered by a non-disclosure agreement due to security around the drinking water supply this

Why is there no information on the EIA? Can the council confirm that relocation of these underground utilities will not cause additional damage to the environment other than that shown on the current EIA? As stated above there are security issues around the drinking water supply which means this information cannot be made public.

Has Shropshire Council also borne in mind that compensation payments may be applicable for loss of supply and who will be liable for this? This is a matter for the applicant, however as all pre-commencement conditions will need to be discharged prior to work starting the EA and STW will have had to have signed these details off.

Item No.	Application No.	Originator:
1	21/00924/EIA	Alessandra Castagni

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924/EIA	Pete Bostock

I assume that this question comes to you:

I am wary that this process of consultation will go the way of the petrol station at Churncote where far too many councillors "abstain" so I would like to ensure this does not happen again with regard to the SUE West road.

My question is:

Given that I will have a busy road within 100 m of my house where today I have open meadow land, what are the implication expected for:

1. Noise pollution 1. At the moment, we are plagued particular with motor bikes racing in the night on the A4, this could migrate to the proposed road. This is a enforcement matter for the police.
2. Noise pollution 2. During the construction of the new properties on Welshpool road, we were faced with several months of pile driver noise. How much of this has been

planned for. A pre-commencement condition requiring a Construction Environmental Management Plan will be attached to any permission granted which will regulate noise resulting from piling.

3. Air pollution. This new road will create pollution. What levels has the council planned for. Details of this are contain in sections 5.3.13 Regulatory Services comments on Air Quality and 7.8 of the Officer Appraisal.
4. Council tax. What are the implications for my council tax. What reduction are the council planning to offer local residents. This would need to be addressed to Council Tax Enquiries as this is not a material planning consideration for the local planning authority to take account of.
5. Groundwater pollution. What provision has the council made for an accident where waste will get into the local water table given there are water bore holes in the area. The details will be agreed via pre-commencement conditions with the EA and STW in advance of development commencing.

I look forward to a response on the night of the meeting.

Item No.	Application No.	Originator:
1	21/00924/EIA	Mike Streeley(Better Shrewsbury Transport)

Notes on Waterman Review of EIA for Proposed North West Relief Road

This note has been prepared by Better Shrewsbury Transport (BeST). It reviews the report 1 by Waterman Infrastructure & Environment Limited (Waterman) which contains a review of the of Environmental Impact Assessment (EIA) prepared by WSP/Shropshire Council for the proposed North West Relief Road, Shrewsbury (planning application reference: 21/00924/EIA).

Summary

The main report text contains a very detailed critique of WSP/Shropshire Council's EIA reports. It concludes with a list of over 100 recommendations for how the EIA should be improved together six recommendations for the request of 'further information' under Regulation 25 of the EIA. The scope of the report excludes consideration of Transport and Traffic issues which is a major omission for review of the EIA of a proposed new road.

There is a detailed review of the road drainage and water impacts of the road in Appendix A. This reviewed submissions by the Environment Agency and Severn Trent Water but not the detailed and informed submissions by experienced hydrogeologists for BeST. The Waterman review team was very experienced in road drainage and provided some very detailed criticism of WSP/Shropshire Council's plans for road drainage, in particular the apparent absence of consideration of H&S considerations about how the drainage system could be safely maintained in future. Proper maintenance of the drainage system is central to WSP/Shropshire Council's proposed approach to minimising the risk to Severn Trent Water's critical, public water supply borehole at Shelton that provides water to Shrewsbury and large parts of Shropshire. However, the Waterman review team for Appendix A contained no qualified hydrogeologists and so was unable to make a fully informed assessment of the claims made by WSP that its understanding of the groundwater system was more reliable than that being described by the Environment Agency and Severn Trent Water.

Following the issue of the report, WSP/Shropshire Council responded to the issues as recorded in Appendix B. There were several iterations in this process following which there was a degree of apparent closure of many of the issues. However, the final comment by Waterman qualified the majority (~70%) of these 'final responses' with further recommendations. Seven of these comments relate to the need for further confirmation by Shropshire Council Regulatory Services which was provided in their most recent response to the planning application (22 Oct 2023).

However, a more than half remain unresolved on the public record e.g.:

- R4.1 a consolidated and updated NTS [Non Technical Summary] that presents the likely effects of the Proposed Scheme as amended, is needed to be of benefit to the lay reader, we understand from WSP this is being prepared
- Other Recommendation 1 Our recommendation still stands should any subsequent reporting be prepared.
- C.5.4 However, we would need WSP to confirm this is the case, unless SC confirm this is accepted.
- C.5.9 It was mentioned in the meeting on the 18.09.23 that the baseline year of 2017 was agreed with the highways department of Shropshire Council. Please provide evidence of this.
- C.7.1/2 Subject to confirmation that certain approaches in respect to surveys have been agreed with the SC ecologist, the clarifications are accepted, noting the requirement for a suitably worded planning conditions for example preconstruction surveys.
- C.7.1/2 The methodology used within the Biodiversity Net Gain Assessment needs further consideration in order to formulate a Section 106 obligation.
- Other Recommendation 3 Work outside the RLB Offsite work should be included within the offsite metric tab please confirm why no calculations have been included within this section of the metric.
- C.9.1 We would still maintain that a slightly greater risk level should be applied until the additional detailed design is undertaken, whereby the certainty of design will justify the risk level to be lowered.
- R.9.1 Given the highly conservative assessment that has been necessary, would hope [our emphasis] that the EA/STWL would agree to conditions in respect of MARP and engineering designs.

1 Waterman, October 2023 Review of EIA (Final Review Report) North West Relief Road, Shrewsbury WIE20223-100-R-1.3.2- ES_Rev

- C.12.3 Noted and the types of mitigation summarised here would still be beneficial. With regard to typo, this should be updated in the consolidated NTS
- C.13.1-8 The response does not address the specific queries raised. Whilst it is identified as an EIA clarification at present, without the confidence in the baseline we cannot say if it is actually requiring further assessment without WSP advising further on the baseline and so we are unable to accept this clarification.
- C.15.5 The outcomes of the Watermans Review across all topics is not yet complete. However, of particular concern is that the issues relating to Road Drainage and the Water Environment (C.16.1 to C.16.37 i.e. more than a third of the issues in the report) are largely unresolved and the final comments from Waterman are of the form “Way forward agreed with Shropshire Council at meeting held on 17/10/23: To be conditioned. WSP to discuss matters further with the EA to agree the way forward.” In other words, despite the recommendation that these can be dealt with by condition, these issues are not at a state where they can reasonably progress to conditioning because Shropshire Council has not satisfied the Environment Agency that it has a full enough understanding of the local groundwater system. The details of what was discussed at the meeting on 17 October 2023 have not been set out on the public record.

Scope of Waterman review

Note that because Traffic and Transportation was scoped out following the Scoping Opinion and pre application advice, the Transport Assessment has not been subject to this independent review. This is relevant because the removal of veteran trees requires ‘wholly exceptional circumstances’ - the need for the road must be made convincingly. In addition, consideration of alternatives and issues around impacts on other road users, adequate/safe design for proposed cycle paths (LTN1/20 compliance) etc have not been addressed in the review by Waterman.

Note that the Planning Statement and Transport Assessment are not listed in the reports reviewed by Waterman. This is relevant as WSP/Shropshire Council have claimed that these

set out the ‘wholly exceptional circumstance’ that are needed to justify cutting down and damaging dozens of veteran trees.

Structure of the report

The report is in three parts:

1. An initial highly critical review of the EIA – this lists issues and makes recommendations that are carried through to Appendix B (e.g. C.8.1). The reference numbers for these recommendations are used below where possible.
2. Appendix A: A more detailed review of the Environment Agency (EA) and Severn Trent Water (STW) comments re water environment/SPZ albeit none of the authors of that review are hydrogeologists. It thus has a lot of detailed criticism of the drainage aspects but doesn’t touch on the main groundwater issues re Shelton SPZ. It doesn’t include BeST’s detailed review of the groundwater data submitted in July 2023 although this was reviewed as part of the main EIA review.
3. Appendix B: A table where WSP responds to each of the issues raised by Waterman (via several iterations). In general, these mostly seem to end in agreeing that the issue will be resolved by conditions.

Table 1 provides a High Level Summary of EIA Review Detailed in Appendix B. This implies that the only really significant outstanding issues are to do with Road Drainage and Water Environment. However, see the review below.

Key issues

Biodiversity

Waterman accepts Shropshire Council’s approach and ignores the outstanding issues raised by the Shropshire Council Ecology Team and County Arborist (see below on veteran trees).

Shropshire Council Ecology Team have an outstanding issue as follows (16 Oct 2023):

No additional planting to compensate for the loss of wet woodland habitat has been identified by the applicant, rather the compensation suggested is what is already being delivered as compensation for the loss of other types of woodland habitat, therefore, it cannot be double counted and promoted as compensation for the loss of wet woodland.

Therefore, compensation for the loss of wet woodland, a priority habitat is still required as per the previous consultation response

A condition requiring the planting of the requisite units of broadleaved woodland, to compensate for the loss of wet woodland units should be attached to any permission, if it is considered that like for like compensation has been demonstrated as not reasonably possible to deliver.

No Biological Net Gain (BNG) achieved but the rules have not yet come into force. “A number of irreplaceable assets (veteran / ancient trees) are identified as being removed as part of the Proposed Development, so the BNG report correctly identifies that enhancement of biodiversity (ie a measurable net gain) cannot be demonstrated for the proposed development. The development therefore does not accord with policy CS17 of the Local Plan or NPPF paragraphs 174 or 180 (d).”

C.7.1/C7.2 Some ecology data over 2 years old and length of mitigation on River Severn: WSP state “We do not have a copy of any meeting minutes or e-mail exchanges with the County Ecologist that confirm that Shropshire Council are happy with our approach not to repeat surveys for Wintering Birds, Reptiles and Hedgerows. Additionally, we do not have any written evidence that we can share regarding their acceptance of the use for BNG Metric 2.0. These matters have been discussed with the County Ecology on 12th October and they have been verbally agreed. These matter have been raised directly with the LPA who will be providing further advice to Waterman on this the week commencing 16th”

Other Recommendation 1 Waterman state: “The methodology used within the Biodiversity Net Gain Assessment needs further consideration in order to formulate a Section 106 obligation, however this is not material to the EIA October.” Note that SC cannot sign a S106 with themselves which they would need to do where they own the land in question. Compensation will be subject to landowner agreement yet to be negotiated.

Veteran Trees

Waterman accept SC's claim that 'wholly exceptional circumstances' are dealt with in Planning Statement and Transport Assessment (which they do not list as references so appear not to have read). Those documents do not use the term 'wholly exceptional circumstances' at any point and so this is questionable. Note that the Shropshire Council Tree Team is still (4 May 2023) objecting:

To summarise and conclude, the Tree Team objects on arboricultural grounds to the loss of irreplaceable veteran trees to enable construction of the NWRR. The Tree Team support the mitigation and compensation measures proposed but suggest that a greater amount of compensatory woodland planting should be provided, given the medium – long term impacts of the scheme, through loss of the existing established trees, woodland and hedgerows. There are questions the team has raised at this stage as to the mechanisms by which the habitat enhancement measures identified in the Draft Compensation Strategy will be guaranteed and delivered, via Unilateral Undertakings or otherwise.

Waterman accept that WSP's list of how they have looked at changes to avoid removing these trees but before concluding that no alternatives were possible (largely because the 60mph speed required a straighter route). With respect to consideration of alternatives – Waterman quote WSP:

Chapter 4: Consideration of Alternatives, stating: 'Following the incorporation of the OLR Legacy Scheme (proposed posted speed limit of 50mph) into the NWRR Legacy Scheme (proposed posted speed limit of 60mph), the posted speed limit of 60mph has been adopted for the full length of the Proposed Scheme. This was in order to ensure consistency along the whole route and improve journey times for traffic using this route.'

This is hardly a justification for removing 'irreplaceable' veteran trees.

In Appendix B Waterman fail to register that Shropshire Council Tree Team are still objecting.

Climate Change

Waterman question exactly how GHG emissions have been assessed and recommend using IEMA guidelines but then withdraw most of their concerns (issue C.8.1). One key recommendation from IEMA is that emissions should not just be judged against national budgets but also local and sectoral budgets. This has not been done.

Waterman do not mention SC's Climate Emergency declaration which is a material consideration. The only mention of the Climate Emergency is by reference to BeST's objection.

No reference is made to consideration of lower speed limit as an alternative to reduce emissions.

In general, this highlights that NPPF/DfT guidance does not address Climate Emergency with any rigour. Note that permission has recently been granted by the Court of Appeal for Dr Andrew Boswell to challenge the granting of development consent for three new, nationally significant road schemes in Norfolk, on the grounds of the Department for Transport's and National Highways' failure to properly consider the three schemes' combined impacts on climate change.

C.8.6 The applicant confirmed to the LPA on 23rd August 2023 that "Options are currently being explored by Shropshire Council to use the NWRR as a catalyst for the commencement of active carbon management processes (local biochar production). The opportunity now exists to use the NWRR quantified carbon costs of £1.4m (budget allocations for the management of this have now been made within the overall project costs), in order to seed and develop this initiative to initially manage down the carbon legacy of the road, potentially to neutrality in due course, and also to leave an established local processing capability that can assist with the mitigation of wider Council carbon impacts". This does not feature anywhere in the information on the planning portal and should not therefore be a consideration in the review.

Geology & Soils and Road Drainage and Water Environment

This is confusingly addressed in several different places:

- In the main report text Waterman largely repeat comments made by EA, STWL and BeST.

- Appendix A. As discussed above there are no hydrogeologists listed as contributing to this appendix and so it is very light on the key groundwater aspects and instead focusses heavily on weaknesses in the proposed drainage, particularly lack of safe access for maintenance. In addition, it does not reference the very detailed comments made by BeST in our response of July 2023, even though this was referenced in the main section of the Waterman report. However, in general Waterman agree with most of the EA, STWL comments. They refer to various communications between WSP and EA/STWL that are not part of the public record. WSP say that this is covered by a confidentiality agreement with STWL but they did previously provide a redacted copy of an earlier draft of the DQRA which was very helpful for understanding the risk to the public water supply. BeST have requested updated information but this has not been provided. Conclusions of Appendix A are:

- o the importance and impact on the quality of public water supply source should be revised upward.

- o there is a lack of supporting data related to hydrology and hydrogeology

- o The DQRA should be updated in line with the latest consultation responses with the Environment Agency and Severn Trent Water Limited, including integrating further modelling of a hydrocarbon spill at the Holyhead Road Roundabout, clearly presenting the ground investigation data, and providing details on the outcome of the chlorinated solvent scenarios.

- o The Piling Works Risk Assessment needs to be revised with appropriate risk ratings, and subsequently revisited following completion of detailed pile design.

- Appendix B – some of the issues are ‘addressed by WSP’ but many significant issues remain outstanding. These are ‘addressed’ by the final formulae of “Way forward agreed with Shropshire Council at meeting held on 17/10/23: To be conditioned. WSP to discuss matters further with the EA to agree the way forward”. The minutes of this meeting have not been made available nor has the Environment Agency’s acceptance of this position.

This means that the issues have not been resolved with the EA. This includes EA statement that “It is also plausible that at the point any potential impacts are observed there may already be short term, long term (some years of impact/loss), or potentially irreversible impact, particularly in relation to any abstraction/intake feature. Such mitigation options, including corrective action, have not been fully explored within the EIA, but for impacts to public water supplies it could include provision of alternative supplies potentially including alternative mains water supply provision, at someone’s cost.”

Landscape and Visual

(C.11.4) Viewpoint & photomontage showing the proposed Shelton Rough River Severn Viaduct – this is a significant structure that is not shown from ground level in any viewpoints or photomontages. WSP respond “VP4 & VP19 (representing recreational users of the Shropshire way) focus on other elements of the scheme (roundabout, not viaduct). This is due to the existing vegetation being retained and the distance from the VPs to the viaduct, meaning there will not be a view of the viaduct from these VPs. Whilst WSP acknowledges the viaduct structure, we consider how receptors would experience the view with the limited access people have of it. This is due to the existing mature vegetation which is consistent along the river course.

VPs 6, 18 & 24 make reference to the viaduct, however it is not a major component of the view. Therefore, it was not considered appropriate to provide a photomontage of these VP locations.

Furthermore, all viewpoints were discussed and agreed with LPA and no request was made for specific VP’s relating to the viaduct or a photomontage.”



2019 Darwin Bridge Design



BeST's visualisation of the 2021 'Functional' Design

Waterman accept WSP's reassurances as Shropshire Council has agreed with itself that a photomontage is not needed. The viaduct will be clearly visible from the Shropshire Way – it passes underneath it! It will also be visible from various points up and downstream. Why else did Shropshire Council initially commission an 'enhanced design' for the viaduct (see above) before opting for a cheaper, 'functional' design.

R11.1 and R14.2 Provide an assessment on the impacts on the tranquillity of Shrewsbury's Green Wedge. WSP respond that "The Scoping Report did not propose and assessment of Tranquillity (including of the "Green Wedge"). The Scoping opinion did not raise the issue either. Therefore the EIA was carried out in accordance with the Scoping opinion. DMRB does not include an assessment of Tranquillity." and "The "Green Wedge" is not a designation from the statutory development plan, nor is it a statutory landscape designation. Landscape and noise assessments have been undertaken in accordance with the Scoping Opinion" and Waterman accept this. Whether or not the Green Wedge has a formal designation, the area of countryside upstream of Frankwell is an important amenity for Shrewsbury as described in the Big Town Plan and as was particularly apparent during the pandemic (after the Scoping exercise).

NPPF Paragraph 185 of the 'Ground Conditions and Pollution' chapter states that "Planning policies and decisions should .. B) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason"

Other unresolved issues/outstanding recommendations

R4.1 NTS We accept that in this instance a consolidated NTS does not form further environmental information as set out in Regulation 25. However, we do consider that a consolidated and updated NTS that presents the likely effects of the Proposed Scheme as amended, is needed to be of benefit to the lay reader, we understand from WSP this is being prepared.

Other Recommendation 1 – improve report structure/signposting

Materials and Waste C13.1-8 Various issues where Waterman say "The response does not address the specific queries raised. Whilst it is identified as an EIA clarification at present, without the confidence in the baseline we cannot say if it is actually requiring further assessment without WSP advising further on the baseline and so we are unable to accept this clarification."

More detail on geology and water

Missing Geological Information

- App A P12 WSP feel that the variable characteristics of the drift are reasonably and appropriately represented in SEI baseline descriptions and related assessments: Waterman agrees. BeST has commented extensively on why this conclusion is not sound. Uncertainty in the ground conditions means added uncertainty in risk assessment.
- Main text p36 "Investigations and analyses have been undertaken in line with the appropriate legislation and guidance with appropriate citations." We disagree, e.g. does not

comply with requirements of “Engineering Geology and Geomorphology of Glaciated and Periglaciated Terrains: Engineering Group Working Party Report” Specifically the absence of conceptual ground model.

- Main text p39 “Waterman agrees that there are some inadequacies in WSP’s assessment of the complex geology along the proposed alignment of the road. However, Waterman notes that WSP’s GI is primarily an engineering exercise carried out in accordance with current legislation and guidance and therefore additional GI techniques (e.g. geophysics) would not have been considered appropriate or necessary.” This attempts to explain why WSP did what they did but doesn’t address the end result: weakness of the assessment of the complex geology.

- In their response of 26 April 2021 the Environment Agency emphasise the need for the Phase 4 GI data to be included in the EIA:

“Within the EIA, we note that many of the reports are ‘interim’, relying on data to be provided by the delayed Phase 4 site investigation, or to be agreed at the detailed design stage. However, we would expect information to be provided as part of the EIA to give certainty on the principle of the proposal from a land use planning perspective. Therefore, at this stage we consider that further works are required before we are able to provide recommendations.” and

“We therefore recommend that the outstanding Phase 2 and Phase 4 site investigation data are completed and the data assessed and used to inform the hydrogeological and conceptual site models.” and

“We request provision of the completed (incorporating the Phase 4 SI data) hydrogeological model, including hydrogeological cross sections and showing groundwater levels recorded to relevant boreholes. From examination of the submitted documents it is apparent that the borehole logs for the site investigations have not been included. It would be helpful for a series of borehole plans breaking the route of the proposed road into sections, the relevant borehole logs for each section and the hydrogeological model for each section complete with recorded groundwater levels for each borehole to be provided.”

- In their response on 3 May 2023 STWL also confirm the importance of Phase 4 Ground Investigation (GI) which they have had access to. (under R9.1 WSP state “WSP is signed up to a NDA with STWL and EA including some of the more sensitive work. They are in receipt of all of the information”).

“As we have seen through the recent Phase 4 Ground Investigation, we have confidence that a suitable protocol can be agreed, but this should be provided up front and a planning condition prepared that would require compliance with it.”

- R9.1 WSP state “All GI findings/data, including Phase 4 and groundwater data to May 2023, has been incorporated into the DQRA. Initial findings from Phase 4A indicate associated data would not change the overall conclusions of the assessment.” This is not the same as providing the data. Waterman accept WSP’s statement.

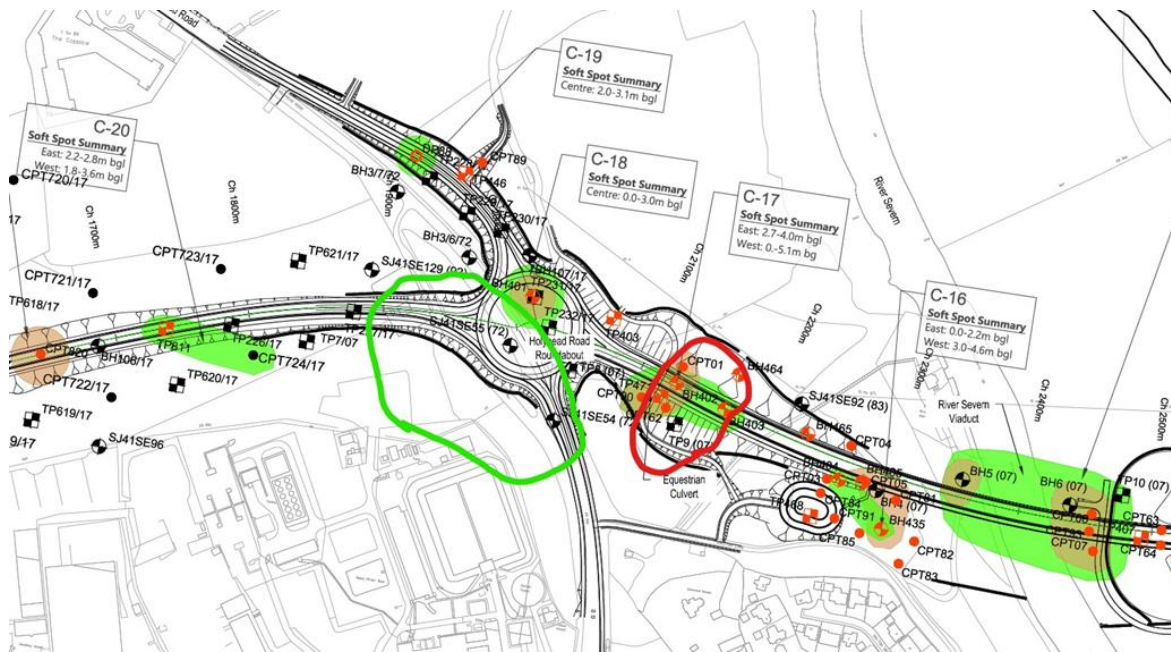
- In their response on 6 Oct 2023 STWL state “We do believe alternative investigative methods could be employed, especially the use of geophysical surveys to review subsurface heterogeneities.” and “The applicant’s conceptualisation of the subsurface at the Holyhead roundabout concludes that any granular lenses in the sub-surface will be localised and disconnected. This is demonstrated through the limited borehole log data available, especially BH1 and OBH1, but does not necessarily allow representation of a larger area where the superficial deposits are known to be highly heterogeneous in nature.”

- BeST has requested the release of the Phase 4 GI report for over a year and has been told that it is still in draft. On 4 July 2023 BeST submitted a detailed letter to Shropshire Council outlining all the information that still needs to be submitted to allow complete assessment of the proposal. Waterman has not addressed this missing information despite referencing the letter in question.

With respect to the weakness of the GI at Holyhead Roundabout the image below shows the location of the trial pits and boreholes with available geological information. The red line sketches the approximate outline of the gravel

‘lens’ identified at Shelton Rough that provides a potential fast pathway for pollution. The green line shows the area near the roundabout with no modern GI information. Comparing

the red and green areas it is clear that it is not safe to extrapolate across this area without a robust conceptual understanding of the mechanisms that emplaced the shallow strata and thus their likely configuration: another ‘gravel lens’ could easily be present and undetected by peripheral investigations.



Risk assessment

C.9.1 Waterman state: “We agree with WSP that the turbidity protocol and piling risk assessment will allow the level of risk to be better defined and that an appropriately worded condition would be suitable to address the current shortfall of specific data. One specific objection is that the risk rating is too low; we would still maintain that a slightly greater risk level should be applied until the additional detailed design is undertaken, whereby the certainty of design will justify the risk level to be lowered. Whilst we understand WSP's argument, we would not expect this to have any impact on the overall assessment, but it may be sufficient to allow the EA to remove this particular point of objection.” This comment is not marked as being closed.

Other recommendations re Piling Works Risk assessment WSP state “If significant changes are made to the final pile design then a revisit of the PWRA may be warranted; however this is not anticipated.” Despite his Waterman close out the issue.

C.9.4 Small private water supplies: “A further request will be made to Shropshire Council to; identify any new and relevant licence exempt groundwater abstractions; determine possible impacts and formulate mitigation where appropriate; and this will be reported in due course.” Information not presented but issue closed by Waterman.

C.9.5 Risk of encountering shallow groundwater. WSP state “Notwithstanding, we acknowledge comments in relation to anticipated dewatering requirements for the road cutting at this location, based on encountered perched water levels. Requirements for the control of groundwater during construction and any potential post development drainage scheme are duly noted, as is the requirement to obtain an abstraction licence and/or discharge permit in this instance.” However, no action is proposed as result but issue closed by Waterman.

Other recommendations WSP State “Comments from both STWL and the EA have largely been addressed in WSP's response comments shared on 7th June (Annex C) and 31st July (Annex B) respectively, as acknowledged in our meeting of 2nd Oct 23” This is contradicted by Environment Agency and STWL comments (e.g. see below on conceptual model). Despite this Waterman accepts the clarification.

R9.1 Waterman state: “Agree that DQRA appears to satisfy this original query. Given the highly conservative assessment that has been necessary, would hope that the EA/STWL would agree to conditions in respect of MARP and engineering designs.” Hoping that EA/STWL will agree doesn’t seem a very robust sign off!

C16.6 Pollution pathways “WSP disagrees for reasons/evidence already provided to the EA (latest update to the EA within initial response dated 21st June 23 (Annex A), and referred to again within long response dated 31st July (Annex B)) and will further engage to present further evidence and arguments to this effect” This issue is unresolved but Waterman state “way forward agreed with SC at meeting on 17/10/23”

Conceptual model

C.9.7 Groundwater surface water interaction. Waterman accept WSP comments from 7 June 2023 and ignore comments from Environment Agency on 6 July 2023 “We disagree with WSP’s view that the groundwater – surface water is essentially/persistently decoupled” and Severn Trent Water’s most recent response (6 Oct 2023) “We disagree the hydrographic evidence shows hydraulic decoupling of river and groundwater, for substantial times during the year the river stage is above groundwater level.”

Environment Agency on 6 July 2023 “We have previously said the WFD assessment isn’t compliant” and “An assessment must provide evidence to satisfy the following conditions”:

- all practicable steps are taken to mitigate (including effective implementation) the adverse impact on the status of the water body
- the benefits to human health or human safety or sustainable development outweigh the benefits of achieving the environmental objectives or the activity is of overriding public interest
- there are no other means of providing the services offered by the activity that are technically feasible or of a proportionate cost and provides a significantly better environmental option.

C16.6 WSP state: [we have] " Provided additional and compelling evidence that river to groundwater interaction is minimal indicating our previous conclusions are robust" .and ...”the recent response from the EA dated 1st September (Annex E) provides some encouragement that the conceptualisation regarding GW-SW interaction is becoming more aligned (pages 4-5 under heading 'Conceptual Hydrogeological Understanding')". This seems a highly optimistic reading of the statements by the EA and STWL (see above).

BeST provided a very detailed review of the information in our response of July 2023 which was not included in the material reviewed by the Waterman team for Appendix A.

C16.8 Again “WSP disagrees and has provided significant evidence suggesting river to groundwater interaction is weak/limited.” EA, STWL and BeST hydrogeologists all disagree with WSP. WSP say “We maintain that the interpretation we have provided is robust and seek an opportunity to meet with the EA to explain our reasoning, as well as to understand how the EA have reached their conclusions.” In other words the issue is unresolved with the EA.

WFD assessment

C.16.5 “WSP do not agree with the EA's position but will endeavour to alleviate the EA's concerns.” Waterman state “WSP to discuss matters further with the EA to agree the way forward. WSP indicated that "... a meeting to discuss this particular matter is warranted to establish if anything is fundamentally missing from the assessment provided." This issue is unresolved.

Mitigation

C.16.6 Waterman state: “The EA are requesting via their latest letter of 01/09/23 that WSP should provide plans showing the error being rectified. The EA's letter states that "[WSP] has acknowledged the error of having included non-sealed road drainage systems in SPZ 1

and 2, contrary with their intended Drainage Strategy for the Proposed Scheme, and have provided assurances that these errors will be rectified and updated. We have not seen updated plans since drawing this to your attention in May 2023. We recommend that these are updated accordingly prior to any planning committee as part of any approved plans/any scheme for final drainage approvals." WSP to address EA's comment." This issue is unresolved but Waterman state "way forward agreed with SC at meeting on 17/10/23"

C.16.10/11 Turbidity protocol Waterman state: "This does not seem to address EA's further comment received on 01/09/23. The EA stated that "We reiterate our position that we see the development of a written Turbidity Protocol and monitoring plan as key to informing any piling methodology, monitoring protocols, trigger criteria, and contingency action plans for all reasonably foreseeable scenarios". This issue is unresolved but Waterman state "way forward agreed with SC at meeting on 17/10/23"

C16.12/13 sealed drainage in SPZ's 1 and 2, "Agreed – already committed to this in recent letter/response to EA on 31st July (Annex B) we have already undertaken/committed to further investigating and addressing this issue at detailed design in accordance with a suitably worded planning condition. " In other words, further work is needed. Similar comments apply to C.16.14/15/16

C16.17 Maintenance of SUDS drainage systems. Waterman have expressed significant concern about suitability of design to allow safe access for regular maintenance. Waterman state: Evidence to be provided to demonstrate the drainage design complies with the relevant Health and Safety requirements."

C16.27 Maintenance of kerbs WSP state "Waterman confirmed that the comment was more from a cost-effective consideration and was not a material planning issue." Waterman do not recall such matter being confirmed.

C16.34 Evidence that the receiving authorities for proposed outfalls have been consulted early for discharge consent. Waterman state: "Consent(s) related to discharge rates and the proposed connection/discharge point should be agreed with the relevant stakeholder(s), if not already addressed. This is normally dealt with before planning permission is granted. It is a fundamental aspect of the drainage design that requires attention at an early stage of the project." This issue should not be considered closed.

C16.37 Infiltration rates. Waterman state: "Way forward agreed with Shropshire Council at meeting held on 17/10/23: To be conditioned. Further evidence /drawings to be provided to the EA." Also "This does not align with what was discussed during the meeting. It was agreed that WSP would either provide a detailed point-by-point response or reference their response within this document." This issue should not be considered closed.

Other recommendations (vi) Trigger levels Waterman query: "Does this reflect the EA's comment on their letter of 01/09/23?" This issue should not be considered closed.

Item No.	Application No.	Originator:
1	21/00924	Colette Cozens

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously. Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these

aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924	Patrick Higgins

Good afternoon Ashley,

As there is no more room to attend this meeting I would like to pose a question.

Can you please confirm that the current plans still include the severance of Shepherd's Lane in Bicton so that there will be no more through traffic? My support for the relief road is highly influenced by this.

Shepherd's Lane will be severed for through traffic with a cul-de-sac being created either side of the NWRR.

Item No.	Application No.	Originator:
1	21/00924	Benedict Jephcott

I would like to re-object to the North West Relief Road planning application following the submission of new documents to the planning portal by Shropshire Council in February 2023. I have objected already at least once but I had hoped that the council would amend the scheme to acknowledge the huge concerns over the project's spiralling costs; its inability to sustainably tackle Shrewsbury's traffic congestion; its devastating environmental impact; and the record-breaking level of public concern that has been voiced since it was announced in 2019. However, the council has failed to address my concerns as well as those of other members of the public and local organisations including Shrewsbury, Oswestry, Bridgnorth, and Ludlow town councils. The new plans show that the application area is now around 40% larger than originally proposed, with additional new access roads. This will cause even more damage to irreplaceable veteran trees, hedgerows and vital wildlife habitats, making a mockery of Shropshire Council's claim to be taking the climate and nature crises seriously.

Shropshire Council declared a climate emergency in 2019 and committed to reducing emissions across the county. The council has also expressed support for the Climate & Ecology Bill, which seeks to put into law the need to urgently halt the climate and nature crises. The NWRR's carbon footprint and destruction of nature cannot be squared with either of these aims. Given Shropshire Council's failure to reconsider this scheme in any meaningful way, I would like to reiterate my ongoing objection to the NWRR.

Item No.	Application No.	Originator:
1	21/00924	Colette Cozens

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Item No.	Application No.	Originator:
1	21/00924	Stephen Mulloy

Could I please have the following two material considerations brought to the attention of the 31st October NPC meeting?

1. Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 7 of the GDPO, the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed.

[Town and Country Planning Act 1990 \(legislation.gov.uk\)](https://legislation.gov.uk)

The certificates on the planning portal [21 00924 EIA-APPLICATIONFORM-4241775.pdf \(shropshire.gov.uk\)](https://www.shropshire.gov.uk/21-00924-EIA-APPLICATIONFORM-4241775.pdf) are not legible so important independent scrutiny by the public has not been possible to check the accuracy of the certificates or for any possible conflicts of interest. The reason I raise this is that my attention has been brought to a possible anomaly that can only be confirmed by reference to the Land Registry, and the land ownership certificate...which is not legible.

May I ask that Members seek assurances from the case officer that the certificates are accurate, and that there are no conflicts of interest?

If the landownership certificates are not accurate, then the committee cannot "entertain" the application and it will, I believe, need to be deferred.

The applicant has confirmed that the notices were served correctly in accordance with Article 13 of the Town and Country Planning Development Management Procedure Order. Following the original application, notices were also served (or re-served) on any landowner impacted by scheme design changes. For example, landowners impacted by proposals to take land surrounding Hencott Pool out of agricultural use were served notice in Jan 2023.

2. At para 7.18.1 of the committee report it states:

"How a development is funded or how much it costs is not a material planning consideration..." and *"Exact details are awaited" ...on alleged 100% government funding.*

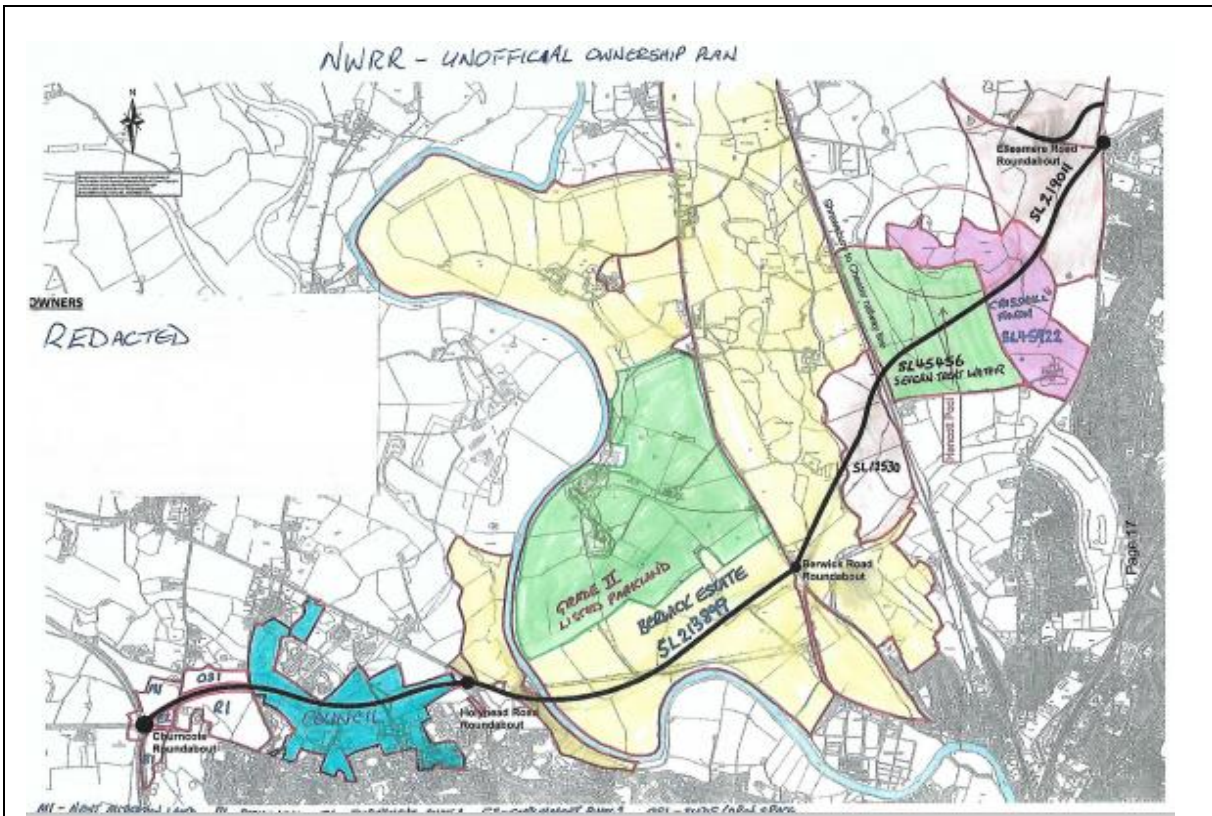
In my opinion, this is incorrect. Funding is a material consideration due to the perilous state of the Council's finances, the lack of a Ministerial letter confirming 100% funding, and the following regulations:

[Section 70\(2\) of the Town and Country Planning Act 1990 \(as amended\)](#) provides that a local planning authority must have regard to a local finance consideration as far as it is material. [Section 70\(4\) of the 1990 Act \(as amended\)](#) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown.

As such, I believe it is the committee's duty to consider the proposed NWRR finances at the NPC to ensure any decision is objective and based on all material planning considerations. In the absence of a Ministerial letter confirming 100% funding for the scheme, I believe you have to base any decision on funding remaining at the current level.

How development is funded is not a material planning consideration for the local planning authority. Should the LPA decide to grant permission for the development then any decision in relation to how the development is to be funded would be a decision of the Full Council.

I respectfully request that these two material considerations are raised and dealt with during committee proceedings on the 31st October.



Item No.	Application No.	Originator:
1	21/00924	Better Shrewsbury Transport

27 October 2023

Planning Application Ref. NO. 21/00924/EIA | North West Relief Road (NWRR) scheme – Comments on Officer’s Report

This document reviews the Officer’s Report (OR) for this application and points out some significant deficiencies that need to be urgently drawn to the attention of members of the Northern Planning Committee before they meet to decide the application on 31st October.

Shropshire Council as Applicant and Local Planning Authority

As Shropshire Council is both applicant and local planning authority for this application it is vital that these two roles are kept completely separate: any blurring of the lines would immediately make any decisions liable to legal challenge. This separation and the presentation of an objective assessment of the application is particularly important in the OR, as this is the main document that you will rely on for your decision making.

We have now carefully reviewed the OR and I have to tell you that it fails to present the information about many important aspects to you accurately and with the requisite standard of objectivity. I will discuss some of these in more detail below, but some examples include:

- Treatment of the climate emergency (7.4.16-18 and 8.16).
- Advising that the Environment Agency’s position about the Shelton public water supply can be overlooked (7.11.6-11 and 8.12-15).
 - Advising that you can ignore the NPPF and allow the proposed destruction of nine “irreplaceable” veteran trees and damage to 37 more apply (7.6.2-12) (8.8-9).
 - Failing to afford due weight to conflicts with landscape policies (7.3.8), those impacts cannot be offset against improving sustainability of rural communities, serious harm to ecology, including European Protected Species (EPS).

- The OR fails to realise that the proposals for changes to the layout of Welshpool Road form an integral part of the application. The report does not address the proposals or the detailed objections that have been made to them.

From this you will immediately appreciate the risks for Shropshire Council if it accepts the OR's recommendation to approve the application, subject to conditions. I have provided more detail about the key issues in the following sections.

Many Outstanding Issues

The OR (7.11.10-11) describes how Shropshire Council has commissioned an independent review of the Environmental Impact Assessment EIA by Waterman. In 8.14 the OR claims that the Waterman report says that "*the information contained within the ES was complete and included everything that is necessary to make an informed decision.*" We have reviewed the Waterman report in detail ([BeST Comment 26 Oct 2023 labelled Mike Streetly](#)) and would advise you that this is not a reliable summary of what it says.

Waterman's review was highly critical of the EIA and made over 100 recommendations for improvements. They then went through a series of discussions with WSP to try and resolve

these. The OR implies that these were almost entirely resolved but in fact Waterman caveats its final comment on nearly three quarters of these issues by saying that further information or action is required of WSP. In particular, the Waterman report flags and supports the outstanding concerns of the Environment Agency (see below).

You should also know that consideration of traffic and transport issues was excluded from Waterman's brief on the grounds that it was not part of the EIA. As a result, they did not examine the reliability of the traffic modelling (something that has been subject to extensive criticism by both ourselves and a transport expert on behalf of Morris Leisure, owners of Oxon Caravan Park). The traffic modelling is fundamental to the noise and air quality impact assessments, the assessment of greenhouse gas emissions and for the claimed benefits of the scheme – if the traffic model is unreliable then all these other impacts and benefits will not be correctly assessed.

Waterman also did not review the impacts on footpaths, pedestrians or cyclists or the proposed provision of facilities for people on bike or foot. Many people and organisations including Cycling UK have criticised this aspect of the application, particularly as footways and cycle paths are not compliant with the latest standards (LTN1/20¹). This is not mentioned in the OR.

It seems to us incredible that the EIA of a major road project should exclude consideration of transport issues.

You may make your own judgement about how complete the process is by considering the number and nature of the draft planning conditions: there are a large number of pre-commencement orders (together with the proposed S106 Agreements) and some of these will involve agreement with third parties. NPPF 56 states that pre-commencement orders should be avoided without clear justification. We understand Shropshire Council's urgency to progress this project, but it seems to us that rather than resolve many complex and important issues, this has merely pushed them down the line. Ignoring these issues now does not make them go away and will not speed up progress as conditions will still need to be agreed.

Veteran Trees

You will no doubt be very concerned about the large number of “irreplaceable” veteran trees (nine) that will be destroyed or damaged (37) by progressing with this application. The government’s statement of policy for England’s ancient and native woodland (Keepers of Time, 2005) states that “*ancient woodland and trees represent a natural living cultural heritage, a natural heritage that is equivalent to our great churches and castles*” while the NPPF describes them as “irreplaceable” and only to be destroyed or damaged in “wholly exceptional circumstances”.

¹ In launching the new standard, Chris Heaton-Harris MP Minister of State with responsibility for cycling and walking said “It sets out the much higher standards now expected, and describes some of the failings common in the past, **which will be strongly discouraged in future.**”

The proposed new road would also destroy 0.62 ha of wet woodland, a UK priority habitat with similarly high conservation status. Nine trees are protected by Tree Protection Orders would also be impacted (7.6.3).

Shropshire Council’s Tree team is objecting to the application as is the Woodland Trust. The national headlines that have followed trees being cut down in Sheffield, Plymouth and the Sycamore Gap show what an emotive issue this is for the public. I attach a short document that provides useful visual information on the veteran trees that would be cut down, including T58 the 550 year old ‘Darwin Oak’ that you will probably be able to see on Monday if you visit Shelton Rough.

The OR says at 7.6.9 “*The route of the NWRR has been carefully considered to minimise the loss of trees and woodland, however there are also other competing factors.*” This clearly indicates that alternatives were available, but the Applicant chose not to apply them. This kind of justification requires the Applicant to demonstrate that “wholly exceptional circumstances” apply which they have clearly failed to do. A good example of this is the decision to design the road for 60 mph travel: selecting a lower speed limit would potentially allow many trees to be saved, yet there is no clear justification that the higher speed limit is needed for “wholly exceptional circumstances”.

The OR advises that the Planning Statement and Transport Assessment set out the “wholly exceptional circumstances” that justify the environmental damage. However, detailed review of those documents shows that there is no case made that there are “wholly exceptional circumstances”. The documents describe a number of traffic congestion issues that might be relieved by building the road but does not put these in any sort of local, regional or national context to show that these issues are particularly bad. It is not even clear that these are the worst traffic problems in Shrewsbury: the main road to benefit is Smithfield road and yet [government statistics](#) show that traffic levels on Welsh bridge have been falling for 20 years. Likewise, there is no assessment about what long term effect the pandemic has had on traffic levels.

The OR is deficient in failing to draw your attention to the Local Transport Plan which has a hierarchy of transport measures that should be prioritised before new roads are considered: policy E6 say that *'new road building will be restricted to where all other options have been fully considered.'* In our [2023 response](#) we show that the reality is that over recent decades Shropshire Council has consistently focused on measures that favour road transport and has failed to invest in these alternatives. As a result:

- Bus usage in Shropshire has declined by 31% over the last decade;
- The number of passengers using the Park and Ride schemes in Shrewsbury has more than halved; and
- Even cycle journeys in Shropshire have declined when the national narrative has been that cycling has become more popular.

The Applicant has not properly evaluated the potential for alternatives to the NWRR such as active and sustainable transport to deliver the required reductions in congestion since 2003² with a partial update in its report prepared under the Transport Innovation Fund in 2007. That study did not include consideration of a combination of public transport, park and ride and cycling which would clearly be more likely to permanently resolve the problems of congestion in the town. This is despite the various public consultations held to date showing high levels of support for such combinations of non-road investment. The Big Town Plan Movement strategy may represent such a study and its implications should be fully evaluated as part of the planning application for the NWRR.

In short, the Applicant has completely failed to show that there are no alternatives to the destruction of veteran trees that building the NWRR entails.

We may each take a differing view about the effectiveness of the NWRR in addressing traffic in Shrewsbury, but the fact is that the evidence is not set out before you in the Applicant's documents to show that this road is essential to addressing "wholly exceptional circumstances".

[Risks to Shrewsbury's water supply](#)

As a hydrogeologist with over 30 years of experience, Shropshire Council's proposal to build the road through the innermost Source Protection Zone of the Shelton public water supply borehole has always been a major concern to me personally. The Environment Agency advised Shropshire Council from the start (nearly twenty years ago) that *"progression of the route in the Shelton area would be complex, as it is highly sensitive and there are risks that need to be fully understood/accepted if this were to be pursued"* (Environment Agency, 1 Sept 2023).

Source Protection Zones are defined to protect groundwater that is used for drinking water from contamination because, once polluted, it can take many decades and large sums of money to clean up. As ground conditions are always difficult to predict with 100% accuracy, an inner source protection zone (SPZ1) is defined where development should be completely excluded. Shropshire Council's draft Local Plan DP19 3 states that *"Proposals in SPZ1 are not encouraged"* yet the NWRR would involve building a roundabout within the SPZ1 of the Shelton borehole. Roundabouts are the road junction with the highest risk of accidents occurring and there have been examples of tractors or tankers overturning on roundabouts in Shropshire every year since this application was submitted.

The Environment Agency is quite clear on its position saying on 1 Sept 2023 *“We would reiterate our previous position, in that, we are not sufficiently reassured at this stage based on matters that need more detail and advise that the EIA needs to be robust, and risks/mitigation fully explored, prior to determination.”* It goes on to say that *“should your Council be minded to grant permission we would consider potential conditions and other mechanisms proposed by yourselves.”* However, it is clear that, given that the Environment Agency is not satisfied with the reliability of the evidence presented now, it will not be in

² Shrewsbury NWRR Public Consultation Report no. 1051/14/4 (Mouchel Parkman, July 2003)

position to agree planning conditions until this further work is carried out (as OR explains in 7.11.6).

The OR’s description of the Environment Agency’s ‘unwillingness to engage’ (7.11.6) in the process is highly misleading and biased. The active level of engagement of the Environment Agency is borne out by the OR’s report containing nearly 30 pages of comments made by the Environment Agency over the last 30 months. However, it is not for the Planning Officer (with no access to independent hydrogeological experts) to say whether a regulator should be satisfied with the adequacy of the Applicant’s technical submission: that is a matter for Environment Agency alone. It is also not a matter for the OR to advise you to ignore the Environment Agency’s concerns (7.11.9). Courts take the view that expert evidence provided by statutory consultees such as the Environment Agency should be afforded great weight and should not be ignored save in very exceptional circumstances.

We would draw to your attention the letter from the Minister for Environmental Quality and Resilience (12 Sept 2023, available on the planning portal for the application [here](#)) which makes clear that the Environment Agency has been consistent in its approach and open to continuing to work with the council. It also makes clear that the delays mentioned in the OR are attributable to the Applicant failing to submit the required evidence and not, as claimed in the OR (7.11.9), due to the Environment Agency’s stance.

It is also clear from the most recent responses that the Environment Agency, Severn Trent Water and ourselves have significant differences in our understanding of the local groundwater system to WSP, acting on behalf of Shropshire Council. In essence, WSP has conceptualised the Shelton borehole as ultimately drawing most of its water from the Rea Brook (4 km to the south) whereas the other hydrogeologists looking at this consider that the borehole draws a significant proportion of its water from the River Severn (a few hundred metres to the east). Clearly the adopting the latter view means that the risk of spillages in the Shelton area would be much more significant.

Despite these differences, in its most recent response, Severn Trent Water has indicated that it is willing to accept key risk mitigation measures being addressed after outline permission is granted whereas the Environment Agency has maintained its position that these risks are so significant that the overall acceptability of the scheme cannot be judged until they are addressed.

The OR clearly prefers the approach adopted by Severn Trent Water (7.11.9). The OR does not however make clear that Severn Trent Water is potentially conflicted in its approach to this application as it owns a significant amount of land around Hencote that would be crossed by the NWRR and thus has a potentially significant financial interest in the road being constructed³. Whether this is the explanation of Severn Trent Water's differing approach or not is not for us or the OR to speculate but the relevant evidence needs to be put to you for your consideration.

³ Severn Trent Water is listed in the OR as one of the parties with whom a S106 agreement will be required

The OR places particular emphasis on the conservative nature of the risk assessment carried out for the water supply (7.11.7-8) but does not explain that this approach was consistent with Environment Agency guidance⁴ on how risks should be assessed in such a sensitive setting and was agreed by the Applicant. The risk assessment⁵ itself says *"In summary, the probability of an overturning incident is a low frequency event in the UK. Furthermore, the probability of a consequent substantial contaminant loss by rupture is also a low frequency event. However, such an accident can, on occasion, still arise."*

Furthermore, the OR does not highlight concerns mentioned by the Environment Agency, Severn Trent Water and ourselves in recent responses that the predictions of contamination breakthrough with the risk assessment as currently configured are concerning and there are aspects of the risk assessment that are not conservative and there are further scenarios that need to be considered.

In summary, the risk to the public water supply is of deep concern to the Environment Agency and Severn Trent Water. The fact that the two parties have adopted slightly different approaches as to whether this can be fully addressed before or after a planning decision is made does not get away from the fact that there are substantial uncertainties and risks with this issue. The practical effect of the Environment Agency's position is that in the event of the water supplies being contaminated, the responsibility would lie solely at Shropshire Council's door, does this Committee wish to assume that responsibility of behalf of the Council?

Landscape and visual impacts

In 2018, Shropshire County Council commissioned Knight Architects to develop an 'enhanced design' for the NWRR viaduct, which celebrated Darwin and drew upon the relationship between the man and his origins. The architects' website says *"A concept design was developed to represent the notion of evolution, with the bridge supports evolving from a simple column to increasingly tall Y-piers, as the height above ground increases. The design also evokes Darwin's theory of the Tree of Life and offers a distinctive and memorable elevation, **visible from afar across the open countryside**. The concept design explored a dedicated shared path, protected from the adjacent traffic, with rest points and interpretation of the views towards Shrewsbury. The design was well received by the Project Board, but a decision was taken in December 2019 to progress with a 'functional structure'".*

⁴ Such an incident would be considered to fall into a Category 1 or 2 incident as defined by the Environment Agency in their Common Incidents Classification Scheme (CIS)

⁵ WSP, 2023 Supplementary Environmental Information: Appendix 5.C: Appendix 10.2: Detailed Quantitative Risk Assessment (Revision 4) para 3.1.7



2019 Darwin Bridge Design

BeST's visualisation of the 2021 'Functional' Design

It is clear from the above that the viaduct, which will require piers as high as the Market Hall Tower in Shrewsbury will have a major visual impact on large areas of north west Shrewsbury. Despite our repeated requests that a visualisation of this major structure from a local person's perspective should be provided, this has not been done. The EIA submitted by Shropshire Council is seriously deficient in this area and in its summary section the OR does not sufficiently draw your attention to the policy conflicts (7.3.8).

[Climate emergency](#)

We are particularly concerned about the OR's treatment of the Climate Emergency (paras 7.4 and 8.16). The EIA describes the increase in greenhouse gas emissions as a **significant adverse effect**⁶ and this was a major aspect of the numerous objections to the application from consultees and members of the public.

Reduction of carbon emissions is one of the stated objectives of the NWRR (WSP, 2021 Planning Statement 2.2.1) but the scheme as presented results in a significant increase in emissions. This failure to achieve a key objective is not mentioned in the OR.

The OR is incorrect in stating in 7.4.11 that the Climate Change Act has a target of 80% reduction in GHG by 2050. This was amended to 100% (i.e. net zero) by the government in 2019⁷. This is a fact of common knowledge and to make such an error surely shows a fundamental lack of knowledge/interest in an issue that has been declared an emergency by the UK Government, Shropshire Council and Shrewsbury Town Council. Climate change

affects residents and businesses in Shrewsbury on an annual basis through increasingly frequent flooding.

The OR only quotes the net greenhouse gas emissions over the lifetime of the road (27,500 tonnes CO_{2e}). Given the much shorter timescales by which the UK is legally required to get to net zero, this timescale is inappropriate. The correct approach for Shropshire Council to 'own' these emissions (and the way in which they would appear in the council's annual carbon accounts) would be to quote the construction emissions (48,233 tCO_{2e}) which would be allocated to the year of construction and the saving per year (359 tCO_{2e} per annum) and explain that the latter are only an estimate based on assumptions about how

⁶ Chapter 9 Climate Addendum Part 1, Table 1.4

⁷ Climate Change Act 2008 (2050 Target Amendment) Order 2019 (S.I. 2019/1056), arts. 1, 2

the road will affect traffic in Shrewsbury. The council can then base any annual 'savings' on observed changes in traffic each year.

In our submissions in [2021](#) we contend that the council's conclusion that induced traffic (extra journeys caused by the extra road capacity) will only amount to a few per cent is not supported by extensive evidence that new roads (especially in peri-urban areas like this) create new traffic. The operational savings assumed by the Applicant are therefore unlikely to materialise: it is more likely that the new road will cause more traffic growth, further worsening the impact of this scheme on the climate.

The OR makes reference in 7.4.12 to the Climate Change Act 2008 requiring regular assessments of progress towards the net zero target but fails to mention the establishment of the independent Climate Change Committee (CCC) or its annual reports to Parliament on progress towards the net zero target. This is highly relevant and omission of this reference amounts to either ignorance or bias, both of which we have commented on above.

The OR fails to tell you about the CCC's June 2023 report which are highly relevant to this application. It says "*Surface transport remains the UK's highest emitting sector, contributing 23% (105MtCO_{2e}) of total emissions in the UK.*" It expresses concerns that carbon savings from plug-in hybrid vehicles (PHEVs) are three to five times lower in the real world than previously assumed and also questions the commitment to achieving modal shifts (page 108). It further states that road transport demand in 2022 is around 5% below pre-pandemic levels and could represent a new "steady state" (page 113). This new base level has not been taken into account in the traffic model for the NWRR.

The CCC 2023 report also states that "*measures to limit growth in road traffic are also crucial for decarbonising transport*" (page 113), and that "*without policy action to embed a reduction in the need to travel by car or grow the availability and attractiveness of alternative lower-carbon modes, traffic is likely to increase beyond the CCC's pathway.*" (page 113). In stark terms, carbon reduction targets will not be achieved unless travel by private car is significantly reduced.

The Outline Business Case (Table 82) shows that the economic benefits of the NWRR are highly sensitive to assumptions of future traffic growth: with little or no long term traffic growth, the benefits will be much less than assumed. We can see from this that the required reductions in carbon emissions from transport will only be achieved if active measures are taken to promote alternatives whereas building a new road will lock in traffic growth and take us further away from where we urgently need to head.

At 7.4.17 in the section on Climate Change OR states: *“the scheme will allocate a sum of money equivalent to that to the value of (sic) carbon credits (£1.4m) which would be needed to offset the carbon footprint of the scheme. However, rather than buy carbon credits, the funding will be used to directly fund projects in the county so that the benefits are actually realised locally. Potential examples of where this fund will be invested include biochar and currently this is potentially being looked at for surfacing of the road.”*

This idea was first floated in the ‘Benefits’ document issued by the Applicant in August 2023 which says *“Options are currently being explored by Shropshire Council to use the NWRR as a catalyst for the commencement of active carbon management processes (local biochar production). The opportunity now exists to use the NWRR quantified carbon costs of £1.4m (budget allocations for the management of this have now been made within the overall project costs), in order to seed and develop this initiative **to initially manage down the carbon legacy of the road, potentially to neutrality in due course**, and also to leave an established local processing capability that can assist with the mitigation of wider Council carbon impacts.”*

Funding for a biochar scheme was only approved by Shropshire Council on 21 Sept 2023 and there was no mention of the NWRR’s role as a "catalyst" in that proposal. The proposal was presented as offsetting Shropshire Council’s existing emissions, not new emissions. In summary, this seems to be an entirely speculative proposal with no substance behind it.

The OR should not include this uncritically in its conclusion.

The next paragraph in the OR (7.4.18) states *“The fast-moving industry around carbon capture and carbon offsetting means that new innovations are continually being worked on and being introduced to the market”*. Again, this is the OR promoting carbon offsetting on behalf of the Applicant. The Applicant has made no such statement in its submissions. No specific and currently operating Carbon Capture and Storage schemes are listed as being definite ways that the CO₂ from NWRR will be offset.

[Guidance of how to balance the pros and cons of the application](#)

The conclusion section of the OR is particularly weak in setting out the planning balance in clear terms for you to be able to make an informed decision. The OR has to invoke the economic benefits of the scheme (which we have criticised as being grossly exaggerated in our [2021](#) submission) to do heavy lifting against the numerous impacts that would on their own be considered grounds for refusal:

- Destruction of 9 “irreplaceable” veteran trees and damage to dozens of others;
- Loss of 0.62 ha of wet woodland (a UK priority habitat) and failure to provide like for like compensation;
- Emission of 48,000 tonnes CO₂e;
- Creating a huge visual impact across Shrewsbury’s unique Green Wedge – a vital amenity for local people;

- Putting the water supply for Shrewsbury and a large part of Shropshire at risk.

This is the balance that needs to be clearly presented in the OR to allow you to make an informed judgement of the planning balance. We have done so here in the hope that this will help you to make a robust and balanced decision about this application.

Regards

Mike Streetly

On behalf of Better Shrewsbury Transport

Item No.	Application No.	Originator:
1	21/00924	David Plant

In regards to the planning meeting arranged for tomorrow on the NWRR, please don't be persuaded by the opposition to this scheme, they are a minority and a lot of them don't even live in Shrewsbury.

I currently work in Harlescott and live in Copthorne and my journey home in the evening is a nightmare, the traffic using Mount Pleasant Road is always bumper to bumper through a residential area.

The NWRR will be a great asset to Shrewsbury now and for the future, please may common sense overrule tomorrow and this scheme gets the approval it requires.

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