



worcestershire
countycouncil



Worcester Southern Link Road Phase 4

Compulsory Purchase Order 2018

Statement of Reasons

DRAFT

January 2018

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1 Statement of Reasons

1.1 Introduction

- 1.1.1 This document is the Statement of Reasons in support of the making of the Worcestershire Southern Link Road Phase 4 Compulsory Purchase Order 2018 (the "Order").
- 1.1.2 By resolution dated 2nd February 2017 and a decision made pursuant to delegated powers dated 9 January 2018 Worcestershire County Council (WCC) has decided to make the Order.
- 1.1.3 The Order has been made so as to enable WCC to acquire land and new rights over land for the purposes of enabling the construction of the Worcester Southern Link Road Phase 4, being the widening of the A4440 Temeside Way and associated infrastructure improvements (hereinafter referred to as the "Scheme") pursuant to the powers contained in Sections 14, 239 and 250 of the Highways Act 1980
- 1.1.4 The land and the new rights to be acquired pursuant to the Order are described in section 1.5 of this Statement of Reasons. This Statement of Reasons explains why WCC is of the view that the powers of compulsory purchase contained in the Order are necessary and why there is a compelling case in the public interest for making the Order which justifies the overriding of private rights in respect of the affected land. WCC are satisfied that the acquisition will facilitate the carrying out of development on or in relation to the land the subject of the Order (the "Order Land").
- 1.1.5 A planning application (reference number: 17/Oc00036/REG3) was submitted to the Local Planning Authority on 20 October 2017.
- 1.1.6 The Order will be submitted to the Secretary of State for Transport (the "Secretary of State") for confirmation pursuant to the Acquisition of Land Act 1981. Objections can be made to the Secretary of State in accordance with the details set out in the Notice of Making the Order.
- 1.1.7 Provided that the Order is confirmed, WCC will either serve Notices to Treat followed by Notices of Entry or it will execute a General Vesting Declaration in order to vest the Order Land in WCC.
- 1.1.8 This Statement of Reasons is not intended to constitute WCC's Statement of Case for the purposes of the Compulsory Purchase (Inquiries Procedure) Rules 2007.

1.2 Need for the Scheme

- 1.2.1 The Southern Link Road ("SLR") forms a key part of Worcestershire's Primary Road Network (PRN) and links the Strategic Road Network (M5, J7) and the eastern side of Worcester City with the A38, A449, A4103 and A44 to the west; as well as existing and planned residential and commercial developments on the southern and western side of the City. The SLR is one of only two road crossings of the River Severn in Worcester and is an important bypass around the south of the City of Worcester providing a key link to West Worcestershire, Herefordshire and onwards into Wales and the Welsh borders.
- 1.2.2 Constructed in the 1980's, the SLR was designed to a single carriageway standard, with a series of at-grade junctions with key radial routes to/from Worcester City centre. These junctions were of roundabout form with some widening of the SLR on the approaches to provide additional stop line capacity. With the growth of Worcester in more recent years, the

original design standard has resulted in severe delays during peak periods, a problem which transport model forecasts are indicating will worsen as a result of the development growth planned for South Worcestershire and the wider county and region. Transport modelling has also shown that the original design standard has become a constraint on the use of the SLR and some trips are finding alternative, less appropriate, routes around or indeed through Worcester. The Worcester City river crossing accommodates 40,000 daily trips compared to 30,000 on the SLR.

- 1.2.3 The scale of the SLR and associated Worcester traffic problems and the costs that these impose on the businesses, transport operators and users are such that, if left unresolved, will constrain the ability of south Worcestershire to accommodate planned development and support economic growth. Hence, the Scheme will address a significant constraint on the performance of the transport network in Worcester and wider South Worcestershire. It will provide additional link and junction capacity over a key section of the SLR.
- 1.2.4 The Scheme will increase capacity of the SLR and make access to the west of Worcester significantly quicker and more reliable. This will in turn make development sites, such as Worcester West urban extension and North-East Malvern more attractive and thus enable more development to be realised (3,000 dwellings and 15 Hectares of employment land).
- 1.2.5 The Strategic Economic Plan (SEP) for Worcestershire will see an additional 25,000 jobs, and an additional £2.9bn GVA and 25,000 new homes built by 2025. The SEP recognises that pinch points to the strategic transport networks are constraining economic growth and that investment in Worcestershire's transport infrastructure and services is essential to provide businesses with improved access to markets and employees and to encourage economic growth.
- 1.2.6 The delivery of the Scheme is therefore a high priority for WCC and partner organisations, including the Worcestershire Local Enterprise Partnership (WLEP), Chamber of Commerce, Members of Parliament and the Worcestershire District Authorities. The Scheme is aligned with agreed priorities, in particular in terms of supporting economic growth in Worcestershire.
- 1.2.7 The Scheme has a clear strategy and is closely aligned with the aims of WCC and the WLEP. The Scheme is also supported by the Marches LEP. The Scheme addresses a number of problems relating to the economy, transport and infrastructure as a barrier to economic growth, congestion and constraints to development (e.g. Worcester West Urban Extension and other developments to the west of Worcester) and network resilience.
- 1.2.8 South Worcestershire Development Plan (SWDP) makes provision for 28,400 dwellings for the plan period 2006 to 2030 and the Hereford Local Plan Core Strategy, aims to deliver a minimum of 16,500 homes over the period 2011 to 2031. To meet the development allocations set in the SWDP, development sites will need to be attractive to secure investment. Improvements to the SLR will reduce the negative effects of congestion and improve accessibility and journey times across south Worcestershire. In turn, the area's attractiveness to business and ability to accommodate more housing will increase.
- 1.2.9 The connectivity to the Strategic Road Network from the west is notably poorer in the peak periods, in the Worcester area, due to congestion. This has meant that employment development to the West of Worcester is not attractive. Indeed, there has been a case where a site allocated for employment use has been developed for residential use due to lack

of market interest in employment development to the West of Worcester. Feedback from the business community has shown this is due to connectivity, particularly lack of certainty of travel times to the Strategic Road Network. The Scheme would address this issue.

- 1.2.10** The unattractiveness due to congestion and unreliability on the SLR results in trips routing through the City, rather than using the SLR. Worcester's current high levels of congestion reduce the attractiveness of the City as a location for business and thus growth and regeneration opportunities are not taken forward. Removing strategic traffic from the City centre will enable Worcester to meet its socio-economic aspirations. The Scheme will also provide much needed network resilience against River Severn flooding which has impacted the City Centre during recent floods in 2003, 2007, 2012 and 2014.
- 1.2.11** The Scheme is the final phase of the four phase programme which upgrades the A4440 SLR to dual-carriageway standard between Powick roundabout and the M5. It completes a major upgrade to the SLR which reinforces the role of the SLR as a strategic East-West route, as well as a bypass to the City centre.
- 1.2.12** In summary, the need to deliver the Scheme is more important than ever as constraints on the existing Worcestershire transport network threaten to limit future growth. The Scheme is needed to:
- Unlock the potential of the SLR by removing the capacity constraint at Temeside Way;
 - Support the growth of the economy of Worcestershire and the surrounding area by reducing travel times and improving travel time reliability and thereby the adverse impact on businesses, transport operators and other network users of the current and forecast traffic congestion on the SLR;
 - Support the delivery of the planned growth set out in SWDP up to 2030 and some capacity for post 2030 growth;
 - Improve the performance and attractiveness to users of the SLR as a bypass for Worcester City Centre, thereby helping to better manage traffic conditions in the constrained central area;
 - Improve access to the Strategic Road Network from areas to the west and north west of Worcester, including Malvern Hills District, Herefordshire and parts of the Welsh Marches;
 - Provide better access to development sites to the south and west of Worcester, in Malvern District and in Herefordshire; therefore, increasing the attractiveness of these sites for development and aiding the delivery of the SWDP, and providing better access from these areas to Worcester as the county town and administrative centre;
 - Improve access to key hubs, including Birmingham International Airport and Worcester Parkway Station.

1.3 Socio-Economic

- 1.3.1** There is a clear need to stimulate economic growth and activity through improving conditions to support new and expanded businesses. The area's employment grew sluggishly between 2003 and 2008, prior to the global economic downturn. Data also suggests employment levels in the sub-region's urban core were already declining prior to the recession.

- 1.3.2 The SWDP: Economic Prosperity Background Paper (2012) suggests that a continuation of such trends of sluggish or no growth poses significant threats to the area. It highlights the area's limited ability to create new jobs, which reflects the ageing demographic of South Worcestershire and its failure to provide enough economic opportunities and new homes for the local youth. In this context, the local talent would look toward migrating out of the area, consequently reinforcing a problematic trend.
- 1.3.3 Therefore, the inadequate labour supply caused by the housing shortage could force businesses to relocate out of the area, which would lead to little investment in infrastructure or jobs. With depressed markets, existing businesses would subsequently find it difficult to grow and inward investors wouldn't see Worcester and South Worcestershire as the right place to locate. A decline in the area's economic output would affect local consumer spending, subsequently impacting on the vitality of the area's city, town and neighbourhood centres.
- 1.3.4 Recognising the threats to the area's economic prosperity, the SWDP seeks to bring forward 280 hectares to create 25,000 new jobs by 2030. To achieve such targets the area will need to create more than 1,400 jobs per annum to hit its sustainable growth employment targets. This is considerably higher than the area's performance over the past two decades.
- 1.3.5 In light of the above strategy, Worcestershire faces a period of growth in travel demand in the coming years with a significant increase in residential (+40,000 homes) and commercial development. As identified in the SWDP, Worcester City and South Worcestershire will accommodate a significant proportion of this growth.
- 1.3.6 However, the area's poor transport infrastructure, including the rail and highways network, is identified as a major constraint to bringing forward the level of development referred to above. In response, the SWDP and supporting South Worcestershire Infrastructure Development Plan (SWIDP) identified the need for significant investment in transport infrastructure schemes in the South Worcestershire area to support the plan. This includes the delivery of the Scheme.

1.4 Description of the Scheme

- 1.4.1 The scheme is a component part of the Worcester Transport Strategy (WTS). Through the preliminary assessment of the WTS and recognising that it was not possible to be granted funding for the complete WTS at one time, an exercise was undertaken to identify an initial Phase 1 package and then subsequent components which complemented and enhanced the benefits that could be realised from the initial Phase 1 package. As these subsequent phases are each significant projects in their own right, it was further necessary to programme the schemes to meet with funding availability. Hence, through this process, WTS was divided into the following phases:
- WTS Phase 1: The appraisal showed it to deliver strong positive benefits across DfT appraisal criteria (this phase included the sustainable measures in the City and A4440 Worcester Southern Link Road Phase 1 and Phase 2 schemes); and
 - Subsequent phases of WTS: The case for the subsequent phase of the WTS is as robust as Phase 1 in terms of the value for money offered (this phase includes the A4440 Worcester Southern Link Road Phase 3 and Phase 4 schemes).
- 1.4.2 A4440 Worcester Southern Link Road improvements have been split into four phases. These are shown below.

A4440 Southern Link Road Phasing

Phase	Scheme	Status
Phase 1	Whittington Junction minor Improvements	Completed
Phase 2	Ketch Junction improvements and provision of 600 metres of dualling towards Norton Roundabout	Completed
Phase 3	Norton Roundabout improvements and completion of dualling between Whittington and Ketch junctions	Under construction. To be completed by the mid-2019
Phase 4	Dualling between Powick and Ketch junctions (the Scheme)	To be implemented by 2021

1.4.3 Phase 1 of the SLR improvements was completed in Summer 2012 and consisted of capacity enhancements to the Whittington Roundabout. Phase 2 works were completed in Summer 2015 and provide enhancements to the Ketch Roundabout and 600 metres of dualling of the A4440. Phase 3 comprises dualling between Whittington and Ketch junctions and Norton Roundabout improvements and is currently under construction.

1.4.4 The Scheme is the fourth phase and entails the dualling of the existing 1.9km single carriageway A4440 Temeside Way between Ketch Roundabout and Powick Roundabout, Worcester. The site is centred at National Grid Reference (NGR) SO843517 and is located approximately 3km west of Junction 7 of the M5 and 3.3km south of Worcester City Centre.

1.4.5 The Scheme includes the provision of a new pedestrian and cycle bridge over the A4440 Hams Way, upgrade of the existing footpath along A4440 Temeside Way to a footway and cycle and the upgrade of a grade-separated crossing at Ketch Roundabout to improve connectivity between footpaths and cycle routes in the vicinity.

1.4.6 In summary, the Scheme comprises:

- An additional two lanes constructed to the South of A4440 Temeside Way on a widened embankment with new, parallel bridges at Powick Common Viaduct and Carrington Bridge for West-bound traffic.
- The existing road becoming two lanes for East-bound traffic.
- Improvements to A38 South Approach from Kempsey and other minor approach road improvements
- Upgrading of the of the existing footway to the north of the existing A4440 Temeside Way to a footway/cycleway
- Construction of a new Foot and Cycle Bridge to carry pedestrians and cyclists over the A4440 Hams Way to the West of Powick Roundabout
- Improvements to the informal underpass under Carrington Bridge
- Relocation of an existing high-voltage overhead electricity pylon
- Construction of a flood compensation area

1.5 Description of the Order Land

- 1.5.1 The Order Land is located between Southern Worcester, Ketch Roundabout and Powick, approximately 3.3km South-West of the centre of Worcester, with a major part being to the South of the A4440 Temeside Way, within Powick Common, a registered common.
- 1.5.2 The Order Land is located within a rural context and is surrounded by arable fields with the exception of the Ketch Caravan Park and Moorings located alongside the River Severn to the north of Carrington Bridge.
- 1.5.3 The Order Land is identified on the map referred to in the Order ("Land Acquisition Plan, SLR4-BUR-ALL-HWY-DR-CH-101004"). The Land Acquisition Plan clearly highlights the extent of land purchase required to implement the Scheme. All interests in the land shown pink on the Land Acquisition Plan are to be acquired (or interests therein acquired). Land shown in blue on the Land Acquisition Plan is required to facilitate construction and with blue hatching indicating where permanent rights are required. The Order Land comprises the following key areas:
- Land located to the South of the existing A4440 Temeside Way shown in pink is required to be acquired for the construction of the new embankment, bridges, carriageway and the relocated overhead electricity pylon;
 - Land to the South of the A4440 Temeside Way shown in blue (including blue hatching) is required for the construction phase to facilitate construction and includes the site compound, working areas, storage areas and haul roads. The main site compound will be located to the South East of Powick Roundabout;
 - In addition to the item above, the land shown in blue hatching to the south of and adjacent to A4440 Temeside Way and two areas (one to the north of each existing bridge) require the acquisition of permanent rights for access to undertake maintenance on the drainage ditches and drainage works associated with the Scheme, the Carrington Bridge and Powick Common Viaduct;
 - Land to the North of the A4440 Temeside Way abutting the River Severn, shown in blue, is required to facilitate construction of the Scheme including the relocation of the electricity pylon;
 - An area of land South of the A4440 Temeside Way Land adjacent to existing ponds, shown in blue hatch, is required to construct new flood mitigation ponds and introduce biodiversity mitigation measures. This land is required to mitigate flood risk during and after construction of the Scheme. Permanent rights are required to maintain the ponds, including access from Powick Village;
 - An area of land to the South-West of Powick Roundabout, shown in pink, is required to be acquired to construct the Southern approach (including ramp) to the proposed Hams Way Foot and Cycle Bridge. Adjacent land shown in blue (including blue hatch) is required to construct the foot and cycleway including the ramp. In addition, the land shown in blue hatching requires the acquisition of permanent rights to facilitate access for maintenance of the foot and cycleway including the ramp.
 - An area of land to the South of the A4440 Temeside Way, shown in blue, is to be used as temporary replacement Common Land;
 - An area of Land to the West of the A449 Malvern Road, to the south of the River Teme, shown in pink, is required to be acquired for permanent replacement Common Land.

Permanent access (shown in blue hatching) is required to enable access to prepare the land for such use and to permit future access for maintenance;

- Rights for access to undertake maintenance of Hams Way pedestrian and cycle bridge
- Airspace over the River Severn
- An area of land adjacent to Carrington Bridge belonging to WCC currently leased to Ketch Caravan Park where rights are to be acquired

1.5.4 The Scheme does not require the relocation or demolition of existing businesses.

1.6 Negotiations with Landowners

1.6.1 WCC recognises that acquiring authorities should seek to acquire land by negotiation wherever possible. Ongoing meetings and discussion are continuing with landowners affected by the development proposals and WCC recognises the importance of involving landowners throughout this process and throughout the planning process. WCC will continue to negotiate with owners for the acquisition of the Order Land alongside and throughout the CPO process up to possession should the Order be confirmed.

1.6.2 The Statement of Case (if required)will set out in detail the steps taken by WCC to seek to negotiate with the landowners and other parties affected by the Order, in particular, those offers made to parties with existing interests in the Order Land.

1.6.3 There are also some parcels of land where title is unregistered at the River Severn crossing. The Order will afford WCC the opportunity to confirm certainty of ownership of all of the land (and conferment of rights) necessary to deliver the Scheme and to allow it to be brought into beneficial use.

2 Planning Policy

2.1 Introduction

2.1.1 The relevant policy documents comprise:

- The National Planning Policy Framework (2012) (NPPF) contains relevant planning guidance and is a material planning consideration;
- South Worcestershire Development Plan (February 2016);
- Planning Practice Guidance (2014);
- Worcestershire Strategic Economic Plan (2014);
- Local Transport Plan 3 (2011); and
- Worcestershire Waste Core strategy (2012).

2.1.2 Other relevant documents include:

- Strategic Objectives of the Worcestershire Local Enterprise Partnership;
- Economic Strategy for Worcestershire 2010 – 2020 (2010);
- South Worcestershire Infrastructure Delivery Plan (2016 version);
- Worcester Transport Strategy; and
- Herefordshire and Worcestershire Minerals local plan (2007).

2.2 National Planning Policy Framework

- 2.2.1 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced the majority of Planning Policy Guidance documents and Planning Policy Statements that previously provided the national planning policy framework. The NPPF recognises that the purpose of the planning system is to achieve sustainable development, which can be achieved when economic, social and environmental gains are sought jointly. At the heart of the NPPF is a presumption in favour of sustainable development where the proposal accords with the local development plan.
- 2.2.2 The NPPF aims to ensure that planning policy guides development that contributes to protecting and enhancing our natural, built and historic environment; and, as part of this, helps to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 2.2.3 The NPPF outlines a number of key outcomes of sustainable development. In relation to Southern Link Road, the most pertinent outcomes are:
- Making it easier for jobs to be created in cities, towns and villages; and
 - Improving the conditions in which people live, work, travel and take leisure.
 - Similarly, and in light of the drive towards sustainable development, the NPPF highlights a number of core principles that should govern development planning. These include:
 - Promote sustainable economic development to deliver homes, businesses, infrastructure and thriving local places;
 - Promote mixed use developments; and
 - Manage patterns of growth to maximise use of public transport, walking and cycling.
- 2.2.4 The provision of transport infrastructure is intrinsically linked to a number of these core principles, particularly where transport infrastructure is expected to facilitate the development of employment land. The NPPF aims to integrate development and infrastructure planning by noting infrastructure is crucial to supporting economic development and building a strong, competitive economy.
- 2.2.5 The components of the NPPF considered relevant to this proposal are set out below:
- 2.2.6 **Section 1 -Delivering sustainable development** promotes economic growth in order to create jobs and prosperity. Planning policy is committed to ensuring the system does everything it can to support sustainable economic growth. Paragraph 21 supports the Southern Link Road Scheme as it recognises the lack of infrastructure for being a barrier to growth and investment. The Scheme would reduce congestion within Worcester and improve access to southern Worcester, thus opening an area identified for economic investment, the Scheme would also provide the necessary infrastructure to create jobs and viability in this area. Policy states that local planning authorities should 'identify priority areas for economic regeneration, infrastructure provision and environmental enhancements'. This Scheme brings forward the local authorities' desire to enhance links between the eastern side of Worcester and the Strategic Road Network and in turn improve access to areas such as Herefordshire and Wales in order to create jobs and prosperity for Worcester, Malvern Hills and beyond.

- 2.2.7 Section 2 - Ensuring the vitality of town centres** promotes town centres as a key economic driver in our country, and promotes competitive town centre environments. It is recognised that this proposal for a link road to the south of the town centre core would help the free-flow of traffic around the town and reduce congestion within the town centre, ultimately promoting the vitality of Worcester City centre.
- 2.2.8 Section 4 - Sustainable transport** is a key theme running through the NPPF, it is recognised that different policies and measures would be required in different communities and opportunities to maximise sustainable transport solutions would vary from urban to rural areas. The Southern Link Road would ensure economic development in the city centre and the key employment corridors as defined by WCC are achieved. The development would help realise the potential of jobs in the area and serve future employment (and residential) development. Whilst the road would primarily be for motor vehicles; cycle infrastructure and pedestrian access would form an integral part of the Scheme ensuring alternative methods of transport are catered for. Over time, public transport systems could be introduced along the stretch of road to further open up the area and provide a sustainable alternative to the motor vehicle.
- 2.2.9 Section 10 – ‘Meeting the Challenge of Climate Change, Flooding and Coastal Change’** seeks to reduce the risk of flooding. The Scheme is located within the River Severn Flood Zone, is in the vicinity of the River Teme Corridor and the River Severn flows through the eastern edge of the site area. The Scheme would increase the flood resilience of the route, further supporting development in the area.
- 2.2.10 Section 11 – ‘Conserving and Enhancing the Natural Environment’** seeks to protect and enhance natural landscapes, and improve biodiversity. The River Teme SSSI is located immediately adjacent to the Scheme and at its closest point lies within 100m north of the Scheme’s boundary. There are also two Sites of Regional or Local Wildlife Importance (referred to as Local Wildlife Sites previously) associated with the River Teme and River Severn. The Scheme design would incorporate appropriate mitigation to ensure that there is no detrimental impact to the River Teme SSSI.
- 2.2.11** Design and appearance is a key part of any proposal particularly when affecting historic and important landscapes.
- 2.2.12 Section 7 – Requiring good design** promotes development that optimises the potential of the site to accommodate development and support local transport facilities and transport networks. Paragraph 58 supports designs which reflect local surroundings and materials, while not preventing or discouraging appropriate innovation.
- 2.2.13** The Scheme is external from a Conservation Area, the impacts upon the nearby Conservation Area within Powick being minimal and there would be little impact upon the setting of the Conservation Area.
- 2.2.14 Section 12 – Conserving and enhancing the historic environment** states local planning authorities should take into account the desirability of new development(s) making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment and the character of the place. The design would not impact upon the battlefield by keeping development away from the area. The Hams Way Foot and Cycle Bridge would improve the access to the historic Powick Bridge, a grade 1 listed structure. It is recognised in paragraph 137 that opportunities for new

development within Conservation Areas should enhance or better reveal the areas significance.

2.3 The South Worcestershire Development Plan

2.3.1 The South Worcestershire Development Plan (SWDP) was adopted by the Council in February 2016 and provides the District with principles and strategies for the development and protection of land until 2030.

- The SWDP sets out the broad strategy and vision for development within southern Worcestershire until 2030. A fundamental tenet of the SWDP is that it must contribute towards improving, protecting and managing sustainable development in the District. To this end, the SWDP outlines key 'needs based.' These include:
- c. 12,000 net additional dwellings between 2006 and 2030;
- 120ha of employment land between 2006 and 2030; and
- 40,000 sq m of employment floorspace between 2006 and 2026.

2.3.2 The SWDP confirms that traffic congestion along the A4440 contributes to a lack of capacity on the highways network, acts as a key constraint to achieving the ambitious housing and employment targets outlined in Policy SWDP 4. In response, the Strategy seeks to implement the Southern Link Road improvements to unlock development and accelerate the growth prospects of the District. In particular, Policy SWDP 4 identifies the Southern Link Road as a strategic element of transport infrastructure, necessary for facilitating the SWDP.

2.3.3 The emerging SWDP covers the areas administered by Malvern Hills District Council, and WCC, and considers the long-term visions and objectives for south Worcestershire. In summary, the general themes of the Core Strategy are covered below:

SWDP 4: Promoting Transport Choice and Accessibility

2.3.4 The policy deals with promoting improved existing transport links and accessibility within the area. The policy lists the strategic transport infrastructure Schemes, which includes the provision of the duelling of the A4440 Temeside Way, and improvements to Ketch and Powick Roundabouts to facilitate the SWDP. These proposals therefore accord fully with this policy, and would help facilitate the SWDP.

Policy SWDP 5: Green Infrastructure

2.3.5 Policy SWDP 5 requires that all qualifying development contributes towards the provision, maintenance, improvement and connectivity of Green Infrastructure. The precise form and function(s) of Green Infrastructure would depend on local circumstances and Worcestershire Green Infrastructure Strategy's priorities and should be agreed with the partner authorities in advance of a planning application.

2.3.6 The Scheme is within the vicinity of an area identified as "protect and restore": The River Teme Corridor. Policy SWDP 5 states that 'other than specific site allocations in the development plan, development proposals that would have a detrimental impact on important GI attributes within the areas identified as "protect and enhance" or "protect and restore", as identified on the Environmental Character Areas Map, would not be permitted unless:

2.3.7 A robust, independent assessment of community and technical need shows the specific GI typology to be surplus to requirements in that location; and

- 2.3.8 Replacement of, or investment in, GI of at least equal community and technical benefit is secured.'

SWDP 7: Infrastructure

- 2.3.9 The Scheme is located in the SWDP. This policy deals with providing a local diverse economy and states that major new development would be located within the SREC. Annex I: Infrastructure Table deals specifically with the Southern Link Road Development, stating that the site is "essential." The development of the Phase 4 of the Southern Link Road would contribute to the development of the SWDP, and therefore the proposal supports this policy.

SWDP 22: Biodiversity and Geodiversity

- 2.3.10 The River Teme Site of Special Scientific Interest (SSSI) is located approximately 100m to the north of the Scheme at its nearest point. The river is of special interest as a representative, near-natural and biologically rich river type associated with sandstone and mudstone. Due to the close proximity of the SSSI, Policy SWDP 22 has been considered in this assessment.
- 2.3.11 Policy SWDP 22 deals with Biodiversity and Geodiversity, including SSSI's and advises that development that would compromise these areas would not be permitted. Development which would compromise the favourable condition or the favourable conservation status of specific sites, including a Local Wildlife Site would only be permitted if the need for and the benefits of the development outweigh the loss.
- 2.3.12 Policy SWDP 22 also states that all new development must be designed to enhance biodiversity / geodiversity interest and safeguard ecological corridors, and recognises that whilst a reduction in on-site biodiversity / geodiversity may be mitigated by off-site compensation, this would only be acceptable where on-site mitigation is clearly not possible.

SWDP 25: Landscape Character

- 2.3.13 Policy SWDP 25 requires proposals to take the Landscape Character Assessment and its guidelines into account, and to ensure that they integrate with the character of the landscape setting. The Scheme likely to result in permanent changes to the landscape and visual amenity of the site and surrounding area; however, mitigation and enhancements would be developed as part of the design process. The management strategy for the landscape is primarily one of restoration and conservation - to conserve and restore the character of the landscape.

SWDP 28: Management of Flood Risk

- 2.3.14 Policy SWDP 28 sets out the key principles that development must adhere to in order to reduce the risk of flooding. As noted above, the Scheme is located within the River Severn Flood Zone, is in the vicinity of the River Teme Corridor and the River Severn flows through the eastern edge of the site area. The Scheme would increase the flood resilience of the route, further supporting development in the area. An FRA has been prepared to outline all relevant mitigating measures.

SWDP 45: Directions for Growth Outside the City Administrative Boundary

- 2.3.15 The Scheme is adjacent to the Broomhall Community and Norton Barracks Worcester South Urban Extension, SWDP45/1 (immediately to the south east of Ketch roundabout). The Worcester South Urban Extension would deliver approximately 20ha of employment land and around 2,600 dwellings. SWDP 45 states that 'the rate of delivery would be dependent upon the phased implementation of the Worcester Transport Strategy and in particular the dualling of relevant sections of the A4440 Southern Link Road'.

2.3.16 Proposals for the urban extension include safeguarding land on the southern side of the A4440 for the dualling of the road and the provision of the pedestrian and cycle bridges needed to provide sustainable transport links between the development and Worcester city walk and cycle networks.

2.4 Planning Practice Guidance

2.4.1 Planning Practice Guidance was published in March 2014 and provides guidance for a range of topics. The relevant topics for this assessment include:

- *Design* - This guidance provides advice on the key points to take into account on design
- *Flood Risk and Coastal Change* - This guidance advises on how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process.
- *Natural Environment* - Explains key issues in implementing policy to protect biodiversity, including **local requirements**.

2.4.2 The Scheme has been designed taking account of the requirements of the above-mentioned guidance.

2.5 Worcestershire Local Enterprise Partnership

2.5.1 The LEP has identified six key objectives, including:

- Strategic Objective 1 - Place development & infrastructure
- Strategic Objective 2 - National profile & promotion
- Strategic Objective 3 - Employment & skills
- Strategic Objective 4 - Competitive innovative businesses & access to finance
- Strategic Objective 5 - Sector development
- Strategic Objective 6 - Inward investment

2.5.2 In particular, Strategic Objective 1 recognises that growth and prosperity in the area depend to a large extent on the existence of a sound infrastructure and the provision of attractive sites for potential investors. Further, infrastructure which creates better connectivity, including road infrastructure, is an important element in Worcestershire's offer to inward investors.

2.6 Worcestershire Strategic Economic Plan (2014)

2.6.1 The Worcestershire Strategic Economic Plan (SEP) sets out the plan for economic growth within the local economy by 2025 by over 25,000 jobs and increase GVA by £2.9 billion. The SEP states that transport infrastructure is both a weakness and opportunity within Worcestershire. The Scheme would help to mitigate the weakness and follows a key opportunity.

2.6.2 The SEP states that the A4440 is a major area of congestion, which causes a pinch point, thus being a barrier to development. It states that improvements to the Scheme would reduce actual journey times by 30% by 2026 and reduce do nothing journey times by 50% by 2026.

2.6.3 The plan states that improvements to transport links would help towards the goal of making Worcestershire a world class business location. The development would also help to facilitate

early delivery of the 9,400 new homes and development sites, to provide 25,000 new jobs, along with improved accessibility and connectivity to markets. It is “a developer-led Scheme essential to deliver the planned growth across South Worcestershire.”

2.6.4 Current planning applications and recent applications which would be strengthened by the Scheme, and help reach the SEP reach its targets:

Planning Applications- See Drawing – Cumulative Effects – Plans and Projects considered

Project / Plan	Name on Figure	Application Ref:	Planning Authority	Planning Status
Astons Coaches, Clerkenleap, Bath Road, Broom hall, Worcester Proposal: 66 dwellings and 32 bed care home	Astons Coaches, 66 dwellings and 32 bed care home	17/00119/OUT	Malvern Hills District Council	Pending
Wellbeck: Land to the South of the City of Worcester, Bath Road, Broomhall Proposal: 2204 dwellings	Land to the South of the City of Worcester, 2204 dwellings	13/00656/OUT	Malvern Hills District Council	Pending
St. Modwen: Land north of Taylors Lane, south of and part north of A4440 Broomhall Way Proposal: 255 dwellings	Land north of Taylors Lane, 255 dwellings	13/01617/OUT	Malvern Hills District Council	Pending
Severn Capital: Location: Land at Broomhall Way Proposal: 81 dwellings	Land at Broomhall Way, 81 dwellings	P14L0 266	Worcester City Council	Outline Approval
Worcestershire Parkway - Railway station with parking and associated infrastructure	Worcestershire Parkway	15/000007/REG3	Worcestershire County Council	Approved

2.7 Local Transport Plan 3

2.7.1 Adopted in 2011, the Local Transport Plan 3 (LTP3) sets out the detailed transport policies and strategies for Worcestershire. The objectives are set out below:

- To support Worcestershire's economic competitiveness and growth through delivering a reliable and efficient transport network;
- To reduce the impacts of transport in Worcestershire on the local environment, by reducing noise and transport-related emissions of carbon dioxide and other greenhouse gases, with the desired outcomes of tackling climate change and reducing the impacts of transport on public health;

- To contribute towards better safety, security, health and longer life expectancy in Worcestershire, by reducing the risk of death, injury or illness arising from transport and promoting healthy modes of travel;
- To optimise equality of opportunity for all of Worcestershire's citizens with the desired outcome of creating a fairer society; and
- To enhance the quality of life for Worcestershire's residents by promoting a healthy, natural environment, conserving our historic built environment and preserving our heritage assets.
- To enhance the quality of Worcestershire's Transport Asset, through sensitive and appropriate design with the desired outcome of reducing the costs and inconvenience of maintenance works.

2.7.2 The LTP3 sets out to overcome three major challenges in Southern Worcestershire:

- To relieve congestion;
- To enhance access; and
- To enable and promote growth.

2.7.3 The Southern Link Road development features within the LTP3, within Scheme W4. The policy states that due to limited public funding the principle priority of Worcestershire County Council be to ensure the best use of existing transport Schemes by focusing on maintenance and enhancement Schemes. The Southern Link Road Development, therefore the supports this policy.

2.8 Worcestershire Waste Core Strategy Development Plan Document

2.8.1 The Worcestershire Waste Core Strategy was adopted on 15 November 2012 and sets out a long-term vision for waste management in Worcestershire to 2027. The Waste Core Strategy predicts how much waste is likely to be produced, how much capacity will be needed to manage it and when. It also sets out a Spatial Strategy for where new facilities will be located. It contains specific policies in which to judge applications for waste management development, but it also contains policies for developments other than waste management facilities that could have waste implications. For this reason the following policies are considered relevant to the Scheme:-

- Policy WCS 16: New development on or near to existing waste management facilities
- Policy WCS 17: Making provision for waste in all new development.

2.9 Summary

2.9.1 There is a clear and strong focus on achieving sustainable growth at the heart of national planning policy. The delivery of improved transport infrastructure would be a key driver in delivering this growth in south Worcestershire, in terms of new jobs and housing, and linking the region to a wider area including Hereford and Wales. Local planning policy clearly supports the dualling of the Scheme to increase capacity and relieve congestion, allowing businesses and housing developments to grow. Local planning policy focuses upon the specifics of development and mirrors the requirements of the NPPF. Local planning policy clearly supports the dualling of the Scheme to increase capacity and relieve congestion, allowing businesses and housing developments to grow.

3 Benefits of the Scheme

3.1 General

- 3.1.1 The delivery of the Scheme is a high priority for WCC and partner organisations, including the Worcestershire Local Enterprise Partnership (LEP), Chamber of Commerce, Members of Parliament and the Worcestershire District Authorities. The Scheme is aligned with agreed priorities, in particular in terms of supporting economic growth in Worcestershire.
- 3.1.2 Furthermore, the Scheme will deliver benefits that extend well beyond the south Worcestershire area. Analysis of the wider economic benefits of the Scheme indicates that it will contribute substantially to the achievement of objectives in the Worcestershire Economic Strategy through improving accessibility and connectivity, which in turn would have a beneficial impact on the economic, social and environmental well-being of the area.

3.2 Connectivity

- 3.2.1 The SLR links the south of Worcester to the M5 at Junction 7, located approximately 3km east of the Scheme, and Malvern and Hereford to the West. The A38 Bath Road travelling north from Ketch Roundabout and the A449 Malvern Road travelling north from Powick Roundabout provide key connections into the City centre and to north and east Worcester and the associated radial corridors to/from Worcester. The westbound arm from Powick Roundabout opens up the wider area to the west of Worcester City leading to Hereford, Leominster and the southbound arm leads to the village of Powick and further southwest to Malvern and the Malvern Hills.
- 3.2.2 Constructed in 1985 the Scheme is a single carriageway road, with a series of at-grade junctions with key radial routes to/from Worcester City Centre. These junctions are of roundabout form with some widening of the Scheme on the approaches to provide additional stop line capacity. This design imposes significant capacity constraints which already cause severe delays during peak periods, a problem which transport modelling is indicating would worsen as a result of the development growth planned for South Worcestershire and the wider county and region. The scale of the SLR and associated Worcester City traffic problems and the costs that these impose on the businesses, transport operators and users are such that, if left unresolved, they would constrain the ability of South Worcestershire to accommodate planned development and support economic growth.

3.3 Economic

- 3.3.1 The 2011 Census demonstrates that typically, residents in Worcestershire are better qualified and more skilled than the wider population, and more likely to be employed in higher occupational categories relative to the regional and national population. Nevertheless, they tend to achieve lower levels of earnings. The improved connectivity and accessibility which the Scheme will bring could allow residents in this area to find employment opportunities that are commensurate to their levels of skills and qualifications, which are currently lacking in the area.
- 3.3.2 The high levels of congestion have meant that the area to the west of Worcester has received little employment development due to its unattractiveness. The Scheme would not only secure existing businesses but would also enable WLEP/WCC aspirations for the expansion of county's 'Gamechanger' sites such as Malvern Hills Science Park, South Worcester etc. The Scheme would support economic growth by releasing an additional 15 ha of employment land. In addition, relieving Worcester City congestion enabling an additional 2- 3,000 jobs in

the City over time and a repositioning of the City as the leading Cathedral City it is. The Scheme can remove the perception that Worcester is 'closed' at times of serious flooding.

3.3.3 Furthermore, improved connectivity and accessibility would ease commuting into and out of south Worcestershire and enhance the area's attractiveness to businesses, which could lead to business relocation and inward investment.

3.3.4 The Scheme would also lead to indirect economic impacts for retail and leisure establishments in south Worcestershire. Such businesses may benefit from increased expenditure associated with construction workers; and where it is not possible to source local contractors and suppliers, the hotel and accommodation industry in the immediate and wider area may experience a similar boost.

3.4 Employment

3.4.1 The Scheme also has the potential to generate employment during both the construction and operational phases.

3.4.2 The Scheme also serves existing development and employment areas and the South Worcestershire Development Plan (SWDP) major residential allocations on the southern and western side of Worcester City and Malvern Hills District. The SWDP plans for growth of approximately 28,400 dwellings and employment land provision of approximately 280 hectares in South Worcestershire for the plan period to 2030. The Scheme provides a vital link to the M5 as well as Ledbury, Upton and Herefordshire. The improvements to the Worcester Southern Link Road was identified in the Worcester Transport Strategy Phase 1 and 2. In addition in the adopted South Worcestershire Development as being essential to the development of the South Worcester Urban Extension and Worcester West urban extension (Policy SWDP45/1 and 45/2).

3.5 Journey Times

3.5.1 The Scheme will significantly reduce total journey times along the key A4440 route with consequential improved traffic flow in Worcester City Centre.

3.6 Conclusion

3.6.1 The Scheme will provide considerable sustainable economic development benefits in accordance with the NPPF and have a beneficial impact on the economic, social and environmental well-being of the area. Such impacts include:

- An improvement to Worcestershire's accessibility by road to markets and other destinations.
- Improved direct access to national cycle routes.
- Improved access to Worcestershire.
- Reduced journey times to regional and national destinations and international hubs such as Birmingham Airport and Worcestershire Parkway.

3.6.2 As part of the Outline Business Case submission to the Department for Transport to secure funding for the Scheme a fully WebTAG compliant assessment has been undertaken for the Scheme. This indicated that, overall, the Scheme will provide "Very High" benefits.

4 Reasons for making the Compulsory Purchase Order

- 4.1 WCC recognise that the Order can only be confirmed if there is a compelling case in the public interest which justifies the acquisition of the Order Land, the private rights and interests in the Order Land and the creation of new rights sought to be acquired. However, without the construction of the Scheme the significant benefits identified earlier in this Statement cannot be achieved. All the Order Land is required to bring forward the benefits identified in this Statement.
- 4.2 WCC have the resources available to carry out the Scheme, including the cost of land and rights acquisition, as shown in the tables below which identify contributions towards cost and a breakdown of the Scheme cost. DfT Programme Entry was secured 1st November 2017 and S106 contributions not yet received, have been underwritten by WCC.

Funding Sources & Profile

Funding Source	Cost (£000's)				
	2017/18	2018/19	2019/20	2020/21	Total
Total Scheme Cost	£2,374	£7,974	£22,422	£29,231	£62,001
DfT Local Majors Fund	£2,374	£7,716	£20,417	£23,992	£54,499
Local Contribution	£0	£258	£2,005	£5,239	£7,502

- 4.3 For the reasons given in this Statement of Reasons WCC consider there is a compelling case for the acquisition of the land and rights required for the Scheme and for the confirmation of the CPO to achieve this. WCC is satisfied that all of the Order Land is required to deliver the Scheme. There is no certainty that the necessary land and interests can be assembled by agreement within a reasonable period and as such the Order is necessary to deliver the Scheme, although efforts to acquire all interests by negotiation will continue in parallel.

5 Human Rights Act

- 5.1 Compulsory purchase orders should only be made where there is a compelling case in the public interest. The purposes for which the order is made should justify the interference with human rights of those with an interest in the affect land. In this case WCC considers that the many benefits of the transport infrastructure will bring to the area and wider region (as outlined in sections 1 and 3) provide a compelling case in the public interest for the use of compulsory purchase powers and outweigh the impact on existing owners and occupiers and their current land activities.
- 5.2 WCC acknowledges that the Order will have an effect on the human rights of those with interests in the Order Land. However, on balance WCC finds the public benefit of the Order and thereafter the Scheme outweigh the impact on the private individuals affected. The Human Rights Act 1998 requires (amongst other things) that every public authority must act in a manner which is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms ('the Convention'). The main articles of the Convention which are of importance in circumstances where WCC is considering making a CPO are Article 8 – the right

of an individual to respect his/her private and family life and home and Article 1 of the First Protocol – the protection of property.

- 5.3 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”, i.e. in the present context that any compulsory purchase of land must be proportionate. Both public and private interests are to be taken into account in the exercise of WCC’s powers and duties as a local planning authority. Similarly, any interference with Article 8 rights must be such that is “necessary in a democratic society”, i.e. proportionate. In pursuing a compulsory purchase order, WCC has to carefully consider the balance to be struck between individual rights and the wider public interest having regard also to the availability of compensation for compulsory purchase.
- 5.4 Whilst Article 8(1) (as has been noted) provides that everyone has the right of respect for his/her property Article 8(2) allows the State to restrict the rights to respect for the property to the extent necessary in a democratic society and for certain listed public interest purposes (e.g. public safety, economic wellbeing, protection of health and protection of the rights of others).
- 5.5 If the Order is confirmed, compensation may be claimed by persons whose interests in land have been acquired or whose possession of land has been disturbed. In the circumstances, if the Order is confirmed, the compulsory acquisition of the Order Land will not conflict with Article 1 of the First Protocol or Article 8 of the Convention. As already explained, WCC considers that there is a compelling case in the public interest for the Order Land to be acquired. Having regard to the need for the Scheme, WCC considers the acquisition of land and rights over land that the confirmed Order would authorise to be proportionate and justified.

6 Supporting Documentation

- 6.1 The following documents provide the supporting information for this Statement:
- National Planning Policy Framework (2012)
 - Planning Practice Guidance (2014)
 - SWDP: Economic Prosperity Background Paper (2012)
 - Worcestershire Strategic Economic Plan (2014)
 - Economic Strategy for Worcestershire 2010 – 2020 (2010)
 - Local Transport Plan 3 (2011)
 - Worcester Transport Strategy
 - South Worcestershire Development Plan (February 2016)
 - South Worcestershire Infrastructure Delivery Plan (2016)
 - Worcestershire Waste Core strategy (2012).
 - Outline Business Case (2017)
 - Planning Application 17/000036/REG3 for Southern Link Phase 4 (Oct 2017)

