



**WALBERTON PARISH COUNCIL
INCLUDING FONTWELL AND BINSTED**

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8th March 2022

By email
National Highways
Attention: A27ArundelBypass@highwaysengland.co.uk

Dear Sirs

A27 Arundel Bypass: Walberton Parish Council Response to Consultation under Section 42 of the Planning Act 2008

We write further to National Highway's ("NH") public consultation on the proposed A27 Arundel Bypass scheme (the "Scheme") to provide Walberton Parish Council's ("WPC") feedback on these proposals, including on the preliminary environmental impact report ("PEIR"), which NH has produced.

We attach a table containing WPC's detailed comments on the Scheme but WPC would highlight the following overarching points:

1. Throughout the PEIR there is a distinct lack of information provided to allow WPC and other consultees the chance to review and consider NH's proposals in any meaningful way. This lack of crucial detail can be seen in a number of places in the PEIR, as outlined in the attached representation, including sections dealing with the air quality assessment, cultural heritage mitigation, ecology surveys, and others.

This lack of detail means that the PEIR fails to meet two fundamental legal requirements:

- a. the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 for it to provide information that "*is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development*"; and
- b. the Gunning principles (as set out in the decision in *R v London Borough of Brent ex parte Gunning*), the second of which requires there to be sufficient information to give intelligent consideration and response.

Neither of these requirements, nor the Planning Inspectorate's Advice Note on the drafting of PEIR have been complied with. It is not acceptable for NH to defer provision of information on so many crucial aspects of the Scheme to the environmental statement, when time for consultees to influence the Scheme has passed. WPC is of the view in light of this that further consultation under Section 42 is required as the present consultation exercise cannot be meaningful.

2. WPC question whether the Scheme, which follows the proposed "grey route", is viable. The various benefit cost ratios ("BCR") put forward in the documentation from NH over the years not only provide a pessimistic and unfavourable outlook for

the costs of the scheme against its benefits (with the BCR in October 2020 being as low as 1.37), the situation is worsened as these analyses underestimate the cost and overestimated the benefits of the Scheme.

3. There is considerable environmental impact that would result from the Scheme. The specific impacts of concern are particularised in our representation, but WPC would highlight the volume and breadth of areas these impacts will cover. This spread of effects includes such diverse areas as the likely severe impact on bats (including potentially the rare Alcaethoe species), heritage assets (including the Grade II* St Mary's Church, Binsted) and the creation of traffic effects on local residents.
4. Whilst NH are keen to emphasise that the Scheme would take the A27 out of the South Downs National Park, in the PEIR, NH totally overlook assessing the impacts of the Scheme on the setting of the National Park. The extent of this oversight is such that South Downs National Park Authority, which is charged with oversight of this important national asset, retains concerns over "*significant adverse impacts on the setting of the National Park*", in light of the policy requirement in the National Planning Policy Framework to consider effects on setting of National Parks.
5. NH have taken a number of years of studies, consultation and reviews to put forward the grey route as the option for the Scheme. Despite all of this work, the grey route is demonstrably no better than others previously proposed and discounted by NH. For example, the proposed journey time reductions for the Brighton to Portsmouth route has never been substantiated, as have claims for reduction in rat running. As such, WPC question the methodology and effectiveness of the optioneering exercise run by NH, and consider that further optioneering is required now that the manifest disbenefits of the grey route as revealed by the PEIR are more clearly understood.

We await your detailed and full response to these concerns. WPC would welcome the opportunity to discuss the points we have outlined further.

Yours faithfully

[Unsigned - sent by email](#)

Andy Vawer - Chairman of Planning

On behalf of
Walberton Parish Council