

# Gwent Wildlife Trust

*Ymddiriedolaeth Natur Gwent*



## **Response to the Welsh Government Consultation Document M4 Corridor Enhancement Measures Magor to Castleton Easing the Flow**

Seddon House  
Dingestow  
Monmouth  
NP25 4DY  
Tel: 01600 740600  
Fax: 01600 740299

[info@gwentwildlife.org](mailto:info@gwentwildlife.org)  
[www.gwentwildlife.org](http://www.gwentwildlife.org)

*Reg. charity no. 242619  
Lim. Liability co.no. 812535*

**About:** Gwent Wildlife Trust is a registered charity and a member of the Wildlife Trusts Partnership, the largest voluntary organisation concerned with wildlife conservation. The vision of The Wildlife Trusts is 'an environment rich in wildlife for everyone'. Our mission is to 'rebuild biodiversity and engage people with their environment'. Gwent Wildlife Trust covers the area from the lower Wye to the Rhymney river valley in South East Wales. The Trust was set up in 1963 to purchase its first nature reserve, Magor Marsh, and now has over 30 nature reserves.

### **Summary:**

- Gwent Wildlife Trust strongly objects to Option A, on grounds of biodiversity loss and threats to ecosystem health.
- Gwent Wildlife Trust also objects to Option D, on grounds on biodiversity loss.
- Gwent Wildlife believes that the consultation is flawed due to lack of appropriate and robust data, and the need for new infrastructure has not been demonstrated.
- Gwent Wildlife Trust believes that the M4 CEM program should be subject to SEA and HRA screening.

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## **Our opposition to Option A**

Gwent Wildlife Trust strongly objects to Option A, the construction of a dual carriageway across the Gwent Levels.

### **Biodiversity Interest**

The proposed dual carriageway route would cross through the Redwick & Llandeenny SSSI, Whitson SSSI, Nash & Goldcliff SSSI and St Brides SSSI, and cross the River Usk SAC. It would also pass close to the Magor Marsh SSSI and Newport Wetlands SSSI and NNR. There is also potential for indirect negative impacts on the Severn Estuary SPA, SAC and Ramsar site, as pollution from construction and traffic could enter the water system that drains into the River Severn. This is not mentioned in the section relating to Option A. Planning Policy Wales (2011) states that *'The Assembly Government will ensure that international responsibilities and obligations for conservation are fully met, and that, consistent with the objectives of the designation, statutorily designated sites are protected from damage and deterioration, with their important features conserved by appropriate management.'* Building major roads through these sites will have significant negative impacts, and is therefore contrary to this commitment.

The area also supports significant numbers of priority species, some of which are protected from killing, injury or disturbance by European or national laws, and many of which are listed in the Section 42 list of Species of Principal Importance, the UKBAP, local BAPs and various red lists (indicating high conservation concern and priority). These include otter, water vole, bats, shrill carder bee, great silver diving beetle, and rootless duckweed. These are not mentioned in the consultation.

In addition to statutory sites, the route would also pass through or close to Sites of Importance for Nature Conservation (SINCs) and nature reserves owned by Gwent Wildlife Trust, which are open to the public. The whole of the Gwent Levels is considered to be one of Wales' best examples of Coastal and Floodplain Grazing Marsh, a UKBAP Priority Habitat (also listed in the local BAPs), which is not mentioned in the consultation.

The Wales Spatial Plan 2008 also places great importance on the Gwent Levels as a multi-functional, strategic environmental resource at the Regional level, stating at paragraph 19.37:-

*"The Capital Region has much to offer in terms of a first-class quality of life and this needs to be protected and enhanced by:*

- *Protecting environmentally sensitive areas, such as the Gwent Levels, identifying opportunities to restore and create other sites which will safeguard the Area's biodiversity"*

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The adverse impacts on these already rare species and habitats are likely to be direct habitat loss, disturbance, pollution, increased road kills and loss of ecological connectivity. Pollution is a particular concern, as the main feature of the SSSIs is the invertebrate interest and diversity in the reens. Invertebrates are highly sensitive to pollution, so run off and construction are likely to have significant negative impacts on the reen communities.

Under the Habitats Directive (1992), member states are required to encourage the management of features of the landscape that are of major importance for wild flora and fauna - as this includes stepping stones and wildlife corridors, placing a major obstruction within the landscape contradicts this requirement. Improving ecological connectivity within the landscape is the main aim for many conservation programmes, including the Welsh Government's own Networked Environment Regions report, for which the Gwent Levels was a case study. Placing a barrier of this scale is likely to have serious and irreversible impacts on the species and habitats of the Gwent Levels.

The consultation gives the incorrect impression that damage to these invaluable sites, habitats and species, can either be avoided through 'extra care', or compensated in some way. Compensation should be a last resort rather than a means of justifying damaging activities, and to suggest that compensation proportional and equivalent to the likely losses can be achieved is at best naive. How could an area of floodplain grazing marsh, the size of the footprint of a fifteen mile dual carriageway, with its associated rare flora and fauna, possibly be recreated, and where would such a habitat be created?

### **Landscape and Ecosystem**

The Welsh Government is committed, through the Living Wales programme, to using an ecosystem approach to environmental regulation and management. This means considering natural systems and the services they provide as a whole in decision making. The Gwent Levels provide numerous ecosystem services: agricultural products, biodiversity, water provision and quality regulation, flood alleviation, aesthetic and cultural services, recreation, health and wellbeing, education and tourism. Some of these services can be valued economically, and using the UK National Ecosystem Assessment (2011) we can estimate that, in addition to their intrinsic value the Gwent Levels are, according to this approach, worth at least £67,665,312 per year<sup>1</sup>. This does not include income from tourism or recreation, or the education services provided at Magor Marsh and Newport Wetlands. Construction of a dual carriageway will devalue these services significantly, and will negatively affect the functioning of the wetland ecosystem, and fails to acknowledge the government's own aim of protecting healthy ecosystems.

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The Gwent Levels are important as a Landscape – they are designated as a Landscape of Outstanding Historic Interest, and classified as Outstanding in terms of history, culture and habitat by LANDMAP. Given that the proposals would be at complete variance to the landscape, visually intrusive and damaging to characteristic features, the impact of the Option on the Heritage and Landscape of the Levels is likely to be a Large Negative Impact.

Gwent Wildlife Trust has identified the area as a Living Landscape, meaning that we recognise the significance of the landscape for people and wildlife, and are committed to its protection and enhancement at the landscape scale. We aim to restore and recreate habitats for wildlife, and reconnect people with nature. This year, we were able to raise £60,000 in a month in order to protect a small part of the Gwent Levels from development, showing the importance that the Gwent Levels holds for many people, and the strength of feeling towards protecting it.

The consultation fails to recognise the full impact of this Option on people and communities on the Gwent Levels. This includes people who visit the Levels to enjoy the stunning wildlife or excellent recreation opportunities as well as those who live there who currently enjoy the peace, tranquillity and beauty of the area. With reference to the ecosystem services mentioned above, people significantly benefit from the Gwent Levels in terms of their health and wellbeing. A study carried out by DEFRA<sup>2</sup> shows that people place value on the existence of SSSIs and their conservation interests, as well as the ability to visit them. The study also demonstrated that the public is willing to pay to protect SSSIs and their wildlife and geology – it is estimated that the public is willing to pay £128m for the benefits currently provided by SSSIs in Wales.

### **Fuelling Climate Change**

It is admitted within the consultation that *‘traffic congestion will not simply disappear as a result of capacity increase’* and that new roads tend to encourage more people to use their cars. This Option is therefore the most damaging in terms of greenhouse gas emissions, and the least sustainable, not only in climate change terms, but also in promoting a transport Option that is becoming increasingly unaffordable. Increasing capacity on the M4 is likely to cause increased congestion on ‘feeder’ routes such as the A4042. It is incorrect that greenhouse gas emissions are assessed to be neutral, especially if the emissions arising from construction were to be included.

### **Additional Impacts**

We are also concerned that a new road would provide incentive for increased, unsustainable and environmentally damaging development to the south of Newport. The SSSIs to the north of the new road would become subject to severe development pressure, with the added risk of infill development leading to further degradation. We

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already have records of pollution incidents of the reens from industrial development on the Levels, which would only increase. The new road would become, in effect, the new city boundary, losing large areas of countryside, and surrounding the city with polluting, noisy roads.

### **Sustainable Development**

The Welsh Government's 'central organising principle' is Sustainable Development. This is a golden thread that should weave its way into all decisions. However, the fact that an Option can be put forward to drive a motorway through the nationally protected green lung of Newport is a testament of the failure of Welsh Government's commitment to Sustainable Development.

At the same time as the launch of the M4 CEM, the Welsh Government launched consultations on ecosystem management "Living Wales" and on developing the Sustainable Development Bill, which aims to further embed the principles of sustainable development into decision making processes, as advocated in 'One Wales, One Planet'. However, the current consultation on the M4 CEM fails to acknowledge the existence of the Government's vision. Instead it relies on outdated models that do not take the true value of the environment into consideration.

Sustainable development does not mean compromising the environment, at a huge cost, for a possible, perceived economic benefit. Instead, the Government should be looking to solve problems in ways that deliver net benefits socially, economically and environmentally. Sustainable development, according to the Welsh Governments own reports, involves making decisions using long term thinking, integration, based on best available evidence, working across boundaries, focussing on prevention and using engagement and involvement - many areas where this consultation, and in particular Option A falls short. Therefore, true sustainable development would have been to not take this Option forward.

## Comments on other Options

**Option D** – widening of the existing M4, also has serious implications for wildlife. The existing verges provide significant wildlife corridors in places. There are records for dormice and foraging bats along the M4 corridor, and widening would likely result in significant habitat loss and disturbance.

Under the Habitats Directive (1992), member states are required to encourage the management of features of the landscape that are of major importance for wild flora and fauna. Breaking or disrupting the existing corridor would be contrary to this objective.

This road crosses the River Usk SAC, which is not mentioned, and widening is likely to have impacts on the river and the species which depend on it.

Encouraging car use is likely to result in greater noise, light and air pollution within the area, which will negatively impact on wildlife as well as people.

**We therefore cannot support Option D.**

**Options B and C** – both of these options have the potential to impact on the River Usk SAC and River Ebbw SINC (not mentioned in the consultation). Although these options are less damaging to biodiversity than A and D, special measures will still need to be employed to protect local wildlife.

## Problems with the consultation

The consultation uses information and projections that are out of date, and potentially misleading. This throws doubt on the validity of the consultation process, because the conclusions contained within it are based on a deficient baseline. We consider that the consultation should have been subject to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening, and question whether the failure on the part of the Welsh Government to do so conforms to legislative requirements.

## Data and conclusions drawn

The consultation states that daily traffic flows are increasing and that *'there is no conclusive evidence suggesting this trend will reverse soon'*. In fact, ongoing analysis of highway usage demonstrates a declining trend in motorway traffic using the original M4 and there are no indications that this declining trend will reverse in the near future, especially in the light of measures (planned or implemented) designed to reduce traffic flows yet further, which have not been taken into account by the document, and which the documentation acknowledges could be reduced by up to 9%.

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Traffic projections used for this consultation date from 2005 to 2007, prior to many measures to reduce congestion taking place, such as the variable speed limit and improvements to public transport, and prior to the start of the 2008 economic downturn. Committed future schemes, such as the dualling of the A465 and upgrade of the Queensway steelworks road, are not taken fully into account in the projections either.

Other examples of poor data usage include using safety figures from 2008, average speeds from 2007 and journey distances from 2005. There is no acknowledgement that road use may have changed in the intervening period. We are disappointed that Welsh Government has chosen to issue consultation proposals which lack a 'do nothing' option.

The documentation is deficient because it does not set out all of the substantive environmental constraints associated with the Gwent Levels, including *inter alia* the Special Landscape Area and the newly revised Ancient Woodland Inventory and the database of known Ancient Trees.

#### **Proposed Changes: Is there a need?**

Given the declining trend in motorway traffic using the original M4, the need for additional infrastructure can be questioned. Welsh Government asserts that whatever the result of the consultation process, some form of physical construction measures will need to be put in place to enhance the M4 corridor between Magor and Castleton. No evidence to support this assertion is provided particularly as these construction measures will be more damaging environmentally.

#### **Need for SEA and HRA**

We consider that Strategic Environmental Assessment (SEA) should have been applied to the CEM Programme. SEA is intended to increase the consideration of environmental issues during decision making, and is required for certain plans, programmes and strategies under the European SEA Directive (2001). WelTAG (2008) states that '*Strategic Environmental Assessment (SEA) Regulations must be met at the strategy level appraisal when plans or programmes are being developed, while Environmental Impact Assessment (EIA) is appropriate at the scheme level.*' As this is clearly a strategic document we would expect SEA and a Habitats Regulations Assessment (HRA), as all Options have the potential to impact on the River Usk SAC, and some may impact on the Severn SPA, SAC and Ramsar.

## **Financial Cost**

There seems to be little certainty regarding the final project costs for the proposed enhancement options. We have seen the figures for projected spend continually rising over time. We have deep concerns over whether Welsh Government has set any firm boundary for these escalating costs.

No firm source of funding has been established for the project, so there must be a large question-mark over whether it will proceed. This is not stated within the consultation, so that parties hoping for quick wins are likely to be disappointed. We are concerned that elements to promote more sustainable transport will be dropped in efforts to cut costs at later stages.

The project has not been identified in the Wales National Transport Plan (NTP) nor the NTP prioritisation programme.

## **Consultation Process**

We have concerns with the consultation process itself, as we do not feel that the scheme has been publicised widely enough, especially considering the number of people who could be affected by the scheme – residents as well as drivers, and others who may have a legitimate interest in the M4 CEM Programme.

It is not clear from the consultation how the stakeholder group was formed or how it has shaped the consultation. The group was unable to make written representations, so how the facilitators ensured equal input from stakeholders is unclear. We are concerned that this was a case of 'he who shouts loudest and says things which the Welsh Government wants to hear', especially as some attendees have reported that their concerns were not registered or addressed.

To compound the misleading statements and lack of information within the consultation, consultees are further led by the questions asked. If restricted to answering the questions, consultees have no opportunity of disagreeing with the problems and goals, and no opportunity to express opposition to any of the Options. Furthermore, an online response form that requires registration and restricts additional comments excludes and discourages people from responding.



## Conclusion

Gwent Wildlife Trust strongly objects to Option A, on grounds of biodiversity loss and threats to ecosystem health. We are concerned that the full impact of this option on nationally and internationally important wildlife has not been taken into account, and does not reflect the Welsh Government's commitment to environmental protection or sustainable development.

Gwent Wildlife believes that the consultation is flawed due to lack of appropriate and robust data, based on a false assumption of increasing traffic. The need for new infrastructure has not been demonstrated. Gwent Wildlife Trust believes that the M4 CEM program should be subject to SEA and HRA screening.



Tom Clarke  
Chief Executive, Gwent Wildlife Trust

## References

<sup>1</sup>Morris, J. & Camino, M. (2010) Economic assessment of Freshwater, Wetland and Floodplain ecosystem services. UK National Ecosystem Assessment, Cranfield University, Cranfield, *as cited* in **UK National Ecosystem Assessment (2011) The UK National Ecosystem Assessment: Technical Report. UNEP-WCMC, Cambridge.**

<sup>1</sup>Technical workings:

Default average value of UK coastal wetlands £1,856/ha/yr

Average value of service where present (addition to default value) (£/ha/yr)

Biodiversity	2,786
Water quality	2,676
Surface and groundwater	16
Flood control	3,730
Amenity/aesthetic	2,080

Combined area of Gwent Levels SSSIs: 5148ha

**Gwent Levels estimate: £67,665,312 per year**

*This is an estimate based on UK averages, with this assumption that these stated ecosystem services are provided by the Gwent Levels. As this calculation does not use specific figures for the Gwent Levels and does not include additional services that may be provided by the Gwent Levels such as tourism, recreation and contributions to education and health and wellbeing, the value may be higher than estimated. Note that some ecosystem services, such as cultural services, are very difficult to value in economic terms.*

<sup>2</sup> GHK Consulting Ltd, in conjunction with Dr Mike Christie of Aberystwyth University, ADAS, IEEP, Rick Minter and the Research Box (2011) Benefits of Sites of Special Scientific Interest (Final Report) DEFRA