

A303 Amesbury to Berwick Down

TR010025

Deadline 2

8.3 Statement of Common Ground – Historic Buildings and
Monuments Commission for England

PPF Regulation 5(2)(q)

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

May 2019



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules 2010**

A303 Amesbury to Berwick Down
Development Consent Order 2019

**STATEMENT OF COMMON GROUND – Historic Buildings and
Monuments Commission for England**

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010025
Application Document Reference	8.3
Author:	A303 Project Team, Highways England, and Historic England

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Rev 0	03.05.2019	Deadline 2 Issue

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Historic Buildings and Monuments Commission for England.

Signed.....

[NAME]

Project Manager

on behalf of Highways England

Date: **[DATE]**

Signed.....

[NAME]

[POSITION]

on behalf of Historic Buildings and
Monuments Commission for England

Date: **[DATE]**

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A303 Amesbury to Berwick Down ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 The order, if granted would authorise Highways England to carry out the following works:
- A northern bypass of Winterbourne Stoke with a viaduct over the River Till valley;
 - A new junction between the A303 and A360 to the west of and outside the WHS, replacing the existing Longbarrow roundabout;
 - A twin-bore tunnel approximately 2 miles (3.3km) long, past Stonehenge; and
 - A new junction between the A303 and A345 at the existing Countess roundabout.
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available at the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 The SoCG (HE/HBMCE SoCG 1) has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.
- 1.1.5 Unless otherwise stated, the facts set out in this SoCG are agreed between the parties to it. Facts and opinions that are not stated are not agreed and will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of agreement or disagreement between the parties.
- 1.1.6 The SoCG records the current position for Deadline 2 on relevant issues of fact in respect of the Scheme described in the first draft of the Development Consent Order (October 2018). Unless a matter is stated as agreed, it cannot be taken as agreed. This first SoCG for Deadline 2 does not constitute the whole or entire body of agreement or disagreement between the parties as further relevant issues continue to be sought to be agreed on existing and further submitted information, between the parties within the Examination period.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Historic Buildings and Monuments Commission for England (HBMCE).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency to be conferred upon or assumed by Highways England.
- 1.2.3 The Historic Buildings and Monuments Commission for England is generally known as “Historic England¹”. HBMCE was established under the National Heritage Act 1983 and is the lead body for the heritage sector and the Government’s principal adviser on the historic environment. It is a statutory consultee on all Nationally Significant Infrastructure Projects. HBMCE administers the consent system for Scheduled Monument Consent on behalf of its sponsoring department the Department for Digital, Culture, Media and Sport (DCMS), and also advises DCMS who acts on behalf of Government as State Party on meeting and complying with the requirements of the 1972 Convention Concerning the Protection of the World Cultural and National Heritage.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapters of this SoCG “Not Agreed” indicates a final position and “Under discussion” indicates where these points will be the subject of on-going discussion between the parties with the aim, wherever possible, to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.

¹ Prior to 1 April 2015 HBMCE was informally known as English Heritage. On 1 April 2015 the identity of HMBCE remained the same and there was no change in its statutory remit, but its informal name was changed to Historic England.

2 Record of Engagement

- 2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and HBMCE in relation to the preparation of this Statement of Common Ground is outlined in table 2-1.
- 2.1.2 In addition to the specific meetings listed in table 2-1, HBMCE is also a member of, and attends regular meetings of the following groups, that were also attended by Highways England, to participate in iterative discussion on heritage matters within HBMCE's remit:
- Stakeholder Strategy Board;
 - Heritage Monitoring and Advisory Group (HMAG);
 - Scientific Committee;
 - UNESCO World Heritage Committee Engagement Group;
 - Environmental Group;
 - Communications Group;
 - Benefits Steering Group; and
 - Attendance at regular Heritage Partners Meetings concerning the A303 iterative design progress reviews held by Highways England.
- 2.1.3 All of the regular meetings associated with the above groups in relation to the Scheme are not detailed here.

Table 2-1 – Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
20 April 2018	Public Consultation response	Response to public consultation on proposed route.
14 August 2018	Supplementary Consultation response	Response to supplementary consultation on Scheme design changes.
13 December 2018	Meeting	Meeting at the Wiltshire and Swindon History Centre to discuss the Statement of Common Ground.
10 January 2019	HBMCE Relevant Representation to PINS	HBMCE register as an Interested Party; HBMCE submit Relevant Representation to PINS.

6 February 2019	Meeting	Meeting at Highways England Offices, Temple Quay House, Bristol to discuss the Statement of Common Ground.
30 April 2019	Meeting	Meeting at Highways England Offices, Temple Quay House, Bristol to discuss the Statement of Common Ground.

- 2.1.4 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) HBMCE in relation to the issues addressed in this SoCG.

3 Matters Agreed

Issue Ref	Doc Ref	Paragraph Reference	Sub-section	HBMCE Comment	Highways England Response	Status
3.1	[RR-1897]	Page 1	Current Position	<p>HBMCE states that the existing A303 trunk road has a substantial adverse impact on the Outstanding Universal Value (OUV) of the WHS and they accept the need to improve the road between Amesbury and Berwick Down.</p> <p>HBMCE have engaged with Highways England and other stakeholders to encourage a scheme which delivers benefits to the historic environment while avoiding and minimising adverse impacts. This applies particularly to the Stonehenge component of the WHS and the many other designated heritage assets, together with their settings, within and adjacent to the development limits.</p>	<p>Highways England acknowledges HBMCE's comments in relation to the substantial adverse impact that the existing A303 has on the Outstanding Universal Value (OUV) of the WHS and also the need to improve the road between Amesbury and Berwick Down.</p> <p>Highways England agrees that there has been much engagement with HBMCE and other stakeholders in the development of the scheme, a summary of which is presented in the Consultation Report [APP-026], Chapters 2 and 3.</p> <p>Highways England will continue to engage with HBMCE, and other heritage stakeholders, on relevant Scheme matters.</p>	Agreed
3.2	[RR-1897]	Page 2	Current Position	<p>HBMCE supports the aspirations of the road scheme proposed in the DCO and believes that it offers the potential to deliver a beneficial outcome for the historic environment</p>	<p>Highways England acknowledges the support of HBMCE for the aspirations of the road scheme proposed in the DCO. Highways England acknowledges HBMCE's</p>	Agreed

				<p>and to sustain and enhance the OUV of the WHS, by putting much of the current surface road into a bored tunnel and allowing archaeological features currently separated by the A303 to be appreciated as part of a reunited landscape.</p> <p>However, if this potential is to be realised in practice, HBMCE believes it is essential for a number of matters to be addressed satisfactorily, as set out in the other RR issues.</p>	<p>statement that the scheme offers the potential to deliver a beneficial outcome for the historic environment and to sustain the OUV of the WHS.</p> <p>Highways England will continue to engage with HBMCE, and other heritage stakeholders, on relevant Scheme matters.</p>	
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4 Matters Under Discussion

Issue Ref	Doc Ref	Paragraph Reference	Sub-section	HBMCE Comment	Highways England Response	Status
4.1	[RR-1897]	Page 2	Detailed Archaeological Mitigation Strategy (DAMS) Outstanding Matters	HBMCE request the Detailed Archaeological Mitigation Strategy (DAMS);	A Detailed Archaeological Mitigation Strategy (DAMS) is being developed in consultation with Wiltshire Council Archaeology Service and the Heritage Monitoring Advisory Group (which includes HBMCE). Initial discussions on the DAMS have commenced with our Heritage Partners and will be ongoing throughout the Examination process in order to finalise the document. The DAMS is secured by Requirement 5 under Schedule 2 of the draft Development Consent Order (DCO) [APP-020]. The draft DAMS will be submitted into the Examination for the second deadline.	Under Discussion
4.2	[RR-1897]	Page 2	Overarching Written Scheme of Investigation (OWSI)	HBMCE request an Overarching Written Scheme of Investigation to accompany the DAMS;	The Overarching Written Scheme of Investigation is part of the DAMS, and is therefore being consulted on with HMAG.	Under Discussion

4.3	[RR-1897]	Page 2	Outline Environmental Management Plan (OEMP)	HBMCE requests a Preliminary Outline Environmental Management Plan for preliminary works including archaeological mitigation. The Applicant's response to the S51 advice indicated that the REAC table 3.2a of the OEMP provided specific measures to apply to works. However this contains insufficient detail given the very high sensitivity of the proposal.	The REAC table 3.2a of the Outline Environmental Management Plan (OEMP) and the Outline Archaeological Mitigation Strategy (OAMS) have been submitted as part of the DCO application, and provide sufficient information for the decision-making process at this stage and to allow ongoing consultation and comment on the Scheme with HMAG. Implementation of the OEMP is secured by paragraph 4 of Schedule 2 of the draft DCO. Implementation of the OEMP is secured by Requirement 4 under Schedule 2 of the DCO [APP-020]. A detailed Construction Environmental Management Plan (CEMP) will be prepared by Highways England's appointed contractor which will be based on, and incorporate, the requirements of the OEMP.	Under Discussion
4.4	[RR-1897]	Page 2	Evaluation Reports	HBMCE request completed archaeological evaluation reports for the scheme. These are essential to a proper understanding of the archaeological impacts of the	A full and comprehensive programme of archaeological evaluation surveys has been completed. The completed archaeological evaluation reports	Under Discussion

				<p>scheme and of the basis on which the DAMS has been drawn up.</p>	<p>have been developed in consultation with Wiltshire Council Archaeology Service and the Heritage Monitoring Advisory Group, which includes HBMCE. The results of the archaeological evaluations were considered for the submission of the ES and the HIA [APP-195]. The archaeological evaluation reports confirm the archaeological baseline and the approach to mitigation. These have been reviewed in line with the ES tables that detail the impacts and the significance of effects (Section 6.9 in Chapter 6 and Appendix 6.8). No additional significant effects have been identified.</p>	
4.5	[RR-1897]	Page 2	Detail of key elements of Infrastructure	<p>HBMCE states that there is an absence of detailed proposals for design and visual representations for key elements of infrastructure within the WHS, including the western tunnel portal and its extension, the eastern tunnel portal, the articulation and form of open cutting retaining walls and the design, construction, form and appearance of Green Bridge 4;</p>	<p>Highways England considers the application is sufficiently detailed to allow HBMCE to understand and comment on the scheme. In particular photomontages and CGI visualisations have been presented within the LVIA Chapter (Chapter 7 [APP-045]) and Cultural Heritage Chapters (Appendix 6.9 [APP-218]) of the ES. Design and visual representations will be developed</p>	Under Discussion

					through the detailed design process. The further detailed design of the portal and its associated infrastructure will be sensitive to its WHS context, following Highways England's guide 'The Road to Good Design' and will be developed in consultation with the Heritage Monitoring Advisory Group, which includes HBMCE.	
4.6	[RR-1897]	Page 2	Detail of proposals for NMU Routes	HBMCE states that there is an absence of detailed proposals for proposed Non-Motorised User (NMU) routes, their articulation and form, and how they relate to sections of the A303 and A360 made redundant by the scheme; the removal of road infrastructure that will be made redundant by the scheme and the proposed reinstatement of land within the former highway boundary beyond that required for new NMU routes. There is also uncertainty about the relationship between the byways proposed by the scheme and the implications of the recent Experimental Traffic Regulation Order;	The Scheme's proposals for changes to existing, or creation of new, public rights of way, as shown on the Rights of Way and Access Plans [APP-009] and secured by the draft Development Consent Order [APP-020], are entirely independent of Wiltshire Council's previously placed experimental Traffic Regulation Order (TRO). The permanent downgrading of Byways 11 and 12, should this outcome be achieved by Wiltshire Council, would have no foreseeable impact on the Scheme's PRoW proposals. The design of these elements of the scheme will be developed	Under Discussion

					through the detailed design process in consultation with HBMCE.	
4.7	[RR-1897]	Page 2	Detail of proposals for secondary infrastructure and landscaping	HBMCE states that there is an absence of detailed proposals for lighting, signage, fencing, drainage, balance ponds, landscaping including tree planting in and adjacent to the WHS;	<p>Highways England considers there is sufficient information provided in the application. The current proposals for each of these design elements is set out below:</p> <p>The majority of the scheme will not be lit. There would be no lighting within the WHS beyond that necessary within the tunnel and beneath the c. 150 metre wide Green Bridge No. 4 (operating during day time only). There would be no lighting within the open cutting, and tunnel lighting would be designed to minimise light spill outside of the tunnel portals. There would be no roadside lighting at the new Longbarrow Junction, and the improved Countess junction would utilise new directional roadside lighting to minimise light spill. These are significant improvements over the current situation, where both Countess and Longbarrow junctions are</p>	Under Discussion

					<p>brightly lit. This lighting is provided for in the Outline Environmental Management Plan (OEMP) [APP-187] (D-CH9 to D-CH12), and paragraph 4 of Schedule 2 of the DCO [APP-020] requires the Scheme to be carried out in accordance with the OEMP. In the context of the WHS, the Scheme has committed to no signage or other vertical installations (such as CCTV) above the top of the cutting and no lighting of signs at the western end of the Scheme in order to protect the WHS's OUV (see OEMP, D-CH8). Appropriate signage and infrastructure would be provided outside the WHS to manage traffic through the corridor.</p> <p>Drainage proposals, including the proposed location and size of balancing ponds, are outlined in the Road Drainage Strategy [APP-281]. Paragraph 10 of Schedule 2 to the draft DCO [APP-020] requires Highways England to submit written details of the drainage system based on</p>	
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					<p>mitigation measures included in the Environmental Statement.</p> <p>Fencing in the WHS shall be developed in consultation with the National Trust, HBMCE, English Heritage and Wiltshire Council, as secured in the Outline Environmental Management Plan (OEMP) [APP-187] (D-CH14).</p> <p>The main works contractor shall consult with HMAG to determine the type of construction boundary fencing to be used within the WHS or within the setting of WHS. The type of fencing would be sympathetic to the setting of the WHS. The OEMP is secured under paragraph 4 of Schedule 2 within the draft DCO [APP-020].</p> <p>As reflected in, ES Chapter 7, Landscape and Visual [APP-045], paragraph 7.8.5, the landscape mitigation design principles in the context of the WHS included the implementation of a planting strategy to respect the objectives of the WHS Management Plan, which include to minimise new planting in or adjacent to the WHS. As such, the Scheme will focus principally on establishment</p>	
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					<p>of chalk grassland rather than tree planting, as set out in ES Chapter 7, Landscape and Visual [APP-045], Section 8, Table 8.5. Under requirement 8 of Schedule 2 of the DCO, Highways England will be required to submit a detailed landscaping scheme, which is required to be on the basis of the mitigation measures set out in the ES, which includes the above principles.</p> <p>The design of these elements will be developed further through the detailed design process in consultation with HBMCE.</p>	
4.8	[RR-1897]	Page 2	Detail of proposals for temporary works and reinstatement post-construction	HBMCE states that there is an absence of detailed proposals for construction-period temporary infrastructure and reinstatement of affected land post-construction.	<p>Highways England considers sufficient detail has been provided to enable HBMCE to understand and comment on the proposals. Details of the construction compounds are provided in Chapter 2 [APP-040], with the proposed locations shown on the General Arrangement Drawings [APP-012], with layouts shown indicatively in ES Figure 2.7 [APP-061]. The potential impacts of the compounds and the activities associated with them</p>	Under Discussion

					<p>would be controlled by measures to limit or avoid dust, noise, spillage and disruption by construction traffic, as set out in the Outline Environmental Management Plan (OEMP), ES Appendix 2.2 [APP-187], which is secured by paragraph 4 of Schedule 2 of the draft Development Consent Order [APP-020]. On completion, the construction compounds, and all other temporary facilities, would be removed and the land reinstated, secured through the OEMP (MW-G30). Where land is occupied temporarily for the purposes of construction, before giving up possession of the land, Highways England must restore it to the reasonable satisfaction of the owner in accordance with article 29 of the draft DCO [APP-020].</p> <p>The design of these elements will be developed further through the detailed design process in consultation with HBMCE.</p>	
4.9	[RR-1897]	Page 3	Tunnel Limits of Deviation	Tunnel limits of deviation: the location of the proposed western	The Limits of Deviation (LoDs) set out the maximum parameters	Under Discussion

				portal has been carefully considered – yet there is a proposed limit of deviation of up to 200m westwards, which is a significant variation in relation to the local topography.	necessary to deliver the scheme based on the information available at this stage in the process. The Environmental Statement and HIA report on the effects of the scheme, including the LoDs. Highways England continues to liaise with the HBMCE regarding the scheme design and the points raised.	
4.10	[RR-1897]	Page 3	Restriction of Future Archaeological Work in WHS	Potential restriction of future archaeological research within the affected part of the WHS (e.g. above the tunnel route). This would be contrary to the provisions of the Stonehenge WHS Management Plan, reflecting obligations accepted by the UK Government in ratifying the World Heritage Convention. Restrictions on future archaeological research could have an adverse impact upon the OUV of the WHS.	As noted in the Statement of Reasons [APP-023], restrictions are required above the tunnel in order to secure protection of the tunnel from potentially conflicting future development and works that might jeopardise the structural integrity of the tunnel. Highways England will continue to liaise with HBMCE regarding this matter.	Under Discussion
4.11	[RR-1897]	Page 3	Provisions of the DCO	Appropriateness of some of the provisions of the draft DCO (in light of the scheme traversing the WHS) to secure the protection of the historic environment and to ensure that there are mechanisms to implement and deliver the mitigation,	Highways England continues to liaise with HBMCE and welcomes any specific points that HBMCE wishes to raise in relation to the provisions of the draft DCO.	Under Discussion

				benefits and legacy provisions and aspirations of the scheme.		
4.12	[RR-1897]	Page 3	Role of HBMCE in consultation and approval and discharge of requirements	Adequacy of measures for consultation and engagement of HBMCE in the Discharge of Requirements – in light of the impact on the WHS and archaeology.	<p>Consultation with HBMCE on matters pertaining to its functions is secured in two key ways.</p> <p>Requirement 4 of Schedule 2 to the draft DCO [APP-020] requires Highways England to carry out the Scheme in accordance with the Outline Environmental Management Plan [APP-187] (“OEMP”). The OEMP requires the contractor to develop Construction Environmental Management Plans (“CEMP”) for the Scheme, which must be prepared in accordance with the principles of the OEMP.</p> <p>The OEMP requires the preliminary works CEMP to include for the preliminary works:</p> <ul style="list-style-type: none"> • PW-CH1 – a Heritage Management Plan, prepared in consultation with HMAG (of which HBMCE is a member) and Wiltshire Council Archaeological Service; • PW-CH3 – Site Specific Written Schemes of Investigation, produced in consultation with 	Under Discussion

					<p>HMAG, to describe the mitigation measures that will be carried;</p> <ul style="list-style-type: none"> • PW-CH4 – Method Statements, produced in consultation with HMAG for works within the WHS, to include protective fencing for identified heritage assets and appropriate archaeological mitigation measures; • PW-CH5 – Site Specific Written Schemes of Investigation, produced in consultation with HMAG, to include measures to install temporary barrier fencing to limit land disturbance at the western portal and eastern portal approaches; • PW-CH6 – Site Specific Written Schemes of Investigation, developed in consultation with HMAG for works within the WHS, to include measures to avoid significant archaeological remains where possible and implement appropriate archaeological mitigation measures where impacts are unavoidable; • PW-LAN1 – requires consultation with HMAG prior to 	
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					<p>the installation of fencing to protect retained vegetation within the WHS;</p> <p>In respect of the main works the OEMP requires the main works CEMP to include:</p> <ul style="list-style-type: none"> • MW-CH1 – Heritage Management Plan based on the Detailed Archaeological Mitigation Strategy (see requirement 5 of Schedule 2 to the draft DCO (APP-020)), prepared in consultation with HMAG and Wiltshire Council Archaeological Service, indicating how the historic environment is to be protected in a consistent and integrated manner. • MW-CH3 requires consultation with HMAG on the type of construction boundary fencing to be used within the WHS or its setting and to be included in an Archaeological Method Statement forming part of a main works CEMP; • MW-CH5 requires the development in consultation with HMAG for works within the WHS, of Archaeological Method 	
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					<p>Statements describing the appropriate measures to be used where potentially sensitive archaeological remains are required to be buried or sealed beneath fill material;</p> <ul style="list-style-type: none"> • MW-CH6 requires the preparation, in consultation with HMAG for works within the WHS, of Site Specific Written Schemes of Investigation in respect of service/utility corridors requiring excavations, to avoid archaeological remains wherever possible and implement appropriate archaeological mitigation measures where impacts are unavoidable; • MW-CH7 requires appropriate monitoring arrangements for all heritage assets during the construction programme, prepared in consultation with HMAG for works within the WHS. <p>Secondly, Requirement 5 under Schedule 2 to the draft DCO [APP-020] requires the Scheme to be carried out in accordance with the Detailed Archaeological</p>	
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					Mitigation Strategy, which is being developed in consultation with HBMCE. Highways England has submitted a document that further clarifies relationship between the Detailed Archaeological Mitigation Strategy and the OEMP [AS-010].	
4.13	Meeting 06/02/19	N/A	Registered parks and gardens	Further comment to follow from HBMCE in written representations.	Await comments from HBMCE regarding the EIA and the Grade II* registered park and garden at Amesbury Abbey.	Under Discussion
4.14	Meeting 06/02/19	N/A	Listed buildings	Further comment to follow from HBMCE in written representations.	Await comments from HBMCE regarding the EIA and the listed buildings in the vicinity of Countess roundabout.	Under Discussion

5 Matters Not Agreed

5.1.1 There are no matters Not Agreed at the present time.

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