



National  
Trust

## Written Representation

TR010025

Amesbury to Berwick Down (Stonehenge)



May 2019

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## Part A: Context

### 1. Introduction

- 1.1.1 This document is the Written Representation of the National Trust for Places of Historic Interest or Natural Beauty (“National Trust”), following our registration as an interested party through our Relevant Representation<sup>1</sup> (identification no. 20020498). These Written Representations should be read in addition to and not in substitution for the Relevant Representations.
- 1.1.2 It responds to the Development Consent Order (DCO) application submitted by Highways England (the Applicant) proposing the improvement of the A303 between Amesbury and Berwick Down, which affects the Stonehenge, Avebury and Associated Sites World Heritage Site.

### 2. The National Trust

- 2.1.1 The National Trust is Europe’s largest conservation charity with over five million members. Established over 125 years ago, its primary purpose is to promote the preservation of special places for the benefit of the nation. To achieve this aim, the Trust owns and manages places of historic interest and natural beauty; we care for 250,000 hectares of countryside, 3,620 listed buildings, and 700 miles of coastline across England, Wales and Northern Ireland. We are the largest private landowner in the UK. Given the range of our activities, we are in a position to comment both from the perspective of a landowner and as a major conservation organisation responsible for safeguarding the nation’s natural and historic assets. The National Trust also has the unique ability to declare its land ‘inalienable’. Land that is held inalienably by the Trust cannot be sold voluntarily but can be the subject of compulsory acquisition, subject to the protection offered by section 130 Planning Act 2008.

### 3. Stonehenge Landscape

- 3.1.1 The National Trust owns more than 827 ha of the Stonehenge part of the Stonehenge, Avebury and Associated Sites World Heritage Site (WHS), and we take our role as custodians very seriously. Currently, the busy A303 road cuts through the WHS, having a major adverse impact on its Outstanding Universal Value (OUV)<sup>2</sup>, and acting as a barrier to people and wildlife seeking to access and explore the landscape. In addition, the Trust is aware of the

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<sup>1</sup> [Website link to National Trust Relevant Representation A303 Amesbury to Berwick Down \(Stonehenge\)](#)

<sup>2</sup> [Website link to National Trust ‘Outline OUV Impacts Assessments’](#): There are four detailed assessment documents referenced there dealing with the preferred scheme and alternatives, from an assessment of possible options in 2014 through to the Preferred Route in 2017. Each is presented with an Executive Summary which helps orientate the reader to the nature of the proposal as it stood at the time of the assessment and the nature of the conclusions reached, before proceeding to a detailed, evidence based assessment of likely impacts.

longstanding challenges of highway access to the South West via the A303 route corridor.

3.1.2 The Stonehenge landscape is internationally recognised for its extraordinarily dense concentration of prehistoric monuments. Large areas of our landholding are already open for public access on a permissive basis, but we believe the removal of much of the A303 from the World Heritage Site could present opportunities to transform public access and enjoyment of the Stonehenge Landscape. Our vision is for a reunited landscape that is an international exemplar of archaeological and nature conservation best practice, enabling first class public access and sharing the story of this globally important place.

3.1.3 The National Trust therefore welcomed the announcement of the Government's intention to invest in a bored tunnel of at least 2.9km to remove a large part of the existing A303 from the Stonehenge landscape. We considered that it had the potential – if well-designed, and delivered with the utmost care for the surrounding archaeology and chalk grassland landscape – to provide an overall benefit to the WHS. More specifically it could help to reunite the landscape, providing improvements to monument settings, tranquillity and access for both people and wildlife.

## 4. Need for the scheme

### 4.1 Cultural heritage

- 4.1.1 Currently, the busy A303 road cuts through the WHS, having a major adverse impact on its OUV, monument settings, and tranquillity.
- 4.1.2 We recognise that the proposed road scheme represents an opportunity to tackle the blight of the existing road that dominates the landscape of Stonehenge, and has the potential to have a significant positive impact on the OUV of the WHS. Finding a solution to the harm caused by the existing A303 is a specific action within the WHS Management Plan<sup>3</sup> which we, together with partner organisations, are committed to delivering. The National Trust considers that the proposed scheme has the potential to be acceptable and deliver tangible benefits to the WHS, but as set out in further detail below, we consider that there is still work to do.
- 4.1.3 In respect of the proposed bored tunnel, we agree with the removal of a substantial section of the existing A303 from the Stonehenge WHS. The prehistoric landscape is currently split entirely in two by the A303, with tens of thousands of vehicles passing through it every day. The heavy traffic and constant noise and visual intrusion from the road compromises the enjoyment and understanding of the WHS, and severs both the visual relationships and access between monuments (including Stonehenge itself) in the northern and southern halves of the Stonehenge part of the WHS

### 4.2 Environment and community

- 4.2.1 The existing A303 cutting through the WHS acts as a barrier to people seeking to access and explore the landscape, and also to movement of wildlife.
- 4.2.2 At present, the surface route of the A303 constitutes a very significant barrier to wildlife and prevents connectivity between the chalk grassland to the north and south of the road. This results in a high number of casualties of species from barn owl to brown hare. The removal of this section of the road would allow the creation of 'more habitat; in better condition and in bigger patches that are more closely connected', in line with the Government's ambitions for habitat restoration set out in the 25 Year Plan for the Environment and the Lawton Review.
- 4.2.3 In addition, the removal of vehicles from the existing A303 alignment would provide significant benefits for public access. Without the physical barrier and

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<sup>3</sup> [Website link to the 'The Stonehenge, Avebury and Associated Sites World Heritage Site Management Plan 2015' published on behalf of the Stonehenge and Avebury WHS Steering Committees](#)

associated safety concerns, visitors and the local community would have much greater opportunity to use existing rights of way and permissive open access land to explore the landscape and monuments to the south, as well as to the north, of the existing road.

### **4.3 Transport**

- 4.3.1 One of the Applicant's four scheme objectives is, "to create a high quality reliable route between the South East and the South West that meets the future needs of traffic". As we stated during the pre-application consultations on this scheme (and the separate scheme proposed at Sparkford-Ilchester), the National Trust is aware of the longstanding challenges of highway access to the South West via the A303 route corridor. This includes traffic congestion at peak travel times, which affects local residents, businesses and visitors. There are likely to be benefits for local communities and for visitor access to the South West as a result of the proposed road improvements in the A303 corridor, including between Amesbury and Berwick Down.

## Part B: Response to proposed scheme

### 5. Introduction

- 5.1.1 The National Trust has engaged with the proposed scheme since its inception in 2014. Throughout the pre-application process we have seen the scheme improve in terms of its potential impact on the WHS based on the feedback the Applicant has received. What we have laid out below are the Trust's current remaining concerns (on the scheme as presented at this time) which we summarised within our Relevant Representation.
- 5.1.2 It is important to note that our commentary below, and in particular our need to see a more detailed approach to design, and the way in which the scheme is delivered, reflects the unique importance of the Stonehenge, Avebury and Associated Sites World Heritage Site.
- 5.1.3 The Stonehenge part of the WHS encompasses one of the richest concentrations of archaeological monuments in the world and is one of the most important prehistoric landscapes in Europe - containing over 600 burial mounds, sites and monuments telling the story of thousands of years of our past. The 'WHS Management Plan' has a vision that includes safeguarding and enhancing the WHS, providing a tranquil, rural and ecologically diverse setting for it and its archaeology, allowing present and future generations to explore and enjoy the monuments and their landscape setting more fully.
- 5.1.4 Over the last 20 years we have been working with land controllers and other stakeholders across the WHS to take hundreds of hectares of our land out of arable cultivation to return it to species-rich chalk grassland, protecting the archaeology that makes the WHS an internationally significant place and dramatically improving access. More than 526 ha of our holding is now in permanent pasture, much of this with free and open access to the public.
- 5.1.5 In such an important landscape it is essential that a more granular level of design is committed to than might otherwise be expected within a DCO, and that there are mechanisms to ensure a robust process for external heritage input into the final design approach taken by the contractor who will 'design and build' the scheme.
- 5.1.6 Acquisition of land and rights on a linear route through this unique area also pose much greater future management concerns than might otherwise be the case with land acquisition for, and construction of, a Nationally Significant Infrastructure Project in another location.
- 5.1.7 Our response set out below is set in the context of recent verbal commitments from the Applicant to:

- a) define further detailed design principles and parameters within the OEMP (Outline Environmental Management Plan)
- b) to involve the National Trust and other heritage experts in detailed design and other controls beyond and outside of the DCO process.

5.1.8 We expect to see such commitments secured during the Examination period, but should that not be the case, we would expect to make a clear case on where any shortfall will need to be addressed.

## 6. Issues and concerns

6.1.1 This section sets out our current issues with the scheme as presented by the Applicant. We intend to highlight our areas of concern, the reason why, and our proposed method for resolution.

### 6.2 Agriculture

6.2.1 *Impact of the intensification of PRoW (Public Right of Way) use on agriculture:* concerns that the scheme will result in an increase in the anti-social use of the PRoW network have not been resolved. Currently illegal activities including hare coursing, fly-tipping, camping, and occupation by caravans, vans and motorhomes, already cause issues for land controllers. This includes left rubbish (which can be potentially hazardous for livestock and wildlife), fire sites, unauthorised use of agricultural water supplies, and the obstruction of agricultural access.

*Requirements:* care should be taken in approval of any detail in relation to the scheme not to encourage increased use of PRoWs by motorised users where that would harm the OUV of the WHS.

6.2.2 *Agricultural access to land during construction:* detail of how tenants are to access land severed during construction for the purposes of moving livestock, machinery, and undertaking routine management such as daily livestock welfare checks has not been provided.

*Requirements:* clarification is required.

6.2.3 *Decommissioning of the A303:*

*Requirements:* clarification is sought on the maintenance, management, and future liability responsibilities for the land of what will become the decommissioned A303.

6.2.4 *Combine Harvester Access via Countess Farm:* on request from the Applicant the National Trust has been asked to consider providing alternative access provision for a Combine Harvester, to replace existing access to the A303

which will be lost due to the Scheme. The request for access that we have discussed is only for the use of a Combine Harvester and is limited to a single informal access route passing along an unmade up track for approximately 6 times a year. There is no obligation for the Trust to provide alternative access although in principle we have no objection to doing so subject to an agreement recognising it as a response to Compulsory Acquisition of other Trust land which will ensure that it is a practical solution limited to the current user, and the requirement below.

*Requirements:* that any adverse impact to the OUV of the WHS (such as from hard surfacing) is avoided.

#### 6.2.5 *Fencing and gates:*

*Requirements:*

- a) clarification on the location and specification of new fencing, gates, and all other accommodation works proposed for use on or adjacent to National Trust land interests is required to confirm suitability for agricultural use and to ensure no adverse impact on the OUV of the WHS
- b) that the design and specification is subject to approval by the Trust where located on or adjacent to Trust land interests.

### **6.3 Air quality, dust and other emissions**

6.3.1 *General dust generating activities and range:* areas within the National Trust landholdings and WHS are not identified within the DCO documentation to contain specific activities likely to generate dust and therefore only 'standard' levels of mitigation are recommended in the Air Quality Chapter of the ES. We consider the range of activities most likely to generate dust is too narrow in range.

*Requirements:*

- a) the Trust seeks discussions on what further mitigation should be considered particularly near to the unique lichen assemblage on the standing stones
- b) clarification on how dust will be controlled during construction of the flyover which is in close proximity to the agricultural, business and residential premises at Countess Farm
- c) the implementation of 'further standard' mitigation measures are requested which should be implemented to control and reduce the

effects of dust and fine particles provided in Appendix 5.4 Table 5.4.10 of the ES.

## **6.4 Biodiversity, biological environment and ecology**

6.4.1 *General 'net gain' and ecological networks:* The fourth objective of the Applicant's scheme is 'to improve biodiversity. In the Environmental Statement (ES) Chapter 8. Page 8-3, 8.2.5 it states that the National Planning Policy Framework (NPPF) 2018 provides for 'minimising impacts and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures' and 8.2.7 'which encourages developers to look beyond maintaining existing biodiversity value and actively encourages provision of additional benefits for biodiversity which contribute to future proofing the natural environment.' In addition, ES Chapter 8, Page 8-65, 8.9.72 states that - 'The chalk grassland of the Scheme would enhance the west east connectivity, improving ecological network along the whole length from Yarnbury Castle to Amesbury'. In ES Chapter 8 Page 4-47, 8.8.17 states that – 'In the eastern section of the Scheme the opportunities for habitat creation will be focused on the slopes of cuttings and along the existing A303'. Due to the current proposal for a surfaced track of 3-4 meters wide along the length of the line of the redundant A303, the area remaining for establishing a green byway of species rich chalk grassland and the delivery of a coherent ecological network, necessary to enhance connectivity, will be severely constrained within the remaining width of the single carriageway.

*Requirement:* if a net gain for biodiversity is an objective of the scheme as outlined by the Applicant, every available area that is suitable should be used for the creation of species rich chalk grassland and further provision should be provided to restore or enhance species rich chalk grassland beyond the existing line of the road though appropriate introduction or supplementation of wildflower species.

6.4.2 *Seed mixtures:* ES Chapter 8 Page 8-45 8.4.4 states that 'all green bridges would be sown or planted with suitable plant species to facilitate the movement of the biodiversity features' and ES Chapter 8 Page 8-47 8.8.16 states chalk bunds on green bridges and areas of false cuttings and embankments will be seeded and planted with larval food plants for butterflies. It also states that areas of new calcareous grassland will also be included. However, Appendix 8.26 Outline Landscape and Ecology Management Plan Table 6.2 provides detail of a typical wildflower seed mixture that excludes the larval food plants for key chalk grassland butterflies. In order to provide suitable conditions for butterflies and to benefit an expanded range of insect groups (such as moths and pollinators including bees, for which preferential pollen sources and extended food sources of

pollen and nectar, including late flowering species, are critical) the National Trust requests the below.

*Requirements:* the National Trust asks that the list of wildflower species is expanded, with a targeted planting scheme implemented along the entire length of the chalk grassland habitat, to include seeds and wildflower plugs of additional species including but not limited to:

**Table 1:**

Latin Name	Common Name
<i>Succisa pratensis</i>	Devil's-bit scabious
<i>Hippocrepis comosa</i>	Horseshoe vetch
<i>Helianthemum nummularium</i>	Common rockrose
<i>Viola hirta</i>	Hairy violet
<i>Rumex acetosa</i>	Common sorrel
<i>Echium vulgare</i>	Vipers bugloss
<i>Centaurea nigra</i>	Common knapweed
<i>Campanula rotundifolia</i>	Harebell
<i>Knautia arvensis</i>	Field knapweed
<i>Euphrasia nemerosa</i>	Eyebright
<i>Campanula glomerata</i>	Clustered bellflower
<i>Stachys officinalis</i>	Betony
<i>Serratula tinctoria</i>	Saw-wort
<i>Filipendula vulgaris</i>	Dropwort
<i>Odontites vernus</i>	Red bartsia
<i>Trifolium pratense</i>	Red clover

6.4.3 *Scrub encroachment:* Chapter 8, Page 8.47, 8.8.18. 'Management will be carried out to prevent excessive development of scrub':

*Requirement:* clarification is required on the future management responsibilities of these areas to prevent scrub encroachment onto areas of open grassland, and where grazing has been identified as the management tool how essential infrastructure such as fencing and water supplies will be provided.

6.4.4 *Remediation of land:* where land is being acquired on a temporary basis, including National Trust land, detail is required on remediation prior to return to landowners, and how delivery of the ongoing management necessary to achieve the successful establishment of species rich chalk grassland will be secured. Where land is being acquired and permanently retained a mechanism should be implemented to ensure land being restored to species

rich grassland is under appropriate ownership to allow for the ecological objective to be met. Inadequate management such as insufficient or inappropriate timing of grazing or cutting, failure to remove cuttings, or failure to prevent scrub encroachment will prevent the successful establishment of species rich chalk grassland. In addition an ongoing programme of monitoring and wildflower sward supplementation of species not represented is required to ensure species rich chalk grassland is created.

6.4.5 *The creation of habitats using chalk substrate (ES Chapter 8, Page 8.47, 8.8.19):*

*Requirements:* further information is required on the treatment of the phosphatic chalk and if it is to be incorporated into the substrate for nutrient poor soils, whether it is suitable for chalk grassland vegetation establishment.

6.4.6 *Trees: ES Chapter 8 page 8-31 Table 8.11 provides a summary evaluation of habitats present within the Scheme and study area. These sections only reference a single veteran beech tree located to the north of King Barrow Ridge. There are a number of veteran trees on King Barrow Ridge with high or moderate bat roost potential.*

*Requirements:* the National Trust seeks assurance that Root Protection Zones have sufficiently been taken into consideration so that the construction operations will not have any adverse impact on the stability of trees in this location.

6.4.7 *Bats:* the buildings at the Countess Farm complex have been identified as bat roosts. The proposed mitigation is planting and inclusion of a noise barrier around the flyover with the intention of it 'likely providing the function of pushing up any bats flying over the A303 to 'safe' heights, or assist in funnelling bats through the large underpasses'. It is understood that the noise barrier will not be sufficiently high to prevent bats from flying directly into the path of taller traffic on the flyover and the proposed planting as suggested is restricted to within the existing boundary of the highway. In addition an unspecified number of trees are required to be removed to create sufficient area for the drainage system (see Fig 2.2 Preliminary design drainage catchments, Countess Pond 1, Countess Catchment 12, Outfall Catchment 15, Countess Pond 3 and Catchment 15), which will limit the space for replacement or additional planting.

*Requirements:* the National Trust seeks additional essential mitigation in the form of replacement planting by agreement with the Trust with 100% archaeological mitigation for works undertaken within the WHS.

## 6.5 Compulsory Acquisition

6.5.1 *Extent of acquisition proposed:* Articles 3, 5, 7 and 19 to 30 and Schedules 1, 3, 4, 6, 7 and 11. These provisions comprise the powers to construct the scheme, make variations to it and to acquire land or rights, permanently or temporarily. Negotiation is under way with the Applicant on these provisions with a view to the National Trust being able to confirm in, or before, the compulsory acquisition hearing it has requested whether:

- a) the boundaries of the plans are accurate in terms of Trust ownership
- b) the extent of the land and rights required is the minimum necessary to achieve the public purpose underlying the scheme
- c) in all other respects whether the dDCO accurately and clearly records the extent of the Trust's existing land rights and the extent of the powers that are being sought over them.

6.5.2 Subject to ongoing discussions with the Applicant, the National Trust reserves its position on the above points. Specific issues that will be addressed within those discussions will also include:

- a) whether the Trust should retain ownership of the land it is deemed to own underneath any existing carriageways after any stopping up provisions in the DCO take effect, and if not, whether adequate safeguards exist to regulate the use of this land in the interest of protecting the WHS
- b) whether adequate access arrangements are being proposed to support future use of all land retained by the Trust
- c) whether through requirements, protective provisions, control documents or other means there can be satisfactory controls identified over the extent and design of the works, how they will be carried out and thereafter operated.

6.5.3 The National Trust understands that substantial alterations to the OEMP and the consultation arrangements proposed post confirmation of the DCO are expected from the Applicant, on which the Trust is not yet able to comment.

6.5.4 The issues to which these protections need to be addressed are set out elsewhere in these Written Representations.

6.5.5 *Section 130 Land:* it is a matter of record that the land proposed for acquisition is held inalienably to which the provisions of section 130 Planning Act 2008 apply. The ongoing negotiations between National Trust and the Applicant are also allowing the Trust to keep under review the extent of the

safeguards generally that are being offered to the Trust in terms of protections available to it and in the light of the robustness of those safeguards, whether the objection that the Trust is presently maintaining to acquisition of its land by compulsion can be withdrawn. The Trust is not however able to predict whether or at what point, if any, during the examination process it will be in a position to withdraw that objection.

## **6.6 Flood risk, groundwater protection, geology and land contamination**

6.6.1 The sensitivity of the WHS as a receptor within the Geology and Soils Chapter of the ES was not defined. This is inconsistent with the methodology used for other schemes, such as the A303 Sparkford to Ilchester dualling scheme. In accordance with DMRB methodology, the WHS could be defined to have a 'very high' sensitivity, which may change the outcome of the assessment.

## **6.7 Health and wellbeing**

6.7.1 We are concerned about the impact of the construction on all the occupants of our property at Countess Farm.

*Requirements:* the National Trust seeks clarification on the mitigation to limit the impact of noise, dust, light and disturbance on our tenants.

## **6.8 Heritage and historic environment**

6.8.1 Together with Historic England, during the development of the scheme, we undertook a series of Outline Assessments<sup>4</sup> of its impact on the Outstanding Universal Value of the WHS. This assessment work, undertaken in line with ICOMOS International's own guidelines, tells us that the scheme as now presented has the potential, subject to the amendments and requirements set out within our Written Representations, to be acceptable, however it is also clear that there is a broad range of component elements to the scheme which if designed or constructed in an inappropriate manner could have a significant adverse impact on the OUV of the WHS.

6.8.2 Co-design of these elements, and meaningful collaboration through construction, which includes the National Trust, will be essential in reaching the right detailed design solution and appropriate specification to ensure the protection of the OUV of the WHS.

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<sup>4</sup> [Website link to National Trust 'Outline OUV Impact Assessments'](#): There are four detailed assessment documents referenced there dealing with the preferred scheme and alternatives, from an assessment of possible options in 2014 through to the Preferred Route in 2017. Each is presented with an Executive Summary which helps orientate the reader to the nature of the proposal as it stood at the time of the assessment and the nature of the conclusions reached, before proceeding to a detailed, evidence based assessment of likely impacts.

*Requirements:* the Trust requires a clear and legally robust mechanism to be able to participate in these detailed design activities, ideally the terms of the DCO itself, would:

- a) ensure the Trust is built into the Approvals Regime for the areas of concern with regards to outstanding detail, with reasonable allowances of time for response to be made by the Trust and engagement to be meaningful
- b) require the Applicant to produce a programme of design activities
- c) require the Applicant to identify pathways for securing solutions; ensuring the design solution is transmitted into the requirements of the contractor
- d) ensure that the Trust, HMAG (and whatever the final form and format agreed with the Applicant of how we are to be engaged) are built into monitoring protocols for the discharge of the agreed solutions, including where appropriate the provision of information on proposed and as built construction, and that provision is made for the cost of monitoring during the project.

6.8.3 The National Trust has a strong interest in the development of the key control documents within the DCO including the:

- CEMPs (Construction Environmental Management Plan)
- CHAMPs (Cultural Heritage Asset Management Plans) and all successor plans produced by the Applicant on a four year cycle
- DAMS (Detailed Archaeological Mitigation Strategy)
- HEMP (Handover Environmental Management Plan)
- HMPs (Heritage Management Plans)
- LEMP (Landscape and Ecology Management Plan)
- Method Statements (specifying requirements for the preservation in situ of archaeological deposits)
- OWSI (Outline Written Scheme of Investigation)
- SSWSIs (Site Specific Written Schemes of Investigation)

6.8.4 The approach defined within the above listed documents will be key in our assessment of the scheme's suitability. As such, we expect to be closely consulted in their development. The National Trust's position is that these documents do not presently have sufficient detail.

*Requirements:* in order to better understand the development of these documents the Trust seeks for the Applicant to:

- a) prepare and distribute a road map detailing expected timelines for the development of these documents; showing:
  - i. points where the Trust, and HMAG will see and have the opportunity to input into these documents
  - ii. when the Trust, and HMAG will see the finalised versions
- b) provide a named person (or role) within the project ultimately responsible for:
  - i. the production of each of these documents
  - ii. ensuring the requirements or conditions of the document are upheld
- c) provision to be made within the dDCO for the Trust and HMAG to be consulted throughout the development of these documents and to be listed as part of the approval regime for final sign off.

6.8.5 *Limits of Deviation:* there is allowance in the scheme for both the bored tunnel and the cut and cover tunnel to be extended up to 200 metres westwards (and reduced by a nominal 1m eastwards) at the western end, and up to 30 metres eastwards at the eastern end. We welcome the potential that this might provide to further reduce adverse impacts on the OUV of the WHS. However the impacts of such a variation are not explicitly assessed within the HIA submitted by the applicant. Positive impacts on OUV that might result from the additional visual cover of the cut, and a potential reduction of direct physical impacts on archaeology resulting from an extension to the length of the bored tunnel, are to be welcomed. However, we are also concerned that resultant engineering requirements affecting changes in vertical road alignment (and therefore depth of cut), or positioning of the area of land take (and any consequent change to direct physical impacts on archaeology) are not set out, nor their impacts assessed. We are concerned that there may therefore be additional direct physical impacts on the OUV of the WHS.

*Requirements:* the National Trust therefore seeks a requirement for the Applicant to provide an assessment of the impacts of such a variation on the OUV of the WHS prior to its authorisation, in order to ensure its protection.

6.8.6 *Cutting Design:* the cutting at the eastern end of the scheme immediately outwith the cut and cover section is described as being, 'formed mostly of grassed slopes beyond the extents of the tunnel buildings' (6.1 Environmental Statement, Chapter 2, 2.3.2). This is contra to the advice provided by the National Trust to the Applicant (and assurances given by them) on what was required in order to minimise adverse impacts on the OUV of the WHS and ensure its protection.

*Requirements:* the Trust therefore seeks a requirement that throughout the scheme the cut should have vertical walls (to minimise land take and therefore the direct physical impacts on archaeology) rising to grassed slopes extending for approximately 2.5 metres at the top of the cut (to minimise adverse visual impacts on the OUV of the WHS). And that the surface of the cutting wall must not be visually intrusive, and must be a colour in-keeping with the character of the surrounding landscape.

6.8.7 *Variable Message Signs:* the location of variable message signs, 'along the length of the Scheme.' (6.1 Environmental Statement, Chapter 2, 2.3.48) is contra to the advice provided by the National Trust to the Applicant (and assurances given by them) that in order to protect the OUV of the WHS no such signage should be located within the WHS.

*Requirements:* the Trust therefore seeks a requirement that no variable message signs will be located within the WHS.

6.8.8 *A360 NMU route:* it is not clear from the submitted documentation what the width or the surface treatment of the new restricted byway running north south along the existing alignment of the A360 would be (6.1 Environmental Statement, Chapter 2, 2.3.57).

*Requirements:* in order to minimise adverse visual impacts on the OUV of the WHS and secure its protection we seek provision that:

- a) there should be no new bound surface on the new PRoW. A bound surface (with a maximum width of 3m) could be put in place along the line of the existing A360 (where this road becomes redundant). But at the point at which the NMU route diverges from the existing A360 eastwards into the WHS there should be no formal bound surface; in particular in the vicinity of the Winterbourne Stoke Barrow group where any new bound surface would represent an adverse impact on the monuments and their setting
- b) any area not used as a formal surface should become chalk grassland priority habitat (as defined by the Habitats Directive 2010 Annex I habitat types) in line with Policies 3g and 3h of the Stonehenge & Avebury and Associated Sites WHS Management Plan (2015)
- c) no 'urban' infrastructure such as rubbish bins, benches, kerbing or significant drainage infrastructure should be installed, and any signage for the new PRoW should be non-reflective and in-keeping with the character of the WHS, and should be designed and located in such a way as to ensure no adverse impacts on the OUV of the WHS

- d) there must be a maintenance strategy agreed that ensures that the surface approach continues to be applied throughout the maintenance agreement and any successor agreements. And those services providers who may need access to services beneath this surface must be required to make any repairs using the surfacing approach as defined above.

6.8.9 *A303 NMU route*: contra to the Applicant's statement in 6.1 *Environmental Statement Chapter 6, 6.17, Table 6.7* the National Trust understands HMAG had not agreed the design for the NMU route on the line of the redundant A303 at the time of submission of the application. While subsequent discussions between the Applicant and the Trust (among others) have been positive, no substantive written commitments have been received with regard to the design of the A303 NMU route.

*Requirements*: in order to minimise adverse impacts on the OUV of the WHS and secure its protection the Trust therefore seeks provision that:

- a) any bound surface should be a maximum of 3m in width, with a visually recessive finish in keeping with the character of the surrounding landscape
- b) any area not used as a formal surface should become chalk grassland priority habitat (as defined by the Habitats Directive 2010 Annex I habitat types) in line with Policies 3g and 3h of the Stonehenge & Avebury and Associated Sites WHS Management Plan (2015)
- c) no 'urban' infrastructure such as rubbish bins, benches kerbing or significant drainage infrastructure should be installed, and any signage for the new PROW should be non-reflective and in-keeping with the character of the WHS, and should be designed and located in such a way as to ensure no adverse impacts on the OUV of the WHS
- d) there must be a maintenance strategy agreed that ensures that the surface approach continues to be applied throughout the maintenance agreement and any successor agreements. Those services providers who may need access to services beneath this surface must be required to make any repairs using the surfacing approach as defined above.

6.8.10 *Byways Open to All Traffic (BOATS)*: the current use of the BOATs within the WHS causes an adverse impact on the OUV of the WHS. To address this *Policy 6* of the *Stonehenge & Avebury and Associated Sites WHS Management Plan (2015)* requires the management, 'of vehicular access to byways within the WHS to avoid damage to archaeology, improve safety and

*encourage exploration of the landscape on foot whilst maintaining access for emergency, operational and farm vehicles and landowners.* We are concerned that neither this scheme, nor the cumulative impacts of this scheme in combination with the existing BOATs within the WHS, should exacerbate the damage to OUV already caused. In addition, the benefits to OUV afforded by the scheme's removal of traffic within a substantial proportion of the WHS should not be undermined, either by increased usage of the existing BOATs, or use (legally or illegally) by motorised users on new PRoWs created as part of the scheme.

*Requirements:* care should be taken in approval of any detail in relation to the scheme not to encourage increased use of PRoWs by motorised users where that would harm the OUV of the WHS.

6.8.11 *Ground Settlement:* the Applicant states that, 'it is assumed that,' ground settlement will be minimal at the surface, but no evidence is provided to support this 6.1 *Environmental Statement Chapter 6, 6.4.1 i)*

*Requirements:* given the sensitivity of archaeological deposits and monuments to ground and sub-surface disturbance, we consider that further evidence needs to be submitted by the Applicant to demonstrate the scale of any surface ground settlement and assess the adequacy of proposed mitigation, and to identify any residual impacts on monuments that convey the attributes of OUV of the WHS.

6.8.12 *Haul Roads:* the Applicant states in 6.1 *Environmental Statement Chapter 6, 6.8.4 c* that, 'compounds, temporary road diversions and haul roads would be built under a 'no dig' solution, wherever possible, with topsoil retained in situ and geotextile laid before road stone and the temporary road surface. This approach would also be implemented for PMAs and NMUs where agreed with HMAG and WCAS.' However this is contra to assurances given by the Applicant to HMAG that no haul roads would be built within the WHS. This is to ensure there are no avoidable direct physical impacts on archaeology and the OUV of the WHS and further, to minimise the temporary visual impacts on the OUV of the WHS.

*Requirements:* the National Trust therefore seeks assurance that no haul roads be constructed within the WHS that fall outside the necessary footprint for the newly constructed road.

6.8.13 *Scrub:* the creation of intermittent scrub habitat within the WHS, for example on the western approaches to Green Bridge 4 (6.1 *Environmental Statement Chapter 6, 6.8.5 d)* is in direct contradiction with Priority 1 of the Stonehenge & Avebury and Associated Sites WHS Management Plan (2015) which requires the management of scrub for the protection of archaeology. The introduction of scrub would also introduce a visual intrusion that would have

an adverse impact on the visual relationships between the Winterbourne Stoke Barrow Group and the Diamond Group i.e. the adverse impact on OUV that Greenbridge 4 is intended to mitigate.

*Requirements:* the National Trust therefore seeks assurance that other than for essential and proportional mitigation (where this does not adversely impact OUV) to provide habitat connectivity e.g., for bats, no new scrub is created within the WHS.

6.8.14 *Lighting:* the Applicant states that the tunnel portal lighting will be, 'downlit and hooded to avoid light spill,' however the commitment previously given by the Applicant is for not lighting within the WHS outwith the tunnel. This is to ensure no adverse impacts from lighting on attribute 4 of the OUV of the WHS ('the design of Neolithic and Bronze Age funerary and ceremonial monuments relating to the skies and astronomy.').

*Requirements:* the National Trust therefore seeks assurance that there will be no external lighting within the WHS (including at the tunnel portals, within the walls of the cut, and mounted on any of the tunnel control buildings or structures outwith the tunnel).

6.8.15 *Monitoring of Archaeological Mitigation:* the appropriate monitoring of archaeological mitigation of the scheme is critical to ensuring the protection of the OUV of the WHS. While there is a commitment to such monitoring within the Applicant's submitted scheme (6.1 *Environmental Statement Chapter 6, 6.10.1*) it is not specified how, or by whom this would be done.

*Requirements:* the National Trust seeks provision within the dDCO for appropriate consultation with Trust, and HMAG prior to, and as part of, sign off of all archaeological mitigation works within the WHS and for subsequent monitoring, including provision for cost of monitoring.

6.8.16 *Creation of New Earthworks within the WHS:* the creation of new earthworks within the WHS would create an adverse impact on the Authenticity of the WHS and negatively impact the legibility of existing earthworks forming part of monuments that contribute to the OUV of the WHS. We are therefore concerned that contra to discussions with, and assurances given to, the National Trust and HMAG the Applicant states that new embankments will be created within the WHS scheme (6.1 *Environmental Statement Chapter 7, Table 7.3 final paragraph*). In *Plans and Drawings 2.9* a new section of embankment can be seen above the top of the cut on the northern side of the approach to the eastern portal, and is referred to as, '*new embankment formations...up to 1m above ground level, between the Eastern Portal and Countess roundabout*'(6.1 *Environmental Statement Chapter 7, 7.9.13*). Here the approach to the portal appears to be placed in a false cutting where the cut crosses the head of the dry valley. This is in a sensitive location within

the WHS in proximity to a number of monuments contributing to its OUV, including both the Stonehenge Avenue and a number of round barrows.

*Requirements:* the Trust therefore seeks the removal by the Applicant of all above ground earthwork components of the scheme within the WHS, to ensure its protection.

6.8.17 *Tree planting:* planting of new trees within the WHS can have adverse impacts on both sub-surface archaeology, and on the visual relationships between monuments relating to the OUV of the WHS. The National Trust is therefore concerned to ensure there are no adverse impacts on OUV from tree planting.

*Requirements:* no new tree planting should form part of the scheme within the WHS, and any replacement planting should only be permitted where it replaces existing screening of heritage assets; or provides essential and proportionate mitigation to provide habitat connectivity specifically for bats, providing it does not adversely impact on visual relationships between monuments conveying the attributes of OUV of the WHS; and where such replanting is fully archaeologically mitigated.

6.8.18 *Fencing and Gates:* we are concerned that design details of fencing within the scheme lack detail and that inappropriate design and location of fencing could have significant adverse impacts on the OUV of the WHS. Inadequately designed fencing has the potential to adversely impact views between monuments conveying OUV; adversely impact the setting of such monuments; and to be highly visible across long distances within the WHS.

*Requirements:* the Trust seeks a commitment from the Applicant that:

- a) the top of "safety" or exclusion / security fences should be no higher than the top of the cutting.
- b) all fencing visible from within the WHS should be visually recessive and have a non-reflective finish
- c) all fencing above the top of the cutting should be stock fencing, appropriate to the rural landscape
- d) all gates (both pedestrian and field gates) should be appropriate to the rural environment, visually recessive and have a non-reflective finish
- e) all pedestrian gates must be, 'easy access' to allow use by visitors with restricted mobility e.g. 'Centrewire Aston Gate' or similar

- f) the design of gateways should not allow illegal use of the NMU routes (in particular those created newly for the scheme) and should be specified to be natural timber products
- g) there must be a maintenance strategy agreed that ensures the upkeep of fences and gates in line with the above specifications throughout the maintenance agreement and any successor agreements
- h) a Requirement is to be made within the dDCO for
  - i. the Trust and HMAG to be meaningfully consulted in the design of all fences and gates within the WHS;
  - ii. and for the Trust to be listed as part of the approval regime for final agreement where this applies to fences and gates on or adjacent to Trust land interests.

6.8.19 *Tunnel Protection Zone*: the Applicant requires the imposition of restrictive covenants over the subsoil above the tunnel (and its exclusion zone), up to and including the surface of the land above. The purpose of this is to secure protection of the tunnel by restricting ability to undertake certain types of development and activities within this area;

- a) such covenants as currently articulated by the Applicant could compromise and potentially prevent both future research within the WHS, and also works necessary to the conservation and protection of sites and monuments that convey its attributes of OUV
- b) the proposed extents and exact locations where various restrictions would apply are yet to be finalised, but the conditions proposed at present are overly restrictive and would for example prevent open area excavation and any excavation below 1.2m, thus compromising the researcher's ability to ensure the most appropriate fieldwork methodology is used
- c) while we recognise the engineering and safety requirements that make a Tunnel Protection Zone necessary the Trust is concerned that within an archaeological WHS it would not be appropriate for the Applicant to dictate future access for research and management of archaeological sites, features, and finds without recourse to independent assessment of proposals that could create a significant risk of interference with the tunnel, and believe that such restrictions could compromise the ability to protect the OUV of the WHS

- d) restrictions proposed for the use of only road legal vehicles would also mean that mini-diggers and 'JCBs' would not be able to access any areas subject to any such restrictions. This would prevent not only their use for instance in archaeological excavations but also for fence replacements, and works relating to replacement of utilities (public and private e.g. underground pipes feeding water troughs etc)
- e) in relation to this we are also concerned that the inclusion of National Trust land within Order limits for survey and monitoring removes the ability to ensure the conservation and protection of archaeological sites and monuments that are not Scheduled Monuments, but which convey the OUV of the WHS

*Requirements:* the Trust seeks provision within the dDCO (potentially via Protective Provisions) for restrictive covenants that strike an appropriate balance between protection of the tunnel structure and preserving the ability of the land to be used for archaeological excavation and to maintain the OUV of the WHS.

6.8.20 *Countess Farm Grade II listed buildings:* it is stated that there will be 'permanent adverse effects on the setting of one listed building in the vicinity of Countess Roundabout.' (6.1 *Environmental Statement Chapter 16, Table 16.1*) However, there is both a Grade II listed farmhouse and an associated group of Grade II listed buildings comprising the farm complex that will also be adversely impacted at Countess Farm.

## **6.9 Landscape and visual effects and design**

6.9.1 It should be noted that many of the points raised above, particularly within the section on heritage are relevant to protecting the landscape and visual amenity of the WHS and to the National Trust's landholding within it, both land required for the scheme and land to be retained. Those points are relevant when landscape and visual amenity are being considered but are not repeated here.

6.9.2 *Assessment of impacts on Countess Farm:* clarification of the assessment of the impact of the mitigation at Countess Farm by year 15 is sought. In 6.1 *Environmental Statement Chapter 7: Landscape and Visual, Table 7.11: Summary of significant effects – construction and Table 7.12: Summary of significant effects - operation year 1, Countess Farm (High Receptor Sensitivity)* has a Major Impact Magnitude and a Large adverse Residual Effect recorded. In *Table 7.13 Summary of significant effects – operation year 15, Countess Farm* is predicted to have Moderate Impact Magnitude and Moderate adverse Residual Effect. In 6.1 *Chapter 16: Summary: Table 16.1: Summary of effects*, the Permanent adverse effects on these listed buildings

at the Construction Phase are then not described at the Operational Phase, which appears to the Trust to be contradictory. Additional information is required on this reduction in the Impact Magnitude and Residual Effect and how under the best case scenario, the proposed mitigation of planting will deliver this reduction over 15 years. Currently the proposed planting is restricted to within the soft estate of the existing highway, and in addition an unspecified number of trees are to be removed to create sufficient area for the drainage system (see *Fig 2.2 Preliminary design drainage catchments, Countess Pond 1, Countess Catchment 12, Outfall Catchment 15, Countess Pond 3 and Catchment 15*), which will limit the space for replacement or additional planting. The visualisations shown in ES Figures [APP -145] and [APP-146] illustrate the view from the North-East and therefore do not fully show the impact magnitude of the flyover on Countess Farm. We seek additional mitigation in the form of extended fencing and planting including standard trees to maximise the buffering, with 100% archaeological mitigation for all works undertaken within the WHS.

#### 6.9.3 *Sound barrier and screening at Countess Flyover.*

*Requirements:* further information is required on the type and height of screening and sound barrier that will be attached to the flyover; in addition to the how light and pollution will be mitigated at Countess Farm.

### **6.10 Noise and vibration**

6.10.1 *Vibration effects at Stonehenge Cottages:* the National Trust is concerned that the impact of vibration at the Stonehenge Cottages during construction of the proposed scheme may have been underestimated. The precise method of calculation of predicted vibration levels from tunnelling has not been referenced.

*Requirement:* the National Trust considers that further investigations into the potential for vibration impacts at the Stonehenge Cottages are required to determine if the current level of proposed mitigation is sufficient.

### **6.11 Sustainable transport**

6.11.1 The overall Rights of Way strategy needs further consideration, especially in regards to the proposed treatment of the current A303 and the redundant portion of the A360 and other NMU (Non-Motorised User) access post scheme construction. Additionally the status of the current BOATs (Byways Open to All Traffic) require further consideration to ensure compatibility with the overall configuration of the other forms of access and Rights of Way within the WHS post scheme construction.

## 6.12 Draft Development Consent Order

6.12.1 A general note should be made in respect of the use of the phrases "*in consultation with*" and "*approval by*" the National Trust in the comments below. The Trust is approaching the examination of the control documents to be certified under Article 56 and Schedule 12 and any other schemes that serve a similar purpose of regulating design, construction or operation, with the intent of seeking changes to them such that they have sufficient detail to be approved by the Secretary of State as part of any confirmation decision made. This would leave the Trust (and often other stakeholders) to be consulted upon any further detail submitted subsequently pursuant to the terms of those control documents.

6.12.2 Conversely, if the present situation continues, of inadequate detail being provided in those documents during the examination, the National Trust would move to a position of advocating the need for subsequent approval of the entire control document(s) in question, prior to implementation of the scheme. Where the word "approval" is used below it connotes that as matters presently stand, the detail contained within the relevant control document is inadequate for it to be approved without further independent assessment of additional material still required within it.

6.12.3 There is also the potential for a class of issues over which specific agreement of the National Trust may be required, either during examination or subsequently, prior to implementation. It is not possible to specifically identify them at this point (although an example given already is the design of gates or fences on or adjacent to Trust retained land), but they are likely to emerge through direct negotiation between the Trust and the Applicant.

6.12.4 Article 3 and 7 and Schedule 1 – these provisions define the scheme and the flexibility sought by the Applicant in its design. Acceptability of the level of flexibility sought is tied in with the control documents referred to in the requirements below.

### 6.12.5 *Temporary Possession Powers*

- I. *Article 29 - 'Temporary use of land for constructing the authorised development'*: The Article 29 powers of temporary possession are too wide. The current drafting would allow the Applicant to exercise powers of temporary possession for very wide purposes over any Order land. This is not acceptable in connection with National Trust owned land or for any other land within the Order limits. There is the potential for works done pursuant to temporary powers to circumvent control mechanisms within the dDCO and adversely impact on the OUV of the WHS.

*Requirements:* the wording at Article 29(1)(b)(ii) should be removed and the Applicant must only be able to exercise temporary possession powers during construction over land included in Schedule 7 for the purposes specified there. This would allow the Trust and other parties to assess if the use of the proposed temporary possession powers for construction purposes is acceptable in relation to those specified land parcels.

- II. *Article 30 – ‘Temporary use of land for maintaining the authorised development’:* The National Trust understands that there is a need to include some powers to temporarily use land to maintain the authorised development once it is built and operating. However, the use of such powers must be proportionate and subject to appropriate controls. Given that, as currently defined in the dDCO, ‘maintain’ includes powers not only to ‘inspect, repair, adjust, alter and remove’, but also to ‘reconstruct’, the Trust has concerns about the justification for such wide powers to be exercised over land within and/or adjoining the WHS. The breadth and type of works that could be required to maintain the authorised development have the potential for unassessed and unmitigated adverse impacts to arise in relation to the OUV of the WHS.

*Requirements:* with regards to the National Trust’s own land, the Trust requires the Applicant to agree a mechanism by which it will consult the Trust on, and allow the Trust to agree to the proposed use of its land for any temporary purposes. This could be secured through amendments to the dDCO either within Articles 29 and 30 or in protective provisions for the Trust.

6.12.6 *Requirements relating to Design and Control Documents:* based on the scheme as currently conceived, and the dDCO as submitted, the National Trust is seeking certain changes to be made as set out above and cross referenced here for ease of reference:

- a) **Schedule 2, Requirement 3:** Requirement 3 specifies that the authorised development must be designed in detail and carried out so that it is compatible with the works plans and engineering section drawings unless otherwise agreed by the Secretary of State in consultation with the planning authority on matters related to its functions. The Trust seeks commitment to be consulted on and, where appropriate, provide approval of key detailed design elements through either additional drafting within the DCO requirement itself or bespoke Protective Provisions. This is a particular area where ongoing discussion between the Trust and the Applicant is expected to lead to significantly revised consultation processes to be advanced by the Applicant and the identification of specific design principles from the

Trust to be incorporated within them, including addressing involvement of the Trust during the tender stage for procurement of the works.

- b) **Schedule 2, Requirement 4:** Requirement 4 provides that the authorised development must be carried out in accordance with the OEMP. CEMPs and HEMPs are to be produced in accordance with the OEMP so this is a key document. The Trust seeks a commitment from the Applicant to be consulted on the development of the OEMP throughout Examination and for Requirement 4 to include provisions to ensure the Trust is consulted on and engaged within final approval of the CEMPs, LEMP and HEMPs to be produced in accordance with the OEMP.
- c) **Schedule 2, Requirement 5:** Requirement 5 states that the authorised development must be carried out in accordance with the DAMS. An Outline Archaeological Mitigation Strategy (OAMS) was included with the application as appendix 6.11 to the Environmental Statement. The OAMS is stated to be the basis for extensive consultation with members of HMAG in order to produce the final strategy. The DAMS and the accompanying OWSI and SSWSI will be key control documents for the Trust and will need to be reviewed in detail by it. The Trust seeks a commitment from the Applicant to be consulted on the DAMS, OWSI and SSWSI throughout the Examination and for the DCO to ensure that the Trust and HMAG are engaged within final approval of the DAMS, OWSI and SSWSI. The Trust also requires consultation upon and engagement within approval of Method Statements, HMPs and CHAMPS.
- d) **Schedule 2, Requirement 8:** Requirement 8 requires a landscaping scheme to be submitted and approved in writing by Secretary of State following consultation with the planning authority. The Trust seeks a commitment from the Applicant to be consulted on the content and approval of the landscaping scheme.
- e) **Schedule 2, Requirement 9:** Requirement 9 of the dDCO sets out that a Traffic Management Plan (TMP) must be approved by the Secretary of State following consultation with the local highway authority. The Trust seeks a commitment from the Applicant to be consulted on the content and approval of the TMP.

## **Part C: Conclusions**

### **7. Conclusion**

- 7.1.1 The National Trust is a significant landowner within the Stonehenge Landscape, and is an advocate of a solution for the A303 that would remove a large part of the existing A303 from the WHS, reuniting the landscape, whilst protecting the integrity, authenticity and OUV of this special place. At present, based on our appraisal of the DCO documents, we have a range of issues and concerns that we consider require further consideration through the DCO examination.
- 7.1.2 We seek further provisions to be made within the DCO, and for the Applicant (and its contractors) to work with and consult with the Trust (and other key stakeholders) in a meaningful way through the entire life of the project, and post construction.