

A303 Amesbury to Berwick Down Case Team
National Infrastructure Planning
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN
Reference : 20019751
3rd May 2019

Dear Sirs

Planning Act 2008

Application by Highways England for an Order Granting Development Consent for the A303 Amesbury to Berwick Down

I represent Amesbury Abbey Group who are the owners of Amesbury Abbey, Grade I listed building and 8 ha of registered park and gardens Amesbury Abbey Park Grade II*.

The house and grounds lie to the South West of the Countess Roundabout and are in part immediately adjacent to the A303.

Amesbury Abbey is a nursing and residential care home with 37 apartments and it also includes Abbey Mews which are 32 purpose built apartments for independent living, 4 flats in the Abbey and 3 separate dwellings in the grounds.

1. IMPACT ON HERITAGE ASSETS

The national policy is set out in the National Policy Statement for National Networks

Significance can be harmed through development within its setting. Given that heritage assets are irreplaceable, harm or loss affecting any designated heritage asset should require clear and convincing justification.

Substantial harm to or loss of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.

5.132 *Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development,*

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1. Amesbury Abbey

The Abbey is a Grade I listed building, a heritage asset of the highest significance, it is on the site of the Benedictine Abbey of Amesbury and the current house was built in 1834 designed by Thomas Hopper for the Antrobus family.

The Abbey will be permanently adversely affected by this development in such close proximity. Visually the development is incapable of screening and the 9.8metre flyover may be visible from the top floor flats in the main house. Amesbury Abbey Park is the setting for Amesbury Abbey and it will clearly be visible from the parkland. It is established policy that the significance of a heritage asset can be harmed through development within its setting.

The National Planning Policy Framework (NPPF) and NPSNN state that Scheduled Monuments and Grade I and II* Listed Buildings are heritage assets of the highest significance.

NPPF states Substantial harm to or loss of designated assets of the highest significance, including World Heritage Sites, Scheduled Monuments, grade I and II Listed Buildings, Registered Battlefields, and grade I and II* Registered Parks and Gardens should be wholly exceptional.*

(NPSNN)When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. Consequently the grade 1 Amesbury Abbey and the Grade II*registered park are heritage assets of the highest value/significance and substantial harm should be wholly exceptional.

(NPSNN)Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the Secretary of State should refuse consent unless it can be demonstrated by clear and convincing justification that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits which outweigh that loss or harm.

Unquestionably this development will cause substantial harm and the test will be whether the harm is necessary in order to deliver the alleged substantial benefits to the World Heritage Site, Stonehenge and whether that is wholly exceptional.

The balancing exercise should reflect this by showing these assets (Grade I Listed Buildings and Grade I and Grade II* Registered Parks and Gardens) as having equal importance as a WHS .

2. Amesbury Abbey Park registered Historic Park and Garden

The pleasure grounds of circa 8ha are listed Grade II*dating from C18 and C19 They were designed by Charles Bridgeman in 1738 and are one of the few remaining Bridgeman gardens.

The following are the heritage assets within Amesbury Abbey Park;

Balustrade Bridge listed Grade II*built by Sir William Chambers in 1775

The Chinese House or Chinese Temple listed Grade II*

Vespian's Camp an Iron Age Hill Fort which is a Scheduled Ancient Monument and Gays Cave Listed Grade II*a grotto.

The A303 and the proposed flyover are immediately to the north of Amesbury Abbey Park for one kilometre leading up to the existing Countess Roundabout.

The Park is a designated historic landscape of outstanding interest, of high quality and importance, and of demonstrable national value, it consequently has high value/significance.

There will be a major impact on this historic landscape as the flyover will create major visual effects and a change of noise resulting in total change to historic landscape character of the park. The flyover will be visible from the Balustrade Bridge and from within the North Eastern part of the park.

3. Blick Mead

Blick Mead is an undesignated heritage asset of national importance in its own right within Amesbury Abbey Park.

Archeologists lead by Professor David Jacques (Professorial Research Fellow in Archaeology at the University of Buckingham) have discovered the following on this site;

- the oldest dwelling and occupation area in the WHS, tightly dated by five radio carbon dates to c. 4000 BC;
- the earliest example of a recorded journey in Great Britain, dated to c. 5500 BC;
- the place the communities lived in who built the first monuments on the Stonehenge Knoll just after the Ice Age. This is something which has evaded detection by archaeologists for over two centuries; and
- the longest dated sequence for a settlement of Mesolithic date (the era before the time of Stonehenge) in Great Britain, spanning the 8th and 5th millennia BC, and a potential contact between the first farmers and last hunter gatherers in the Stonehenge landscape around 4000BC.

The interests of Blick Mead are also represented by a separate legal team on behalf of the archaeologists.

4. Setting

The Environmental Statement, HIA and the LVIA are based on the premise that neither the road nor the flyover can be seen from Amesbury Abbey Park, this is incorrect. The road and traffic upon it is clearly visible all year around and once the 9.8 metre flyover is in place it will be visible from the Balustrade Bridge and the park all year round.

"6.6.59 For the purposes of the EIA baseline assessment and assessment of impacts on the setting of heritage assets, a series of 39 'asset groups' have been defined. These have been determined on the basis of location (e.g. proximity and topography), period, and interrelationships (e.g. inter-visibility and grouping)."

HIA Figure 11B shows the location of Asset Groups in relation to the zone of theoretical visibility of the scheme. The park is not shown within the zone of theoretical visibility.

"6.9.20 While there would be considerable activity around Countess, both in terms of construction activity and traffic movement, relatively few heritage assets are present and the majority of these are within Amesbury Abbey Park and are well screened".

The only heritage asset in Amesbury Abbey Park which is being considered is Vespian's Camp, no consideration has been given to the impact of the scheme on the setting of Amesbury Abbey Park nor the other heritage assets within it. This is justified on the basis of the zone of theoretical visibility of the scheme which has incorrectly concluded that the A303 and the flyover will not be visible from the park.

"6.9.20 of the ES states that construction activity does not affect the setting of any heritage asset", how can the construction of a 9.8m high flyover metres away from the grade II*listed Amesbury Abbey Park registered park not affect its setting?

The conclusion of impact upon the setting of Amesbury Abbey is as follows no mention is made of the Park or other assets within it other than Vespian's Camp.

"6.9.32 Non-significant adverse effects were also assessed for Amesbury Conservation Area (UID 6052) and Amesbury Abbey RPG (UID 6053)".

The presence of the new Countess flyover would alter the setting of the grade II*listed Amesbury Abbey Park and heritage assets within it. The setting of heritage assets will be negatively affected by this development in their background, both visually and as a result of traffic noise.

An assessment of the impact of the works on the setting of Amesbury Abbey its Park and the other heritage assets must be undertaken in accordance with Historic England's guidance HE2015 Good Practice Advice in Planning Note 3.

There will be a significant permanent adverse effect on the setting of the above heritage assets including a change to a key view and sight line from the Balustrade Bridge along the River Avon to the north east.

"The Scheme design has been developed to reduce the visual intrusion of new highway sections within the WHS":

"Re-use of part of the existing dual carriageway between the eastern portal and Countess Roundabout would minimise impacts on the setting of the scheduled Vespasian's Camp and the Grade II* registered park and garden at Amesbury Abbey".

The re use of the existing road cannot be said to minimize the impact of the new highway sections when the reality of the new highway section is an 9.8 metre high flyover immediately north of the park.

5.Dark Skies

The impact of the scheme upon dark skies as they are part of the setting for the Outstanding Universal Value of the World Heritage Site and lighting schemes must be taken into account. Countess Roundabout is to be updated with directional LEDS and the impact of road lighting and vehicle lights on the flyover will also negatively impact on the setting of Amesbury Park and the heritage assets within it.

2.LANDSCAPE AND VISUAL IMPACT

The NPSNN states: "Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimize harm to the landscape, providing reasonable mitigation where possible and appropriate."

There are no mitigation proposals for the flyover to minimize harm to the designated landscape adjacent to it.

The NPSNN states: "The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development."

No account has been taken on the visual effects of the flyover on the 87 residents of Amesbury Abbey.

"7.5.10 The study area incorporates all aspects of the construction and operational activity, including the high load routes, as well as the areas of Amesbury, Ratfyn and Bulford. This extent of the study area is considered acceptable to identify any direct landscape change and inter-visibility with the Scheme that may result in significant effects to identified receptors."

The study area does not incorporate any part of Amesbury Abbey Park nor the house it does not include any land to the south of the A303 adjacent to the flyover and for at least 1km.

This is said to be based on visibility of the scheme however clearly the flyover will be visible for a much larger area than the study area.

The road is especially visible from the north east part of the park and will be visible from the balustrade bridge. The view from the bridge along the River Avon is an important view.

There is no ability to completely mitigate the landscape and visual impact of an 9.8 metre high flyover from Amesbury Abbey or its park. Presently there is no view of the road from the top flat in the Abbey however when the flyover is built it may well be visible. To put this into context 8m is the equivalent height of a three storey building, and to this, add the height of a lorry (4-5metres).

No photomontages have been produced of the Countess Flyover other than the ones in the public consultation document which focus on the roundabout and the view from the approaching road and one from 800 m away. There is no drawing that shows the whole extent of the flyover, sheets 9 and 12 of the General Arrangement Drawing only show the central section.

It is clear however that it will have a marked effect on the landscape and will be seen as a hard engineered, over dominant feature set against the foreground of established deciduous trees.

No land is being acquired to enable any planting or mitigating landscaping nor has an enhanced landscaping scheme on my client's land been offered.

The computer generated image (App1) of the flyover provided shows the view from the bench at point 16 on the highways proposals plan copy attached (App 2) is clearly misleading as it shows the flyover and white van at such a low level that the surrounding trees would have to be over 100 foot tall, which they are not.

The road is visible at present all year round from the Park and especially the lorries and vans using it, the screening effect of the existing woodland is not sufficient to obscure it. Significant permanent adverse effects will ensue, impacts from such intrusive development are hard to mitigate.

The Scheme's Zone of Theoretical Visibility (ZTV) established by the Landscape and Visual Impact Assessment, is incorrect in showing at figure 7.9 that there is no visibility of the present A303 nor any future visibility of the flyover and consequently its conclusions of impact and harm are incorrect .

"6.9.4 All temporary impacts derive from non-physical impacts of the Scheme. These comprise changes to the setting of heritage assets arising from views of project A303 Amesbury to Berwick Down 6.1 Environmental Statement, October 2018"

This is incorrect the impact of the construction of the flyover will be considerable and permanent.

Landscape Architects Nicholas Pearson Consulting have been instructed to prepare a planting plan to achieve what screening can be achieved on land belonging to Amesbury Abbey Group Limited which could be undertaken by Highways England in order to mitigate the harm. This will be produced at a later date.

3.AIR QUALITY

Highways England have assumed that the improving vehicle exhaust emissions standards are likely to have a greater effect than any additional growth in traffic in subsequent years. It is agreed that the levels of traffic flow will increase and there is concern regarding the increased exposure to nitrogen dioxide close to the Countess Roundabout and the flyover.

In particular the Abbey is home to approximately 87 elderly people and houses a large number of staff. Most residents use the grounds for recreation and rest and will be in close proximity to the flyover. The image of the flyover prepared by Highways England shows the bench next to the river which is approximately 60 metres from the road, and there are many other resting places in the park where the residents will sit. Together with the occupants of Bowles Hatches and Diana's

House the residents of the Abbey are the nearest human receptors to the flyover although they are not taken into consideration when considering the effects of the scheme.

Public Health England specifically identifies nursing homes as sensitive receptors for air quality assessment. Internationally and nationally designated eco systems are also sensitive receptors which would include the River Avon SAC and SSSI.

The proposition that air quality monitoring is not required as on the basis of theoretical calculations there will be no significant effect during construction nor operation, is not adequate for the decision maker to assess the environmental effects of the scheme. What if the assumptions that have been made are incorrect and there is a decrease in air quality? If there is no ongoing monitoring during construction and afterwards how would anyone know?

4.NOISE AND VIBRAITON

An increase in noise levels and a loss of tranquility is of primary significance to my client's business which sells accommodation based upon the Abbey's beauty tranquility and grounds, all of which will be irreparably and detrimentally effected if the proposed works go ahead.

Para 7.6.75 IAN 135/10 paragraph 2.13 defines tranquillity as: "the remoteness and sense of isolation, or lack of it, within the landscape, which is often determined by the presence or absence of built development and traffic."

The elevation of the traffic will increase the level of noise and the distance it will travel, this was accepted by Highways England on p25 of the Environmental Report Summary. It is also accepted that there will be an increase in the volume of traffic which together with the presence of the flyover, will lead to an inevitable reduction in tranquility.

"Air quality, noise and neighbourhood amenity

13.9.81 The Scheme would result in some temporary noise exceedances and vibration impacts worsening in air quality (13.9.82) due to construction activities and construction traffic during the construction works".

Residents of Amesbury Abbey, a residential care home clearly represent sensitive receptors often with poor health and consequently will be most susceptible to such effects from the perspective of human health.

The assessment of effects undertaken in respect of noise conclude that there would be significant adverse effects experienced by residents of some properties due to proximity to the construction activities and/or construction traffic routes.

"9.9.32 A total of 21 non-residential sensitive buildings are located within the 600m noise prediction study area, consisting of six educational buildings (schools and nurseries in Amesbury), three medical buildings (medical centres and an ambulance

centre in Amesbury), six community facilities (social clubs, leisure centre and library in Amesbury, and the Stonehenge visitor centre) four places of worship (three in Amesbury and one in Winterbourne Stoke) and two hotels with no residential accommodation (Travelodge and Holiday Inn, Amesbury) as shown on Figure 9.1”.

Amesbury Abbey residential home is not included in this as a non-residential noise sensitive building, however nor is it or the Mews houses which are adjacent to Bowles Hatches, mentioned at all or identified as residential properties in the Environmental Statement. It is said at para 9.9.6 that Bowles Hatches will experience an increase in noise during construction of 7 dB and will exceed SOAEL and LOAEL, however no assessment of the effect on the Mews is made.

Para 13.9.83 concludes that due to the use of best practicable means included in the OEMP and the use of temporary noise barriers where possible the effect of the Scheme on air quality, noise and neighbourhood amenity as a determinant of human health during construction is assessed to be neutral (0).

The impact of the scheme on the Mews should be assessed.

5. ROAD DRAINAGE AND THE WATER ENVIRONMENT

There are two issues to raise, firstly the integrity of the River Avon SAC, the concerns relate to the pollution impacts of surface water run-off and groundwater impacts in terms of changes in water table as a result of ground works.

This is of particular concern bearing in mind that the River Avon is less than 50 m from the boundaries of the works and the other watercourses in the area are adjacent to the road itself where it is vitally important that there is not even a temporary adverse effect as a result of changes to the water environment in the area.

Secondly the changes to local drainage caused by the proposed flyover may alter the water table at Blick Mead irreparably, the consequence of this would be that the archaeology at Blick Mead may be lost forever if the ‘water table’ in which it is preserved is not maintained. This water table is an important reason why the archaeology at Blick Mead is so well preserved and consequently so valuable. This is because the water table keeps organic matter in a deoxygenated state preventing decay.

At a meeting between Highways England and Heritage England and David Jacques amongst others it was agreed that the water table at Blick Mead needed to be surveyed over a 12 month period in order to assess the effects of the works on the water table. These surveys have not concluded and without recourse to the information from these surveys it is questionable whether there is adequate information of environmental effects to enable the grant of the Development Consent Order.

The controlled waters assessment should include unlicensed wells and springs that do not have a license but may be significantly affected. There is a spring in the grounds of the Abbey and the scheme’s impact on this should also be assessed.

6.CONSTRUCTION IMPACTS

Most importantly the effect of the construction works on the flow of traffic is vital to my client's business. It is imperative that staff are able to get to work on time.

Currently it is estimated that there are 1,824 vehicle movements to and from the Abbey every week. I enclose at App 3 a breakdown of this figure between staff, residents, visitors, deliveries and the Physiotherapy Clinic on site.

We need to be pre-consulted on any proposed road closures or diversions, alternative access arrangements and hours of working.

We need to ensure that the arrival and departure of staff is not disrupted through full advance consultation by Highways England at appropriate times and that we are consulted on the draft construction traffic management plan. The late arrival of a nurse or a care assistant could put lives at risk.

"Human Health Determinant

Outcomes during Construction

Access to healthcare services and other social infrastructure

13.9.73 During periods of the construction phase, eastbound and westbound A303 traffic would be restricted. In addition, areas beneath the Eastern Bridge and Western Bridge of the Countess Roundabout would be temporarily closed.

13.9.74 The provision of mitigation measures, such as diversions and relevant access points, would ensure accessing these facilities remains possible. The effect on local community assets as a determinant of human health during construction is assessed to be neutral (0)".

It is vital for the reasons set out above that access to Amesbury Abbey residential home is not restricted, and that staff and emergency vehicles are not hindered in accessing the property with the consequent potential risk to human health.

7.CUMULATIVE EFFECTS

It is important that the cumulative effects for the particularly sensitive receptor Amesbury Abbey are considered.

8. IMPACT ON THE AMESBURY ABBEY RESIDENTIAL HOME BUSINESS

Para 13.6.33 states there are no business premises lying directly on the alignment of the Scheme, this is clearly incorrect as the Abby grounds are adjacent to the scheme.

The detrimental effects discussed above due to the increase in traffic, the development itself and the disruption will all have a permanent detrimental effect on the business, the value of the properties and residential amenity.

The noise vibration and air quality impact may impact on the health of residents.

"Chapter 13 People and communities

Amenity

Construction 13.9.69 Taking into account the results of the air quality, noise and visual assessments, there are no residents or users of public rights of way, community facilities or businesses that would experience a significant effect on their amenity during construction.

Operation 13.9.70 Taking into account the results of the air quality, noise and visual assessments, there are no residents or users of public rights of way, community facilities or businesses that would experience a significant effect on their amenity during operation”.

We clearly disagree with this conclusion and are of the opinion that there is major detrimental impact of this scheme on Amesbury Abbey its park, heritage assets and its residents.

Regards
Tracey Merrett
Merrett & Co