



**National  
Trust**

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Your ref: TR010025

Our ref: ID no. 20020498

31 May 2019

National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Sir/Madam

**Application by Highways England for an Order Granting Development Consent for the A303 Amesbury to Berwick Down (Stonehenge) scheme**

**DEADLINE 3**

Please find hereunder the National Trust's response in respect of relevant items detailed under item 12 (Deadline 3) of the Examination Timetable as included in the ExA's Rule 8 letter.

Enclosed includes the National Trust's:

- Comments on responses to the ExA's Written Questions (Annex A)
- Comments on the DAMS (Annex B)
- Comments on any further information requested by the ExA and received to Deadline 2 (Annex C)

It is noted that the timetabling of the Compulsory Acquisition hearings has not been able to accommodate the Trust's request that due to constraints on our representatives its case be heard towards the end of the week 8 to 12 July. With the Compulsory Acquisition hearings now to take place over two days we ask for confirmation that the Trust's case will be heard on the second of those days, Wednesday 10 July.

Yours faithfully



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## **Annex A: Comments on the responses to the ExA's 1st Written Questions**

Note: Following the publication of the agendas for Issue Specific Hearings 1, 2, 3, and 6 it is clear there are a number of matters now anticipated to be covered in those hearings which overlap with potential commentary that could be made on the Applicant's answers. Where issues are to be addressed in the ISH agendas the Trust will defer commentary in this Deadline 3 response and look to make a consolidated reply at Deadline 4, taking into account the material that has been presented to those hearings.

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**Design (De.1)**

[REP2-026] [Highways England](#) : Deadline 2 Submission -Response to the Examining Authority's Written Questions - 8.10.6 Design (De.1)

Reference or location	Response
De.1 (general)	The Trust welcomes the Applicant's recognition that key stakeholders need to be consulted on areas of detailed design. Discussions are ongoing on how best to achieve this through the Requirements and other control documents, including the draft OEMP to be submitted at D3, and we will therefore need to review that.

**Biodiversity, ecology and biodiversity (Ec.1)**

[REP2-027] [Highways England](#) : Deadline 2 Submission - Response to the Examining Authority's Written Questions - 8.10.7 Biodiversity, ecology and biodiversity (Ec.1)

Reference or location	Response
Ec.1.5 (page 7-12)	We seek additional confirmation whether the ecological functionality of the bat roosts can be maintained during and post construction, based on the combined impact of the construction of the proposed flyover and the removal of a (as yet unspecified) number of trees between the Countess Farm Complex and the A303.
Ec. 1.7, (3) (page 7-15)	It is not clear how the achievement of the target purpose will be assessed and the criteria by which it will be measured through to any handover. Confirmation that the criteria for all habitat assessments will be included in the LEMP is sought
Ec.1.10 (page 7-18)	A replacement area will only compensate for the loss of the cutting if similar chalk grassland is recreated comprising of the same open sward and species composition. Description of the target purpose chalk grassland type including species composition and desired sward height should be included in the LEMP to ensure adequate satisfactory ecological compensation is provided.

**Draft Development Consent Order (DCO.1)**

[REP2-030] [Highways England](#) : Deadline 2 Submission - Response to the Examining Authority's Written Questions - 8.10.10 First Written Question - Draft Development Consent Order (dDCO) (DCO.1)

Reference or location	Response
DCO 1.2 (page 6)	Due to the sensitivity of the area, some locations will not be appropriate for construction compounds. The Trust would expect the location of construction compounds should form part of the detailed design/CEMP consultation processes being developed with the Applicant.
DCO 1.12 (iv), (page 29)	The Trust does not see why the Applicant considers the proposed additional wording to the definition of maintain such a significant administrative burden when it states that the effects of undertaking maintenance have already been assessed within the ES.
DCO 1.20 - 1.29 (pages 36 - 58)	The Trust would require consultation in the event the Applicant sought to rely on this power, it is the Trust's view that the appropriate way for this to be dealt with is through the Non-material Change application process.
DCO 1.80, (i) (page 115)	The Trust does not consider that the ordinary meanings of these two words are as interchangeable as the Applicant seems to suggest. The dDCO should use the term 'in accordance with' which clearly requires the detailed design to conform to the plans referred to in Requirement 3.
DCO 1.80, (ii) (page 116)	The Trust welcomes the Applicant's recognition that key stakeholders need to be consulted on areas of detailed design. Discussions are ongoing on how best to achieve this through the Requirements and other control documents, including the draft OEMP to be submitted at D3, and we will therefore need to review that.

DCO 1.84 (page 124)	Whilst we note the Applicant's intention to update the OEMP at D3 and we will therefore need to review that, the mitigation measures required to make the scheme acceptable should in general terms be secured much more clearly on the face of the dDCO.
DCO 1.85, (iv) and (v) (page 125)	The Trust notes that the approval and implementation process described by the Applicant isn't set out in the draft OEMP submitted with the application. We understand that it will be included within the next version of the OEMP to be submitted at D3 as per the Applicant's response to 'DCO 1.170.' The Trust reserves its position until it has reviewed the updated draft OEMP.

**Annex B: Comments on the DAMS**

[REP2-038] [Highways England](#) : Deadline 2 Submission - 8.11 Draft Detailed Archaeological Mitigation Strategy (DAMS)

Note: As members of the Heritage Monitoring and Advisory Group (HMAG) we will be providing a detailed response on the draft DAMS to the applicant upon completion of a thorough technical review by the group. The comments provided here (in review undertaken up to Deadline 3) therefore serve to highlight some of the key areas we consider remain to be resolved.

Reference or location	Comments
1.3.3 (page 9)	We would consider it appropriate for the inclusion of HMAG's and the Scientific Committee's Terms of Reference as an appendix within the DAMS (or reference to where they may be found elsewhere in the documentation), to ensure the roles and responsibilities of both groups are clear.
2.2.3 (page 12)	<p>The final bullet point within 2.2.3 requires clarification. The use of the word 'may' in this bullet point suggests that 'material' i.e. sites comprising artefact scatters of Neolithic and Bronze Age date do not necessarily contribute to the OUV of the WHS. However the Statement of Outstanding Universal Value for the WHS makes it clear that the 'physical remains' of all Neolithic and Bronze Age 'associated sites' within the WHS convey OUV. A correct appraisal of the significance of such sites is key to ensuring appropriate mitigation is secured.</p> <p>We would therefore suggest this paragraph is replaced by:  <i>'Ploughzone artefact scatters of Neolithic or Early Bronze Age date have been identified at a number of sites, both within and adjacent to the WHS. Within the WHS these are considered to contribute to the OUV of the WHS as associated sites. And outside the WHS they may have the potential to contribute to the understanding of OUV of the WHS.'</i></p>

3.3.66 & 3.3.67 (page 31)	We would request that mechanisms for controlling both surface and sub-surface access within the 'Tunnel Protection Zone' to be secured within the dDCO.
4.2.6 (page 47)	We seek clarification on what the tunnel movement monitoring stations referred to in the DAMS 4.2.6 comprise. Without this it is not possible to assess whether the proposed mitigation (4.2.7) is adequate or appropriate.
4.2.12 (page 48)	The scheme proposes that east of the junction with Stonehenge Road the existing A303 will be removed and laid to grass. However paragraph 4.2.12 of the draft DAMS fails to address this issue. This section includes the section of the old A303 that crosses the line of the Stonehenge Avenue. This will require separate consideration to ensure appropriate archaeological mitigation is put in place.
4.2.16 (page 48)	While paragraph 4.2.16 of the DAMS references diversions for water, power, fuel pipeline, and existing fibre optic cables, only the locations for power and fuel are shown in Figure 11.1. The proposed route corridor for water is shown on Figure 2.7 A-E of the ES, however no details of the proposed fibre optic corridor are show on either document. We ask for the applicant to submit a plan showing the proposed fibre optic cables corridor, as without this it is not possible to assess whether the proposed archaeological mitigation (Appendix E) is adequate or appropriate.



## **Annex C: Comments on any further information requested by the ExA and received to Deadline 2**

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**Public Rights of Way (PRoW) clarifications (8.13)**[REP2-040] [Highways England](#) : Deadline 2 Submission - 8.13 Public Rights of Way (PRoW) clarifications

Reference or location	Response
General	The Trust welcomes the Applicant's recognition that key stakeholders need to be consulted on areas of detailed design. Discussions are ongoing on how best to achieve this through the Requirements and other control documents, including the draft OEMP to be submitted at D3, and we will therefore need to review that in conjunction with this document.