

Planning Act 2008 – section 91

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

Agenda for Issue Specific Hearing 7 dealing with matters relating to biodiversity, biological environment and ecology

The Examining Authority (ExA) notified Interested Parties (IPs) in its letter dated 7 May 2019 of the decision to hold an Issue Specific Hearing (ISH) into the above matters on the following date:

Hearing	Date and time	Location
Issue Specific Hearing 7 Biodiversity, biological environment and ecology	14 June 2019 10.00am (seating available from 9.30am)	City Hall, Malthouse Lane, Salisbury, SP2 7TU

Participation, conduct and management of hearing

Oral submissions on other subject matters or from persons who are not IPs may only be heard at the discretion of the ExA.

The following IPs are invited, in particular, to attend and participate in this hearing:

- The Applicant;
- Wiltshire Council;
- Natural England;
- The Environment Agency;
- RSPB;
- The Great Bustard Group;
- The Stonehenge Alliance;
- Historic England; and
- The National Trust.

The named persons have been invited for the following reasons:

- As public bodies with policy and regulatory responsibilities associated with the subject matter;
- as national and local authorities for the affected area; or
- as parties with another special interest.



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Participation in the hearing is subject to the ExA's power to control the hearing. IPs may be invited to make oral representations at the hearing¹ (subject to the ExA's power to control the hearing). Oral representations should be based on the Relevant Representations or Written Representations made by the person by whom (or on whose behalf) the oral representations are made².

However, representations made at the hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the ExA.

The ExA may ask questions about representations or ask the Applicant or other party to comment or respond. The ExA will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the hearing will therefore be led by a member of the Panel, supported by other Panel members.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them.

Any lack of discussion of a particular issue at a hearing does not preclude further examination of that issue, including through the inclusion of questions in the ExA's Second Written Questions (if issued).

Should the consideration of the issues take less time than anticipated, the ExA may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. Some of the issues identified in the agenda are by their nature overlapping. It may be the case therefore that certain questions later on in the agenda are answered by earlier questions. If this is the case the ExA will acknowledge this at the time.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time there may be a need to continue the session for longer on the day or continue the hearing at a subsequent sitting.

Breaks will be taken during the hearing as directed by the ExA.

All parties should note that the agenda given below is to provide a framework for this hearing and offer discussion points; it does not constrain the ExA to specific topics. The ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

References in square brackets [] are to the unique document identification number in the Examination Library. This document is found on the National Infrastructure Planning website at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010025/TR010025-000484-Stonehenge%20-%20Examination%20Library%20Template.pdf>

¹ s91 Planning Act 2008

² s91 Planning Act 2008



AGENDA

- 1. OPENING REMARKS BY THE EXAMINING AUTHORITY**
- 2. INTRODUCTIONS**
- 3. EFFECTS ON STONE-CURLEW AND ADEQUACY OF PROPOSED MITIGATION MEASURES**
 - 3.1** Whether the proposed new stone-curlew breeding plot within Parsonage Down Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) described in paragraph 8.9.28 of the Environmental Statement (ES) [APP-046] would provide effective compensation for the loss of an existing permanent plot south of the Winterbourne Stoke bypass.
 - 3.2** The acceptability of the Applicant's proposed approach to habitat modification within Salisbury Plain Special Area of Conservation (SAC).
 - 3.3** Progress report on legal agreements between the Applicant and Natural England and the RSPB concerning the provision of replacement and additional plots and ongoing habitat management and monitoring.
 - 3.4** Effectiveness of provisions within the Outline Environmental Management Plan (OEMP) [APP-187, PW-BI05] to prevent disturbance to nesting birds by construction activity. Response to the Environment Agency's concern that PW-BI05 measures are 'unreliable'.
- 4. EFFECTS ON GREAT BUSTARD**
 - 4.1** Current status of great bustard in the UK and Salisbury Plain area.
 - 4.2** Whether the Proposed Development would prejudice the project to re-establish the great bustard as a resident breeding species in the area.
 - 4.3** Whether any additional specific measures are required to mitigate effects on great bustard.
- 5. EFFECTS ON THE WATER ENVIRONMENT – RIVER TILL AND RIVER AVON SACS**
 - 5.1** Whether there is any potential for the Proposed Development to achieve a net gain to wetland habitat.
 - 5.2** Effectiveness of measures to avoid adverse impacts during construction phase.
 - 5.3** Need for greater certainty that construction de-watering will not be necessary, to inform Habitats Regulations Assessment (HRA)



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conclusion of no likely significant effects on the River Avon SAC and Appropriate Assessment if required.

6. OVERALL EFFECTS OF THE SCHEME ON BIODIVERSITY

- 6.1** Effectiveness of measures to secure long term management of calcareous grassland etc to maximise gains in biodiversity.
- 6.2** Opportunities for management by grazing.
- 6.3** Means of preventing scrub encroachment.

7. MITIGATION

- 7.1** The Environment Agency's recommendation that OEMP measures PW-BI01, MW-BI05 and MW-BI06 should be expanded in respect of biosecurity and invasive species. Should the draft Development Consent Order include provision for a full survey and control plan prior to preliminary works commencement?
- 7.2** Natural England's recommendation that opportunity to manage hedgerows to improve their condition during temporary possession for construction should be taken.

8. ANY OTHER MATTERS

9. CLOSE OF HEARING