

**Highways England: A303 Amesbury to Berwick Down
Project, Development Consent Order Application**

Scheme Reference: TR010025

**Comments on Highways England's Document
"Comments on the DAMS and on any further
information requested by the ExA and received to
Deadline 3" Relating to Evidence Submitted by The
Stonehenge Alliance, Inquiry Reference TR010025-
001126 (REP4-036)**

for

**The Stonehenge Alliance
(Reference No. 2001870)**

by

**Dr. Simon Temple
and Dr. Kate Fielden**

Introduction

This note provides responses to Highways England's document "8.31 - Comments on the DAMS and on any further information requested by the ExA and received to Deadline 3" in relation to evidence submitted by The Stonehenge Alliance (answers to Written Questions and comments on Updated Funding Statement).

Highways England's comments are contained in Section 11 of the document (pages 89 to 99). We respond below using the paragraph numbers contained in it for reference. Our comments are by Dr Simon Temple, unless shown otherwise, and should be read in conjunction with the original evidence and Highways England's response.

Comments by Dr George Reeves on Highways England's REP4-036 are submitted separately. In not responding to Highways England's comments on groundwater additional submissions (11.3.1-5), he maintains his views under the "matters raised".

Paragraph 11.1.1

Topic: Obligations under World Heritage Convention

Comments by Kate Fielden

1. Highways England asserts that its position as set out in detail in its response to WQ G.1.1 (REP2-021) is that the WH Convention has been implemented in the UK by the State Party and that there are consequently appropriate and effective measures in place for the protection of WH Sites.

2. Highways England has, however, failed to take note of the definition of "cultural heritage" in Article 1 of the Convention, which relates simply to *cultural WHSs* and not *cultural heritage in general*, and has thus failed to comprehend the wording of the Convention in respect of the requirements of Article 5, in particular that the SP agrees to

(a) "*adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes*" and

(d) "*take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage*"

3. It cannot be said that the UK Government is unable to institute such protection or pretend that it has undertaken to fulfil these obligations "as far as possible" and "as appropriate" (Convention, Article 5).

4. The UK Government has no general policy which aims specifically to protect its WHSs and allows protection of WHSs to be integrated into comprehensive planning programmes, such as the A303 Stonehenge scheme. Nor has the Government adopted the legal measures necessary for the "*protection, conservation, presentation and rehabilitation of this heritage*". The only steps HMG has taken relate to heritage assets generally; it does not rate

protection of the WHS above planning protection for any other designated heritage assets of the highest significance apart from Scheduled monuments and Listed buildings which, unlike our WHSs, do have Statutory protection.

5. Indeed, it is this lack of specific protection for its WHSs and the inadequacy of the UK planning system to adapt to the special requirements re development in UK WHSs that has enabled the Government to promote the A303 Stonehenge Scheme and occasioned the deep concern of UNESCO's WH Centre and WH Committee in recent years. The Stonehenge, Avebury & Associated Sites WHS is not alone in this respect. Other examples, seen in reports to and Decisions of the WH Committee in 2019, are:

i) Liverpool Mercantile Maritime City WHS (on the List of WH in Danger and threatened with removal from the WH List next year): *"The current planning regime is not adequate to protect the OUV of the property."* (2019 Report to WH Committee);

ii) Cornwall and West Devon Mining Landscape WHS (threatened with "in danger" listing next year): *"Current planning tools, policy documents, approval processes and consultation timeframes do not sustain the protection of the OUV of the property."* (2019 Report to WH Committee); and

iii) Palace of Westminster and Westminster Abbey including St Margaret's Church WHS. *"The cumulative impacts on this World Heritage property, especially from high rise developments with strong visual impact, combined with the difficulty to challenge planning permissions and currently inadequate management is a threat to this property . . ."* (2019 Report to WH Committee).

6. It is obvious that the WH Convention is not being fully implemented by HMG and that there are, consequently and contrary to Highways England's assertion, insufficient *"appropriate and effective measures in place for the protection of world heritage sites."*

7. Furthermore, the *"planning balance envisaged in the NPSNN"* referred to by Highways England relates only to balancing harm against public benefit in domestic planning policy, while no such planning balance is envisaged in Article 5 of the Convention.

8. The ICOMOS Guidelines, which Highways England has employed in its HIA of the impacts of the Scheme on the OUV of the WHS allows a balancing exercise *only* where the public benefit is involved. Highways England has undertaken a balancing exercise of positive and negative impacts on attributes of OUV and has made no case for the scheme on the basis that the irreparable damage it would do to the WHS could be offset by fully quantified public benefits.

9. Contrary to Highways England's assertion and in view of the July 2019 Decision of the WH Committee, it appears that a decision to grant consent for the A303 Stonehenge Scheme would "lead to the UK being in breach of its international obligations pursuant to the World Heritage Convention."

Paragraph 11.1.2

Topic: Rejection of 4.5 kilometre Tunnel Option

Highways England have still failed to provide a proper response as to why the 4.5 kilometre tunnel option was rejected. They refer to the appraisal of alternatives in Chapter 3 of the Environmental Statement. This simply states “the three route options within Corridor D incorporating the 4.5km tunnel had costs significantly in excess of the available budget for the Scheme and these options were therefore not considered further”¹. The remainder of the response relates to the claimed benefits of the recommended solution and its funding case. This is irrelevant to consideration of whether a different option would perform better in an overall appraisal.

It appears that an arbitrary decision was made to reject any option with a higher cost than the 2.9 kilometre tunnel options, regardless of whether they would create greater benefits. Given that the tunnel length has increased to 3.3 kilometres and the cost has escalated, this decision appears very questionable. It also seriously undermines Highways England’s claims that a thorough assessment of alternatives was undertaken.

11.1.3

Topic: Traffic Impacts of Option F010

Highways England’s response on this point is concerned mainly with defending the traffic modelling against the statement that it “is not very robust”. The fact that it shows zero traffic on the A3086 eastbound in the Do Minimum, or in either direction with the Corridor D options is strong evidence that the modelling is not robust. Clearly there is potential for debate as to whether it was appropriate and proportionate for the stage of project development at which it was used. We could have greater confidence if a back check had been conducted using the final DCO model to confirm that similar results were produced.

Highways England have not responded to the substantive points that Option F010 represents an improvement relative to the Do Minimum situation and is less likely to be subject to rat running. They refer to comments made in relation to Agenda Item 8 of Issue Specific Hearing 6, when they mean Agenda Item 7. These do not provide any new information. This issue is considered further in response to Para. 11.1.4.

11.1.4

Topic: Economic Appraisal of Alternatives

There are several strands to Highways England’s argument on this issue. Relevant points are quoted below together with our response.

1. *“F010 route would not interact effectively with the local road network and would result in higher levels of rat-running traffic, adversely affecting the quality of life in local communities”.*

¹ Highways England, “A303 Amesbury to Berwick Down: 6.1 Environmental Statement – Chapter 3 Assessment of Alternatives” pages 3.3 and 3.4, October 2018, Inquiry Reference TR010025-000194

Highways England's own modelling shows the forecast levels of traffic on the local road network are not very high and that they would reduce with Option F010 (Technical Appraisal Report, Figures 10.2 to 10.5).

Rat running is not defined by Highways England. In principle this could cover two impacts:

- drivers regularly selecting an alternative route to avoid predictable congestion, and
- spontaneous re-routing to avoid unexpected delay due to incidents or day to day variation in traffic volumes.

The first impact should be included in the modelling, which shows that Option F010 would reduce flows. Highways England claim that improved journey time reliability is a key benefit of the project, thereby reducing any incentive to rat running due to unexpected delay. In any case, Option F010 takes the A303 further away from communities such as Larkhill and Shrewton, making it less likely that the route through them would be used for rat running. We have made this point previously and not received any response. Accordingly we do not agree with the above quotation.

2. "Tables 11-9 and 11-10 of the Technical Appraisal Report (TAR) [REP1-031] compare the monetized benefits and costs used to calculate the initial BCR for the options."

This shows similar Benefit: Cost Ratios for all three options so does not give a strong indication that one should be preferred over another.

3. "In assessing value for money, a range of non-monetized cost and benefits are also taken into account. It is the value-for-money assessment along with contribution to client scheme requirements that are used for to assess options which meet the Client Scheme's requirements and objectives of the Scheme".

Option F010 is located wholly outside the World Heritage Site and this should be considered as a non-monetised benefit. While there may also be disbenefits associated with F010 it is not at all clear that they would outweigh its advantages.

In relation to the Client Scheme Requirements, the assessment is summarised in Table 9.1 of the Technical Appraisal Report. This marks down Option F010, from "Strong" alignment with the requirement to "Moderate" alignment, relative to the other options in relation to transport and economic growth, apparently on the basis that the journey time benefits are forecast to be slightly lower. It is very questionable if this is justified. The tunnelled options are considered to have a "Moderate" alignment with the Cultural Heritage requirement, despite their impact on the World Heritage Site. Stonehenge Alliance considers this to be over generous to these options. We would also question why the overall ranking of F010 is lower on the Environment and Community requirement, given that a major part of this Client Scheme Requirement is "to contribute to the enhancement of the historic landscape within the WHS".

Given this, we are not confident that the assessment was conducted objectively and we consider that Option F010 should have been taken forward to public consultation.

4. "The calculation offered by Stonehenge Alliance for a surface route option is based on a crude indication of costs, is limited to some of the monetised benefits and excludes non-monetised benefits

and costs. It does not provide a balanced view and cannot therefore be relied on to judge the merits of such an option.”

We agree that the estimate of costs that we provided for a surface option is crude, although we consider that it is realistic in relation to the estimated cost of Option F010 and the outturn cost of other projects. We were not seeking to provide a full assessment of the costs and benefits of a surface route through the World Heritage Site, which would clearly have totally unacceptable impacts. Instead, as we clearly stated, the purpose of the assessment was to compare the monetised transport benefits of the project with an estimated cost for a surface option. This clearly showed that it would not provide good value for money even if the special conditions of the World Heritage Site did not apply.

11.1.5

Topic: archaeology along the route options

Comments by Kate Fielden

Highways England has at no stage provided evidence to demonstrate that largely unknown archaeological remains that may exist on the line of the F010 route can be compared on equal terms with the known archaeology of the preferred route. Any archaeological remains along the F010 route might, potentially, *relate* to attributes of OUV of the WHS but, being outside the WHS boundary, they would not contribute to its OUV. The recent Decision by UNESCO’s World Heritage Committee includes the words:

“Notes with concern, that although the current scheme, which is now subject to the Development Consent Order (DCO) examination process, shows improvement compared with previous plans, it retains substantial exposed dual carriageway sections, particularly those at the western end of the property, which would impact adversely on the Outstanding Universal Value (OUV) of the property, especially its integrity, and therefore [the Committee] encourages the State Party to not proceed with the A303 route upgrade for the section Amesbury to Berwick Down project in its current form” (Decision 43 COM 7B.95 (4 July 2019)).

11.1.6

Topic: Variable Demand Modelling

Stonehenge Alliance has previously expressed concern that the coefficients in the Variable Demand Modelling element of the model have not been made available. Our initial concern was that model coefficients calibrated over the whole of the South West Regional Traffic Model area might not accurately represent the responses of users of the A303 at Stonehenge. From the response provided by Highways England, we now understand that calibration was undertaken at a national level. This only increases our concerns about the relevance of the model coefficients for this project.

11.1.7

Topic: extent of area modelled in detail

In their response, Highways England state firstly that “The eastern boundary of both the South West Regional Traffic Model and the A303 Stonehenge SWRTM (DCO) models extends to the M3 Junction 4 near Frimley” and subsequently that “the point where the network performance is fully modelled ends on the M3 south of Basingstoke”. As Basingstoke is approximately 14 miles west of Frimley, the boundary of the area of detailed modelling should be clarified.

They acknowledge that approximately 35% of traffic using the A303 near Stonehenge also uses the M3 near Farnborough. This is a very significant proportion of total traffic on the route and shortcomings in the way this is modelled could be significant in relation to forecast traffic flows on the route near Stonehenge. We comment further on this in our comments on Highways England’s Summary of Oral Representations made at the Public Hearing on June 13th.

11.1.8

Topic: Trafficmaster Data and Distribution of Delays

We are pleased that Highways England agrees with us that the average journey time on the fastest day “provides a reasonable estimate of the time required to traverse the route in reasonably uncongested conditions.” However we remain concerned that this does not provide a reasonable basis on which to base an assessment of the number of days on which significant problems occur. As stated previously, it is unrealistic to expect any road that carries significant volumes of traffic to experience free flow conditions throughout the year. The absence of free flow conditions is not, in itself, sufficient to demonstrate the need for intervention. In order to provide greater clarity on this issue, it would be helpful if Highways England could set out the average journey time for each day of the year. This would promote an informed debate about the definition of severe congestion and the number of days when it is experienced.

Highways England misrepresent the Stonehenge Alliance’s position by claiming that we have stated that all the user time savings generated by the scheme are imperceptibly small. In fact our actual statement was “Highways England also refer to Table 5-3 of the Combined Modelling and Appraisal Report (COMMA), which states that 55% of the time saving benefits relate to business trips. Unfortunately Highways England does not quote the distribution of journey time savings for business travellers, so we cannot be confident that a high proportion of them are not generated by imperceptibly small journey time reductions for a large number of trips.” The traffic model simulates journey time changes across major roads throughout South West England. The project may result in large changes in journey times on the A303 near Stonehenge on peak summer weekends, when relatively few business trips are being made. But it will also result in very small, probably imperceptible, changes on many roads on weekdays throughout the year. Our point was not that all changes would be imperceptible, but we do not know the contribution that very small changes make to the total claimed user benefit to business travellers. If Highways England produced an analysis showing the distribution of time savings for business and non-business travellers (as is required in Scotland) then we would know. Instead of doing this, they have chosen to resort to misrepresentation of our position.

Highways England further misrepresent Stonehenge Alliance’s position by claiming that we “assert that the Scheme is a bad investment from a partial consideration of only one particular objective.” Our argument is that the quantified analysis does not support the argument that the project is

important for the economic development of South West England. The benefits of the project to business only represent 19% of its costs, so that purely from a business perspective it is a bad investment. We fully accept that these are not its only impacts and other factors – both monetised and non-monetised – should be taken into account in making an overall assessment of the project.

11.2.1

Topic: Funding Availability

The statement by the Permanent Secretary of the Department of Transport, quoted by Highways England to support their contention that funding is available includes the following “we will make a strong case for these schemes [A303 Stonehenge and Lower Thames Crossing] to be funded in addition to the RIS 2 envelope but, clearly, that will be ultimately a matter for determination in the spending review.” Given the numerous pressures on Government finances and BREXIT uncertainty, it is far from certain that this will be accepted.