

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 10 dealing with matters relating to flood risk, groundwater protection, geology and land contamination

The Examining Authority (ExA) notified Interested Parties (IPs) in its letter dated 26 July 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 10 Flood risk, groundwater protection, geology and land contamination	29 August 2019 2.00pm (seating available from 1.30pm)	The Guildhall, The Market Place, Salisbury, SP1 1JH

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;
- The Environment Agency;
- The National Farmers' Union;
- The Stonehenge Alliance;
- Carter Jonas (on behalf of Berwick Down Ltd and Biddesden House Farm Partnership and M and R Hosier);
- Fowler Fortescue (on behalf of the Turner Family); and
- Howard Smith (on behalf of various clients).

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.

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 hearing (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 made.

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.

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>

AGENDA

The agenda has been prepared based on the ExA's consideration of the following versions of these Examination Documents:

- Deadline 6 version of draft Development Consent Order (dDCO) [[REP6-005](#), [REP6-006](#)]
- Deadline 6 version of the draft Outline Environmental Management Plan (OEMP) [[REP6-011](#), [REP-012](#)]

1. OPENING REMARKS BY THE EXAMINING AUTHORITY

2. INTRODUCTIONS

3. FLOOD RISK AND DRAINAGE

3.1 Drainage design and climate change allowances

- i. 40% climate change allowance for peak rainfall intensity - update and discussion.
- ii. Is additional wording required in either MW-WAT14 of the OEMP or Requirement 10 of the dDCO to specify the capacity of the drainage design?

3.2 Road drainage strategy

- i. Are the pollution prevention measures sufficient?
 - a. Are standards in excess of DMRB HD45 required? If so, how should this be secured?
 - b. Are the measures to manage pollution risk in the Drainage Treatment Areas adequate?
- ii. Should the nature of the tunnel drainage (manual or automated) be secured at the pre-consent phase? If so, how (for example in the OEMP or dDCO Requirement 10)?

3.3 Field drainage

- i. Are the controls in the OEMP (for example MW-COM7) adequate?
- ii. Is the reporting criteria acceptable? For example, does the wording 'if required' introduce uncertainty?

3.4 Flood Risk Assessment

- i. Update on the outstanding matters raised by Wiltshire Council including related Protective Provisions.
- ii. Flood risk policy in the National Policy Statement for National Networks.

3.5 Need for additional drainage engineer post for Wiltshire Council

4. CONTAMINATION (INCLUDING GROUNDWATER CONTAMINATION)

- i. Whether the controls in dDCO Requirement 7 and the OEMP (for example PW-GEO1, PW-GEO2, MW-GEO6, MW-GEO7, MW-GEO8, MW-WAT6, MW-WAT7) are adequate.



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- ii. Update on the Phase 7 surveys.
- iii. Is any other pre-commencement survey work necessary or are the proposed controls adequate?

5. PRIVATE WATER SUPPLIES

- i. Whether the controls in the OEMP (for example MW-WAT2, MW-WAT4, MW-WAT10, MW-WAT11, MW-WAT15, MW-COM6) are adequate?
- ii. Should PW-WAT1 be expanded to specifically address monitoring and protection of private water supplies and should Wiltshire Council be consulted?
- iii. In the relevant sections of the OEMP, should Wiltshire Council's role be expanded to include its public health/protection functions?

6. TUNNELING

- i. Whether the OEMP (for example D-CH32, MW-WAT8, MW-WAT10) provides adequate controls (including reporting criteria, consultation and approval) to minimise dewatering and abstraction?

7. REQUIREMENTS AND OEMP

- i. Any other proposed alterations to the Requirements in the dDCO, or the OEMP* not already discussed; to include the amendments to the OEMP suggested by Wiltshire Council in [[REP7-043](#)] and the Environment Agency [[REP7-045](#)] (for example dDCO Requirement 3, MW-G7, MW-WAT3, MW-WAT10, MW-WAT12, MW-WAT13, and Annex A.3 of the outline Soils Management Strategy).

* Limited to matters relating to flood risk, groundwater protection, geology and land contamination.

8. ANY OTHER MATTERS

9. CLOSE OF HEARING