

A303 Amesbury to Berwick Down

TR010025

Additional Submission 8.48 - Explanation of Amendments to Rev 5 of Draft DCO

APFP Regulation 5(2)(q)

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

August 2019



Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure)

Rules 2010

A303 Amesbury to Berwick Down

Development Consent Order 20[**]

Explanation of Amendments to Rev 5 of Draft DCO

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THE A303 (AMESBURY TO BERWICK DOWN) DEVELOPMENT CONSENT ORDER

EXPLANATION OF CHANGES MADE TO THE DRAFT DCO (REV 5)

1. INTRODUCTION

- 1.1 This document provides a commentary on changes made to the draft Development Consent Order in the version submitted on 27 August 2019 (DCO Revision 5), compared with Revision 4 of the draft DCO submitted at Deadline 6 (26 July 2019). An electronic .pdf comparison between the two versions has also been submitted.
- 1.2 In broad terms the changes made in the latest draft DCO have been made for the following reasons:
- 1.2.1 changes arising from the Applicant's consideration of responses to the Examining Authority's Second Written Questions;
 - 1.2.2 changes arising from the Applicant's consideration of comments submitted at Deadline 7; and
 - 1.2.3 changes to reflect the ongoing discussions with interested parties.

2. TABLE OF CHANGES TO THE DRAFT DCO REVISION 4

Provision in revised draft DCO and/or issue	Brief description and explanation
Article 2(1) Interpretation	<p>A definition of "cycleway" has been added which is defined in terms equivalent to the definition of "cycle track" in the Highways Act 1980, with the addition of a right of way for persons on horseback or leading a horse. The definition has precedent in the A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016.</p> <p>The definition of "maintain" has been amended to include reference to recording the results of inspections.</p> <p>Both amendments have been made as a result of further consideration of Wiltshire Council's representations.</p>
Article 15	Article 15(1) has been amended to narrow the purposes for which the power can be exercised from "for the

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Authority to survey and investigate land	purposes of this Order" to "for the purposes of the construction, operation or maintenance of the authorised development". The change has been made following the Applicant's further consideration of the representations of Historic England.
Article 16 Removal of human remains	Article 16(14) has been amended to make it clear that the Secretary of State's authority to give directions under this article extends to the subsequent treatment of human remains as well as their removal.
Article 49 Traffic regulation measures	Article 49(1) has been amended to make it clear that each of the traffic regulation measures may be implemented when the undertaker determines. This was always the intention of the drafting and is necessary for the proper management of traffic as elements of the Scheme may be opened for traffic at different times.
Schedule 2 Requirement 1 Interpretation	Requirement 1 has been amended as necessary to give effect to the Applicant's change in approach to the process for approval of the Construction Environmental Management Plans ("CEMPs"). See requirement 4 below for further information.
Schedule 2 Requirement 4 Outline Environmental Management Plan	<p>The Applicant has amended requirement 4 to provide for Secretary of State approval of the preliminary works CEMPs and main works CEMPs, save for the Heritage Management Plans ("HMP"), Site Specific Written Schemes of Investigation and archaeological Method Statements, which are subject to the approval of Wiltshire Council as set out in the Outline Environmental Management Plan ("OEMP") [AS-085] and the Detailed Archaeological Mitigation Strategy ("DAMS") [AS-077]. Requirement 4 has also been amended to make express reference to the requirement to produce HEMPs. Requirement 4 also requires compliance with the CEMPs and HEMPS.</p> <p>Sub-paragraphs (1) and (2) are retained with minor amendments, to preserve the principle of compliance with the OEMP.</p> <p>Sub-paragraph (3) ensures that the design vision and design principles set out in section 4 of the OEMP apply</p>

Provision in revised draft DCO and/or issue	Brief description and explanation
	<p>to the preliminary highways works, since these works are more significant than the other preliminary works (which is already reflected in the fact that these works are not carved out of the definition of 'commence' and so are subject to the pre-commencement requirements).</p> <p>Sub-paragraph (4) requires the Secretary of State's approval of a preliminary works CEMP for each part of the authorised development before that part begins. The term "begins" is used here deliberately to distinguish it from "commence", since the majority of the preliminary works are excluded from the definition of that term in article 2(1).</p> <p>Sub-paragraph (5) addresses the requirement for the approval by Wiltshire Council of HMPs, SSWSIs or archaeological Method Statements as required by the OEMP, prior to the beginning of the preliminary works.</p> <p>Sub-paragraph (6) requires a preliminary works CEMP to be prepared substantially in accordance with the preliminary works OEMP.</p> <p>Sub-paragraph (7) secures compliance with the approved preliminary works CEMP.</p> <p>Sub-paragraph (8) requires the Secretary of State's approval of a main works CEMP, before that part of the main works commence.</p> <p>Sub-paragraph (9) addresses the requirement for the approval by Wiltshire Council of HMPs, SSWSIs or archaeological Method Statements for main works.</p> <p>Sub-paragraph (10) clarifies that the Secretary of State's approval is not required in relation to HMPs, SSWSIs or archaeological Method Statements forming part of a preliminary works CEMP or main works CEMP. As noted above, these are to be approved by Wiltshire Council.</p> <p>Sub-paragraph (11) requires a main works CEMP to be substantially in accordance with the OEMP and lists the schemes, plans, policies and strategies that would constitute a main works CEMP.</p>

Provision in revised draft DCO and/or issue	Brief description and explanation
	<p>Sub-paragraph (12) requires compliance with the main works CEMPs.</p> <p>Sub-paragraph (13) requires, on the completion of the construction of the main works, the CEMPs to be converted into one more HEMPs, and requires compliance with the HEMP.</p> <p>Sub-paragraph (14) has been amended to reflect the new terminology in this requirement, but continues to require the documents produced under this requirement to be made available to the public for inspection electronically.</p>
<p>Schedule 2 Requirement 8 Landscaping</p>	<p>The Applicant has reordered the first two sub-paragraphs of this requirement for clarity.</p> <p>It has also amended what is now sub-paragraph (2) to add a requirement for consultation with Historic England on matters related to its functions in respect of the landscaping scheme for works outside of the World Heritage Site and Work No.4.</p> <p>As amended this requirement requires approval by the Secretary of State of (i) a landscaping scheme for the whole of the works within the World Heritage Site and Work No.4 before any of those works commence and (ii) a landscaping scheme for any other part of the authorised development before that part is commenced.</p>
<p>Schedule 2 Requirement 9 Traffic Management</p>	<p>The Applicant has made a minor amendment to requirement 9 to confirm that the traffic management plan must be substantially in accordance with the OEMP. The change is necessary as a consequence of the changes to requirement 4 in order to be clear on the face of the Order that the traffic management plan must contain the elements set out in the OEMP.</p>
<p>Schedule 2 Requirement 11 Details of</p>	<p>The Applicant has amended this requirement to expressly acknowledge that the Secretary of State may request copies of the consultation responses. This is in response to representations by interested parties and is consistent with the approach to the pre-application consultation</p>

Provision in revised draft DCO and/or issue	Brief description and explanation
consultation	report under the Planning Act 2008.
<p>Schedule 3</p> <p>Permanent stopping up of highways and private means of access and provision of new highways and private means of access</p> <p>Part 2</p> <p>Highways to be stopped up for which no substitute is to be provided</p>	<p>The Applicant has corrected an error in the penultimate entry of Part 2. The Applicant is carrying out a full review of the distances detailed in this Schedule, the results of which will be included in the version of the DCO to be submitted at Deadline 8.</p>
<p>Schedule 9</p> <p>Classification of Roads etc.</p>	<p>The Applicant has amended paragraph 20 to include the number to be recorded for the classification of the de-trunked A303 and the new link to the southern roundabout at Longbarrow Junction.</p> <p>The Applicant is carrying out a review of each of the distances detailed in this Schedule, the results of which will be included in the version of the DCO to be submitted at Deadline 8.</p>
General	Minor typographical errors have been corrected.

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