

# A303 Amesbury to Berwick Down

TR010025

## Additional Submission AS 10 – Shared Use Cycle Route Clarification Note

APFP Regulation 5(2)(q)

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

September 2019



## Infrastructure Planning

Planning Act 2008

### The Infrastructure Planning (Examination Procedure)

Rules 2010

## A303 Amesbury to Berwick Down

Development Consent Order 20[\*\*]

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### Shared Use Cycle Route Clarification Note

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# 1 Introduction

- 1.1.1 In accordance with relevant regulatory requirements<sup>1</sup>, the Rights of Way and Access Plans [APP-009] identify the Scheme's proposals for new or altered means of access, for the permanent stopping up of streets or roads, for any diversions or extinguishments of public rights of way, and for the creation of new rights of way and new or replacement private means of access. With this remit, the Rights of Way and Access Plans necessarily provide limited information about the permitted categories of user on those public rights of way.
- 1.1.2 Schedule 3 to the draft Development Consent Order ('DCO') [REP8-004] accompanies the Rights of Way and Access Plans, providing written details of the public rights of way and private means of access identified on those plans. In describing the public rights of way, Schedule 3 uses terms which are defined in article 2 (Interpretation) of the draft DCO. For ease of reference, those defined terms are as set out in column (1) of Table 1-1 below, whilst the permitted classes of non-motorised users ('NMUs') (e.g. pedestrians, cyclists, equestrians, etc) are listed in column (2):

**Table 1-1: NMU provision and permitted classes of user**

(1) NMU provision	(2) Permitted classes of NMUs
footpath	Pedestrians (including walkers, wheelchairs, mobility scooters and powered wheelchairs)
shared use cycle track	pedestrians (as above) and cyclists (pedal cyclists)
cycleway	pedestrians (as above), cyclists (as above) and equestrians (riding or leading a horse)
bridleway	pedestrians, cyclists and equestrians (all as above)
restricted byway	pedestrians, cyclists and equestrians (all as above) and vehicles other than mechanically propelled vehicles (including horse drawn vehicles)
byway open to all traffic	pedestrians, cyclists and equestrians and non mechanically propelled vehicles (all as above) and mechanically propelled vehicles

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<sup>1</sup> The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, Regulation 5(2)(k)

- 1.1.3 The Scheme proposals include new shared use cycle routes, being a combination of ‘**shared use cycle tracks**’ and ‘**cycleways**’, as follows:
- through Winterbourne Stoke;
  - along the northern side of the new link road between the former A303 and the new Longbarrow southern roundabout, extending around the southern side of that roundabout and linking with the proposed new bridleway (to the east of the new Longbarrow junction);
  - along the east side of the A360 adjacent to the boundary of the Stonehenge Visitor Centre (subject to the outcome of the Examining Authority’s Procedural Decision on Highways England’s Proposed Changes Application [AS-066 and AS-067], which is due to be issued on 27 September 2019: this proposed shared use cycle track will be included in the Scheme if the Examining Authority accepts NMC-06 Option B, or the related substitute solution (as described in Chapter 5 of AS-067)).
- 1.1.4 A key point for readers of the Rights of Way and Access Plans to note is that where new facilities for NMUs are proposed to be located *within the highway boundary* of either a new or an existing public right of way, only the alignment and status (i.e. trunk road, side road, byway open to all traffic, or restricted byway) of the public right of way is shown on those plans; the detail pertaining to NMU provision within the highway boundary is not shown. For example, where NMU provision comprising a shared use cycle track is proposed to be provided on land lying within an existing highway boundary (e.g. the A303), that NMU provision will not be shown on the Rights of Way and Access Plans. For clarity, however, it is shown on the General Arrangement Drawings [APP-012] (see excerpts below), the purpose of which is to illustrate the Scheme proposals.
- 1.1.5 Conversely, where new NMU provision is to be provided as a standalone new public right of way (i.e. having its own boundaries and being located outside the boundaries of any other new or existing highway), that NMU provision *is* shown on the Rights of Way and Access Plans (and described in DCO Schedule 3). For example, the Rights of Way and Access Plans show (and DCO Schedule 3 describes) several lengths of new bridleway (which are new highways in their own right).

## 2 Response to requests for clarification of cycle route provision in the Scheme

2.1.1 Highways England has considered submissions made to the examination in relation to the status of shared use cycle routes and the question of whether equestrians have the right to use these. In response, and to clarify how the Scheme proposals are expressed, a definition of “cycleway” was introduced into article 2 (Interpretation) of an updated version of the draft Development Consent Order (Revision 5) which was accepted as an Additional Submission at the discretion of the Examining Authority [AS-095], prior to the Issue Specific Hearing on the draft DCO (ISH2 held on 30 August 2019). The definition is as follows:

*“**cycleway**” means a way constituting or comprised in a highway, being a way over which the public have the following, but no other, rights of way, that is to say, a right of way on pedal cycles (other than pedal cycles which are motor vehicles within the meaning of the Road Traffic Act 1988) with a right of way on foot and a right of way on horseback or leading a horse.”*

2.1.2 Following further consideration it has become apparent that it would be beneficial to also include in the draft DCO a defined term to distinguish the Scheme’s proposed cycleways, which equestrians would be permitted to use, from its proposed cycle tracks, which equestrians would not be permitted to use. Accordingly, article 2 of Revision 7 of the draft DCO includes the following defined term:

*“**shared use cycle track**” means a way constituting or comprised in a highway, being a way over which the public have the following, but no other, rights of way, that is to say a right of way on pedal cycles (other than pedal cycles which are motor vehicles within the meaning of the Road Traffic Act 1988) with a right of way on foot.”*

2.1.3 The term “shared use cycle track” is very closely modelled on the definition of “cycle track” in section 329 of the Highways Act 1980, save that the new term in the draft DCO will always include a right of way on foot, whereas the term as defined in the Highways Act 1980 is expressed to be “with or without a right of way on foot”.

2.1.4 As part of the updating of the draft DCO (Revision 7), the description of the “authorised development” set out in DCO Schedule 1 has been revised to include the new defined term “shared use cycle track” in Work No. 3A and the defined term “cycleway” in Work No. 3C, so as to make it clearer that these numbered works, which describe proposals to alter the existing A303, also include the provision of a shared use cycle track (within the existing highway boundary), in respect of Work No. 3A; and a cycleway (within the new highway boundary), in respect of Work No. 3C.

- 2.1.5 None of these clarifications alter the Scheme – they explain more clearly, but do not change, the proposed NMU provision as shown on the General Arrangement Drawings [APP-012].
- 2.1.6 However, Highways England proposes to update the General Arrangement Drawings so that the distinction between ‘shared use cycle track’ and ‘cycleway’ is clear. As a result, the ‘proposed shared cycleway’ shown illustratively on the original General Arrangement Drawings [APP-012] in brown is proposed to be shown (in revised versions of the General Arrangement Drawings proposed to be submitted prior to the close of the DCO examination) as either ‘proposed shared use cycle track’ for pedestrians and cyclists only, or ‘proposed cycleway’ for pedestrians, cyclists and equestrians only. The purpose of updating the General Arrangement Drawings in this way is to show the Scheme proposals more clearly and in terms which correspond with the related defined terms included in the draft DCO .

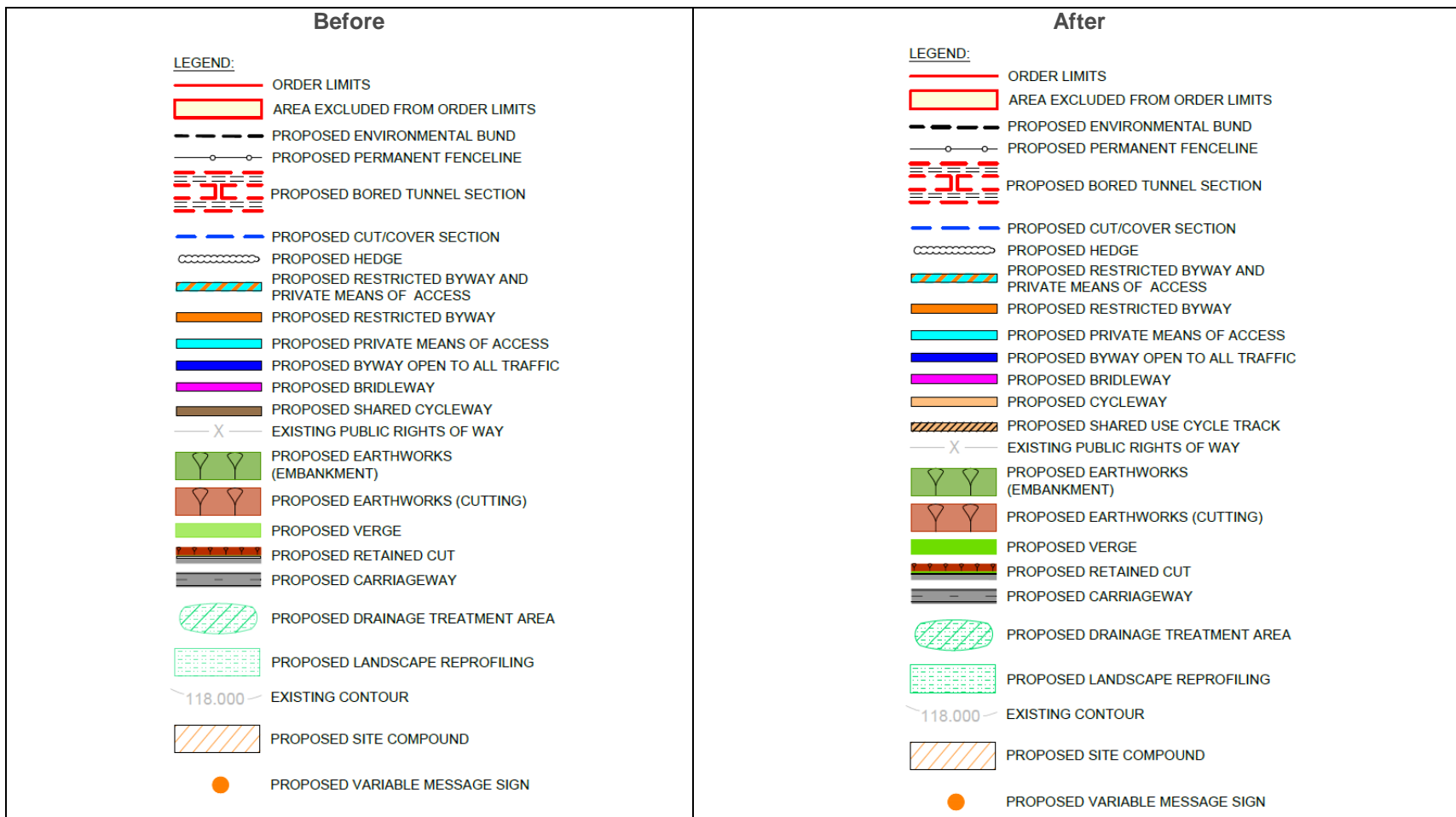
### **3 Updates to the General Arrangement Drawings**

- 3.1.1 The proposed updates to the General Arrangement Drawings [APP-012] are therefore as follows



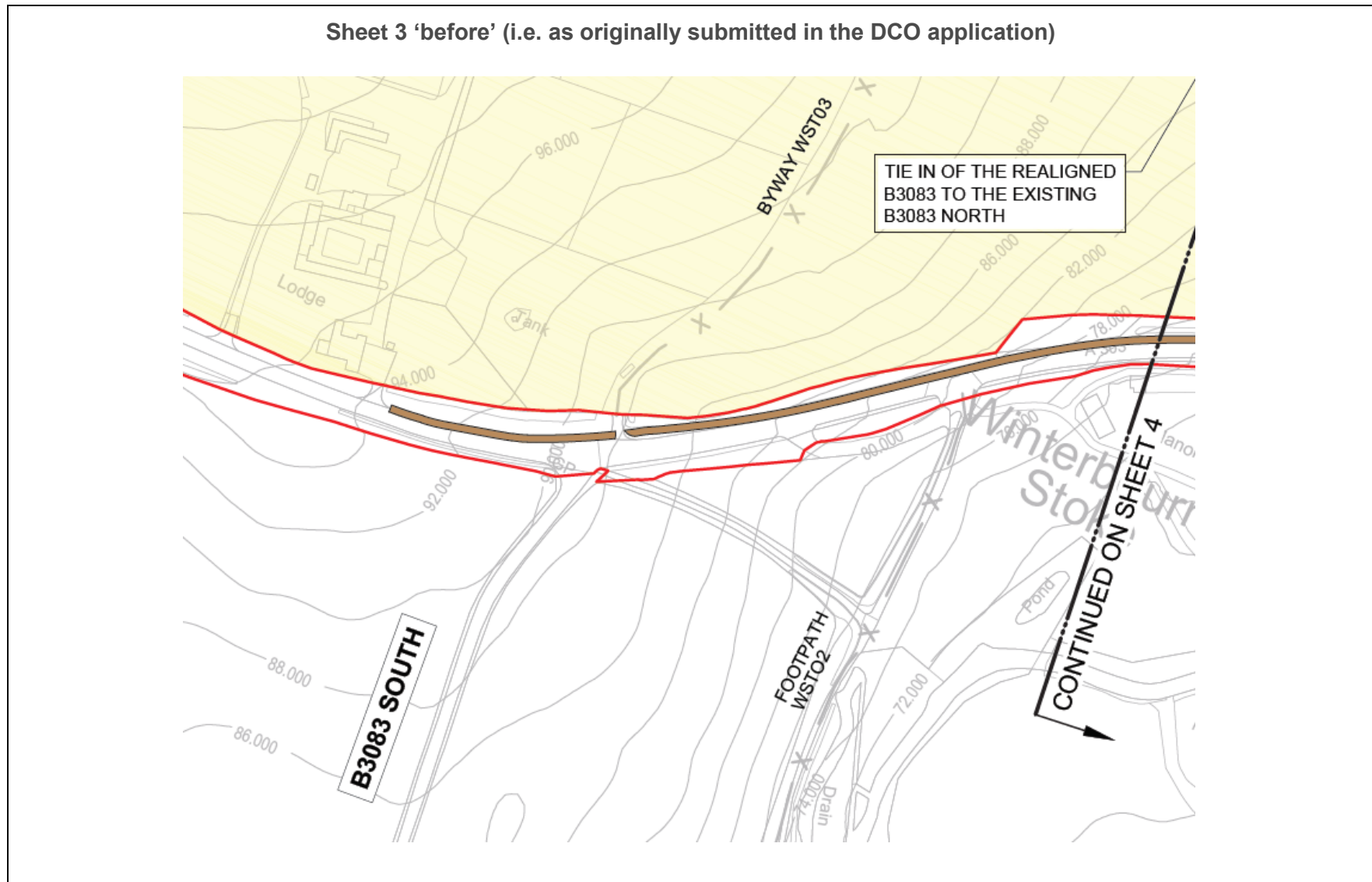
3.1.2 **Sheets 1 to 15** - The legend (or 'key') will be updated on the full set of General Arrangement Drawings. An abstract of the existing legend and the proposed updated legend are shown side by side in Figure 3-1 below. The brown route showing "proposed shared cycleway" is to be replaced by a pastel orange route with black diagonal lines overlaid to show "proposed shared use cycle track" and a pastel orange route to show "proposed cycleway", reflecting the terms used in the draft DCO.

**Figure 3-1 – Abstracts from original and updated General Arrangement Drawings' Legend**



- 3.1.3 **Sheets 3 and 4** – the proposed brown route running along the northern verge and footway of the existing A303 between Scotland Lodge Farm and the western side of Winterbourne Stoke is intended for pedestrians and cyclists only and thus will be identified in the updated General Arrangement Drawings as a proposed shared use cycle track, shown in pastel orange with black diagonal lines overlaid. Equestrians would not be permitted on this shared use cycle track, but would be able to use the adjacent road through the village of Winterbourne Stoke, which, with the Scheme in place, will have much lower traffic flows following the removal of A303 through-traffic, and which will be subject to a 30mph speed limit.
- 3.1.4 Relevant abstracts of the existing General Arrangement Drawings Sheets 3 and 4 (marked ‘before’) and the proposed clarification (marked ‘after’) are shown in Figures 3-2 and 3-3 below.

Figure 3-2 – Abstracts from submitted and updated General Arrangement Drawings Sheet 3



Sheet 3 'after'

(i.e. as shown in the General Arrangement Drawings, updated to clarify NMU provision within the Scheme)

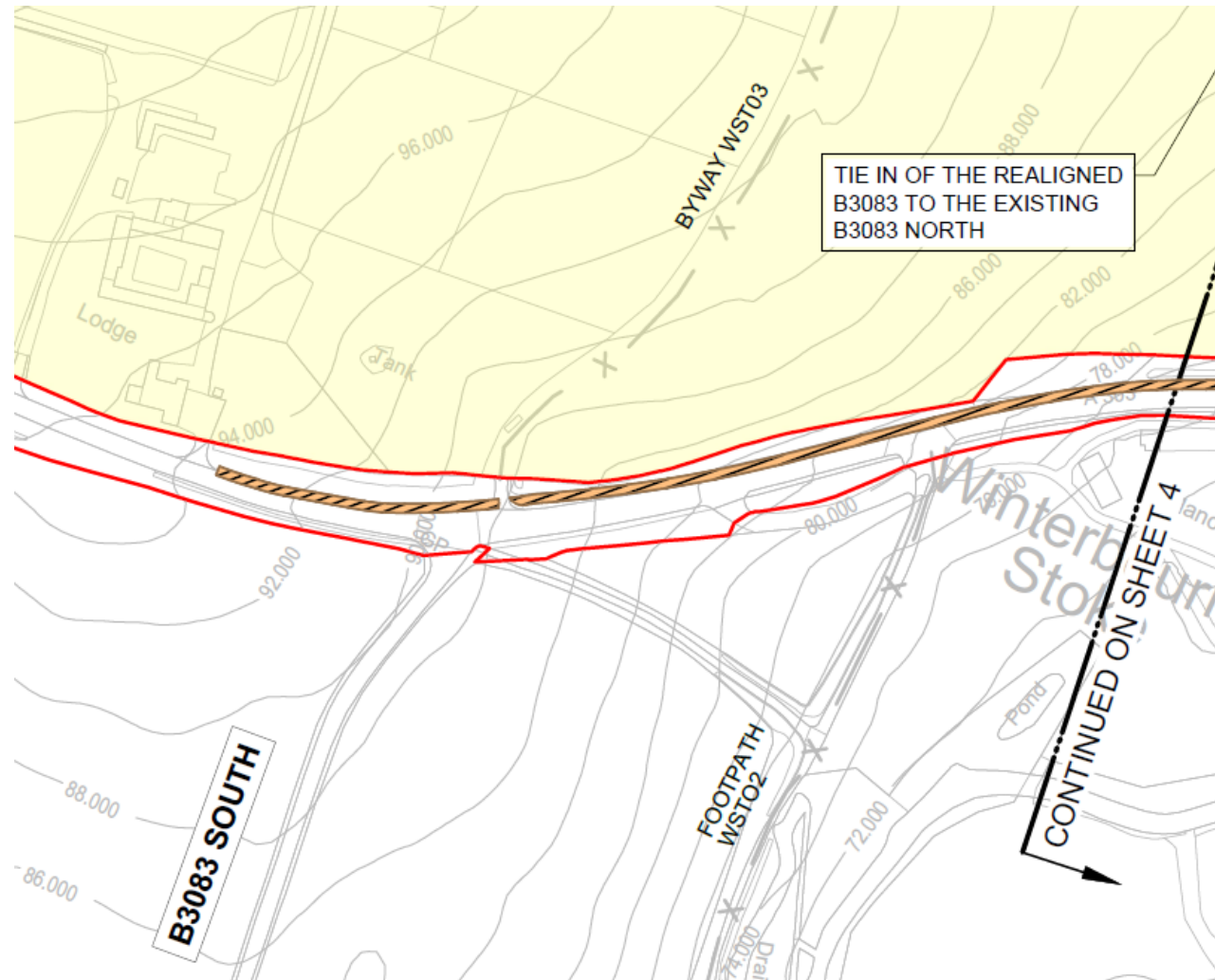
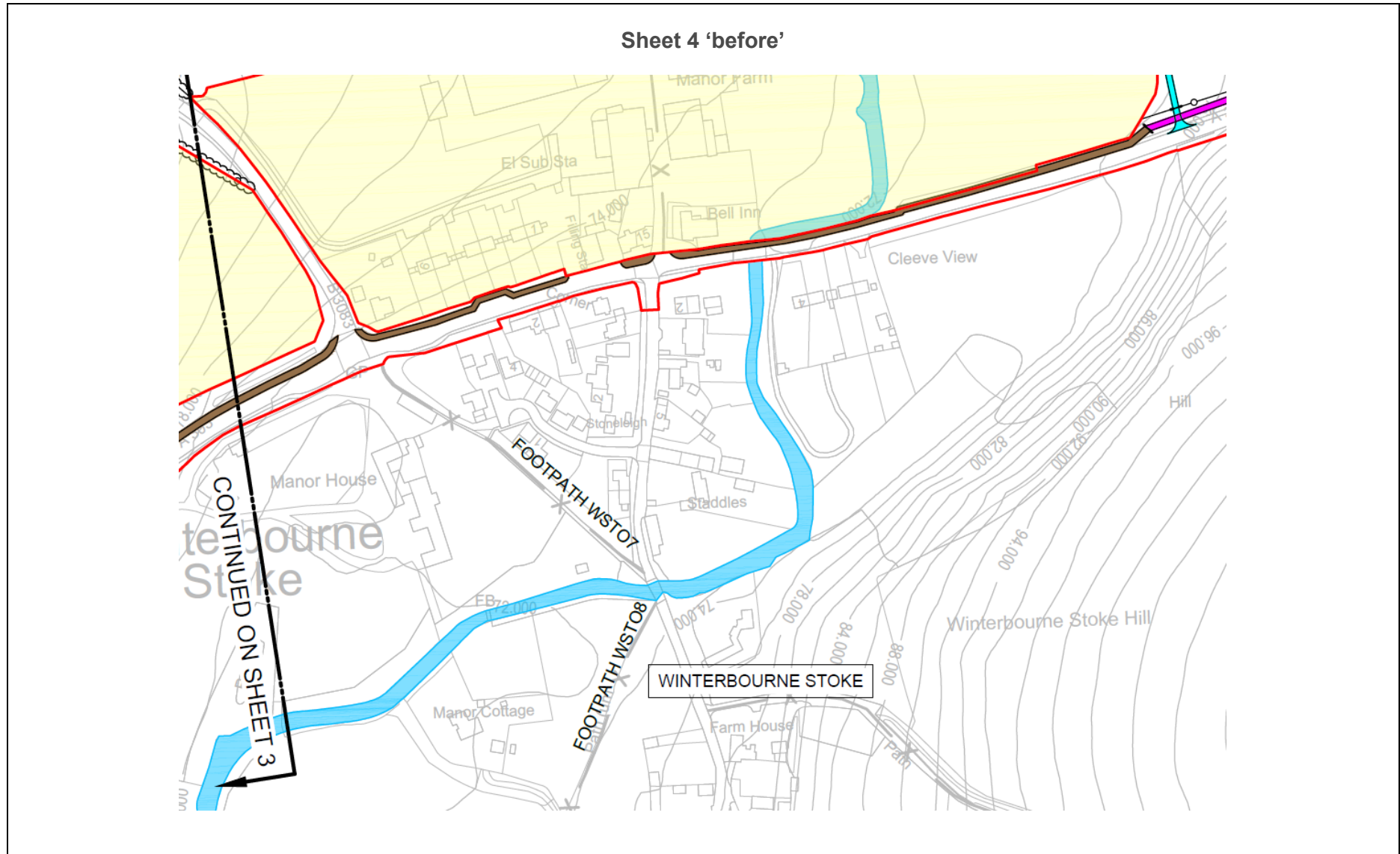
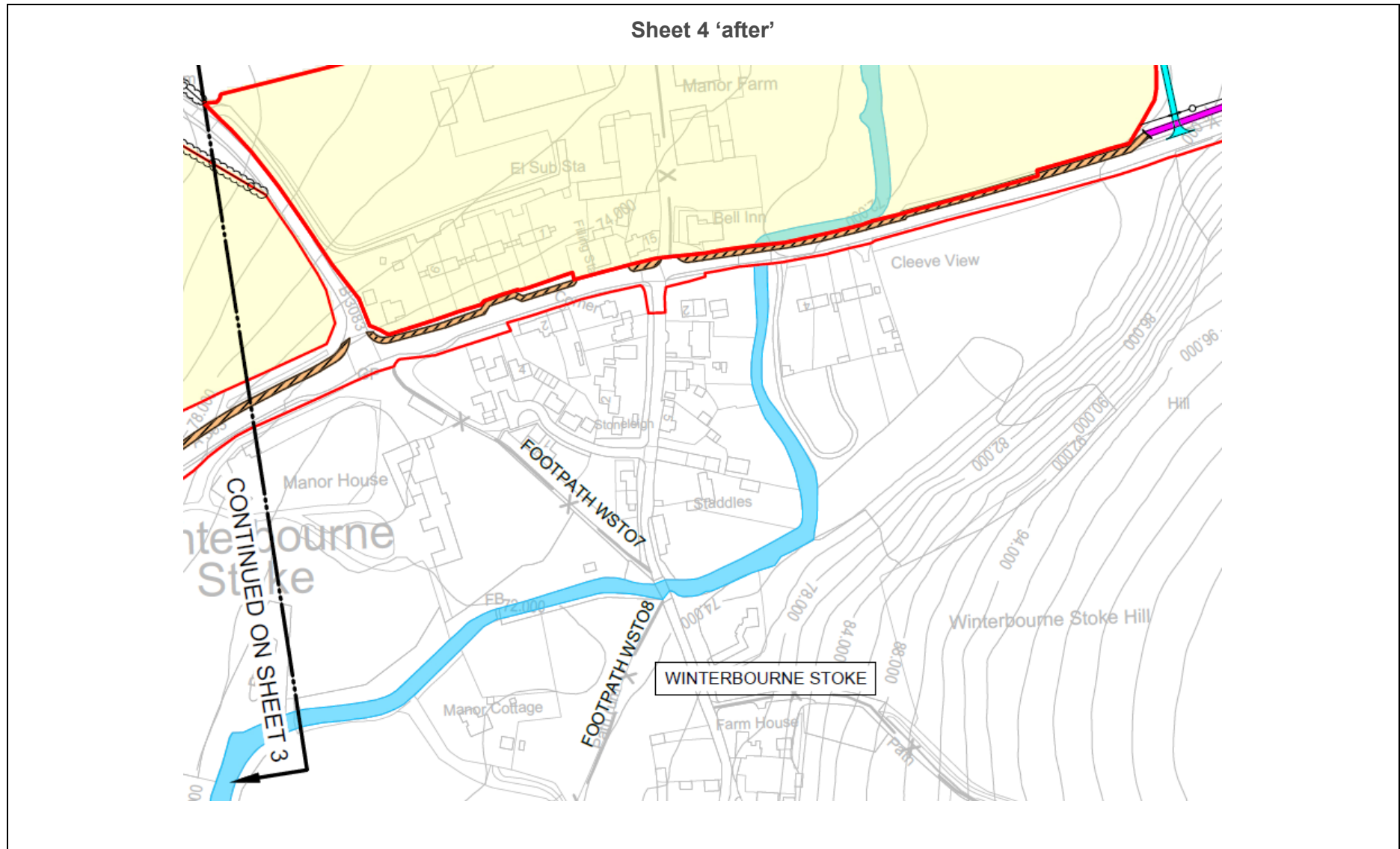


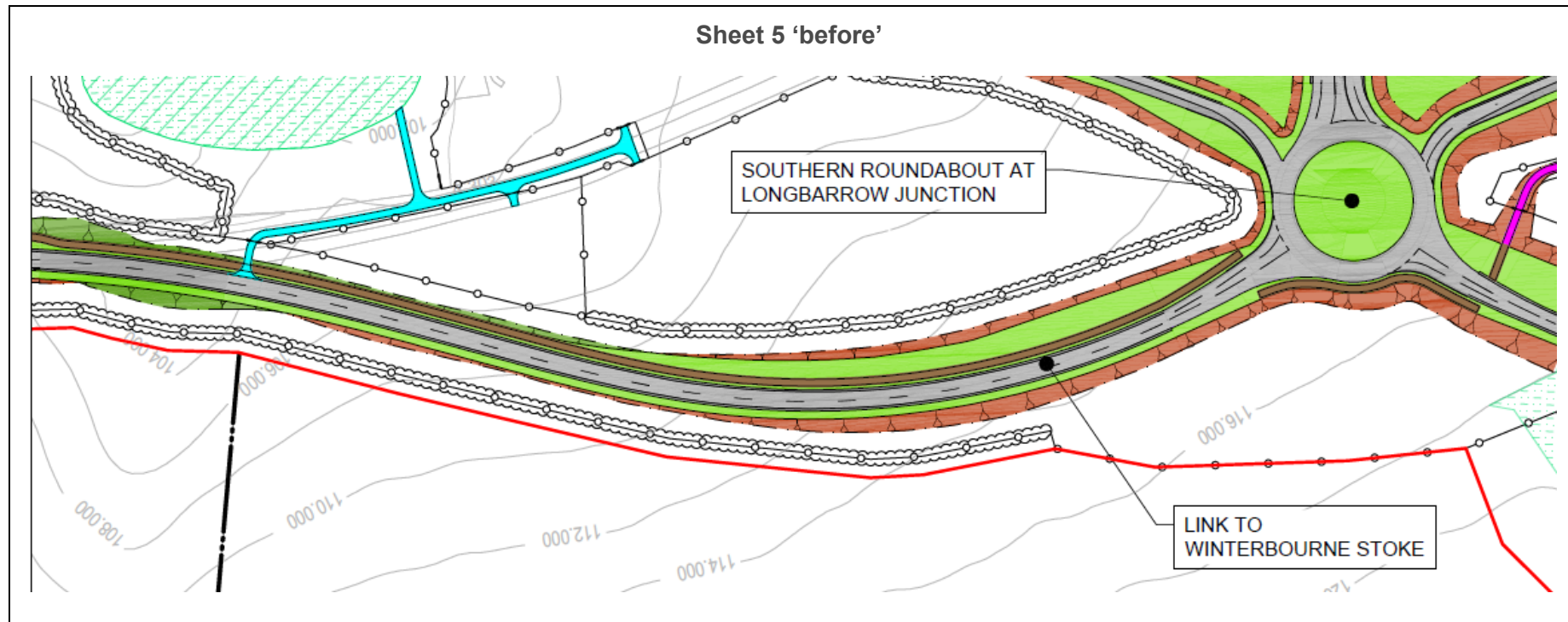
Figure 3-3 – Abstracts from submitted and updated General Arrangement Drawings Sheet 4

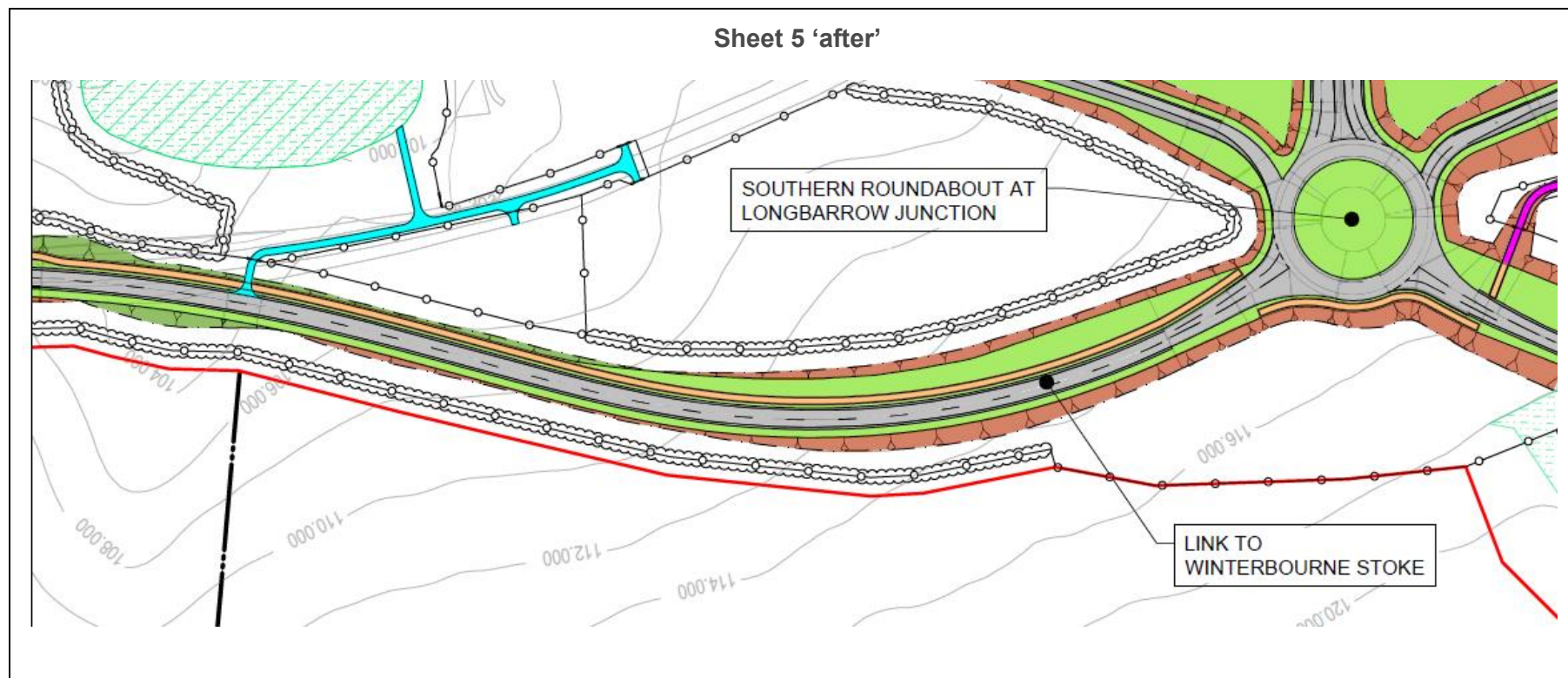




- 3.1.6 **Sheet 5** – the proposed brown route running along the northern side of the new link road (between the former A303 and the proposed Longbarrow southern roundabout, extending around the roundabout and leading into the proposed bridleway linking the new roundabout with the proposed restricted byway along the route of the existing A303) is intended for pedestrians, cyclists and equestrians only and thus will be identified as a “proposed cycleway” and shown in pastel orange on the updated General Arrangement Drawings.
- 3.1.7 Relevant abstracts of the existing General Arrangement Drawings Sheet 5 and the proposed clarification are shown in Figure 3-4 below.

**Figure 3-4 – Abstracts from submitted and updated General Arrangement Drawings Sheet 5**

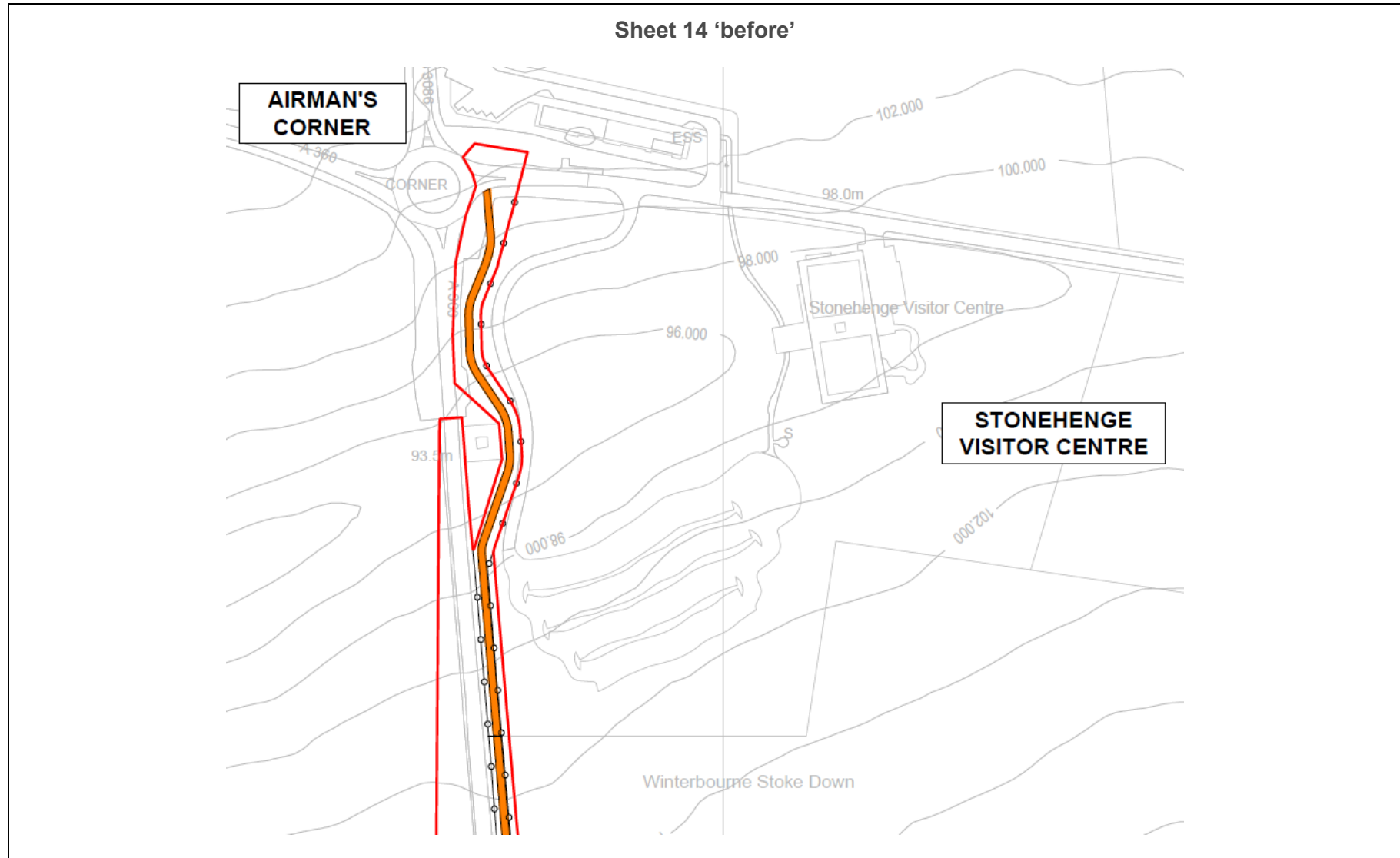


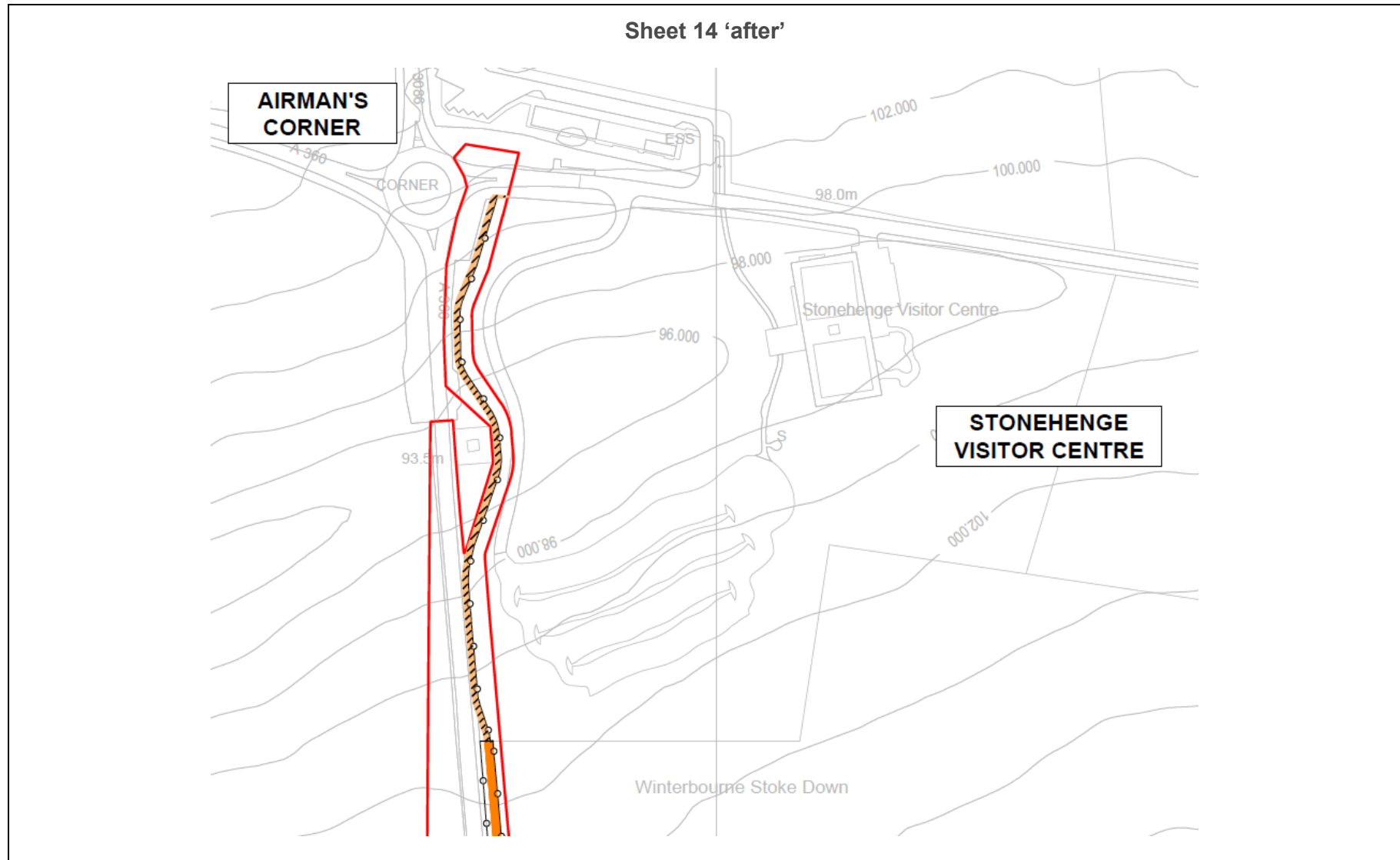


- 3.1.8 **Sheet 14** – Subject to the Examining Authority’s acceptance of proposed change NMC-06 Option B (or the related substitute solution), the proposed restricted byway along the east side of the A360 next to the Stonehenge Visitor Centre would be changed to a “shared use cycle track” intended for pedestrians and cyclists only and shown in pastel orange with black diagonal lines overlaid on the updated General Arrangement Drawings.
- 3.1.9 Relevant abstracts of the existing General Arrangement Drawings Sheet 14 and the proposed clarification are shown in Fig 3-5 below.



Figure 3-5 – Abstracts from submitted and updated General Arrangement Drawings Sheet 14





## 4 Timing of Updates

- 4.1.1 Highways England has prepared this note to clarify how the Scheme proposals are expressed, both in the draft DCO and on the General Arrangement Drawings [APP-012]. As the Examining Authority's Procedural Decision in respect of the proposed changes to the application submitted on 5th August 2019 [AS-066 and AS-067] is due on 27 August 2019, 2 days after Deadline 9, and may require revisions to the General Arrangement Drawings [APP-012], it is proposed to delay the full update of these plans until after the 27th September 2019 so that any associated changes can be simultaneously incorporated in a final set.
- 4.1.2 The principal of the drawing revisions outlined above will also apply to Figure 13.3A of the Environmental Statement [Annex A of REP7-022] where the drawing will need to be updated to reflect how the Scheme proposals regarding cycle routes are expressed. The modifications to this drawing will be updated simultaneously with any modification following the Procedural Decision in respect of the proposed changes to the application submitted on 5<sup>th</sup> August 2019, which is due on 27 September 2019.

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