

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

Scheme Reference: TR010025

**Responses to Highways England's Comments on
any further information requested by the ExA
and received to Deadline 7: REP8-013**

**(including some references in our responses to other
documents submitted by Highways England at Deadline 8)**

for

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

by

Dr. Kate Fielden, Charlie Hopkins, Clive Bentley,

Andy Norfolk and Alan James

**(Please note: submissions by Dr Simon Temple and Dr George
Reeves are provided in separate documents)**

INTRODUCTION

1.1 This document provides The Stonehenge Alliance's response to Highways England's document "8.49 – Comments on any Further Information Requested by the ExA and received at Deadline 7" (Rep 8-013). We focus on responding to Section 6 of the document, which comments on The Stonehenge Alliance's submissions. The absence of a comment on a particular issue does not imply that we agree with Highways England on this point.

1.2. **The Stonehenge Alliance is responding with separate submissions on:**
Transportation planning and transport economics matters (Dr Simon Temple); and
Flood risk, groundwater protection, geology and land contamination (Dr George Reeves)

1.3. Highways England's document is set out in tabular form with a paragraph number, a summary of the point on which they are commenting and then their comment. In this document, we quote the subject matter, author(s) of our response, Highways England's paragraph number to which we are responding, and then our response. For clarity, this document should be read alongside Highways England's submission.

2. RESPONSES TO SECTION 6.1. COMMENTS ON SECOND WQ RESPONSES

2.1. Ecology

Dr Kate Fielden and Charlie Hopkins

Para. 6.1.8 [In response to Ec.2.1, Ec.2.2 and Ec.2.3] and 6.1.10 [in response to Ec.2.3]

The Stonehenge Alliance's position remains unchanged as set out in our response to these WQs. A "commitment" to provide additional plots is not the same as providing such plots with certainty at the DCO application stage (via legal agreement with the relevant landowner(s)) as is required for compliance under the Habitats Regulations. Furthermore, it appears that monitoring of the new plots will be required in order to ensure they are effective (see section 3.7 of the Statement of Common Ground with the RSPB (REP7-013)) Thus, Highways England is not currently in a position to provide surety beyond reasonable doubt that there would be no adverse effects on nesting Stone Curlew: i) unless the new plots are secured under legal agreement by the end of the Examination, and ii) replacement plots, following monitoring (which can only take place if the Scheme is agreed and once construction begins), will be found to be effective and further mitigation is not required.

Para. 6.1.9 [In response to Ec.2.1, Ec.2.2 and Ec.2.3]

Our views as stated here remain unchanged. We note that online Government Guidance on HRA includes the Statement:

"The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured." (Paragraph: 001 Reference ID: 65-001-20190722)

The NPSNN, paras. 4.24 and 4.25 set these requirements out in more detail:

“4.24 If a proposed national network development makes it impossible to rule out an adverse effect on the integrity of a European site, it is possible to apply for derogation from the Habitats Directive, subject to the proposal meeting three tests. These tests are that no feasible, less-damaging alternatives should exist, that there are imperative reasons of overriding public interest for the proposal going ahead, and that adequate and timely compensation measures will be put in place to ensure the overall coherence of the network of protected sites is maintained.

4.25 Where a development may negatively affect any priority habitat or species on a site for which they are a protected feature, any Imperative Reasons of Overriding Public Interest (IROPI) case would need to be established solely on one or more of the grounds relating to human health, public safety or beneficial consequences of primary importance to the environment.”

In the case of the A303 Scheme, there are alternative solutions for the project; imperative reasons of overriding public interest (not forgetting the interest of future generations in the protection of the whole WHS) have not been demonstrated; and the necessary compensatory measures have not, so far, been secured.

We raise these concerns not only in respect of Stone Curlew and the SPA but also in respect of the River Avon SAC in the Countess area. We have expressed our concerns about untreated road runoff in our REP8-054, at 3.22.

Concerning Great Bustard, we submit that as an Annex I protected species, its protection is currently required under the EU Birds Directive (79/409/EEC of 2 April 1979 on the conservation of wild birds), notably Article 5. Furthermore, in view of the established breeding ground of the Great Bustard at a single site in the UK, there are strong reasons to expect a commitment from the UK Government to respect Articles 1–4 of the Birds Directive and to establish an SPA for the Great Bustard in this breeding area. Such an SPA might coincide in part with the Salisbury Plain SPA. At the very least a licence would be required in respect of disturbance of the species during construction and operation of the Scheme and this is not mentioned in the latest OEMP (REP8-006/7). The currently proposed measures for protection of Great Bustard in nesting and nurturing their chicks during construction of the Scheme are neither comprehensive nor convincing, being reactive rather than proactive.

Para.6.1.11 [in response to Ec.2.4]

We do not agree with Highways England that measures are in place sufficient for the Secretary of State to be certain that there would be no adverse effect on Stone curlew arising during construction of the Scheme (when nesting, foraging, nurturing chicks and roosting): such measures should not be left to a later stage. Similarly, *specific* measures giving certainty for the protection of Great Bustard from the impacts of construction should be stated within the DCO application.

3. RESPONSES TO SECTION 6.2. COMMENTS ON DEADLINE 4 COMMENTS (REP5-003)

3.1. Photomontages

Dr Kate Fielden and Andy Norfolk

Para. 6.2.8: Item 11.1.6 part ii.

We maintain the comments we have made under this item and note that our comment re traffic lights was not responded to. Please also see our oral submission to ISH8 (REP8-052), under Agenda item 4.4: v. “*Key design elements*”, in which our views on more recent photomontages are given. We note that these views, including rather misleading images of, e.g., a green bridge and the proposed A303 byway, have been published on Highways England’s website, presumably to give the public a favourable impression of the Scheme. (<https://highwaysengland.co.uk/a303-stonehenge-about/>)

Concerning the photomontages and views submitted by the applicant at Deadline 8 (REP8-022–026), the images at Bowles Hatches are obviously shocking.

Images were taken to best advantage in summer when trees are in full leaf. Tree cover would be much less in winter and cannot necessarily be relied upon in future years.

Fig.7.107 rev.1, “View north from Blick Mead”, is from low down on the site whereas traffic on the A303 is clearly visible from other parts of the site. We are further concerned that this view might be altered since Highways England’s “Departure from Standards” document recently released to an Interested Party under an FoI request, indicates that the verge would be narrowed here to accommodate slip roads, giving rise to the potential need for a crash barrier and, we suggest, perhaps embankment support of some kind.



Departures From
Standards.pdf

3.2. Impacts and prevention of vibration and settlement on archaeological remains arising from use of TBM

Dr. Kate Fielden

Para. 6.2.9: Item 11.1.7

Our position as stated here is unchanged. It is ludicrous to suggest that potential impacts on archaeological remains can be monitored and prevented on a “case-by-case” basis when potentially fragile archaeological remains are unquantified, may not be known about or are not identifiable on the surface. The applicant’s suggestions for monitoring and prevention of damage remain unconvincing. Please see our fuller response on this issue in our summary of oral submissions at ISH8 (REP8-052), Agenda Item 4.3. iv.a): “Ground Movement Monitoring Strategy”.

3.3. Tranquillity

Clive Bentley, Sharps Redmore

Para. 6.2.13: Items 11.1.14–18

Nothing said by the applicant in response to our views set out under these items causes us to alter them. No evidence has been produced to show that there would be a change in tranquillity experienced at the henge.

We note that Highways England now appears to accept that sound character is important – which is a step in the right direction, as it acknowledges the correctness of the approach we have taken in our assessment. Although the Applicant claims to have “. . . a good

understanding of the noise climate within the WHS, and at the Stones, including the influence of both natural and man-made noise sources . . .”, there has been notable omission of anything about man made or natural sounds (or indeed provision of any analysis of sound character at all) in their earlier written or verbal evidence.

3.4. Landscape

Andy Norfolk

Para. 6.2.14: items 11.2.1–24

Our views as set out under these items remain unchanged and we would ask the ExA to refer to the opening summary in our Written Representation on Landscape and Visual aspects of the LVIA (REP2-137) for an overview of our case on this Issue.

As a full-time carer and living a day’s journey away from Salisbury, Andy Norfolk would have had neither the time to undertake a full landscape and visual assessment, nor the ability to attend the Examination as he would otherwise have wished. He has, however, been able to listen to the relevant ISH recordings and read the evidence presented by other interested parties to the Examination.

3.5. WH Convention, HIA, etc.

Kate Fielden

Para. 6.2.15: Item 11.2.26

We maintain our view that the Applicant continues to misunderstand the advice of the Advisory Missions, and the wording of the World Heritage Convention re protection of the WHS, as well as ICOMOS’ Guidance on HIA, etc., for reasons given to the ExA in our various written and oral submission. Concerning points raised at ISH 8, we ask the ExA to see our summary of oral submission (REP8-052) under Agenda Item 3, concerning the WHS.

Para. 6.2.16, Item 11.2.27: *WHS Management Plan vision*

The applicant has correctly supplied the wording of the Management Plan’s vision and its introductory statement “The primary aim of the strategy is to protect the Site to sustain its OUV as agreed by UNESCO . . .”. The A303 Stonehenge Scheme is incompatible with the widely agreed vision and strategy.

Para. 6.2.17, Item 11.2.31: *HIA Scoping Report*

The Applicant has not supplied any new information to change our opinions expressed previously under this item.

Para. 6.2.18, Item 11.2.31: *OUV attributes of OUV and heritage assets*

The applicant continues to fail to understand what attributes of OUV convey, despite quoting from the WHS Management Plan on the subject. It is OUV that is conveyed by the attributes, not the attributes themselves, as we have repeatedly explained under this item.

Para. 6.2.19, Issue 11.2.31: *Resolving the issues associated with the existing A303*

The Applicant’s comments make no difference to our points quoted under this item.

Para. 6.2.20, Item 11.2.31 and para. 6.2.22, item 11.2.32: *Balancing adverse and positive impacts of the Scheme and balancing in NSPNN*

Again, we maintain our position. ICOMOS' Guidance on HIA allows a balancing exercise only in the case of the public benefit. The Applicant has not undertaken such an exercise within the HIA. The NPSNN allows balancing in the public benefit but the Scheme would not qualify for such an exercise under NPSNN paras. 5.133 and 5.134.

Para. 6.2.21, item 11.2.31: *Integrity as a foundation of OUV*
Highways England appears to agree with our statement.

Para. 6.2.23, Item 11.2.32: *Stakeholder reference group.*
Our views remain unchanged.

3.6. Ground stabilisers (and the use of soil nails, rock bolting and grouted rock anchors at west and east tunnel portals)

Dr Kate Fielden (response agreed by Dr George Reeves)

Para. 6.2.24, Item 11.2.38.

Our reference is to ground/bedrock anchors which might be required at tunnel and green bridge entrances and, potentially, at the cutting walls. In an archaeologically sensitive landscape with soft chalk bedrock with fissuring, these features could take up substantial areas. They would, if large, be difficult or impossible to disguise effectively. Depending upon conditions, they can be in the form of anchored plates which are unsightly. For examples, please see https://www.anchorsystems.co.uk/wp-content/uploads/2018/06/Vulcan_Brochure_FINAL_Web.pdf.

Deep drilling, (up to 25 - 30 metres) plus additional injection grouting is likely to be required in the poorer quality Chalk bedrock (especially in the Phosphatic Chalk horizons) and will extend the impermeability of the tunnel structure far to the east and west of the portals. This will further exacerbate interference with groundwater flow in and around the proposed structures.

It appears that, like the tunnel structure itself, ground anchors and plates have a limited life. We have not been advised of the approximate lifespan of the tunnels and what would happen to them and the WHS landscape once that period has elapsed. Given the sensitivity of the WHS, this is a very serious omission.

3.7. Impacts of TBM

Dr Kate Fielden

Para. 6.2.35, item 11.2.57 and para. 6.2.36, item 11.2.57

We stand by the comments we made here.

3.8. Cultural Heritage Value study

Alan James

Paras. 6.2.37–44

This is a very brief response to the comments by Highways England (HE) on Cultural Heritage Value in sections 6.2.37-6.2.44. I have ever fewer comments as the HE responses become ever more repetitive, but those I have are below, using the Highways England paragraph numbers for reference.

Para. 6.2.37 on previous 11.2.58: Heritage value accounts for 75% of PVB

No further comment.

Para. 6.2.38 on previous 11.2.59: 94% of the heritage value derives from the general population who are unlikely to experience the site

Highways England ‘acknowledges’ my explanation of existence value, which in effect acknowledges that they dug themselves into a hole by attempting to redefine existence value to suit their purpose. They are now digging even deeper by claiming that the heritage value assessment captured the value of their version of existence value. I see no evidence whatsoever to support this assertion.

6.2.39 on previous 11.2.60: Bias

No further comment – as previously, the HE response does not address the point I am making.

6.2.40 on previous 11.2.61: Representativeness of ‘general population’ sample

Having previously been in denial over the point that almost 25% of the general population survey sample lived within 50 miles of Stonehenge, Highways England now come up with the extraordinary claim that the mean Willingness To Pay (WTP) of people living within 50 miles of Stonehenge is on average £2.46 less than the population living over 50 miles away. This is counter-intuitive, and we have no way of verifying the ‘evidence’ in support of this contention at such a late stage. Highways England should perhaps also reflect on the consequences for their case if it *were* true, since the implication is that local people, likely to have more awareness of Stonehenge, are less convinced that the tunnel adds significant value.

6.2.41 on previous 11.2.62: Scenario testing

My only further comment is that the Highways England argument that the M6 toll road is not a useful comparator is specious. My central point is that WTP can only be tested in real life situations where a real payment has to be made: differences in detail are not relevant.

6.2.42 on previous 11.2.62: Scenario testing

No further comment.

6.2.43 on previous 11.2.63: Disparity between 2001 and 2016 CV studies

No further comment.

6.2.44 on previous 11.2.64: No consideration of options outside of the WHS

No further comment

11.2.65: Monetisation of a single aspect of cultural value, when there are other intrinsic values to the cultural heritage

Highways England have made no further response on this issue.

3.9. Ecology

Dr Kate Fielden and Charlie Hopkins

Para. 6.2.45: Items 18.1.1 – 18.1.4, 28.1.1, 18.2.22 – 18.2.31

No mention is made of the in-combination effects including Army rebasing housing at paragraph 8.9.186 of Chapter 8 of the Environmental Statement [APP-046] and Section 5.3: “In-Combination Effect: Recreational Disturbance” section of the Statement to Inform the

Appropriate Assessment (SIAA) [APP-266]. The c.1,000 Army rebasing houses now under construction were included in the “short list” of developments “considered in the future baseline”. However, in the SIAA (APP-053), at para. 15.2.19, Highways England says “*no significant effects have been identified which are associated with the development considered as part of the future baseline.*” Such a large influx of people into new housing adjacent to the SPA is bound to have a recreational impact on the SPA which, in combination with increased access to Normanton Down via Byways 11 and 12 would amount to a significant in-combination effect on the SPA which appears to have been conveniently disregarded by placing the housing development in “the future baseline”. Please see our full comments under our Section 3.6 in our REP-085 (response to Highways England’s REP5-003).

4. RESONSE TO SECTION 6.3. COMMENTS ON THE DDAMS (REP6-014)

Responses by Kate Fielden

4.1. In general

Though not commenting on the dDAMS ourselves in much detail, we support the views expressed by Professor Parker Pearson, Dr Paul Garwood (Scientific Committee members) and George Lambrick (CBA) in their concerns expressed on the dDAMS to date.

We note Highways England’s latest version of the dDAMS submitted at Deadline 8 (REP8-008/9) and also refer to that document in our responses here.

4.2. General principles

Para. 6.3.2

Since commenting on para. 2.2.3 of the dDAMS submitted at Deadline 7, the paragraph numbering has been changed in the dDAMS submitted at Deadline 8 (REP8-008/9). The ‘last bullet point under “General Principles” to which we refer is the last bullet point under para. 2.1.5 in REP8-008. Our views remain unchanged.

4.3. Detailed principles

Para. 6.3.3

We say:

‘Under “Detailed Principles” at para. 2.3.1, new bullet point 9 gives rise to some concern in view of the apparent difficulties in understanding the concept of OUV: who would provide the training?’

This bullet point now appears (wording unchanged) as the 2nd bullet pt. under para. 2.2.1 in the dDAMS submitted at Deadline 8 (REP8-008). One can have little faith in the archaeological contractor being able to understand the concept of OUV and what must be protected, when the concept is ill-understood by the Applicant and the Scheme itself would not allow proper protection of the WHS or its OUV.

We also say:

‘Bullet point 10 could be made clearer by re-drafting: it does not make sense at present and would be best left as in the earlier draft, even though the earlier version could not be followed given the Scheme proposals.’

Bullet point 10 now appears as the 1st bullet pt. in para. 2.1.4 of the latest dDAMS (REP8-008). We continue to suggest that it is poorly drafted since it offers choices where none should exist and its aim cannot be achieved under the Scheme as it stands in any event.

4.4. Archaeological mitigation

Para. 6.3.4

With reference to the Deadline 7 dDAMS, Section 6, “Approaches to Archaeological Mitigation” (same Section number in REP8-008), our views remain unchanged.

5. RESPONSE TO SECTION 6.4 COMMENTS ON UPDATED OEMP (REP6-012)

5.1. Design and Management Plan visions

Dr Kate Fielden

Paras. 6.4.1–3

Our views remain unchanged.

6. RESPONSE TO SECTION 6.5 ADDITIONAL SUBMISSION

6.1. Request for field data

Dr Kate Fielden (response agreed by Dr George Reeves)

Paras. 6.5.1–2

The Alliance has requested missing information of this kind a number of times. Some data has been supplied but a substantial amount of data is being withheld that is not yet analysed. Since data exists to inform more fully about the geology and hydrogeology of the WHS, we believe that it would have been helpful to see it. Had we known earlier that access would be denied, we might have set in motion a Freedom of Information request; we now intend to do so. We can see no good reason for withholding this information, and it does not appear to fall within any of the exempt categories. As Dr Reeves explained at ISH 10, he has studied over 6,000 pages of Site Investigation-specific data already supplied (plus many reports, published and unpublished maps and memoirs), and study of the substantial amount of unseen data would not be a problem for him.

What *is* a problem is that access should be denied at such a late stage in the Examination, when it is becoming clear that the Applicant’s analysis of the situation re bedrock and groundwater conditions is either incomplete or in “draft form” (as the Applicant admits) and, from what data we have seen, apparently seriously inadequate. This gives rise to considerable concern about the viability and economic sense of tunnelling for the Scheme.

We have questioned Highways England’s findings but have been denied the opportunity to assess all the data independently and to challenge the Applicant fully on its adequacy. We submit this has not permitted open and fair scrutiny or assessment of what must be considered a crucial element of the Scheme.