



A303 Amesbury to Berwick Down (Stonehenge) Wiltshire TR010025

Wiltshire Council (A303-AFP022) Response to ExA Published Documents

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1. Introduction

- 1.1 Wiltshire Council has reviewed the Examining Authority's (ExA's) issued documents, namely the ExA's draft Development Consent Order and the Report on the Implications for European Sites, which were both published on 3rd September 2019. The Council's response to those submissions is contained herein.
- 1.2 These comments are submitted without prejudice to any further representations the Council may wish to make during the Examination.

2. Comments on ExA's Draft Development Consent Order (dDCO) [PD-018]

- 2.1 The Council has reviewed the ExA's draft Development Consent Order (dDCO) [PD-018] and wishes to make the following comments.
- 2.2 The Council is fully supportive of the ExA's suggested removal of the words "*or convenient*" from Article 7(2), (3), (4), (5) and (7). The Council agrees that it would be inappropriate within the World Heritage Site and its setting for deviation to occur on the basis of "*convenience*".
- 2.3 The Council welcomes the ExA's proposed additions in Article 13 (5) due to sensitivity of the groundwater in this area.
- 2.4 Whilst the 14-day notice period in Article 29 (2) is not of significant concern to Wiltshire Council, the Council can see how this would be of benefit to affected farmers and therefore the extension to 28 days is supported.
- 2.5 The Council is grateful that the ExA has taken on board its previous representations and included a new category (k) in sub-paragraph (1) of Requirement 1 to state: "*(k) the erection of construction plant and equipment*". This change is fully supported by the Council.
- 2.6 The Council is fully supportive of the strengthening of Requirement 3 (1) so that "*subject to the exercise of the limits of deviation under Article 7 of this Order, it is in accordance*" rather than "*it is compatible*". The Council is grateful that the ExA has taken on boards its previous representations in this regard.
- 2.7 Wiltshire Council notes the ExA's addition in Requirement 3 (1) to include "*and the statutory roles and responsibilities of those persons*". Whilst, this is not of particular concern to the Council, it sees no harm in this inclusion, therefore the changes are supported.
- 2.8 The Council welcomes the insertion of a new category (p) in sub-paragraph (11) of Requirement 4 to state: "*(p) Invasive Non-native Species Management Plan*" as per its previous representations. This change is fully supported by the Council.
- 2.9 The Council notes the inclusion of a new sub-paragraph (12) in Requirement 4 regarding hydrological effects on Blick Mead. From the evidence and modelling presented by HE, the Council does not consider that Blick Mead will be adversely affected as a result of the Scheme. However, the Council does not consider there is any harm in being explicit that the Groundwater Management Plan must detail how any potential adverse hydrological effects on Blick Mead have been considered, therefore the Council is supportive of this addition.

- 2.10 The Council is grateful for the ExA's substitution in Requirement 4 (13) so that it refers to the "CEMP" and not the "OEMP" as per its previous representations. The Council is fully supportive of this amendment.
- 2.11 The Council is fully supportive of the deletion of the word "noise" from Requirement 8 (3) (b) so that all walls and fences would now be included within the landscaping scheme. The Council is thankful that the ExA has taken its previous representations on board.
- 2.12 The Council is grateful that the ExA has taken on board its previous representations and deleted "land drainage" in Requirement 10 (1) so that this requirement would apply to all of Wiltshire Council's relevant functions. This change is fully supported by the Council.
- 2.13 The Council is fully supportive of the addition within Requirement 10 (1) to include "and management of flood risk".
- 2.14 Wiltshire Council is fully supportive of the inclusion of a new Requirement 12 regarding permitted development rights. It is the Council's position that both Part 9 Class B (development relating to roads) and Part 16 Class D (communications) should be included here. However, the Council notes that HE have indicated that they are not a driver information system licensee and therefore the permitted development rights afforded in Part 16 Class D are not available to them. Whilst this may describe the current status of HE, without the inclusion of Part 16 Class D in this requirement, HE may become a licensee for this apparatus in the future and therefore the protection sought for this location would be lessened.
- 2.15 The various re-numbering changes that have been necessary as a result of the changes made above, are noted and supported by the Council.
- 2.16 In summary, the Council is supportive of all of the ExA's proposed changes to the dDCO.

3. Comments on ExA's Report on the Implications for European Sites (RIES) [PD-019]

- 3.1 The Council has reviewed the ExA's Report on the Implications for European Sites (RIES) [PD-019] and wishes to make the following comments.
- 3.2 Wiltshire Council welcomes the queries posed to Highways England (HE), which the Council considers addresses the specific points where there has been, and in some cases still is, some uncertainty that the Scheme can be completely Habitats Regulation Assessment (HRA) compliant.
- 3.3 The Council considers that this will enable the Secretary of State (SoS) to be fully informed as to what the issues are that need to be addressed in order to make the Scheme HRA compliant. As such, the SoS will be able to make a well-informed decision as to whether the Scheme will be compliant with the Habitats Regulations in both its construction and operational phases.

4. Conclusion

- 4.1 Wiltshire Council's response to the ExA's issued documents published on 3rd September 2019 is outlined above.

- 4.2 These comments are submitted without prejudice to any further representations the Council may wish to make during the Examination.