

A303 Amesbury to Berwick Down

TR010025

Deadline 10

**8.1 (2) Statement of Common Ground –
English Heritage Trust**

APFP Regulation 5(2)(q)

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

October 2019



Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure)

Rules 2010

A303 Amesbury to Berwick Down

Development Consent Order 20[**]

STATEMENT OF COMMON GROUND – English Heritage Trust

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) English Heritage Trust.

Signed.....
Derek Parody
Project Director
on behalf of Highways England
Date: 01 October 2019

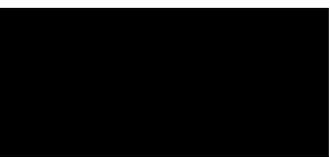

Signed.....
Kate Logan
Stonehenge Director
on behalf of English Heritage Trust
Date: 01 October 2019

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A303 Amesbury to Berwick Down ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 The order, if granted would authorise Highways England to carry out the following works:
- A northern bypass of Winterbourne Stoke with a viaduct over the River Till valley;
 - A new junction between the A303 and A360 to the west of and outside the WHS, replacing the existing Longbarrow roundabout;
 - A twin-bore tunnel approximately 2 miles (3.3km) long, past Stonehenge; and
 - A new junction between the A303 and A345 at the existing Countess roundabout.
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available at the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.
- 1.1.5 Unless otherwise stated, the facts set out in this SoCG are agreed between the parties to it. Facts and opinions that are not stated are not agreed and will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of agreement or disagreement between the parties.
- 1.1.6 The SoCG records the final position of both parties on relevant issues of fact in respect of the Scheme described in the final draft of the Development Consent Order submitted to the Examination. Unless a matter included in this SoCG is stated as agreed, it cannot be taken as agreed.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) English Heritage Trust.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency to be conferred upon or assumed by Highways England.
- 1.2.3 English Heritage Trust (EHT) cares for over 400 historic buildings, monuments and sites across the country. In their role as an independent charity, English Heritage Trust's purpose is to conserve these sites to the highest standards possible, in keeping with their status as part of England's national heritage. EHT manages and conserves the Stonehenge monument on behalf of the nation.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG "Not Agreed" indicates a final position and "Under discussion" indicates where these points would be the subject of on-going discussion between the parties with the aim, wherever possible, to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the sections 3, 4 and 5 of this SoCG are not of material interest or relevance to English Heritage Trust, and therefore have not been the subject of any discussions between the parties. As such, all matters of material interest or relevance to English Heritage Trust can be read as agreed, except to the extent that they are noted as 'not agreed' or 'under discussion' in this SoCG.

2 Record of Engagement

- 2.1.1 A summary of the meetings and correspondence that have taken place between Highways England and English Heritage Trust in relation to the preparation of this Statement of Common Ground are outlined in table 2-1.
- 2.1.2 In addition to table 2-1, it is acknowledged that English Heritage Trust has also attended the following stakeholder work groups:
- Stakeholder Strategy Board;
 - Heritage Monitoring and Advisory Group (HMAG);
 - Scientific Committee;
 - UNESCO World Heritage Committee Engagement Group;
 - Environmental Group (including sub-groups, e.g. Heritage and Landscape);
 - Communications Group;
 - Benefits Steering Group; and
 - Attendance at regular design progress reviews held by Highways England, to participate in discussion on matters of design with potential impact on the OUV of the WHS.
- 2.1.3 All of the meetings associated with these groups in relation to the Scheme are not detailed here.

Table 2-1 – Record of Engagement

| Date | Form of correspondence | Key topics discussed and key outcomes (the topics should align with the Issues tables) |
|------------------|---|--|
| 24 April 2018 | Letter attached to email | Response to public consultation on proposed route. |
| 13 August 2018 | Letter attached to email | Response to supplementary consultation on Scheme design changes. |
| 30 November 2018 | Meeting | Meeting to discuss CPO and issues relating to NMU access at the Stonehenge Visitor Centre. |
| 7 December 2018 | Email | EHT receive first draft of Statement of Common Ground from Highways England. |
| 11 December 2018 | Telephone conference call | Call to discuss the initial draft of the Statement of Common Ground. |
| 10 January 2019 | English Heritage Trust Representation to PINS | English Heritage Trust register as an Interested Party; English Heritage Trust submit Relevant Representation to PINS. |
| 12 April 2019 | Email | Highway's England emailed updated draft Statement of Common Ground to EHT. |
| 28 May 2019 | Meeting | Meeting between EHT and Highways England to discuss matters within the SOCG. |
| 2 August 2019 | Telephone call | Call between EHT and Highways England to discuss matters within the SOCG. |
| 8 August 2019 | Telephone call | Call between EHT and Highways England to discuss matters within the SOCG. |

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| 5 September 2019 | Email | Response to request seeking clarification on the progress of matters since Deadline 7. |
| 25 September 2019 | Email | Emails between EHT and Highways England to revise the SoCG for final submission. |

2.1.1 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) English Heritage Trust in relation to the issues addressed in this SoCG.

3 Matters Agreed

Table 3-2 – Matters Agreed

| Ref | Document | Document Section | Sub-section | English Heritage Trust Comment | Highways England Response | Status |
|-----|------------|--|--|---|---|--------|
| 3.1 | [REP5-012] | Section 2 | Summary of EHT's position Paragraph 2.1 | EHT is supportive of the A303 tunnel project as it has the potential to further transform the Stonehenge part of the Stonehenge and Avebury World Heritage Site (WHS) and make significant improvements to the setting of the Stonehenge monument (which is one of the WHS's attributes of Outstanding Universal Value) and people's experience of them, provided the project is well designed and located sensitively. | Highways England acknowledges English Heritage Trust's comment regarding the Scheme. | Agreed |
| 3.2 | [REP2-090] | Impact on the cultural heritage affected by the scheme in particular the landscape around Stonehenge (DCO ref ES Chpt 6) | Paragraph 9.1.2 | EHT welcomes the scope for linking Stonehenge back to its wider landscape and making it possible for people to explore more of the WHS. We also welcome the reconnecting of the line of the Avenue across the current A303 and down to West Amesbury so it may be walkable in the future which has been achieved by the | Highways England acknowledges English Heritage Trust's response regarding the positioning of the Eastern Portal in respect of the Avenue. The Eastern portal design has taken the Avenue into consideration, and the sensitive location as part of the DCO application. | Agreed |

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| | | | | re-positioning of the Eastern portal. | | |
| 3.3 | [REP2-090] | Section 9.6 | Paragraph 9.7 | EHT want assurances that noise and vibration levels at Stonehenge Cottages identified in the Environmental Statement are not exceeded and will not negatively impact upon the building or people living there. | <p>Based on the distance between the Cottages and the construction work on the surface, a significant construction noise effect has not been identified at the Cottages (see Table 9.14 in the Noise and Vibration Chapter of the ES [APP-047]).</p> <p>The predicted vibration levels at Stonehenge Cottages due to tunneling are reported in Table 9.15 of the ES. Chapter 9 [APP-047], paragraph 9.9.20 reports the impacts at Stonehenge Cottages as being above the Significant Observable Adverse Effect Level (SOAEL) for annoyance, but well below the onset of cosmetic damage criteria.</p> <p>Monitoring of vibration is proposed to start when the Tunnel Boring Machine (TBM) is within 250m of the Cottages. This was included in the deadline 3 version of the OEMP [REP3-007] at item MW-NOI6. At this distance the predicted vibration level is less than half the Lowest Observed Adverse Effect Level (LOAEL) for vibration annoyance effects and therefore would allow for a period of monitoring to occur before there is a risk of</p> | Agreed |

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| | | | | | <p>perceptible vibration.</p> <p>If this monitoring indicates that PPV levels exceeding 1mms^{-1} are likely to occur for a period of 48 hours or more during each tunnel bore and providing the property is lawfully occupied as a permanent dwelling, residents of Stonehenge Cottages will be offered temporary re-housing. This is secured through MW-NOI5 of the OEMP.</p> <p>In addition, MW-NOI5 of the OEMP provides that condition surveys on Stonehenge Cottages shall be undertaken pre-and post tunnelling operations. Should it be identified that damage has occurred to the Cottages as a consequence of the works, appropriate remedial works shall be undertaken in consultation with the parties holding an interest in the land in question. It is acknowledged that Historic England and English Heritage hold interests as a landowner and representative of HBMCE at Stonehenge Cottages and, in the unlikely event that remedial measures are required, both would be consulted on those measures.</p> | |
| 3.4 | Public Consultation Response | Potential safety risks | Paragraph 1 | English Heritage Trust state that "Directing pedestrians, cyclists and carriages to | Highways England acknowledges English Heritage Trust's concerns. The link into the coach | Agreed |

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| | | | | <p>cross the A344 near to Airman’s Corner roundabout at the entrance of the Stonehenge Visitor Centre and to traverse through the coach park into parking bays where vehicles will be reversing and maneuvering is clearly very dangerous to public right of way (PROW) users and our visitors. We welcome the removal of the PROW crossing the A344 into the Stonehenge coach park although remain opposed to the PROW for reasons outlined in 4.8.</p> | <p>park has been removed following the pre-application consultation and was omitted from the scheme as submitted. Highways England has liaised with English Heritage Trust regarding the scheme design and will continue to do so under the procedures set out in the OEMP, Section 4.5 [REP9-013].</p> | |
| 3.5 | [REP2-090] | <p>Section 9.5 Presentation and appearance; and Additional comments</p> | <p>Paragraph 9.5.2</p> | <p>English Heritage Trust seeks clarification on a number of points relating to the organisations ongoing involvement in the detailed design process.</p> <p>Due to the highly sensitive heritage environment and significance of Stonehenge and the WHS, EHT seeks to be involved in the development of detailed design and finishes and intends to continue discussions with HE over this to ensure provision in the OEMP is more robust and effective.</p> | <p>Highways England welcomes further engagement with English Heritage Trust with regards to the detailed design.</p> <p>The Outline Environmental Management Plan (OEMP) [REP9-013] includes a design vision together with a set of design principles for key elements of the Scheme. Highways England will consult key stakeholders, including English Heritage Trust, on the external appearance of the following elements of the Scheme within the World Heritage Site:</p> <p>The process for consultation, through a stakeholder</p> | Agreed |

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| | | | | English Heritage Trust seek further details now and a provision in the DCO to secure our future involvement on design details as the project develops to ensure the OUV of the WHS is protected. | consultation design group of which English Heritage Trust is a member, is set out within section 4 of the OEMP. The OEMP is secured by Requirement 4 of the draft DCO [REP9-003]. | |
| 3.6 | [REP2-090] | Section 9.12 Impact on EHT & HBMCE land and land interests | Paragraph 9.12.1 | English Heritage Trust “understands that there is potential for the restriction of future archaeological research within the affected part of the WHS (e.g. above the tunnel route). This would be contrary to the provisions of the Stonehenge WHS Management Plan.” Highways England has presented information on the tunnel restriction, set out in response to ExA question CH1.27 [REP2-025] and English Heritage Trust has had the opportunity to comment on the principles set down. Details setting out the process for operation of the restriction, together with finalised wording, is awaited. | As noted in the Statement of Reasons [APP-023] and response to ExA question CH.1.27, restrictions are required above the tunnel in order to secure protection of the tunnel from potentially conflicting future development and works that might jeopardise the structural integrity of the tunnel. The tunnel covenant that allows these restrictions has been developed with key stakeholders. The principles of the tunnel covenant have been agreed as stated at the Development Consent Order hearing on 30 August 2019 [REP8-019]. | Agreed |
| 3.7 | [REP2-090] | Section 9.4 Ease of access to the English Heritage Visitor Centre and Stonehenge | Paragraph 9.4.1 | English Heritage Trust state that “As well as conserving the site of Stonehenge, it is part of [English Heritage Trust’s] remit to welcome | As required by the OEMP [REP9-013], which is secured through Requirement 4 of Schedule 2 to the draft Development Consent Order [REP9-003], the main | Agreed |

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| | | | <p>visitors to the site hoping that we will inspire people to value, visit and enjoy it. [English Heritage Trust] wants to ensure visitors have an easy route to the Stonehenge Visitor Centre, both during the construction phases and after the scheme is finished. Ease of access and signage to the Stonehenge Visitor Centre is key to this. We understand that visitors will be directed to approach the Visitor Centre from slip roads leading to two new roundabouts at the Western end. The DCO and application papers do not give any detail on what road signage will be installed except to say that it will have minimal impact and limited to minimise unnecessary clutter. We would like to work with HE to ensure the route is clear and intuitive and the language is clear and helpful for drivers wanting to visit Stonehenge – many of who are overseas visitors.”</p> <p>English Heritage Trust expects to have the opportunity to comment on</p> | <p>works contractor will prepare and implement a detailed Traffic Management Plan which will include details of temporary construction signage and access arrangements, in consultation with relevant organisations, including English Heritage Trust (MW-TRA2).</p> <p>Highways England acknowledges English Heritage Trust’s concerns relating to signage during operation. A detailed signage strategy will be developed during the detailed design stage. It will include clear signing from the A303 directing traffic to use the Longbarrow junction for access to the Stonehenge Visitor Centre.</p> <p>The OEMP [REP9-013] contains two provisions that relate to operational signage.</p> <p>Design Vision at 4.2.6(d) (which will inform the detailed design) provides that:</p> <p>Road signage should be designed for minimal impact, ensuring no unnecessary clutter, while ensuring the route is safe.</p> <p>Principle P-SL2 states: Road signs to be located as to avoid adverse impacts on the setting of monuments or interrupting views between Neolithic and Bronze</p> | |
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| | | | | <p>signage proposals and that a detailed signage strategy is included as a requirement in the DCO.</p> | <p>Age monuments, wherever practicably possible.</p> <p>Following ongoing discussions with EHT, an additional provision D-CH33 has been made in the Deadline 9 Version of the OEMP [REF9-014] that 'During development of the operational signage strategy for the Scheme, the main works contractor shall consult with English Heritage Trust, Wiltshire Council and, where relevant, other parties with regard to tourism signage needs.'</p> | |
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4 Matters Under Discussion

Table 4-1 – Matters Under Discussion

| Ref | Document | Document Section | Sub-section | English Heritage Trust Comment | Highways England Response | Status |
|-----|------------|--|--|--|---|------------------|
| 4.1 | [REP2-090] | Ease of access to the English Heritage Visitor Centre and Stonehenge. and Negative impacts on EHT charitable business. | Paragraph 9.4.3 and Paragraph 9.10 | <p>EHT make the point that regardless of the plans to reduce the impact of the construction on the local road network, we are concerned that many drivers (particularly tourists to Stonehenge) will be put off travelling to the site due to the perceived disruption caused by construction. EHT is in talks with HE about how this can be mitigated. This is deeply concerning for EHT as maintaining visitor numbers at Stonehenge is crucial to the future sustainability of the charity and therefore the care of the National Heritage Collection. See 9.6 for further information on EHTs position.</p> <p>EHT is conscious that there is potential for negative impacts for our charitable business during the construction phase of the works arising from poor air quality, noise and vibration, visual impact and pollution. This impact could extend to potential visitors who choose not to visit to 'avoid' the road works and so miss the opportunity to visit and</p> | <p>Highways England understands the concerns of English Heritage Trust with respect to how the general public and visitors may potentially perceive the proposed development to be detracting from the visitor experience at Stonehenge.</p> <p>The OEMP [REP6-011] Table 2.1 requires Highways England to liaise with English Heritage Trust to ensure that sufficient up to date information is made available to the public via the roles and responsibilities of the Community Relations Manager.</p> <p>In addition, Highways England is committed to working in collaboration with EHT to develop a communications strategy that mitigates impacts associated with the public perception of the proposed development for domestic and international visitors and well as the tourism trade. The form and mechanism for securing this collaboration is under</p> | Under Discussion |

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| | | | | <p>experience Stonehenge. We know from other EHT properties that traffic disruption and extensive negative publicity related to it can have a significant impact on visitation levels. EHT believes there is a need for a plan to mitigate this and additional monitoring of unintended consequences on the EHT charitable business during the construction phase.</p> | <p>discussion and will be confirmed through an exchange of letters.</p> | |
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5 Matters Not Agreed

Table 5-1 – Matters Not Agreed

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| 5.1 | [REP2-091] And [REP6-053] | Assessment of the Scheme And DC.2 Draft Development Consent Order (dDCO) | Public Rights of Way, second paragraph And DCO.2.52, page 11. | <p>English Heritage Trust originally stated in its Relevant Representation (RR-1725) that it objects to the proposal to create a restricted byway running alongside the A360 within the boundary of the Stonehenge Visitor Centre complex on the grounds of negative impacts on safety, security, operations (including car parking), heritage and local road users.</p> <p>EHT felt there were alternative routes that would not give rise to the impacts above, including following, but outside the boundary of the Visitor Centre site to the east of the Centre. This route is outside the land identified for compulsory acquisition.</p> <p>As confirmed in the Deadline 6 Response to Examining Authority's Second Round of Written Questions (REP6-045), EHT continues to work with Highways England to discuss alternatives and measures to reduce the risks we believe this new PROW introduces.</p> <p>Whilst EHT welcomes the open and constructive dialogue with Highways England we remain concerned that</p> | <p>As set out in Highways England's Comments on Written Representations [REP3-013] (paragraphs 28.5.4 to 28.5.8 refer) Highways England, at that time, proposed to discuss alternative routes for, and the status of, the new public right of way comprised in References U and UA as shown on the Rights of Way and Access Plans [APP-009] (on Sheet 14) and identified in Schedule 3 to the draft Development Consent Order [REP6-005]. This route is the proposed restricted byway which would run from the southern boundary of the Stonehenge Visitor Centre to Airman's Corner roundabout.</p> <p>Highways England recognises the effort made by English Heritage Trust to work with Highways England to explore alternatives – EHT's preferred option was tabled during the Examination of the DCO application (see the written summary of oral submissions made at the Compulsory Acquisition Hearing held on 9 and 10 July 2019 by English Heritage</p> | Not agreed |
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| | | | | <p>alternative routes (that do not give rise to the risks highlighted in previous EHT Written Representations) are not being pursued. We understand this is because the most appropriate alternatives fall outside of the 'red line'.</p> <p>EHT provided feedback to HE on proposed changes to the DCO and welcomed them in preference to the original Development Consent Order application proposal for the A360 PROW particularly Option A.</p> <p>At Deadline 8, EHT updated that it is understood that Option A cannot proceed as it is now understood that Wiltshire Council does not agree the option. EHT appreciates Highways England's efforts to reduce the impacts of concern to EHT, but considers that Option B provides only a relatively modest reduction in impacts and concerns in comparison to the original public right of way adjacent to the (A360 PROW) contained in the DCO application. There is also no acknowledgement in HE's assessment that Option B or the original DCO proposal for the A360 PROW severs the Dew Pond from the Visitor Centre and there will be a large amount of EHT land that forms part of the current Visitor</p> | <p>[REP5-012] and by Highways England [REP5-002]).</p> <p>However, EHT's preferred option would require land that is owned by a third party and which is located outside the Order limits. The landowner has indicated that it is not prepared to negotiate for the acquisition of the land that would be needed for the delivery of this alternative route.</p> <p>Therefore, Highways England has instead proposed two further potential options (A and B) and has consulted on these, through the process of applying to the Examining Authority for a non-material change (NMC) to the element of the Scheme which comprises the route of the public right of way proposed in the DCO application [AS-067, at Section 9 – see references to NMC-06 Options A and B].</p> <p>Following non-statutory consultation on the proposed changes to the application (which included NMC-06 Options A and B), the Applicant explained, in its Proposed Changes Consultation Report [REP8-015], that in relation to NMC-06, it needed to move forward with</p> | |
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| | | | | <p>Centre that will become inaccessible and unusable between the new A360 PROW and current A360 highway boundary.</p> <p>Therefore, our objection is maintained to this aspect of the DCO proposal.</p> <p>EHT remains open to future discussions that would fully resolve its concerns.</p> | <p>Option B (rather than Option A). This was for two reasons: firstly because it had not been possible to secure the consent of relevant landowners to the use of additional land outside the Order limits to deliver NMC-06 Option A; and secondly because Option B (unlike Option A) was preferred and supported by Wiltshire Council (WC) for reasons relating to safety.</p> <p>The Momentum Transport Consultancy report “A360 PROW Route Options Review” report dated 1 May 2019 [REP2-092] commissioned by EHT, states the safety issues raised by each of the options under consideration for the route. Highways England responded to this report at deadline 7 [REP7-023], in section 7.5 and continues to work with English Heritage Trust to identify a solution that is acceptable to all parties and capable of delivery.</p> <p>The details of proposed NMC-06 Options A and B are provided in the Applicant’s Proposed Changes Consultation Report [REP8-015], at Figure 5-3 which shows the revised excerpt from General Arrangement Drawings, Sheet 14, as well as a proposed ‘substitute’ to Option B, which the</p> | |
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| | | | | | <p>Applicant would be able to deliver within the original Order limits (and in the absence of landowner consent to additional land), in collaboration with WC.</p> <p>In a Procedural Decision issued by the Examining Authority on 27 September 2019, NMC-06 Option B (including its 'substitute solution') as identified in Chapter 5 of the Applicant's Proposed Changes Consultation Report [REP-015] was accepted for inclusion in the DCO application. Therefore, if development consent for the Scheme is granted, the Applicant will be able to proceed with the delivery of NMC-06 Option B, through the 'substitute solution' strategy outlined in REP8-015.</p> | |
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