

28<sup>th</sup> September 2020

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Your ref: TR010025 AFP022  
Our ref: SoS Response 28.09.20

Dear Ms Kopala

**Application by Highways England (“the Applicant”) for an Order granting Development Consent for the construction of a new two-lane dual carriageway for the A303 between Amesbury and Berwick Down in Wiltshire  
Request for final comments on representations received in response to the Secretary of State’s consultation letter of 16 July 2020**

**Planning Act 2008 – the A303 (Amesbury to Berwick Down) Development Consent Order (“the Draft A303 Stonehenge Order”)  
Amendments to Article 22 (compulsory acquisition of rights) and Article 50 (consent to transfer benefit of the Order)**

Thank you for your letter dated 20 August 2020 on behalf of the Secretary of State. Wiltshire Council has the following comment to make in relation to the responses to the recent archaeological discoveries consultation and requested amendments to the DCO drafting for articles 22 and 50.

### **Archaeological Discoveries**

Wiltshire Council are pleased to have had the opportunity to view and make comment on the range of responses submitted to the Secretary of State’s request for consultation regarding the recent archaeological discoveries.

Following the examination of the evidence published in June this year (Gaffney et al 2020), as well as the publications and reports from excavation and evaluation by Wessex Archaeology, the Council’s view expressed in its response in August was that there is not enough evidence to support the theory of a monumental structure. The Council considers that the evidence provided by Gaffney et al does not demonstrate that the pits assessed are anthropomorphic, or of a consistent Late Neolithic date.

Having reviewed the full range of other responses, the Council’s view has not changed.

Wiltshire Council are pleased to see that Highways England have undertaken further assessment considering the new findings, considering the new evidence against the baseline and assessment of the impact of the Scheme on the features. These are presented in the form of Environmental Statement (ES) and Heritage Impact Assessment (HIA) Addenda. These documents do not identify any new significant effects or impacts on the Outstanding Universal Value (OUV) of the World Heritage Site (WHS). The Council views these assessments as thorough and comprehensive and agrees with their conclusions.

The Council notes that a few consultee responses (notably the Stonehenge Alliance, Council for British Archaeology, Consortium of Archaeologists and Blick Mead Project Team, and Wiltshire Archaeological and Natural History Society) refer to the A303 field evaluation commissioned by Highways England as being inadequate and not as thorough and robust as an academic research project. This is a view that Wiltshire Council does not agree with. The Council has approved all documentation and monitored and approved the conduct of all archaeological fieldwork for the Scheme.

The Council is very confident that the evaluation programme of comprehensive geophysical surveys and trial trenching has been carried out to a high standard and to the strategy approved by the A303 Scientific Committee.

Similarly, other contributions from the same respondents express the view that in other commercial fieldwork close to the WHS, Wessex Archaeology has inadequately investigated and misinterpreted several natural features which are now being mooted as contributing to the new Durrington landscape monument. Again, this is a view not held by Wiltshire Council. The Council considers that Wessex Archaeology has undertaken a careful and detailed investigation of the four natural features that were discovered in the A303 evaluation phase, using appropriate geoarchaeological specialists, as well as at Durrington and Larkhill. In the Council's opinion, it is unlikely that any large pit-like features have been missed in the extensive geophysical survey or misinterpreted in the trial trenching evaluation.

Wiltshire Council also notes that some respondents express concern that the Detailed Archaeological Mitigation Strategy (DAMS) is not fit for purpose and requires review or to be overhauled. Having been intimately involved in the development of this document, along with other heritage organisations, HMAG, and the Scientific Committee, the Council does not adhere to this view.

The Council's concluding view is that, the new archaeological findings do not change the assessments of impact of the A303 scheme on the OUV of the WHS contained within the ES and HIA. The Council is pleased to see the additional assessments undertaken by Highways England and agree with their conclusions. The DAMS and forthcoming Site Specific Written Schemes of Investigation (SSWSIs) provide a mechanism for fully assessing and mitigating any archaeological remains which may be discovered during the mitigation phase on the road line and portals.

## Proposed Amendments to Articles 22 and 50 of the Draft DCO

Wiltshire Council notes Highways England seeks to amend Article 22 and Article 50 of the draft Development Consent Order so that Highways England, rather than the Secretary of State, is the provider of consent to statutory undertakers or “any other person” acquiring rights and / or imposing restrictions over Order land (as defined in the draft Development Consent Order).

Wiltshire Council is concerned that, if these amendments are approved, the landowners who will be burdened by the rights or restrictions imposed over their land will not be given appropriate consideration by Highways England alongside the statutory undertakers, etc., who apply to acquire or impose those rights or restrictions. Highways England’s reasoning for its amendments to Articles 22 and 50 do not make reference to the landowners who will be so burdened, which highlights Wiltshire Council’s concern in this regard.

Having Highways England as the decision maker does not allow for the potential conflict of interest created by Highways England being the decision maker for its own scheme. If Highways England is the decision maker, they may struggle to overcome the issue of expediency when considering applications for consent to acquire rights or impose restrictions, which may increase the risk of an unbalanced consideration of the rights of all those parties who are affected by the application.

Wiltshire Council requests that its concerns over Highways England’s proposed amendments are considered by the Secretary of State when making its decision on these amendments.

I trust this response is helpful to the Secretary of State when considering these matters. If, however, you have any questions or require further information, please do not hesitate to contact me.

Yours sincerely,



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