

4<sup>th</sup> April 2022

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Your ref: TR010025 AFP022  
Our ref: SoM Response Letter  
04.04.22

Dear Mr O'Hanlon

**Planning Act 2008 (as amended and the Infrastructure Planning (Examination Procedure Rules 2010 – the A303 (Amesbury to Berwick Down) Development Consent Order  
Request for Comments from All Interested Parties and the Applicant**

Thank you for your letter dated 24<sup>th</sup> February 2022 inviting comment from all Interested Parties on the Secretary of State's Statement of Matters, the National Highways response to the Statement of Matters and all representations that have been published on the Planning Inspectorate website in relation to the A303 Amesbury to Berwick Down (Stonehenge) road improvement scheme. Wiltshire Council has reviewed the material and wishes to comment on the National Highways response to the Statement of Matters of 11<sup>th</sup> January 2022 and 8<sup>th</sup> February 2022. The Council's response is contained within the attached document.

In some instances, the Council has identified further information or clarifications which are considered to be required in relation to the National Highways submission. The Council also notes that the Secretary of State has invited National Highways to update its response on carbon. Therefore, Wiltshire Council would welcome the opportunity to review the identified further information, once provided, and to be given the opportunity to update its response in relation to these matters.

I trust that the information in the attached is helpful for the Secretary of State when considering the re-determination of the Application. However, if you require any further information, please do not hesitate to contact me.

Yours sincerely,

[REDACTED]

Parvis Khansari

Corporate Director – Place (Acting)

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**Enclosed:** Wiltshire Council Response April 2022

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# **A303 Amesbury to Berwick Down (Stonehenge)**

**Secretary of State Request for  
Comments from Interested Parties  
on Statement of Matters**

**Wiltshire Council Response**

**April 2022**

## **1. Introduction**

On 30<sup>th</sup> November 2021, the Statement of Matters for the re-determination of the development consent application by the Secretary of State for Transport for the A303 Amesbury to Berwick Down (Stonehenge) road improvement scheme was published. National Highways, as the scheme Applicant, was asked to respond initially to the matters raised by 11<sup>th</sup> January 2022.

The National Highways response was submitted in two parts. The response to the Statement of Matters was submitted on 11<sup>th</sup> January 2022 (and originally published on 24<sup>th</sup> January 2022), with supplementary additional environmental information submitted on 8<sup>th</sup> February 2022 (and published on 23<sup>rd</sup> February 2022). In accordance with the notice issued on 24<sup>th</sup> February, it is acknowledged that the National Highways response to the Statement of Matters should be treated as if it were “further information” as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

On 23<sup>rd</sup> February 2022, and as updated on 24<sup>th</sup> February 2022, all Interested Parties were invited to comment on the Secretary of State’s Statement of Matters, the National Highways response to the Statement of Matters and all representations that have been published on the Planning Inspectorate website by 4<sup>th</sup> April 2022. It is noted that the Secretary of State also invited National Highways to update their response on carbon for submission by 4<sup>th</sup> April 2022 as well.

Wiltshire Council has reviewed the published information and wishes to comment on the National Highways response to the Statement of Matters. The Council has no comment to make on the Secretary of State’s Statement of Matters nor on the other representations published on the Planning Inspectorate website. The Council’s response to the National Highways response to the Statement of Matters is set out in the following sections.

## **2. National Highways Response to Statement of Matters**

Wiltshire Council notes that the National Highways response to the Statement of Matters comprised a covering letter and five overarching documents, with each one relating to a specific request for further information from the Statement of Matters namely Alternatives (1.1), Policy (1.2), Carbon (1.3), Environmental Information Review (1.4) and Any Other Matters (1.5). Appendix 1.1 to the Environmental Information Review report (1.4) was submitted as a separate document (document reference 1.4.1). Furthermore, 42 additional reports and spreadsheets were submitted in relation to the National Highways response to the Environmental Information Review topic (1.4).

For ease of reference, Wiltshire Council has mirrored the National Highways structure for its response. Any comments Wiltshire Council wishes to make at this time on the additional environmental information reports and spreadsheets are covered under the relevant Environmental Information Review heading. The exception to this is in relation to Appendix 1.1 to the Environmental Information Report (document reference 1.4.1), which has been commented on separately.

### **2.1. Alternatives (1.1)**

Wiltshire Council has reviewed the National Highways submission relating to Alternatives (document reference number 1.1).

It is noted that in relation to cultural heritage, and specifically in relation to the Cut and Cover Tunnel Extension to WHS Boundary and Bored Tunnel Extension to 600m beyond WHS Boundary alternative options, it refers to assessments having been undertaken which conclude that these options would be slightly more beneficial than the proposed scheme in heritage terms. Clarification is sought on the nature of these assessments and how this

conclusion was reached, specifically whether a full Heritage Impact Assessment (HIA) has been undertaken for these options.

The Council also wishes to understand the parameters upon which the updated environmental information has been utilised to inform this submission. It is noted that in paragraphs 3.3.4 and 4.3.6 it states: “the baseline for the western approach road and western portal areas has not changed since the previous assessment”, however in the Environmental Review Information (document reference number 1.4), the cultural heritage baseline has been updated with the inclusion of additional monuments. It could be that the additional monuments have not been referenced due to not being within a specific proximity of the alternative option being considered, however if this is the case, it is considered that the assessment parameters should be clearly stated.

## **2.2. Policy (1.2)**

Wiltshire Council has reviewed the National Highways submission relating to Policy (document reference number 1.2).

The Council wishes to highlight that on 15<sup>th</sup> February 2022, Wiltshire Council adopted the ‘2022-2027 Wiltshire Climate Strategy’<sup>1</sup> and ‘A Green and Blue Infrastructure Strategy for Wiltshire: Wiltshire’s Natural Environment Plan 2022-2030’<sup>2</sup>.

The Climate Strategy sets out the next five years of the Council’s journey towards becoming a carbon neutral county in future, covering seven delivery themes: transport; built environment; waste; green economy; energy generation, storage and distribution; natural environment, food and farming; and carbon neutral council.

The Wiltshire Green and Blue Infrastructure Strategy focuses on the natural environment and how by creating a strong, well-considered network of green and blue corridors and spaces, Wiltshire Council can support adaption and resilience to climate change, halt loss of and improve biodiversity and contribute to the health and wellbeing of our communities.

Both documents will be used as frameworks for forthcoming Council policies and plans.

## **2.3. Carbon (1.3)**

The Council has reviewed the National Highways submission relating to Carbon (document reference number 1.3).

In February 2019, Wiltshire Council resolved to acknowledge a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030. As highlighted in section 2.2 of this response above, the ‘2022-2027 Wiltshire Climate Strategy’ was adopted by the Council on 15<sup>th</sup> February 2022. This is contrary to paragraph 2.1.34, which states that the Wiltshire Council carbon reduction strategy was in development; however, it is accepted that it was still in draft at the time of the National Highways submission.

Emissions from transport represent 33.2% of Wiltshire’s emissions profile, and as such Wiltshire’s Climate Strategy has prioritised action to be taken on transport emissions as the largest emitter in the county, when domestic and non-domestic buildings are considered separately. Carbon Reduction Pathways are being developed, which demonstrate the need to reduce passenger miles travelled per person by 2030 in order to meet the UK’s 2050 net zero target. However, the difficulties in designing public transport and active travel plans are acknowledged given the urban / rural geography of Wiltshire. There is also limited grid capacity in Wiltshire, which is currently a barrier

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<sup>1</sup> [REDACTED]

<sup>2</sup> [GreenandBlueInfrastructureStrategyApp1\\_Strategy\\_150222.pdf \(wiltshire.gov.uk\)](#)

to a large transition to Electric Vehicles (EV). However, in recognition and support of the transition to EV, Wiltshire Council Cabinet approved the '*Electric Vehicle Charging Infrastructure Plan 2021-24*'<sup>3</sup> on 12<sup>th</sup> October 2021.

It is recognised that the scheme in question is part of the Strategic Road Network, and as noted in Decarbonising Transport: A Better, Greener Britain, July 2021, "the clear majority of longer journeys, passenger and freight, will be made by road" (paragraph 2.1.9 of National Highways Carbon submission (document reference number 1.3)). Therefore, it will be necessary for these increases in carbon and passenger mileage to be offset with additional demand reduction measures elsewhere and be planned for in the Council's Local Transport Plan and Climate Delivery Plans.

To assist this, the increase in emissions as a percentage of the county target for transport decarbonisation along the High Ambition Pathway (25% reduction in passenger miles travelled per person) at 2030 and 2045 should be calculated. The actual and percentage increase in passenger miles between now and 2030 and 2045 should also be calculated, since these will need to be offset by measures to reduce passenger miles elsewhere.

It is acknowledged that road improvements are part of the solution to reduce congestion, which is a major source of carbon (paragraph 2.1.12), however, these road improvements can also lead to induced demand. The '*Department for Transport Latest Evidence on Induced Travel Demand: An Evidence Review*'<sup>4</sup>, May 2018, defined induced demand as "the increment in new vehicle traffic that would not have occurred without the improvement of the network capacity". The tentative conclusions from this report included a finding that a 10% increase in road capacity could lead to a 2% induced demand on the network. The Council notes that traffic forecasts in accordance with Department for Transport (DfT) guidance have been included within the Transport Assessment for the scheme.

It is noted that the Secretary of State has invited National Highways to update section 4 of their Statement of Matters response on "carbon to provide (or, to the extent that it has already been provided, identify) its assessment of the cumulative effects of Greenhouse Gas emissions from the scheme with other existing and / or approved projects on a local, regional and national level on a consistent geographical scale (for example an assessment of the cumulative effects of the Road Investment Strategy RIS 1 and RIS 2 at a national level). This should: take account of both construction and operational effects; identify the baseline used at each local, regional and national level; and identify any relevant local, regional or national targets / budgets where they exist and how the assessment complies with these (including the carbon budgets, the 2030 zero target under the Climate Change Act 2008, and the UK's Nationally Determined Contribution under the Paris Agreement). It should be accompanied by reasoning to explain the methodology adopted, any likely significant effects identified, any difficulties encountered in compiling the information, and how the assessment complies with the Environmental Impact Assessment Regulations" by 4<sup>th</sup> April 2022.

As the A303 Stonehenge scheme is part of a wider programme of 8 schemes along the A303 corridor, it is expected that National Highways will calculate the carbon impacts of this wider programme as a percentage of the total emissions during that carbon budget in response to the Secretary of State's request. Wiltshire Council therefore requests that it be given the opportunity to update this response once this further information has been provided by National Highways.

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<sup>3</sup> [Appendix 1 for Electric Vehicle Charging Strategy.pdf \(wiltshire.gov.uk\)](#)

<sup>4</sup> [Latest evidence on induced travel demand: an evidence review \(publishing.service.gov.uk\)](#)

## **2.4. Environmental Information Review (1.4)**

### **2.4.1. Air Quality**

Wiltshire Council has reviewed the National Highways submission relating to Air Quality within the Environmental Information Review (document reference number 1.4). The Council concurs that the 2018 Environmental Statement is still relevant and consistent with national policies.

With regard to the forthcoming Government consultation on PM<sub>2.5</sub> targets, as highlighted within paragraph 2.1.4, and which will result in the introduction of a new PM<sub>2.5</sub> target, the Council considers that this will not be directly relevant as no existing Air Quality Management Area (AQMA) will be affected by the proposed scheme.

### **2.4.2. Cultural Heritage**

Wiltshire Council has reviewed the National Highways submission relating to Cultural Heritage within the Environmental Information Review (document reference number 1.4), including its Appendix 3.1, and the Archaeological Gazetteer, which has been afforded a document reference number of 2.1.

The Council notes that in paragraph 3.3.5 of the Environmental Information Review (document reference 1.4), an appropriate update from the HER was obtained on 10<sup>th</sup> December 2021 for comparison with the 2018 Environmental Statement dataset. The Council concurs that National Highways has adequately summarised and included the new discoveries and publications since 2018 within this wider response and that the baseline information remains comprehensive.

Wiltshire Council welcomes the inclusion of the 7 additional monuments into the baseline assessment for cultural heritage. The Council concurs that the information contained within Appendix 3.1 of the Environmental Information Review (document reference number 1.4) contains an overview of the information required to be taken into account for the re-determination of the development consent application for the scheme. However, without further information on the methodology and approach of how the presented information has been assessed, the Council is unable to concur with the National Highways conclusion that that the updated baseline assessment does not alter the outcome of the 2018 cultural heritage assessment within the Environmental Statement. The Council therefore requests the full baseline assessment is provided by National Highways in order for it to be able to reach a conclusion on this matter.

Similarly, in paragraph 3.3.11 it states: “comparison of the updated HER and NHLE datasets against the 2018 ES baseline has not identified any new heritage assets that would be adversely impacted by the Scheme.” However, in accordance with the comments above, the Council is not in a position to concur with the National Highways conclusion that no additional likely significant adverse effects on cultural heritage are predicted, until further information relating to the methodology and approach of how the presented information has been assessed is provided for review and verification.

Wiltshire Council would welcome the opportunity to review these more detailed assessments, once provided, and to submit an updated response in due course in relation to this matter.

### **2.4.3. Landscape and Visual**

The Council has reviewed the information provided by National Highways in the Environmental Information Review (document reference number 1.4) in relation to Landscape and Visual and concurs with the conclusions reached.

It is acknowledged that whilst there have been some changes to legislation / policy, the baseline and in assessment methodology, they do not alter the overall conclusions of the 2018 Landscape and Visual Impact Assessment (LVIA).

The Council notes that changes to the assessment methodology have resulted in some additional significant effects (both adverse and beneficial) and that the results of this reassessment have been included within the submitted information. It is further noted that the identified changes are not as a result of revised professional judgement.

#### **2.4.4. Biodiversity**

Wiltshire Council has reviewed the Biodiversity information submitted by National Highways. It is noted that the additional reports, which support the Environmental Information Review (document reference 1.4), are either updates of the previous ecological surveys or are intended to enable a baseline to be set, against which monitoring (both during and post construction) will occur. It is considered that of those that provide an update to previous reports, the results predominantly suggest that there are no significant differences in species presence or diversity and that the mitigation measures incorporated within the previous DCO application reports are still appropriate and valid. Furthermore, the Council considers that the more recent baseline surveys address some of the previous knowledge gaps and will be essential during future monitoring.

However, of note are the results from the Great Crested Newt Survey Report (2021), which has been afforded a document reference number of 2.7. It is stated that in 2016, the population within waterbody 1 was identified as “small”, however it is now recorded as “large”, with the difference in peak count being 152. In paragraph 4.1.2, the conclusion of the report is that “the 2021 surveys confirms continuity of use of the pond by great crested newts”. However, whilst it is noted that the breeding population may fluctuate in response to the conditions, there is no discussion within the document as to whether it is considered that the great crested newt population has increased, and therefore may be more significant than previously thought. Although ponds will not be directly impacted, it is considered that there should perhaps be a recognition that great crested newts may need a higher level of regard for their protected status than previously identified, especially in terms of providing sufficient future habitat, post construction.

The Badger Setts Survey Report (2021) (document reference number 2.5) is marked as confidential and as such the report’s content has been removed prior to publication. It is also noted that there are redactions within the Parsonage Down Stone Curlew Plot – Botanical Survey Report (2021) (document reference number 2.10). As the Local Planning Authority, Wiltshire Council requires complete and unredacted copies of these reports, and therefore requests that these are provided to the Council by National Highways.

Wiltshire Council welcomes the recognition by National Highways in paragraphs 5.3.56 to 5.3.58 of the Environmental Information Review (document reference number 1.4) that further surveys will be required to be undertaken and will be dependent upon the final schedule of the construction programme. There is broad understanding within the ecology industry that surveys should be valid for a period of no more than two years, and it is noted that the majority of surveys documented and submitted were undertaken in 2020 or before. Whilst the initial surveys undertaken for most habitats and species provide an overview of the biodiversity within the scheme boundary, more detailed survey immediately prior to, during and post construction will be required. However, as highlighted by the increase in the great crested newt population outlined above, it is considered that National Highways should be prepared for the need for



further mitigation design to be incorporated within the scheme, depending on the outcomes of these future surveys.

#### **2.4.5. Noise and Vibration**

As noted within the Noise and Vibration submission of the Environmental Information Review (document reference number 1.4) there have been minor changes in assessment methodology, which include the Planning Practice Guidance on Noise (PPG-N) and in the relevant section of the Design Manual for Roads and Bridges (DMRB). However, these changes do not materially affect the original conclusions of the 2018 Environmental Statement.

Furthermore, the changes in timescale for the implementation of the scheme (opening year of 2029 and future assessment in 2044) have not had any significant effect on the impact of noise and vibration associated with the scheme. Therefore, the Council concurs that the conclusions of the 2018 Environmental Statement remain valid.

#### **2.4.6. Geology and Soils**

Wiltshire Council has reviewed the Geology and Soils information submitted by National Highways.

In relation to the Stage 1, Tier 2 Land Contamination Assessment Report (document reference number 2.17), it would be helpful to have further information on the rationale for the approach adopted by National Highways. It is noted that for the purposes of this assessment, the scheme has been divided into 4 areas (paragraph 1.2.9). The Council is concerned that the assessment scale may be so large, that localised impacts may be masked by averaging datasets and the lack of targeted samples. Further information from National Highways for its sampling strategy and justification for some potentially contaminated sites not being sampled is therefore requested.

The Council is aware that the Environment Agency has highlighted 10 potentially contaminated sites that may require further assessment due to the planned works having the potential to mobilise any historic contamination. These comprise:

##### **Area 1**

CL080 High Pressure Esso Pipeline

##### **Area 2**

CL018 Former RAF Oatlands Hill

CL020 Infilled and unspecified Pits and Ground Workings

CL023 Former RAF Lake Down

CL025 Former Larkhill Military Light Railway

##### **Area 3**

CL035 Former RAF Stonehenge

##### **Area 4**

CL041 Former quarry

CL055 Railway Land (historic engine sheds, buildings, tanks and sidings)

CL058 Cuttings potentially associated with SR Bulford Extension Railway – potentially infilled Countess Roundabout – contamination identified, possibly from CL051 (Countess Filling Station) or other sources.

Whilst it is recognised that these sites have been considered in some depth as individual sites, there is concern that the conclusions drawn by the Phase 1 Tier 2 Land Contamination Assessment Report do not necessarily provide the required confidence that any contamination present would have been identified. This could be as a result of lack of samples, or the location of samples, or recorded exceedances not being proposed for remediation etc.

It is noted that two of the sites (Countess Roundabout and the CL080 – High Pressure Esso Pipeline) have been identified as requiring further investigation / remediation (paragraph 6.5.14 and Table 8-4 and paragraph 6.2.12 and Table 8-1 respectively) so it may be possible to address these concerns in future phases of assessment. However, with regard to the remaining eight identified sites, the report concludes that no further samples would be collected and that a “watching brief” would be applied. The Executive Summary states: “a watching brief by a suitability qualified geo-environmental professional is recommended during the planned construction activity that will occur within 50m of these sites. This will enable an assessment to be undertaken should any unforeseen contamination be encountered, that may be attributable to these sites within the adjacent construction areas”. Given that some of these 8 sites have recorded exceedances of contaminants (such as lead, copper, zinc, Polycyclic Aromatic Hydrocarbons (PAH) etc.) and no samples have been taken from other sites from the epicentre of potential contamination, further clarification and justification is requested from National Highways in relation to their proposed approach for further assessment and conclusions reached.

#### **2.4.7. Road Drainage and the Water Environment**

The Council has considered the Road Drainage and Water Environment information submitted by National Highways in the Environmental Information Review (document reference number 1.4) and various supporting documents.

With regard to the Flood Risk Modelling Climate Change Update (document reference number 2.18), the Council’s review has focused on the surface water modelling, as it is considered that the Environment Agency is best placed to comment on the river modelling. It is noted that in paragraphs 1.10-1.11 of this document, the climate change allowances for peak river flows, instead of peak rainfall intensity, have been applied to the Parsonage Down surface water modelling. This represents an increase from 40% to 56% for Higher (previously Higher Central) and 85% to 102% for Upper (previously Upper End) and appears to provide a more robust assessment. It is noted that the higher allowances appear to reduce the difference in peak flow between Baseline and Proposed for all of the scenarios modelled. However, it has not been possible to assess how the volume of runoff is changed with the use of these updated allowances.

The Council acknowledge the latest monitoring results relating to groundwater monitoring, as contained within the 13 Excel spreadsheets, which were afforded a document reference number of 2.24.

#### **2.4.8. Material Assets and Waste**

Wiltshire Council has reviewed the information provided by National Highways in the Environmental Information Review (document reference number 1.4) in relation to Material Assets and Waste and the Council concurs with the conclusions reached.

#### **2.4.9. People and Communities**

The Council has reviewed the information provided by National Highways in relation to People and Communities contained within the Environmental Information Review (document reference number 1.4).

Paragraph 10.2.9 and Table 10.2 illustrate how the criteria for judging the sensitivity of soils has changed. The higher sensitivity relates to the habitats it supports and is graded by the designation hierarchy rather than the soil as a resource, with particular regard to its “textural characteristics and its susceptibility to the effects of handling during construction”. This completely different assessment approach, and due to its change of criteria, has led to new significant effects introduced specifically associated with County Wildlife Site (CWS) soils. However, the proposed scheme itself has not changed and the Council remains content with the amount of mitigation within and the new habitats created by the scheme.

It is noted that there has been no material change to the proposals affecting the public rights of way.

#### **2.4.10. Assessment of Cumulative Effects**

Wiltshire Council has reviewed the information provided by National Highways in the Environmental Information Review (document reference number 1.4) in relation to the Assessment of Cumulative Effects.

The Council concurs that, based on the information currently provided, no new significant cumulative effects have been identified. However, Wiltshire Council would welcome the opportunity to update this response following review of the additional carbon information, which the Secretary of State has invited National Highways to provide.

#### **2.4.11. Assessment of Alternatives**

The Council has reviewed the information provided by National Highways on the assessment of alternatives contained within section 12 of the Environmental Information Review (document reference number 1.4).

Please see section 2.1 of this response above in relation to the Council’s observations in respect of the assessment of alternatives from a cultural heritage perspective.

#### **2.4.12. Transport Assessment Review (1.4.1)**

Wiltshire Council broadly concurs with the conclusions reached by National Highways in the Transport Assessment Review, Appendix 1.1 to the Environmental Information Review, and document reference number 1.4.1.

However, it is noted that at paragraph 4.2.10 it is stated: “...to the west of Amesbury, the Scheme will include stopping up of the direct connection between Allington Track and the A303...”. The Council wishes to clarify that the junction referred to is to the east of Amesbury and not to the west as stated and should be corrected within this document.

The Council considers that the differences between the 2041 and 2044 forecast traffic flows on the local roads to the north and south of the Scheme vicinity are generally anticipated to be of a magnitude set out in the revised forecasts, simply owing to traffic growth in the period.

However, there appears to be a counter intuitive effect shown in Figures 4-5 and 4-6, in relation to the impact on volume to capacity ratios at the eastern end of The Packway (west of the A345 junction). In the 2041, without scheme scenario (Figure 4-5, upper pane), no issue is shown. In the 2044 scenario (Figure 4-6), there is forecast to be a volume to capacity issue both in the without scheme and with scheme scenarios. The Council considers this apparently counter intuitive situation to be worthy of a brief explanation in the document text. Furthermore, at paragraph 4.3.7, the report notes: “b. [Paragraph

6.5.18] In the busy period the journey times on The Packway are forecast to improve with the Scheme by over two minutes in both directions. **This conclusion is still valid.**”, this appears potentially contradictory.

In paragraph 6.2.1 of the Conclusions section, it states: “National Highways has a legal agreement with Wiltshire Council to monitor local traffic volumes and, should a material increase be identified, undertake appropriate mitigation.” The Council wishes to clarify for the Secretary of State that the said legal agreement only relates to limited specific local roads; it does not relate to local traffic volumes generally on the local road network.

## 2.5. Any Other Matters (1.5)

### 2.5.1. World Heritage Committee Decision

Wiltshire Council welcomes National Highways highlighting the World Heritage Committee Decision 44 COM 7.B.61 to the Secretary of State as a material matter for him to take into account in his re-determination of the A303 Stonehenge development consent application, as captured within their Any Other Matters submission (document reference number 1.5).

It is noted that in paragraphs 1.2.6 and 1.2.16, National Highways considers that the views of the World Heritage Committee (WHC) should be treated as if they were from a “consultee” and that whilst the decision maker should give “appropriate weight” to these views, it would legally flawed to treat the views of the WHC as determinative. It is further noted that in the Examining Authority’s *Report of Findings and Conclusions and Recommendation to the Secretary of State for Transport*<sup>5</sup> document, the Examining Authority took a similar but slightly nuanced position from that expressed by National Highways. In paragraph 5.7.331 (and 5.7.17 in part) of that report, the Examining Authority stated that it “has taken note of the ICOMOS mission reports and the WH Committee decisions... It regards the reports and decisions as both relevant and important, but not of such weight as to be determinative in themselves.” The Council therefore requests that the Secretary of State considers the views of the WHC, whilst not being determinative in nature, as both “relevant and important” in line with the position adopted by the Examining Authority at the close of the Examination.

Wiltshire Council welcomes the commitment from National Highways within paragraph 1.2.12 (and 1.2.14 in part) for “ongoing engagement, consultation and collaboration with the WHC, the UNESCO World Heritage Centre and its advisory bodies in regard to the Scheme and its impact on the OUV of the WHS...The Applicant expects that the detailed design process (subject to redetermination of the Scheme) will provide an opportunity to address as many of UNESCO’s concerns as possible.” This would be in-line with the Council’s *Closing Statement for Examination*<sup>6</sup>, where in paragraph 2.17 of that submission, it stated: “In summary, the Council considers that the most significant positive impact arising from the Scheme would benefit Cultural Heritage through the removal of the A303 from the immediate vicinity of Stonehenge and the eastern part of the WHS. The negative impacts are confined to the western end of the Scheme which require mitigation at detailed design stage.”

The Council notes the National Highways position in paragraph 1.2.14 that the “consenting of the Scheme would not justify inscription of the WHS on the List of World Heritage in Danger.” Whilst Wiltshire Council also considers that the approval and implementation of the Scheme would not warrant the inclusion of the WHS on the List of World Heritage in Danger, it is the Council’s view that National Highways has not adequately acknowledged the risk of the World Heritage Committee doing so, even though it would be contrary to the position of the UK Government and other stakeholders. If this action were to be taken, it is difficult to predict the implications at this stage but potentially it could have some impact on site

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<sup>5</sup> [TR010025-002181-STON – Final Recommendation Report.pdf \(planninginspectorate.gov.uk\)](#)

<sup>6</sup> [TR010025-001737-Wiltshire Council.pdf \(planninginspectorate.gov.uk\)](#)

protection and preservation and tourism interest. The Council is optimistic that through the ongoing engagement with the WHC and its advisors and the exploration of detailed design opportunities, this risk could be mitigated; however, it is the Council's opinion that it should still be adequately acknowledged and considered.

Finally, Wiltshire Council would like to draw the Secretary of State's attention to the '2022 *State of Conservation Report for Stonehenge, Avebury and Associates Sites*'<sup>7</sup>, which has been submitted by DCMS, on behalf of the UK Government, in advance of the 45<sup>th</sup> session of the WHC. This document sets out the UK Government's more detailed response to the World Heritage Committee Decision 44 COM 7.B.61.

### **2.5.2. Biodiversity Net Gain**

Wiltshire Council has reviewed the National Highways Any Other Matters submission (document reference number 1.5) in relation to the Environment Act 2021 and its associated 10% minimum net gain requirement for biodiversity.

It is noted that at paragraph 1.3.2 it states: "The provisions of the 2021 Act relating to biodiversity net gain have not yet been brought into effect and it is anticipated that they will not be for several years." The Council wishes to clarify that the mandate for biodiversity net gain is expected to be in place from November 2023, which is 2 years after the date the Act received Royal Assent.

Whilst it is agreed that a fixed minimum level of biodiversity net gain is not required by law at the present time, the National Planning Policy Framework (NPPF) and Core Policy 50 of the Wiltshire Core Strategy (WCS) require no net loss and a net gain (of unspecified percentage). It is however recognised that the scheme will deliver large areas of new and / or restored calcareous grassland, plus specific design measures that will increase primary connectivity between habitats. These biodiversity enhancement measures are welcomed by the Council and it is considered that the requirement of NPPF and Core Policy 50 have been met by the scheme design.

## **3. Conclusion**

Wiltshire Council has reviewed the Statement of Matters, the National Highways response to the Statement of Matters and the Other Representations published on the Planning Inspectorate website. The Council's response to these matters is as set out above.

In summary, Wiltshire Council welcomes the submission of the updated environmental information by National Highways, the scheme Applicant, given the passage of time since the Examination concluded. Based on the information provided, Wiltshire Council remains supportive of the A303 Stonehenge scheme and wishes to see the scheme implemented to deliver the identified benefits to the residents of Wiltshire. However, in some instances, it is considered that further information and clarification is required in order for the Council to be able to concur with the conclusions reached by National Highways. The Council would welcome the opportunity to review the identified further information, once provided, and to be given the opportunity to update its response in relation to these matters.

The Council requests that the Secretary of State takes this submission and embedded request for further information and clarification into account when considering the re-determination of the Development Consent Order for the A303 Amesbury to Berwick Down (Stonehenge) road improvement scheme.

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<sup>7</sup> [REDACTED]