

Our ref: Re-determination 5.0

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9 September 2022

Dear Sir / Madam

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Re-determination of the Application 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 (“A303 Stonehenge Scheme”)

Applicant’s response to the Secretary of State’s 26 August 2022 letter

I write with reference to your letter of 26 August 2022. This invited National Highways as the Applicant to provide comments on the Findings and Recommendations in the Final Report (“the Report”) on the joint World Heritage Centre / ICOMOS / ICCROM Advisory Mission to Stonehenge, Avebury and Associated Sites (c.373bis) 19 - 21 April 2022 (“the Mission”).

We welcome the Report and the many positive comments made by the Mission with respect to many aspects of the DCO Scheme and the work undertaken by National Highways and other stakeholders. For example, on page 43 of the Report, the Mission records that *“The State Party is to be acknowledged for putting in place a number of excellent measures and practices. The willing and regular cooperation between different agencies and sectors, most significantly those related to transport and culture, is commendable and has yielded benefits as the Scheme has been developed with extensive inputs from these different agencies and sectors. Other excellent practices included extensive public consultation, establishment of the [Heritage Monitoring Advisory Group] HMAG and Scientific Committee, thorough Heritage Impact Assessment processes, and the development of remarkable 3D virtual models to help assess the potential impact of the Scheme on the WHS”*.

We have taken a lot of care to get to this point. The Mission recorded that the “*State Party and its agencies have responded positively to recommendations of previous Advisory missions and Decisions of the World Heritage Committee by making changes to the Scheme*”. The Mission also praised the work and unfettered advice of our independent Scientific Committee, which has been key to ensuring experts guide our development at every stage.

We will continue to work with the HMAG and experts within the Scientific Committee to ensure the DCO Scheme (if development consent is granted) is delivered with heritage and the Outstanding Universal Value of the WHS at the heart of every decision made.

We acknowledge that the Mission still has concerns with the western portal approach. The provisions contained within the draft DCO, which include consultation and collaboration with heritage bodies on design matters, allow for refinement of the DCO Scheme to ensure that opportunities identified with potential to minimise adverse impacts or maximise beneficial impacts on the WHS are acted upon.

In the tables overleaf we provide our response to the Secretary of State’s letter. In responding, we have focussed on the Mission’s Recommendations, given most of the Findings are later reflected in those Recommendations.

If you have any queries, please do not hesitate to contact me.

Yours faithfully



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Table 1 – Response to Findings made in the Mission Report

Findings	Applicant's Response
<p>From the perspective that an objective of the Scheme is to minimize any harm to the OUV of the inscribed property, the Mission considers that additional weight should be afforded to avoiding impact on the property, in view of its 'Outstanding Universal Value' and the obligations of the State Party under the World Heritage Convention. The Mission considers that the appropriate 'test' is not whether there is a net benefit to OUV, but rather how any adverse impact on OUV can be avoided.</p>	<p>The weight to be given to protection of the World Heritage Site (WHS) is as set out in the National Policy Statement for National Networks (NPSNN), and, as has been established by the High Court in its decision on the judicial review of the Secretary of State for Transport's (SoS's) decision (to grant consent for the DCO Scheme in November 2020), granting the DCO in accordance with the NPSNN would not put the UK in breach of the World Heritage Convention (see further below).</p> <p>We addressed the suggestion that any adverse impact on Outstanding Universal Value (OUV) is to be avoided in our Deadline 10: 8.70 – Closing Submission to the examination of the DCO (see paragraphs 5.2.9 - 5.2.21). Paragraphs 2.3.8 - 2.3.10 of our Closing Submission and the Applicant's response to the matters on which the Secretary of State invites further representations (Paragraph 2) Response to Bullet Point Five – Any Other Matters [Re-determination document 1.5] are also relevant.</p> <p>The Applicant's position remains that granting the DCO in accordance with the NPSNN would not put the UK in breach of the World Heritage Convention, as set out in our response to Question G.1.1 of the Examining Authority's Written Questions in our document Deadline 2 - 8.10.1 General and cross-topic questions (G.1) [REP2-021], and summarised in our Closing Submission (see paragraph 5.2.20). This conclusion was adopted by both the Examining Authority in their Recommendation Report (see paragraphs 7.3.1 - 7.3.43) and the SoS in the Secretary of State Decision Letter (see paragraphs 64 - 66), despite their findings on harm in their recommendation / decision, and that conclusion was endorsed by the High Court in its decision on the judicial review of the SoS's granting of the DCO. The approach set out in the NPSNN, of balancing other adverse and beneficial impacts, is endorsed by the High Court as being the appropriate approach. The relevant High Court extracts are below:</p> <p><i>"217. I have no hesitation in concluding that the SST [SoS] was entitled to decide that the policy approach in paragraphs 5.133 and 5.134 of the NPSNN (read together with the surrounding paragraphs) is compliant with the Convention . That is a tenable view. If I had to decide the point of construction for myself, I would still conclude that those policies are compliant with the Convention.</i></p> <p>...</p> <p><i>220. The broad language of these Articles [of the World Heritage Convention] is compatible with a State adopting a regime whereby a balance may be drawn between the protection against harm of a WHS or its assets and other objectives and benefits and, if judged appropriate, to give preference to the latter. The Convention does not prescribe an absolute requirement of protection which can never be outweighed by other factors in a particular case. Nor does the Convention use language which would limit such other factors to heritage benefits or benefits for the WHS in question."</i></p>
<p>Notwithstanding the invitation provided in the 'Statement of Matters' issued on behalf of the Secretary of State for Transport dated 30 November 2021, and recent Decisions of the World Heritage Committee, no further consideration or analysis of alternatives has been offered by National Highways. Such alternatives would need to be considered in order to explore fully the available opportunities to avoid impacts on OUV.</p>	<p>National Highways has provided information on options assessment and the consideration of alternatives at various points in the development of the DCO Scheme, including the consideration of heritage benefits of alternatives. We have provided information on options and alternatives in public consultation material, DCO application documents, submissions to the examination of the DCO and in response to the SoS's Statement of Matters, demonstrating the consideration of heritage benefits of alternatives at each of these stages of the DCO Scheme's development.</p> <p>In response to the SoS's 20 June 2022 letter, we also submitted further documents [Re-determination documents 4.2 – 4.8] providing further detail relating to two tunnel extension alternatives to the DCO Scheme that build on those alternatives appraised and presented during examination and which respond to comments made to the SoS as part of the re-determination process. To fully explain the basis for our conclusion and to "provide an explanation including full detail of reasoning, the matters considered and any methodology that was used", those submissions provided greater detail on these alternatives. This further detail is to be considered alongside the information already provided to the SoS (which National Highways considers remains sufficient information), to appraise their environmental, including heritage, impacts, alongside information relating to their projected cost and construction programmes.</p>
<p>The State Party has ratified the World Heritage Convention and its Articles, and the Decisions of the</p>	<p>In relation to the weight that should be placed on the WHC's view, our position remains as stated in our Closing Submission (see paragraph 2.3.11) and as reiterated in our response to the matters on which the Secretary of State invites further representations (Paragraph 2)</p>

Findings	Applicant's Response
World Heritage Committee are directly relevant to decision-makers within the State Party; therefore the findings and recommendations of this 2022 Advisory Mission report and the forthcoming Decision of the World Heritage Committee at its 45th session are directly relevant to consideration by the State Party authority for the re-determination of the Scheme's Development Consent Order application.	Response to Bullet Point Five – Any Other Matters [Re-determination document 1.5]. Consequently, the views of the WHC should be treated as the views of a consultee, to be given appropriate weight by a decision maker. Similarly, the views of the Mission should be treated as those of a separate consultee - and it is worth noting in this respect that the Mission itself notes on page 12 of the Report that it has an advisory role only, and further that it does not speak on behalf of ICOMOS/ICCROM/UNESCO nor the WHC.

Table 2 – Response to the Recommendations made in Section 3.3 of the Mission Report

No	Recommendation	Applicant's Response
1	In view of the Outstanding Universal Value (OUV) of the 'Stonehenge, Avebury and Associated Sites' property, and the iconic nature of the Stonehenge component (the WHS) in particular, if the A303 Amesbury to Berwick Down Road project (the Scheme) is approved and implemented the State Party should do all in its power to comply with Decisions of the World Heritage Committee.	The SoS is expected to have regard to the views of the World Heritage Committee (WHC) in their re-determination of the DCO application. The SoS will then either grant consent for the DCO Scheme (with requirements to ensure the DCO Scheme is acceptable in terms of its impacts and that appropriate mitigation is in place) or refuse consent. In the event the SoS makes the DCO, consenting the DCO Scheme, any necessary measures that National Highways must comply with will be secured as part of that DCO.
2	While the Mission accepts that the Scheme to upgrade the A303 with the dual carriageway passing through the heart of the WHS with a tunnel, is the result of methodical and detailed analysis of options to respond to a complex set of demands and needs including those of the communities and villages around the WHS; nevertheless, in order to avoid adverse impacts on OUV, should the Scheme not proceed, the State Party should revisit alternative surface road options to consider whether one of them might be adapted to remove through traffic from the WHS, thereby minimizing adverse impacts on the OUV of the property, while also responding to the other complex demands and needs.	<p>We welcome the Report's recognition that the DCO Scheme is "<i>the result of methodical and detailed analysis of options to respond to a complex set of demands and needs including those of the communities and villages around the WHS</i>". On page 20, the Report also recognises that the DCO Scheme "<i>has not been developed lightly simply to respond to transportation needs to the detriment of the OUV of the property</i>", and relates the "<i>methodical and detailed analysis</i>" to "<u><i>all options</i></u>" (underlining added for emphasis).</p> <p>In our response to the Statement of Matters Bullet Point One – Alternatives [Re-determination document 1.1] submitted in January 2022, we summarise the history of the comprehensive and robust process of option identification and selection, which evidences how the OUV of the WHS has been considered at every stage of this process, as well as the "<i>other complex demands and needs</i>" recognised in the Report.</p> <p>Surface road options have been considered and discounted already through this comprehensive and robust process. The consideration of and rationale for discounting surface routes is explained in detail in the Technical Appraisal Report [REP1-031]¹, which was published as a consultation document in 2017 and submitted to the examination of the DCO application in 2019, and in other published documents referenced in our response to the Statement of Matters Bullet Point One – Alternatives. Nothing has changed since this submission of January 2022, and, as a consequence our position remains the same as that presented in the January 2022 submission:</p> <ul style="list-style-type: none"> • Paragraph 9.1.6: "<i>Surface routes to the south of the WHS (F10 and the "Parker route") were rejected on the grounds that they would have a much larger footprint and a greater overall environmental impact than the partially tunnelled options. These surface routes would also leave higher levels of rat-running traffic adversely affecting the quality of life in local communities. The Applicant's overall position remains unchanged</i>". • Paragraph 9.1.7: "<i>The new route to the south of Salisbury would lead to substantially increased habitat loss and severance compared to other corridors, and it would also impact a significant number of communities and designated nature conservation sites. This option, whilst offering improved access to Salisbury would also fail to reduce journey</i>

¹ The link provided is to Volume 1; this was the Main Report, which was augmented by 7 separate documents contained Appendices A-H, all of which are published on the [Planning Inspectorate webpage relating to the application for the DCO Scheme](#).

No	Recommendation	Applicant's Response
		<p><i>times for users of the A303 through this section. Consequently this option was rejected and the Applicant's overall position remains unchanged".</i></p> <ul style="list-style-type: none"> • Paragraph 9.1.8: <i>"The new route north of the WHS fits within Corridor A which was rejected on the basis of the harm it would cause to the setting of the WHS and key assets within it (e.g. Durrington Walls). The corridor may also adversely affect Nationally and Internationally (European) designated nature conservation sites including parts of Salisbury Plain SPA/SAC. Corridor A also has the potential to adversely affect communities and land within the settlements at Larkhill, Durrington and Bulford. The Applicant's overall position remains unchanged".</i> <p>Since the Mission took place in April 2022, we have provided responses to representations made by interested parties on the Statement of Matters and our January 2022 response to it. These interested party representations included those about the option identification and selection process we carried out prior to the application for the DCO Scheme. We submitted our response to these interested party representations in July 2022, in the Applicant's response to the request for comments: Q1, Q3-Q6 – Response document [Redetermination document 4.1]. Paragraphs 3.6.2 – 3.6.9 of that document provide the following response to ICOMOS-UK, which describes the comprehensive, robust and proportionate optioneering process including how OUV of the WHS has been considered:</p> <p><i>"Matter raised</i></p> <p><i>3.6.2 In the supplementary information now submitted by the Highways Agency, further details are provided on the alternative options they considered as well as the preferred route. There are difficulties in considering this information as the evidence upon which impacts on OUV and other assets are based has not been set out in detail as no detailed HIAs have been undertaken. The conclusions thus remain questionable.</i></p> <p><i>Response</i></p> <p><i>3.6.3 National Highways' January 2022 Statement of Matters Response to Bullet Point One – Alternatives [Redetermination 1.1] summarises information we have previously submitted to the Examining Authority relating to the consideration of alternatives, including longer tunnel options and alternative routes. Therefore, this is not additional information, but a summary of information already published.</i></p> <p><i>3.6.4 The Scheme has followed a comprehensive, robust and proportionate optioneering process, including consideration of the impacts of options on the Outstanding Universal Value (OUV) of the World Heritage Site (WHS) at every stage. As route corridors are broad and multiple early options are considered before significant design work can be invested in them, Heritage Impact Assessment (HIA) on all the landscape under consideration is not appropriate at this early stage.</i></p> <p><i>3.6.5 The appraisal methodology applied in the optioneering process was common across options (including corridor options). This was a level of assessment appropriate for the early project development stage of options appraisal, and it is in accordance with the applicable widely recognised transport sector industry guidance found in the Department for Transport's (DfT's) Transport Analysis Guidance (TAG, previously referred to as WebTAG). Appraisal of corridors and route options within selected corridors used the Early Assessment and Sifting Tool (EAST) and the Options Assessment Framework contained in DfT's TAG. This proportionate appraisal provided appropriate evidence for the staged scheme appraisal using the DfT's Business Case Five Case Model criteria.</i></p> <p><i>3.6.6 It was not necessary to carry out the same level of assessment for each option that subsequently was required for the DCO Scheme to meet the statutory requirements for the application, including those around statutory environmental impact assessment and heritage impact assessment. This degree of assessment is only required for the proposals that relate to an application for development consent. It would not be proportional, due to the scale of work and resource that would be involved, to carry out this level of assessment for multiple options.</i></p>

No	Recommendation	Applicant's Response
		<p>3.6.7 Impacts from route corridors and route options taken forward for further appraisal on the OUV of the WHS are considered in the 2017 Technical Appraisal Report, which was submitted to the Examining Authority in 2019. As well as the Technical Appraisal Report Volume 1 (main report), Appendix B covering the assessment of route corridors, Appendix D covering initial route option assessment, and Appendices G and H covering the assessment of route options selected for further appraisal are of note. For example, Appendix B3 shows how consideration of the historic environment, and particularly the OUV of the WHS, was built into the scoring system applied to corridors and options.</p> <p>3.6.8 The 2017 Scheme Assessment Report (link is to Volume 1, the main report) also submitted to the Examining Authority covers the assessment that was carried out on options prior to the preferred route announcement, with Appendix E of that document being a Historic Environment Assessment.</p> <p>3.6.9 A summary of the options appraisal process for the Scheme is also included in section 3 of the Case for the Scheme, chapter 3 of the Environmental Statement and the Environmental Statement Appendix 6.1 Heritage Impact Assessment, section 7.3, Assessment of Scheme Alternatives (pages 520-529). These documents all show how cultural heritage was a significant factor in the decision-making process relating to design development”.</p> <p>The optioneering process already carried out has been comprehensive and robust and has considered alternative surface road options. We maintain our position in paragraph 9.1.10 of our response to the Statement of Matters Bullet Point One – Alternatives, that “We remain confident the Proposed Scheme is an effective solution to the traffic problems along this notoriously congested section of the A303 and addresses a longstanding threat to the Integrity of the WHS by the removal of the intrusive sight and sound of traffic from much of the WHS landscape”.</p>
3	The proposed western portal of the current Scheme, and associated dual carriageway within a cutting, should not proceed without substantial amendment to avoid adverse impacts on the WHS and the OUV of the World Heritage property, to the fullest extent that is reasonably practicable.	<p>The reference to “the fullest extent that is reasonably practicable” relates to the wording of Article 4 of the World Heritage Convention, requiring that each State Party does “all it can” to protect and conserve cultural heritage “to the utmost of its own resources”. We have addressed this as part of our Deadline 10: 8.70 – Closing Submission (see paragraphs. 5.2.9 - 5.2.21), including that the Convention has to be read as a whole, and Article 4 therefore has to be read subject to the wording of Article 5. When read in that way, State Parties do not envisage absolute protection, but a level of protection of WHSs taking account of economic, scientific and technical limitations, and the integration of heritage protection into broader economic and social decision making. This interpretation was endorsed by the High Court in its decision on the judicial review, in paragraphs 219 and 220:</p> <p>“... In any event, article 4 has to be read in conjunction with the slightly more specific provisions in Article 5, and not in isolation. There the obligation on each State is to endeavour “as far as possible”, and “as appropriate” for that country, to comply with paragraphs (a) to (e). They include the taking of the “appropriate” legal measures necessary to protect and conserve the heritage referred to in articles 1 and 2.</p> <p><i>The broad language of these Articles is compatible with a State adopting a regime whereby a balance may be drawn between the protection against harm of a WHS or its assets and other objectives and benefits and, if judged appropriate, to give preference to the latter. ...”</i></p> <p>The DCO application Heritage Impact Assessment [APP-195] concluded that “Overall, the Scheme is assessed to have a Slight Beneficial effect on the OUV of the WHS as a whole” (paragraph 12.4.5) and that “The Scheme has sought to avoid or minimise adverse impacts on Attributes of OUV, Integrity and Authenticity wherever feasible. There are no Large or Very Large Adverse effects on Attributes of OUV” (paragraph 12.4.6). We have appraised the Bored Tunnel Extension alternative and the Cut and Cover Tunnel Extension alternative (see response to Recommendation 4 below). This has shown that these two tunnel extension alternatives are only slightly more beneficial than the DCO Scheme, with regards to outcomes for the OUV of the WHS as a whole, but both alternatives come with new significant adverse environmental effects, traffic implications, and substantial increased costs. In carrying out a balanced appraisal of the benefits and disbenefits relating to</p>

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		<p>heritage, environment, traffic, programme and cost, we conclude that the additional cost of each alternative over and above the DCO Scheme would not deliver meaningful additional benefits to the WHS that would justify either alternative being taken forward. See Recommendation 4 below.</p>
4	<p>If the Scheme proceeds, the underground section of the western approach (tunnel and/ or cut-and-cover) should be extended, to at least to the western edge of the WHS boundary.</p>	<p>In our response to Question AL.1.29 of the Examining Authority's First Written Questions on alternatives - Deadline 2 - 8.10.4 - Alternatives (AL.1) [REP2-024] - we confirmed the reason for rejecting the bored tunnel extension and cut and cover tunnel extension alternatives: that the <i>"consideration of the balance of benefits and disbenefits would not justify the significant additional cost ... over and above the cost of the Proposed Scheme"</i> (see paragraph 17 on the cut and cover tunnel extension and paragraph 26 on the bored tunnel extension). In our summary response to question AL.1.29 we concluded that <i>"There is no evidence that the additional investment required to extend the tunnel length would deliver meaningful additional benefits to the WHS that would justify the additional cost"</i> (paragraph 1).</p> <p>We note that the Mission themselves recognise the pros and cons of a longer tunnel extension, see page 31 of the Report: <i>"However, it is recognised that a longer tunnel would be challenging in view of topographic considerations and design options, and may involve moving the Longbarrow junction back towards the western edge of the WHS"</i>.</p> <p>Since the Mission took place in April 2022, we have provided submissions to the SoS to support re-determination of the DCO that provide further detail, building on the appraisal of alternatives presented during examination, considering the positive and negative effects of extending the bored tunnel or cut and cover tunnel to beyond the western edge of the WHS boundary. These submissions were provided in response to question 2 of the SoS's 20 June 2022 letter, which asked for more information about the conclusions on alternative routes. These submissions are listed below for reference:</p> <ul style="list-style-type: none"> • Overarching response [Redetermination document 4.2] • Outline Heritage Impact Assessment – Bored Tunnel Extension [Redetermination document 4.3] • Outline Heritage Impact Assessment – Bored Tunnel Extension – Figures [Redetermination document 4.3 Figures] • Outline Heritage Impact Assessment – Cut and Cover Tunnel Extension [Redetermination document 4.4] • Outline Heritage Impact Assessment – Cut and Cover Tunnel Extension – Figures [Redetermination document 4.4 Figures] • Environmental Appraisal (Heritage) – Bored Tunnel Extension [Redetermination document 4.5] • Environmental Appraisal (Heritage) – Bored Tunnel Extension – Figures [Redetermination document 4.5 Figures] • Environmental Appraisal (Heritage) – Cut and Cover Tunnel Extension [Redetermination document 4.6] • Environmental Appraisal (Heritage) – Cut and Cover Tunnel Extension – Figures [Redetermination document 4.6 Figures] • Environmental Appraisal – Bored Tunnel Extension [Redetermination document 4.7] • Environmental Appraisal – Cut and Cover Tunnel Extension [Redetermination document 4.8] <p>Our conclusion on an alternative extended to beyond the western edge of the WHS boundary considers the appraisal presented in re-determination documents 4.2 – 4.8, and is made in paragraph 1.10.9 of the Applicant's response to the request for comments: Q2 - Conclusion on alternative routes – Overarching response [Re-determination document 4.2]: <i>"In conclusion, this response to question 2 of the Secretary of State's 20 June 2022 letter demonstrates that the DCO Scheme remains the preferred scheme to deliver the benefits, and to resolve the large adverse effect of the existing A303 on the OUV of the WHS. In carrying out a balanced appraisal of the benefits and disbenefits relating to heritage, environment, traffic, programme and cost, we conclude that the additional cost of each alternative over and above the DCO Scheme would not deliver meaningful additional benefits to the WHS that would justify either alternative being taken forward"</i>.</p> <p>The Overarching Response confirms the wide range of key considerations, starting with the WHS, we took into account in this balanced appraisal – for example see the list in paragraph 1.3.4 and the sections on cost and programme.</p>

No	Recommendation	Applicant's Response
5	<p>The western portal should be re-located as far to the west as reasonably practical, thereby reducing the length of the cut-and-cover section and minimising the extent of archaeological resources which must be removed.</p>	<p>See our response to Recommendation 4, which is relevant as a bored tunnel extension would require the re-location of the western portal further west.</p> <p>The western portal location has been selected to take advantage of the natural topography to better conceal the new road. The alignment of the DCO Scheme here has been developed to avoid impacts on known archaeological remains that contribute to the OUV of the WHS, and the DCO Scheme design has been developed to minimise the removal of archaeological remains through use of a retained cutting rather than an open cutting.</p> <p>We have not identified any archaeological remains in the western approach cutting footprint that would mean that the alignment of the DCO Scheme should be changed.</p> <p>We note that the Report does not seek a realignment of the route, see page 40-41: <i>"If it is determined that removal of surface traffic of A303 from the WHS requires a route through the WHS, the proposed Scheme's alignment is appropriate and has been adjusted to avoid potential conflict with Normanton Barrows and the Stonehenge solstice alignment, moved away from the Winterbourne Stoke Barrow Group and informed by an extensive program of archaeological evaluation"</i>.</p>
6	<p>There should be a comprehensive archaeological salvage and mitigation program, consistent with best practice standards and approaches; with methodology, extent, cost and timing determined based on expert advice about what is needed to achieve comprehensive archaeological salvage and mitigation.</p>	<p>We welcome this recommendation, and National Highways' proposals and draft DCO achieve this.</p> <p>Heritage documents required to implement the DCO Scheme are proposed to be secured through the DCO (as provided in the draft DCO submitted by National Highways) and the Outline Environmental Management Plan (update May 2020) (OEMP). These heritage documents include the Heritage Management Plan, Archaeological Method Statements and Site Specific Written Schemes of Investigation (SSWSI), the content of which is prescribed by the OEMP, and which must describe the mitigation measures to be carried out.</p> <p>The DCO Scheme already benefits from and is influenced by considerable expert advice, with effective working relationships already fully developed. Existing collaborative working practices support the development of the heritage documents. These relationships also are set out and secured in the OEMP.</p> <p>As with the OEMP, the Detailed Archaeological Mitigation Strategy (update May 2020) (DAMS) would be a certified document, compliance with which would be secured by the DCO. The DAMS sets out in detail a comprehensive strategy and methodology for the archaeological mitigation works that are required in advance of and during construction. The document confirms that the archaeological works would be undertaken to the highest practicable standards (paragraph 1.2.2) and conform to best practice standards and guidance listed in Appendix B including those published by Historic England and the Chartered Institute for Archaeologists. The main body of the DAMS provides further information about the approach to archaeological excavation and recording (see section 6.3); see also our response to Recommendation 11 referencing content of the DAMS securing the continued involvement of expert third parties, HMAG and the Scientific Committee.</p> <p>The OEMP and the DAMS have been developed through the public process of examining the DCO application, and therefore their contents have been informed by considerable public scrutiny and consequent revision as well as being agreed at the close of examination with key Heritage Bodies (including Historic England, Wiltshire Council, English Heritage Trust and the National Trust). The delivery of the OEMP and the DAMS would be secured by Requirement 4 of the DCO (version made November 2020, quashed July 2021). See also Requirements 5 and 14.</p> <p>The 2022 State of Conservation Report by the State Party notes: <i>"Throughout the scheme development collaboration with UK heritage bodies and other heritage experts has been structured through a series of different groups (see ANNEX A). This has ensured the provision of heritage expertise throughout and critical feedback and advice to National Highways on aspects of the scheme where the WHS would be affected. The</i></p>

No	Recommendation	Applicant's Response
		<p><i>provisions contained within the draft DCO, which include consultation and collaboration with heritage bodies on design matters, allow for refinement of the current scheme in a manner that would bring further benefits to the WHS. As a result the UK heritage bodies have continued to influence the development of the scheme, ensuring that opportunities identified with potential to minimise adverse impacts or maximise beneficial impacts on the WHS are acted upon”.</i></p> <p>Annex A of the 2022 State of Conservation Report by the State Party provides an update on stakeholder and advisory group input to the DCO Scheme, confirming that “<i>regular meetings and consultations with the Heritage Monitoring and Advisory Group (HMAG)</i>” have taken place and reporting on the development of technical strategies underpinning the SSWSIs through “<i>a series of research framework workshops attended and contributed to by HMAG, the Scientific Committee, Historic England specialists and additional members of the academic community with particular expertise in areas of relevance to the WHS and wider landscape</i>”.</p> <p>The DCO Scheme’s existing provisions, including the mitigation and management plans proposed to be secured by the DCO, supported by the existing collaborative working arrangements, fully meet the Mission’s recommendation in respect of archaeological salvage and mitigation.</p>
7	<p>In the event that unexpected archaeological finds were to occur during the course of the comprehensive archaeological salvage and mitigation program, provision should be made to stop work and evaluate options for improved conservation outcomes, including public communication of discoveries.</p>	<p>We welcome this recommendation, and National Highways’ proposals and draft DCO achieve this.</p> <p>The procedures and methods for dealing with unexpected archaeological finds, that will enable improved conservation outcomes, are already set out clearly in the DAMS - see paragraphs 6.1.19 - 6.1.21, paragraph 6.5.8 and Appendix C.2 covering the requirements of Heritage Management Plans. Paragraphs 6.1.19 and 6.5.8 are copied below:</p> <ul style="list-style-type: none"> • Paragraph 6.1.19: “<i>If unexpected finds (sites, artefacts, environmental remains or ecofacts, monuments or features) are made during the PW or MW [Preliminary Works or Main Works] stages a site consultation meeting(s) will be convened between the Archaeological Contractor, Wiltshire Council and Historic England and, for sites within or affecting the WHS, HMAG, and the TPA [Technical Partner’s Archaeologist] to consider the significance of the find. Depending on the outcome of the consultation meeting, an addendum to the SSWSI or a new SSWSI will be prepared by the Archaeological Contractor in consultation with Wiltshire Council and Historic England and, for sites within or affecting the WHS, HMAG, and approved by Wiltshire Council (in consultation with Historic England)</i>” • Paragraph 6.5.8: “<i>In the event of an unexpected discovery requiring further investigation (that is, a significant find that was not predicted as a result of the evaluation), the provisions set out at 6.1.19 above will apply. The area will be fenced off, cleaned archaeologically and recording works completed, in line with a revised SSWSI prepared by the Archaeological Contractor in consultation with Wiltshire Council and Historic England and, for sites within or affecting the WHS, HMAG and approved by Wiltshire Council (in consultation with Historic England)</i>”. <p>The contractor’s Heritage Management Plan, Archaeological Method Statements and SSWSIs will conform to these requirements.</p> <p>A public communication strategy – the Public Archaeology and Community Engagement (PACE) Strategy - is also presented in outline in the DAMS - see Appendix E and E.1.1.1 in particular.</p> <p>The OEMP measures PW-CH1 (for the Preliminary Works) and MW-CH1 (for the Main Works) secure processes for dealing with unexpected archaeological finds through the prescribed content of the Heritage Management Plans, which would be developed in consultation with HMAG for sites within or affecting the WHS.</p> <p>Measures PW-CH1 and MW-CH1 are copied below (underlining added to increase visibility of particularly relevant content).</p> <p><u>PW-CH1:</u> <u>“Heritage Management Plan (HMP):</u></p>

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		<p><i>The preliminary works contractor (archaeology) shall produce a HMP based on the DAMS, indicating how the historic environment (relevant to the scope of works) is to be protected in a consistent and integrated manner, coordinated with all other relevant environmental topics. The HMP shall address:</i></p> <ul style="list-style-type: none"> <i>a) all temporary and permanent works, which may include, as relevant, boundary fencing, vegetation clearance, ground investigations, demolition, utility diversions, reinstatement works, access routes, works compounds and hoarding.</i> <i>b) potential impacts on heritage assets both inside and outside the World Heritage Site (WHS) from activities which may include, as relevant, ground vibration, light pollution, dust, ground movement / subsidence, dewatering, and the impact on buried archaeological remains of construction activities (rutting, compaction of soft ground etc.)</i> <i>c) issues of security for vulnerable sites / areas of archaeological interest outside the normal working hours, and at weekends.</i> <i>d) <u>procedures for the protection of unexpected archaeological discoveries.</u></i> <i>e) sites for preservation in-situ (including protective fencing) and sites for preservation by record.</i> <p><i>The preliminary works contractor (ecology, utilities, roads and ground investigation) shall identify within their CEMP how works are to be carried out in accordance with the Heritage Management Plan.</i></p> <p><i>The HMP shall be prepared in consultation with Wiltshire Council and Historic England and, for sites within or affecting the WHS, HMAG, and approved by Wiltshire Council (in consultation with Historic England) prior to the part of the preliminary works to which it relates commencing.”</i></p> <p>MW-CH1: <i>“Heritage Management Plan:</i> <i>The main works contractor shall develop a Scheme-wide Heritage Management Plan (HMP), based upon the DAMS, in accordance with DCO Requirement 5, indicating how the historic environment is to be protected in a consistent and integrated manner, coordinated with all other relevant environmental topics. The HMP shall address:</i></p> <ul style="list-style-type: none"> <i>a) all temporary and permanent works, including boundary and protective fencing, vegetation clearance, ground investigations, demolition, utility diversions, reinstatement works, access routes / haul roads and works compounds.</i> <i>b) potential impacts on heritage assets both inside and outside the WHS from activities such as ground vibration, light pollution, dust, ground movement / subsidence, dewatering, and the impact on buried archaeological remains of construction activities (rutting, compaction of soft ground etc.)</i> <i>c) archaeological mitigation measures to be deployed for the installation of the proposed Tunnel Movement Monitoring Stations (Site 26 - refer to the DAMS).</i> <i>d) issues of security for vulnerable sites / areas of archaeological interest outside the normal working hours, and at weekends.</i> <i>e) measures to avoid light spillage outside of the main compound area.</i> <i>f) <u>procedures for the protection of unexpected archaeological discoveries.</u></i> <i>g) sites for preservation in-situ (including protective fencing) and sites for preservation by record.</i> <p><i>The main works contractor shall identify within its CEMP(s) how works are to be carried out in accordance with the HMP.</i></p> <p><i>The HMP shall be prepared in consultation with Wiltshire Council and Historic England and, for sites within or affecting the WHS, HMAG, and approved by Wiltshire Council (in consultation with Historic England) prior to the part of the main works to which it relates commencing”.</i></p> <p>The delivery of the OEMP measures is proposed to be secured by Requirement 4 of the DCO. See also Requirement 5.</p> <p>The DCO Scheme’s existing provisions, including the mitigation and management plans proposed to be secured by the DCO, supported by existing collaborative working arrangements, fully meet the Mission’s recommendation in respect of dealing with unexpected archaeological finds.</p>
8	The proposed Longbarrow junction should be re-located further to the west, insofar as this is practically possible.	Our July 2022 submissions to the SoS to support re-determination of the DCO, providing further detail to build on the appraisal of alternatives presented during examination, consider the positive and negative effects of re-locating the

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		<p>Longbarrow Junction further west. For example, the Applicant's response to the request for comments: Q2 - Conclusion on alternative routes Environmental Appraisal – Bored Tunnel Extension [Re-determination document 4.7] identifies likely new significant noise and vibration adverse effects from the more westerly location of the Longbarrow Junction, when compared to the DCO Scheme:</p> <ul style="list-style-type: none"> • Paragraph 4.6.3: “A significant adverse construction noise effect (as defined by [Design Manual for Road and Bridges] LA 111) is likely at the receptors at Hill Farm/ Hill Farm Cottages due to the proximity of the Alternative Longbarrow Junction to the properties”. • Paragraph 5.2.24: “The environmental information for the DCO Scheme reported that for receptors at Hill Farm Cottages daytime construction noise levels were at the trigger level for a potentially significant adverse effect but did not exceed it, therefore only a small increase in construction noise would be expected to trigger an exceedance. The Bored Tunnel Extension locates Longbarrow Junction closer to these receptors likely resulting in a new significant adverse effect...” • Paragraphs 4.6.8 and 5.2.28: “The location of the Alternative Longbarrow Junction is anticipated to increase journey times for road users travelling westbound on the A303 to Shrewton via the A360, as well as for users travelling in the opposite direction. This is anticipated to encourage some drivers to use the section of the B3083 north of Winterbourne Stoke to Shrewton as a shorter alternative. Due to the existing low traffic flows and consequent low levels of traffic noise, this is likely to result in a significant adverse effect for residential receptors in Shrewton along the B3083”. Paragraph 5.2.28: “... which was not reported in the environmental information”. Paragraph 4.6.8: “Mitigation at this location would be hard to deliver as it is not within or near the Scheme order limits boundary”. • Paragraphs 4.6.9: “A significant adverse [operational] effect at Foredown House on the north-east edge of Winterbourne Stoke is anticipated.” <p>The above is an example of potential negative effects we have identified; further effects are found in our July 2022 submissions [Re-determination documents 4.2 - 4.8]. These additional significant adverse effects in relation to Longbarrow Junction have fed into the balanced appraisal of the tunnel extension alternatives, resulting in the outcomes reported with respect to Recommendation 4.</p>
9	<p>If the Scheme proceeds, a monitoring regime should be established to identify any changes to the water table which affect Blick Mead, and any such changes should be addressed through a process of adaptive management.</p>	<p>We welcome this recommendation, and National Highways' proposals and draft DCO achieve this.</p> <p>We note that page 26 of the Report states that the Mission considers that “<i>the potential for changes to the water table which affect Blick Mead are low</i>”.</p> <p>Nonetheless, OEMP measure MW-WAT10 is copied below (underlining added to increase visibility of particularly relevant content), and requires that “<i>the main works contractor shall develop a Scheme-wide [Groundwater Management Plan] GMP, outlining how groundwater resources are to be protected in a consistent and integrated manner.</i>”</p> <p><i>The Plan shall address:</i></p> <ol style="list-style-type: none"> <i>Potential effects on groundwater (resources and quality) that fall outside other regulations such as the Environmental Permitting Regulations.</i> <i>An update to the Groundwater Risk Assessment for the final design and construction plan and which demonstrates that the final design and construction plan does not give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the Environmental Statement.</i> <i>The groundwater level and water quality monitoring / telemetry and reporting programme during construction and for a period of one year post tunnel opening to traffic.</i> <i>Development of baseline groundwater conditions and derivation of trigger levels and action levels/mitigation/action plans for exceedances and accidents/incidents.</i> <i>The management of groundwater flood risk.</i> <i>In respect of all of the above matters, the Plan must specifically indicate how Blick Mead and private water supplies are to be considered.</i>

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		<p><u>During the development of the GMP, the main works contractor shall consult with the Environment Agency and Wiltshire Council with regard to the groundwater flood risk component and any heritage implications to Blick Mead and with Natural England with regard to elements of the GMP which may impact the River Avon SAC (which incorporates a section of the River Till)</u>".</p> <p>The delivery of the OEMP measures is proposed to be secured by Requirement 4 of the DCO. In particular see Requirement 4(12), which sets out what details the Groundwater Management Plan must include for Blick Mead, including provision for monitoring:</p> <p><i>"(12) The Groundwater Management Plan referred to in sub-paragraph (11)(m) above must include details of how any potential adverse hydrological effects on the archaeological site, known as Blick Mead, shall be considered in accordance with the requirements to be addressed by that Plan as set out in the OEMP, and must make specific provision for:</i></p> <p><i>(a) monitoring of groundwater levels at Blick Mead;</i></p> <p><i>b) monitoring of soil moisture levels at Blick Mead;</i></p> <p><i>(c) trigger levels for both groundwater levels and soil moisture content that take into account the aforementioned monitoring data and below which the archaeological resource at Blick Mead would be liable to be endangered; and</i></p> <p><i>(d) a remediation plan to provide for the re-watering of the site should groundwater levels or soil moisture levels fall below the trigger levels set".</i></p> <p>The DCO Scheme's existing provisions, including the mitigation and management plans proposed to be secured by the DCO, supported by the existing collaborative working arrangements, fully meet the Mission's recommendation in respect of monitoring of any changes to the water table which affect Blick Mead.</p> <p>Moreover, we maintain that Blick Mead will not be impacted by the DCO Scheme. Below is taken from the Applicant's response to the request for comments: Q1, Q3–Q6 – Response document [Redetermination document 4.1], paragraphs 1.2.13 – 1.2.16:</p> <ul style="list-style-type: none"> • <i>"1.2.13: The Blick Mead site will not be physically impacted by the Scheme, nor will the groundwater levels at the Blick Mead Site change due to the construction and operation of the Scheme. The current preservational conditions that exist at Blick Mead that allow the preservation of its nationally important archaeology, including sedaDNA (sedimentary ancient DNA), will not be affected.</i> • <i>1.2.14: Historic England confirmed that it endorsed National Highways' approach and interpretation of Historic England's tiered assessment guidance. Historic England also noted that sufficient information had been brought together for the conceptual model to have reached an acceptable level. This is noted in the Examining Authority's Recommendation Report (see paragraph 5.9.57).</i> • <i>1.2.15: The Examining Authority was satisfied that a Historic England Tier 4 assessment was not required and that the Tiered Assessment conducted by National Highways was adequate – as noted in the Recommendation Report's paragraph 5.9.101 - as well as being adequate to indicate the likely effect on the Blick Mead Site from the construction of the Scheme (see Recommendation Report paragraph 5.9.106).</i> • <i>1.2.16: The Outline Environmental Management Plan, as updated in May 2020 in response to the Secretary of State's request, requires in measure MWWAT10 that the Groundwater Management Plan sets out how Blick Mead is to be considered to safeguard the groundwater levels associated with the preservation of archaeological remains at the Blick Mead site. Nonetheless, as confirmed above and in the referenced application and examination documents, there would be no likely significant effect on Blick Mead in terms of heritage impact, before or after any mitigation derived from the Groundwater Management Plan".</i>
10	Appropriate community access, which is respectful of local interest groups, ownership and sensitivities, should be provided to Blick Mead, Vespasian's Camp, The Avenue and	Blick Mead, Vespasian's Camp, The Avenue and Amesbury Park are all beyond the DCO Scheme's Order limits, and owned either by private landowners or the National Trust. Notwithstanding this, we will continue to work with heritage bodies, the local community and landowners to maximise the legacy benefits that result from the Scheme in a sensitive manner.

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	Amesbury Park, all of which should also be interpreted to enhance visitor experience of the WHS and its environs.	
11	If the Scheme proceeds, the Scientific Committee should be requested and empowered to facilitate ongoing discussions and consideration of the most appropriate methods to achieve comprehensive archaeological salvage and mitigation.	<p>We welcome this recommendation, and appropriate provision is already made for the involvement of the Scientific Committee. Please see our response to Recommendation 6 confirming and explaining our position that the mitigation and management plans proposed to be secured by the DCO, supported by the existing collaborative working arrangements, fulfil the Mission's recommendation in respect of archaeological salvage and mitigation.</p> <p>Sections 8.5 and 8.6 of the DAMS, a certified document compliance with which would be secured by the DCO, has established the consultation and approvals processes for the heritage documents - the Heritage Management Plan, Archaeological Method Statements and SSWSI. The DAMS has been developed through the public process of examining the DCO application, and therefore its contents have been informed by considerable public scrutiny and consequent revision. These processes include set periods for parties to carry out the activities set out in the DAMS. This is a robust but efficient means of obtaining the approvals required to implement the DCO Scheme.</p> <p>For sites within or affecting the WHS, HMAG is required to be consulted on the heritage documents. HMAG membership is made up of representatives from the statutory heritage consultees - Historic England and Wiltshire Council (as the local planning authority) - and heritage managers and major landowners within the WHS - National Trust and English Heritage.</p> <p>The DAMS sets out in paragraph 1.3.2 that HMAG is advised by the Scientific Committee of independent specialists and experts. The Scientific Committee continues to be appraised and kept informed about development of the DCO Scheme, through regular meetings held quarterly with National Highways. The Terms of Reference of both HMAG and the Scientific Committee are published on the Scientific Committee website. The mechanisms for the empowerment of the Scientific Committee within the scope of their Terms of Reference are therefore already in place and members have attended workshops, alongside HMAG members and other academics and relevant experts and specialists, for the development of relevant research questions for SSWSI.</p> <p>Specific content in the DAMS already making provision for the ongoing engagement of the Scientific Committee includes:</p> <ul style="list-style-type: none"> • Paragraph 6.3.16 (on ploughzone sampling) and paragraph 6.3.51 (tree hollow sampling): "...For sites within the WHS, the Scientific Committee will be consulted on [initial / representative] sample size through a collaborative technical workshop with the Archaeological Contractor and members of HMAG, the outcome of which, including the Applicant's response to the consultees' key comments and an explanation of why any of those comments have not been actioned, will be included in the summary report setting out the consultation undertaken on the relevant SSWSI referred to in paragraph 8.5.7. Members of the Scientific Committee will also be invited to regular meetings and to view the excavations within the WHS in accordance with paragraph 8.1.17 and advise on the application of the reflexive approach. Advice given by members of the Scientific Committee regarding application of the reflexive approach will be circulated in writing to HMAG, Wiltshire Council, Historic England and the Scientific Committee as soon as reasonably practicable after that advice has been given alongside, where relevant, an explanation of the reasons why any key advice provided is not proposed to be followed, and made available online". • Paragraph 8.1.17 (communications strategy): "The Scientific Committee will be kept informed of the progress of the archaeological mitigation works within the WHS through an ongoing programme of regular meetings during the course of the on-site and post-excavation stages (to be held in accordance with the Committee's terms of reference). Site visits will be arranged at suitable opportunities to allow members of the Scientific Committee to view the fieldwork in progress. Suitable opportunities will be identified in consultation with HMAG. Invitations will be issued to the whole Committee". • Paragraph 9.2.7 (reporting of archaeological investigations): "The PEAR [Post-Excavation Assessment Report] and Archaeological Research Design (ARD) will be submitted to the TPA [Technical Partner's Archaeologist] for review and comment. The Archaeological Contractor will address any comments that the TPA may have. The TPA will issue the revised draft report to Wiltshire Council and Historic England and, for sites within the WHS, HMAG, for comment. In

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		<p><i>finalising the report, the Archaeological Contractor will take account of the comments of Wiltshire Council and Historic England and, for sites within the WHS, HMAG, as informed by the advice of the Scientific Committee”.</i></p>
12	<p>The current representation on the HMAG should be augmented with addition of further expertise in cultural landscape conservation, management and interpretation.</p>	<p>We welcome current HMAG organisations providing augmented expertise in the areas noted in the Report. HMAG is made up of organisations rather than individuals with specific expertise. Therefore, each HMAG organisation is able to bring the individuals representing the breadth of their organisation's expertise to HMAG. The HMAG organisations possess expertise in cultural landscape conservation, management and interpretation.</p>
13	<p>If the Scheme proceeds, the rights of private farmers within the WHS should be pro actively protected, including careful attention to new visitor opportunities and circulation patterns, and minimising ancillary impacts.</p>	<p>The Environmental Statement Appendix 6.1 Annex 9 Tourism and visitor experience [APP-204] notes the existing situation in the WHS irrespective of the DCO Scheme: “<i>Much of the WHS apart from the Stonehenge monument is National Trust land which can be freely accessed from various entrance points</i>”.</p> <p>Section 4.2 of the OEMP sets out the Design Vision for the whole of the DCO Scheme, with one of the Vision's Overall Aims being (4.2.6 (e)): “<i>User experience and safety. The Scheme should improve the accessibility of the landscape to local communities, visitors and tourists through new recreational routes and crossings of the proposed road...</i>”</p> <p>We recognise the importance of having regard to the needs and concerns of land owners and occupiers in respect of implementation of the DCO Scheme, and of continuing the extensive engagement that has taken place so far in the development of the DCO Scheme into the construction phase. Chapter 2 of the OEMP secures provision for an Agricultural Liaison Officer (ALO) for all contractors, whose overall responsibility is the communications with landowners and occupiers running agricultural businesses likely to be affected by the DCO Scheme, and their agents. Specific responsibilities for the ALO are listed in the OEMP. Many of the mitigation measures in the OEMP and DCO are designed to minimise impacts on landowners, among others. The delivery of the OEMP measures is proposed to be secured by Requirement 4 of the DCO.</p> <p>Provision and regulation of visitor opportunities, circulation patterns and minimisation of ancillary impacts will be matters for the landowners themselves, including the National Trust and English Heritage.</p> <p>The Stonehenge and Avebury WHS is characterised by diversity of ownership, management agencies and land use. The WHS boundary includes a number of different farm estates and land holdings. No one organisation is entirely responsible for the management of the WHS. The key organisations and individuals with ownership and statutory responsibility manage the WHS through the governance structure set out in the WHS Management Plan which is coordinated by the WHS Coordination Unit.</p>
14	<p>If the Scheme proceeds, the WHS should not be used for substantial temporary activities such as construction compounds, to the fullest extent practicable.</p>	<p>We welcome this recommendation, and National Highways' proposals and draft DCO achieve this. The Main Compound and the two satellite compounds would be located outside the WHS, see section 2.4 of the Environmental Statement – Chapter 2 and the associated plans. In particular, Chapter 2 of the Environmental Statement confirms that:</p> <ul style="list-style-type: none"> • Paragraph 2.4.12: “<i>The main construction compound and tunnel production areas would be located to the west of the existing Longbarrow Junction and outside of the WHS</i>”. • Paragraph 2.4.15: “<i>Additional satellite offices and compounds would also be required. A satellite office and compound area is likely to be located east of the B3083 (see Figure 2.7) at the western end to serve the construction of the River Till viaduct and the western section of the Scheme. A further satellite office and compound area would be located to the north of the Countess Roundabout to serve the eastern end of the Scheme (see Figure 2.7)</i>” • Paragraph 2.4.16: “<i>Material and stockpile areas would be located along the Scheme within the site boundary, but outside of the WHS</i>”. • Paragraph 2.4.17: “<i>No haul roads are proposed within the WHS, other than those within the footprint of the proposed road alignment</i>”.

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		<p>The location of the compounds – as stated in paragraphs 2.4.12 - 2.4.15 of the Environmental Statement copied above - is secured by OEMP measure MW-G28 and Requirement 4 of the draft DCO.</p> <p>OEMP measures PW-CH1 and MW-CH1 secure the content of the scheme-wide Heritage Management Plan, which is required to address (amongst other requirements):</p> <ul style="list-style-type: none"> • All temporary and permanent works, including boundary and protective fencing, vegetation clearance, ground investigations, demolition, utility diversions, reinstatement works, access routes / haul roads, works compounds and hoardings • Potential impacts on heritage assets both inside and outside the WHS from activities such as ground vibration, light pollution, dust, ground movement / subsidence, dewatering, and the impact on buried archaeological remains of construction activities (rutting, compaction of soft ground etc.) • Measures to avoid light spillage outside of the main compound area <p>Mobile site facilities for archaeological works within the WHS would be required for a short duration. However, such facilities would not amount to “<i>substantial temporary activities</i>” akin to construction compounds. The arrangements for these – as well as the arrangements confirmed in the Heritage Management Plan - would be developed through consultation of the documents confirming them with HMAG, documents which would require approval by Wiltshire Council. See also OEMP measures PW-CH3 (for the Preliminary Works) and MW-CH9 (for the Main Works), which are copied below:</p> <p><u>PW-CH3</u> “<i>Site Specific Written Schemes of Investigation:</i> For sites or areas requiring archaeological investigation under the DAMS or as required by items PW-CH4 and PW-CH5 below the preliminary works contractor (archaeology) shall prepare a Site Specific Written Scheme of Investigation (SSWSI) that describes the mitigation measures to be carried out”.</p> <p><u>MW-CH9</u> “<i>Site Specific Written Schemes of Investigation (SSWSI):</i> For sites or areas requiring archaeological investigation under the DAMS (excluding those sites or areas for which a SSWSI has already been produced as part of the preliminary works) the main works contractor shall prepare a SSWSI that describes the mitigation measures to be carried out”.</p>
15	<p>If the Scheme proceeds, all lighting arrangements for the tunnel and the surface of the WHS following the closure of the surface road of A303 should be carefully designed for safety as well as for enhancing the ‘night sky’, an important attribute of the Neolithic and Bronze-age funerary site.</p>	<p>We welcome this recommendation, and National Highways’ proposals and draft DCO achieve this. Page 43 of the Report recognises the consideration already given to lighting design sensitive to the WHS context, stating: “...<i>the Mission concludes that the lighting arrangements for the tunnel and the surface of the WHS following the closure of the surface road of A303 would be carefully designed for safety as well as for enhancing the ‘night sky’, an important attribute of the Neolithic and Bronze-age funerary site</i>”.</p> <p>Relevant OEMP content to evidence the commitment to the ‘careful design’ sought by Recommendation 15 is copied below (underlining added to increase visibility of particularly relevant content).</p> <p>The Design Vision for the central section of the DCO Scheme (within the WHS) set out in the OEMP starts: 4.2.10 “<i>The Vision for the central section is to:</i> a) <i>Sustain the OUV of the WHS. The Scheme should maximise the concealment of structures and features outside of the tunnel from the wider landscape through their siting in the landscape in relation to existing ground levels, choice of materials and colour tone of the finishes. New landscaping and earthworks should not seek to imitate the monuments within the WHS landscape. <u>The dark skies environment should be improved by avoiding road lighting wherever practicable and by the Scheme alignment having regard to Solstice alignments</u>”.</i></p>

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		<p>Paragraph 4.5.3 of the OEMP confirms that the Stakeholder Design Consultation Group (SDCG) - English Heritage Trust, Historic England, National Trust and Wiltshire Council – will be consulted on “<i>the external appearance of [specified] elements of the Scheme within and visible from the World Heritage Site</i>”, including “<i>Portals structures (Work Nos. 1E(ii) and 1G(iii)) (including lighting)</i>”.</p> <p>The OEMP also includes the following measures:</p> <p>PW-G6 (Preliminary Works): <i>“Site lighting: The preliminary works contractor (all) shall define within the CEMP the proposed approach to site lighting around construction compounds and elsewhere along the route alignment, giving consideration to the WHS context and other environmental constraints and shall consult with the members of HMAG on the approach to site lighting in relation to matters within or affecting the WHS. Lighting shall be at the minimum luminosity necessary and use low energy consumption fittings and should avoid light spillage. Lighting shall also be designed, positioned and directed so as not to unnecessarily intrude on adjacent buildings, sensitive heritage receptors (e.g. scheduled monuments; non-designated assets or asset groups that contribute to the OUV of the WHS; listed buildings; registered parks and gardens), ecological receptors, structures used by protected species and other land uses to prevent unnecessary disturbance, interference with local residents, or passing motorists on nearby roads.”</i></p> <p>MW-G29 (Main Works): <i>“Site lighting: The main works contractor shall define within the CEMP the proposed approach to site lighting around construction compounds and elsewhere along the route alignment, giving consideration to the WHS context and other environmental constraints and shall consult with the members of HMAG on the approach to site lighting in relation to matters within the WHS. Lighting shall be at the minimum luminosity necessary and use low energy consumption fittings and should avoid light spillage. Lighting shall also be designed, positioned and directed so as not to unnecessarily intrude on sensitive heritage receptors (e.g. scheduled monuments; non-designated assets or asset groups that contribute to the OUV of the WHS; listed buildings; registered parks and gardens), adjacent buildings, ecological receptors, structures used by protected species and other land uses to prevent unnecessary disturbance, interference with local residents, or passing motorists on nearby roads. This provision will apply particularly to sites where night working will be required and in particular the tunnelling portal areas”</i></p> <p>D-CH9: <i>“Tunnel portal lighting will be designed to minimise light spill outside of the portals’ footprint, including design of lighting at the minimum luminosity that is necessary and safe”</i></p> <p>D-CH20: <i>“There will be no external lighting on the cutting retaining walls, or the external facades of the tunnel control buildings and tunnel portals within the WHS during routine operation of the Scheme”</i></p> <p>The delivery of the OEMP measures is proposed to be secured by Requirement 4 of the DCO. See also Requirement 5.</p>
16	Commercial signs should be prohibited within the WHS.	<p>We welcome this recommendation, and National Highways’ proposals and draft DCO achieve this. Measures to ensure that the design of the signage required for safe operation of the Scheme and related elements including public rights of way is sympathetic to the WHS are already considered in the OEMP.</p>

No	Recommendation	Applicant's Response
		<p>Section 4.2 of the OEMP sets out the Design Vision for the whole of the DCO Scheme, with one of the Vision's Overall Aims being (underlining added to increase visibility of particularly relevant content): (4.2.6 (d)): <i><u>“Unity and elegance. All structures and features should be considered holistically, to deliver a unified approach sympathetic to their scale, form and mass and identify opportunities that minimise their visual impact. This should include all highway furniture and hard landscape features. Where highways furniture and structures are visible, they should be elegant and sympathetic to their setting for both the road user and those within the wider landscape. <u>Road signage should be designed for minimal visual impact, ensuring no unnecessary clutter, while ensuring the route is safe”.</u></u></i></p> <p>Paragraph 4.5.3 of the OEMP confirms that the Stakeholder Design Consultation Group (SDCG) - English Heritage Trust, Historic England, National Trust and Wiltshire Council – will be consulted on <i>“the external appearance of [specified] elements of the Scheme within and visible from the World Heritage Site”</i>, including <i>“all other gating, signage and fencing”</i>.</p> <p>OEMP measure MW-G28 (Construction compounds and hoardings) sets the following requirements relating to hoardings (underlining added to increase visibility of particularly relevant content): <i>“The main works contractor shall define within the CEMP the proposed approach to hoardings for both permanent and temporary works as appropriate, in doing so <u>giving consideration to the WHS context and other environmental constraints, including:</u></i></p> <ol style="list-style-type: none"> <i>a) Maintenance of adequate hoardings to an acceptable condition to prevent unwanted access to the construction compounds.</i> <i>b) <u>Hoardings shall be in a suitable colour, to aid in the integration within the landscape, and kept free of graffiti or posters.</u></i> <i>c) Providing site information boards.</i> <i>d) Displaying notices on site boundaries to warn of hazards on site.</i> <i>e) Providing signage to indicate re-routed pedestrian/cycle paths.</i> <i>f) <u>Retaining existing walls, fences, hedges and earth banks for the purpose of screening as far as reasonably practicable and ensure fencing and hoarding is located such that it does not damage sensitive heritage sites, sensitive habitats, trees or hedgerows.</u></i> <i>g) <u>Hoardings and fencing visible from within the WHS should not contain advertising or promotional information”.</u></i> <p>With regards to tourism signage needs, OEMP measure D-CH33 provides that: <i>“During development of the operational signage strategy for the Scheme, the main works contractor shall consult with English Heritage Trust, National Trust and Wiltshire Council and, where relevant, other parties with regard to tourism signage needs”</i>.</p> <p>There are also eligibility requirements that need to be satisfied for the installation of tourist signs, with certain types of commercial venues regarded as ineligible for signage. Guidance on applications for brown tourist signs on roads National Highway manage is provided on Gov.uk.</p> <p>Other scheme-wide OEMP design development principles include:</p> <ul style="list-style-type: none"> • P-SL01: <i>“Minimal signage in areas that are visible from the WHS”</i>. • P-SL02: <i>“Road signs will be located to minimise and wherever possible avoid adverse impacts on the significance of monuments in relation to their setting by ensuring views between monuments, particularly Neolithic and Bronze Age monuments, are not interrupted wherever practicably possible”</i>. <p>The OEMP also includes the following measures:</p> <ul style="list-style-type: none"> • D-CH8: <i>“At the western end of the Scheme within the WHS no signs shall be set higher than the existing ground level on the lower of the adjacent sides of the cutting and the signs shall not be lit”</i>. • D-CH27: <i>“Any signage for the new PRoW/PMA in the WHS shall be of low reflectivity, in-keeping with the character of the WHS, and shall be designed and located in such a way as to ensure no adverse impacts on the OUV of the WHS.”</i>

No	Recommendation	Applicant's Response
		<ul style="list-style-type: none"> D-CH30: "Road signs shall be designed and positioned for minimal impact when viewed from the WHS. The posts/settings on which road signs are mounted shall be of low reflectivity. The number of signs shall be the minimum required for the safe operation of the road." <p>The delivery of the OEMP measures is proposed to be secured by Requirement 4 of the DCO. See also Requirement 5.</p>
17	The State Party should ensure that this report is provided in a timely manner to all parties and individuals who may be involved in decision-making or implementation of the Scheme.	We note that this Recommendation 17 has been discharged by DCMS's provision of the Report to the Secretary of State and subsequent publication on the Planning Inspectorate's web page for the DCO Scheme.
18	Revised plans for the Scheme, the rationale for specific changes, and details of the comprehensive archaeological salvage and mitigation program should be submitted to the World Heritage Centre, for review by the Advisory Bodies, prior to implementation, in accordance with paragraph 172 of the Operational Guidelines for the Implementation of the World Heritage Convention.	<p>The obligation to notify the WHC under paragraph 172 of the Operational Guidelines has been done by the State Party, firstly in 2015 and since 2018, when annual State of Conservation Reports have been submitted. In addition various Advisory Missions have been undertaken, with recommendations and decisions from the Mission and WHC, providing opportunities for the WHC to provide feedback on the DCO Scheme.</p> <p>Our responses to Recommendations 6 and 11 confirm and explain that the heritage related management and mitigation plans proposed to be secured by the DCO, and the existing collaborative working arrangements set up to develop that documentation, fully meet the recommendations of the Mission in respect of archaeological salvage and mitigation.</p>
19	As a decision-maker within the State Party, which has ratified the World Heritage Convention, the responsible State Party authority should address obligations arising under the World Heritage Convention and Decisions of the Committee, in exercising the role of consent authority for the Scheme.	<p>We note that Recommendation 19 is directed at the decision-maker, i.e. the Secretary of State for Transport.</p> <p>In terms of the SoS's re-determination and the obligations in the World Heritage Convention, our position is very clear, that granting the DCO in accordance with the NPSNN would not put the UK in breach of the World Heritage Convention (as set out in the response to the Examining Authority's Written Question G1.1 in our document Deadline 2 - 8.10.1 General and cross-topic questions (G.1) [REP2-021] and summarised in our Deadline 10: 8.70 – Closing Submission (see paragraph 5.2.20)). As recorded above, this conclusion was adopted by both the Examining Authority in their Recommendation Report (see paragraphs 7.3.1 - 7.3.43) and the SoS in the Secretary of State Decision Letter (see paragraphs 64 - 66), despite their findings on harm in their recommendation / decision, and that conclusion was endorsed by the High Court in its decision on the judicial review of the SoS's granting of the DCO (relevant extracts are set out earlier in this response in relation to the Findings of the Report).</p> <p>The Applicant notes for completeness that the ground for judicial review on this point (ground 4) was rejected by the High Court. The judicial review Claimant has not sought to appeal the rejection of that ground.</p> <p>While we expect that the SoS will take the WHC's views into account in its re-determination of the application for the DCO Scheme, the points raised by the WHC do not affect the case for the DCO Scheme and development consent can and should be granted.</p>
20	The responsible State Party authority should await the Decision of the World Heritage Committee at its 45th session before re-determining the Scheme's Development Consent Order application.	<p>We note that Recommendation 20 is directed at the decision-maker, i.e. the Secretary of State for Transport.</p> <p>We are concerned about the prospect of more delay to the re-determination of the DCO Scheme, noting that, at the time of submitting this response, the date of the 45th session has not been determined. As the National Infrastructure Portal states, "The Planning Act 2008 process was introduced to streamline the decision-making process for major infrastructure projects". Further, indefinite delay waiting for the outcome of a meeting, the date for which has not been confirmed as far as we are aware, conflicts with this fundamental objective of the process.</p>
21	The Development Consent Order should only be issued for the Scheme once the necessary funding to allow the Scheme	We note that Recommendation 21 relates to funding, the level of which is determined by the Department for Transport.

No	Recommendation	Applicant's Response
	to be modified in accordance with the Findings and Recommendations of this Mission report, has been identified and committed.	
22	If the Development Consent Order is issued for the Scheme, it should subsequently be modified in accordance with the Findings and Recommendations of this Mission report, including provision for the underground section of the western approach to be extended, to at least the western edge of the WHS boundary.	<p>The SoS is expected to have regard to the views of the WHC (and the Mission) given to date in their re-determination of the DCO application. The SoS will then either grant consent for the DCO Scheme (with requirements to ensure the DCO Scheme is acceptable in terms of its impacts and that appropriate mitigation is in place) or refuse consent. In the event the SoS makes the DCO, consenting the DCO Scheme, any necessary measures that National Highways must comply with will be secured as part of that DCO.</p> <p>We acknowledge that the Mission still has concerns with the western portal approach. The provisions contained within the draft DCO, which include consultation and collaboration with heritage bodies on design matters, allow for refinement of the DCO Scheme to ensure that opportunities identified with potential to minimise adverse impacts or maximise beneficial impacts on the WHS are acted upon.</p>