

A303 Sparkford to Ilchester Dualling Scheme TR010036

3.3 Consents and Agreements Position Statement

APFP Regulation 5(2)(q)
Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009
July 2018



Infrastructure Planning

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(Applications: Prescribed Forms and
Procedure) Regulations 2009**

**A303 Sparkford to Ilchester Dualling Scheme
Development Consent Order 201[x]**

CONSENTS AND AGREEMENTS POSITION STATEMENT

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This paper sets out Highways England's intended strategy for obtaining the consents and associated agreements needed to implement the proposed A303 Sparkford to Ilchester Dualling scheme ("the Scheme").
- 1.1.2 The purpose and objective of this position statement is to identify at a high level, what consents are expected to be needed for the Scheme, together with how those consents will be obtained.

2 The Scheme

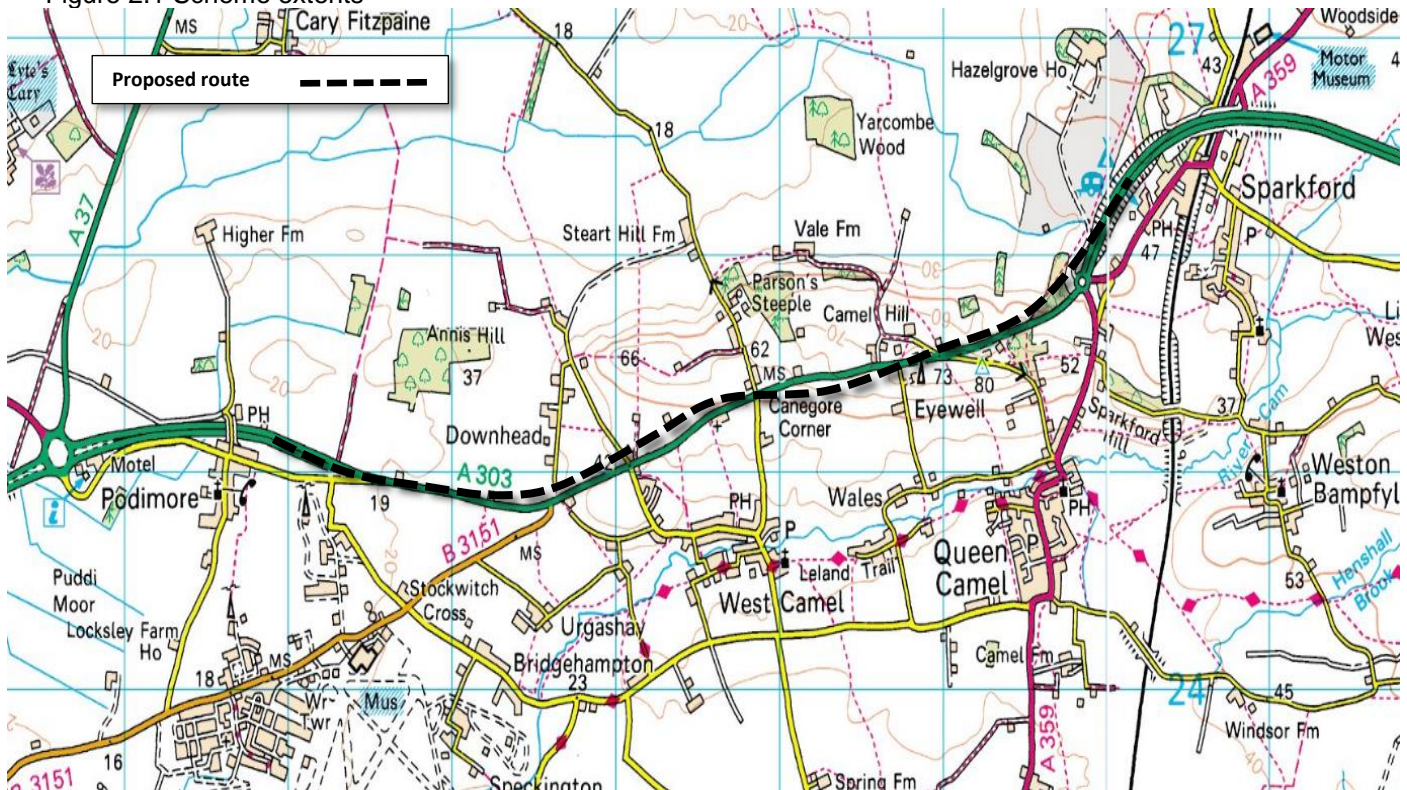
2.1 Description of the existing route corridor

- 2.1.1 The A303 forms part of the strategic road network and a strategic link between the south-west peninsula and the rest of the south, south-east and London. The route is comprised of multiple road standards including dual carriageway, single carriageway, and single carriageway sections with overtaking lanes. Speed limits also vary between 40mph and 70mph depending on the character of the road and its surroundings.

2.2 Existing project road

- 2.2.1 The section of the A303 that is being upgraded as part of this project commences at the eastern limits of the existing dual carriageway Podimore Bypass. Travelling east, the route reaches the junction with the B3151 before bearing north east and rising upwards through Canegore Corner to reach the crest of Camel Hill at Eyewell. This section of the route is characterised by a single lane road, with double white lines prohibiting overtaking and subject to a 50mph speed limit. There are several priority junctions along the route giving access to the settlements of Queen Camel and West Camel to the south and Downhead to the north, as well as several farm accesses and parking laybys.
- 2.2.2 From the crest of Camel Hill, the route descends to meet the roundabout at the western limit of the dual carriageway at Sparkford Bypass (Hazlegrove Roundabout). This section comprises two lanes in the westbound direction, one lane in the eastbound direction and is also subject to a 50mph speed limit. Hazlegrove Roundabout forms a junction between the A303 and the A359 which runs south through Queen Camel and north-east through Sparkford. The roundabout also provides access to a service station, and to a school at Hazlegrove House.
- 2.2.3 The section of the A303 that is to be upgraded is almost 3.5 miles, or approximately 5.6 kilometres, in length.
- 2.2.4 The extents of the Scheme are illustrated in Figure 2.1. This figure also illustrates the line of the proposed route.

Figure 2.1 Scheme extents



2.3 Scheme proposals

- 2.3.1 The proposed Scheme is to provide a continuous dual carriageway on the A303 linking the Podimore Roundabout and the Sparkford Bypass. The Scheme will involve the removal of at-grade junctions and direct accesses. The new junctions will be constructed to grade separated standards, or to compact grade separated standards depending upon anticipated traffic flows.

2.4 Scheme description

- 2.4.1 The route follows the existing corridor of the A303 very closely. It is generally considered to be an online solution although is often deliberately aligned just to the side of the existing carriageway in order to allow re-use of the existing route for local access, to avoid property or facilitate construction. At its maximum offset the route is typically 100m either north or south of the existing A303.
- 2.4.2 At its western limits, the route ties in with the existing dual carriageway at A303 Podimore Bypass. Travelling eastwards, the route initially follows the existing A303 closely until the B3151 before moving north of the existing carriageway and rising up just to the south of Downhead before crossing over the existing A303 at Canegore Corner. This passes very close to the Noise Important Area at the West Camel Methodist Church (depicted by a small “+” symbol on Figure 2.1 Scheme extents, just to the west of Canegore Corner). The route then takes a southerly alignment briefly before meeting up with the existing road again to pass between a Scheduled Ancient Monument and a Ministry of Defense (MOD) signal station at the crest of Camel Hill. Finally, the route then bypasses the existing Hazelgrove Roundabout to the north through a registered park and garden associated with

Hazlegrove House before tying into the existing A303 north of Sparkford Village.

- 2.4.3 A new all movements grade separated junction will be provided near the Hazlegrove Roundabout. This will enable free flowing passage of traffic on the A303. The junction will incorporate entry and exit slip roads in both directions providing connections to Hazlegrove House, the A359, access to villages south of the route, and access to properties at Camel Hill to the north of the route. A limited movements junction comprising eastbound slips only will be provided in the vicinity of Downhead. A limited movement junction will be provided in the vicinity of the junction with the B3151 comprising westbound exit and entry slip roads.
- 2.4.4 A connection will be provided between local roads to the north and south of the route in the vicinity of Canegore Corner via an overbridge, incorporating a link to the A303 eastbound via the junction at Downhead. At the western end of the Scheme the existing westbound slip road to Podimore village will be closed. Access to Podimore village will therefore be via the A303 / A37 junction (Podimore Roundabout).

3 Strategy

3.1 Consents Strategy

3.1.1 The basis of Highways England's consents strategy is that:

- A Development Consent Order (DCO) must be sought as the principal consent for the works (under the Planning Act 2008 ("the 2008 Act")) and to provide the necessary land acquisition and temporary possession powers
- Where possible and practicable, additional consents should be included within the DCO, and
- The proposed Scheme has and will be developed on the basis of strong collaboration between the key stakeholders, and agreements will be secured at key stages of project development as necessary.

3.2 Highways England approach

3.2.1 The intent of the 2008 Act and Government policy is to enable development and construction-related consents to be included within the DCO.

3.2.2 The Scheme benefits from the intent of the Act and Government policy as the majority of the consents required for the construction of the Scheme are in place at the point of the making of the DCO. This minimises the need for any further approvals before the works covered by the DCO can commence.

3.2.3 The consents strategy is based on the National Policy Statement for National Networks to ensure that relevant permissions that need to be obtained for activities within the development have been identified.

3.2.4 Ongoing design work and engagement with statutory consultation bodies informed the approach during the pre-application stage. Where appropriate, Statements of Common Ground have been drafted to detail the agreed positions of the statutory consultation bodies, listed in Section 4.2.4.

4 Consents and Agreements

4.1 Consents

- 4.1.1 The principal consent for the proposed Scheme will be a DCO. The DCO process provides development consent for the works and enables land acquisition both permanent acquisition and temporary possession, along with consents and powers to be dealt with. The DCO application may, however, need to be supplemented by other applications because, (a) a specific consent cannot be contained in the DCO; (b) a consenting authority declines to allow a consent to be contained within the DCO; or (c) it is not desirable or it is inappropriate to include a consent within a DCO due to the stage of design development and thus the detail available.
- 4.1.2 At this point (specifically the submission of the DCO application), the majority of consents and all of the powers required have been included, or addressed, within the DCO as permitted by various provisions of the 2008 Act. These fall into the following categories:
- Authorisation of all permanent and temporary works (equivalent of planning permission), and Listed Building Consent. None of the following consents need to be addressed on this Scheme: Scheduled Monument consent, conservation area consent, common land consents, Site of Special Scientific Interest (SSSI) consents
 - Compulsory acquisition of land and of rights over land such as easements, restrictive covenants and the temporary possession of land
 - Consent to carry out street works and to stop up highways permanently or temporarily
 - Highway matters (such as designating highway as trunk road, and detrunking sections of the existing A303)
 - Traffic regulation matters (such as speed limits, clearways and restrictions on use)
 - Consent to stop up and divert public and private rights of way
 - Consent to remove hedgerows (including any 'important hedgerows')
 - Land Drainage Consent from Somerset Drainage Board following additional construction details
 - Lead Local Flood Authority consent upon detailed design of drainage network following the Drainage Strategy as outlined under the DCO application
 - Powers to carry out utility diversions (subject to protection provisions).
- 4.1.3 A number of the above consents are prescribed in the Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010. As a result, under section 150 of the Planning Act 2008 the relevant consenting body must agree to

the inclusion (that is, disapplication) of these consents within the DCO. Discussions between Highways England and the Environment Agency will take place in relation to the Environmental Permit and Water Resources Act that relate to matters mentioned above with a view to the necessary agreements being obtained before or during the examination of its application, in exchange for Highways England proposing to include in the DCO appropriate Protective Provisions, which have been included in Schedule 8 of the draft DCO.

- 4.1.4 The permits, consents and agreements may also need to be sought separately from the DCO as listed in Table 4-1 Consents and permissions that may be required .

Table 4-1 Consents and permissions that may be required

Type	Issuing Authority	Requirement
Badger Licence.	Natural England.	Consent must be obtained before construction works can commence.
Great Crested Newt Licence.	Natural England.	Consent must be obtained before construction works can commence.
Exemptions for operations such as U1 (import of waste for use in construction) and T15 (crushing of aerosols to minimise hazardous waste) (if exemption limits can be met)	Environment Agency	Principal Contractor (PC) to identify and register relevant and required exemptions with the Environment Agency
Noise: Control of Pollution Act Section 61 Consent	Environmental Enforcement Officer.	In advance of start date for construction. Consultation required to agree hours of working and any specific noise and vibration limits.
Waste Carrier Licence.	Environment Agency	PC to ensure their selected waste disposal contractor(s) holds a valid and current Waste Carrier Licence. Waste Carriers to supply completed Transfer Notes for any collections and removals of non-hazardous or inert waste from site. These must be kept for 2 years. Waste carriers to supply completed hazardous waste transfer notes for any collections and removals of hazardous waste from site. These must be kept for 3 years.
Waste Disposal Licence.	Environment Agency	PC to ensure that waste is taken to facilities permitted to deal with that waste stream (including hazardous waste). Waste facilities to provide documentation to show that they are permitted to receive the waste streams.

- 4.1.5 The above are largely dependent on finalisation of the detailed design, the detailed construction site set up and methodologies, and discussions with stakeholders (for example, the EA and Local Authority). These are not sufficiently

developed at this stage to confirm the requirements and therefore it is not practicable to include them within the DCO.

4.2 Agreements

- 4.2.1 Agreements with third parties may be required in parallel to the DCO process and may take a variety of forms.
- 4.2.2 A fundamental part of the DCO process is the preparation and agreement of Statements of Common Ground (SoCG) with third parties to identify the matters on which parties are in agreement, in order to narrow the focus for examining the application concerned and to make the examination process more efficient.
- 4.2.3 Other forms of agreement are also likely to be required alongside SoCGs, for example, legal agreements regulating land and works powers, undertakings, memoranda of understanding, and letters of comfort.
- 4.2.4 SoCGs are currently being progressed with the following interested bodies:
- Environment Agency
 - Historic England
 - Natural England
 - Combined Somerset County Council and South Somerset District Council
 - Somerset Internal Drainage Boards Consortium Combined
 - Ministry of Defence
- 4.2.5 The parties selected have been involved in Technical Working Groups for the duration of the Schemes' development, with the exception of the Ministry of Defence who have been consulted via separate meetings.
- 4.2.6 At the request of the local authorities, Somerset County Council and South Somerset District Council will be responding with a joint Statement of Common Ground.
- 4.2.7 It is Highways England's intention to provide an updated set of Statements of Common Ground based on the final positions of the parties before the close of the examination.