

A303 Sparkford to Ilchester Dualling Scheme TR010036

8.2 Statement of Common Ground

APFP Regulation 5(2)(q)
Planning Act 2008
Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009
July 2018



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

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

STATEMENT OF COMMON GROUND

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Rev 0	July 2018	Application Issue

STATEMENT OF COMMON GROUND

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

Signed.....

[NAME]

[POSITION]

on behalf of Highways England

Date: [DATE]

Signed.....

[NAME]

[POSITION]

on behalf of [STAKEHOLDER]

Date: [DATE]

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A303 Sparkford to Ilchester Dualling ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and / or the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Natural England.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Natural England is an executive non-departmental public body sponsored by the Department for Environment, Food and Rural Affairs (Defra). Natural England is the government's advisor to protect England's nature and landscape for people to enjoy and for the services they provide.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Natural England, and therefore have not been the subject of any discussions between the parties. As such, those

matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Natural England.

1.4 Record of engagement

1.4.1 A summary of the meetings and correspondence that has taken place between Highways England and Natural England in relation to the Application is outlined in Table 1.1.

Table 1.1: Record of engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
04/12/2015	Meeting with National Trust, Environment Agency, and Natural England.	Introduction to the scheme and route options, Development Consent Order (DCO) process, project timescales and engagement methodology.
22/03/2016	Meeting with National Trust, Environment Agency, South West Heritage Trust and Natural England.	Scheme update and public consultation strategy discussion.
13/07/2016	Meeting with National Trust, Environment Agency, South West Heritage Trust and Natural England.	Stakeholder engagement progress meeting. Discussion about public consultation activities timing. Feedback about route options presented. Discussion about planned public consultation programme.
11/11/2016	Meeting with National Trust, Environment Agency, South West Heritage Trust and Natural England.	Stakeholder engagement progress meeting. Update about public consultation activities planned. Consideration of specific stakeholder groups including, landowners, discussions, parish councils, local authority politicians and Members of Parliament.
02/05/2017	Initial Ecology Consultation Meeting	<ul style="list-style-type: none"> • Overview of survey effort to date and further surveys. • Methodology for bat surveys (in light of emerging Natural England guidance). • Future engagement and EIA process. • Ghost licences. • Provided Natural England with an understanding of the overall programme and requirement for on-going engagement. <p>Advice received from Natural England on conducting bat surveys prior to the DCO submission, including scope of those surveys. Broad agreement on scope for remainder of surveys.</p>
21/06/2017	Email from Mott MacDonald Sweco Joint Venture to Natural England.	Invertebrates survey methodology memo issued to Natural England.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
14/07/2017	Email from Natural England to Mott MacDonald Sweco Joint Venture.	Comments on invertebrates survey methodology memo received.
01/12/2017	Email from Mott MacDonald Sweco Joint Venture to Natural England.	Protected Species Survey Methodology for Natural England review.
07/12/2017	Environmental Technical Working Group Meeting 1.	Meeting held to introduce the scheme and provide an update on the surveys undertaken.
01/02/2018	Email from Natural England to Mott MacDonald Sweco Joint Venture.	Confirmation that Natural England has no concerns with the survey methodology as described in the Protected Species Survey Methodology.
28/02/2018	Separate meeting with Natural England (unable to attend Environmental Technical Working Group Meeting 2)	<ul style="list-style-type: none"> • Provided an overview of the Phase 2 protected species survey results and mitigation measures for each. • Provided an outline of habitat losses and draft Environmental masterplan. • Explained the planned EDF application related to biodiversity. <p>Natural England content with the survey methodologies and proposed mitigation for protected species.</p> <p>Natural England to review the draft habitat loss and gain figures in more detail.</p> <p>Natural England agreed that the Defra metric of habitat loss and gains not appropriate for a project of this nature.</p>
08/05/2018	Environmental Technical Working Group Meeting 3	<p>Discussion held with Natural England and included the following key topics:</p> <ul style="list-style-type: none"> • Delivery of the ghost licences for badgers and great crested newts (GCN). • HRA and Salisbury Plain Special Area of Conservation (SAC): • Habitat loss and gains and presentation of the draft Environmental Masterplan. • Ecological networks. • Draft Statement of Common Grounds.
22/05/2018	Email from Natural England to Mott MacDonald Sweco Joint Venture of the draft HRA and additional Planning Inspectorate questions.	<p>Natural England content with the conclusions of the HRA that there would be no significant effect on the Natura 2000 sites.</p> <p>Natural England have asked that a HRA screening report is undertaken for Salisbury Plain SAC.</p>
07/07/2018	Meeting with Natural England	<p>Discussion held with Natural England and included the following key topics:</p> <ul style="list-style-type: none"> • HRA (updates following 'Sweetman' case law ruling).

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none">• Review of SoCG.• Submission of protected species licences.• Review of Outline Environmental Management Plan (OEMP).• Habitat loss/ gain calculations.

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

2 Issues

2.1 Issues related to the Ecological Assessment (Methodology/ Results/ Mitigation/ Enhancement)

Topic	Sub-section	Natural England comment	Highways England response	Status
Assessment methodology	Bat activity surveys	Natural England raised concerns that bat activity survey transects were too long. Mott MacDonald Sweco Joint Venture confirmed that these were in line with best practice guidance but agreed to increase the number of stopping points. Natural England were happy with this approach (02/05/2017).	None required	AGREED
	Bat activity surveys	Bat activity surveys should continue up to 3 hours after sunset (02/05/2017).	Incorporated into methodology.	AGREED
	Bat activity surveys	The need for radio tracking surveys to be informed by results of bat activity and roost surveys (02/05/2017).	As ancient woodland will not be directly impacted by the scheme and the survey effort was considered sufficiently robust, radiotracking surveys not considered necessary.	AGREED
	Access issues for bat activity surveys	Where there are issues accessing land, records should be kept of any correspondence with landowners (02/05/2017).	Mott MacDonald Sweco Joint Venture keeping records of correspondence with landowners.	AGREED
	Landscape scale transects to be completed in summer 2018 due to resource constraints.	Natural England to check with bat specialist (02/05/2017).	Landscape scale transects will not support the DCO. Therefore, they can be completed in 2018 and 2019 post submission but before construction commences.	AGREED
	Terrestrial invertebrate survey methodology to be	Agreed by Natural England in meeting (28/02/2018)	None required	AGREED

Topic	Sub-section	Natural England comment	Highways England response	Status
	agreed with Natural England.			
	General approach to protected species surveys and mitigation.	Natural England confirmed that they were satisfied with the survey methodologies, results, and proposed mitigation for these species (28/02/2018).	None required	AGREED
	Defra metric for habitat loss and gains	Natural England agreed that it was not necessary in planning terms when MMS suggested it was not appropriate for a linear scheme (28/02/2018 and 08/05/2018).	None required.	AGREED
Potential impacts	Habitat loss	NE stated that the usual advice applies, avoid, minimise, mitigate and compensate (02/05/2017).	Mott MacDonald Sweco Joint Venture taken this into account.	AGREED
		The table within the ES showing habitat loss and compensation/ replanting was reviewed and discussed. Natural England suggested clarifying: <ul style="list-style-type: none"> • What are considered priority habitats. • Percentage loss after reinstatement / compensation (if possible). 	This has been included within ES.	AGREED
Mitigation/enhancement	Opportunities for landscape scale habitat connectivity	Natural England noted that they have a mapping tool that highlights opportunities for developing ecological connectivity. The map may cover the scheme area, which could justify funding opportunities. Natural England to find out what information is available to share with us (28/02/2018).	None required.	AGREED
		Natural England presented a plan that showing woodland within the vicinity of the scheme and how it could be extended to create ecological networks. The scheme	None required.	AGREED

Topic	Sub-section	Natural England comment	Highways England response	Status
		proposals would form an extension to this network (28/02/2018).		
	Environmental Masterplan	Reviewed by Natural England. No comment (08/05/2018).	None required	AGREED
	Dormouse introduction	Natural England raised the idea of dormouse introductions in the local area. However, Mott MacDonald Sweco Joint Venture discussed this with Highways England and it was agreed that this would not be suitable as habitat would not be suitably established for dormice (08/05/2018).	None required	AGREED
Habitat management	Post development grassland management	Natural England queried how grassland would be managed post construction and whether Hazlegrove would still be grazed (28/02/2018).	Not confirmed at this stage. Habitat management to be detailed within Handover Environmental Management Plan (HEMP).	AGREED

2.2 Issues related to the Habitat Regulations Assessment (HRA): Finding of No Significant Effects Report

Topic	Sub-section	Natural England comment	Highways England Response	Status
HRA Finding of No Significant Effects Report	<p>An appropriate study area has been used to identify European sites.</p> <p>All relevant sites have been screened into the HRA.</p> <p>The plans / projects screened into the in-combination assessment are sufficient and the approach taken to assessing in-combination effects is appropriate.</p>	<p>The conclusions of the report appear reasonable as far as the sites considered are concerned. Although a considerable distance away, we advise that Salisbury Plain Special Area of Conservation (SAC) is considered in the screening report for air quality impacts, particularly in combination with other schemes (most obviously the A303 Stonehenge scheme, and the A358 Taunton dualling scheme).</p>	<p>The criteria for roads that are considered to have traffic level changes that would give rise to potentially significant effects upon ecological receptors are clearly defined in DMRB (Volume 11, Section 3, Part 1, Paragraph 3.12).</p> <p>Highways England's air quality lead and Natural England's air quality lead have discussed the approach which is used on all Highways England schemes and the rationale is described in the email from Andy Bean. Andy has clearly stated that Highways England will not be assessing changes on roads where there are less than 200 HGV change and where all other traffic changes are below the criteria set out in para 3.12 of DMRB v11, s3, p1.</p> <p>The A303 Sparkford to Ilchester Dualling scheme does not trigger the DMRB criteria beyond the West Knoyle location to the east – in other words, roads to the east would not have a change in traffic above the DMRB criteria, and therefore, there is no need for further assessment of likely air quality changes in these locations, which includes roads within 200 metres of Salisbury Plan SAC. The closest road with a change that</p>	<i>UNDER DISCUSSION</i>

Topic	Sub-section	Natural England comment	Highways England Response	Status
			triggers the DMRB criteria as a result of the A303 Sparkford to Ilchester Dualling scheme is 30 kilometres from Salisbury Plain.	
	The correct qualifying features have been identified for each site screened into the HRA.	No comment	Agreed	AGREED
	The data used to inform the HRA, and the methodology used to undertake the assessment is appropriate.	No comment	Agreed	AGREED
	It is considered that any specific mitigation for which the conclusion relies upon is considered appropriate.	No comment	Agreed	AGREED
	The scheme would have no likely significant effect on the sites.	No comment	Agreed	AGREED
	Amendments following 'Sweetman' case law ruling	No comment	Agreed	AGREED

2.3 Issues related to European Protected Species (EPS) Licensing

Topic	Sub-section	Natural England comment	Highways England response	Status
EPS Licenses	<p>Highways England will provide Natural England with draft license applications for GCN and badger during the DCO pre-examination period.</p> <p>Natural England to provide a Letter of No Impediment for GCN and badger.</p>	To be reviewed	Not applicable.	<i>UNDER DISCUSSION</i>

2.4 Issues relating to the Outline Environmental Management Plan (OEMP)

Topic	Sub-section	Natural England comment	Highways England response	Status
OEMP	The measures included in the Outline Environmental Management Plan (document reference TR010036/APP/6.7) are appropriate and agreed between Highways England and Natural England.	No comment	Agreed	AGREED
	The CEMP will contain a summary ecological mitigation table which will be provided once the contractor is appointed.	No comment	Agreed	AGREED
	The CEMP is secured by Schedule 2, Requirement 3 of the DCO.	No comment	Agreed	AGREED
	Grassland management	Natural England requested that in the Landscape and Ecological Management Plan (LEMP), 'cut and remove' was employed for grassland management (including amenity grassland) to reduce nutrient levels and increase diversity.	This will be included within LEMP when it is produced	AGREED

