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To all Interested Parties,  
Statutory Parties and  
Other Persons

Your Ref:

Our Ref: TR010036

Date: 14 November 2018

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Dear Sir/Madam

**Planning Act 2008 (as amended) – Section 88 and the Infrastructure  
Planning (Examination Procedure) Rules 2010 (as amended) – Rule 6**

**Application by Highways England for an Order Granting Development Consent  
for the A303 Sparkford to Ilchester Dualling**

**Appointment of the Examining Authority**

I write to you following my appointment by the Secretary of State as the lead member of a Panel who will be the Examining Authority (ExA) to carry out an examination of the above application by Highways England (Applicant). The other member of the panel is Robert Jackson. A copy of the appointment letter can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000293>

**Invitation to the Preliminary Meeting**

This letter is an invitation to the Preliminary Meeting to discuss the examination procedure and contains a number of supporting annexes. We would like to thank those of you who submitted Relevant Representations. These representations have assisted us when preparing our proposals regarding how to examine this application.

**Date of meeting: Wednesday, 12 December 2018**

**Seating available from: 9.30am**

**Meeting begins: 10.00am**

**Venue: Council Chamber A & B, South Somerset District  
Council, Brympton Way, Yeovil, Somerset, BA20  
2HT**

**Access and parking:****Full disabled access. There is a large public car park with free parking**

**Note:** Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an examination, we aim to communicate with people by email wherever possible, as electronic communication is more environmentally friendly and cost effective for the Inspectorate as a Government agency. If you have received a postcard but are able to receive communications by email, please confirm this with the Case Team using the details at the top of this letter as soon as possible.

**Purpose of the Preliminary Meeting**

The purpose of the Preliminary Meeting is to enable views to be put to us about the way in which the application is to be examined. At this stage, the ExA is looking at the procedure, and not the merits of the application. The merits of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

We wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, we strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is in **Annex A**. This has been set following our initial assessment of the Principal Issues arising from our reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex B**. As a result of this assessment we wish to hear at the meeting from the Applicant, Interested Parties, Statutory Parties and Local Authorities where they consider changes may be needed to the draft timetable set out in **Annex C**.

Up to date information about the project and the Examination can be obtained from:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20West/A303-Sparkford-to-Ilchester-Dualling/>

This is the address for the project webpage on the National Infrastructure Planning website from which we will make copies of all Examination documents available to the public. As the Examination process makes substantial use of electronic documents it will be useful for you to become familiar with this resource.

If you wish to receive an email notification when relevant documents and correspondence are published you can register on the project webpage to do so.

**Attendance at the Preliminary Meeting**

If you wish to attend the Preliminary Meeting contact the Case Team using the details set out at the top of this letter. Please confirm this **no later than Wednesday 28 November 2018**.

It will help the management of the meeting and benefit everyone if you also:

- Tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- Notify us of any special requirements you may have (eg disabled access, hearing loop etc).

The Preliminary Meeting provides a useful introduction to the examination process. We will use it to make Procedural Decisions that will affect everyone participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the Examination or you have questions about procedure it is useful to attend the meeting. However, please note that you are not required to attend the Preliminary Meeting in order to participate in the Examination.

If you are an Interested Party you will still be able to make a Written Representation and comment on the Written Representations made by other Interested Parties. You will also be able to participate in any Hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

### **After the Preliminary Meeting**

After the Preliminary Meeting you will be sent a letter setting out the timetable for the Examination. An audio recording and a note of the meeting will also be published on the project page of the National Infrastructure Planning website.

Interested Parties have the right to request an Open Floor Hearing and those persons affected by any request for Compulsory Acquisition or Temporary Possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are held at the discretion of the ExA and will be arranged if we feel that consideration of oral representations would ensure an issue is adequately examined. Our Examination will comprise of Written Representations about the proposal and any oral representations made at any Hearings, in addition to consideration of the application documents, policy and legal positions, site inspections and any other matters we consider to be relevant and important.

All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

### **Notification of Open Floor Hearing**

We have made the Procedural Decision to hold an Open Floor Hearing following the Preliminary Meeting in the afternoon of **Wednesday, 12 December 2018**. Important information about this Hearing is contained within **Annex D** and **Annex E**.

If you wish to make oral representations at this Hearing please write, email or telephone the Case Team using the address and contact details at the top of this letter. We will need to receive the above notice **no later than Wednesday 28 November 2018**.

It will help the management of these Hearings and benefit everyone if you also:

- Tell us whether you wish to speak at the Hearing and set out the issues about which you wish to make oral representations; and
- Notify us of any special needs you may have (eg disabled access, hearing loop etc).

### **Other Procedural Decisions made by the Examining Authority**

In addition to the Open Floor Hearing notified above we have made some further Procedural Decisions which are set out in full at **Annex G**.

### **Your status in the Examination**

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008.

If you have made a Relevant Representation, have a legal interest in the land affected by the application<sup>1</sup>, or are a relevant Local Authority where the development is proposed within your boundary (reference numbers beginning with 2001, SPIL-AFP and SPIL-S57), you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a Statutory Party<sup>2</sup> or a Local Authority bordering the Local Authority in which the development is proposed, but have not made a Relevant Representation (reference number beginning with SPIL-SP), you will not automatically be an Interested Party at any point during the Examination.

If you are not an Interested Party or a Statutory Party you have received this letter because we wish to invite you to the Preliminary Meeting as an Other Person because it appears to us that the Examination could be informed by your participation. Other Persons have a reference number beginning SPIL-OP. If you are an Other Person you are not an Interested Party. We will write to you with our Procedural Decision following the Preliminary Meeting but we will not write to you again in the course of the Examination, unless it is to inform you that the Examination Timetable has changed or we have specific questions for you.

If you are unsure of your status in the Examination, please do not hesitate to contact the Case Team using the details at the top of this letter. More information regarding the formal status of Interested Parties is set out in the Planning Inspectorate's Advice Note 8 series, available here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

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<sup>1</sup>Or have been identified by the Applicant as a person who might be entitled to make a relevant claim

<sup>2</sup> For the purposes of this letter, meaning a body specified in Schedule 1 of The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

## **Award of Costs**

We also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance 'Awards of costs; examinations of applications for development consent orders' which applies to National Infrastructure projects. This guidance is available at:

<https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

## **Management of Information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided by the Inspectorate, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20West/A303-Sparkford-to-Ilchester-Dualling/>

All Examination documents can also be viewed electronically at the locations listed in **Annex F**.

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

We look forward to working with all parties in the examination of this application.

Yours faithfully

*Lesley Coffey*

Lesley Coffey

**Lead Member of the Panel of Examining Inspectors**

### **Annexes**

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft Examination Timetable
- D** Notification of Open Floor Hearing
- E** Agenda for Open Floor Hearing
- F** Availability of Examination Documents
- G** Other Procedural Decisions made by the Examining Authority

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Agenda for the Preliminary Meeting

|                                |   |
|--------------------------------|---|
| <b>Date:</b>                   | <b>Wednesday, 12 December 2018</b>  |
| <b>Seating available from:</b> | <b>9.30am</b>   |
| <b>Meeting Start Time:</b>     | <b>10:00am</b>  |
| <b>Venue:</b>                  | <b>Council Chamber A &amp; B, South Somerset District Council, Brympton Way, Yeovil, Somerset, BA20 2HT</b> |
| <b>Access and parking:</b>     | <b>Full disabled access. There is a large public car park with free parking</b>                             |

|                         |  |
|-------------------------|--|
| <b>09.30am</b>          | Doors open   |
| <b>Item 1 (10.00am)</b> | Welcome and introductions  |
| <b>Item 2</b>           | The Examining Authority's (ExA's) remarks about the examination process  |
| <b>Item 3</b>           | The ExA's Procedural Decisions and matters, including procedural requests, not set out in the agenda that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting (PM) or by <b>28 November 2018</b> .  |
| <b>Item 4</b>           | Initial Assessment of Principal Issues – see <b>Annex B</b>  |
| <b>Item 5</b>           | Draft Timetable for the Examination – see <b>Annex C</b>   |
|                         | Deadlines for submission of: <ul style="list-style-type: none"> <li>• Comments on Relevant Representations</li> <li>• Comments on post-application submissions from the Applicant</li> <li>• Written Representations</li> <li>• Local Impact Reports</li> <li>• Responses to the ExA's Written Questions</li> <li>• Statements of Common Ground</li> <li>• Notifications relating to any Hearings</li> </ul>                                 |
|                         | Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> <li>• Date of ASI to application site and surrounding area and meeting place</li> <li>• Date of Issue Specific Hearing on draft Development Consent Order</li> <li>• Dates reserved for Open Floor Hearing(s)</li> <li>• Time period reserved for Issue Specific Hearing(s)</li> <li>• Time period reserved for Compulsory Acquisition Hearing</li> </ul> |

|               |   |
|---------------|---|
| <b>Item 6</b> | Any other matters                       |
|               | <b>Close of the Preliminary Meeting</b> |

**Please note:** Please be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the ExA. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

**Initial Assessment of Principal Issues**

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (ExA) of the application documents and Relevant Representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded. The identified Principal Issues are listed in alphabetical order and should not be taken to imply an order of importance.

The policy and consenting requirements and documents associated with the Planning Act 2008 (PA2008) are an integral part of the Examination and are therefore not set out as separate Principal Issues. In addition, it should be noted that a number of these Principal Issues set out below have an interrelationship and overlap and these will be reflected in the Examination.

1. **Archaeology and Cultural Heritage** including issues related to:
  - Effects on Hazlegrove Park Registered Park and Garden
  - Effects on scheduled monuments, including Camel Hill Romano-British Settlement and Downhead Medieval Settlement
  - Effects on archaeological interests
  - Effects on West Camel and Queen Camel Conservation Area
  - Effect on listed milestone
  - Effects on the settings of listed buildings/heritage assets
  - Consistency of approach to non-designated heritage assets
  
2. **Air Quality and Emissions** including issues relating to;
  - Adequacy of baseline assessment
  - Construction effects of the development
  - Operational effects of the development
  - Any cumulative impacts
  
3. **Biodiversity, Ecology and Natural Environment**
  - Adequacy of baseline assessment
  - Loss of, or change to the ecological value of terrestrial and aquatic habitats and their species, including impacts on the ecological value
  - Implications for statutory and locally protected sites
  - Effects on specific fauna and flora species and their habitats (including European protected species)
  - Effects on hedgerows and trees, including ancient hedgerows and veteran trees
  - Mitigation/compensatory measures
  - Timing of works and potential seasonal effects
  - Need for Habitat Regulations Assessment/Appropriate Assessment



**4. Noise and Vibration** including issues related to:

- Baseline assessment
- Construction effects
- Operational effects including mitigation

**5. Landscape and Visual Effects** including issues relating to:

- Design of the landscape mitigation, including bunds
- Construction Effects

**6. Socio-Economic Effects on surrounding Communities** including:

- Economic and employment effects, in construction and operation
- Construction effects – noise, traffic
- Effects on surrounding communities including on agriculture, business, attractions, and nearby residents, in construction and operation, including those outside of local impact area
- Individual properties - impacts/mitigation
- Signage to local businesses and attractions, during and post construction

**7. Traffic and Transport** including issues related to:

- Hazlegrove Roundabout junction design
- Retention of A303 as a parallel road
- Construction effects on the surrounding road network including the scope of the Construction Transport Management Plan, planned road closures
- Construction effects on the use of the Public Right of Way (PRoW) network – adequacy of baseline usage surveys
- Displaced traffic during construction, including highway safety
- Operational effects including the surrounding road network
- Junction design
- Links with local network
- Provision for Non-Motorised Users/effects on PRoW
- Mitigation/traffic calming for surrounding roads
- Adequacy of baseline assessment and any cumulative effects

**8. Flooding/Drainage Strategy**

- Impacts on unlicensed water abstractions
- Risks to ground water
- Future Management and maintenance of drainage
- Potential conflict between ponds and RNAS Yeovilton operations

**9. Draft Development Consent Order (dDCO)**

- The structure of the dDCO.
- Definitions

**10. Compulsory Acquisition and /or Temporary Possession/  
Rights over land**

- The need for the land and rights proposed to be subject to compulsory acquisition and / or temporary possession
- Effects on statutory undertakers
- Effects on infrastructure and infrastructure providers
- Adequacy and security of funding for compensation
- Current position in relation to Crown Land
- Access for construction and maintenance
- Human rights, Public Sector Equality Duty, consideration of alternatives
- Tests set out in sections 122/123/127/132/135/138 of the Planning Act 2008
- Book of Reference

### Draft timetable for examination of the application

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at any Hearings.

| Item | Matters  | Due Dates   |
|------|--|---|
| 1    | <b>Preliminary Meeting</b>   | <b>Wednesday<br/>12 December<br/>2018<br/>(morning)</b>                         |
|      | <b>Open Floor Hearing 1 (OFH1)</b><br><br>Date reserved to hold an OFH (see <b>Annex D</b> for full details)   | <b>Wednesday<br/>12 December<br/>2018<br/>(afternoon)</b>                       |
|      | <b>Issue by the ExA of:</b><br><br><ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul> <b>Publication of:</b><br><br><ul style="list-style-type: none"> <li>• The ExA's Written Questions</li> </ul>   | <b>As soon as<br/>practicable<br/>following the<br/>Preliminary<br/>Meeting</b> |
|      | <b>Deadline 1 (D1)</b><br><br>Deadline for receipt by the ExA of:<br><br><ul style="list-style-type: none"> <li>• Comments on updated application documents</li> <li>• Comments on Relevant Representations (RRs)</li> <li>• Summaries of all RR's exceeding 1500 words</li> <li>• Post Hearing submissions including written submissions of oral case made at OFH1</li> <li>• Notification by Statutory Parties of their wish to be considered as an IP by the ExA</li> <li>• Draft itinerary for Accompanied Site Inspection (ASI)</li> <li>• Suggested locations for site inspections, and justification, for consideration by the ExA</li> <li>• Notification of wish to speak at any subsequent Open Floor Hearing (OFH)</li> <li>• Notification of wish to make oral representations at an Issue Specific Hearing (ISH)</li> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> <li>• Notification of wish to have future</li> </ul> | <b>Friday 11<br/>January 2019</b>   |

|  |  |   |
|--|--|---|
|  | <p>correspondence received electronically</p> <ul style="list-style-type: none"> <li>• Comments on any additional information/submissions received</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>   |   |
|  | <p><b>Time reserved for issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Notification of date, time and meeting place for ASI</li> </ul>  | <p><b>Tuesday<br/>22 January<br/>2019</b></p>   |
|  | <p><b>Deadline 2 (D2)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written Representations (WRs)</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Local Impact Reports from any local authorities</li> <li>• Statements of Common Ground (SoCG) requested by the ExA – see <b>Annex F</b></li> <li>• Responses to the ExA’s Written Questions</li> <li>• Applicant’s first revised draft DCO</li> <li>• Responses to comments on RRs</li> <li>• Comments on draft itinerary for ASI and suggested locations for site inspections</li> <li>• Notification of wish to attend an ASI</li> <li>• Comments on any additional information/submissions received by D1</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul> | <p><b>Wednesday<br/>23 January<br/>2019</b></p> |
|  | <p><b>Time reserved for issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Notification of Hearings</li> </ul>  | <p><b>Tuesday 29<br/>January 2019</b></p>       |
|  | <p><b>Deadline 3 (D3)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs</li> <li>• Comments on Local Impact Reports</li> <li>• Comments on SoCGs</li> <li>• Comments on responses to the ExA’s Written Questions</li> <li>• Comments on Applicant’s first revised draft DCO</li> <li>• Comments on any additional information/submissions received by D2</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>   | <p><b>Wednesday<br/>6 February<br/>2019</b></p> |

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|--|---|---|
|  | <b>Accompanied Site Inspection (ASI)</b>  | <b>Tuesday<br/>19 February<br/>2019</b>                       |
|  | Dates reserved to continue <b>Accompanied Site Inspection (ASI)</b> (if required)   | <b>Wednesday<br/>20 February<br/>2019</b> (if required)       |
|  | <p><b>Hearings</b></p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• An Issue Specific Hearing dealing with matters relating to the dDCO</li> <li>• Any other Issue Specific Hearing(s) that may be required</li> <li>• Any subsequent Open Floor Hearing(s) that may be requested</li> <li>• Any Compulsory Acquisition Hearing(s) that may be requested or required</li> </ul>  | <b>Tuesday<br/>26 February<br/>to Friday 1<br/>March 2019</b> |
|  | <p><b>Deadline 4 (D4)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post Hearing submissions including written submissions of oral case</li> <li>• Any revised/updated SoCG (if any)</li> <li>• Comments on any additional information/submissions received by D3</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>   | <b>Friday<br/>8 March 2019</b>                                |
|  | <p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• The ExA's further Written Questions (if required)</li> </ul>  | <b>Friday 22<br/>March 2019</b>                               |
|  | <p><b>Deadline 5 (D5)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's further Written Questions (if required)</li> <li>• Applicant's revised draft DCO</li> <li>• Comments on any revised/updated SoCGs</li> <li>• Comments on any additional information/submissions received by D4</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul> | <b>Friday<br/>5 April 2019</b>                                |

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|--|--|--|
|  | <p><b>Time reserved for issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Any notification of Hearings</li> </ul> <p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES)</li> <li>• The ExA's proposed schedule of changes to the draft DCO (if required) / or The ExA's draft DCO (if required)</li> </ul>  | <p><b>Tuesday<br/>16 April 2019</b></p>                          |
|  | <p><b>Deadline 6 (D6)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to the ExA's further Written Questions (if required)</li> <li>• Comments on Applicant's revised draft DCO</li> <li>• Comments on the ExA's proposed schedule of changes to the draft DCO / or The ExA's draft DCO</li> <li>• Comments on any additional information/submissions received by D5</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul> | <p><b>Friday<br/>26 April 2019</b></p>                           |
|  | <p><b>Hearings</b></p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• Further Issue Specific Hearing (if required)</li> <li>• Further Open Floor Hearing (if required)</li> <li>• Further Compulsory Acquisition Hearing (if required)</li> </ul>   | <p><b>Tuesday<br/>14 May to<br/>Thursday 16<br/>May 2019</b></p> |
|  | <p><b>Deadline 7 (D7)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post Hearing submissions including written submissions of oral case (if required)</li> <li>• Responses to comments on the ExA's proposed schedule of changes to the draft DCO / or The ExA's draft DCO</li> <li>• Comments on the RIES</li> <li>• Comments on any additional information/submissions received by D6</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>  | <p><b>Friday<br/>24 May 2019</b></p>                             |

|  |   |  |
|--|---|--|
|  | <p><b>Deadline 8(D8)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Response to comments on the RIES</li> <li>• Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</li> <li>• Final updated Book of Reference</li> <li>• Final SoCGs</li> <li>• Final Compulsory Acquisition Schedule</li> <li>• Final updated Guide to the Application</li> <li>• Comments on any additional information/submissions received by D7</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul> | <p><b>Friday<br/>31 May 2019</b></p>     |
|  | <p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>   | <p><b>Wednesday<br/>12 June 2019</b></p> |

### Publication Dates

All information received will be published on the project website as soon as practicable after the deadline for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project webpage. Each document will be given a unique reference. These references will be used by the ExA during the Examination.

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20West/A303-Sparkford-to-Ilchester-Dualling/>

### Hearing Agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings we will aim to publish a detailed draft agenda on the project website at least five working days in advance of the Hearing date. However, the actual agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

## Notification of Open Floor Hearing

| Date             | Hearing              | Start time                             | Venue  | Access and parking                            |
|------------------|----------------------|--|--|---|
| 12 December 2018 | Open Floor Hearing 1 | 2.00pm (seating available from 1.30pm) | Council Chamber A & B, South Somerset District Council, Brympton Way, Yeovil, Somerset, BA20 2HT | Full disabled access and free parking for all |

Information about Hearings is included in the Planning Inspectorate's 'Advice Note 8.5: The examination: Hearings and site inspections', available on the National Infrastructure Planning website here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

If you wish to attend this Hearing please contact the Case Team using the details at the top of this letter **no later than Wednesday 28 November 2018**, stating:

- whether you wish to speak at the Hearing and the issues about which you wish to make oral representations; and
- notifying us of any special needs you may have (eg disabled access, hearing loop etc).

Seating will be available at the venue 30 minutes prior to the start of the Hearing to enable a prompt start. The Hearing will finish as soon as the Examining Authority (ExA) deems that all those present have had their say and all matters have been covered. Depending on the numbers wishing to speak at the Hearing, it may be necessary for the ExA to limit the time allocated to each speaker.



## Agenda for the Open Floor Hearing (OFH)

|                            |   |
|----------------------------|---|
| <b>Date:</b>               | <b>Wednesday, 12 December 2018</b>  |
| <b>Time:</b>               | <b>2.00 p.m</b><br><b>Hearing room opens from 1.30 pm</b>   |
| <b>Venue:</b>              | <b>Council Chamber A &amp; B, South<br/>Somerset District Council<br/>Brympton Way<br/>Yeovil<br/>Somerset<br/>BA20 2HT</b> |
| <b>Access and Parking:</b> | <b>Full disabled access. There is a large<br/>public car park with free parking</b>   |

## Purpose of the Open Floor Hearing (OFH)

The OFH is held to discharge the Examining Authority's (ExA's) duty to hear Interested Parties (IPs) who request to be heard.

## Participation, conduct and management of hearing

All IPs who wish to make oral representations are invited to participate in the hearing, attending at the appointed start time of 2.00 pm. Participation is subject to the ExA's power to control the hearing. However, this hearing does not have a subject matter controlled agenda and participants may bring up any matter arising from the application that is also important and relevant to a decision taken under the Planning Act 2008 (as amended) (PA2008). Participation is therefore of most relevance to IPs who wish to raise matters that may not be addressed in the agenda for an Issue Specific Hearing (ISH) and do not relate to the effects of proposals for the Compulsory Acquisition (CA) or Temporary Possession (TP) of land or rights over land in a Compulsory Acquisition Hearing (CAH).

At this stage, no formal requests to be heard have been received. Requests to be heard are requested to be made to [A303SparkfordtoIlchester@pins.gsi.gov.uk](mailto:A303SparkfordtoIlchester@pins.gsi.gov.uk) with "Open Floor Hearing 1" in the subject line by **no later than Wednesday 28 November 2018**.

The ExA requests that Highways England (the Applicant) attends the hearing. The Applicant may be asked by or through the ExA to address questions raised by IPs and will be provided with a brief opportunity to respond to IPs oral cases.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required. The

Applicant and IPs may attend with expert advisers, but IPs may participate without expert advice.

Guidance under the PA2008<sup>1</sup> and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

Cross-questioning of the person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. IPs should note that it is not normal procedure at an OFH for an ExA to permit the cross-questioning of an unrepresented IP by the Applicant or the Applicant's representatives, or of the Applicant by an IP.

The agenda may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise matters arising from oral submissions and Relevant Representations, and pursue lines of inquiry in the course of the discussion which are not listed on the agenda.

The hearing will run until all IPs who have made a written request to be heard have made their oral representations and responded to the ExA's exploration of the matters arising from them (Agenda Item 2).

If by ten minutes after the conclusion of Agenda Item 2, no other IPs have attended and sought a hearing in relation to any of the remaining agenda items, the ExA is entitled to conclude that none wish to do so and may then proceed to Agenda Items 4 – 6 and close the hearing with immediate effect.

If there are more IPs in attendance than can reasonably be heard in Agenda Item 3 (IPs who have not made a written request to be heard), the ExA may make alternative arrangements to enable those IPs to make their positions known, including arrangements for the submission of Written Representations.

## **Agenda**

- 1. Welcome, introductions and arrangements for this Open Floor Hearing**
- 2. Representations by Interested Parties Requesting to be Heard**

The ExA will identify those Interested Parties (IPs) in attendance who have already made a written request to be heard. If no such IPs are present, the ExA will proceed to Agenda Item 3.

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<sup>1</sup> DCLG: 'Planning Act 2008: Guidance for the examination of applications for development consent', March 2015.  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418015/examinations\\_guidance-final\\_for\\_publication.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-final_for_publication.pdf)

IP's in attendance who have made a written request to be heard to speak will be invited to put oral submissions to the ExA. A time guide of ten minutes per IP will be applied to these submissions.

The ExA may ask questions of the IP and the Applicant about matters arising from written and oral submissions.

The Applicant will be provided with a brief summary right of reply. A time guide of five minutes will be applied to these submissions.

### **3. Representations by any other IPs**

To the extent that there is sufficient time remaining, each IP in attendance and asking to speak will be invited to put oral submissions to the ExA. A time guide of ten minutes per IP will be applied to these submissions.

The ExA may ask questions of the IP and the Applicant about matters arising from written and oral submissions.

The Applicant will be provided with a brief summary right of reply. A time guide of five minutes will be applied to these submissions.

### **4. Review of issues and actions arising**

The ExA will address how any actions placed on the Applicant or IPs are to be met and consider the approaches to be taken in further hearings or written procedures, in the light of issues raised in this hearing.

### **5. Next steps**

### **6. Closure of the hearing**

## Availability of Examination documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20West/A303-Sparkford-to-Ilchester-Dualling/>

For ease of navigation, please refer to the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab on the project webpage. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.

Documents can be viewed electronically, free of charge, at the following locations. Please note that you may need to bring a form of identification to use a computer at these locations.

### Electronic Deposit Locations:

| Local Authority   | Library/ Address  | Opening Hours  |
|---|---|--|
| Somerset County Council   | Yeovil Library, King George Street, Yeovil BA20 1PY   | Monday: 09:30 - 17:30<br>Tuesday: 09:30 - 18:00<br>Wednesday: 09:30 - 17:30<br>Thursday: 09:30 - 18:00<br>Friday: 09:30 - 17:30<br>Saturday: 09:30 - 16:00<br>Sunday: Closed |
| Library Printing Costs  | Black and White   | Colour   |
| A4  | 15p per side  | 40p per side   |
| A3  | There are no A3 printers however it is possible to photocopy A4 documents and print them in A3. The cost for this is: |  |
|   | Black and White   | Colour   |
|   | 10p per side for the A3 photocopy   | 70p per side for the A3 photocopy  |
| Link to all council library locations:  |   |  |
| <a href="http://www.somerset.gov.uk/libraries-and-heritage/using-the-library/find-your-library/">http://www.somerset.gov.uk/libraries-and-heritage/using-the-library/find-your-library/</a> |   |  |

## **Procedural decisions made by the Examining Authority (ExA)**

The ExA has made the following procedural decisions under Section 89(3) of the PA2008:

### **1. Statements of Common Ground (SoCG)**

In relation to some of the Principal Issues identified in **Annex B**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft timetable for the Examination therefore provides a deadline for submission of SoCGs. This is Deadline 2 on **23 January 2019**.

The aim of a SoCG is to provide factual information identifying areas of agreement and disagreement and highlighting key issues. The applicant, other interested parties, local authorities and statutory parties are encouraged to use the pre-examination period and the period leading up to any programmed written submissions and Hearings to reach as much consensus as possible and to be clear on any disagreements that remain.

SoCG should identify clearly the matters of fact, methodology, assumptions, assessment of impacts and agreed mitigation or compensation measures on which there is agreement between the applicant and the party concerned. Matters on which there is disagreement should also be noted and the viewpoint of each party should be set out in written representations.

Accordingly the ExA would like the applicant to provide with the submitted SoCGs a table which shows the commonality on specific points between SoCGs. The ExA would like this table to be updated during the examination to reflect additional agreement achieved, for inclusion with the ExA's Report.

The SoCGs are requested to be prepared by:

#### ***The Applicant and the Environment Agency*** including

- Water environment effects, including abstraction and discharge
- Drainage including provision for containment and treatment /disposal of contaminated run-off
- Waste management issues, including permitting and formal exemption requirements
- Any implications of the 2018 Ground Investigations
- Development Consent Order drafting, including requirements

#### ***The Applicant and Natural England*** including

- Habitats, Ecology and Nature Conservation, including assessment of cumulative effects
- Adequacy and means of securing mitigation
- Effects on Protected species and sites
- The need for and means of securing mitigation actions
- Need for Habitat Regulations Assessment/Appropriate Assessment

***The Applicant and Heritage England*** including

- The amount of land to be taken from the RPG for the Hazlegrove Junction and Hazlegrove School access
- Effect on the RPG, its subsequent setting and the setting of Hazlegrove House
- Effect of ecological mitigation area to the east of Downhead Scheduled Monument on any associated archaeological remains or on the setting of the scheduled monument
- The effect on the listed milestone
- The effect on the Camel Hill Scheduled Monument
- The effect on the setting of other listed buildings identified in the ES
- Archaeology, if any, identified in the 2018 surveys

***The Applicant and South Somerset District Council and Somerset County Council*** including

- Potential for increased traffic on West Camel and Sparkford road network
- Traffic calming and other mitigation measures required
- Methodology for assessing Public Right of Way (PRoW) network usage
- Effect on un-recorded rights of way/applications to amend the Definitive Map and Statement
- Effects on the PRoW network and on cyclists, pedestrians and riders
- Air quality effects and mitigation
- Noise and vibration effects and mitigation
- Effect on Cultural Heritage, including archaeological assets
- Landscape and Visual Impact
- Effect on biodiversity
- Economic and Social effects on local communities including businesses
- Geology, Assets and Waste
- Flood Risk Assessment
- Any implications of the 2018 Ground Investigations

***The Applicant and Somerset Drainage Boards Consortium*** including

- Access for maintenance of ponds and ditches
- Need for other consents
- Flooding
- Any implications of the 2018 Ground Investigations
- Development Consent Order drafting, including requirements

***The Applicant and Defence Infrastructure Organisation*** including

- Potential for conflict between construction equipment and air safety zone
- Potential for conflict between drainage ponds and bird strike

***The Applicant and West Camel, Queen Camel and Sparkford Parish Councils*** including

- Retention of A303 as a local road
- Traffic management arrangements during and post construction
- Traffic calming proposals
- Effect on communities and businesses

***The Applicant and Church Commissioners*** including

- Extent of land take required
- Specification for proposed access tracks/gates
- Drainage arrangements
- Fencing proposals

***The Applicant and Mr & Mrs Walton, Long Hazel Park*** including

- Appropriate location for measurement and assessment of noise effects
- Noise effect in amenity areas
- Noise mitigation measures

***The Applicant and the relevant statutory undertakers*** including

- Mitigation of the effects of the project on the transmission/distribution systems
- Development Consent Order drafting, including requirements

## **2. Open Floor Hearing**

We have made a Procedural Decision to hold our first Open Floor Hearing (OFH) shortly after the close of the Preliminary Meeting (PM) on Wednesday, 12 December 2018. **Annex D** provides notice of this decision.

For the purposes of Rule 13(1) and (6) of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the EPR), the periods of not less than 21 days with reference to which we must provide notice of a hearing and the Applicant must publicly notify and advertise the hearing arrangements no later than **Tuesday 20 November 2018**. This is a date before the start of the Examination, but it ensures that the required statutory 21 days' notice period has been provided for this hearing. In light of this OFH commencing shortly after the PM, we have also decided that any person intending to participate in this OFH must notify the Case Manager of their intention to attend by **28 November 2018**, as advised in **Annex D**.

## **3. Other issues**

The Applicant is requested to provide a validated Word version of the draft dDCO, free from errors and omissions, by **11 January 2019** (Deadline 1).

The Applicant is requested to establish a meeting place for any Accompanied Site Inspection(s) and provide this **no later than Wednesday 28 November 2018**.