

Application by Highways England for the A303 Sparkford to Ilchester Dualling project
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 20 December 2018

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Assessment of Principal Issues provided as Annex E to the Rule 8 letter of 20 December 2018. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on archaeology and cultural heritage issues is identified as Q1.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact A303SparkfordtoIlchester@pins.gsi.gov.uk and include 'A303 Sparkford to Ilchester' in the subject line of your email.

Responses are due by **Deadline 2: 23 January 2019**.

Abbreviations used

PA2008	<i>The Planning Act 2008</i>	NMU	<i>Non-motorised user</i>
Art	<i>Article</i>	NPS	<i>National Policy Statement</i>
ALA 1981	<i>Acquisition of Land Act 1981</i>	NSIP	<i>Nationally Significant Infrastructure Project</i>
BoR	<i>Book of Reference</i>	R	<i>Requirement</i>
CA	<i>Compulsory Acquisition</i>	SI	<i>Statutory Instrument</i>
CPO	<i>Compulsory purchase order</i>	SCC	<i>Somerset County Council</i>
dDCO	<i>Draft DCO</i>	SSDC	<i>South Somerset District Council</i>
EM	<i>Explanatory Memorandum</i>	SOAEL	<i>Significant Observed Adverse Effect Level</i>
ES	<i>Environmental Statement</i>	SoS	<i>Secretary of State (for Transport)</i>
ExA	<i>Examining authority</i>	SoSHCLG	<i>Secretary of State for Housing, Communities and Local Government</i>
IP	<i>Interested Party</i>	SSSI	<i>Site of Special Scientific Interest</i>
LIR	<i>Local Impact Report</i>	TP	<i>Temporary Possession</i>
LOAEL	<i>Lowest Observed Adverse Effect Level</i>		
LPA	<i>Local planning authority</i>		
MP	<i>Model Provision (in the MP Order)</i>		
MP Order	<i>The Infrastructure Planning (Model Provisions) Order 2009</i>		

The Examination Library: References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000363>

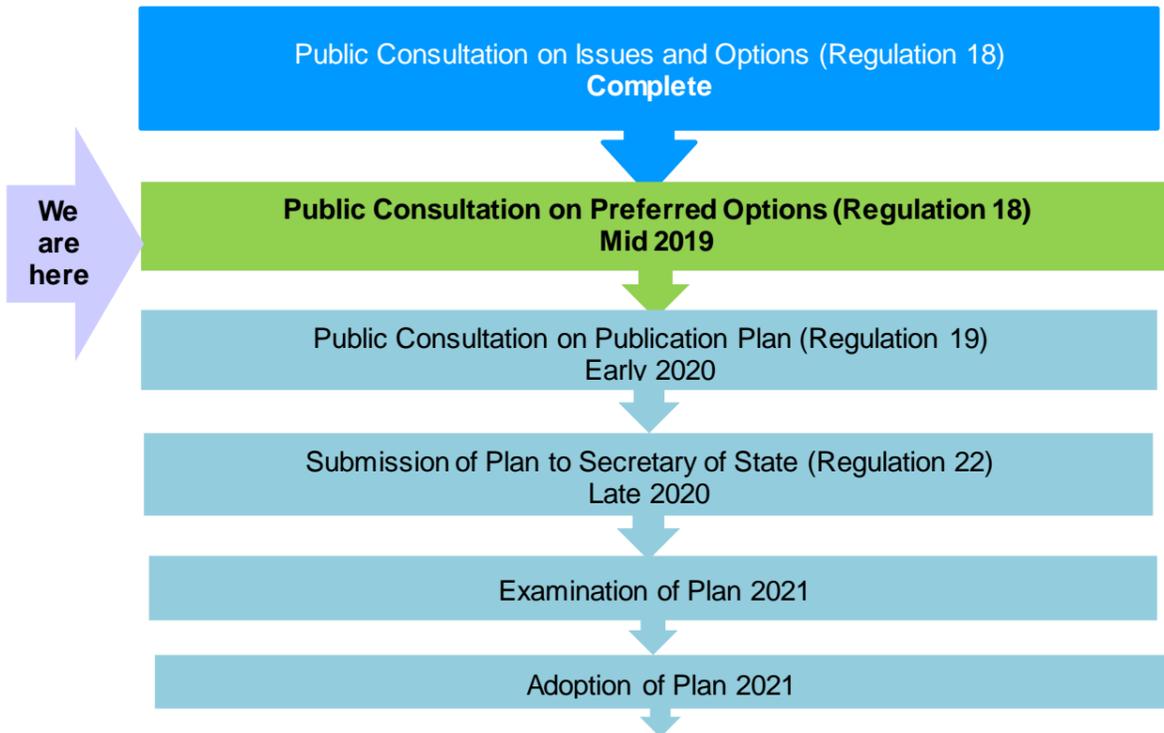
It will be updated as the examination progresses.

Citation of Questions: Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ1.1.1 – refers to question 1 in this table.

Responses:

A significant number of the questions seek clarification, or deal with potential typographic or cartographic errors. The ExA is content for the applicant to deal with these through the use of errata sheet(s) if that would be easier and/or by indicating that they have been addressed in a revised version of a document (such as the dDCO) which is submitted in line with an existing Deadline. If the response is of that nature, then any response can refer to the relevant errata sheet or amended document.

ExQ1	Question to:	Question:	SSDC Response
1.0	General and Cross-topic Questions		
1.0.2	SSDC	<p>Local Plan</p> <p>a) While various policies of the South Somerset Local Plan (2006 – 2028) have been cited by the Applicant, could the Council please provide a copy of the complete document and any associated policies map(s)?</p> <p>b) The Case for the Scheme [APP-149, paragraph 7.4.10] indicates that the Local Plan is currently being reviewed. Could the Council please indicate the latest situation, provide updated information as appropriate and advise what, if any, weight it considers should be given to this emerging Local Plan?</p>	<p>a) The adopted Local Plan and associated maps can be found here: https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/south-somerset-local-plan-2006-2028/adopted-south-somerset-local-plan/ Should the ExA require a hard copy of these documents, please contact the District Council -</p> <p>b) The emerging Local Plan is being reviewed. The Issues and Options Consultation went out to consultation between October 2017 and January 2018. The Preferred Options will go out to consultation this summer, this has yet to be agreed with Members but is being tabled at District Executive on the 7th February. The Preferred Options consultation is still a relatively early stage in the production of the Local Plan Review. A further round of public consultation will take place on the Publication version of the Plan before the Local Plan Review is formally submitted and goes to Examination. The figure below shows the various stages of production and the anticipated timeline.</p>  <pre> graph TD A[Public Consultation on Issues and Options (Regulation 18) Complete] --> B[Public Consultation on Preferred Options (Regulation 18) Mid 2019] B --> C[Public Consultation on Publication Plan (Regulation 19) Early 2020] C --> D[Submission of Plan to Secretary of State (Regulation 22) Late 2020] D --> E[Examination of Plan 2021] E --> F[Adoption of Plan 2021] </pre>

1.0.3.	SSDC	<p>Local Plan</p> <p>a) The Applicant has quoted various development plan policies in the chapters of the ES. Does the Council consider that the policies cited are all those relevant to the proposal?</p> <p>b) If not could the Council please indicate which others it considers to be material and whether and/or how the proposal would comply or otherwise to that policy?</p>	<p>a) The Local Plan policies cited in the Environmental Statement are set out below, with a note on their relevance to the scheme:</p> <ul style="list-style-type: none"> • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 5 - Air Quality correctly refers to EQ7: Pollution Control. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 6 - Cultural Heritage correctly refers to EQ3: Historic Environment. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 7 - Landscape refers to EQ5: Green Infrastructure and EQ3: Historic Environment but fails to refer to EQ2: General Development or EQ6: Woodland and Forests. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 8 - Biodiversity correctly refers to EQ4: Biodiversity but fails to refer to EQ6 or EQ5, EQ1: Addressing Climate Change in South Somerset. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 9 - Geology and Soils correctly refers to EQ7. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 11 - Noise and Vibration correctly refers to EQ7. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 ES Chapter 12 - People and Communities refers to the following policies: <ul style="list-style-type: none"> ○ SS6: Infrastructure Development, EP5: Farm Diversification, EP15: Protection of Local Shops, Community Facilities and Services, HW1: Provision of Open Space, Outdoor Playing Space, Sports Cultural and Facilities in New Development, HW3: Protection of Play Spaces and Youth Provision and Policy EQ5: Green Infrastructure. ○ Policy HW1 refers to housing development and is therefore not relevant. Policy HW3 deals with development which would result in the loss of equipped play areas and youth facilities and therefore is also not relevant as the Council is not aware of the proposed development affecting such facilities. Policy EP5 sets out criteria for farm diversification proposals, this does not appear to be relevant. EP15 supports new community facilities or seeks alternative uses for existing facilities to prevent their total loss, again not of relevance to this proposal. ○ Policy SS6 covers S106 and developer contributions which is of relevance. • A303 Sparkford to Ilchester Dualling - Environmental Statement 6.1 Chapter 13 - Climate correctly refers to EQ1. • A303 Sparkford to Ilchester Dualling - Environmental Statement Appendix 4.6 Flood risk assessment lacks reference to local plan policy EQ1 which refers to flood risk and development.
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ExQ1	Question to:	Question:	
			<ul style="list-style-type: none"> • A303 Sparkford to Ilchester Dualling - Environmental Statement Appendix 6.1 Cultural Heritage Desk Based Assessment references the correct local plan policies (EQ3). • The A303 Sparkford to Ilchester Dualling - Environmental Statement Appendix 6.2 Statement of Significance references the correct local plan policies (EQ3). <p>b) There are no other Local Plan policies that require reference.</p>
1.1.	Archaeology and Cultural Heritage		
1.1.8	The Applicant IPs	<p>Heritage assets (generally)</p> <p>a) Paragraph 6.6.1 of Chapter 6 Cultural Heritage of the ES [APP-043] indicates that the assessment area has been identified at 1 km (plus a small number of additions). While this is based on professional judgement, what other distances were considered as part of the original assessment?</p> <p>b) Why were these rejected?</p> <p>c) Do IPs consider that the assessment area is appropriate?</p>	<p>a) Response required from the Applicant.</p> <p>b) Response required from the Applicant.</p> <p>c) The 1 km sausage is stated as being consistent with the DMRB Volume 11, Section 3, Part 2. The Manual suggests the study area for archaeological remains, historic buildings and historic landscapes should be dependent on the 'sensitivity of the receiving environment' and provides possible limits for each type of heritage asset.</p> <p>For archaeological remains it suggests a study area of 500 metres either side of a road route if the preferred route has yet to be defined. An additional 200 metres either side of the scheme area is suggested for a defined route (para. 5.41.).</p> <p>For historic buildings it suggests the visual envelope of the propose works or those immediately adjacent (para. 6.41.).</p> <p>For historic landscapes it suggests this is on a case-by-case basis, 'take account of the stage of the proposal, its scale and its likely effects, and the character of the historic landscape' (para. 7.41.).</p> <p>The minutes of the second TWG (13th February 2017) record that the SSDC Conservation Officer was broadly supportive of the draft list of heritage assets to be included in the ES.</p> <p>Having reviewed the documents and undertaken a site walkabout, the study area of 1 km plus the additional distant sites is appropriate for the scheme works. However, we are now aware of the A359 / A37 southerly diversion route during the A303 road closure periods. An extension of the study area for heritage assets immediately adjacent to the diversion route is sought if there is a potential for the diverted traffic flow to have an adverse impact on the fabric of historic bridges, historic buildings, milestones, boundary treatment, etc. on the diversion route.</p> <p>We are not aware of any other study area widths having been considered.</p>

ExQ1	Question to:	Question:	
1.1.17	The Applicant SSDC Historic England The Gardens Trust (or Somerset Gardens Trust if acting as its deputy) Affected Landowners	Hazlegrove House RPG a) The proposal involves works within the Hazlegrove House Registered Park or Garden (RPG). What criteria were used to judge where the physically unaffected land of the RPG would be located? b) What alternatives were considered for the extent of the physically unaffected land of the RPG, and why were they rejected? c) Is the loss of cultural heritage the minimum necessary to deliver the benefits of the proposal? d) Are there alternatives, perhaps involving different land-takes, which would better ensure the significance of the heritage asset was maintained? e) When considering the level of harm to the heritage asset, what level of harm would be caused? Such an assessment should be justified.	a) Response required from the Applicant. b) Full response required from the Applicant. There is an exchange of emails on various on-line or off-line options, roundabout or loop options, and school access drive options, between Mott MacDonald and SSDC's Landscape Architect and Conservation Officer between March and June 2017. The response from SSDC was that the impact on the RPG would be substantial and the integrity of the park compromised whatever option was progressed (email of 21 st March 2017). The preference expressed in an email of 2nd June 2017 was for an off-line option: allowing the elevation of the main A303 to be lowered into a cutting and for reduced embankment works, tree loss and views of moving traffic; and for a loop option for reduced footprint and to avoid highway lighting. Further discussions are understood to have concentrated on locating the off-line loop option towards the south-west corner of the RPG in order to concentrate the footprint in an area of the RPG compromised by its arable land use. At the October 2018 TWG the review of the various options was verbally summarised. c) No, inclusion of the attenuation pond (Pond 5) and its associated maintenance track and fencing within the RPG is considered unnecessary and harmful. The RPG covers an area of 78.3 hectares. The scheme will result in the permanent loss of approx. 10.6 hectares (14%). The fenced area of the attenuation pond is an additional loss to the RPG, approximately 3.1 hectares (4%) in addition to the 10.6 hectares stated as being lost in the ES, and a loss of potential parkland restoration for the mitigation measures. d) The location of Pond 5 to the west of its current proposed location, outside of the RPG. Retention of the PRoW with the alignment of the historic route of Hazlegrove Lane as far as possible. e) The following assessments in Chapter 6.3 ES Cultural Heritage are accepted: Temporary construction impacts: Medium value x Major magnitude of impact = temporary large adverse effect. Permanent construction impacts: Medium value x Major magnitude of impact = Permanent large adverse effect. Operation impacts – Medium value x Moderate magnitude of impact = Moderate adverse effect.

ExQ1	Question to:	Question:	
1.1.18	The Applicant SSDC Historic England The Gardens Trust (or Somerset Gardens Trust if acting is as its deputy) Affected Landowners	Hazlegrove House RPG a) Table 6.4, second row, of the Chapter 6 Cultural Heritage of the ES [APP-043] in respect of the temporary effects on Hazlegrove House RPG states that there were be a change from "arable farmland to construction area". While it is appreciated that the field being utilised is arable farmland, given that the parkland is predominantly pastoral is this statement clear? b) If not, does this affect the conclusions?	Table 7.2, pages 59 to 61: a) Yes, the impact being going from a rural land use to a construction site for the area being utilised for a construction compound, which is the principal vista from the front of the house. b) Impact for the remaining construction worksite of going from pastoral and woodland to construction site is not separately identified but assumed.
1.1.19	The Applicant SSDC Historic England	Hazlegrove House RPG a) In Table 6.4, second row, of the Chapter 6 Cultural Heritage of the ES [APP-043] assessing the effects on the Hazlegrove House RPG there are references to a "construction compound" and an "ancillary construction compound". However, these are not shown on the works plan. Have they been omitted from the works plan or no longer proposed? b) Does the assessment set out in the ES need to be updated to take account of the final proposal?	a) A construction compound is understood to be proposed in the RPG, as illustrated in Figure 2.25 of Chapter 2, page 56. b) The ES does not include the impact of the construction compound on the retention, or not, of veteran trees. The ES should consider the impact of the construction compound on the veteran trees. The same is true for aspects of the proposed works in close proximity to the veteran trees of the RPG. Paragraph 6.6.4 of the DBA identifies five veteran trees in the southern end of the RPG. Appendix C of the DBA includes a plan with three other 'additional trees of interest' in this area. Six of these eight trees would likely be affected by the scheme through the construction compound, drive realignment and land take. Paragraph 7.4.3 of the DBA states that "An arboricultural survey has been undertaken for the area of the park within the redline boundary of the scheme. Once findings have been collated and reporting completed, the results could help to inform a better understanding of the historic importance of the trees within the southern end of the park. Findings will be incorporated into the final version of this report". The findings of the survey and an assessment of the impact of the scheme on these trees should be included in the ES.

ExQ1	Question to:	Question:	
1.1.21	The Applicant SSDC Historic England Affected Landowners	Archaeology a) It is noted in paragraph 6.5.2 of Chapter 6 Cultural Heritage of the ES [APP-043] that field evaluation (trial trenching and/or geophysical survey) has been undertaken as regards archaeology with the results submitted as other environmental information to support the DCO application during the examination period. When are the results likely to be available? b) What arrangements are in place to disseminate these results and take the results into account, if necessary, within the ES and dDCO? c) If the results are already available, has the field work revealed any previously unknown archaeological remains? d) If so, what is the significance of these remains and what effects would the proposal have upon them? e) Does this affect the conclusions and if so, in what way?	Somerset County Council will respond to this question as they are the authority responsible for archaeology.
1.1.25	SSDC Historic England The Gardens Trust (or Somerset Gardens Trust if acting as its deputy)	Archaeology Due to the uncertainties involved in identifying archaeological sites from aerial photography, could the heritage stakeholders state whether they are in agreement with the Applicant's interpretation of the aerial photography as listed within Appendix 6.1, Appendix D of the ES [APP-067]?	Somerset County Council will respond to this question as they are the authority responsible for archaeology.
1.1.26	The Applicant SSDC Parish Councils Historic England	Queen Camel and West Camel Conservation Areas and Heritage Assets to the south a) During construction and when operative, when the A303 is closed, the diversion route will be to the south and diverted traffic may travel through Sparkford, Queen Camel and West Camel. This is assessed in the ES Appendix 6.1 Cultural Heritage Desk Based Assessment Table 7.2 pages 62 and 63 [APP-068] in respect of both the construction and operational periods. Do all parties agree with this assessment, and if not, could the reasoning please be explained? b) What measures would be in place to ensure that any effects on these heritage assets were mitigated? c) How would these measures be secured?	a) With regards to the A303 closure periods during the construction phase, there is no assessment of the effect of moving traffic and potential traffic induced physical damage for Queen Camel, West Camel, Marston Magna or Sparkford, and this should be included in the ES. With regards to the effects during operation, the level of significance of the increase in traffic through the villages has not been assessed by the applicant. The Joint Councils have suggested that traffic calming measures and other mitigation measures should therefore be explored and considered by the ExA, and a mechanism established to secure such mitigation. Heritage Assets on Sparkford Road are excluded from the ES due to an earlier decision based on their proximity to the scheme and without consideration for the potential impact of redirected traffic flows. b) The applicant has not assessed the impacts and therefore insufficient measures are in place to ensure that any effects on these heritage assets are mitigated. This is set out in the Council's Local Impact Report and the issues are covered in the Statement of Common Ground with the applicant. c) The Local Impact Report sets out that the DCO requires amending.

ExQ1	Question to:	Question:	
1.1.27	The Applicant SSDC Sparkford Parish Council Historic England	<p>Listed buildings in Sparkford</p> <p>a) It is indicated that there would be an increase in traffic on Sparkford High Street as a result of the proposal. This increase would be in proximity to listed buildings. What effect would the proposal have on these heritage assets?</p> <p>b) If this results in any degree of harm, what measures would be in place to ensure that any effects on these heritage assets were mitigated?</p> <p>c) How would these measures be secured?</p>	<p>a) The increase in traffic flow would harm the tranquil setting of the listed buildings, and an increase in HGVs could physically harm the fabric of a listed building through traffic-induced vibration, particularly for fragile fabric, that close to the edge of the road and where there is an uneven road surface such as road humps and similar traffic calming measures. The setting of the listed building would also be harmed by inappropriate traffic calming measures, i.e. highway lighting, signage, lining, bollards and build-out.</p> <p>b) Any traffic management measures would need to be sensitively designed, avoid locations alongside heritage assets, avoid changes in the road surface, and approved by the highway and local planning authorities.</p> <p>c) As part of the scheme.</p>
1.1.28	The Applicant SSDC Historic England	<p>Listed milestone</p> <p>a) Paragraph 6.9.8 of Chapter 6 Cultural Heritage of the ES [APP-043] sets out the proposal is to remove the nineteenth century listed milestone and replace it at "an appropriate point on the new A303 which would retain its historic setting". Please could further analysis to justify this quote be undertaken taking account of the nature of the road when the milestone was originally installed, now and for the future?</p> <p>b) In relation to the milestone the works are described as "Temporary Moderate Adverse" and "Permanent Slight Adverse." While historic fabric is to be retained (in the sense that the milestone is to be physically removed and replaced) won't this result in the total loss of fabric. When considering the level of harm to the heritage asset, what level of harm would be caused? Such an assessment should be justified.</p> <p>c) Where in the dDCO Requirements it is provided that the milestone is to be relocated?</p> <p>d) What arrangements are in place to see whether, if the milestone was replaced, it was re-considered for listing?</p>	<p>a) Response required from the Applicant.</p> <p>b) Agreed. Nowhere.</p> <p>Options for the re-siting are limited due to its association with the Ilchester Trust turnpike road (modern A303) and destination mileage on its cast iron plate. A position on the south side of the extended Steart Hill road (existing section of the A303) would be close to its current position on a retained section of the turnpike road and current A303, albeit not on the new alignment.</p> <p>c & d) Good point. Would require delisting and application for relisting.</p>

ExQ1	Question to:	Question:	
1.1.29	The Applicant SSDC Historic England	Non-designated heritage assets a) Section 4.9 of Appendix 6.1 Cultural Heritage Desk Based Assessment [APP-067] sets out a list of non-designated heritage assets. It is indicated that these were "identified due to their historic value and the potential for this value to be impacted by the scheme". Could it be clarified against what objective criteria was this list drawn up? b) What measures were taken to identify any other potential non-designated heritage assets (apart from the 2018 investigations on site of non-identified archaeological remains)?	a) Response required from the Applicant. b) Response required from the Applicant. Site walkover by SSDC in September 2018 identified additional non-designated heritage assets not included in the DBA.
1.1.31	SSDC The Applicant	Non-designated heritage assets a) Does the Council does have a list of non-designated heritage assets? b) If it does, what assessment has been made of the effect of the proposal on the significance of the heritage assets within the relevant area? c) If it does not, what measures have been undertaken to ascertain whether any non-designated heritage assets are affected by the proposals, and what assessment has been made of the effect of the proposal on the significance of these heritage assets?	a) All identified non-designated heritage assets are included on the Somerset HER, but this is not an exhaustive record. b) As stated above, this is not an exhaustive list. c) Site walkovers on the 25 th and 28 th September 2018 were undertaken to verify the non-designated heritage assets included in the baseline condition of the DBA. This exercise identified the following assets as missing, this is referenced in the Councils LiR and the SoCG with the applicant: <ul style="list-style-type: none"> • W Sparrow Road Gullies • Howell Hill Stone Boundary Wall • Pre-Worboys 'Cross Roads' Warning Sign • Hazlegrove House RPG Coppiced-Banked Track • Hazlegrove Lane and its remnant associated features. <p>Other identified non-designated heritage assets were considered to require re-assessment for their value and subsequent significance of effects from the scheme. These are also referenced in the Councils LiR and the SoCG with the applicant:</p> <ul style="list-style-type: none"> • Camel Hill Farm • Martcok to Sparkford Turnpike Road.
1.1.32	The Applicant SSDC	Pepper Hill Cottage a) Regarding Pepper Hill Cottage, is it agreed that the methods of mitigation are sufficient to ensure that any negative effects are kept to a minimum? b) If not, how could they be improved?	a) Limited options due to proximity to the dual carriageway.

ExQ1	Question to:	Question:	
1.1.33	The Applicant SCC SSDC	Queen Camel Bridge a) The bridge across the River Cam at Queen Camel is said to be of historic interest and is subject to a 7.5 tonne weight limit. The diversion route when the A303 is closed would be across this bridge. What analysis has been undertaken as to whether the bridge should be considered to be a non-designated heritage asset? b) Should it be considered as a non-designated heritage asset? c) Have any surveys been undertaken to ensure that the use of this bridge by large HGVs on diversion will not affect the structural integrity of the bridge, and thus any historic interest it may possess? d) If so, what are the results?	a & b) The road bridge is a Grade II listed building, first listed on 6 th March 1986. c) Please see SCC response regarding assessment or survey. The issue is not just excessive loading and traffic induced vibration from heavy HGVs but also the potential damage by being hit by the sides of wide and long axle HGVs. Parapet damage is a common occurrence. NB: The early 20 th century concrete road bridge on Nettleton Lane, Marston Magna (Somerset HER PRN 14375) should be considered a non-designated heritage asset. d) Please see SCC response regarding assessment or survey.
1.1.34	The Applicant SCC Affected Parish Councils	Celtic Way a) Table 12.10 of the ES Chapter 12 People and Communities [APP-049] refers to the Celtic Way as a route that visits more than 100 pre-historic sites through South Wales and the South West. Could more detail be provided as to what the Celtic Way is, how it came about, what level of use is there of it and similar? b) Should this route be considered to be a non-designated heritage asset? c) The NPSNN, in paragraph 2.9, indicates that "development will be needed to ... enhance accessibility for non-motorised users". Could it be explained, specifically, how the proposal would meet this criteria for those using the Celtic Way?	The Celtic Way is a 725-mile route visiting more than 100 pre-historic sites through South Wales and the South West peninsula, including Stonehenge and Glastonbury. It goes through ancient landscapes, uses old tracks, new routes and ancient sites. Route originally published in 1998. The Way comes over Camel Hill and eastward along the River Cam. a) Response required from the Applicant. b) No, more a leisure asset, but it does incorporate many designated and undesignated heritage assets. c) Response required from the Applicant.
1.2.	Air Quality and Emissions		
1.2.3	SSDC Natural England	Whitesheet Hill SSSI Are the parties satisfied, as identified in paragraph 5.10.32 of Chapter 5 Air Quality of the ES [APP-042], with the analysis undertaken by the Applicant so that it can be satisfactorily concluded that the proposal would not have a significant effect on Whitesheet Hill SSSI?	Whitesheet Hill SSSI is not located within South Somerset district and as such, we are not in a position to comment on the effect of the proposal. This is also referred to in the SoCG with the applicant.
1.2.4	SSDC Natural England	Stockton Wood and Down SSSI Are the parties satisfied, as identified in paragraph 5.4.4 of Chapter 5 Air Quality of the ES [APP-042], that as Stockton Wood and Down SSSI lies further than 200 m of the ARN it would not be materially affected in air quality terms by the proposal?	Yes, we are satisfied that Stockton Wood and Down would not be materially affected in air quality terms by the proposal.
1.2.5	SSDC	Approach a) Is the Council satisfied with the overall approach of the Applicant to dealing with Air Quality? b) Does it have any specific criticisms it would like to make?	a) The Council is satisfied with the overall approach of the Applicant to dealing with Air Quality. b) No, the Council has no specific criticisms to make but has raised the issue of West Camel and Sparkford High Street in the LiR and SoCG.

ExQ1	Question to:	Question:	
1.3.	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))		
1.3.4	The Applicant Natural England SCC SSDC	Habitats (generally) a) The Councils in their representations [RR-040 and RR-041] indicate Approximately 91 ha of habitat clearance would be undertaken as part of the proposed scheme, 77.4 ha would be temporarily damaged and 13.7 ha permanently removed. Does the Applicant agree with these figures? b) If not could its figures be provided, perhaps best in tabulated form? c) It is stated that there would be a net gain in priority habitat (see paragraph 8.10.58 of Chapter 8 of the ES [APP-045]. Could the Applicant please set out why it considers the gain in priority habitat should be given more weight than the overall loss of habitat?	The applicant should clearly set out the amount and each type of habitat lost, temporary and permanent; and the amount of habitat created, which should be all of a priority habitat type to the equivalent area to that lost, which is mainly non priority habitat such as improved grassland or arable. The Defra metric can be used to determine gain or loss – the NPPF requires a net gain. The amenity grassland is too extensive and should be replaced with a priority mix, i.e. wildflower meadow, any footpath through only needs to be managed to short grass to maintain access.
1.3.6	The Applicant SSDC	Veteran Trees a) In appendix 6.2 to the ES [APP-068] paragraph 6.6.6 refers to veteran trees having been “designated”. Could the parties explain who designated these trees and why they were so designated?	These trees were all designated by Somerset Environmental Records Centre (SERC) as a result of the Veteran Tree project that began in 1996. Attached is a document from SERC entitled “New Life for Old Trees, An Account of the Somerset Veteran Trees Project” which suggests the designation may have been for wildlife reasons. Hazlegrove RPG is a designated Local Wildlife Site and the designation or official description of the site specifically relates to the veteran trees as follows: <i>“Historic parkland with important assemblage of veteran trees; specialist invertebrate fauna.”</i> Veteran trees, wood-pasture and parkland are designated “Habitats of Principal Importance in England” under Section 41 of the Natural Environment and Rural Communities (‘NERC’) Act 2006 as well as being a designated “Priority Habitat” under the terms of the UK’s Bio-Diversity Action Plan. Typically, veteran trees are associated with providing rare and specialist habitats for bats, bryophytes (ferns, mosses & liverworts), fungi and invertebrates (insects such as beetles) e.g. The Violet Click Beetle, Noble Chafer and Stag Beetle – are all listed under the NERC Act 2006 as “Priority Species”.
1.4.	Noise and Vibration		

ExQ1	Question to:	Question:	
1.4.4	The Applicant SSDC	<p>Noise</p> <p>a) Paragraph 11.10.29 of Chapter 11 of the ES [APP-048] indicates that there would be, in the worst case, 100 additional construction related vehicles per day. The assumption is that this would be 200 movements per day. The lowest road traffic volume is about 58 vehicles/hour (paragraph 11.10.31 of the same document) and a 25% increase would be needed to create a significant effect.</p> <p>However, it is not clear what the distribution of the construction related traffic movements would be, and thus whether it would be "grouped", thereby in any hour creating a significant effect.</p> <p>While the $1\text{dB}_{\text{LA}10,18\text{hr}}$ is based over the 18 hour period, this does not mean that within a shorter time period the effect would not be significant. What consideration has been given to assessing the effects over a shorter time period given the potentially grouped nature of likely movements?</p> <p>b) If such consideration were undertaken, what would the results be?</p>	SSDC consider this to be a question that should be answered by the Applicant however it should be noted that the metric, an 18h L10 is the standard used for traffic noise calculation, and there will always peaks and troughs in traffic flow, which will lead to hourly movements varying on a daily basis and so would be impossible to predict.
1.4.14	SSDC	<p>Baseline</p> <p>a) Does the Council agree that the LOAEL and SOAEL levels used at Table 11.5 in Chapter 11 of the ES [APP-048] are appropriate?</p> <p>b) If not what alternative levels do you suggest and why?</p>	<p>a) Yes, the Council agrees that the LOAEL and SOAEL levels used are appropriate.</p> <p>b) Not relevant given a).</p>
1.4.21	SSDC	<p>Mitigation</p> <p>a) The ES para 11.10.66 [APP-048] sets out the intended mitigation for the residential properties at Annis Hill Farm and The Spinney. Do you consider the mitigation to be adequate?</p> <p>b) What reduction in noise would it achieve?</p>	Whilst SSDC are satisfied with the proposed mitigation for Annis Hill Farm and The Spinney, it would be appropriate for the Applicant to confirm the potential reduction in noise levels after mitigation.
1.5.	Landscape and Visual Effects		

ExQ1	Question to:	Question:	
1.5.3	The Applicant SSDC SCC Historic England Natural England	<p>Clarification (Key views)</p> <p>a) Paragraph 7.4.9 of Chapter 7 of the ES [APP-044] indicates Key Views within Figures 7.8a to 7.8g which would seem to indicate seven views. However, Figure 7.6 (Key Views) is on five sheets indicating nine key views (numbered 10, 12, 14, 28, 30, 36, 38, 44 and 45).</p> <p>Could this please be clarified, both how many there should be and the criteria against which they were selected?</p> <p>b) Could we be directed to a plan, or could a plan be prepared, showing the key views, particularly identifying those used for the photomontages?</p> <p>c) Do the parties agree that these are the key views? If not, which additional views should be considered?</p>	<p>a) Response required from the Applicant.</p> <p>b) Response required from the Applicant.</p> <p>c) The minutes of the Technical Working Group of 13th February 2018 record that the key views for the Landscape and Visual Impact Assessment (LVIA) were to be agree with SSDC's Landscape Architect, but there is no record in the subsequent TWG or other correspondence to hand of this agreement being sought or forthcoming. This officer no longer works for the District Council.</p> <p>We understand the visual receptors were selected before the outline scheme was developed. They provide a good coverage for assessing the visual impact of the scheme, but with the benefit of hindsight (following publication of the outline scheme, the choice of key views from the visual receptors would be different, and with additions.</p>
1.5.4	The Applicant SSDC SCC Natural England	<p>Approach</p> <p>Figure 7.1 of Volume 6.2 of the ES [APP-117] sets out the Zone of Theoretical Visibility (ZTV) used for the consideration of landscape and visual effects. Was this zone agreed with the Councils and other stakeholders prior to the effects being assessed?</p>	<p>We are not aware that it was.</p>
1.5.5	The Applicant SSDC SCC Natural England Historic England	<p>Approach</p> <p>a) Chapter 7 of the ES [APP-044] explains that the landscape assessment has assessed residential receptors in small groups rather than individually and paragraph 7.7.30 states that the visual assessment has been undertaken by only assessing high sensitivity receptors. Are these approaches justified in all circumstances?</p> <p>b) If not, what alternative approach should be utilised and why?</p>	<p>a) The approach appears to work well due to the high number and good spread of high sensitivity visual receptors. They provide a fair representation of the visual impact of the scheme along the route. The one notable omission is the south-west end of the Hazlegrove House RPG.</p>
1.5.6	The Applicant IPs	<p>Approach</p> <p>a) Chapter 7 of the ES [APP-044] section 7.8 sets out the potential impacts. Do the parties agree with the proposed landscape and visual effects as set out by the Applicant?</p> <p>b) If not, how and why do they disagree?</p>	<p>a) & b) The District Council's Local Impact Report and joint Statement of Common Ground between the applicant, SCC and SSDC set out the issues of concern and mitigation sought. Please refer to these documents.</p>
1.5.7	The Applicant SSDC SCC	<p>Approach</p> <p>a) Table 7.1 of Chapter 7 of the ES [APP-044] sets out landscape sensitivity to change evaluation and value criteria. Registered parks and gardens appear in both High and Medium Sensitivity to change categories. Could it be clarified what approach has been followed?</p> <p>b) How has this approach influenced the overall assessment?</p> <p>c) Do the Councils agree with this approach?</p>	<p>a) Response required from the Applicant. The GLVIA Edition 3 allows for designated parks and gardens to be classified as either of 'High' or 'Medium' sensitivity dependant on their characteristics and, thus, capacity to accommodate change.</p> <p>b) Response required from the Applicant.</p> <p>c) Methodology accepted. Agreement with classifying the RPG as having a High sensitivity to change.</p>

ExQ1	Question to:	Question:	
1.5.8	SSDC	Baseline Does the Council agree with the baseline for landscape and visual effects as described in paragraphs 7.4.5 and following in Chapter 7 of the ES [APP-044]?	The baseline for the landscape character is accepted. The baseline for the visual receptors provides a good representation for the majority of the site but not for the south-west end of the RPG, nor for properties in close proximity to the dualling, i.e. Pepper Hill Cottage and the bakery / former Methodist chapel.
1.5.9	The Applicant SSDC	Baseline Paragraph 7.7.1 of Chapter 7 of the ES [APP-044] describes the A303 transportation corridor as a discordant feature within a predominantly rural landscape. The A303 corridor is an ancient route, likely to have been in existence since at least the Roman period (see paragraph 6.7.5 of Chapter 6 of the ES [APP-043]) and thus has formed part of the landscape for many years. Could the Applicant please clarify the extent of the harm that it considers the current road and its use causes to both the landscape and in relation to visual effects?	Response required from the Applicant.
1.6.	Socio-economic Effects on surrounding Communities		
1.7.	Traffic and Transport		
1.7.6	SSDC,SCC	Scheme Alignment/Arrangement You state [RR40 and RR41] that the scheme will provide less direct access to RNAS Yeovilton and the Fleet Air Museum. Do your concerns relate to access from the east-bound direction, or do you consider that access will be less direct from the west-bound direction as well?	The District Council considers that the access will only be less direct for east-bound traffic travelling from the west.
1.7.9	The Applicant SCC SSDC	Traffic Management Plan a) The draft Traffic Management Plan [APP-150, Appendix A, paragraph 2.3.5] indicates to construct the works it is proposed, on a small number of occasions, to suspend the current 7.5 tonne weight limit (except for access). Can the reasoning behind the imposition of the existing weight limit please be explained, and what effects, its temporary suspension would have? b) What is proposed to mitigate the effects of the temporary suspension?	(7.3 Transport Report, Appendix A, page 11) a) Please refer to Somerset County Council's response to ExA Written Questions. Concern from a built heritage perspective regarding structural damage to the Grade II listed Camel Bridge, Queen Camel, and the undesignated early 20 th century concrete road bridge on Nettleton Lane, Marston Magna (Somerset HER PRN 14375) from both excessive loading and vibration from heavy HGVs, and from the parapet damage from being hit by the sides of wide and long axle HGVs. b) Applicant to respond with advice from Somerset County Council.
1.7.14	SSDC, SCC, West Camel PC, Queens Camel PC, Sparkford PC	Traffic Assessment a) Are you satisfied that the CoMMA report [APP-151] provides sufficient information to allow you to assess/comment on the traffic implications of the scheme on the local road network? b) If not what additional information would be required?	Please refer to Somerset County Council's response to ExA Written Questions.
1.7.16	SSDC,SCC	Traffic Assessment You comment [RR40 and RR41] that only limited construction methodology and traffic management proposals have been submitted to date. Does this comment refer to the construction period only, or are you seeking further information regarding traffic management during the operation phase?	Please refer to Somerset County Council's response to ExA Written Questions.

ExQ1	Question to:	Question:	
1.8.	Flooding/Drainage Strategy		
1.8.11	The Applicant SSDC	Geology and soils a) Paragraph 9.6.1, first bullet of Chapter 9 of the ES [APP-046] indicates that a 250 m buffer outside the scheme side for consideration of contamination has been used. Is this distance appropriate? b) If not, what alternative distance should be used and what are the implications of this?	The District Council considers this distance to be appropriate.
1.9.	Cumulative Effects		

1.9.5	SCC SSDC	<p>Baseline</p> <p>a) Can the Councils confirm that they agree with the long list of sites identified in Table 14.6 of the ES Chapter 14 [APP-051]?</p> <p>b) Are the Councils aware of any other developments which should be included within the cumulative assessment?</p>	<p>a) There are a few updates from the list of sites:</p> <ul style="list-style-type: none"> • ID 1 – no update. • ID 2 – no update. • ID 3 – this application has been superseded by 17/02045/FUL for 29 dwellings and the site adjoining is 17/02044/FUL is for 6 which is under construction total for both sites is 2ha. • ID 4 – this development is under construction. • ID 5 – this development is complete. • ID 6 – there is a pending application which was received in November 2018 (18/03658/REM) <p>b) The criteria used to scope in and out development is included in the ES Chapter 14, it includes:</p> <ul style="list-style-type: none"> • developments of more than 1 hectare which are not residential; • Residential development in excess of 150 dwelling houses; and • Any development which exceeds 5 hectares. <p>Given the character of the local area and the potential increased traffic through villages such as Sparkford and West Camel as a result of the scheme, it is the Council's opinion that smaller developments should be included in the cumulative assessment.</p> <p>In addition to those identified in the ES an additional 19 dwellings have been approved in Sparkford and 2 applications have been submitted for consideration by the District Council, resulting in a potential 38 further dwellings. See details below:</p> <table border="1" data-bbox="1576 1058 2766 1707"> <thead> <tr> <th>Application Number/Reference</th> <th>Number of dwellings</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>16/00726/COU - Home Farmhouse</td> <td>1</td> <td>Approved 18/4/16</td> </tr> <tr> <td>17/01442/FUL - The Orchards</td> <td>3</td> <td>Approved 13/9/17</td> </tr> <tr> <td>17/02213/FUL - Land adjacent to Barley Cottage</td> <td>1</td> <td>Approved 21/6/17</td> </tr> <tr> <td>17/02840/REM - Land OS 9032 Part, Old London Road</td> <td>3</td> <td>Approved 4/9/17</td> </tr> <tr> <td>17/03001/REM - Land opposite Brooklands Farm</td> <td>1</td> <td>Approved 7/9/17</td> </tr> <tr> <td>17/04618/REM - Land OS 4859 Part, Chapel Cross to Hazlegrove Roundabout</td> <td>5</td> <td>Approved 12/3/18</td> </tr> <tr> <td>17/04916/OUT - Land adjacent to Fletcher Moss, Sparkford Hill Lane</td> <td>4</td> <td>Approved 20/6/18</td> </tr> <tr> <td>18/01065/FUL Land adjacent to The Orchard, Cherry Pie Lane</td> <td>1</td> <td>Approved 19/7/18</td> </tr> <tr> <td>18/00810/OUT Land at Cherry Pie Lane</td> <td>36</td> <td>Pending Decision</td> </tr> <tr> <td>18/03536/OUT Land adjacent to Fletcher Moss, Sparkford Hill Lane.</td> <td>2</td> <td>Pending Decision</td> </tr> </tbody> </table> <p>There are also employment applications that should be considered in the assessment which combined equate to 1.5 hectares of employment land and have the potential to generate a large number of vehicle movements. One of which meets the criteria in the ES assessment but was not included (Land at Long Hazel Farm):</p>	Application Number/Reference	Number of dwellings	Status	16/00726/COU - Home Farmhouse	1	Approved 18/4/16	17/01442/FUL - The Orchards	3	Approved 13/9/17	17/02213/FUL - Land adjacent to Barley Cottage	1	Approved 21/6/17	17/02840/REM - Land OS 9032 Part, Old London Road	3	Approved 4/9/17	17/03001/REM - Land opposite Brooklands Farm	1	Approved 7/9/17	17/04618/REM - Land OS 4859 Part, Chapel Cross to Hazlegrove Roundabout	5	Approved 12/3/18	17/04916/OUT - Land adjacent to Fletcher Moss, Sparkford Hill Lane	4	Approved 20/6/18	18/01065/FUL Land adjacent to The Orchard, Cherry Pie Lane	1	Approved 19/7/18	18/00810/OUT Land at Cherry Pie Lane	36	Pending Decision	18/03536/OUT Land adjacent to Fletcher Moss, Sparkford Hill Lane.	2	Pending Decision
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1.9.6	The Applicant SCC SSDC	Baseline a) For the purpose of this assessment the cut-off date for including additional developments was 12 April 2018. Can the Applicant state if a further cumulative assessment will be undertaken for sites identified within the ZoI? b) Are the Councils content with the Applicant's approach to the potential need for further cumulative assessments? c) Can the Applicant and Councils confirm whether they are aware of any additional other plans or developments that should be included in the cumulative effects assessment since April 2018?	<p>a) Response required from the Applicant.</p> <p>b) Response required from the applicant for the District Council to respond.</p> <p>c) Please see response to 1.9.2. Additionally there is a new visitor attraction opening in the spring of 2019 (Hadspen House - Hotel, Spa, Visitor centre, restaurant, farm shop) which is expecting to attract 100,000 visitors per year. This will increase travel on the A303 https://www.thecaterer.com/articles/525097/south-african-owner-to-transform-hadspen-house-in-somerset-into-hotel</p>												
1.10.	Draft Development Consent Order (DCO) [APP-017, AS-007/AS-008]														
1.10.5	SCC SSDC	Detailed design approvals a) You state that the dDCO will require provisions to address the detailed design elements and agreement for the associated fees associated with some technical elements. Which elements do you refer to? b) What safeguards are you seeking? c) Has this matter been discussed with the Applicant?	<p>a) SSDC wish to ensure that the LPA is consulted on the further details submitted by the applicant for approval to the Secretary of State which relate to the functions for which it is an LPA. Further, SSDC wish to ensure that any consultations responses are taken into account by the applicant in the documents it submits for approval and by the Secretary of State in reaching its decision.</p> <p>b) SSDC wishes to ensure that the LPA is consulted on the further details submitted by the applicant for approval to the Secretary of State which relate to the functions for which it is an LPA. Further, SSDC wish to ensure that any consultations responses are taken into account by the applicant in the documents it submits for approval and by the Secretary of State in reaching its decision.</p> <p>c) The role of the LPA post decision has been raised with the applicant and the discussions are on-going.</p>												

ExQ1	Question to:	Question:	
1.10.9	The Applicant Environment Agency SCC SSDC	<p>Article 2(1)</p> <p>a) Limits of deviation: Are the limits of deviation considered to be reasonable in all the circumstances?</p> <p>b) Watercourse - "except public sewer or drain". Is this terminology clear?</p>	<p>a) Limits of deviation: The Lateral Limits of Deviation illustrated on the Works Plans are considered acceptable.</p> <p>With regards to the Vertical Limits of Deviation, this is potentially problematic for mitigation screening measures where the inter-relationship of levels between the works and receptors is critical, i.e. between the carriageway level, bund height and receptor. The key relationship being between the carriageway level and adjacent screening bund. The deviation of one without a corresponding deviation in the other could neutralise the screening works.</p> <p>The Engineering Sections (APP-017) for the main line, slip roads and structure, bunds and false cuts are technical drawings with no levels to of adjacent features, so there is no easy means to determine the impact of potential deviations.</p> <p>This must be an issue for all such road screen so there is undoubtedly a way around this.</p> <p>With regards to Works No. 81, 85 and 92, the greater downward vertical deviation is not an issue as the vertical deviation for the adjacent bunds (which screen the traffic on these roads from the RPG) is as set at the narrower band of deviation in line with the rest of the works.</p> <p>b) No comments.</p>
1.10.16	The Applicant Historic England SSDC	<p>Article 21</p> <p>Given these protective works could be to a listed building, do any particular provisions needed to be included in such a scenario?</p>	<p>The special protection for listed buildings is necessary and provisions for their protection should be included within the DCO. Such provisions might include a scheme to be approved by the Secretary of State and upon which the LPA is consulted which provides this protection prior to [a specified event/commencement of the development/the carrying out of any works which affect any listed building] The detailed amendments should be considered as part of the redrafting of DCO.</p>
1.10.17	The Applicant IPs	<p>Article 33(1)(d) and Article 33(4)(b) & (c)</p> <p>a) The explanatory memorandum [APP-018] explains (4.122 (b)) these provisions are to allow permanent works to be left at the end of the temporary possession.</p> <p>If these works are needed as mitigation but the land "returned" to the (original) owner what is there to stop the mitigation being removed and/or not maintained (other than in the short term pursuant to Article 34), thereby not securing its effects in the long term?</p> <p>b) Are there any examples of these "permanent" works which form part of the mitigation requirements of the scheme?</p>	<p>The District Council makes no comment until the applicant has responded.</p>

ExQ1	Question to:	Question:	
1.10.18	The Applicant IPs	Article 43(1) a) How does this provision ensure that the final versions of these documents are those referred to? b) Is this the complete list of drawings and documents?	The District Council makes no comment until the applicant has responded.
1.10.27	The Applicant IPs	Schedule 2 – Requirement 3(4) In the definitions it indicates that the HEMP is “to be to be developed towards the end of the construction of the authorised development”, but in Requirement 3(4) it is stated to be “upon completion”. These two would appear to be inconsistent. Could this please be resolved?	The District Council makes no comment until the applicant has responded.
1.10.30	The Applicant SSDC SCC	Schedule 2 – Requirement 5(2) Is it appropriate to refer to a specific British Standard, since they have a habit of going out of date (see alternative wording in draft Requirement 6)?	The District Council sees merit in referring to specific standards as it provides clarity insofar as being the starting point for what is required but a provision should be included which states “or other such standard which may replace it from time to time”.
1.10.36	The Applicant Natural England SSDC	Schedule 2 – Requirement 10(2) Should a <i>cordon sanitaire</i> be created for protected species in the same way as for nesting birds?	The protection of both protected species and nesting birds must be provided as part of the mitigation of the development; such mitigation may include, but is not limited to, a <i>cordon sanitaire</i> where there is evidence to support its effectiveness or the timing of the works to be agreed to reduce or remove the disturbance. The effectiveness for a 10 metre <i>cordon sanitaire</i> for the nesting birds referred to in the draft DCO is yet to be accepted by the District Council. The details of the mitigation needs to be considered in great detail as part of the DCO process and in discussions with the District Council.
1.10.37	The Applicant SSDC	Schedule 2 – Requirement 11(1) Should the consultation exercise also involve the relevant planning authority on the basis of the effect on local communities?	The District Council believes that it should be part of the consultation exercise on the basis of the effect it could have on the local community.
1.10.39	SCC SSDC Other relevant Risk Management Authorities	Schedule 2 – Requirement 13(5) The Environment Agency [RR-043] notes that points a) and b) suggest no surcharge at 1 in 1 yr (100% AEP) events, and no flooding at 1 in 5 yr (20% AEP) events. It comments that this would appear to be a low standard of service for a new road drainage network. Typically, no surcharge would be expected up to and including 5% AEP (1 in 20 yr) in the drainage network, with no surface flooding at 1% AEP (1 in 100 yr) events. Normally, exceedance design should cover the climate change scenario at 1% AEP. Could the relevant parties comment on whether the proposal would meet expected performance standards for the road drainage network?	SSDC will not be raising specific issues on this matter and would instead leave this to be addressed by the Environment Agency as the statutory consultee for flooding and Somerset County Council as Lead Flood Authority.
1.11.	Explanatory Memorandum [APP-018]		
1.12.	Statement of Reasons [APP-021, AS-009/AS-010]		
1.13.	Acquisition and/or Temporary Possession and/or Rights over Land		

ANNEX A

**A303 Sparkford to Ilchester Dualling project:
 Potential typographic and cartographic errors in dDCO [APP-017, AS-007/AS-008], Explanatory Memorandum [APP-018] and Statement of Reasons [APP-021, AS-009/AS-010]**

Ref: EXQ1 AxB	Item	Query
	<u>Draft Development Consent Order</u>	
1.	Article 6	Does an agreement referred to in Article 4(1) represent an agreement <u>under</u> the Order?
2.	Article 13(1)	Second line - after "local highway" insert "authority"..
3.	Article 15(4)	Third Line - Is a comma "," missing between "consent" and "but"?
4.	Article 46(11)	Needs to refer to the Department for Housing, Communities and Local Government.
5.	Schedule 1 - Work 7	Should "The construction of associated outfall works" be prefaced by an "(a)" like others in schedule?
6.	Schedule 1 - Work 89	These works are only shown on Sheet 4, reference to Sheet 3 is superfluous.
7.	Schedule 2 - Requirement 3(2)(e) and (f)	Is (f) a continuation of (e) and then (i) to (v) (so should it be (e) (i) to (vi))?

Ref: EXQ1 AxB	Item	Query
8.	Schedule 3 – Part 1, column (2)	The title of the column is “Length of road” but a number of these do not have a distance - between G and H, H and I, J and K, and K and L.
9.	Schedule 3 – Part 6, column (2) and Part 7 column (2)	The title of the columns in each case is “Road name, number and length” but a number of these do not have a length.
10.	Schedule 3 – Part 9, column (3)	See comment on Article 18(3) at ExQ 1.10.14.
11.	Schedule 3 – Part 11	Is there are reason the “of” is capitalised in the title row?
12.	Schedule 5, Plot references 4/1f and 4/2a	Are the colourations on the plans correct?
13.	Schedule 5, Plot reference 5/3j	The third and fourth sentences appear to be the same.
14.	Schedule 6, paragraph 2(2)	There appears a typographic error “5A(5A)”. Also, the substitution appears to be to subsection (5). (In Section 5A in the 1961 Act, there are subsections (5), (5A) and (5B)).

Ref: EXQ1 AxB	Item	Query
	<u>Explanatory Memorandum</u>	
15.	4.120 & 4.121	The last sentence of paragraph 4.120 is the same as paragraph 4.121.
16.	4.132	This paragraph refers to Article 35 when it should refer to Article 36.
17.	4.196	The "/596" at the end of the reference to the Town and Country Planning (General Permitted Development) (England) Order 2015 is superfluous.
	<u>Statement of Reasons</u>	
18.	1.6.1	The Convention is "The European Convention on Human Rights" rather than "for".
19.	4.4.1	States "was submitted to the Land on 10 August 2017". The assumption is that this is a reference to the Land Registry. Is this correct?
20.	4.6.3	Does the "Scheme" mean the "Scheme area"?
21.	5.2.2	This paragraph could be considered to be misleading in that, in the final bullet point, it indicates the test applies to all land subject to proposed compulsory acquisition, not just that subject to Section 131 and 132 of the 2008 Act. Could it please be redrafted?
22.	5.3.9	A "series of ponds consisting of existing and new will be created". This doesn't make complete sense. Could it please be clarified?
23.	6.1.3	Could the quote please be laid out correctly?

Ref: EXQ1 AxB	Item	Query
24.	6.2.1	Refers to Article 1. Is this Article 1 of the First Protocol?
25.	7.1.2	This refers to plots 7/7c. However, the Crown Land Plan [APP-013] refers to two different plot numbers. Can this be clarified?
26.	7.4.1 and 7.4.3	A representation does not have to be made by a statutory undertaker for section 127 to be engaged, although normally it will be. Could these paragraphs please be redrafted to clarify this?
27.	7.5.1	First bullet: Please conclude the first bracket. The requirement for conservation area consent no longer exists; instead a "relevant demolition" needs planning permission. Could this paragraph please be redrafted?