

A303 Sparkford to Ilchester Dualling Scheme TR010036

8.1 Draft Statement of Common Ground with Environment Agency

APFP Regulation 5(2)(q)
Planning Act 2008
Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009
January 2019



Infrastructure Planning

Planning Act 2008

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

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

STATEMENT OF COMMON GROUND

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C01	July 2018	Application Issue
C02	December 2018	Working draft – for Environment Agency to review
Rev A	January 2019	Submission for Deadline 2

STATEMENT OF COMMON GROUND

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

Signed.....
[NAME]
[ROLE]
on behalf of Highways England
Date: [DATE]

Signed.....
[NAME]
[ROLE]
on behalf of the Environment Agency
Date: [DATE]

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1. Introduction

1.1 Purpose of this document

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

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Environment Agency.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 The Environment Agency is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with the stated purpose "to protect or enhance the environment, taken as a whole". Within England it is responsible for:
- regulating major industry and waste;
 - treatment of contaminated land;
 - water quality and resources;
 - fisheries;
 - some inland river, estuary and harbour navigations;
 - conservation and ecology; and
 - managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of

disagreement between the parties. “Agreed” indicates where the issue has been resolved.

- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Environment Agency, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Environment Agency

1.4 Record of Engagement

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

Table 1.1: Record of engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
4 December 2015	Meeting with National Trust, Environment Agency, and Natural England	Introduction to the scheme and route options, DCO process, project timescales and engagement methodology.
22 March 2016	Meeting with National Trust, Environment Agency, South West Heritage Trust and Natural England	Scheme update and public consultation strategy discussion.
13 July 2016	Meeting with National Trust, Environment Agency, South West Heritage Trust and Natural England	Stakeholder engagement progress meeting. Discussion about public consultation activities timing. Feedback about route options presented. Discussion about planned public consultation programme.
11 November 2016	Meeting with National Trust, Environment Agency, South West Heritage Trust and Natural England	Stakeholder engagement progress meeting. Update about public consultation activities planned. Consideration of specific stakeholder groups including, landowners, discussions, parish councils, local authority politicians and Members of Parliament.
4 July 2017	Meeting with Environment Agency	Discussed the future assessment requirements for the scheme, including the requirement for a Water Framework Directive Screening Assessment.
7 December 2017	Environmental Technical Working Group Meeting 1	Kick off meeting and general scheme update. Discipline specific discussions held with key stakeholders. Road drainage and water environment specific discussions held with Environment Agency, Somerset County council and Natural England. Overview of assessment work undertaken to data provided, discussed and agreed elements of the drainage strategy. Discussed opportunities for enhancement including funding to provide a flood alleviation scheme for residents in West Camel via Highways England’s Environmental Designated Funds (EDF). Meeting notes included within Appendix B.
13 February 2018	Environmental Technical Working Group Meeting 2	Overview of statutory consultation period which was currently taking place. Progress update since last environmental TWG, for each environmental discipline. Road drainage and water environment specific discussions held with Environment Agency. Provided an overview of the proposed methodology for the Road Drainage and Water Environment and explained how the

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
		Scoping Opinion comments from the Environment Agency would be addressed.
08 May 2018	Environmental Technical Working Group Meeting 3	General scheme update. Discipline specific discussions held with key stakeholders. Road drainage and water environment specific discussions held with Environment Agency and Somerset Drainage Board Consortium. Discussions focussed on drainage strategy and flood risk assessment. Meeting notes included within Appendix B.
Thursday 4 October 2018	Environmental Technical Working Group Meeting 4	General scheme update. Discipline specific discussions held with key stakeholders. Road drainage and water environment specific discussions held with Environment Agency. Discussions focused around the SOCG and the private water supplies surveys. The Environment Agency requested that email correspondence as well as meeting notes are appended to the final version of the SOCG. Meeting notes included within Appendix B.

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

2. Issues

Topic	Sub-section	Environment Agency comment	Highways England response	Status
Environmental Impact Assessment (EIA) Scoping Opinion	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	A distance of 2 kilometres may not be appropriate for water dependant SSSIs downstream of the proposed works. The River Cary feeds into designated sites and therefore, the potential would exist for a negative impact on such sites. Accordingly, these must be scoped in until it can be determined there would be little / no impact.	Agreed - We have extended our study area to incorporate water dependant SSSIs downstream of the works. The WFD Screening and Scoping assessment has identified a 'zone of influence' for the scheme to include any waterbodies within a 1 kilometre radius of the scheme, but to also include downstream / hydraulically connected waterbodies within a 10 kilometre radius of the scheme. The River Cary, Cam and Yeo (and the associated water dependant areas) are therefore all scoped in as part of the WFD Screening and Scoping assessment.	AGREED <i>(see letter contained in Appendix A)</i>
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	As stated above, water dependant designated sites downstream of water bodies, which may be impacted by the proposed works, must be scoped in until it can be determined there is little / no impact.	Water designated sites that are within 10 kilometres downstream of the scheme / have a hydraulic connection have been scoped in as part of the WFD Screening and Scoping assessment. The WFD Screening and Scoping assessment concluded that although there is a potential impact pathway present between the scheme and water dependent sites, the comprehensive drainage treatment (SuDs) installed as part of the scheme would prevent contaminated routine run off from reaching the sites in such quantities that could cause adverse impacts to occur.	AGREED <i>(see letter contained in Appendix A)</i>

Topic	Sub-section	Environment Agency comment	Highways England response	Status
			Much of the current routine runoff from the existing A303 carriageway is unattenuated and untreated, and therefore poses a high contamination risk to the surrounding area. The scheme is considered to provide an opportunity to improve the current status quo with regards to routine runoff, as reported within the WFD Screening and Scoping Report	
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	The Agency must advise that Wet Moor, which is at risk of deterioration due to eutrophication, should be scoped in at this stage. A programme of work is currently being progressed to reduce phosphate input to the system. The potential impacts of petrochemical runoff into the adjacent waterbody must be considered for both WFD and designated site risks.	Wet Moor has been scoped in to the WFD Screening and Scoping Report and assessed accordingly.	AGREED <i>(see letter contained in Appendix A)</i>
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	As a standard, the expectation for tree / hedgerow loss is like for like (or improved) replacement at a 3:1 ratio. For freshwater habitat loss the expectation is like for like (or improved) replacement at a 2:1 ratio.	There would be no freshwater habitat lost as part of scheme design. In terms of the loss of trees / hedgerows and the proposed strategy for replacement planting, we would be losing approximately 11 kilometres of hedgerows as a result of the scheme. Approximately 10 kilometres of species-rich hedgerows would be replaced as part of the scheme, along with approximately 5 hectares of broadleaved woodland, 23 hectares of native trees and shrubs, and 13 individual trees. These	AGREED <i>(see letter contained in Appendix A)</i>

Topic	Sub-section	Environment Agency comment	Highways England response	Status
			would be of much better quality than the habitat being lost.	
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	There does not appear to be any information on the potential risk or impacts on fish populations within the adjacent water bodies. There is a risk of impact on water chemistry and sediments as a result of the proposed works, which would have a direct impact on fishery populations.	The effects of the scheme on fish populations have been considered as part of Chapter 8 Biodiversity of the ES. The biodiversity assessment concludes that the scheme is not anticipated to pose a risk to fish habitats / populations.	AGREED <i>(see letter contained in Appendix A)</i>
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	As a minimum, available fisheries data should be collated, and gap analysis undertaken to determine whether additional monitoring is required.	The effects of the scheme on fish populations have been considered as part of Chapter 8 Biodiversity of the ES (TR010036/APP/6.3). The biodiversity assessment concludes that the scheme is not anticipated to pose a risk to fish habitats / populations.	AGREED <i>(see letter contained in Appendix A)</i>
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology	For information, the Agency would prefer the WFD scoping report to be included at this stage. There appears to be sufficient evidence to inform the scoping report, which would then inform the need for a full WFD assessment. This assessment would be informed by additional information pertaining to ground/surface water linkages to WFD water bodies and anticipated sediment and water chemistry impacts.	A WFD Screening and Scoping report has now been completed and issued to the Environment Agency. The assessment concludes that a full, detailed WFD impact assessment would not be required as the potential impact pathways present a very low risk to WFD status and objectives of the River Cary, Cam and Yeo.	AGREED <i>(see letter contained in Appendix A)</i>

Topic	Sub-section	Environment Agency comment	Highways England response	Status
	Scope of the EIA Road Drainage and Water Environment Assessment Methodology.	The Agency is unable to concur with the proposal to scope out any aspects of 'Road Drainage and the Water Environment' from the Environmental Statement.	Three detailed assessments (WFD screening and scoping report, HAWRAT report and Flood Risk Assessment) have since been produced. These detailed assessments have concluded the scheme would have negligible impacts on the water environment (with potential for some benefits / opportunities). Further detailed assessment of the RDWE as part of the Environmental Statement would likely conclude the same negligible effects, and therefore in the interests of proportionate EIA, we believe that the 3 detailed assessments and a supporting RDWE technical appendix which sign posts to these documents is sufficient. It should be noted that potential groundwater effects associated with contaminated land are covered within Chapter 9 Geology and Soils of Volume 6.1 of the ES (TR010036/APP/6.3).	AGREED <i>(see letter contained in Appendix A)</i>
Water quantity	Not applicable	It is recommended that the effects of climate change are accounted for in the Flood Risk Assessment (FRA) and drainage strategy. This should include details of surface water attenuation features designed to control runoff to the receiving watercourses.	Accepted. The rainfall intensities used to calculate the design storms include an allowance for the effects of climate change by allowing for the upper bound 40% increase (Flood risk assessments: climate change allowances, Environment Agency). Evidenced in Flood Risk Assessment (Appendix 4.6 of TR010036/APP/6.3) and Drainage Strategy Report (Appendix 4.7 of TR010036/APP/6.3).	AGREED <i>(see letter contained in Appendix A)</i>

Topic	Sub-section	Environment Agency comment	Highways England response	Status
			Attenuation feature discharge rates and volumes shown in Outline Drainage Works Plans (TR010036/APP/2.11).	
		Confirmation is sought that the proposed design will control the overall volume, as well as the overall rate of runoff with sufficient attenuation provided.	Attenuation has been provided, with discharge limited to 1% annual exceedance probability (1 in 100-year event) plus 40% to account for the effects of climate change (Flood risk assessments: climate change allowances, Environment Agency), to no greater than the undeveloped rate of runoff, determined by the calculation of the mean annual peak rate of runoff for a greenfield site (Qbar). Preliminary design discharge rates and volumes shown in Outline Drainage Works Plans (document reference TR010036/APP/2.11).	AGREED <i>(see letter contained in Appendix A)</i>
		With reference to flood risk management issues, the documentation does not include the Agency's confirmation that the proposed route is located outside designated flood zones 2 and 3 and is therefore not liable to any significant main river fluvial or tidal risks. The highlighted risks are from surface water and or IDB/ordinary watercourses.	The Flood Risk Assessment considers all sources of flood risk, including but not limited to the fluvial and tidal flood zones, ordinary watercourse and surface water runoff. Evidenced in Flood Risk Assessment (Appendix 4.6 of TR010036/APP/6.3).	AGREED <i>(see letter contained in Appendix A)</i>
Maintenance and access	Not applicable	At the detailed design stage, it is expected that a long-term management strategy for sustainable drainage systems (SuDS) is provided.	Accepted. A maintenance plan for SuDS will be included within the detailed design.	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
		<i>(see email in Appendix B)</i>		
Groundwater resources	Not applicable	<p>The submitted documentation does not include any reference to earlier discussions regarding the need to consider potential impacts on both quality and quantity of groundwater resources.</p> <p>The proposed route passes across areas designated as 'secondary A aquifer' and as a consequence there is the potential for private groundwater abstractions in the immediate vicinity to be adversely affected. Accordingly, the Agency must recommend specific reference to its request for a water features survey to establish potential risks and all subsequent actions.</p> <p><i>(see email in Appendix B)</i></p>	<p>The Flood Risk Assessment (Appendix 4.6 of TR010036/APP/6.3) and Drainage Strategy Report (Appendix 4.7 of TR010036/APP/6.3) discuss the interaction of groundwater and the proposed highway drainage for the scheme. The ground investigation has recently completed (June 2018), comprising of approximately 45 boreholes across the route, to inform design development. The boreholes have been fitted with piezometers to monitor both superficial and bedrock groundwater levels.</p> <p>A review of potential deregulated abstractions and private water supplies within the proposed scheme boundary was undertaken using details from agricultural surveys accompanied by a desk-based review. The results from this process have been captured within a technical note that was issued to the Environment Agency on 5 December 2018 for review and comment. The note concluded that within 250 metres of the study area there are some water features being used for private water supply, but that these are mostly outside of the scheme footprint. Furthermore, the scheme is not anticipated to affect groundwaters or flow pathways at any depth, thus the source or integrity of natural springs used for water supply</p>	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
			<p>should not be affected, and therefore no adverse impacts are anticipated.</p> <p>It should be noted that potential groundwater effects associated with contaminated land are covered within Chapter 9 Geology and Soils of ES (TR010036/APP/6.1).</p>	
Groundwater resources	Not applicable	<p><i>[Following receipt of private water supplies technical note]</i></p> <p>The Environment Agency notified that they were 'satisfied with water interest survey that was undertaken'. They also agreed the identified sources are unlikely to be at significant risk from the proposed scheme.</p> <p>They also advised that the identified source at ST 55646 24982, is within the footprint of the proposed works and that discussions are underway with the landowner regarding its replacement. We would advise that the existing source must be appropriately decommissioned using current best practice, to ensure the borehole/well does not provide a preferential pathway, where contaminated runoff/spills can enter the aquifer during construction or operation of the road.</p> <p>(see email in Appendix B)</p>	<p>The advice on the decommissioning of the water supply identified is acknowledged and will be followed accordingly. Continued liaison with the landowner (where the water supply is present) will be undertaken during detailed design and specific mitigation measures will be included within the Outline Environment Management Plan.</p>	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
Water quality	Not applicable	<p>The requirement to ensure any surface water infiltration areas will be sufficiently clean to minimise the risk of mobilising contaminants.</p> <p><i>(see email in Appendix B)</i></p>	<p>As discussed within the Flood Risk Assessment (Appendix 4.6 of TR010036/APP/6.3) and Drainage Strategy Report (Appendix 4.7 of TR010036/APP/6.3), the proposed basins are clay lined as it is considered the infiltration potential to be low. Through incorporation of grass lined channels, filter drains, catchpits, vegetated ditches, sediment forebays and treatment volumes within the ponds the preliminary design has incorporated a series of sustainable drainage features to minimise the risk of mobilising contaminants.</p>	AGREED
		<p>The requirement to ensure adequate provision for containment and treatment / disposal of contaminated runoff arising from likely worst case accidents or spills along the route. This is needed to reduce the risk of pollution of surface waters or groundwater in the underlying aquifer.</p> <p><i>(see email in Appendix B)</i></p>	<p>The HAWRAT assessment (Appendix 4.4 of TR010036/APP/6.3) and Drainage Strategy Report (Appendix 4.7 of TR010036/APP/6.3) state that the outfalls into ordinary watercourses will be fitted with penstocks, such that in the event of accidental spillage flows can be isolated (i.e. 'Pollution Control Device'). Upstream of the penstocks, any spillage will gravitate to the basins where it will contain any spillage with the clay liner preventing infiltration into the underlying secondary aquifer. In locations where open ditches / grass channels / filter media convey any accidental spillage into the basins, it is not proposed to line these with an impermeable liner as any contaminant would not be 'sat' within the ditch for any long period of time (with any substantial head). Post spillage the filter media / grass</p>	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
			channels topsoil / ditches topsoil should be removed and replaced.	
Waste management	Not applicable	<p>As previously advised, the Agency must recommend full consideration of all aspects of waste management pertinent to the proposed scheme. This includes any waste material that would need to be stored and/or removed from the site and potentially any imported for construction purposes. The Environment Agency should be contacted as early as possible to discuss any potential permitting and / or exemption requirements. General guidance regarding waste management issues, including permitting and formal exemption requirements, may be obtained through the following link: https://www.gov.uk/topic/environmental-management/waste</p> <p><i>(see email in Appendix B)</i></p>	<p>An Outline Site Waste Management Plan has been produced to support the DCO submission which considers waste storage, reuse and recycling aspects as well as materials imported to site for use within the construction (to ensure they do not become waste). This outline SWMP will be developed into a full Site Waste Management Plan by the appointed contractor prior to construction. Appropriate waste consents including waste carrier licences, possible exemptions and environmental permits will be obtained from the Environment Agency, where appropriate, and all details of waste carriers and permitted facilities used to manage the unavoidable waste from the construction will be checked as part of the appointed contractor's duty of care requirements.</p>	AGREED
Draft DCO	Protective Provisions	Will the draft DCO be issued to the Environment Agency for review and comment?	The draft DCO document is not being submitted to consultees for comment; however, the extracted section on protective provisions was attached for the Environment Agency to review, and any amendments can be incorporated into the draft DCO.	UNDER DISCUSSION

Topic	Sub-section	Environment Agency comment	Highways England response	Status
Relevant Representation	Not applicable	<p>It is noted that our national Protective Provisions have not been included in the draft DCO, as requested. The submitted draft Protective Provisions are not specific to our interests and do not accord with our requirements. Accordingly, we must advise that we are currently unable to agree to the proposed disapplication of legislative provisions pertinent to our interests, as detailed in Part 1 (3) of the draft DCO. We would welcome the opportunity to discuss this matter further.</p>	<p>The Protective Provisions have been reviewed by Highways England. These amendments will be sent to the Environment Agency's legal team for review.</p>	<i>UNDER DISCUSSION</i>
		<p>Notwithstanding the above, we are essentially satisfied that, unless specifically stated hereunder, the supporting documentation and related provisions pertinent to our interests, including the draft 'Requirements', reflect earlier discussions and are currently considered sufficient to protect our interests. The Road Drainage and Water Environment Assessment Summary (Appendix 4.3 of the Environmental Statement) only considers licensed abstractions as potential receptors (section 1.4). We have previously advised of the presence of private supplies in the vicinity of the proposed works, that abstract quantities below the threshold requiring a license. As previously advised, where used for potable water, such abstractions have a 50m radius</p>	<p>Private water supplies were an aspect that had been included in an agricultural questionnaire sent to all landowners perceived as potentially owning agricultural land within 250 metres of the red line boundary (as of 05/03/18). Questionnaires were sent to 69 landowners, and 24 questionnaires were returned. The returned questionnaires have subsequently been reviewed and a technical note has been prepared, to be issued the Environment Agency shortly. The technical note concludes that based on the information available, there will be no measurable impacts on deregulated abstractions / private water supplies anticipated to occur as a result of the scheme during either construction or operational phases.</p>	<i>AGREED</i>

Topic	Sub-section	Environment Agency comment	Highways England response	Status
		Source Protection Zone 1 (SPZ1). We must again advise that a survey is conducted to ensure these sources are identified and adequately protected.		
		Chapter 9 (Geology and Soils) of the Environmental Statement also fails to consider unlicensed groundwater abstractions. Whilst we agree that there are no Source Protection Zones attributed to public water supplies in the vicinity of the scheme, there are likely to be default 50m radius SPZ1 around private abstractions within the area of study.	Answer as above – the technical note concludes that based on the information available, there will be no measurable impacts on deregulated abstractions / private water supplies anticipated to occur as a result of the scheme during either construction or operational phases.	AGREED
		We note that it is not currently considered feasible for runoff to be actively discharged to ground due to the low permeability nature of the soils. The Highways Agency Water Risk Assessment Tool (HAWRAT) does not therefore appear to have been applied to groundwater. Should the drainage strategy change following results from the on-going groundwater monitoring, additional assessment should be undertaken to ensure the risks to groundwater in the underlying Secondary A aquifer are acceptable. Should sections of the drainage system allow potential infiltration through unlined infrastructure, assessment of the risk posed to groundwater must be undertaken in respect of such discharges and appropriate pollution	Should the drainage strategy as submitted as part of the DCO application be amended following results of the Ground Investigation, for example through use of infiltration features which subsequently would require discharge into groundwater, the HAWRAT assessment would need to be completed and re-submitted during the Examination. This is considered to be a low risk.	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
		control measures incorporated.		
		Part 4 Section 20 of the Draft Development Consent Order requires that water discharged into a watercourse must be as free as practicable of solid substances, matter in suspension and oil. To ensure controlled waters are adequately protected, we must request the extension of the requirement to include dissolved pollutants and discharges to ground, due to the potential for pollution of groundwater in the underlying Secondary A aquifer.	Highways England have been made aware of this request. The outcomes of the draft DCO and the amendments made will be shared with the Environment Agency in due course, and therefore this topic is still 'under discussion' for now.	UNDER DISCUSSION
		We welcome 'Requirement' 8 (Land and Groundwater Contamination) which details the need for a land contamination risk assessment with respect to controlled waters and, if required, a remediation strategy to be submitted for approval following consultation with the Environment Agency.	Comment noted.	AGREED
		Notwithstanding the above, we would recommend the following with regard to contaminated land management: 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. 2. Refer to the Environment Agency Guiding principles for land contamination for the type of	As stated within paragraph 9.9.24 of Chapter 9 Geology and Soils of the Environmental Statement (TR010036/APP/6.1), the Contaminated Land Risk Assessment (CLRA) will be prepared in accordance with CLR11. The additional guidance documents will also be considered.	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
		<p>information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.</p> <p>3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.</p> <p>4. Refer to the contaminated land pages on GOV.UK for more information.</p>		
		<p>We must advise that 'Requirement' 3 (Construction Environmental Management Plan) is amended to include a specific need to submit a Pollution Incident Control Plan, to ensure environmental pollution prevention and emergency response procedures are developed and implemented. The measures must be appropriate to the potential risk of the specific works being undertaken, impacting upon identified environmental receptors.</p>	<p>The Outline Environmental Management Plan (APP-148) will be updated to include this commitment, to ensure it is carried through when the management plan is updated to a full CEMP. Highways England have been made aware of the potential change to the draft DCO.</p>	AGREED
		<p>Further, it is noted that 'Requirement' 3 does not specify consultation with the Environment Agency. Due to potential risks to environmental receptors during construction we would request that we have the opportunity to comment on the CEMP and also the HEMP to ensure</p>	<p>The Outline Environmental Management Plan (APP-148) will be updated to include this commitment, to ensure it is carried through when the management plan is updated to a full CEMP. Highways England have been made aware of the potential change to the draft DCO.</p>	AGREED

Topic	Sub-section	Environment Agency comment	Highways England response	Status
		longer term risks can be adequately mitigated. With reference to the record of sensitive environmental features and Groundwater Monitoring Strategy, we may hold information that would assist in determining sensitive environmental receptors.		
		We must advise that any subsequent documentation submitted pursuant to the discharge of any 'Requirement' pertinent to our interests, is forwarded for our consideration, prior to any approval or otherwise.	The Outline Environmental Management Plan (APP-148) will be updated to include this commitment, to ensure it is carried through when the management plan is updated to a full CEMP. Highways England have been made aware of the potential change to the draft DCO.	AGREED
		With regard to our flood risk management remit, we would reiterate that the proposals lie outside Flood Zones 2 and 3 and, as a consequence, there are no specific/direct flood risk mitigation works required to ensure the proposed scheme will be protected against fluvial/tidal risks from sources under our jurisdiction. The applicant is advised to (if not done so already) assess any local flood risks to the proposed scheme from nearby ditches and drains under the control of the Lead Local Flood Authority or Drainage Board.	Local flood risks have been assessed and included within the Drainage Strategy (APP-060) and the Flood Risk Assessment (Appendix 4.6 Flood Risk Assessment, APP-059) following consultation with Somerset Drainage Board Consortium and the Lead Local Flood Authority.	AGREED
		We would advise that draft 'Requirement' 13 does not appear to make any provision for the future management/maintenance of the approved drainage details. This will be	Highways England have been made aware of this request. The outcomes of the draft DCO and the amendments made will be shared with the Environment Agency in due course, and therefore this topic is still	UNDER DISCUSSION

Topic	Sub-section	Environment Agency comment	Highways England response	Status
		important to ensure the drainage system continues to perform as originally designed, for the lifetime of the scheme.	'under discussion' for now.	
		It is noted that in section 5 of requirement 13, there may be an issue for the other Risk Management Authorities to comment on i.e. 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. 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 20yr) in the drainage network, with no surface flooding at 1%AEP (1 in 100yr) events. Exceedance design should cover the climate change scenario at 1%AEP. Accordingly, the respective Risk Management Authorities should clarify their expected standards for the performance of the road drainage network.	The proposed highway drainage as part of the scheme has been designed in accordance with the standards included within the Design Manual for Roads and Bridges (DMRB), as stated within Table 6.1 of the Drainage Strategy Report (see Appendix 4.7 Drainage Strategy Report, APP-060). As stated within Section 6.4 of the Drainage Strategy Report (see Appendix 4.7 Drainage Strategy Report, APP-060), the rainfall intensities used to calculate the design storms include an allowance for the effects of climate change by allowing for a 40% increase.	<i>UNDER DISCUSSION</i>

APPENDIX A – Letter received from the Environment Agency

Sophie Bennett
Mott MacDonald Sweco JV
Stoneham Place
Stoneham Lane
Southampton
Hampshire
SO50 9NW

Our ref: WX/2018/131402/02-L01
Your ref: TR010036-000004
Date: 22 May 2018

Dear Ms Bennett

**PROPOSED DUALLING SCHEME A303 SPARKFORD TO ILCHESTER -
SUBMISSION OF WFD SCREENING AND SCOPING ASSESSMENT
HAWRAT ASSESSMENT AND FLOOD RISK ASSESSMENT (FRA)**

Thank you for your consultation regarding the above.

WFD Screening and Scoping Assessment

The Agency accepts the approach to the assessment and concurs that it is unlikely the scheme will affect the WFD status of the waterbodies identified. Any potential impact pathways can be mitigated by the measures included in the HAWRAT. Additionally, the Agency agrees that a Stage 3 WFD impact assessment is not necessary.

HAWRAT Assessment

The HAWRAT provides a thorough assessment of potential impacts of pollution from surface water run-off on the watercourses within the Zone of Impact and those within the wider catchment area. Where such impacts would result in a failure to meet ecological quality standards, mitigation measures in the form of SUDS and treatment systems are proposed to ensure that any run-off meets quality standards before it enters a watercourse. The Agency accepts this approach and has no objection to the proposed location of the treatment systems.

As previously discussed, the design of the ponds, drainage channels and ditches should include the provision of measures to maximise wildlife interest and habitat for the species noted in the Biodiversity section of the Preliminary Environmental Information Report.

FRA

The Agency can confirm that it has no additional observations or specific concerns regarding the submitted FRA.

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Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

With regard to the submitted schedule of scoping opinion comments/responses, the Agency is satisfied that the previously highlighted issues have been satisfactorily addressed.

Should you wish to discuss this matter further please contact the undersigned direct.

Yours sincerely

Dave Pring
Planning Specialist

Direct dial 02030 250153

Direct fax 01278 452985

Direct e-mail nwx.sp@environment-agency.gov.uk

APPENDIX B – Email correspondence with Environment Agency

Bennett, Sophie

From: Pring, Dave <dave.pring@environment-agency.gov.uk>
Sent: 22 June 2018 12:36
To: [REDACTED]
Subject: PROPOSED DUALLING OF THE A303 (SPARKFORD TO ILCHESTER) - STATEMENT OF COMMON GROUND
Attachments: A303 SoCGdp.docx

Hi Sophie

Please find attached a copy of the Agency's response in respect of the above.

I would welcome the opportunity to discuss this matter further, together with related issues including the draft DCO (formal requirements, protective provisions etc).

I will be out of the office this afternoon however, I may be contacted from next Monday.

Regards

Dave

Dave Pring
Planning Specialist
Sustainable Places
Wessex Area

[REDACTED]
External Phone: 02030250153
Fax: 01278 452985
E-mail: nwx.sp@environment-agency.gov.uk

Environment Agency, Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS

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Bennett, Sophie

From: Pring, Dave <dave.pring@environment-agency.gov.uk>
Sent: 10 July 2018 17:38
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: PROPOSED DUALLING OF THE A303 (SPARKFORD TO ILCHESTER) - STATEMENT OF COMMON GROUND

Hi Sophie

Thank you for forwarding the updated single Statement of Common Ground (SoCG).

The Agency welcomes the additions to the SoCG, in particular the references to the WFD, HAWRAT and FRA documentation. Although the Agency previously responded in respect of these documents, it was considered important to include a specific reference to the reports (in response to earlier concerns regarding the scoping process) for completeness.

The incorporation of pertinent drainage comments/responses from the original joint EA/SCC/SDBC SoCG is appreciated.

The references to waste management proposals are acceptable to the Agency.

The Agency welcomes the ground investigation and groundwater monitoring detailed and that the results of these will be used to inform the scheme drainage design. However, there is still no reference to a water features survey having been carried out or proposed. Whilst there are no licensed abstractions in the vicinity of the scheme, there is the possibility that deregulated abstractions exist for which the Environment Agency does not hold records, as well as other natural water features that may be impacted during construction and/or operation of the scheme. Accordingly, the Agency would welcome clarification regarding this matter.

The Agency is disappointed with the Highways England/Mott MacDonald decision to not consult in respect of the draft DCO.

It should be noted the Agency may seek the inclusion of formal requirements to secure specific works/methodologies.

The Agency will respond separately to the submitted draft protective provisions and Outline Environment Management Plan.

Regards

Dave Pring
Planning Specialist
Sustainable Places
Wessex Area

[REDACTED]
External Phone: 02030250153
Fax: 01278 452985
E-mail: nwx.sp@environment-agency.gov.uk

Environment Agency, Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS

From: Bennett, Sophie [mailto: Sophie.Bennett@mottmac.com]
Sent: 03 July 2018 19:02
To: Pring, Dave <dave.pring@environment-agency.gov.uk>
Cc: Barrett, Julia I <Julia.Barrett@mottmac.com>
Subject: RE: PROPOSED DUALLING OF THE A303 (SPARKFORD TO ILCHESTER) - STATEMENT OF COMMON GROUND

Hi Dave

Please find attached an updated version of the Environment Agency SOCG. This has been updated to hopefully now include all of the additional points you mentioned in your letter dated 22nd June 2018, with responses to each. Please note that I have also transferred anything additional from the EA/Drainage Board/SCC that was of relevance into the attached. I have highlighted all of the new text I've added since the first version, to aid your review.

Please let me know if you have any queries, and whether you are happy with our responses – if so I'll update the status column.

Looking forward to hearing from you.

Kind regards

Sophie

From: Bennett, Sophie
Sent: 26 June 2018 14:46
To: Pring, Dave <dave.pring@environment-agency.gov.uk>
Cc: [REDACTED]
Subject: RE: PROPOSED DUALLING OF THE A303 (SPARKFORD TO ILCHESTER) - STATEMENT OF COMMON GROUND

Afternoon Dave

Apologies for not touching base with you on Monday. It would be good if we could have a phone call to run through your respective queries sent through last week – are there any days this week that suit you at all? I think Thursday suits myself, and I'd also like Tom Lake to join too if that's ok. Might it be useful to involve John Southwell too from your side?

Looking forward to hearing from you.

Kind regards

Sophie

From: Bennett, Sophie
Sent: 22 June 2018 16:58
To: 'Pring, Dave' <dave.pring@environment-agency.gov.uk>
Cc: [REDACTED] >
Subject: RE: PROPOSED DUALLING OF THE A303 (SPARKFORD TO ILCHESTER) - STATEMENT OF COMMON GROUND

Good afternoon Dave

Many thanks for sending this through to me, much appreciated. It would be great if we could have a quick call next week to discuss – I'll be in touch on Monday when you are back in the office to agree a time that suits you.

I hope you have a good weekend.

Kind regards

Sophie

From: Pring, Dave [<mailto:dave.pring@environment-agency.gov.uk>]
Sent: 22 June 2018 12:36
To: [REDACTED]
Subject: PROPOSED DUALLING OF THE A303 (SPARKFORD TO ILCHESTER) - STATEMENT OF COMMON GROUND

Hi Sophie

Please find attached a copy of the Agency's response in respect of the above.

I would welcome the opportunity to discuss this matter further, together with related issues including the draft DCO (formal requirements, protective provisions etc).

I will be out of the office this afternoon however, I may be contacted from next Monday.

Regards

Dave

Dave Pring
Planning Specialist
Sustainable Places
Wessex Area

External Phone: 02030250153

Fax: 01278 452985

E-mail: nwx.sp@environment-agency.gov.uk

Environment Agency, Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS

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Bennett, Sophie

From: Pring, Dave <dave.pring@environment-agency.gov.uk>
Sent: 20 August 2018 10:51
To: Barrett, Julia I; Bennett, Sophie
Cc: [REDACTED]
Subject: RE: A303 Sparkford to Ilchester Dualling - Environmental Technical Working Group - Meeting 4

Hi Julia/Sophie

I think a short email will suffice.

All I need is confirmation regarding the inclusion or otherwise of our protective provisions and details of any assessment undertaken regarding deregulated abstractions.

Thank you

Dave

Dave Pring
Planning Specialist
Sustainable Places
Wessex Area

[REDACTED]
External Phone: 02030250153
Fax: 01278 452985
E-mail: nwx.sp@environment-agency.gov.uk

Environment Agency, Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS

From: Bennett, Sophie [mailto:Sophie.Bennett@mottmac.com]
Sent: 16 August 2018 17:53
To: Pring, Dave <dave.pring@environment-agency.gov.uk>
Cc: [REDACTED] >
Subject: RE: A303 Sparkford to Ilchester Dualling - Environmental Technical Working Group - Meeting 4

Hi Dave

Many thanks for your email and for providing me with your availability for those 2 weeks. I will be in touch shortly with the date that suits the majority, and look forward to hopefully seeing you next month.

Would a quick phone call to discuss your below questions and to have a quick catch up with Julia and Tom, suit you at all? Are there any days that suit you w/c 27th August? I'm not around next week unfortunately, although do go ahead without me if needed! I've cc'd in Julia to this email so do please get in touch with Julia if next week suits you better.

Speak soon.

Kind regards

Sophie

From: Pring, Dave <dave.pring@environment-agency.gov.uk>
Sent: 16 August 2018 11:37

To: Bennett, Sophie <[Sophie.Bennett@mottmac.com](mailto: Sophie.Bennett@mottmac.com)>

Cc: [Redacted]

Subject: RE: A303 Sparkford to Ilchester Dualling - Environmental Technical Working Group - Meeting 4

Hi Sophie

My availability is indicated with the ✓

	24/09/18	25/09/18	26/09/18	27/09/18	28/09/18
AM	x	✓	✓	✓	x
PM	x	✓	✓	✓	x
	01/10/18	02/10/18	03/10/18	04/10/18	05/10/18
AM	x	✓	✓	x	x
PM	x	✓	✓	✓	x

Have the Agency's current national protective provisions for DCOs been forwarded to PINS for inclusion?

With reference to the previously discussed water features survey, is it intended to provide confirmation regarding the existence or otherwise of deregulated abstractions and other pertinent water interests, that may be impacted during construction and/or operation of the scheme?

Regards

Dave

Dave Pring
Planning Specialist
Sustainable Places
Wessex Area

[Redacted]

External Phone: 02030250153

Fax: 01278 452985

E-mail: [nwx.sp@environment-agency.gov.uk](mailto: nwx.sp@environment-agency.gov.uk)

Environment Agency, Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS

From: Bennett, Sophie [<mailto: Sophie.Bennett@mottmac.com>]

Sent: 15 August 2018 17:15

To: [Redacted]

Subject: A303 Sparkford to Ilchester Dualling - Environmental Technical Working Group - Meeting 4

Dear all

I hope you are all well and enjoying the summer.

You may or may not be aware that the A303 Sparkford to Ilchester Dualling DCO application was submitted to the Planning Inspectorate on Friday 27th July 2018. For your information the submission is available online here: <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-sparkford-to-ilchester-dualling/?ipcsection=docs>.

We have held several environmental technical working groups throughout the preparation of the DCO application – thank you very much again for your participation in these. We’d very much like to hold another meeting with you all at the end of September or start of October to update you all on progress. Please can you let me know which days suit you by completing the table below, and I will then choose a date that suits the majority of us. The location of the meeting is to be confirmed, but our last ones have worked well at South Somerset District Council’s offices so if there is space to accommodate us then it is likely that it will take place here again. An agenda for the meeting will be confirmed nearer the time but please note it is likely that we will provide a general scheme update and we will then have discipline-specific discussions, as per the previous working groups.

	24/09/18	25/09/18	26/09/18	27/09/18	28/09/18
AM					
PM					
	01/10/18	02/10/18	03/10/18	04/10/18	05/10/18
AM					
PM					

Looking forward to hearing from you and please do get in touch with me if you have any questions of course.

Kind regards

Sophie

Sophie Bennett
MSc BSc PIEMA
Environmental Coordinator

T +44 (0)23 8062 8800 D [REDACTED] F +44 (0)23 8064 7251
sophie.bennett@mottmac.com



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Bennett, Sophie

From: Pring, Dave <dave.pring@environment-agency.gov.uk>
Sent: 01 August 2018 17:49
To: Bennett, Sophie
Subject: PROPOSED DUALLING SCHEME, A303 SPARKFORD TO ILCHESTER - EA
PROTECTIVE PROVISIONS
Attachments: Standard protective provisions for DCOs - draft July 2018 (002).pdf

Hi Sophie,

Please find attached a copy of the Agency's current national protective provisions for DCOs.

The protective provisions are a work in progress and will therefore be subject to change.


Accordingly, we would request you contact us immediately prior to submission of the DCO application, at which point the latest version of the protective provisions will be forwarded for inclusion in the draft DCO.

Please let me know if you would like to discuss this further

Regards

Dave

Dave Pring
Planning Specialist
Sustainable Places
Wessex Area


External Phone: 02030250153
Fax: 01278 452985
E-mail: nwx.sp@environment-agency.gov.uk

Environment Agency, Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS

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