

A303 Sparkford to Ilchester Dualling Scheme TR010036

8.18 Draft Statement of Common Ground with Alan and Mr and Mrs Walton, Long Hazel Park

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



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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Planning Inspectorate Scheme Reference	TR010036
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Author:	A303 Sparkford to Ilchester Dualling Scheme Project Team, Highways England

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Rev A	January 2019	Draft 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) Mr and Mrs Walton, Long Hazel Park

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

Signed.....
[NAME]
[ROLE]
on behalf of Mr and Mrs Walton, Long Hazel Park
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) Mr and Mrs Walton, Long Hazel Park.
- 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 Mr and Mrs Walton own Long Hazel Park, located off the A359 Sparkford High Street, which is to the east of the proposed A303 Sparkford to Ilchester Dualling scheme. Long Hazel Park consists of a licensed holiday touring park and a holiday lodge park most of which is approved for residential lodges (mobile homes) for which it holds a full permanent residential licence E/90 from South Somerset District Council.

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 Mr and Mrs Walton, 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 Mr and Mrs Walton.

1.4 Record of Engagement

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

Table 1.1: Record of engagement between Highways England and Mr and Mrs Walton

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
16/02/2018	Email	Email sent to Tom Roberts to explain their objections to scheme taking any of their land for use. Supporting documents have been supplied for this. These include planning permissions, traffic noise reports, sewage and utilities plans.
16/02/2018	Email	Email sent from Alex Murphy in response to the email sent to Tom Roberts on 16/02/2018. Alex stated that although the red line boundary slightly encroaches the Walton's land, the scheme does not envisage that any land acquisition will be required and the red line boundary will be updated to reflect this. He stated that the red line boundary will not be fixed until the summer of 2018.
19/05/2018	Email	Email from Alan and Pamela Walton passing on five comments regarding the scheme and their land. 1) Clarification of the western boundary which extends out to the fence line with Long Hazel Farm. 2) A request for an explanation of the small rectangular box shown within the red line boundary to the north west corner of ST103525. 3) A request for the boundary of Long Hazel Dairy Farm to be considered for a noise mitigation barrier. 4) Will any elevated sections of the new road have noise reduction barriers? 5) Will the tourism direction signage be preserved and accounted for?
07/06/18	Email	Email received from Mr and Mrs Walton, questioning whether the expected levels of noise will be greater once the scheme is complete. They then ask further questions regarding the anticipated decibel level of traffic noise at their boundary at present and what is it projected to be. As well as if they will get a noise reduction fence on our boundary. Mr and Mrs Walton questioned when the public enquiry is likely to be and can their email be included in the papers to go before the Planning Inspectorate.
26/06/2018	Email	Response from Alex Murphy providing Mr and Mrs Walton with the noise levels they requested, which indicates an increase. Mr Murphy explained the receptor location on the site does not trigger the criteria for significant adverse effect due to noise, and therefore no new mitigation proposed along the boundary. The email informs Mr and Mrs Walton of the new planning process known as the Development Consent Order (DCO) which allows stakeholders to make a representation in front of the Planning Inspectorate.
27/06/2018	Email	Mr and Mrs Walton responded informing of the adverse effect an increase in noise could have on their business. For the remainder of their lodges to be approved for development, noise levels need to be 35 decibels or less. For this reason they are requesting that the Planning Inspector will consider it appropriate to order that Highways England do make necessary adjustments to mitigate this traffic noise or to pay such compensation.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
27/06/2018	Email	Alex Murphy informed Mr and Mrs Walton that it is too early to provide dates of hearings and when representations can be made, advertisements will be made nearer the time.
02/10/2018	Email	Mr and Mrs Walton have engaged with Mr Tegwyn Jones (Traffic Noise Planning Consultant) to advise on the traffic noise impact on their approved residential lodge development. Mr Jones has requested the raw data on which the prediction is modelled. They also requested more detail on noise measurements on their boundary. It is envisaged that Mr Jones will prepare a report.
02/10/2018	Email	Alex Murphy questioned whether it would be possible for our noise team to contact Mr Jones directly to understand exactly what he would like from us.
03/10/2018	Email	Email from Tegwyn Jones, who is advising Alan Walton on traffic noise impact. Ms Jones requested the parameters on which the prediction of traffic noise is modelled.
04/10/2018	Email	Alex Murphy responded to Tegwyn Jones' email, confirming he is looking into the request and will respond as soon as possible.
15/10/2018	Email	Alex Murphy provided a response to Tegwyn Jones following an email received 3 October 2018. Alex provided the parameters used in predicting traffic noise at Long Hazel Park, including how gradients were calculated and road surface corrections. Alex notes that the assessment calculated distances to receivers based on AddressBase data points and not to property/land boundaries. Having used the model to estimate horizontal distances to the nearest Long Hazel Park boundary (dm), Alex provided a table showing old and new distances.
11/12/2018	Email	Alan and Pamela Walton emailed Alex Murphy and PINS, attaching their explanatory statement, an aerial plan of our property and plans Annex 2 and Annex 3 showing the amenity areas exposed to traffic noise. The Annex Plan 2 relates to now plus during construction and after completion which will be morphed into the green area shown on Annex 3 depending on how quickly we can redevelop the site.
13/12/2018	Email	Alex Murphy emailed Mr Walton thanking him for attending the open floor hearing on the 12 December 2018. Alex asked if Mr Walton would be free on the 16th January 2018 for a visit from him and a member of the noise team to allow them to explain the noise modelling process in more detail and how we have reached the conclusions we have. The meeting would be of a technical nature, so we would not be in a position to discuss compensation.
15/12/2018	Email	Alan Walton responded to Alex Murphy stating, I am pleased and relieved that I did attend the meeting on Wednesday otherwise I would not have been able to respond to your Solicitor's application for the Direction for a Statement of Common Ground as it relates to our position to be quashed. Your Solicitor also gave the room the impression in his address that there was not going to be any agreement regarding us and he did not seem at all happy in having to spend time preparing Statements of Common Ground with either ourselves or Sparkford Hall. The Learned Planning Inspectors did indicate that they would deliberate and issue a written ruling shortly. We have instructed Mr Tegwyn Jones to deal with technical issues and we believe Sparkford Hall has also consulted with him and Counsel. We would not wish to enter into any matters relating to our concerns outside of the examination process. Having put forward our position and having addressed all the points raised by the Planning Inspectorate in our email dated 11 December 2018 we consider it reasonable to await the

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
		Learned Inspectors' written ruling. Depending on the outcome, we will either await hearing from your Solicitor with draft Statement of Common Ground for approval or if the Learned Inspectors rule that a Statement of Common Ground is no longer required we will put our position comprehensively during the examination process. As others in the locality of Sparkford have concerns about traffic noise we hope these representations can be programmed together during the examination process. We appreciate that you are not in a position to discuss compensation at this state but this was one of the points raised in the Directive and that is why we touched upon this subject. For reasons stated above we would not wish to participate in the visit as suggested. However, we will be asking to attend any site meeting to be held later by the Learned Inspectors.
17/12/2018	Email	Alex Murphy thanked Mr Walton for his email, dated 15 December 2018. Alex informs Mr Walton, if he changes his mind regarding a visit, to please let him know and he will arrange a convenient time.
28/12/2018	Email	Alex Murphy emailed Mr Walton a link to the Rule 8 letter, issued by PINS. Within this letter, PINS has asked the team commence the drafting of a Statement of Common Ground (SoCG) with Mr and Mrs Walton. Alex asks Mr Walton if he would re-consider a visit, so his concerns can be discussed in relation to noise and those comments can be captured in the SoCG.

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) Mr and Mrs Walton, Long Hazel Park in relation to the issues addressed in this SoCG.

2. Issues

Topic	Mr and Mrs Walton's comment	Highways England response	Status
General	Provided the traffic noise issues can be addressed which in turn will benefit the local community from tourism spending because this is generated considerably by the accommodation providers of Long Hazel Park and Sparkford Hall, the Scheme is supported.	Highways England considers that significant adverse impacts that may be caused by the traffic noise from the proposed scheme will be sufficiently mitigated within the scheme proposals.	UNDER DISCUSSION
General	We would like the scheme to provide a traffic calming solution for Sparkford Highstreet, which could also include reduced noise surfacing and a pedestrian crossing.	Highways England considers that traffic calming is not required on Sparkford Highstreet.	UNDER DISCUSSION
	Proposed Layout of Hazlegrove Roundabout is supported subject to traffic noise issues being addressed. It is noted that any new surfacing will not extend beyond the new work as requested by us. The Learned Inspector is urged to explore the possibility of extending this surfacing to mitigate traffic noise for us, our neighbours and the Village. This has been called for and recommended by Tegwyn Jones Acoustics Expert engaged on our behalf.	Highways England considers that significant adverse impacts that may be caused by the traffic noise from the proposed scheme will be sufficiently mitigated within the scheme proposals. Low noise surfacing is proposed throughout the scheme is likely to extend approximately 500m east of the existing Hazlegrove Roundabout.	UNDER DISCUSSION
Existing condition – Planning History	26 May 1993 Planning Permission 922010 (Caravan Site owners residence with occupancy conditions) 1 April 1998 Planning Permission 97/01611/FUL (3 static caravans)	Noted.	UNDER DISCUSSION

Topic	Mr and Mrs Walton's comment	Highways England response	Status
	<p>7 September 1998 Touring Holiday Caravan Site Licence 206/W for 75 touring pitches</p> <p>3 April 2003 Planning Permission 02/02508/FUL (15 holiday lodges open all year no limit on length of stay can be privately owned)</p> <p>23 September 2003 Residential Caravan Site Licence E/90 for 13 lodges built to BS3632</p> <p>22 February 2005 Letter SSDC approving design and layout holiday lodges</p> <p>29 March 2007 Building Regulations Certificate of final inspection of work (sewers and drains) for lodge development</p> <p>23 January 2009 Planning Permission O8/05089/S73 - 21 seasonal all year-round touring pitches and permanent siting of 13 lodges for all year round use for holiday and tourism accommodation. Note Park opens all year.</p> <p>26 July 2016 Planning Appeal Decision APP/R3325/W/16/3144731 (21 permanent residential mobile homes - lodges)</p> <p>6 January 2017 Discharge of Planning Condition 3 (Noise Protection)</p>		

Topic	Mr and Mrs Walton's comment	Highways England response	Status
	<p>31 March 2017 Planning Permission 17/00414/S73 vary Planning Condition (foul and surface water) (confirmation that Phase 1 existing installations are approved). Note the holiday homes systems having been previously approved and are common with Phase 1</p>		
<p>Existing condition – Planning Conditions related to noise</p>	<p>Appeal Decision APP/R3325/W/16/31447318 permitted six plots to change their use to residential. It also a permitted change of use for a further 15 mobile homes to be sited on the touring park. The changes of use were subject to the following conditions:-</p> <p>“1) The development hereby permitted shall begin not later than 3 years from the date of this decision.</p> <p>“2) The development hereby permitted shall be carried out in accordance with the following approved plans: ‘01/07/00’; ‘01/07/01A’ and ‘01/07/02C’.</p> <p>“3) None of the mobile homes hereby permitted shall be occupied until a scheme for the protection of the residents from traffic noise from the A303 has been submitted to, approved in writing by the local planning authority and then fully implemented. All works which form part of the scheme shall be retained thereafter.</p> <p>“4) None of the mobile homes hereby permitted shall be occupied until works for the disposal of sewage and surface water disposal have been provided on the site to serve the development hereby permitted, in</p>	<p>Noted.</p>	<p><i>UNDER DISCUSSION</i></p>

Topic	Mr and Mrs Walton's comment	Highways England response	Status
	accordance with details that have first been submitted to and approved in writing by the local planning authority.		
Existing condition - Noise	<p>BS8233 advises the following daytime noise criteria for internal residential areas:</p> <ul style="list-style-type: none"> • Living rooms during the daytime – 35 dB LAeq,16h. • Dining rooms during the daytime – 40 dB LAeq,16h. • Bedrooms - 35 dB LAeq, 16h, during the day (for rest). <p>Lodges will be procured with walls that achieve a build standard specified by BS3632: 2005, thereby having a sound insulation rating of not less than 35 dB.</p> <p>Triple glazed windows to habitable rooms will achieve a sound insulation rating of at least 43 dB Rw.</p> <p>Passive acoustic window ventilators will be installed to these rooms to provide a reduction of 42 dBA even in the open position.</p>	Noted.	<i>UNDER DISCUSSION</i>
Existing condition - Noise	For a site like this that is subject to Noise Exposure Category B, the Local Planning Authority are advised by government that; "Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an	Noted.	<i>UNDER DISCUSSION</i>

Topic	Mr and Mrs Walton's comment	Highways England response	Status
	<p>adequate level of protection against noise.” Accordingly, the application for residential use was not refused on grounds of noise, but conditions were applied requiring the dwellings to have a certain level of noise insulation.</p> <p>External road noise affects the proposed amenity areas</p> <p>High spec windows and walls will bring internal noise levels down to the standards set out in British Standard 8233: 2014.</p>		

