

Application by Highways England for the A303 Sparkford to Ilchester Dualling project
The Examining Authority's written questions and requests for information (ExQ2)
Issued on 22 March 2019

The following table sets out the Examining Authority's (ExA's) further written questions and requests for information – ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe B to the Rule 6 letter of 20 December 2018 and use the same format as the ExA's initial questions (ExQ1) of the same date. 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 2 (indicating that it is from ExQ2) and then has an issue number and a question number. For example, the first question on archaeology and cultural heritage issues is identified as Q2.1.1. 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@planninginspectorate.gov.uk and include 'A303 Sparkford to Ilchester' in the subject line of your email.

Responses are due by **Deadline 5 (5 April 2019)**

Abbreviations used

PA2008	<i>The Planning Act 2008</i>	MP	<i>Model Provision (in the MP Order)</i>
AADT	<i>Annual Average Daily Traffic</i>	MP Order	<i>The Infrastructure Planning (Model Provisions) Order 2009</i>
Art	<i>Article</i>	NMU	<i>Non-Motorised User</i>
ALA 1981	<i>Acquisition of Land Act 1981</i>	NNG	<i>Night Noise Guidelines for Europe</i>
BoR	<i>Book of Reference</i>	NPSNN	<i>National Policy Statement for National Networks</i>
CA	<i>Compulsory Acquisition</i>	NSIP	<i>Nationally Significant Infrastructure Project</i>
COMMA	<i>Combined Modelling and Appraisal</i>	R	<i>Requirement</i>
CPO	<i>Compulsory purchase order</i>	RFC	<i>Ratio of Flow to Capacity</i>
dDCO	<i>Draft DCO</i>	SI	<i>Statutory Instrument</i>
DIO	<i>Defence Infrastructure Organisation</i>	SCC	<i>Somerset County Council</i>
EM	<i>Explanatory Memorandum</i>	SSDC	<i>South Somerset District Council</i>
ES	<i>Environmental Statement</i>	SOAEL	<i>Significant Observed Adverse Effect Level</i>
ExA	<i>Examining authority</i>	SoS	<i>Secretary of State (for Transport)</i>
IP	<i>Interested Party</i>	SoSHCLG	<i>Secretary of State for Housing, Communities and Local Government</i>
LIR	<i>Local Impact Report</i>	SSSI	<i>Site of Special Scientific Interest</i>
LOAEL	<i>Lowest Observed Adverse Effect Level</i>	TP	<i>Temporary Possession</i>
LPA	<i>Local Planning Authority</i>		
LSE	<i>Likely Significant Effect</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 ExQ2.1.1 – refers to question 1 in this table.

ExQ2	Question to:	Question:
2.0	General and Cross-topic Questions	
2.0.1	The Applicant	<p>Parish Councils proposal The Applicant acknowledges that the proposal would result in some harm which it seeks to mitigate. The Applicant also accepts that there will still be some residual harm even with the mitigation proposed and seeks to show that the need for the scheme is such that it outweighs the harm.</p> <p>The Parish Councils' scheme is not for consideration at this examination. However, the question of alternatives to proposals and how they should be considered is dealt with in the leading case of <i>Langley Park School for Girls v The London Borough of Bromley & Another</i> [2009] EWCA Civ 734.</p> <p>The Applicant is asked for its views on this case and its materiality, and how the current application should be considered in the circumstances of the case and the proposals put forward on behalf of the Parish Councils.</p>
2.0.2	The Applicant	<p>The Application Could the Applicant please provide a comprehensive Guide to the Application. This should be in the form of a schedule of all documents which form part of the application, showing changes by version number from the original submission.</p> <p>This schedule should be kept up-to-date and submitted at each further Deadline.</p>

2.1	Archaeology and Cultural Heritage	
2.1.1	The Applicant	<p>Archaeology</p> <p>The Environmental Statement: Addendum [OD-010] paragraph 4.9.2 states that additional archaeological trenching surveys were to be undertaken in February 2019 and the results submitted during the DCO examination period to inform the mitigation strategy.</p> <p>(a) Could the applicant please provide the results of this survey and confirm if the results have altered the conclusions of the cultural heritage assessment</p> <p>(b) If so, could the Applicant explain how the conclusions have been altered?</p> <p>(c) Can the Applicant confirm if any, additional mitigation is necessary due to the results?</p>
2.1.2	The Applicant	<p>Hazlegrove Park RPG</p> <p>Paragraph 1.7.27 of the Applicant's Responses to Local Impact Report, Written Representations and comments on responses to the Examining Authority's Written Questions [REP3-003] indicates that it considers that the relocation of Pond 5 is not feasible. However, no reasoning for this is given.</p> <p>Could the Applicant please explain why it would not be possible to relocate Pond 5 outside the RPG, whether on the proposed Order Land or elsewhere?</p>

2.1.3	The Applicant	<p>Hazlegrove Park RPG</p> <p>In its response to Deadline 4 [REP4-037] SSDC sets out its view that, historically the sense of arrival to the parkland was emerging cleanly from the cluster of trees at Peaked Close and later more grandly through the Triumphal Arch Gateway. It goes on to suggest that under the proposal this could be the Hazlegrove off slip turning, on emerging on one side from the screen planting, or at the junction with the Pond 5 track</p> <p>Could the Applicant please explain and justify at what location it considers the new sense of arrival would take place?</p>
2.1.4	The Applicant	<p>Hazlegrove Park RPG</p> <p>The Applicant has indicated (paragraph 3.1.9 of Oral Case at Hearings [REP4-020]) that it would not be able to confirm where soils stockpiling would take place until the contract for the scheme has been let and thus the criteria for this would be included within the OEMP.</p> <p>However, could the Applicant please provide information as to the approach that would be followed to ensure that any such stockpiling would be minimised within the RPG both generally and specifically for any location in the RPG.</p>
2.1.5	The Applicant	<p>Hazlegrove Park RPG</p> <p>At the Hearings Historic England asserted that it considered that the ES does not fully acknowledge the impact of Pond 5 and its surrounding basin on that part of the RPG, and the effect on the character of the landscape.</p> <p>(a) Could the Applicant please indicate the location(s) in the ES where the effects of Pond 5 on the landscape and RPG have been assessed including the effects of the fencing and any marginal planting.</p> <p>(b) If not, could the Applicant undertake such an assessment.</p>

2.1.6	The Applicant	<p>Hazlegrove Park RPG In its Deadline 4 submission SSDC [REP4-037], in discussing GR11: Hazlegrove House RPG Group, indicates what it believes to be the amount of the RPG that would be covered by Pond 5 including its surrounding fencing.</p> <p>(a) Does the Applicant agree with this figure?</p> <p>(b) If not, can the Applicant provide an alternative figure, along with a justification for that figure.</p>
2.1.7	The Applicant	<p>Hazlegrove House & RPG In its Deadline 4 submission [REP4-037] SSDC undertakes an analysis of the Applicant's position. This states that because the analysis of the effect of the proposal has been undertaken against the whole of the RPG that the Applicant concludes "less than substantial harm" would be created.</p> <p>SSDC goes on to point out that the mitigation would only relate to the southern part of the RPG and considers therefore any analysis of effect should have been undertaken against the southern area alone. This may lead to an assessment of a different level of harm.</p> <p>(a) Could the Applicant please set out its response to this analysis.</p> <p>If this analysis is followed, SSDC considers that it would be appropriate that any conservation management plan should cover the whole RPG.</p> <p>(b) Could the Applicant please respond to the proposition that, notwithstanding any landownership issues, any conservation management plan should cover the whole of the RPG on the basis that the effect on the RPG has been judged against the whole of the RPG.</p>

2.1.8	Historic England SSDC	<p>Hazlegrove House & RPG In light of the photomontages of the proposal provided at Deadline 4 [REP4-018] along with all other information submitted to date would the parties provide their assessment of the proposal on the setting of Hazlegrove House and the RPG as heritage assets in the terms of the NPSNN.</p>
2.1.9	SSDC Historic England	<p>Heritage Assets (generally) (a) In light of the information on bunds provided at Deadline 4 (see both the engineering sections [REP4-001] and visual representations (Appendix D to [REP4-018])) could the parties please set out whether they agree with the Applicant's analysis of the effect on heritage assets. (b) If not, could they please give full reasoning for taking a contrary view.</p>
2.1.10	The Applicant	<p>Camel Hill SAM In Appendix A of the Applicant's Deadline 4 Supporting Information [REP4-018] the Applicant has provided a Wireframe Photograph. There may have been a misunderstanding as this only shows the existing situation not the situation in the change as at Year 1 or Year 15. While it may not have been possible to provide a full photomontage the ExA was expecting a net on the drawings showing the extent of the proposed works so that the effect could be assessed. Could the Applicant please provide this.</p>
2.1.11	The Applicant	<p>Camel Hill SAM The detailed drawing provided [REP4-018] shows the extent of the SAM and the limits of deviation. Can the Applicant annotate this drawing with dimensions to show the distance between the Limit of Deviation and the SAM?</p>

2.1.12	SSDC Historic England	<p>Camel Hill SAM In light of the wireframe photograph provided to date [REP4-018] do the parties have any comments to make about the effect of the proposal on the Camel Hill SAM or its setting?</p>
2.1.13	Historic England	<p>Camel Hill SAM In light of the more detailed drawing provided [REP4-018] showing the extent of the SAM and the limits of deviation, could Historic England please provide its analysis of the effect on the setting of Camel Hill SAM.</p>
2.1.14	The Applicant	<p>Downhill Medieval Village SAM At the Hearings the Applicant indicated that some fencing will be needed at this site to be included to secure the ecological mitigation and this will be detailed in the OEMP.</p> <p>However, could the Applicant please provide information as to the approach that would be followed to ensure that any effects on Downhill Medieval Village SAM would be minimised.</p>
2.2	Air Quality and Emissions	
2.2.1	The Applicant	<p>Air Quality At ISH3 the applicant suggested that congestion during construction would not impact on air quality because it would be averaged out over the entire year. The construction period is due to last about two and a half years.</p> <p>Where has it been assessed that congestion during the construction period would not impact on air quality?</p>

2.3	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment) (HRA))	
2.3.1	The Applicant Natural England	<p>Statement of Common Ground</p> <p>The draft SoCG [APP-157] shows a record of engagement between the Applicant and Natural England. This goes up to 7 July 2018.</p> <p>The Deadline 2 [REP2-015] and Deadline 4 [REP4-007] submissions draft SoCGs appear to be the same; the only difference between that and the original submission being Appendix A. This is a letter of no impediment from Natural England dated 7 January 2019 which responds to a letter which was received by Natural England on 15 August 2018.</p> <p>It would therefore appear that the record of engagement is incomplete in that it does not refer to either of items of correspondence referred to above. Could this please be checked, including all recent correspondence and a revised document issued as necessary.</p>

2.3.2	Natural England	<p>Habitats Regulations Assessment</p> <p>The latest draft Statement of Common Ground between the Applicant and Natural England dated March 2019 [REP4-007] states that the question of whether Natural England considers the proposed scheme, either on its own or in combination with other plans or projects, would have a significant effect the Salisbury Plain SAC and that this matter is still under discussion between the parties.</p> <p>The Applicant's response to Natural England's earlier comments are set out in the draft SoCG. Essentially, this is that it considers there would be no in combination effects on air quality from the A303 Sparkford to Ilchester Dualling on the basis that the traffic to the east of West Knoyle would not be increased beyond the criteria set out in the DRMB and thus would not have a significant effect on the Salisbury Plain Special Area of Conservation.</p> <p>It is also stated that the ES for the A303 Amesbury to Berwick Down proposal (the Stonehenge proposal) forecasts that in 2026 (the opening year) the critical level for NO_x would not be breached at Salisbury Plain, with or without the Scheme. However, it is not clear from this as to whether "the Scheme" is the A303 Sparkford to Ilchester Dualling or the Stonehenge proposal and/or whether the design year was a more appropriate date for analysis.</p> <p>(a) Natural England is asked to confirm whether is agrees or disagrees with the Applicant's proposition that the proposal would not have, either on its own or in combination with other plans or projects, a significant effect on the conservation objectives of Salisbury Plain SAC.</p> <p>(b) If not, can Natural England provide evidence or reasoning to support the proposition that the proposal may or could have such an effect.</p>
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2.3.3	The Applicant	Habitats Regulations Assessment Can the Applicant provide a screening matrix which summarises the screening exercise for LSE of the project on Salisbury Plain SAC and the qualifying features considered?
2.3.4	SSDC Natural England	Biodiversity Offsetting Metric The Applicant submitted a report outlining a Biodiversity Offsetting Metric [REP4-017]. (a) Do the parties agree with the approach undertaken and the findings. (b) If not, could they please fully explain and justify such a position.
2.3.5	SSDC DIO	RNAS Yeovilton Could SSDC please provide a copy of the safeguarding map provided to it in relation to RNAS Yeovilton along with any information that it may have in respect of potential birdstrike.

2.3.6	The Applicant	<p>RNAS Yeovilton Bird Strike Risk The DIO remain concerned about the risk of bird strike. The Applicant suggests that there are limited records of problem bird species in the area. (Draft SoCG [REP4-010]).</p> <p>(a) Which species do you consider to be problem species?</p> <p>(b) What is the extent of the area considered?</p> <p>(c) It is implied that if there is a current absence of “problem species” in the area that the proposed water bodies would be unlikely to attract such species. If this is correct, what evidence is there to support this view?</p> <p>(d) Who carried out the risk assessment within the SoCG?</p> <p>(e) What evidence is there to support its conclusions?</p>
2.3.7	The Applicant DIO	<p>RNAS Yeovilton Bird Strike Risk</p> <p>(a) What is the extent of the bird strike protection zone around the airfield?</p> <p>(b) Are there any records of existing problems with birds?</p> <p>(c) Does the DIO’s concern relate to specific ponds or all of the proposed ponds?</p> <p>(d) To what extent would the proposed planting be likely to mitigate the risk?</p>

2.3.8	The Applicant	<p>Bats In the Environmental Statement: Addendum Appendix A [OD-011] paragraph 6.2.1 outlines bat roosts with the potential to be impacted by construction works is to be “amended”.</p> <p>(a) Could the Applicant confirm whether this amendment is an addition or a deletion.</p> <p>(b) If it is an amendment, are there any changes which may lead to a significant adverse effect on bat species?</p>
2.3.9	SSDC	<p>Accepted Change</p> <p>(a) Do SSDC agree with the assessment of effects set out in the Environmental Statement: Addendum [OD-010] in respect of biodiversity, which are essentially unchanged from those previously reported?</p> <p>(b) If not, could SSDC explain why it takes a different view?</p>
2.4	Noise and Vibration	
2.4.1	The Applicant	<p>Low Noise Road Surface The SoCG with Long Hazel Park [REP4-016] states that the extent of the low noise surface is likely to extend about 500m east of the Hazlegrove roundabout.</p> <p>Could the Applicant please be clear about the precise extent of the low noise surface.</p>

2.4.2	The Applicant	<p>Low Noise Road Surface</p> <p>In response to Deadline 4 the Applicant stated [REP4-018] that quieter surfacing does not have any additional maintenance requirements such as sweeping, or cleaning in order to maintain its noise properties.</p> <p>This would appear to be inconsistent with paragraph 5.3 of HD213/11 DMRB states that the effectiveness of low-noise surfaces is dependent upon wear to the surface and clogging of the surface, with the noise reducing properties of the surface becoming less due to clogging. It explains that a possible measure to manage the low-noise surface is to clean the surface to avoid clogging.</p> <p>(a) What is the Applicant's comment on this matter?</p> <p>(b) Please explain the measures the Applicant proposes to address any potential clogging of the surface and consequential adverse effect on noise.</p> <p>(c) How can we be satisfied that the any repairs/replacement will utilise a low noise road surface to ensure that the conclusions of the ES remain valid in the long term?</p>
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2.4.3	The Applicant	<p>LOAEL and SOAEL</p> <p>ES Chapter 11, Table 11.5 [APP-048] sets out the threshold for LOAEL and SOAEL used in the Applicant's assessment.</p> <p>The SOAEL is based on the former WHO interim Target Level within WHO <i>Night Noise Guidelines for Europe 2009</i>. The WHO Environmental Noise Guidelines for the European Region, published in October 2018, do not provide Interim Targets. The recommendations within it are health-based and provide guideline values per noise source (for both <i>Lden</i> and <i>Lnight</i>).</p> <p>The guidelines strongly recommend reducing noise levels produced by road traffic below 53 dB <i>Lden</i>, as road traffic noise above this level is associated with adverse health effects, and night time noise exposure levels to below 45 dB <i>Lnight</i>.</p> <p>The noise levels at ES Chapter 11, Table 11.5 are based on dB LAeq, T. What would be the equivalent dB <i>Lden</i> and dB <i>Lnight</i> level?</p>
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2.4.4	The Applicant	<p>SOAEL Given that the WHO guidance stated that the Interim target was intended for situations where the achievement of the night noise guidelines for Europe (NNG) was not feasible in the short run and emphasized that an interim target is “not a health-based limit value by itself”. It also confirmed that vulnerable groups cannot be protected at this level.</p> <p>(a) How appropriate is it for the Applicant to continue to rely on this figure when assessing the effects of noise on receptors?</p> <p>(b) Can the Applicant justify the continued reliance on the interim target when assessing the effects of noise on receptors, considering the updated WHO (2018) stating these targets are “not health-based” and cannot protect vulnerable groups?</p>
2.4.5	The Applicant	<p>SOAEL ES Chapter 11, tables 11.37 and 11.38 [APP-048] show the number of dwellings affected by noise in the long term and short term by reference to LOAEL and SOAEL.</p> <p>(a) Could the Applicant confirm that the same thresholds for LOEAL and SOEAL as used at table 11.9 are used to assess the short term and long term effect of noise on dwellings.</p> <p>(b) If so, can the Applicant explain why noise is expected to reduce in the longer term what is the basis for the difference between short term and long term in tables 11.37 and 11.38?</p>

2.4.6	The Applicant	<p>Long Hazel Park The Applicant's email attached to Mr & Mr Walton's Deadline 2 submission [REP2-042] states that the increase in noise levels at the boundary of Long Hazel Park would be 2.2 dB in the short term and 3.3 dB in the long term, and as such would not give rise to a significant adverse effect.</p> <p>(a) What was date of the reading at the boundary taken?</p> <p>(b) Did it take account of the mitigation provided by the existing 2.4 metre high fence?</p> <p>(c) Is a significant adverse effect the same as SOAEL?</p> <p>(d) To what extent would the summer peak traffic impact the noise levels at Long Hazel Park?</p>
2.4.7	The Applicant	<p>Long Hazel Park NPSNN paragraph 5.193 requires due regard be had to the National Noise Policy Statement for England. Paragraph 5.195 aims to avoid significant adverse impacts on health and quality of life from noise as a result of new development.</p> <p>Can the applicant explain how its approach to noise issues at Long Hazel Park is consistent with the advice within NPSNN and the National Noise Policy Statement for England?</p>

2.4.8	The Applicant	<p>Long Hazel Park</p> <p>At ISH3 the Applicant explained the various factors considered in the noise model. The A303 runs in a cutting adjacent to Long Hazel Park, however, the elevated section lies a short distance to the east.</p> <p>(a) Can the applicant confirm whether the noise effects of the elevated section were taken into account in its assessment of the noise effects of the scheme on Long Hazel Park?</p> <p>(b) If the elevated section was not taken into account in the noise assessment, can the Applicant provide evidence that the elevated section adjacent to Long Hazel Park will not cause adverse significant effects?</p>
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2.4.9	The Applicant	<p>Long Hazel Park</p> <p>It is noted that the Statement of Common Ground remains unsigned and that predicted noise levels have not been agreed. Notwithstanding this, the Applicant states that the levels would be lower at ground floor level.</p> <ul style="list-style-type: none">(a) Could the applicant please indicate how much lower the noise levels are anticipated to be at ground floor level?(b) Could the Applicant confirm whether its assessment of noise effects on Long Hazel Park used address base data points rather than location of individual properties.(c) If so, what would be the predicted noise level for lodge 2 and the proposed new lodges?(d) What would be the predicted change noise levels in the external amenity areas? <p>The ES Noise assessment [APP-048] states in paragraph 11.4.26 that a noise impact is considered to be potentially significant if a long term 3dB increase occurs at a receptor exposed to noise levels above the SOAEL. The submitted Deadline 4 SoCG between the Applicant and Mr & Mrs Walton [REP4-022], states (on page 7) that the long term increase in noise level is estimated to be 3.5dB and the baseline noise levels are calculated at 59.3dB at the Long Hazel Park receptors, and 63dB next to the Long Hazel boundary. These noise levels are above the SOAEL threshold stated in [APP-048] Table 11.9 and therefore the noise level at Long Hazel Park should be considered significant and mitigation measures should be provided.</p> <p>Can the Applicant provide information on the potential mitigation measure to be implemented at Long Hazel Park to the long term significant effects occurring?</p>
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2.4.10	The Applicant	<p>Long Hazel Park The ES Noise assessment [APP-048] states in paragraph 11.4.26 that a noise impact is considered to be potentially significant if a long term 3dB increase occurs at a receptor exposed to noise levels above the SOAEL. The submitted Deadline 4 SoCG between the Applicant and Mr & Mrs Walton [REP4-022], states (on page 7) that the long term increase in noise level is estimated to be 3.5dB and the baseline noise levels are calculated at 59.3dB at the Long Hazel Park receptors, and 63dB next to the Long Hazel boundary.</p> <p>These noise levels are above the SOAEL threshold stated in [APP-048] Table 11.9. It would therefore seem that the noise level at Long Hazel Park should be considered significant and mitigation measures should be provided. In the light of this could the Applicant explain why mitigation is not proposed.</p>
2.4.11	The Applicant	<p>Speed Banding At ISH3, the Applicant explained it was stated that using a higher speed band than existing traffic speeds in its noise model would be likely to over-predict the noise levels at Sparkford High Street.</p> <p>The Applicant explained that the 97kph (60mph) speed band was used in relation to the proposed road since this was the highest speed band available. Is it therefore reasonable to assume that using lower speed band would be likely to under-estimate predicted noise levels?</p>
2.4.12	The Applicant	<p>Effect of Traffic Volume on Noise ES Chapter 11, paragraph 11.5.11 [APP-048] states that in general a 25% increase in traffic would be necessary in order to generate a 1dB increase in noise.</p> <p>Could the Applicant please provide details of the evidence underpinning this statement.</p>

2.4.13	The Applicant	<p>Accepted Change The proposal includes the cement bound granular material (CBGM) being located at the revised main site compound (See paragraph 1.1.3 of Environmental Statement: Addendum [OD-010]).</p> <p>Could the applicant please direct us to where the noise effects during the construction period of this particular element of plant have been addressed?</p>
2.5	Landscape and Visual Effects	
2.5.1	The Applicant	<p>Visual Receptors 25, 27, 28 and 38 In its response to Deadline 4 [REP4-037] SSDC suggests that due to the limited depth of planting, the gap for a drain, and leaf fall for 6 months of the year the effects of the environmental barrier have not been assessed for Year 15.</p> <p>Could the Applicant please either direct us to the relevant location where this has been assessed or carry out such an assessment.</p>
2.5.2	The Applicant	<p>Planting schemes Historic England and SSDC have expressed concern over the length of time that the proposed planting screening will take for the plants to mature and provide adequate screening.</p> <p>Could the Applicant please provide information as to the growing rates that it has utilised in making its assessment as to the effectiveness of landscaping as mitigation for the proposal, with specific reference to the planting proposals such as they exist.</p>

2.5.3	The Applicant Historic England	<p>Planting schemes At the Hearings the Applicant and Historic England indicated that discussions were going to take place on the principles and standards applicable to planting. This was not realised in the draft SoCG between the parties submitted at Deadline 4 [REP4-008].</p> <p>Could the parties please each set out those principles and standards that they consider necessary for this proposal.</p>
2.5.4	The Applicant SSDC Historic England	<p>Planting schemes The Engineering Sections for the Bunds submitted at Deadline 4 [REP4-001] show gradients of 1:3 (vertical:horizontal). No details of the planting regime have been set out.</p> <p>However, could the parties please indicate whether they consider the principles and standards for landscaping they have set out in response to questions 2.5.2 and 2.5.3 would be able to thrive given these gradients.</p>
2.5.5	SSDC PCs	<p>Bunds</p> <p>(a) In light of the information on bunds provided at Deadline 4 (see both the engineering sections [REP4-001] and visual representations (Appendix D to [REP4-018])) could the parties please set out whether they agree with the Applicant's analysis of the effect on the landscape.</p> <p>(b) If not, could they please give full reasoning for taking a different view.</p>
2.5.6	SSDC PCs	<p>Visual receptors Nos 14, 17, 25, 27, 28 and 38</p> <p>(a) In light of the applicant's revised analysis of the effect of the proposal at these locations (Appendix E to [REP4-018]) could the parties please set out whether they agree with the Applicant's analysis of the effect of the proposals on the landscape.</p> <p>(b) If not, could they please give full reasoning for taking a different view.</p>

2.5.7	The Applicant SSDC	<p>Accepted Change</p> <p>The proposal includes the cement bound granular material (CBGM) being located at the revised main site compound (See paragraph 1.1.3 of Environmental Statement: Addendum [OD-010]).</p> <p>(a) Could the Applicant direct us to where the height of this is assessed in relation to its landscape and visual effects during the construction phase?</p> <p>(b) Does SSDC agree with the Applicant's assessment of the landscape and visual effects?</p>
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2.6	Socio-Economic Effects on surrounding Communities	
2.6.1	The Applicant	<p>Accepted Change</p> <p>In the Environmental Statement: Addendum Appendix A [OD-011] drawings HE551507-MMSJV-ENM-000-DR-LP-0016 Revision C02, HE551507-MMSJV-ENM-000-DR-LP-0018 Revision C02 and HE551507-MMSJV-ENM-000-DR-LP-0032 Revision C02 all have a key which indicates “New Private Means of Access” and in respect of the third “Private Means of Access to be Stopped”.</p> <p>(a) While it is appreciated that the alterations at the junction of Traits Lane with Blackwell Road are to facilitate the access to Blackwell Farm, it is understood that this junction forms part of the public highway network. Therefore, is this notation correct?</p> <p>(b) Also, in relation to the third drawing the main colouration at what is currently the Podimore off-slip is of a New Private Means of Access, while the notation is “Private means of access to be stopped”. It is assumed that this relates to the small area opposite the barn on the north side of the A303 that is to be demolished. If so, could the notation be made clearer as to which piece of land the notation refers to.</p>

2.6.2	The Applicant	<p>Economic Benefits</p> <p>At ISH1 the Applicant confirmed that it has not made an assessment of the specific impact on local businesses along the A303. It also stated that the benefits of the scheme should be assessed on the basis of the current scheme only and not the wider network. The COMMA Report Appendix M page 524[APP-151] summarises the economic impacts of the scheme.</p> <p>(a) Could the Applicant confirm that the value attributed to journey time changes is based on the on the journey times at table 12.14 of the COMMA Report for Mere to Ilchester.</p> <p>(b) If not, please clarify the basis of the figure.</p> <p>(c) Is the value attributed to the reliability benefits based on the Sparkford to Ilchester stretch of the A303 only?</p> <p>(d) Can the Applicant provide evidence that underpins the value attributed to the reliability benefit?</p> <p>(e) Can the Applicant provide evidence that underpins the value attributed to the wider economic benefits?</p>
2.6.3	The Applicant	<p>The Bakery</p> <p>In her representations at Deadline 4 [REP4-032] Ms Whittington makes the point that the Bakery depends to some extent on passing trade for those travelling on the A303 and this would be affected by the proposal. Could the Applicant please set out its response to this point and what, if anything, the proposal would provide to mitigate the loss of this passing trade.</p>

2.6.4	The Applicant	<p>Economic Assessment</p> <p>ES Chapter 12, 12.10.57 [APP-049] suggests that there would be likely to be increased indirect employment opportunities related to reduced congestion and improved journey times.</p> <p>Given that the Applicant has not undertaken an assessment of the specific impact on local businesses where is the evidence to support this view?</p> <p>In the absence of such an assessment, how has the Applicant reached the conclusion that the scheme would not have a significant effect on the local economy?</p>
2.6.5	The Applicant	<p>Effect on Local Communities</p> <p>It is acknowledged that there would be increases in traffic in Sparkford and West Camel both during construction and during operation.</p> <p>Could the Applicant please set out precisely what measures it is intending to implement to ensure that this additional traffic, particularly through re-routing by individual drivers, will not have an adverse effect on these communities?</p>

2.6.6	The Applicant	<p>Hazlegrove Underbridge</p> <p>At ISH1 the Applicant stated that the decision not to light the underbridge during hours of darkness was based on a cost/benefit analysis.</p> <p>(a) Can the Applicant provide details of the cost/benefit analysis?</p> <p>(b) Can the Applicant provide evidence that other underbridges that form an integral part of a dedicated NMU route, of a similar length to that proposed, are unlit at night time?</p> <p>(c) It is appreciated that the precise measures for the separation of NMUs and motorists using the underbridge is a matter for detailed design. Is the Applicant aware of other underbridges where such separation has occurred?</p> <p>(d) If so, can the Applicant provide the details of the other underbridge?</p> <p>(e) To what extent would the NMU route be safe, perceived to be safe, comfortable and attractive in accordance with DMRB TA 91/05.</p>
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2.6.7	The Applicant	<p>Hazlegrove Underbridge The Applicant's Written Submissions of Oral Case [REP4-020] states that there are a number of technical and environmental considerations and assessments in relation to lighting the underpass at night, including the effect on ecology, the landscape impact given the sensitive location in relation to Hazlegrove RPG and the absence of an assessment of the on the safety and of motorised users.</p> <p>Please can the Applicant submit an assessment of the effect of providing lighting for NMU within the underbridge at night in relation to these matters, having regard to the use of best practice to minimise light spill from the underbridge.</p>
2.6.8	The Applicant	<p>Hazlegrove Underbridge ES figure 2.5 [APP-104] shows the general arrangement of the proposed underbridge. It is unclear from the submitted information what the height and profile of the proposed concrete retaining walls would be.</p> <p>Please could the Applicant submit indicative details of these walls sufficient to illustrate the intended height, profile and appearance.</p>

2.7	Traffic and Transport	
2.7.1	The Applicant	<p>Previous Orders</p> <p>(a) Can we please be provided with a copy of each of the A303 Trunk Road (Sparkford To Ilchester Improvement And Slip Roads) (Detrunking) Order 1996 SI 1996 No 1190 and the A303 Trunk Road (Sparkford to Ilchester Improvement and Slip Roads) Order 1996 SI 1996 No 1191.</p> <p>(b) Can we be provided with cases that the parties wish to make as regards these Orders in respect of any implications they may have for the current application, including whether they should be revoked or partially revoked.</p> <p>(c) Could we please be provided for appropriate wording for the DCO pursuant to the case being made.</p>
2.7.2	The Applicant	<p>Parallel Road</p> <p>At ISH1 the Applicant undertook to submit details of discussions, including emails where appropriate, regarding the acquisition of the additional MoD land required in order to provide a parallel road. These details do not appear to have been submitted by Deadline 4. Could the Applicant please ensure that they are submitted by Deadline 5.</p>

2.7.3	The Applicant	<p>Parallel Road At ISH1 Mr Norman suggested that a parallel road could be achieved without the need to acquire additional land from the MOD if the carriageway and footway width was reduced at the pinch point close to the Camel Hill Monument. The Applicant stated that this would not be possible due to the mandatory standards in DMRB and referred to TD9/93 and TD27/05.</p> <p>Please provide specific references to the mandatory standards within these documents.</p> <p>The introduction to the DMRB, GD 01/08, states that "it is for use by appropriately qualified and experienced professional staff. It is not a statutory or regulatory document or a training manual; neither does it cover every point in exhaustive detail. Many matters are left to the professional expertise and judgement of users, ...". It also includes provision for relaxations and departures, including in situation where the application of a Standard would have unintended adverse consequences.</p> <p>Could the Applicant clarify whether the width of a parallel road as proposed by IPs, which would not be a trunk road, would be a matter left to professional expertise and judgement.</p>
2.7.4	The Applicant	<p>Parallel Road Manual for Streets 2 (MfS2) was published in 2010. It builds on the guidance contained in MfS1, explores how and where its key principles can be applied to busier streets and non-trunk roads. It states that the strict application of DMRB to non-trunk routes is rarely appropriate for highway design in built up areas, regardless of traffic volume.</p> <p>Does the Applicant consider that the principles within MfS2 would be applicable to a parallel road as proposed by a number of IPs?</p>

2.7.5	The Applicant	<p>Hazlegrove Junction The Parish Councils suggest that the arrangement of the Hazlegrove Junction is driven by the need to accommodate the waste generated by the scheme.</p> <p>What is the basis for this view?</p>
2.7.6	The Applicant	<p>NMU routes It is evident that the Road Safety Audit (RSA) [APP-152] reviewed the connectivity of the NMU routes. Can the Applicant provide evidence to demonstrate that the safety of NMU's using the Hazlegrove underbridge and the Hazlegrove roundabout was considered by the RSA?</p>
2.7.7	The Applicant	<p>Podimore Roundabout The COMMA Report, table 12.8 [APP-151] shows the RFC for the Podimore roundabout to be 0.65 in 2023 and 0.87 in 2028. At ISH1 the Applicant stated that this figure was based on the AADT figure for the March pm peak.</p> <p>Whilst the ExA notes the Applicant's comments in relation to the Podimore roundabout (Action Point 7). For the avoidance of doubt can the applicant clarify the RFC for Fridays during neutral months, and the figures for summer weekdays and weekends for the opening and design year.</p>

2.7.8	The Applicant	<p>Sparkford High Street</p> <p>The COMMA Report paragraph 12.2.5 [APP-151] states that under the Do Something scenario traffic in Sparkford High Street would increase to 6,700 vehicles per day.</p> <p>(a) Could the Applicant confirm whether this is an AADT figure?</p> <p>(b) What would be the equivalent figure for Fridays in a neutral month and also in the summer?</p> <p>(c) It is stated that the level of traffic is not such that it would trigger the need for traffic calming. What are the criteria used to assess the need for traffic calming?</p>
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2.8	Flooding/Drainage Strategy	
2.8.1	The Applicant	<p>Climate Change</p> <p>In response to ExQ1 1.8.12 [PD-009] the applicant in its response [REP-004] has referred to an infographic published by the Met Office. This includes a note which states: "All results are for the 10th-90th percentile range for the 2060-2079 period relative to 1981-2000". This was discussed in ISH2 and was the subject of Action Point 19.</p> <p>This note could be read in three ways. Firstly, that the increases in rainfall in any event would be in the range 3% wetter in summer rainfall change and 33% wetter for winter precipitation change in any one event. Secondly, it could be that the increase in the total of rainfall in the fifteen year period 2060-2079 relative to 1981-2000 would be within this range. Thirdly, it could be that in any summer or winter the total increase in rainfall could be within the range.</p> <p>In the second or third scenarios, the peak rainfall in any one event could be above the 40% allowance.</p> <p>Given that the infographic is a summary, could the applicant advise through documentation which is the correct interpretation of the note and thus confirm that the design of the drainage system would have sufficient spare capacity to take account of the UK Climate Projections 2018.</p>

2.8.2	The Applicant	<p>Unlicensed water abstractions</p> <p>In its response to Deadline 4 [REP4-028] the Environment Agency requests that the identified source at ST 55646 24982 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>Could the applicant please explain how this is to be secured within the scheme.</p>
2.8.3	The Applicant	<p>SuDS Systems</p> <p>(a) Could the applicant please explicitly confirm how drainage systems are to be maintained to ensure that they only discharge at greenfield rates?</p> <p>(b) How is to be secured in the DCO or otherwise?</p>

2.9	Cumulative Effects	
2.9.1	The Applicant	<p>Cumulative Effects</p> <p>The LIR [REP2-019 & REP2-049] and the Deadline 4 submission from SSDC [REP4-037] identified a considerable number of dwellings, as well as some employment related development within Sparkford which have been permitted since the cut -off date in the ES. The ExA notes that the Applicant considers that the Planning Inspectorate’s Advice Note 17: Cumulative Effects Assessment, does not require it to update its assessment. However, the Advice Note is clear at paragraph 3.49 that where new ‘other development’ comes forward following the stated assessment cut-off date, the Examining Authority may request additional information during the examination in relation to effects arising from such development</p> <p>In this case given the number of new developments within an area where traffic is due to increase as a consequence of the scheme the ExA requests an assessment of the cumulative effects of the additional development in Sparkford.</p>
2.10	Draft Development Consent Order [REP2-001 & REP2-002]	
2.10.1	The Applicant	<p>Preamble</p> <p>As the Examining Authority is a Panel the Preamble in the draft DCO should be amended to refer to section 74(2) rather than section 83(1).</p>

2.10.2	The Applicant	<p>Approval regime In its response at Deadline 4 [REP4-035] at Appendix D SCC has set out a list of works which it considers could be subject to local approval.</p> <p>On the assumption that it was found appropriate that decision making was to be undertaken at a local level, could the Applicant go through each of the works identified by SCC for local approval and indicate for each work identified:</p> <ul style="list-style-type: none"> (i) Whether it considers it would not form part of the Local Road Network to be maintained by SCC; (ii) Whether there are practical difficulties of approval at the local level (as opposed to issues of principle), for example where this would directly conflict with an approval at SoS level; (iii) If any such difficulty were to apply, please explain precisely why. <p>Note: This should be expanded, if necessary, in respect of any amended or additional works accepted as part of the proposal change accepted on 11 March 2019.</p>
2.10.3	The Applicant SCC	<p>Approval regime On the assumption that it was found appropriate that decision making was to be undertaken at a local level could the parties please provide as part of the final Statement of Common Ground what arrangements would be in place:</p> <ul style="list-style-type: none"> (i) For local approval; (ii) For fees to be paid to SCC for undertaking its approval and/or supervision; (iii) Appropriate wording for inclusion with the DCO.

2.10.4	The Applicant SCC	<p>Approval Regime</p> <p>In its response at Deadline 4 [REP4-035] SCC has indicated that it considers that a Detailed Local Operating Agreement (DLOA) to be entered into prior to commencement is considered appropriate to protect the local road network assets during the construction phase and Requirement 11 should be amended accordingly.</p> <p>On the assumption that this was found to be appropriate could the Applicant please set out:</p> <p>(i) Whether there are practical difficulties of this (as opposed to issues of principle), for example where this would directly conflict with an approval at SoS level;</p> <p>(ii) If any such difficulty were to apply, please explain precisely why.</p> <p>Further, could the parties provide as part of the final Statement of Common Ground what arrangements would be in place:</p> <p>(iii) For local approval;</p> <p>(iv) For fees to be paid to SCC for undertaking its approval and/or supervision;</p> <p>(v) Appropriate wording for inclusion with the DCO.</p>
2.10.5	The Applicant	<p>Article 2 – Definitions</p> <p>Further to the discussions at ISH4, the applicant is asked to include changes to the dDCO to include a definition of “landscaping” and to ensure that “written material” includes “drawings”.</p>

2.10.6	The Applicant Environment Agency	<p>Article 3 – Disapplication of legislative provisions The information submitted by the Environment Agency for Deadline 4 [REP4-028] indicates that discussions are still continuing as to these provisions.</p> <p>Could the parties please set out precisely any differences between them, and in the case of the Environment Agency explain what is needed to obtain its agreement.</p>
2.10.7	The Applicant SCC	<p>Article 3 – Disapplication of legislative provisions At the hearings it was indicated that discussions were continuing between the Applicant and SCC as to this and information would be submitted at Deadline 4. No such information was submitted.</p> <p>Could the parties please advise as to the latest position between the parties and what, if any, differences there are between them.</p>
2.10.8	The Applicant	<p>Landscape Ecological Management Plan Article 3 address the Construction Environmental Management Plan (CEMP). Clause 3(2) includes reference to the Landscape Ecological Management Plan (LEMP). The LEMP is a long-term management plan, that extends beyond the construction period.</p> <p>As the requirements of the LEMP would extend beyond the construction period is there a justification for including this, and other longer-term elements such as the HEMP in a separate Requirement to those necessary during the construction period which are covered in Requirement 3?</p>

2.10.9	Historic England SSDC	<p>Article 8 – Limits of deviation At the Hearings it was indicated that the parties would set out their position as to whether the limits of deviation needed to be amended in light of the engineering sections [REP4-001] and visual representations (Appendix D to [REP4-018]).</p> <p>(a) In light of the submission of these documents could the parties please set out whether they are content with the limits of deviation as set out in the dDCO.</p> <p>(b) If not, could they please, specifically, set out what provisions they would otherwise prefer to see and the reasoning for those provisions.</p>
2.10.10	The Applicant	<p>Article 11 – Street works At the Hearing the Applicant indicated that they would prefer to respond to the comments that the Article is superfluous at Deadline 4. This was not done in the Applicant's Written Submissions of Oral Case at Hearings [REP4-038] or another document submitted at Deadline 4.</p> <p>Could the Applicant please respond to the SCC's view that the Article is superfluous.</p>
2.10.11	The Applicant SCC	<p>Article 13 - Construction and maintenance of new, altered or diverted streets and other structures</p> <p>(a) Could the parties provide statements setting out the latest position and any differences that may be between them.</p> <p>(b) It is noted that one solution might be the addition/amendment of Articles relating to protective provisions and/or a legal agreement. If so, could these please be specified and the respective parties' positions be explained.</p>

2.10.12	The Applicant SCC	<p>Article 14(2) In its response at Deadline 4 [REP4-035] SCC indicates that de-trunking should only occur and it be responsible for the de-trunked sections of road when due diligence processes, and all remedial repairs, (as agreed by the local highway authority) alteration, conversion, and improvement works have been completed to the SCC's reasonable satisfaction, and all redundant assets, cables, services, plant and equipment have been removed.</p> <p>SCC also indicates that such provisions have been made elsewhere for appropriate arrangements to be in place.</p> <p>(a) Could the Applicant please set out its response to this.</p> <p>(b) On the assumption that it was found that that such a due diligence process was appropriate and necessary could the parties please set out what arrangements would be in place;</p> <p>(i) For local approval;</p> <p>(ii) For fees to be paid to SCC for undertaking its approval and/or supervision;</p> <p>(iii) Appropriate wording for inclusion with the DCO.</p>
2.10.13	The Applicant	<p>Article 14(6) – Classification of roads, etc. Refers to relevant planning authority – this will be the local highway authority. Could this please be amended.</p>
2.10.14	The Applicant	<p>Article 36(2) - Apparatus and rights of statutory undertakers in stopped up streets Should the word be "must" be in fact "shall"?</p>

2.10.15	The Applicant	<p>Article 38 - Felling or lopping of trees and removal of hedgerows There were discussions at the Hearing as to whether this power should be limited to works directly required to facilitate the works. This is to be responded in at Deadline 5.</p> <p>In addition, there was discussion as to whether there should be reference to the Natural Environment and Rural Communities Act 2006 which was not referenced in the Deadline 4 material. Could this point please be responded to.</p>
2.10.16	The Applicant	<p>Schedule 1 In re-locating Work 10, the "9" from Work "39" has been deleted in error. Can it please be put back?</p>
2.10.17	The Applicant	<p>Schedule 2 – Requirement 3 At the hearing it was indicated that the matter of English relating to the HEMP in that in the definitions it indicated that 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.</p> <p>(a) This does not appear to be referenced in the Deadline 4 material. Could this point please be responded to.</p> <p>(b) Further, what arrangements are there to be for consultation on the HEMP prior to approval?</p>
2.10.18	The Applicant	<p>Schedule 2 – Requirement 3 In its Deadline 4 response [REP4-028] the Environment Agency has requested that Requirement 3 is amended to include a Pollution Incident Control Plan.</p> <p>What is the Applicant's response to this?</p>

2.10.19	The Applicant	<p>Schedule 2 – Requirement 3 At ISH4 there was discussion as to whether the management plans set out in (f) should include a Biodiversity Management Plan.</p> <p>What is the Applicant’s response to this?</p>
2.10.20	The Applicant	<p>Schedule 2 – Requirement 4 At the hearing there were two points discussed. Firstly, relating to the level at which approval should be made. This is to be the subject of further representations by the Councils at Deadline 5. In addition, there was discussion over the use of the word “reflect” which the Applicant agreed to reconsider.</p> <p>What alternative wording is the Applicant considering as opposed to “reflect”?</p>
2.10.21	The Applicant	<p>Schedule 2 – Requirement 8(3) In the penultimate line there would appear to be a typographic error “undertaker” should be “undertake”. Can this be checked.</p>
2.10.22	The Applicant	<p>Schedule 2 – Requirement 9 Two typographic queries - Replace “County Archaeologist” with “Somerset County Council’s archaeological advisor” and “Watching Brief” with “Archaeological Monitoring”.</p>
2.10.23	The Applicant	<p>Schedule 2 – Requirement 10 In the Applicant’s submission at Deadline 2 [REP2-017] it is stated that for protected species other than in respect of nesting birds that are newly identified during construction (that have not already been identified as part of the pre-construction surveys), it is not appropriate to create a <i>cordon sanitaire</i> in the same way as for nesting bird. This is reiterated in the applicant’s Written Submission of Oral Case at Hearings [REP4-020].</p> <p>However, no explanation for this is given. Could such an explanation be fully set out.</p>

2.10.24	The Applicant	<p>Potential additional requirement In its Deadline 4 representation [REP4-035] SCC records that the Applicant has indicated that it would set out clear documentation of rights of way that will be privately maintained to provide clarity and avoid confusion.</p> <p>Could the Applicant please confirm where this is set out?</p>
2.11	Explanatory Memorandum	
2.11.1	The Applicant	<p>Article 18 – Clearways In EXQ1 1.10.14 a discrepancy in the length of maximum parking in the key to each of the Traffic Regulation Measures Plans [APP-011] was identified. It is response to this [REP2-004] the applicant indicated that this should be two hours and amended Traffic Regulatory Measures Plans to this effect were submitted [REP2-005].</p> <p>However, the revised Explanatory Memorandum [REP4-002 & REP4-003] at paragraph 3.69 has been amended to eight hours.</p> <p>Could this be clarified and all documents made consistent.</p>
2.12	Statement of Reasons	
2.12.1	The Applicant	<p>Generally The Applicant's response to the first written questions [REP2-004] indicates that a revised version of the Statement of Reasons will be submitted as part of Deadline 4.</p> <p>However, to date only an Addendum has been submitted. Could a complete revised version be submitted?</p>

2.13	Acquisition and/or Temporary Possession and/or Rights over Land	
2.13.1	The Applicant	<p>Clarification</p> <p>ES Chapter 12, para 12.10.9 and table 12.21 [APP-049] consider the demolition of private property and associated land take. Three individual properties are identified on the basis that there would be a permanent loss of land in order to accommodate the engineering footprint.</p> <p>Can the Applicant explain the distinction between these properties where it is proposed to compulsorily acquire the land and plots 1/2b, 1/5a, 4/1f, 4/2a, 4/4b, 5/3j, 7/1c, 7/5a, 7/7d, 7/8c where the land is also intended to be used as part of the public highway, but it is only intended to only acquire rights?</p>