

From: [Tessa Bond](#)
To: A303SparkfordtoIlchester@pins.gsi.gov.uk
Cc: [Andy Coupe](#); [Mike O'Dowd-Jones](#)
Subject: TR010036 Deadline 4 response from Somerset County Council
Date: 08 March 2019 19:01:25
Attachments: [TR010036_Deadline_4_SCC_Cover_Letter.pdf](#)
[Appendix A - Written Submission of Oral Case D4.pdf](#)
[Appendix A1 Modifications.pdf](#)
[Appendix B - SCC Response to Hazlegrove Topic Paper D4.pdf](#)
[Appendix C1 - Ilchester to Sparkford Area NOT A303 2015 to 2018 Page 2 v2.pdf](#)
[Appendix C2 - Ilchester to Sparkford Area NOT A303 2015 to 2018 Page 1 v2.pdf](#)
[Appendix C3 - West Camel Cluster Site v1.pdf](#)
[Appendix D - Detailed Design Elements D4.pdf](#)
[Appendix E - SCC Response to 9.14 PRoW Topic Paper.pdf](#)

FAO Ms Gregory

**PLANNING ACT 2008
APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE A303 SPARKFORD TO ILCHESTER
DUALLING
SUBMISSION MADE PURSUANT TO DEADLINE 4**

PLANNING INSPECTORATE REFERENCE TR010036

Please find attached relevant documents from Somerset County Council in respect of Examination Deadline 4 and the list of Actions issued following the Issue Specific and Compulsory Acquisition Hearings held last week.

Kind regards,

Tess Bond
Senior Planning Officer
Infrastructure Programmes
Somerset County Council

01823 357147
tbond@somerset.gov.uk

My working days are Wednesday, Thursday and Friday

This email has been classified as OFFICIAL by the originator.
--

This email and any attachments are intended solely for the individual to whom it is addressed. It may contain personal and / or sensitive material and should be handled according to the principles of the current Data Protection legislation. If this email carries a protective marking of OFFICIAL – PERSONAL DATA, OFFICIAL – COMMERCIAL DATA or OFFICIAL – SENSITIVE in the header it should be handled according to the embedded handling instructions, if not protectively marked it can be regarded as OFFICIAL - UNCLASSIFIED.

If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on

any of the information contained in it or attached, and all copies must be deleted immediately.

Whilst we take reasonable steps to try to identify any software viruses, any attachments to this email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Somerset County Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this email.

All email traffic may be subject to recording and / or monitoring in accordance with relevant legislation.

[Somerset County Council.](#)

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Please ask for
Andy Coupe

Direct line
01823 355145

My reference

Your reference:
TR010036

Sent by e-mail

8 March 2019

Dear Ms Coffey

**PLANNING ACT 2008
APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE A303 SPARKFORD TO ILCHESTER
DUALLING**

SUBMISSION MADE PURSUANT TO DEADLINE 4

This submission is in response to the Examining Authority ("ExA") Rule 8 letter dated 21st December 2018, and, the Action Points from the Issue Specific, Open Floor and Compulsory Acquisitions held between 26th February and 1st March 2019, and comprises the relevant information requested from Somerset County Council (SCC).

The submission includes the following: -

1. Appendix A - Written submission of oral case made at Issue Specific and Compulsory Acquisition Hearings (including Appendix A1; Modifications Plan)

The written submission of oral case includes a response on all live matters outlined in the LIR (which are relevant to SCC) and is not only limited to specific points raised at the ISH. For example, in relation to Public Rights of Way, mitigation for any higher rights is still a live issue despite it not being an Issue Specific Hearing action.

2. Appendix B - SCC response to Applicant's Topic Paper on Hazlegrove Junction Layout

3. Appendix C - SCC latest traffic accident records

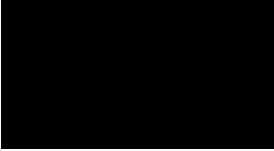
4. Appendix D - Schedule of approvals required to be sought from SCC

5. Appendix E - SCC response to Applicant's Topic Paper 9.14 Right of Way Y30-28 (Eastmead Lane)

The County Council strongly supports the need for the single carriageway section of the A303 between Sparkford and Ilchester to be upgraded to dual carriageway as

part of an end-end whole route improvement of the A303/A358 between the M3 and the M5 at Taunton. If designed appropriately, the improvement will improve connectivity and access to the South West Region, improve the resilience of the strategic road network and help to promote economic growth in the region.

Yours sincerely,



Andy Coupe
Strategic Manager (Infrastructure Programmes)

Appendix A

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

Planning Inspectorate Reference: - TR010036

Deadline 4 – Somerset County Council - Written Submission of Oral Case made at Issue Specific and Compulsory Acquisition Hearings (26th February – 1st March)

As requested by the Examining Authority within the Rule 8 letter; please find below a summary of the points raised by Somerset County Council (SCC) throughout the Issue Specific Hearings from 26th February – 1st March. The table tracks the applicant's response to issues raised by Somerset County Council within the Local Impact Report. The last column of the table provides the latest position from SCC which we used to respond to the Examining Authority during the Issue Specific and Compulsory Acquisition Hearings.

Where reference is made to SCC wishing to be the determining authority for Requirement applications we understand that South Somerset District Council would wish to be a Requirement consultee.

The County Council strongly supports the need for the single carriageway section of the A303 between Sparkford and Ilchester to be upgraded to dual carriageway as part of an end-end whole route improvement of the A303/A358 between the M3 and the M5 at Taunton. If designed appropriately, the improvement will improve connectivity and access to the South West Region, improve the resilience of the strategic road network and help to promote economic growth in the region.

LIR Ref	Specific Issue	Summary of Council's proposed mitigation (including link to other representation)	Add/Amend DCO Requirement/Obligation (Y/N)	HE Comment	SCC Response
A1	<p>Field Investigations</p> <p>The Joint Councils consider that the full suite of field investigations required to assess the significance of impacts on heritage assets is submitted during the Examination in order to understand the impacts and consider what mitigation measures are necessary.</p> <p>The current application data does not include the full suite of field investigations required to assess the significance or impacts of heritage assets (ES 6.9.12) as required by <i>The National Policy Statement for National Networks</i> (NPSNN) and <i>The National Planning Policy</i> paragraph 189 (NPPF).</p> <p>It is understood that the applicant does intend to submit the results of investigations during the Examination; para 6.5.2 of (insert chapter title) provides, "...a programme of geophysical survey and trial trenching is currently being undertaken as part of the archaeological mitigation strategy (see section 6.9 of this chapter). The results of these archaeological investigations will be submitted as other environmental information to support the Development Consent Order (DCO) application during the examination period."</p>	Request for further information to inform assessment of impact	N/A	<p>1.6.2</p> <p>The results of the geophysics surveys (document reference 9.4, Volume 9, Revision A) and archaeological trial trenching (document reference 9.5, Volume 9, Revision A) were submitted to the Councils' joint archaeological advisors and HBMCE as part of the Examination on 23 January 2019.</p>	<p>SCC can confirm that it has received the Documents (Geophysical survey Report, 9.4 Vol 9, Revision A and the Full Archaeological Evaluation Report ref. 9.5, Vol 9, Rev A).</p> <p>The reports are acceptable in terms of professional standards and contain sufficient information to describe the significance of the archaeology.</p>

A2	<p>Assessment of Evaluation to inform mitigation As stated (in paragraph ES 6.9.12) a Written Scheme of Investigation (WSI) must be agreed and submitted during the DCO process based on the results of the field evaluation as required by The NPSNN (5.141).</p>	The Written Scheme of Investigation will require approval during the Examination stage.	N/A	<p>1.2.6 The Applicant notes the requests for a full Written Scheme of Investigation (WSI). This would be premature ahead of finalisation of the detailed design however the Applicant is progressing a detailed outline WSI during the examination to address the concerns of Interested Parties. The final WSI would then require to be in accordance with that detailed outline and have regard to the final detailed design which is not yet available. Requirement 9 of the dDCO will be amended to secure that the final WSI must be in accordance with the outline.</p> <p>1.6.3 An outline WSI is being prepared, based on the findings of the archaeological evaluation. This will be prepared in consultation with the Councils' joint archaeological advisors and HBMCE.</p>	<p>SCC is satisfied with the Applicant's approach of progressing an outline WSI during the examination and then securing the detailed WSI via Requirement.</p> <p>In respect of requirement 9(6) it is considered that a clear timescale should be provided as the current wording is not precise and is considered open ended. The following is proposed: -</p> <p><i>"within two weeks of the completion of the authorised development, details associated with the provision of long-term storage of the archaeological archive including suitable resources will be submitted to Somerset County Council's archaeological advisor for approval. The approved details will be implemented in full."</i></p>
----	---	---	-----	---	--

LIR Ref	Specific Issue	Summary of Council's proposed mitigation (including link to other representation)	Add/Amend DCO Requirement/Obligation (Y/N)	HE Comment	SCC Response
T1	<p><u>Preliminary scheme design</u></p> <p>Design:</p> <p>In respect of new local road provision, SCC has accepted the principle of the preliminary scheme design layout, design speeds and cross sections. There are points of detail that SCC have raised concerns/ sought clarification on. Such items can only be closed out/ suitably addressed once the scheme has progressed to the detailed design stage. A summary of our outstanding issues is provided below:</p> <ul style="list-style-type: none"> • SCC still have concerns regarding proximity of Downhead Lane with the Downhead Junction diverge. • SCC believe the retained section of Steart Hill should be widened to 6.5m in order to carry traffic to Camel Hill Quarry. • A plan is required indicating infrastructure and land which is the responsibility of Highways England and infrastructure and land that will be maintained by Somerset County Council. • Drawings are required indicating all visibility splays. • B3151 Link / Camel Cross Junction Link: Junction layout is acceptable provided traffic flows are commensurate with the layout. 	<p>The DCO should be amended to include provision for SCC as the Local Highway Authority to approve the relevant detailed design matters where the works impact on the prospective Local Road Network (LRN).</p> <p>The DCO should include provision for the associated fees in connection with undertaking the detailed design review to be secured.</p>	<p>Amend DCO Requirement 12 to enable detailed design review/ approval by SCC.</p> <p>Obligation within the DCO to secure payment of fees.</p>	<p><u>Design</u> 1.2.2</p> <p>The design used to develop the application and to create an envelope to allow environmental assessment to be carried out is preliminary – the application does not include a final, detailed design. That is clear from the inclusion of limits of deviation, the drafting of the requirements, and the fact that the general arrangement drawings are clearly marked as indicative. Requirement 12 of the draft DCO (dDCO) requires the detailed design to be compatible with the preliminary scheme design shown on the works plans and the engineering section drawings. If any departures are proposed from the preliminary scheme design, these must be approved by the Secretary of State, in consultation with the relevant planning and highway authorities (on matters relating to their functions). The Secretary of State must be satisfied that any departures will not result in any materially new or materially worse adverse environmental effects in comparison</p>	<p>Noted. The County Council does not foresee a role for itself in reviewing the detailed design of any element relating to the trunk road network unless the Applicant requests this. The County Council remains concerned, however, that Requirement 12 has been worded in a way that means the County Council will only be consulted on <u>departures</u> from the preliminary scheme design and that it will not therefore have any ability to secure involvement in detailed design matters affecting the Local Road Network.</p>

<ul style="list-style-type: none"> Downhead Junction Link: Junction layout is acceptable provided traffic flows are commensurate with the layout. Downhead Junction Link: Some concerns over the vertical alignment of certain elements of the link to be resolved. Concerns over the gradient of Steart Hill Link at the junction with Downhead Junction Link. Confirmation required that Steart Hill Roundabout and approaches are designed to TD16. Confirmation required that Camel Hill Roundabout and approaches are designed to TD16. Concerns regarding proximity of Howell Hill Link and the proposed A303 – fencing, drainage, pavement stability, visibility screen, NMU facility in verge. Confirmation required that the proposed junctions and single lane slip roads in the vicinity of Hazlegrove are adequate to carry proposed traffic flows. Proposals for gradients of Private Means of Access at their junctions with local roads are required. Proposed construction of accommodation tracks. Concerns over vertical profile of Steart Hill (north) at its junction with Steart Hill Link, and its adequacy to carry quarry vehicles. SCC have requested that details of approved departures from standards on local roads are forwarded as soon as they are available. The “principles” of the drainage strategy have been accepted however no detailed design submissions have been issued to SCC to date. Highway lighting proposals are still under review. <p>SCC is concerned that the DCO as currently drafted does not include provision to allow SCC as the Local Highway Authority to approve detailed design matters as they relate to the Local Road Network (LRN). Requirement 12 as currently drafted provides that the local highway authority will only be <i>consulted</i> on detailed design matters which are not compatible with the preliminary design.</p> <p>Maintenance Phase:</p> <p>The current wording within the DCO does not reference any maintenance period post completion of the highway works and prior to new network becoming incorporated into the local road network. These sections include links to be de-trunked, where alterations to the existing network are proposed and where sections of new carriageway construction are outlined. SCC have concerns that should defects appear immediately post construction SCC would be liable for the associated maintenance costs. It is standard practice within SCC’s S278 legal agreements for a maintenance period to be served prior to adoption to limit risk to the adopting authority.</p> <p>It is essential that provision is made within the DCO for SCC to receive the necessary commuted sum payments for structures or other non-standard assets that require future capital maintenance as a result of the detailed design. To date, the applicant has not</p>	<p>The DCO should include provision for a minimum 12month maintenance period to be provided between the date of completion and the sections of carriageway becoming incorporated into the local road network. As per the provision currently outlined in 13(3).</p> <p>The DCO should include a provision to enable SCC to attract commuted sum payments for highway infrastructure requiring extra over maintenance.</p>	<p>Provide a mechanism(s) that ensures a minimum maintenance period of 12months and the provision of commuted sum payments to LHA where structures, and other non-standard assets, are offered to the LHA for adoption as a result of the scheme.</p>	<p>with those reported in the Environmental Statement (ES).</p> <p>1.2.3 This approach is in line with general DCO practice which essentially consents design parameters based on a general arrangement within which the final design of the scheme can be developed post consent. All of the comments on detailed design are noted, however these are premature at this stage and are therefore not responded to individually.</p> <p>1.2.4 It is premature at this time to bring forward detailed proposals for all aspects of the scheme. For example, the Councils in line T4 of the LIR (REP2-019) note that there are no specifics yet provided for traffic management arrangements during construction. Until the final detailed design has been developed along a final build programme to be set out and the anticipated start date known, it is not possible to provide that level of detail. That detail is however secured under Requirement 11 which requires the final Traffic Management plan to be approved prior to the commencement of the development.</p> <p>1.2.10 The Council’s request that “[t]he DCO should be amended to include provision for Somerset County Council as the Local Highway Authority to approve the relevant detailed design matters where the works impact on the prospective Local Road Network (LRN)” is not agreed by the Applicant.</p> <p>1.2.13 The Applicant will take the Councils’ responses on detailed design into account and would expect the Secretary of State to give considerable weight to those, especially when considering elements which will become Local Highway Authority assets. There is therefore a great deal of incentive for the Applicant to seek agreement on the design. It is not appropriate however for a consultee to be able to refuse details preventing application(s) for discharge of requirements being made as that would endanger the timing of the delivery of a</p>	<p>Noted. SCC is satisfied with the design parameters that have been set. The purpose of highlighting the outstanding issues in the LIR was simply to record that these are matters that will need to be resolved through the detailed design process within which SCC seeks to be fully engaged.</p> <p>Noted.</p> <p>When the detailed design is undertaken by the Applicant, SCC is seeking the ability to review and approve those aspects that will form part of the LRN and become maintainable at the expense of the Local Highway Authority (LHA). This provision is not included with the current version of the DCO. A schedule of work numbers relating to the LHA’s interests has been provided to the Examining Body as part of the Council’s Deadline 4 submission.</p> <p>The Applicant should take into consideration SCC’s current Asset Management Plan when designing the proposals in detail. Only through full engagement in reviewing and approving detailed design matters affecting the LRN can the LHA raise these design queries and ensure that the potential for an increased burden on maintenance resources is minimised.</p> <p>It is common practice within Development Consent Orders that Requirements are discharged by the Local Authorities. The Authorities in Somerset are supportive of the project and it is not in their interest to impact delivery of the project. SCC does not envisage a double approval process. Moreover, SCC advocates a position</p>
--	---	---	---	--

<p>submitted design proposals to confirm if highway infrastructure is proposed that will, under normal circumstances require a commuted sum. Provision is needed within the DCO requiring the undertaker to pay any necessary commuted sums for structures to be adopted by SCC. The value of the commuted sum to be calculated by SCC.</p>	<p>Nationally Significant Infrastructure Project (NSIP) and create an impasse in the project.</p> <p>1.2.14 It is entirely appropriate that, where the Councils are not satisfied with any aspect of the detailed design, the Secretary of State is asked to make the decision having the Councils' comments and the Applicant's response before him. This is what would happen under other planning regimes if the Councils refused an application and the Applicant appealed, and is therefore in line with planning practice.</p> <p>Fees for detailed design</p> <p>1.2.15 In addressing the Councils' request for fees, the Applicant considers that it is important to remember that the context of this development is one of a vastly experienced and responsible highway authority constructing a trunk road. The Applicant is not primarily a commercial developer who has to deliver highway works only as an ancillary element of their main project. The Applicant is entirely qualified to bring forward a safe and suitable detailed scheme.</p> <p>1.2.16 The Applicant entirely understands the Councils' position that as public authorities their resources are limited and constrained, however, the Applicant notes that it is also funded through public funds, must account for the use of these and should not be required to use its public funds to redress funding constraints elsewhere in the public sector.</p> <p>1.2.17 As set out in the Applicant's response to the Examining Authority's written question 1.10.5 (REP2-004), there is no requirement or mechanism under the Planning Act for the Councils to be paid any fee for responding to consultation under DCO requirements. Parliament, in passing the Planning Act 2008, did not see fit to provide any regime for the payment of fees to any statutory consultee, including local authorities. To prescribe for payment of fees to consultees would be contrary to the general planning approach in both the DCO and the Town and Country Planning Act (TCPA) regimes. The</p>	<p>that it is well placed to discharge Requirement 12 where it relates to matters affecting the LRN.</p> <p>SCC believes that it would also fit well with an emerging consensus within the industry that Requirements should be discharged at the local level, noting in particular the existence of research around reducing the risk of inflexibilities in the implementation of Development Consent Orders. It should also be noted that enforcement is a local matter.</p> <p>Local authorities do not receive funding from Government to fulfil their functions in relation to the audit and supervision of 3rd party works. Funding for these costs are recovered instead through the planning process from developers in the form of superintendence fees. Both the County Council's input to date on the project and its costs going forward are unfunded and fall to the local public purse. The County Council believes that its reasonable costs should be recovered. The County Council would be pleased to explore a cost recovery model for this with the Applicant rather than a set fee.</p> <p>Whilst there may be no requirement under the Planning Act for the Councils to be paid any fee for responding to consultation under DCO requirements, it would be possible to establish such a mechanism. In relation to the A14 DCO, Highways England (HE) agreed with the LHA in the Statement of Common Ground that it would consult with the LHA on the detailed design and adopt its reasonable comments. There was reference in the proceedings that HE would enter into a legal agreement with the LHA which would make provision relating to the handover of the de-trunked roads, the design and construction and alteration of the new local roads and rights of way to the satisfaction of the LHA, in order that the Council could continue to perform its statutory functions as LHA. The agreement included the payment of a design and check fee and inspection fees.</p>
---	--	---

			<p>Applicant therefore does not accept the request to provide for the payment of fees to the Councils in relation to reviewing any detailed design proposal.</p> <p>1.2.18 The Councils' approach of treating this development as analogous to other developments' ancillary road works is unrealistic. The Applicant is a highway authority, and will require its contractors to deliver the project safely and to the required standards. Inspection of trunk road works by the LHA is not necessary to ensure that the works are completed to the required standard as Highways England as a highway authority will supervise these. The Applicant however understands the LHA's desire to be able to inspect works to the local highways and raise any concerns. The Applicant therefore proposes to add to the DCO a set of Protective Provisions for the LHA which would allow, inter alia, inspection to be undertaken of the works which will become local highway. These provisions will not provide for payment of fees for such inspections as they are being offered to the LHA following their request, they are not a service being requested from them.</p> <p>Superintendence fees 1.2.20 In addition to the reasons given in 2.4 (b) above for not proposing to pay fees to the LHA, the superintendence fee proposed by Somerset County Council is entirely disproportionate and demonstrates the flaw in the approach taken by trying to treat this project as it does works to its own highway network. The Applicant is the highway authority with responsibility for the trunk road network. There is no need for the LHA to inspect the trunk road works as the Applicant will ensure these are constructed to the standard required by it as the responsible highway authority. A fee based on total project cost is accordingly entirely excessive; on the most-likely costs budgeted for this project¹ that fee would be £14.5m, which is clearly inappropriate.</p> <p>Maintenance 1.2.9 The Applicant notes that Somerset County Council have requested that provision for</p>	<p>It is welcomed that the Applicant proposes to add to the DCO a set of Protective Provisions for the LHA which would allow, inter alia, inspection to be undertaken of the works which will become local highway.</p> <p>Draft Protective Provisions have recently been provided by the Applicant to SCC and they are currently being reviewed.</p> <p>The A14 legal agreement referred to above provides a precedent and appropriate mechanism for the payment of the associated fees.</p> <p>SCC does not foresee a role for itself in supervising any element relating to the trunk road network. Supervision fees are only sought by the SCC for those roads that will become maintainable by it. SCC would be pleased to explore a cost recovery model for this with the Applicant rather than a set fee.</p> <p>SCC welcomes that the Applicant wishes to further discuss the matter of commuted sums. However, as</p>
--	--	--	---	--

				<p>payment of a commuted sum for future capital maintenance of some of the assets to be transferred to it is included in the DCO. The Applicant would be keen to engage in further discussion with Somerset County Council on this point in the context of progressing the dDCO drafting (including the suggestion of Protective Provisions for the LHA) and the Statement of Common Ground, and with the benefit of technical input as to what structures and assets are being referred to. The Applicant has requested a meeting to progress this with Somerset County Council.</p> <p>1.15.18 The Councils have requested a mechanism to ensure a minimum maintenance period of 12 months for the works. The Applicant advises that a 12 month period within which defects must be rectified is a standard term of its contracts with construction contractors and will apply to this scheme. That contractual arrangement is in place for the entire works and cannot be separated out for the trunk and local highway elements. The Applicant has always advised that any defects within the local highway works would be rectified through this contractual arrangement. In order to set out how that arrangement would operate in more detail and to provide the Councils with the reassurance that this is secured within the DCO the Applicant has proposed to include this in the Protective Provisions for the LHA.</p>	<p>noted by the Applicant, the design used to develop the application and to create an envelope to allow environmental assessment to be carried out is preliminary – the application does not include a final, detailed design. Until the detailed design has been completed and the LHA have approved such proposals, it is not possible to establish the scope of items that would generate a commuted sum, and therefore what the quantum of this would be.</p> <p>The current wording within the DCO does not reference any maintenance period post completion of the new highway works and prior to the new network becoming incorporated into the local road network. These sections include links to be de-trunked, where alterations to the existing network are proposed and where sections of new carriageway construction are outlined. It is standard practice within SCC's S278 legal agreements for a maintenance period to be served prior to adoption to limit risk to the adopting authority. The provision of a maintenance period or Defects Liability Period (DLP) is an Industry accepted practice and one applied to all new development infrastructure within Somerset secured via a traditional means (TCPA; S278; S106). The standard maintenance period / Defects Liability applied by SCC is 12 months. This is considered to be an appropriate period to enable defects within the construction to become apparent.</p> <p>SCC notes that the Applicant advises that any defects within the local highway works would be rectified and, in order to set out how that arrangement would operate in more detail and to provide the Councils with the reassurance that this is secured within the DCO, that the Applicant proposes to include this in the Protective Provisions. SCC welcomes this and the draft Protective Provisions are currently being reviewed.</p> <p>Notwithstanding, in addition to a 12 month maintenance period, there is a need for any remedial work to be completed as a result of Road Safety Audits 3 and 4 prior to the roads being incorporated into the local highway network.</p> <p>SCC would propose to issue a certificate upon completion of the 12 month maintenance period and any remedial work completed as a result of Road Safety Audits 3 and 4, from which time SCC would become responsible for the maintenance of the highway. The inclusion of wording in the article to confirm that the highway has been completed to SCC's satisfaction upon the issue of a certificate to that effect removes any ambiguity as to whether and on what date a highway has been completed and which authority is responsible</p>
--	--	--	--	--	---

					<p>for its maintenance. Article 13 needs to be amended accordingly.</p> <p>SCC has provided detailed comments on Article 13 in its response to the draft DCO submitted at Deadline 3.. In that response, it was noted that Article 13(3) provides for a maintenance phase of 12 months from completion but this provision has not been made for (1), (2), (4), (5) or (6) where the highway and bridges are to be maintained by the local highway authority. The maintenance period should be provided for in all situations.</p> <p>The maintenance provisions in paragraphs (1), (2), (3) and (4) of Article 13 are subject to the maintenance provisions in (5) and (6), so each paragraph should be amended to include “Subject to maintenance provisions in paragraphs (5) and (6)” at the start. This was the drafting adopted in relation to the A14 DCO.</p> <p>Furthermore, to ensure that all the highways for which the local highway authority will ultimately become responsible are completed to its reasonable satisfaction, the wording in brackets in the first line of article 13(1) and 13(2) should be amended to read “(other than a highway which will become a trunk road or will remain a trunk road under the provisions of this Order)”. This is to ensure that de-trunked sections of road are in an acceptable condition prior to SCC becoming responsible for their maintenance.</p>
T2	<p>Signage and Road Markings</p> <p>The principle of the signage strategy has been approved. Minor detail issues will require clarification, once the scheme has progressed to the detailed design stage. These matters include:</p> <ul style="list-style-type: none"> Detailed sign face designs will be required for SCC approval. No through road signs will be required for those roads that are being stopped up (i.e. Traits Lane, Gason Lane). Historic finger signs may require modification to reflect new routes and distances as a result of the proposals. These should be identified, and proposals made for SCC approval. The applicant has made minor amendments to the signage strategy on the approaches to the Hazlegrove junction in order to ensure proposed signage can be accommodated within the land available. These amendments require further review. <p>SCC are concerned that the DCO as currently drafted does not include provision to allow SCC as the Local Highway Authority to approve detailed design matters where they relate to the Local Road Network (LRN). Requirement 12 as currently drafted provides that the local highway authority will only be <i>consulted</i> on detailed</p>	<p>The DCO is to be amended to include provision for SCC as the Local Highway Authority to approve the relevant detailed design matters where the works impact on the prospective LRN.</p>	<p>Amend DCO Requirement 12 to enable detailed design review / approval by SCC.</p>	<p>1.2.10 The Council’s request that “[t]he DCO should be amended to include provision for Somerset County Council as the Local Highway Authority to approve the relevant detailed design matters where the works impact on the prospective Local Road Network (LRN)” is not agreed by the Applicant.</p> <p>1.2.11 Somerset County Council is not the discharging authority proposed under the dDCO, that role would sit with the Secretary of State. Therefore, while it will be invited to review and comment on the proposals, Somerset County Council is not responsible for approving any aspect of the detailed design. This approach has been routinely accepted in other Highways England highway DCOs.</p> <p>1.2.12</p>	<p>See T1 above.</p>

	<p>design matters which are not compatible with the preliminary design.</p>			<p>As set out in the Applicant's response to the Examining Authority's written question 1.10.5 (REP2-004), the Councils would prefer the ability to refuse or approve the detailed design; however, as they are not the discharging authority for the requirements, this would create a double approval process requiring approval from the Councils and from the Secretary of State. The Applicant does not accept that a double approval process is necessary or appropriate for this scheme.</p> <p>1.2.13 The Applicant will take the Councils' responses on detailed design into account and would expect the Secretary of State to give considerable weight to those, especially when considering elements which will become Local Highway Authority assets. There is therefore a great deal of incentive for the Applicant to seek agreement on the design. It is not appropriate however for a consultee to be able to refuse details preventing application(s) for discharge of requirements being made as that would endanger the timing of the delivery of a Nationally Significant Infrastructure Project (NSIP) and create an impasse in the project.</p> <p>1.2.14 It is entirely appropriate that, where the Councils are not satisfied with any aspect of the detailed design, the Secretary of State is asked to make the decision having the Councils' comments and the Applicant's response before him. This is what would happen under other planning regimes if the Councils refused an application and the Applicant appealed, and is therefore in line with planning practice.</p>	
<p>T3</p>	<p><u>Structures</u></p> <p>Design Phase:</p> <p>To date, the applicant has not submitted proposals in sufficient detail to enable the local highway authority to confirm whether any structures will be required within the extent of the local road network. The current version of the DCO indicates that where a structure is present within the LRN the LHA will adopt from its completion.</p> <p>SCC are concerned that the DCO as currently drafted does not include provision to allow SCC as the Local Highway Authority to</p>	<p>The DCO is to be amended to include provision for SCC as the Local Highway Authority to approve the relevant detailed design matters where structures are proposed within the extent of the local road network.</p>	<p>Design</p> <p>Amend Requirement 12 to enable detailed design by review / approval by SCC.</p>	<p>Design</p> <p>See response to design issues above</p> <p>Maintenance</p> <p>1.15.18 The Councils have requested a mechanism to ensure a minimum maintenance period of 12 months for the works. The Applicant advises that a 12 month period within which defects must be rectified is a standard term of its contracts with construction contractors and will apply to this scheme. That</p>	<p>See T1 above.</p>

	<p>approve detailed design matters as they relate to the Local Road Network (LRN).</p> <p>Requirement 12 as currently drafted provides that the local highway authority will only be <i>consulted</i> on detailed design matters which are not compatible with the preliminary design.</p> <p>Maintenance Phase:</p> <p>The current wording within the DCO does not reference any maintenance period post completion of the highway works, (including structures) and prior to new network becoming incorporated into the local road network. These sections include links to be de-trunked, where alterations to the existing network are proposed and the sections of new carriageway construction are outlined.</p> <p>It is essential that provision is made within the DCO for SCC to receive the necessary commuted sum payments for structures or other non-standard assets that require future capital maintenance as a result of the detailed design. To date, the applicant has not submitted design proposals to confirm if highway infrastructure is proposed that will, under normal circumstances require a commuted sum.</p> <p>Provision is needed within the DCO requiring the undertaker to pay any necessary commuted sums for structures to be adopted by SCC. The value of the commuted sum to be calculated by SCC.</p>	<p>The DCO should include provision for a minimum 12 month maintenance period to be provided between the date of completion of the structures and their incorporation into the local road network. As per the provision currently outlined in 13(3).</p> <p>The DCO should include a provision to enable SCC to attract commuted sum payments for highway infrastructure requiring extra over maintenance.</p>	<p>Maintenance</p> <p>Provide a mechanism(s) that ensures a minimum maintenance period of 12 months and the provision of commuted sum payments to LHA where structures, and other non-standard assets, are offered to the LHA for adoption as a result of the scheme.</p>	<p>contractual arrangement is in place for the entire works and cannot be separated out for the trunk and local highway elements. The Applicant has always advised that any defects within the local highway works would be rectified through this contractual arrangement. In order to set out how that arrangement would operate in more detail and to provide the Councils with the reassurance that this is secured within the DCO the Applicant has proposed to include this in the Protective Provisions for the LHA.</p>	
<p>T4</p>	<p>Construction Proposals</p> <p>There are no objections to the current construction proposals in principle.</p> <p>SCC have requested that phased construction management plans are prepared, including details of temporary road closures and traffic regulation orders required, so that the impacts of the construction phase on the local road network can be determined. To date, SCC have not received such details.</p> <p>The applicant has shared a draft Local Operating Area agreement with SCC. SCC will however need to agree the final Local Operating Area agreement.</p> <p>Traffic Management Plan</p> <p>The Statement of Common Ground records that Highways England has developed an outline Traffic Management Plan and that the main contractor will continue to develop these proposals throughout 2019 and leading up to commencement on site.</p> <p>As a result, details for the management of traffic during construction are not yet clear though provisions of Articles 15, 16 and 19 of the DCO and Requirement 11 are noted regarding implementation of temporary traffic regulatory measures and approval of the Traffic Management Plan.</p>	<p>DCO to include provision for SCC as the Local Highway Authority to approve relevant detailed matters associated with the Detailed Local Operating Agreement and Construction Traffic Management plans.</p> <p>In the absence of any commitment/ clarity regarding detailed construction traffic management proposals, a mechanism should be secured for measures to be undertaken by Highways England for it to address any</p>	<p>New Requirement: A Requirement stipulating the need for a Detailed Local Operating Agreement (DLOA) to be entered into prior to commencement is needed to protect local road network assets during the construction phase.</p> <p>Requirement 11 should be amended to enable the Traffic Management Plan to be</p>	<p>1.2.4</p> <p>It is premature at this time to bring forward detailed proposals for all aspects of the scheme. For example, the Councils in line T4 of the LIR (REP2-019) note that there are no specifics yet provided for traffic management arrangements during construction. Until the final detailed design has been developed along a final build programme to be set out and the anticipated start date known, it is not possible to provide that level of detail. That detail is however secured under Requirement 11 which requires the final Traffic Management plan to be approved prior to the commencement of the development.</p> <p>1.2.11</p> <p>Somerset County Council is not the discharging authority proposed under the dDCO, that role would sit with the Secretary of State. Therefore, while it will be invited to review and comment on the proposals, Somerset County Council is not responsible for approving any aspect of the detailed design. This approach has been routinely</p>	<p>SCC is required under the Traffic Management Act and the Network Management Duty of the Local Traffic Authority to consider the impact of the works on the local highway network. The disapplication of certain provisions of the 1991 Act by article 12(3) restricts SCC's ability to perform these duties.</p> <p>The provisions of the draft Traffic Management Plan (TMP) do not allay SCC's concerns in this respect, and consequently SCC seek Requirement 11 to be amended to ensure that its approval is sought to the traffic Management Plan and that it is not just consulted on its provisions.</p> <p>The Statement of Common Ground records that Highways England has developed an outline Traffic Management Plan and that the main contractor will continue to develop these proposals throughout 2019 and leading up to commencement on site. As a result, details for the management of traffic during construction are not yet clear though provisions of Articles 15, 16 and 19 of the DCO and Requirement 11 are noted regarding implementation of temporary traffic regulatory measures and approval of the Traffic Management Plan.</p>

	<p>Although the applicant has said that it will ensure any significant Traffic Management operations (for example full closure of the A303) are planned well in advance, it is unknown the frequency and length of any diversions.</p> <p>As noted by the ExA in its written questions, the draft Traffic Management Plan [APP-150, Appendix A, paragraph 2.3.5] indicates to construct the works it is proposed to suspend the current 7.5 tonne weight limit on the A359 for various items of permanent and temporary works. The existing 7.5 tonne weight limit (except for access) order was introduced on environmental grounds to maximise the retention of HGV traffic on the strategic network and reduce the volume of traffic 'rat running' of large vehicles through the settlements of Queen Camel, Marston Magna and Mudford.</p> <p>Until the Applicant submits detailed construction traffic management proposals confirming the dates, the exposure period and the mitigation measures proposed, if any, it is difficult to determine the effects. It should be noted, however, that the applicant has already accepted that it would assist traffic flow if the A359 through Queen Camel were subject to traffic control in light of the number of narrow sections of carriageway with priority to oncoming traffic. This community could be significantly impacted by the diversion route, but no mitigation has been offered.</p> <p>The applicant has not recognised that there is also a risk of rat running to avoid lengthy diversions. This is likely in relation to the proposed diversion via the A359 where local experience suggests that drivers will instead use the unclassified local road network especially around Wales and West Camel – this already appears to happen when the A303 between Sparkford and Ilchester is congested and the local communities are well placed to articulate the practical issues this causes.</p> <p>In the absence of any commitment/ clarity, an obligation should be secured for measures to be undertaken by the applicant for it to address any unintended or unassessed impacts which arise as a result of carriageway closures. A financial contingency should also be secured for Somerset County Council to be able to undertake any road repairs that become necessary as a result of diverted and/ or rat running traffic.</p> <p>In addition to the above, see comments in relation to LIR issue EC15.</p>	<p>unintended or unassessed impacts which arise as a result of carriageway closures. A financial contingency should also be secured for Somerset County Council to be able to undertake any road repairs that become necessary as a result of diverted and/ or rat running traffic.</p>	<p>approved by the LHA.</p> <p>An obligation is necessary to secure the necessary measures to address impacts which arise as a result of implementation of the construction traffic management plan.</p>	<p>accepted in other Highways England highway DCOs.</p>	<p>A Requirement stipulating the need for a Detailed Local Operating Agreement (DLOA) to be entered into prior to commencement is considered appropriate to protect local road network assets during the construction phase.</p> <p>SCC considers that the TMP and DLOA should be approved at the local level with the Local Planning Authority and Highway Authority, rather than by the Secretary of State. The TMP should also fully incorporate the management of off-road traffic. Requirement 11 should be amended accordingly.</p> <p>It is common practice within Development Consent Orders that Requirements are discharged by the Local Authorities. The Authorities in Somerset are supportive of the project and it is not in their interest to impact delivery of the project. SCC does not envisage a double approval process. Moreover, SCC advocates a position that it is well placed to discharge Requirement 11.</p> <p>SCC believes that it would also fit well with an emerging consensus within the industry that Requirements should be discharged at the local level, noting in particular the existence of research around reducing the risk of inflexibilities in the implementation of Development Consent Orders. It should also be noted that enforcement is a local matter.</p>
<p>T5</p>	<p><u>Maintenance Provision and Extents of Responsibility</u></p> <p>There is an in-principle level agreement on proposed limits of responsibility. 'Broad brush' guiding principles have been established which will be used for the preparation of plans depicting limits of responsibility, however details have not yet been provided.</p>	<p>DCO to include provision for SCC as the Local Highway Authority to approve relevant detailed design matters.</p>	<p>Amend Requirement 12 to enable detailed design review and approval by SCC.</p>	<p>See comments above in respect of detailed design</p>	<p>See T1 above.</p>

	<p>The submission of further details will require submitting to confirm actual extents.</p> <p>Linked to comments above, it is essential that the LHA have the ability to review / approve the detailed design as this could impact upon the LHA's future maintenance operations.</p>				
T6	<p>Regulatory Measures on Local Roads</p> <p>No detailed design submission has been issued to SCC. The LHA require the ability to review and approve the detail design particularly where the proposals impact upon the existing or prospective local road network provision.</p>	DCO to include provision for SCC as the Local Highway Authority to approve relevant detailed design matters.	Amend Requirement 12 to enable detailed design review and approval by SCC.	See comments above in respect of detailed design	See T1 above.
T7	<p>De-trunking Works</p> <p>Design Phase</p> <p>SCC has accepted the principle of the de-trunking proposals which include the reduction in width of the four sections of the A303 carriageway and incorporation into the local road network.</p> <p>SCC has accepted in principle the proposal to de-trunk the elements of existing A303 carriageway identified in the de-trunking plans (HE5515507-MMSJV-LSI-000-DR-UU-2162 to 2164, and for them to be incorporated into the local road network. The timing provisions as set out within the DCO are however not yet agreed and Article 14 will need amending accordingly.</p> <p>SCC require that the assets to be de-trunked are clearly recorded, inspected, rehabilitated and commissioned prior to hand-over. A 12 month maintenance period between completion of the works and hand-over is also expected.</p> <p>SCC would expect the surfacing of the existing footway between Camel Cross and Howell Hill to be replaced. The proposals currently do not include this.</p> <p>SCC would expect the surface of the de-trunked carriageways to be re-profiled so that the crown line is at the centre of the carriageway. This is particularly relevant where the current carriageway is essentially three lanes wide.</p> <p>SCC require further details of proposals for the existing A303/Downhead Lane junction which is to be retained for use as a bridleway crossing.</p> <p>There are several sections of existing vehicle restraint systems alongside the existing A303. SCC have requested that these are removed if not required. Currently the proposals do not show this.</p> <p>SCC has requested that the redundant speed camera and associated vehicle restraint system are removed. The current proposals do not show this.</p>	<p>Given the outstanding items identified it is important that the LHA have the ability to review/approve detailed design proposals relating to the de-trunking works (Works Nos 25,26, 63 & 80) as this will become part of the LRN on completion.</p> <p>The current wording within the DCO does not make reference to any maintenance period between the completion of the de-trunking highway works and the transferring the LRN. Provision within the order should be made for a minimum 12month maintenance period commencing from the date of completion.</p> <p>It is also important that contingency sums are provided for within the DCO to enable the County Council to deal with the potential for anti-social use of the length of highway between Hazelgrove roundabout and the Mattia Diner that is</p>	<p>Design Amend Requirement 12 to enable detailed design by review / approval by SCC.</p> <p>Construction It is essential that LHA are the organisation that confirms when the de-trunking highway works (Work Nos 25,26,63 &80) are considered complete before official handover is undertaken.</p> <p>Maintenance Provide a mechanism(s) that ensures a minimum maintenance period of 12 months and the provision of commuted sum payments to LHA where structures, and other non-standard assets,</p>	<p>1.15.15 The LIR (REP2-019) states that "Further discussion is required in relation to de-trunking to agree the appropriate legal mechanism to include matters associated with process and maintenance due to the potential issue of creating future maintenance liabilities for the County Council". The Councils have requested that Article 14 is amended to provide satisfactory de-trunking 'timing provisions'. The Applicant is not entirely sure what amendment the Councils are seeking here as no wording has been suggested.</p> <p>1.15.16 As set out in the Applicant's answer to the Examining Authority's question 1.10.6 (REP2-004), the classifications of roads will apply once they are nearing completion and the anticipated date on which they will open to traffic is known. It is inappropriate to add timing provisions to the Article given that the opening date for any road is not known. The Applicant has however proposed a minimum notification period of the de-trunking in the draft Protective Provisions for the LHA.</p> <p>1.15.17 The Applicant notes that the Councils have raised concerns that the de-trunked road will attract anti-social behaviour. Such behaviour is controlled through other means including the criminal law, not the DCO. The Councils have requested contingency funding to address this. The Applicant does not consider it reasonable to request funding to deal with an issue which has not occurred and which is not within its responsibility or control. The Applicant is not liable for the</p>	<p>The draft DCO in Article 14, paragraph 2 refers to a date of de-trunking to be set by the Undertaker ("On such day as the undertaker may determine"). SCC does not believe that a date for de-trunking should unilaterally be set by the Undertaker. The County Council should only become responsible for the de-trunked sections of road when due diligence processes, and all remedial repairs, (as agreed by the LHA) alteration, conversion, and improvement works have been completed to the County Council's reasonable satisfaction, and all redundant assets, cables, services, plant and equipment have been removed. This needs to be provided for in the DCO. It is understood that the same issue arose in relation to the A14 DCO and a legal agreement between Highways England and the County Council was negotiated, additionally, the DCO was amended to address these concerns.</p> <p>It is often inappropriate that dead end de-trunked sections of road remain open to public vehicular traffic in their entirety. There are particular examples in Somerset where the design of de-trunked roads has led to unauthorised traveller encampments and anti-social behaviour. It may have been possible to have reduced the likelihood of such events through the design process. However, the length between Hazelgrove roundabout and the Mattia Diner is a particular concern that could serve very little public benefit and leave the County Council with significant financial liabilities.</p>

	<p>SCC has requested that further details be provided regarding the crossing of the existing footpath by the proposed access to Pond 4.</p> <p>SCC has requested details of works to road markings and road studs on the de-trunked sections.</p> <p>SCC has requested that an inventory be provided of Highways England assets that are to be handed over to SCC as part of the de-trunking proposals.</p> <p>The length of highway between Hazelgrove roundabout and the Mattia Diner is proposed to be de-trunked and will become a no through road. As a result, there is an unquantified risk that this length of highway will attract an antisocial use that may lead to significant financial exposure for the County Council in perpetuity.</p>	<p>proposed to be de-trunked.</p> <p>Article 14 to be amended to provide satisfactory de-trunking timing provisions.</p>	<p>are offered to the LHA for adoption as a result of the scheme.</p> <p>Article 14 to be amended to provide satisfactory de-trunking timing provisions.</p> <p>An obligation should be introduced that would enable the County Council to draw down from a contingency to deal with any anti-social use of the length of highway between Hazelgrove roundabout and the Mattia Diner that is proposed to be detrunked</p>	<p>costs of the anti-social or illegal behaviour of others. If the Councils would like to suggest design measures to address its concerns the Applicant would be happy to consider whether these can be accommodated within the scheme but it will not agree to any financial provision.</p> <p>Maintenance period 1.5.18 The Councils have requested a mechanism to ensure a minimum maintenance period of 12 months for the works. The Applicant advises that a 12 month period within which defects must be rectified is a standard term of its contracts with construction contractors and will apply to this scheme. That contractual arrangement is in place for the entire works and cannot be separated out for the trunk and local highway elements. The Applicant has always advised that any defects within the local highway works would be rectified through this contractual arrangement. In order to set out how that arrangement would operate in more detail and to provide the Councils with the reassurance that this is secured within the DCO the Applicant has proposed to include this in the Protective Provisions for the LHA.</p>	<p>The making of traffic regulation orders on its own is often not sufficient to prevent these risks from materialising. It may be possible to address this to some degree through the post consent detailed design process by the reduction in the carriageway width or by stopping up. However, it is currently thought unlikely that the detailed design process will produce a solution that will eliminate the risk and further discussion is required with the Applicant to explore what measures can be taken and secured within the DCO.</p> <p>Notwithstanding, there will be a need for the Applicant to engage with the County Council on the de-trunking provisions. In addition, when the detailed design is undertaken by the Applicant, SCC is seeking the ability to review and approve those aspects that will form part of the LRN, maintainable at the expense of the LHA.</p> <p>See T1 above. In addition, SCC require that the assets to be de-trunked are clearly recorded, inspected, rehabilitated and commissioned prior to hand-over.</p>
T8	<p>Summary of modelling issues</p>				
T9	<p>Traffic Impacts on Local Communities – West Camel</p> <p>Parsonage Road in West Camel is forecast to have an increase in 600 vehicles per day (AADT) by 2038 as a result of the scheme. With the current layout of the A303 the junctions at Howell Hill and Parsonage Lane would constrain through traffic; the A303 would get busier and it would be more difficult to get out of these side turnings because of fewer gaps in the traffic. The traffic through Parsonage Lane is forecast to decrease from the current level of around 1700 vehicles (AADT) to 1400 vehicles (AADT) without the proposed scheme. The proposed scheme provides a new junction which removes the constraints and therefore allows through traffic to increase.</p>	<p>Consideration should be given by the ExA to whether mitigation is required and if necessary that a mechanism is agreed to secure it</p>	<p>TBC</p>	<p>1.3.39 The Applicant has fully assessed the potential impacts of the proposed scheme and the findings of this assessment are set out in the ES that was submitted with the application. The ES did not identify that any of the above mitigation was required in order to make the potential impacts of the scheme acceptable. Therefore, the Applicant considers that the above measures are not required and will not be provided as part of the scheme subject to the DCO application.</p>	<p>Although the Applicant has assessed the safety implications at specific locations and has overlaid the predicted traffic flows into the COBALT economic appraisal to forecast safety impacts, the output is limited to a financial representation of the impact and it is unclear what methodology has been used to draw together the various assessment outputs to conclude that no mitigation is required.</p> <p>In this respect, the Applicant has confirmed in its response to the Local Impact Report that the accident implications at the junction of Parsonage Road and West Camel Road are "slight adverse and therefore</p>

The level of significance of the increase in traffic through the village has not been assessed by the applicant. Traffic calming measures and other mitigation measures should therefore be explored and considered by the ExA, and a mechanism established to secure such mitigation if necessary. The sense of impact has already been emphasised by local communities and is reinforced in their Examination submissions.

Table 1: - Two-way traffic flows on Parsonage Lane West Camel (PCU/hr)

Time period	Base year 2015	2038 Without the A303 Scheme	2038 With the A303 Scheme
AM	121	89	143
IP	91	69	133
PM	106	95	123

1.3.41
It has been suggested that the Applicant could use Highways England's designated funds programme to provide the above measures. Designated funds "allow for actions beyond business as usual" and comprise "a series of ring fenced funds designated to Highways England to address a range of issues beyond the traditional focus of road investment"2. The Road Investment Strategy (RIS) identifies areas where Highways England can deliver environmental improvements using such funds.

1.3.42
The Applicant has considered the above proposals and, where the proposals are thought to be appropriate, whether designated funds could be used to secure their delivery as enhancements. This consideration has involved the discussion of these points which have been referred to by various Interested Parties. However, this exercise has been and will be carried out entirely separately from the DCO application. The Applicant cannot agree to the inclusion of these measures within the DCO as they are not necessary per the ES. Furthermore, seeking to introduce these measures to the DCO will remove any potential for Highways England to secure designated funds for their delivery as the designated funds programme specifically excludes matters which should be dealt with in DCO schemes themselves.

1.12.2
Parsonage Road in West Camel is forecast to have an increase of 300 vehicles per day (AADT) by 2038 as a result of the scheme compared with the base year. The traffic in future years would reduce due to the difficulty of using the junctions on the A303 with Howell Hill and Plowage Lane (not Parsonage Lane). Therefore, the forecast increase of 600 referenced in the LIR (REP2-019) compares the without scheme and with scheme traffic forecast in 2038.

1.12.3
The significance of the increase in traffic through West Camel has been assessed by considering the implications on junction performance; air quality; noise and safety. The cross-roads between Parsonage Road

insufficient to warrant traffic calming measures". However, it is not clear what methodology has been used to determine that the impacts would be 'slight adverse' and that this level of impact would not require mitigation.

In light of the above, in the draft Statement of Common Ground SCC stated that consideration should be given by the ExA to whether mitigation is required and if mitigation is considered necessary that a mechanism is agreed to secure it.

At the Transport Issue Specific Hearing on 26 February 2019, the local communities highlighted that a number of accidents had occurred on the local road network subsequent to the recorded 5 year period used for assessment purposes by the Applicant. The ExA asked the County Council to provide more recent accident statistics. Plans showing accidents on the local road network between 1 January 2015 and 31 October 2018 have been provided by SCC in its Deadline 4 submission.

				and West Camel Road is forecast to perform within capacity in all future scenarios, as detailed in Tables 7.1 and 7.2 of the Transport Report (APP-150). The safety implications were assessed using COBALT as described in Chapters 13 and 14 of the ComMA Report (APP-151). Due to the lack of any accidents on any of the roads through West Camel (Parsonage Road, Plowage Lane, Keep Street, Fore Street and Howell Hill) in the recorded 5-year period, there are no forecast accident implications on the roads themselves. There were two slight accidents recorded at the cross-roads with Parsonage Road and West Camel Road, at which junction the accident implications are considered to be slight adverse and therefore insufficient to warrant traffic calming measures. There was also 1 slight accident recorded at the junction between Howell Hill and the A303, at which location the accident implications of the scheme are slight beneficial as this junction will be superseded with the proposed grade separated junction. Maps showing the accidents recorded in the 5-year observation period and the COBALT results can be found in the Transport Report (APP-150) Figures 9.1 and 9.3 respectively.	
T10	<p><u>Traffic impacts on local communities – Sparkford High Street</u></p> <p>Sparkford High Street is south of A303 Sparkford Bypass and runs parallel to it. The Do something proposed scheme causes significant increases in traffic on Sparkford High Street. Table 2 provides traffic flows for the scenarios without and with the proposed A303 improvement scheme. The main reasons for the increase in traffic in the Do Something are:</p> <ul style="list-style-type: none"> In the scenario without the scheme, traffic from the south travelling northbound through Queen Camel on the A359 joins the Hazelgrove roundabout and then joins the A303 eastbound and it then joins the A359 through the existing connection between the A359 and A303. The scheme changes the layout of the network. This increases the travel distance to A359 north via the replacement junction. As a result, the traffic travelling from the south on the A359 finds that the Sparkford High Street provides a better direct connection to A359 north. As a result of the scheme, the traffic that would otherwise use the A37, reassigns to the A359 and this also results in an increase in the southbound traffic on Sparkford High Street. 	Consideration should be given by the ExA to whether mitigation is required and if necessary that a mechanism is agreed to secure it	TBC	<p>As above (1.3.39; 1.3.41; 1.3.42)</p> <p>1.12.5 The significance of the increase in traffic through Sparkford has been assessed by considering the implications on junction performance; air quality; noise and safety. The junction between Sparkford High Street and The Avenue is forecast to perform within capacity in all future scenarios, as detailed in Tables 7.1 and 7.3 of the Transport Report (APP-150). The safety implications were assessed using COBALT as described in Chapters 13 and 14 of the ComMA Report (APP-151). Due to the lack of any accidents in the recorded 5-year period, there is no forecast accident implication on the High Street itself. There were 2 slight accidents recorded at the junction between Sparkford High Street and the Avenue, at which junction the accident implications are considered to be slight adverse and therefore insufficient to warrant traffic calming measures. There were 9 accidents (some slight and some serious) recorded at Hazlegrove Roundabout, at which location</p>	<p>Although the Applicant has assessed the safety implications at specific locations and has overlaid the predicted traffic flows into the COBALT economic appraisal to forecast safety impacts, the output is limited to a financial representation of the impact and it is unclear what methodology has been used to draw together the various assessment outputs to conclude that no mitigation is required.</p> <p>The Applicant has confirmed in its response to the Local Impact Report that the accident implications at the Sparkford High Street and the Avenue are “slight adverse and therefore insufficient to warrant traffic calming measures”. However, it is not clear what methodology has been used to determine that the impacts would be ‘slight adverse’ and that this level of impact would not require mitigation.</p> <p>In light of the above, in the draft Statement of Common Ground SCC stated that consideration should be given by the ExA to whether mitigation is required and if necessary that a mechanism is agreed to secure it.</p> <p>At the Transport Issue Specific Hearing on 26 February 2019, the local communities highlighted that a number of accidents had occurred on the local road network</p>

	<p>Table 2: - Two-way traffic flows on Sparkford High Street (PCU/hr)</p> <table border="1" data-bbox="261 247 1006 436"> <thead> <tr> <th>Time Period</th> <th>Base Year 2015</th> <th>2038 Without A303 Improvement</th> <th>2038 With A303 Improvement</th> </tr> </thead> <tbody> <tr> <td>AM</td> <td>304</td> <td>366</td> <td>460</td> </tr> <tr> <td>IP</td> <td>236</td> <td>303</td> <td>449</td> </tr> <tr> <td>PM</td> <td>325</td> <td>328</td> <td>537</td> </tr> </tbody> </table> <p>The level of significance of the increase in traffic through the village has not been assessed by the applicant. Traffic calming measures and other mitigation measures should therefore be explored and considered by the ExA, and a mechanism established to secure such mitigation if necessary. The sense of impact has already been emphasised by local communities and is reinforced in their Examination submissions.</p>	Time Period	Base Year 2015	2038 Without A303 Improvement	2038 With A303 Improvement	AM	304	366	460	IP	236	303	449	PM	325	328	537			<p>the accident implications of the scheme are significantly beneficial. Maps showing the accidents recorded in the 5-year observation period and the COBALT results can be found in Figures 9.1 and 9.3 respectively of the Transport Report (APP-150).</p>	<p>subsequent to the recorded 5 year period used for assessment purposes by the Applicant. The ExA asked the County Council to provide more recent accident statistics. Plans showing accidents on the local road network between 1 January 2015 and 31 October 2018 have been provided by SCC in its Deadline 4 submission.</p>
Time Period	Base Year 2015	2038 Without A303 Improvement	2038 With A303 Improvement																		
AM	304	366	460																		
IP	236	303	449																		
PM	325	328	537																		
<p>T11</p>	<p>Summer traffic at Podimore Roundabout</p> <p>Podimore Roundabout is not within the scheme extents. It is the next junction on the A303 to the South West of the scheme. The junction has been included within the Combined Modelling and Appraisal Report but is not included within the Environmental Impact Assessment.</p> <p>An operational assessment of the junction was carried out using a LINSIG traffic model. This shows that in the 2038 scenario with the A303 improvement is nearing capacity in the evening peak hour as shown in table 12.18 of the CoMA report. As a result, concerns were raised about the ability of the roundabout to cope with peak summer traffic and the impact that this might have on the local road network. Another assessment was carried out by MMSJV to establish the impact of the summer traffic on the junction, the results are set out in the Podimore Roundabout Summer LinSig Analysis Technical Note (HE551507-MMSJV-MTR-000-RP-TR-0035). The results of this work are summarised in table 3, all of these are for the summer interpeak period as per the model. The queue lengths are approximated based on the Linsig outputs by assuming a passenger car unit (PCU) is 6m long and using the guidance for approximating queues which states “When a Lane is oversaturated the Maximum Queue within each cycle will grow progressively over the modelled time period. This means that the Mean Maximum Queue will be approximately half the final queue at the end of the modelled time period”.</p> <p>Table 3:</p>	<p>This junction is included for improvement as part of the A303 corridor however there is currently no certainty about the nature and timing of this improvement. It is therefore advised that an interim improvement to increase the capacity at the junction is developed; the nature of this will depend on the existing infrastructure and the current signal control systems. However, such measures should be sufficient to mitigate the impact.</p>	<p>The mitigation may need to be secured via a planning obligation</p>	<p>1.3.39 The Applicant has fully assessed the potential impacts of the proposed scheme and the findings of this assessment are set out in the ES that was submitted with the application. The ES did not identify that any of the above mitigation was required in order to make the potential impacts of the scheme acceptable. Therefore, the Applicant considers that the above measures are not required and will not be provided as part of the scheme subject to the DCO application.</p> <p>1.3.40 The Podimore Roundabout is not within the extents of the scheme. As the Highways Authority operating this road the Applicant will continue to monitor traffic at Podimore Roundabout. It is within the Applicant’s power as Highways Authority to make any required changes to signal timings as and when they are required.</p>	<p>Given that it is in the Applicant’s power as Highways Authority to make any required changes to signal timings as and when they are required, SCC would suggest that this is secured as appropriate mitigation in the DCO to address the potential impact on the local road network.</p>																

Roundabout entry arm	2023		2031	
	DoS	Queue length (m)	DoS	Queue length (m)
A303 EB	97%	467	106.6%	960
A372	94.8%	148	100.7%	379
A37	89.5%	65	119.3%	840

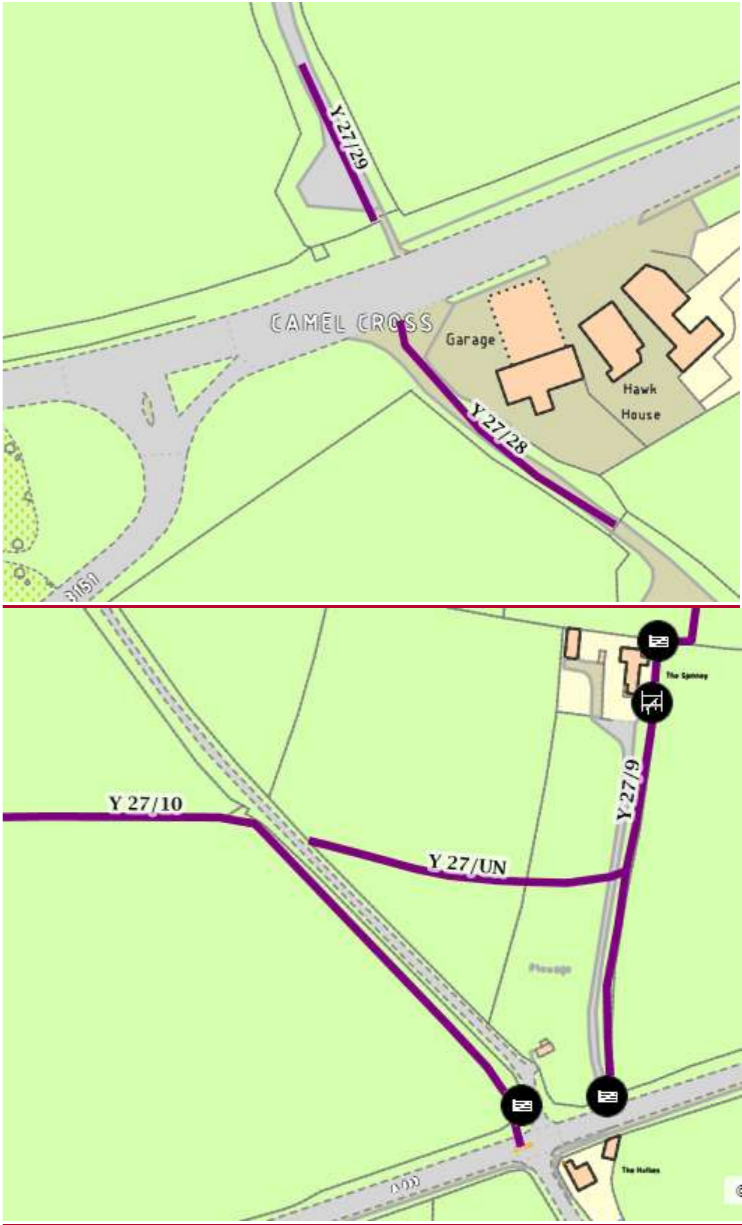
LIR Ref	Specific Issue	Summary of Council's proposed mitigation (including link to other representation)	Add/Amend DCO Requirement/Obligation (Y/N)	HE comment	SCC Response
P1	<p>Non-Motorised User Survey Results Survey methodology for public rights of way (Ref. 6.3 Environmental Statement Appendix 12.1; 1.1.2)</p> <p>The methodology for assessing the usage of the network is not without flaws. The surveys were conducted between 8:00 and 18:00 hrs on week days in term time and school holidays. Daylight hours on the survey days would have been longer than the survey times and would arguably have omitted those early and late users. Many equestrians often ride out early in the morning, as do many dog walkers and runners, possibly prior to going to work. Equally there'll be likely use of the network after 18:00 once people have returned home from work. Weekends are often a more popular time of the week to undertake use of the rights of way network, thus in not surveying weekend days, considerable use of some routes has potentially been overlooked.</p> <p>In summary, by not covering full daylight hours, nor weekend days, the results of non-motorised user surveys is not entirely representative of the actual use.</p>	<p>None suggested. However, the survey results cannot be relied upon as a true representation of usage levels of public rights of way.</p>		No comments	
P2	<p>Traffic Management Plan (Ref. 7.3 Transport Report Appendix 1)</p> <p>The traffic management plan has no consideration of off-road highway network. Other documents do recognise the need for temporary closure and temporary alternatives for those public rights of way that will be affected during the construction phase, however there is limited detail, and this is an area that will need to be considered in full alongside the temporary road closures.</p>	<p>Requirement to amend Traffic Management Plan and Construction Environment Management Plan, to fully incorporate the management of off-road traffic.</p>	<p>Noted that draft DCO Requirements 3 and 11 secures the submission of a CEMP and Traffic Management Plan; however, the Councils believe that the documents should be approved at the local level with the Local Planning Authority and Highway</p>	<p>See comments above in relation to approval of detailed matters (1.2.10 – 1.2.14)</p>	<p>See T4 above</p>

			Authority, rather than by the Secretary of State. The Plans should also fully incorporate the management of off-road traffic.		
P3	<p>Sparkford to Ilchester improvement and slip roads Side Roads Order 1996 (not part of DCO documentation)</p> <p>This order made changes to a number of different roads and rights of way, a notable addition being bridleway Y 30/29 (presumably as mitigation for Y 30/28 terminating at a dual carriageway at grade).</p>	There is the possibility that the 1996 Sparkford to Ilchester Side Roads Order has some validity even though the scheme was not constructed. It is recommended that the order is revoked.	The Side Roads Order should be revoked prior to conclusion of the DCO examination. If it is not, then a mechanism will need to be established within the DCO to give effect to such.	1.15.1 The Councils consider that the Sparkford to Ilchester improvement and slip roads Side Roads Order 1996 may have some validity and should be revoked. The Applicant is not certain that this order does have any validity however in order to resolve any doubt proposes to make an amendment to the DCO to add this order to the list of orders revoked under article 14 set out in schedule 3 Part 10 of the DCO in so far as it is valid.	See SCC response to the applicant's Topic Paper: - 9.14 Right of Way Y30-28 (Eastmead Lane); submitted at Deadline 4.
P4	<p>Stopping up of bridleway Y 30/28 and lack of upgrade to Y 30/31 (Ref. .1 Draft DCO Schedule 4 Part 1 & Sheet 1 of Rights of Way & Access Plans)</p> <p>The impact of the development is to stop up the connection of Y 30/28 with the A303 and therefore the applicant has to mitigate for that loss. The current proposal from the applicant is provision of a route east to the nearest new vehicular overbridge. The proposed development creates an adverse effect on this section of Public Right of Way.</p> <p>The applicant, in line with the National Policy Statement for National Networks, is expected to take appropriate mitigation measures to address adverse effects on public rights of way. The County Council considers that the proposed mitigation, whilst beneficial to the overall network is not the most appropriate. The length of the alternative route proposed is c.5.2km for walkers, cyclist and equestrians. If instead the alternative was over Y 30/31, this length would be reduced to c.1.5km. This is a considerable difference in length and convenience. This is not asking for a new over/underbridge, but for improvement to an existing Highways England structure.</p> <p>The County Council does recognise that compared to the usability of the existing bridleway network joining the A303, the proposed scheme should represent a more accessible network, however it is contended that more appropriate mitigation could be provided. National Planning Policy Statement for National Networks is clear that applicants are expected to take appropriate mitigation measures to address adverse effects on Public Rights of Way. Chapter 12 of the Environmental Statement refers to increases in journey length of over 500m results in a Major Adverse impact. At</p>	A connecting bridleway to, and the upgrading of public footpath Y 30/31 to bridleway status would be viewed by the Council as necessary; directly related to the development; and, fairly related in scale and kind for the loss of the Y 30/28 terminus. A planning obligation would secure this.	Obligation	<p>1.3.39 The Applicant has fully assessed the potential impacts of the proposed scheme and the findings of this assessment are set out in the ES that was submitted with the application. The ES did not identify that any of the above mitigation was required in order to make the potential impacts of the scheme acceptable. Therefore, the Applicant considers that the above measures are not required and will not be provided as part of the scheme subject to the DCO application.</p> <p>1.3.41 It has been suggested that the Applicant could use Highways England's designated funds programme to provide the above measures. Designated funds "allow for actions beyond business as usual" and comprise "a series of ring fenced funds designated to Highways England to address a range of issues beyond the traditional focus of road investment"2. The Road Investment Strategy (RIS) identifies areas where Highways England can deliver environmental improvements using such funds.</p> <p>1.3.42 The Applicant has considered the above proposals and, where the proposals are thought to be appropriate, whether</p>	See SCC response to the applicant's Topic Paper: - 9.14 Right of Way Y30-28 (Eastmead Lane); submitted at Deadline 4.

	<p>12.10.31 it confirms that this increase in journey applies in 6 instances for non- motorised user journeys, the above example perhaps being the most notable. This is subsequently contradicted at 12.10.33 where there is no reference to any major adverse impacts. Table 12.23 doesn't recognise any change in the journey from Podimore to Eastmead Lane (Y 30/28) with low use being cited as a reason for 'neutral' significance in relation to that impact for that route. This is likely to be an oversight as a result of not recognising that Y 30/29 may not exist as a right of way. It would also only be looking at the significance for pedestrians and overlooking the impact on cyclists and equestrians, given that the accommodation bridge over the existing A303 only carries public footpath rights.</p> <p>It is noted that the applicant is pursuing a Designated Funding application for the legal and physical upgrade of this link, and the bridleway link to Eastmead Lane. However, the County Council believe that upgrade of right of way Y30/UN (Higher Farm Lane) and the associated improvement to the overbridge should be secured through the DCO.</p>			<p>designated funds could be used to secure their delivery as enhancements. This consideration has involved the discussion of these points which have been referred to by various Interested Parties. However, this exercise has been and will be carried out entirely separately from the DCO application. The Applicant cannot agree to the inclusion of these measures within the DCO as they are not necessary per the ES. Furthermore, seeking to introduce these measures to the DCO will remove any potential for Highways England to secure designated funds for their delivery as the designated funds programme specifically excludes matters which should be dealt with in DCO schemes themselves.</p> <p>(TB note - no other specific detail is provided in the LIR Review from HE, however HE have submitted Topic Paper: Right of Way Y30-28 (Eastmead Lane) as part of their Deadline 3 submission.</p>	
<p>P5</p>	<p>Provision of a NMU route across the scheme from Podimore to Sparkford The construction road between Steart Hill and Camel Hill and Tracks 4 & 9 would further serve to provide a NMU route across the scheme, were they to be designated as public bridleway or restricted byway. An additional link would be required between the Podimore turning head and the minor road to the west to facilitate this.</p>	<p>Draft DCO and Rights of Way & Access Plans would need amending.</p>	<p>Amendment to DCO</p>	<p>1.13.2 The application does not include a RoW directly between Steart Hill and Camel Hill because a demand for this journey was not identified. Should NMUs wish to make this journey currently there are 2 routes.</p> <p>1.13.3 The first would involve travelling northwards along Steart Hill and then east along RoW reference WN23/32. This is available for pedestrians only, and is unaffected by the scheme proposals.</p> <p>1.13.4 The second route would involve travelling south on Steart Hill and then east along the A303 (there are no NMU facilities in the verge of the A303 at present) and then north along RoW reference WN23/32. This is approximately 1.5 kilometres long and involves much of its length along the A303 trunk road. Under the scheme proposals the journey can be made by following NMU provisions denoted by the following points in the Rights of Way and Access Plans submitted as part of Deadline 3 (document reference 2.3, Volume 2): BW-AJ-AS-AV-AW-AX-AY-AZ-BA-BB-BL-BK-BJ-BI-BH-BG-BF-BY-BD-BC. This would be a distance of approximately 4.4 kilometres.</p>	<p>The connection between Steart Hill and Camel Hill was a later suggestion put forward by a user group and would be beneficial if the construction road was to remain, but it is understood it will not. This link would have greater benefit should higher rights be found as a result of determination of application 859 as this would enable an equestrian circuit without having to cross the A303 twice (Downhead and Sparkford roundabout/ underbridge). However, it is accepted that there is sufficient mitigation without this link.</p> <p>The Applicant's response to the LIR does not address Tracks 4 & 9. This connection could greatly improve the safety for NMUs by removing them from the B3151. This link or a link between Y 30/31 and Y 30/28 is now ever more crucial given that it is likely Y 30/29 will not exist once the 1996 SRO is revoked. If the provision of an NMU link over Tracks 4 & 9 to link the turning head was possible, this would not alter the Council's position with regard to P4 (above), as it would only marginally improve the proposed mitigation for Y 30/28 as opposed to making it sufficiently appropriate.</p> <p>SCC notes that the DCO boundary does not extend beyond the proposed turning head on Podimore Road to the West, yet such a facility would not in practice be possible to use given the existence of a TRO preventing the flow of traffic from the junction of Stockwitch Lane and Podimore Road towards the existing A303. Indeed,</p>

					<p>the associated TRO would prevent access by even pedal cyclists and equestrians, not just motorised vehicles. In addition, there is a significant risk that such a cul-de-sac may be used as an unauthorised traveller encampment.</p> <p>SCC therefore seeks the highway between the existing A303 and the junction of Stockwitch Lane and Podimore Road to be stopped up and the land turned to green field. All highway rights should also be removed unless the Applicant was willing to agree to the County Council's request for an NMU route between Access Tracks 4&9 and Podimore Road, in which case appropriate rights would need to be retained. The associated TROs would also need to be revoked.</p>
P6	<p>Applications received to modify the Definitive map and statement (Ref. Draft DCO Part 3, 16 (5)(a) and Part 5, 27 Public Rights of Way.)</p> <p>Two applications have been received for upgrades/ addition of public rights to the Definitive Map & Statement that are impacted upon by the development. It is not known if these higher rights exist until they are fully investigated, and any possible subsequent order is made and confirmed beyond legal challenge. This process would not align with the DCO timetable. Therefore, a separate solution will be required. There are also two applications in close vicinity to the schemes. A plan showing the applications is attached as Appendix 4.</p>	<p>A mechanism is needed within the DCO to provide a detailed legally binding commitment of how these additional rights, if found to exist, will be appropriately mitigated for that would include provision of PRow to appropriate widths. Such a mechanism should ensure any mitigation is achieved to the satisfaction of the County Council.</p>	<p>A suitable mechanism within the DCO</p>	<p>1.15.2 The Applicant assessed the impact of all RoW shown on the Definitive Map and Statement at the time of making the Application. The Councils have noted that 2 applications have been made for upgrades / additions of public rights to the Definitive Map and Statement, however these are very unlikely to be determined before the end of the DCO Examination. It is not appropriate for the Applicant to seek to mitigate any impacts on these potential changes within the current application as they may not be added to the Definitive Map. The Applicant should not be expected to provide mitigation for impacts that are entirely uncertain.</p> <p>1.15.3 If the Council wishes to upgrade or add to any RoW following a successful application to amend the Definitive Map and Statement, it will be within the Councils' abilities as local highway authority, to make those changes, whether to any existing RoW or any RoW that are diverted pursuant to the DCO. The Applicant does not propose amending the DCO to mitigate for uncertain future events or impacts.</p>	<p>The development provides for an opportunity to future proof, with relative ease, possible scenarios where higher rights are found to exist.</p> <p>There is a potential that the development may impact upon the higher rights, regardless of whether they are recorded on the Definitive Map or not, and therefore mitigation should be provided. It is accepted that it would be inappropriate for this to be open ended (with the possibility for more applications to be submitted for modifications to the Definitive Map & Statement), and that the Examination process should act as the juncture by which such applications need to be mitigated for. Further discussion is required if the prioritisation of such applications would assist the applicant in the overall implementation, and thus mitigation, but it should be noted that even if prioritised, the conclusion of an investigation can take a number of years.</p> <p>The Council seeks an additional Requirement that commits to safeguarding suitable corridors for mitigation of any higher rights to the satisfaction of the Council, and a commitment to accommodate physically and consent to legally the creation of mitigation routes. At present this is applicable to applications 859 & 861 (directly affected by the scheme) and 851 which abuts the scheme. The other application in close proximity, 863 (Higher Farm Lane), whilst not directly affected by the scheme, could form part of a mitigation corridor for 861, but it is considered inappropriate to include this application as part of the requirement itself. A plan showing the applications is attached at Appendix 4 to the LIR.</p>
P7	<p>Reference to NMUs (Sheet 1 Rights of Way & Access Plans)</p> <p>Non-motorised users (NMUs) is a term referenced in some of the DCO documents with regards to the provision and improvements that will be made as part of the development. The term doesn't appear to be defined, but in its broadest sense would be taken to</p>	<p>DCO applicant to review if any of the proposed bridleways could be re-designated as restricted byways to be more inclusive with</p>	<p>Update to DCO PRow proposals.</p>		<p>The Applicant provided evidence at the Transport Issue Specific Hearing on 26 February 2019 in relation to why it would favour bridleways over restricted byways, i.e.: due to restricted byways presenting greater management and maintenance difficulties as they can potentially be more accessible to unauthorised motor vehicular use.</p>

	include walkers, cyclists, horse riders and carriage drivers. The horse and rider census revealed a few carriage drivers in the area. The DCO doesn't provide for any off-carriageway routes that would cater for carriage drivers, i.e. restricted byway status. There are no recorded restricted byways that the development impacts upon, however the (recently submitted) application 861M to modify the Definitive Map & Statement is for an upgrade of the existing bridleway Y 30/28 to a restricted byway status. If the higher rights exist and are simply not recorded, then the scheme will be impacting on restricted byway rights and will need to provide for appropriate mitigation. It should also be noted that carriage driving is an accessible form of off-road transport for those less able.	regard to NMUs. Links with issues P5 and P6 above.			There is evidence to suggest that this can be the case with control methods not always proving effective. However, should restricted byway rights exist over application routes 859 or 861 then restricted byway mitigation should be safeguarded and provided for as and when necessary.
P8	Clarification of routes proposed between Traits Lane and Gason Lane (Sheet 3 of Rights of Way & Access Plans) There are 2 routes proposed between Traits Lane and Gason Lane. This is considered excessive and it is assumed that only one route will be selected, however clarification of such is required	Amendment to Sheet 3 Rights of Way & Access Plans required. Also see issue P16.	N/A	1.13.5 The Applicant's preferred route for this RoW is AZ-BA-BB. This passes through land currently owned by the Ministry of Defence. Discussions regarding the dedication of this right across this land were only concluded recently (see the first item in Table 2.1 of the draft Statement of Common Ground between Highways England and the Defence Infrastructure Organisation (APP-161). Until a written agreement is in place the alternative will remain, although the preferred option is for the RoW to pass through the Ministry of Defence site. This alternative is BZ-CA-CB-CD.	Noted.
P9	Excessive gradient between BE and BY (Sheet 3 Rights of Way & Access Plans) 33% gradient proposed between BE and BY. Assuming BE-BY will be bridleway, this gradient is considered excessive for horse-riders.	Applicant is asked to review what can be done to lessen the gradient or provide a sufficient landing area at either end of the slope.	Revision to gradient, plans to either be updated and consulted upon as part of the Examination, or an additional DCO Requirement is included within the DCO which secures the submission, approval (by the local highway authority) and implementation of an appropriate design.	1.13.6 The gradient of this short section of RoW will be corrected during the detailed design stage. The draft DCO provides at Requirement 12 that the detailed design will be submitted to the Secretary of State for approval following consultation with the relevant planning authority and local highway authority. Under Requirement 4, details of that consultation, (including changes sought and whether they have been made, and where changes have not been made why not), must be submitted along with the application for approval of the detailed design. The Secretary of State will therefore have the views of the Councils before him when making any decision on the detailed design.	See comments re. Requirement 12 under T1 above. It should also be noted that any change to the alignment of BE-BY will need to be reflected in the Rights of Way and Access Plans for certification.
P10	Changes to path references resulting from updates to the Definitive Map & Statement (Sheets 1-4 Rights of Way & Access Plans, Draft DCO Schedules 3 & 4)	When the Ilchester bypass was provided there was a Side Road	Nomenclature of paths in DCO Schedules 3 &		The latest Rights of Way & Access Plans have been updated with the changes previously advised. However, the legal event modification order to update the Definitive

	<p>Changes to path references resulting from updates to the Definitive Map & Statement</p>	<p>Order made in 1974. This made a number of changes to the rights of way. These changes have only recently been legally evented to bring the Definitive Map and Statement up to date.</p>	<p>4 and on the Rights of Way & Access Plans will need to be updated accordingly.</p>		<p>Map with the effect of the 1974 SRO actually adds Y 27/29 at Camel Cross, instead of Y 27/36. Due to this numbering, and to avoid confusion, it requires the previous Y 27/29 (a potential non-path resulting from the 1996 SRO) to be amended. This path is now being shown as Y 27/UN for the purposes of the online mapping. It has not been numbered as it has not been added to the Definitive Map and is likely to be subject of the revocation of the 1996 SRO.</p> <p>Up to date online mapping snips as follows:</p>  <p>The image contains two map snippets. The top snippet shows a road junction labeled 'CAMEL CROSS' with paths Y 27/29 and Y 27/28. Buildings labeled 'Garage' and 'Hawk House' are visible. The bottom snippet shows a different road junction with paths Y 27/10, Y 27/UN, and Y 27/9. Buildings labeled 'The Spinnery' and 'The Millers' are visible. A 'Perseus' label is also present in the bottom snippet.</p>
<p>P11</p>	<p>No reference to limitations on or widths of the proposed public rights of way (Draft DCO Schedules 3 & 4.)</p>	<p>In order to update the Definitive Statement that accompanies the Definitive Map it is best practice to include the</p>	<p>A schedule of limitations and widths to be included as part of the DCO.</p>		<p>Following further consideration, the Council seeks that a Schedule of Widths and Limitations is added to Article 43 of the DCO, Certification of plans etc. Whilst it is completely understandable that the final schedule may not be achievable until the conclusion of the detailed</p>

		width and limitations of the new rights within the order. It can be very difficult to interpret such information from order plans, hence reference to this information is best placed in a schedule.	This could be a pre-commencement requirement if not attainable prior to examination. Work has already commenced on such a schedule. Inconsistencies exist that require resolution.		design, or even post construction, it is still the Council's view that such a Schedule should be referenced and tied to the DCO in order that it forms part of the legal event, and thus such information can be used to update the Definitive Statement. If it is not possible to agree the schedule as part of detailed design, then any later agreement would be premised on agreeing in principle the widths and limitations at the detailed design stage. If this is not done, it could lead to difficulties for the Council in the future when establishing the extent of and limitations on the new rights of way. The Council frequently deals with issues around unauthorised encroachment and unauthorised limitations in addition to queries as to what does or does not fall within the Council's remit for maintenance. Having a defined schedule tied to the DCO will eliminate any of this ambiguity.
P12	Column header (2) excludes the term bridleway / potentially restricted byway Draft DCO (Ref. Schedule 3 Part 11)	The column header needs to reflect all of the highway statuses referred to in the column. It currently omits bridleway, and subject to possible amendments, may need to include restricted byway as well.	Amend column heading to be inclusive of the column contents.	1.15.4 The Councils state that the Column header (2) excludes the term bridleway / potentially restricted byway but needs to reflect all of the highway statuses referred to in the column. The Applicant will amend this header in the next revision of the DCO.	Noted. Although with further consideration the Council suggests that all rights of way could be dealt with under schedule 4. If they are to be included in Schedule 3 as well, then Part 11 should be fully inclusive of all rights of way.
P13	Incorrect path status (Ref. Draft DCO Schedule 4 Part 2 & Schedule 3 Part 11. Sheet 4 Rights of Way & Access Plans.) BM-BN referenced as new bridleway. BO-BP referenced as new footpath. BN-BO omitted. BR-BS and BT-BU referenced as footway/ cycleway.	Amendments required to the DCO.	Amend DCO to reference BM-BN-BO-BP as new footpath. BR-BS and BT-BU -amend to bridleway or restricted byway to be more inclusive provided a safe equine crossing can be achieved across the A359.	1.15.5 The Councils state that the following links have been given an incorrect status: • BM-BN referenced as new bridleway, BO-BP referenced as new footpath, BN-BO omitted. Amend DCO to reference BM-BN-BO-BP as new footpath. • Agreed. Link BM-BN will be amended to footpath and the omitted link will be added to the schedule. • BR-BS and BT-BU referenced as footway/ cycleway -amend to bridleway or restricted byway to be more inclusive provided a safe equine crossing can be achieved across the A359. • Not agreed. The application does not include a bridleway crossing of the A359 (south) arm of the Sparkford Roundabout safe crossing facilities for equestrians could not be provided. Please refer to the Applicant's response to Relevant Representations (REP1-002) at item 6.4.	Noted. It is suggested that provision of a bridleway between BL and BI is considered through the detailed design process.

P14	Road junctions and crossings for NMU, Surface treatments and structures. (Ref. Draft DCO Schedule 2 Part 1, 12. Sheets 1-4 Rights of Way & Access Plans.)	It is assumed in developing the mitigation proposals that current governmental design guidance has been followed for road junctions and crossings, particularly in relation to equestrians. Details of surfacing and any other structures are still to be agreed with SCC. DCO must be amended to allow for the submission and approval of the details to SCC.	Schedule 2 Part 1, 12 (1)&(2) Detailed design – wording should be amended to be inclusive of Rights of Way & Access Plans to ensure that the design of the junctions and crossing points for NMUs and the surface treatments are captured under this requirement and that details relevant to SCC in relation to Local Road Network and Rights of Way Network are submitted to SCC for approval.	No comments provided?	See T1 above.
P15	Future maintenance of new, altered or diverted rights of way and associated structures. (Ref. Draft DCO Part 3, 13) Some of the proposed rights of way are coincidental with, or adjacent to, vehicular access tracks and are more suited to being privately maintained by the applicant as part of their estate management. It would be logical to document those rights of way that will be privately maintained to provide clarity and avoid confusion.	Clear documentation of rights of way that will be privately maintained to provide clarity and avoid confusion.	Inclusion in the DCO of a pre-commencement requirement to produce a schedule of private maintenance of public rights of way to the satisfaction of the Highway Authority.		At ISH1 the applicant agreed to consider how this could be included within the DCO. There is c.2.6km of coincidental access tracks with rights of way, and this may increase, hence the importance that this is addressed in the DCO.
P16	Omission of path sections from DCO (Sheets 3 & 4 Rights of Way & Access Plans) AW-AY, AZ-BA-BB-?, BZ-CA-CB-CD-?, BL-BK, BD-BY-BN, BY-BE has been omitted from Schedules 3 & 4	Update to the DCO schedules	Add them to the relevant schedule in the DCO.	1.15.6 The Applicant agrees that there have been some omissions Schedule 3 and Schedule 4 of the dDCO and will amend the schedules to include these in the next revision of the dDCO.	Noted.
P17	Construction Environmental Management Plan (Draft DCO Schedule 2 Part 1, 3.)	Amendment to the DCO	Schedule 2 Part 1, 3 (f)(iii)	1.15.7	Noted.

	3 (f) excludes tie-ins to existing rights of way.		amend 'carriageways' to 'highways' to be more complete.	Requirement 3(2) (f) is mis-numbered and should be part of Requirement 3(2) (e). This will be corrected. 1.15.8 The Requirement allows deviation from the working hours for works requiring the closure of the carriageway. This is to allow such works to be scheduled for the times when traffic flows will be lowest, causing the least disruption to be caused to the local highway network due to diversions. The volume of NMUs on Rights of Way is not high enough to cause the same level of concern and therefore works to tie into these which do not affect the carriageway do not need the same level of flexibility of working hours.	
--	---	--	---	--	--

LIR Ref	Specific Issue	Summary of Councils proposed mitigation (including link to other representation)	Add/Amend DCO Requirement/Obligation (Y/N)	HE comment	SCC Response
LLF1	<p>Drainage Strategy The proposed drainage philosophy for the scheme seeks to replicate, as far as reasonably practicable, an un-developed site. Accordingly, the Flood Risk Assessment sets out a strategy to reduce post development peak runoff rates to the equivalent greenfield response up to and including the 1% AEP event (+ 40% allowance for climate change). Run-off up to the 1% annual probability event will be managed within the site extents in line with the NPS.</p> <p>The drainage philosophy seeks to avoid the use of below ground drainage systems to provide biodiversity and water quality benefits, as well as water quantity improvements. Attenuation would largely be through open storage basins with permanent ponds to aid water quality treatment. Linear features (swales) would be used to collect, treat, store and convey water as close to source as possible.</p> <p>These principles are reflected in the Flood Risk Assessment of July 2018 contained in the appendix of the Environmental Statement (6.3).</p> <p>Requirement 13 of the DCO as written does not translate the approach agreed with the LLFA and Somerset Drainage Boards Consortium and instead implies that the drainage will be designed to the less robust standards contained in the Design Manual for Roads and Bridges. This is not consistent with the requirements in the NPS.</p>	Amend Requirement 13 of the DCO to reflect the drainage design criteria in the agreed Flood Risk Assessment.	Amendment to Requirement 13.	<p>1.8.2 Both Appendix 4.6 Flood Risk Assessment (APP-059) and Appendix 4.7 Drainage Strategy Report (APP-060) note that attenuation would be provided with discharge limited to 1% annual exceedance probability (1 in 100-year event) plus 40% to account for the effects of climate change, to no greater than the undeveloped rate of runoff, determined by the calculation of the mean annual peak runoff for a greenfield site (Qbar). An additional statement capturing this is to be added to Requirement 13 of the dDCO, and this is now reflective of the Council's request.</p> <p>1.8.3 The highway drainage design standard of protection matches the requirements of HD33/16 of the DMRB. For example, highway surface water channels are designed not to flood during a 1 in 5 year event. Subsequent analysis is then undertaken to ensure design exceedance routing is considered, meeting the 1 in 100 year + 40% Qbar discharge criteria.</p> <p>1.15.9</p>	We are satisfied that the dDCO Requirement 13 will be amended to reflect the drainage design criteria outlined by the IDB and LLFA, to ensure off site discharge will be limited to Qbar as outlined in the FRA and drainage strategy report.

	Requirement 13 of the DCO also does not reflect the need to prioritise the use of sustainable drainage systems (SuDS), as stipulated in Para 5.99 of the NPS.			The criteria set out in the dDCO reflected those requested by the Environment Agency and the highway drainage design standard of protection matches the requirements of HD33/16 of the DMRB. The dDCO requirement will however be amended to provide: The highway drainage system off-site discharge will be limited, up to and including the 1% annual probability (1 in 100 year event) plus a 40% allowance for climate change, to no greater than the undeveloped rate of run-off as determined by the calculation of Qbar or 2 l/s/ha.	
LLF2	Detailed Design There will be a need to provide more detail of the various drainage features, ponds and structures as the proposals progress, including cross sections, levels and structures. These details will need to include any temporary or phased arrangements necessary for the construction of the scheme; including how and when these will be brought forward and become operational.	Requirement 13 must be amended to include the need to submit detailed designs of the drainage systems for approval, including the phasing of construction and stages at which the drainage system will become operational.	Amendment to Requirement 13		13(1) should also include the IDB, not just EA and LLFA or be more generalised, e.g. "appropriate drainage authorities". The minimum standards in 13(5) (a) – (c) are not necessary and are covered more appropriately in 13(6) if the reference to climate change in 13(5) (d) is added. Requirement 13 must be amended to include the need to submit detailed designs of the drainage systems for approval, including the phasing of construction and stages at which the drainage system will become operational. Requirement 13 should also be amended to reflect the drainage design criteria in the agreed Flood Risk Assessment. Requirement 13 should also be amended to include the need to provide details of the arrangement to maintain the drainage systems for approval. This will be important to ensure the drainage system continues to perform as originally designed, for the lifetime of the scheme and to meet the requirements of Paragraph 5.100 of the NPSNN and the National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. The undertaker should be obliged to secure adoption and maintenance arrangements for any SUDS.
LLF3	Maintenance Provision will be required for the adoption and maintenance of any Sustainable Urban Drainage Systems (SUDs). During discussions between the LLFA and HE it was agreed that information on maintenance will be provided at the detailed design stage, however at present it is not considered that the draft DCO includes provision for detailed design matters to be approved by the LLFA.	Requirement 13 should be amended to include the need to provide details of the arrangement to maintain the drainage systems for approval.	Amendment to Requirement 13 Obligation to secure adoption and maintenance arrangements for any SUDS.		Article 4 – Maintenance of Drainage Works It is noted that this is not a Model Provision but is considered by the undertaker "to be a sensible inclusion" to clarify who has responsibility for the maintenance of drainage works" (para 4.16 of the Explanatory Memorandum). SCC agrees that it is sensible to clarify who has responsibility for the maintenance of drainage works carried out as part of the scheme or affected by the scheme, and in principle this is expected in general to reflect current responsibilities, but detailed design has not been provided and a requirement for the undertaker to seek the approval of SCC to the detailed drainage needs to be included.

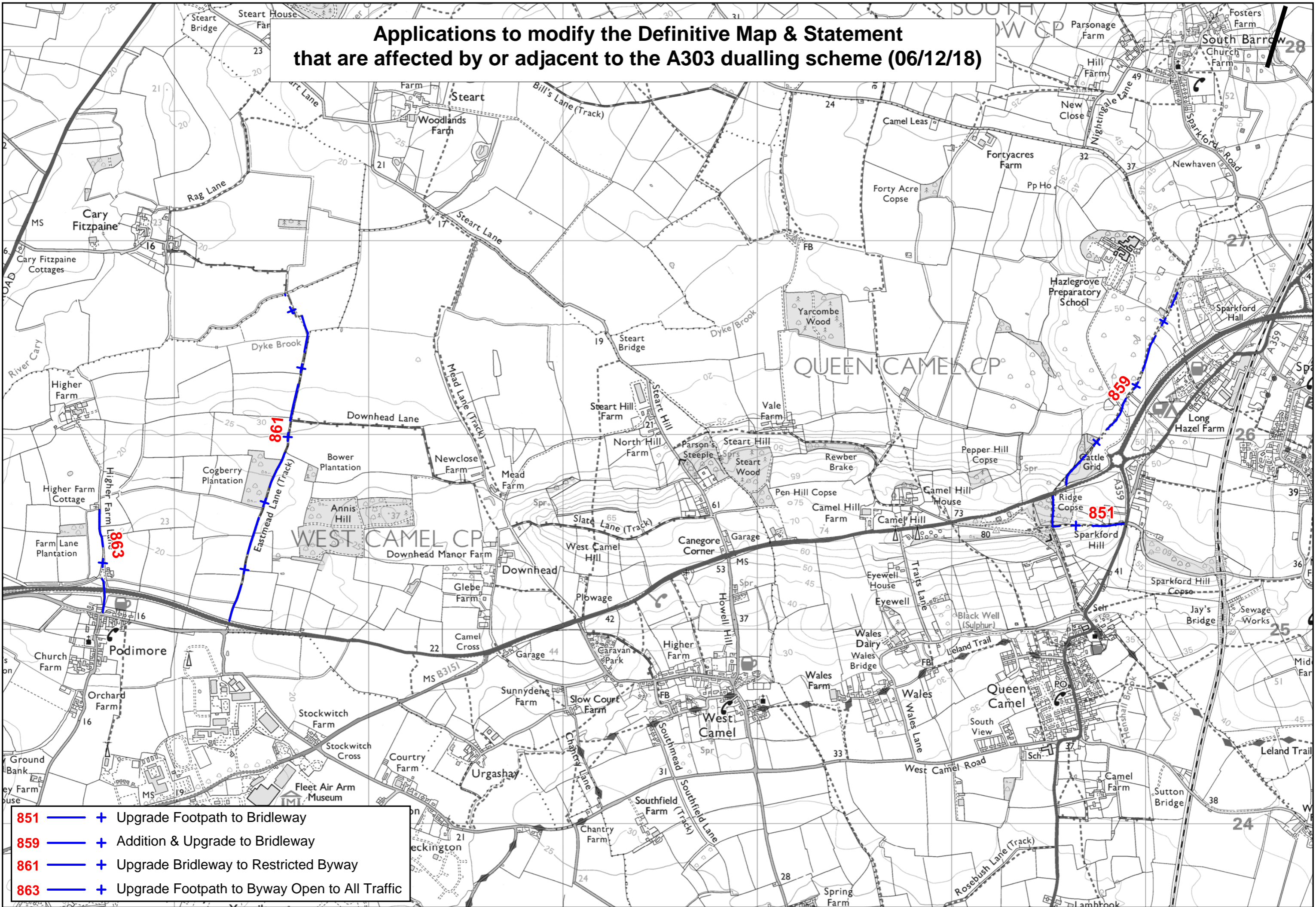
LIR Ref	Specific Issue	Summary of Councils proposed mitigation (including link to other representation)	Add/Amend DCO Requirement/Obligation (Y/N)	HE comments	SCC Response
MW1	<p>The Development Plan</p> <p>In this part of Somerset, the development plan comprises:</p> <ul style="list-style-type: none"> • The Somerset Waste Core Strategy (Adopted 2013) http://www.somerset.gov.uk/policies-and-plans/policies/somerset-waste-core-strategy/ • The Somerset Minerals Plan (Adopted 2015) http://www.somerset.gov.uk/policies-and-plans/plans/somerset-minerals-plan/ • The South Somerset Local Plan 2006-2028 (Adopted 2015) https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/south-somerset-local-plan-2006-2028/ <p>The County Council have announced that work has commenced on a review of the Waste Core Strategy: http://www.somerset.gov.uk/policies-and-plans/plans/somerset-waste-plan/</p> <p>South Somerset DC have announced that work has commenced on a review of the https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/local-plan-review---issues-and-options-consultation-october-2017/</p> <p>The policies emerging from these reviews are not part of the development plan and have limited weight because of the early stage that the Local Plan has reached in the adoption process. They do however give an indication of the direction of travel. The Environment Statement refers to the County Council's ongoing review of the Waste Core Strategy - the waste plan review. As part of the work on an updated evidence base, we are currently preparing an updated Waste Need Assessment for a number of waste streams including local authority collected waste (LACW), commercial and industrial (C&I) waste and construction, demolition and excavation (CDE) waste.</p> <p>National guidance requires Waste Planning Authorities to consider Nationally Significant Infrastructure Projects when preparing waste growth forecasts. The detail of the cut and fill balance for this scheme, the estimated volumes of material requiring off site management and scheme timeline are helpful and will inform our current work program, particularly in relation to CDE wastes.</p>	No action required.	N/A	No comments provided	
MW2	<p>Geology and Minerals</p> <p>As a general observation:</p>	No action required.	N/A		

	<ul style="list-style-type: none"> • Within the adopted Somerset Minerals Plan, Map 8: Minerals Safeguarding Areas shows the geographical extent of safeguarded areas. • Details of the minerals resources to be safeguarded across Somerset are listed in Table 4 of the adopted Somerset Minerals Plan. Further details of the Minerals Safeguarding Areas in the environs of Sparkford can be found in Minerals Topic Paper 6: (January 2014). Map 5 refers to White Lias. • Minerals can only be worked where they occur, and it is important that Somerset's diverse minerals resources are given appropriate protection. • Under planning application Number 12/00198/CPO, in 2012, Somerset County Council granted planning permission to extract Camel Hill Stone (White Lias) from a 1.4ha area at Camel Hill Farm (north of the A303). <p>With regard to specific mitigation measures:</p> <ul style="list-style-type: none"> • The Minerals Plan approach to safeguarding is NPPF compliant and in line with government advice on this matter. Having noted that the proposed development is an area safeguarded by the adopted Somerset Minerals Plan for its minerals resources, regard should be given to Policy SMP9: Safeguarding and the accompanying Table 6: Exemption list. • In line the Policy SMP9, at the implementation stage further assessment of the resource is encouraged, as only with further analysis could the scope for using this material and the potential for prior extraction be revealed. It may become clear that prior extraction is not practicable and/or viable and thus the proposal would be considered "exempt" in Table 6. 				
MW3	Waste prevention As a general observation: <ul style="list-style-type: none"> • We note that waste aspects are discussed in Chapters 9 and 10 of the Environment Statement, summarised alongside other subject matters in Chapter 15 and the Non-Technical Summary. • We are also pleased with Highways England's commitment to the principles of the waste hierarchy, the approach taken to gather relevant information from national and local sources, the level of detail provided in various documents at this stage of the application and the commitment to working these to full documents once the principal contractor is appointed. • Due to nature and scale of the proposed scheme, the necessary earthworks and potential for waste generation, there is a need for ongoing dialogue between the County 				

	<p>Council (as the Mineral and Waste Planning Authority) and Highways England (as the developer) should the proposal proceed to the implementation stage.</p> <p>With regard to specific mitigation measures:</p> <p>Several documents have been submitted in support of the DCO application that relate to material and waste management. We support the commitments made that the following documents (with appropriate monitoring and performance arrangements) to be worked up by the appointed principle contractor:</p> <ul style="list-style-type: none"> • An outline Environment Management Plan (OEMP) * • An outline Site Waste Management Plan (SWMP) as appendix B.1 to the OEMP • An outline Materials Management Plan (MMP) as appendix B.2 to the OEMP • An outline Soils Management Plan (SMP) as appendix B.3 to the OEMP <p>*to be developed into a full Construction Environmental Management Plan (CEMP)</p> <p>As a suite of documents, these demonstrate that the developer has taken appropriate actions at the planning stage to consider how the scheme design can be developed to optimise resource efficiency and prevent waste, in accordance with the adopted Waste Core Strategy: policies WCS1 WCS2 and WCS4.</p> <p>We do not require any further information from the developer at this stage but look forward to ongoing dialogue as the scheme progresses and full plans are prepared.</p>				
MW4	<p>Waste recycling and reuse</p> <p>The effects of material imports and exports are discussed in chapter 9 and in more detail in chapter 10 of the Environmental Statement.</p> <p>With regard to specific mitigation measures:</p> <ul style="list-style-type: none"> • The developer has set out to achieve a cut and fill balance for site earthworks to minimise waste generation and identifies the potential for surplus soils to be used elsewhere in the scheme subject to testing. This approach is strongly supported by the Waste Planning Authority. • The details contained within the SWMP are considered appropriate for the scale and nature of the proposed scheme and in accordance with the adopted Waste Core Strategy: Policy WCS2: Recycling & Reuse. 				
MW5	<p>Baseline data and assessment outcomes</p>				

	<p>Baseline conditions are discussed in section 10.7 of the Environmental Statement, including material resources, generation and management of wastes. The developer has used national and local datasets including the Somerset Local Aggregate Assessment - 4th edition and Environment Agency waste management data for 2016 and the Somerset County Council 2016 Annual Monitoring Report.</p> <p>With regard to specific mitigation measures:</p> <ul style="list-style-type: none"> • We trust that previous observations on the data presented in the baseline section and a third related to data within the SWMP have been taken on board (referenced within the Statement of Common Ground) • Whilst we do not feel that these observations affect the overall outcome of the assessment methodology for significant effects, we trust it may be helpful to clarify each matter at this stage to aid future development of the CEMP and associated appendices, in particular the SWMP. • We are satisfied with the assessment conclusions. We do not require any additional information or actions from the developer at this stage, other than those committed to in the application and supporting documents (as specified in para xx above). 				
MW6	<p>Continuing engagement</p> <p>Following the announcement of the preferred route in October 2017, there has been ongoing engagement between the Waste Planning Authority and Highways England, specifically through the format of the Environmental Technical Working Group (TWG).</p> <p>With regard to specific mitigation measures:</p> <ul style="list-style-type: none"> • We trust that the additional local sources of information issued to Highways England may be of assistance to the developer in terms of developing specific local mitigation strategies - in particular, the inert waste topic paper published in 2015. 				

Applications to modify the Definitive Map & Statement that are affected by or adjacent to the A303 dualling scheme (06/12/18)



- 851** — + Upgrade Footpath to Bridleway
- 859** — + Addition & Upgrade to Bridleway
- 861** — + Upgrade Bridleway to Restricted Byway
- 863** — + Upgrade Footpath to Byway Open to All Traffic

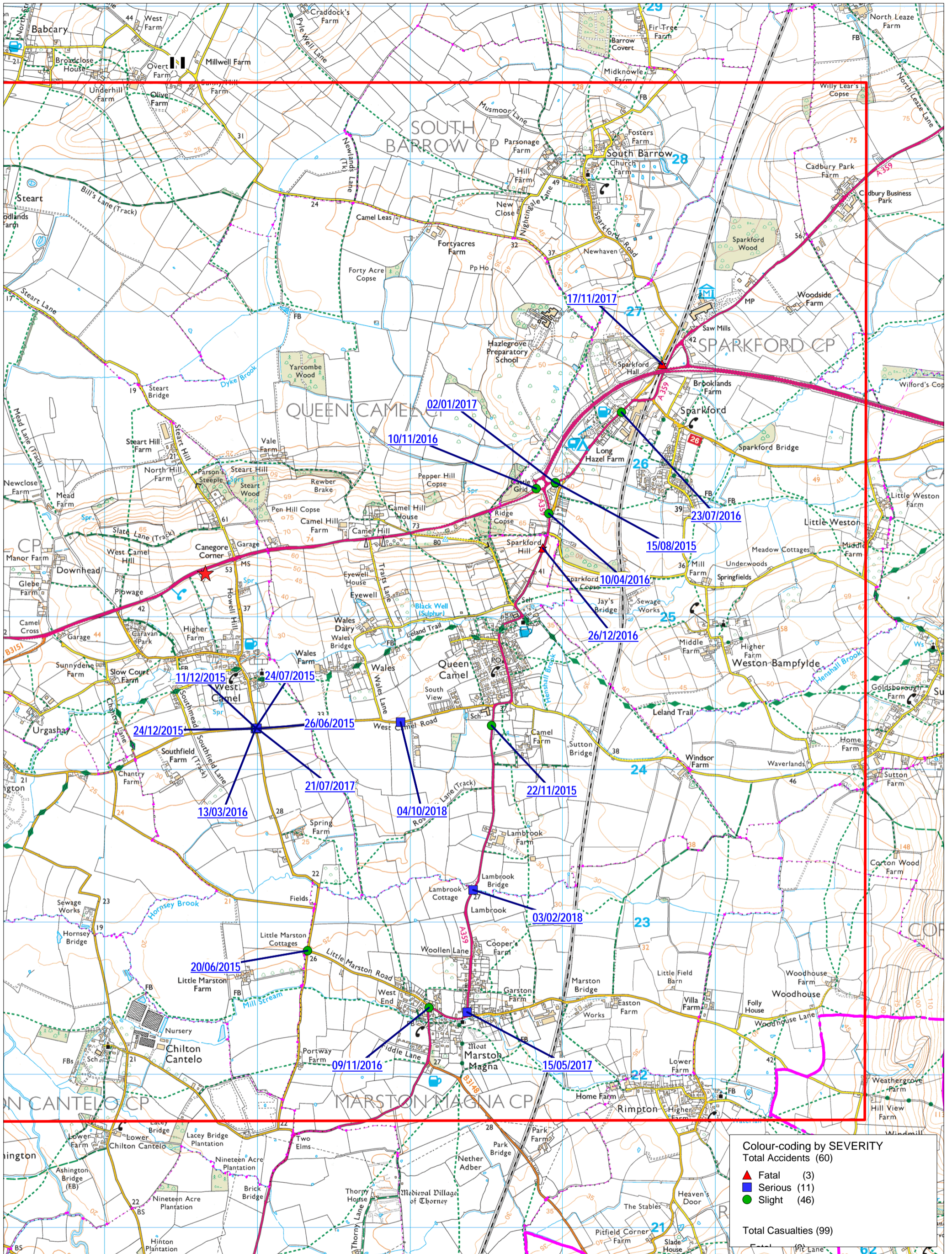
Appendix B

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

Planning Inspectorate Reference: - TR010036

Deadline 4 – Somerset County Council - response to Applicant's Topic Paper on Hazlegrove Junction Layout [Exam Library ref: REP2 – 005, page 417]

Somerset County Council (SCC) has reviewed the above document and can confirm that we have accepted in principle the proposed layout of local roads and junctions, as per the published scheme. SCC acknowledge that detailed design matters are programmed to be progressed later in the process. As previously indicated, the Council does have concerns in relation to the approval process for detailed design matters where these relate to the Local Highway Network; and refer the Examining Authority to our Local Impact Report providing further detail in respect of these issues.



Colour-coding by SEVERITY	
Total Accidents (60)	
▲ Fatal (3)	
■ Serious (11)	
● Slight (46)	
Total Casualties (99)	

Her Majesty's Office (c) Crown Copyright
Licence No. OS100038382 (Year document is published)

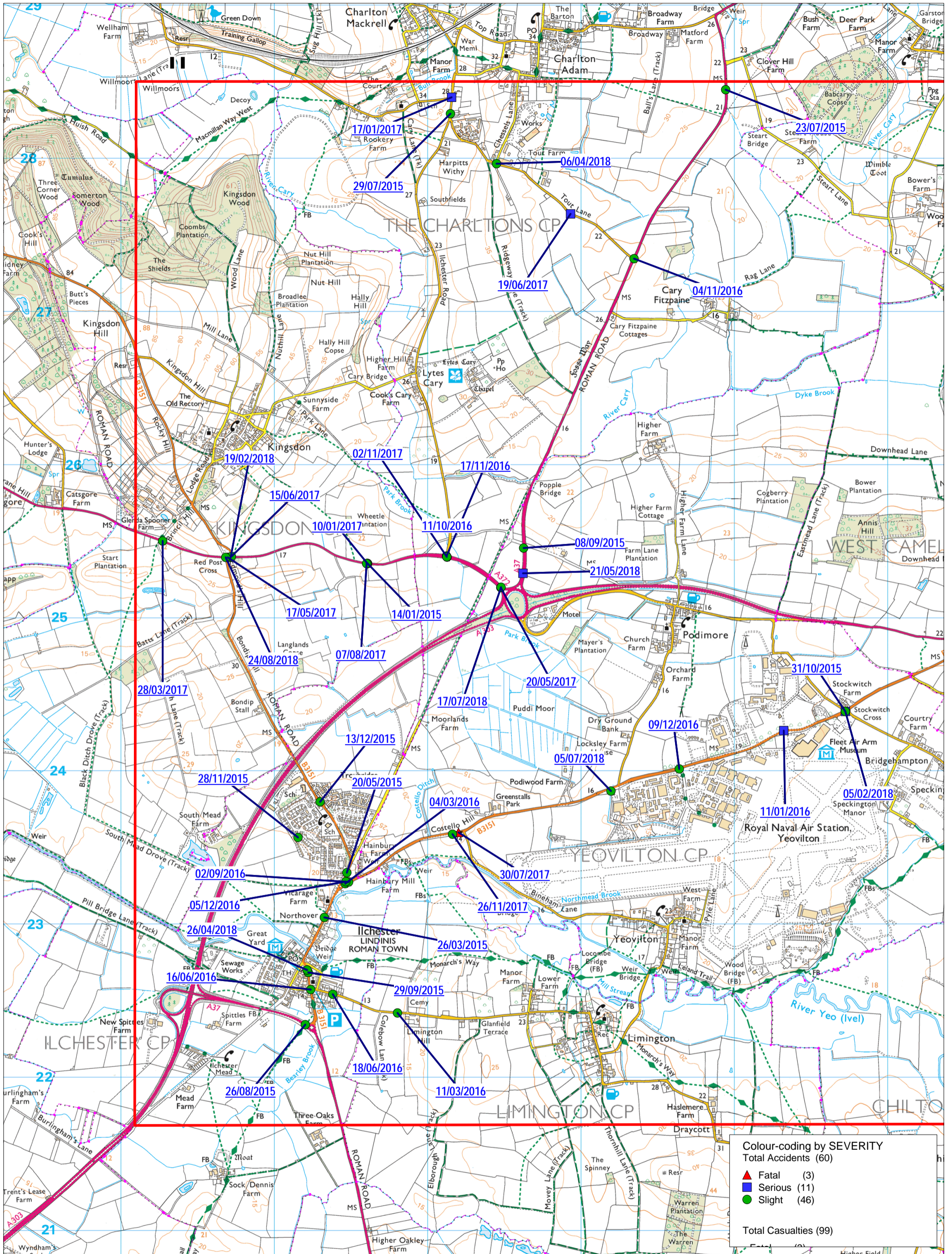
SCALE	1 : 22500
DATE	06/03/2019
DRAWING No.	SCCA303\DCO\12\19A
DRAWN BY	MCW
CHECKED BY	DH



Ilchester to Sparkford Area NOT A303

CORRECT AT TIME OF
PRINTING

Selected Range of Collisions between dates 01/01/2015 and 31/10/2018



Her Majesty's Office (c) Crown Copyright
 Licence No. OS100038382 (Year document is published)

SCALE	1 : 22500
DATE	06/03/2019
DRAWING No.	SCCA303\DCO\12\19A
DRAWN BY	MCW
CHECKED BY	DH



**Ilchester to Sparkford Area
 NOT A303**

**CORRECT AT TIME OF
 PRINTING**

Selected Range of Collisions between dates 01/01/2015 and 31/10/2018

Colour-coding by SEVERITY

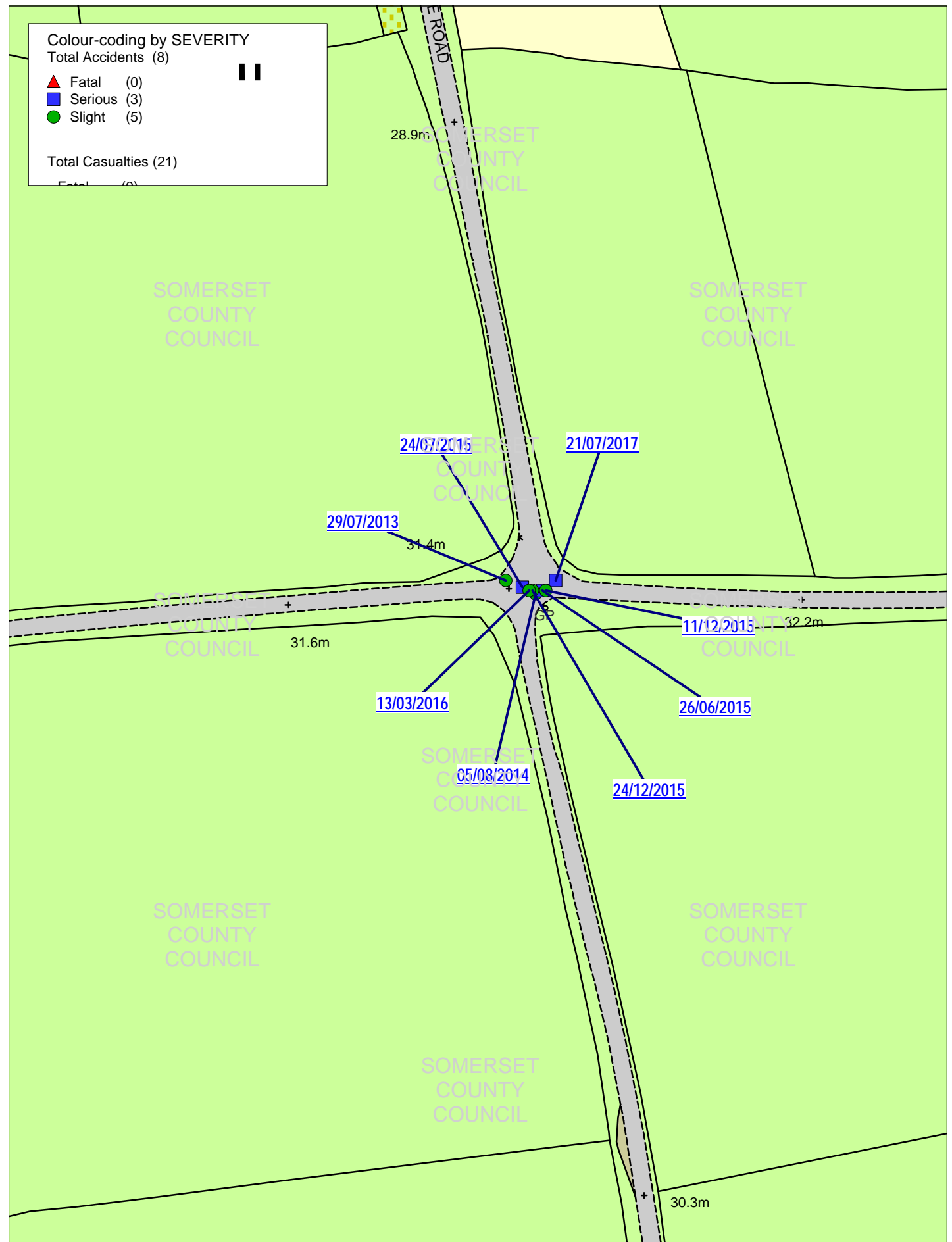
Total Accidents (8)

- ▲ Fatal (0)
- Serious (3)
- Slight (5)



Total Casualties (21)

Fatal (0)



West Camel Cluster Site

Selected Range of Collisions
between dates 01/01/2010 and 30/11/2018

Her Majesty's Office (c) Crown Copyright
Licence No. OS100038382 (Year document is published)

CORRECT AT TIME OF PRINTING

SCALE	1 : 1500
DATE	06/03/2019
DRAWING No.	SCCA303/13/19b
DRAWN BY	MCW
CHECKED BY	DH

Appendix D

Hearing Action Point 30. Schedule of Where Approvals are Required to be Sought from SCC (in consultation with SSDC) and Where they are Required from SoS.

SCC understands that South Somerset District Council as the Local Planning Authority would wish to be a consultee on all submissions where SCC seek the ability to be the determining authority

The Work Nos below are those that will form part of the LRN either as a result of new construction, alterations to the existing network or de-trunking. There are also statutory Undertaker works proposed within the prospective LRN which should also obtain detailed design approval from SCC. The Highway Design Component column identifies the design elements that will require SCC approval prior to works commencing.

DCO Schedule 1 - Authorised Development Work No.	Highway Design Component
5, 13, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 38A, 41, 42, 43, 44, 45, 46, 47, 48, 51, 52, 53, 54, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 74, 75, 81, 83, 84, 85, 87, 88, 93, 96, 97, 98, 102.	Highway Layout Design - Horizontal & Vertical Allignment
	Road Restraint Systems (Vehicle & Pedestrian)
	Highway Drainage
	Geotechnical Elements / Earthworks
	Pavement / Footway Construction
	Traffic Signs & Road Markings
	Highway Lighting / Illuminated Signs
	Highway Structures
	Landscaping
	Statutory Undertaker Works
	Highway Boundary Demarcation
	Non-Motorsied Users
Black Work Nos - Carriageway Sections Blue Work Nos- Utility Works Red Work Nos - Hazlegrove Junction Underbridge	

Appendix E

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

Planning Inspectorate Reference: - TR010036

Deadline 4 – Somerset County Council's response to 9.14 Topic Paper: Right of Way Y 30/28

March 8th 2019

The purpose of this topic paper is to respond to the applicant's topic paper on Y 30/28 and the issues explored at the issue specific hearings, particularly the Examining Authority's observation that any revocation of the 1996 side road order should consider what elements could be kept.

1. **The 1996 SRO - existence of Y 30/29 and Y27/29** (now amended to Y 27/UN on the online mapping)
 - 1.1 Before considering the issue of mitigation for the stopping up of public bridleway Y 30/28 (part), it is necessary to consider the existence of Y 30/29, a bridleway that potentially connects Y 30/28 to public footpath Y 30/31.
 - 1.2 In 1996, the Department for Transport (DfT) made 'The A303 Trunk Road (Sparkford to Ilchester Improvement and Slip Roads) (Side Roads) Order'.
 - 1.3 The extent of the 1996 SRO was akin to the current proposal, and thus affected many public rights of way. The 1996 scheme did not proceed to construction due to a change in Government.
 - 1.4 The advice received from the DfT National Casework Team in relation to the effect of the 1996 order was as follows:

'An order does not in itself create or remove highway rights, that is determined by the date on which those works are deemed to have taken place and is therefore a matter for the local authority rather than the Secretary of State. I cannot be any more specific than that as the Secretary of State is not responsible for the works. It is quite possible that a scheme could be cancelled following the confirmation of a side roads order, in which case the provisions of the side roads order would not come into effect.'
 - 1.5 The view of Highways England is that the 1996 SRO potentially became effective

when the instrument came into force and that the Definitive Map should therefore be updated accordingly.

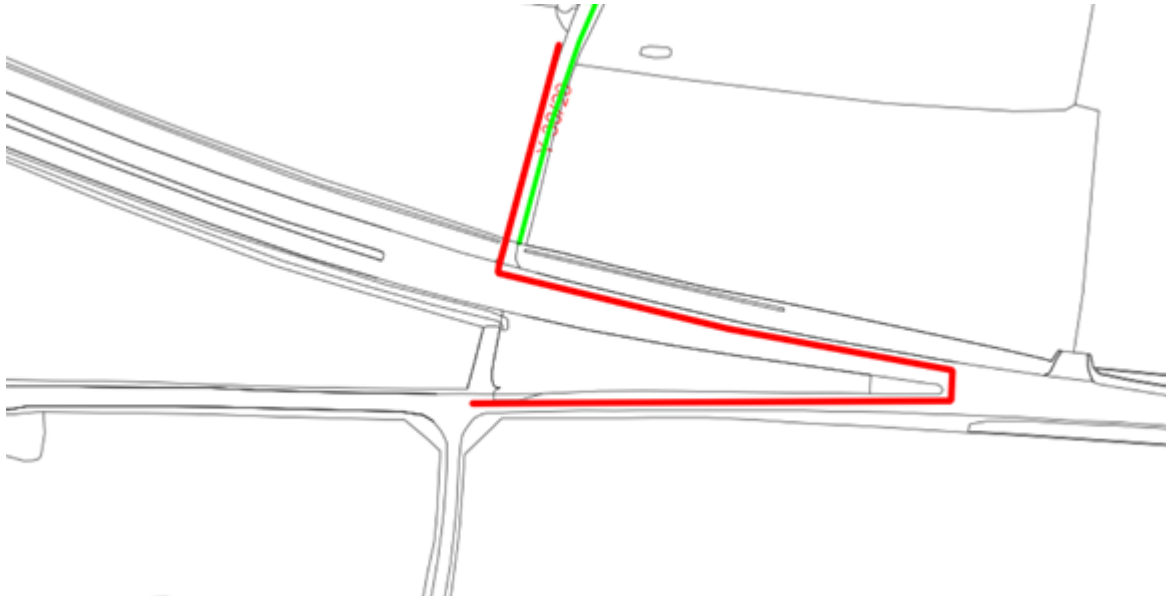
- 1.6 Whilst the Definitive Map & Statement (DMS) has recently been updated with the effect of the 1974 Ilchester bypass SRO, it has not been with the effect of the 1996 SRO.
- 1.7 It is the view of the Council that the 1996 order should be revoked prior to any confirmation of the Development Consent Order (DCO), particularly as the latter is reliant and almost wholly based on the highway network that resulted from the 1974 SRO and not the 1996 SRO. However, in doing this, the applicant needs to carefully consider whether any highways were created as a result of the SRO, and thus whether any should be retained by way of partial revocation. Y 30/29 being a potential example of a route that could be retained, if it was deemed to have been created by the SRO.
- 1.8 The DCO documentation does reference two routes that were intended to be created through the 1996 SRO. These are bridleway Y 30/29 and footpath Y 27/29 (now shown as Y 27/UN). They have not been added to the DMS nor are shown by the Ordnance Survey, but have been shown on the Council's online mapping probably for at least the last 10 years and form part of the DCO Rights of Way and Access Plans (as a result of these plans being based upon the online information as opposed the legal record of public rights of way). It is important to note that the online mapping (Explore Somerset) has no legal status and it is the DMS viewed together with all subsequent valid confirmed orders that are conclusive evidence of what public rights of way exist. It is not clear why only these two routes were added to the online mapping.
- 1.9 It is not known what use there has been of the routes of Y 30/29 and Y 27/29, and whether any use would constitute sufficient evidence to add the route to the DMS as a result of use over a period of 20 years. Whilst it appears Y 30/29 is an agricultural access track that was pre-existing, the route of Y 27/29 looks to have never been made available at the western end (hedgerow obstruction). The eastern end hasn't been checked. The Council has not received any applications under the Wildlife & Countryside Act 1981 to add these routes to the DMS, however applications have been received to upgrade Y 30/28 to restricted byway status, and Y 30/31 to byway open to all traffic, and any evidence forthcoming as part of those investigations may or may not relate to use of Y 30/29.
- 1.10 Should the DCO be confirmed and proceed to implementation, the existence, or not, of Y 30/29 has a dramatic impact on the available journeys for walkers, horse riders and cyclists. If it does exist it means that a pedestrian only connection (N-S and S-N) will exist between Podimore and Y 30/28 via Y 30/31, given that Y 30/31 is currently recorded as a public footpath. If it doesn't exist, then no connection for walkers, horse riders, and cyclists via Y30/31 will exist between Podimore and Y 30/28.

2.0 Justification for better mitigation for the stopping up of Y 30/28 (part)

- 2.1 It is acknowledged that the accessibility and safe use of the southern terminus of Y 30/28 with the current A303 is poor. However, the Council does not recognise that

there is no N-S journey that is possible for walkers, horse riders and cyclists.

- 2.2 The following figure shows a route (in red) from Y 30/28 heading eastbound on the A303 and then turning right onto the westbound slip road into Podimore, effectively achieving a N-S journey. The same route in reverse is possible for walkers, and whilst there may be some use of it by cyclists and equestrians, they would likely be in breach of the no entry for vehicles traffic regulation order.



- 2.3 The likelihood of walkers, horse riders or cyclists using this N-S route is low given the current traffic flows and speed, but it is a route that does exist, and one that should therefore be mitigated for as part of the development.
- 2.4 The current mitigation proposed is in excess of 5km long, via the Downhead overbridge and the B3151 (see route highlighted pink below). The National Planning Policy Statement for National Networks is clear that applicants are expected to take appropriate mitigation measures to address adverse effects on Public Rights of Way. The Council does not consider the current mitigation appropriate.
- 2.5 Appropriate mitigation, that would be satisfactory to the Council, would involve the upgrade of Y 30/31 to public bridleway so far as is necessary to connect to either Y 30/29 (if in existence) or to Track 1 to point AA (Rights of Way and Access Plans, Sheet 1 of 4). This track would need to be designated as public bridleway. Should higher rights than bridleway be found to exist over Y 30/28, ie: restricted byway, then the appropriate mitigation would need to cater for such higher rights. The following image shows the Council's suggested route highlighted green, with the applicant's current proposal highlighted pink.



- 2.6 The above mitigation sought by the Council, would be far shorter and avoid the B3151. However, physical mitigation would be required on the overbridge that currently carries footpath Y 30/31. This would ideally be improved parapets to make it safe for horse riders, or alternatively the provision of mounting blocks in conjunction with a traffic regulation order to prohibit ridden horses.