

Application by Highways England for the A303 Sparkford to Ilchester Dualling project

The Examining Authority's written questions and requests for information (ExQ3)

Issued on 25 April 2019

The following table sets out the Examining Authority's (ExA's) written questions and requests for information – ExQ3.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe E to the Rule 8 letter of 21 December 2018 and use the same format as the ExA's initial questions ExQ1 of the same date and further written questions of 22 March 2019. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

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

Each question has a unique reference number which starts with 3 (indicating that it is from ExQ3) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q3.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

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

Responses are due by **Deadline 6a: 3 May 2019**.

Abbreviations used

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

The Examination Library

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

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

It will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ3.0.1 – refers to question 1 in this table.

ExQ3	Question to:	Question:
3.0	General and Cross-topic Questions	
3.0.1	The Applicant	<p>Policy Balance There are a number of areas where the scheme has the potential to give rise to harm. These include but are not limited to the effect on historic heritage and biodiversity. The NPSNN requires such harm to be balanced against the public benefits of the scheme, taking account of whether the over-riding public interest justifies the proposal.</p> <p>Should the ExA find that there is harm, what matters does the Applicant consider that the ExA should take into account when assessing the benefits of the scheme?</p>
3.0.2	The Applicant	<p>OEMP In the Applicant's Written Submissions of Oral Case at Hearings response at paragraph 5.2.8 [REP4-020] it is stated: "the OEMP to be submitted at Deadline 5 will provide a very broad indication of the extent to which construction vehicles may use surrounding roads".</p> <p>Paragraph 2.2.1 of the Outline Traffic Management Plan in the OEMP [REP5-013] says "Some of the minor side roads will have heavy plant crossings with traffic signal control." This would imply that no minor roads are to be used for construction traffic other than crossings.</p> <p>Could the Applicant please confirm whether minor roads will be used during construction, and if so, can the Applicant state which minor roads will be used?</p>

ExQ3	Question to:	Question:
3.0.3	The Applicant	OEMP Could the Applicant please provide provisions for the Outline Traffic Management Plan so that proper consideration can be had to whether solutions proposed to mitigate the effects of self-diverting traffic would be effective.
3.0.4	The Applicant	OEMP In order to ensure that the special character of the Hazlegrove House RPG is protected as far as possible, could the Applicant please provide a draft Management Plan for that part of the RPG that falls within the red line boundary of the application site?
3.0.5	The Applicant	RNAS Yeovilton a) Has an assessment of the potential effects on RNAS Yeovilton been carried out? b) If so where do we find this information?
3.0.6	The Applicant DIO	Air Safety a) What evidence is there to demonstrate that the proposal has been designed to minimise adverse impacts on the operation and safety of RNAS Yeovilton and that reasonable mitigation is carried out? b) Is there any evidence to indicate whether the development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training?
3.0.7	The Applicant	Scheme Objectives The Case for the Scheme [APP-149] sets out the scheme objectives. What evidence is there that scheme will deliver these objectives?

ExQ3	Question to:	Question:
3.0.8	The Applicant	<p>Social and Environmental Impacts NPSNN 3.3 explains that the Government expects applicants to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government's planning guidance. Applicants should also provide evidence that they have considered reasonable opportunities to deliver environmental and social benefits as part of scheme.</p> <p>Where do we find evidence that the Applicant has considered such opportunities, rather than merely mitigate adverse impacts?</p>
3.0.9	The Applicant SSDC SCC	<p>Benefits of the Scheme The Applicant's response [REP5-024] to the ExA's Further Written Question 2.6.4 [PD-014] suggests that the scheme would be beneficial in that it would assist with employment sites within the Local Plan to come forward.</p> <p>Are the sites referred to predicated on the implementation of this scheme, or are they allocations that would come forward in any event?</p>
3.0.10	The Applicant	<p>MoD Land The Applicant was asked at ISH1 and in the ExA's Further Written Question 2.7.2 [PD-014] to provide details, including emails, as to the nature of discussions with the MoD in relation to the possibility of acquiring some additional land in order that a parallel road could be accommodated at Camel Hill.</p> <p>Can the Applicant please submit these documents?</p>

ExQ3	Question to:	Question:
3.0.11	The Applicant	<p>NPSNN NPSNN 2.24 states that government policy is to bring forward individual schemes to tackle specific issues, including those of safety, rather than to meet unconstrained traffic growth (i.e. 'predict and provide').</p> <p>What are the specific issues this scheme seeks to tackle?</p>
3.0.12	The Applicant SCC SSDC	<p>Scheme Lighting Within the draft Statement of Common Ground between the Applicant, SCC and SSDC [REP5-017], SCC comments on the responsibility of the proposed lighting system. The Applicant states that this is a matter of detailed design.</p> <p>It is unclear why this should be a matter of detailed design. What mechanism is in place to address this detail?</p>
3.1	Archaeology and Cultural Heritage	
3.1.2	The Applicant	<p>Environmental Statement In the Summary Chapter of the Environmental Statement [APP-052], Table 15.1 does not provide a result for the significance of residual effect(s) after mitigation for traffic noise effects on the Hazlegrove House Group.</p> <p>Could this please be completed?</p>
3.1.3	The Applicant Historic England	<p>Camel Hill SAM In light of the additional information on the distance between the limits of deviation and the Camel Hill SAM as shown in Figure 1.1 of the Applicant's Response to the ExA's Further Written Questions [REP5-025]. Could the Applicant and Historic England please indicate the degree of harm within the analysis set out in the NPSNN to the Camel Hill SAM that they consider the proposal would create.</p>

ExQ3	Question to:	Question:
3.1.4	Historic England	Hazlegrove House RPG In light of the provision of the Chronology of Hazlegrove House RPG [REP5-022] what is Historic England's final analysis of the effect of the proposal on the significance of heritage assets? This question should be answered in respect of each heritage asset which is considered to be affected.
3.1.5	The Applicant	Hazlegrove House RPG On the basis of the acceptance of the Applicant's proposition as to the need for a Conservation Management Plan (CMP) as set out in its response to the ExA's Further Written Questions question 2.1.7, could the Applicant please explain where and how the CMP is to be secured in the DCO?
3.2	Air Quality and Emissions	
3.2.1		The ExA has no questions at this time.

3.3	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment) (HRA))	
3.3.1	The Applicant	<p>Biodiversity effects The Applicant has referred to its Chief Highway Engineer Memorandum 422/18: "Supporting Transparency around our Biodiversity Performance" document in support of its biodiversity metric.</p> <p>a) Could we please be provided with a copy?</p> <p>b) Could the differences between DEFRA's biodiversity metric and the biodiversity metric in the above document be fully explained?</p>
3.3.2	SSDC Natural England	<p>Biodiversity effects</p> <p>a) Are SSDC and Natural England satisfied with the approach set out in the Biodiversity Offsetting Report [REP4-018]?</p> <p>b) If not, could they please explain precisely any concerns and what effect these concerns may have on the overall approach and results?</p>
3.3.3	The Applicant SSDC Natural England	<p>Biodiversity effects</p> <p>Paragraph 5.33 of the NPSNN indicates that, when considering proposals, the SoS should consider whether the applicant has maximised any opportunities for building in beneficial biodiversity features as part of good design.</p> <p>Could the parties explain whether they consider that the Applicant has achieved this, giving examples from the evidence submitted how they have come to their conclusions?</p>

3.3.4	The Applicant Natural England	<p>Bat surveys</p> <p>In the final SoCG between the Applicant and Natural England [REP5-015] it is stated that “landscape scale transects will not support the DCO. Therefore, they can be completed in 2018 and 2019 post submission but before construction commences.”</p> <p>a) Could the parties explain the latest situation?</p> <p>b) Could the Applicant set out how it reconciles this with paragraph 5.35 of the NPSNN which states “The Secretary of State should ensure that applicants have taken measures to ensure that species ... are protected from the adverse effects of development”?</p> <p>c) How are any post-construction surveys and any necessary mitigation to be secured?</p>
3.4	Noise and Vibration	
3.4.1	The Applicant	<p>Pepperhill Cottage</p> <p>The assessment of construction noise on Pepperhill Cottage has been assessed as moderate adverse. Could the Applicant please explain what safeguards/ mitigation are proposed to ensure this?</p>
3.4.2	The Applicant SSDC	<p>Noise monitoring and Mitigation</p> <p>The ExA appreciates that the applicant’s case is that the proposals will not have a significant adverse effect on the local communities in terms of noise.</p> <p>Notwithstanding this, do the parties consider that there is a need to monitor and if necessary, mitigate the noise impacts post construction?</p>

3.5	Landscape and Visual Effects	
3.5.1	The Applicant	<p>Artificial Lighting</p> <p>a) The accepted change [PD-012] includes a new location for the main site compound. Could the Applicant please explain on the basis the site specific location the effects of artificial lighting during the construction period in terms of its landscape and visual effects?</p> <p>b) Once these assessments have been undertaken could they please be included within the cumulative assessment of the proposal?</p>
3.5.2	SSDC	<p>Planting schemes</p> <p>The Applicant has indicated in its response to the ExA's Further Written Questions submitted at Deadline 5 [REP5-025] the utilised growing rates.</p> <p>Does SSDC consider that these rates are reasonable given the soil conditions in the area?</p>
3.5.3	The Applicant	<p>Cement bound granular material store (CBGM)</p> <p>In its response to question 2.5.7 of the ExA's Further Written Questions [REP5-025] the Applicant sets out where it considers the height of the CBGM store is assessed. However, the cited paragraphs do not set out the height of the CBGM.</p> <p>a) Could the Applicant direct us to where the overall height of the CBGM store is set out to allow for its consideration?</p> <p>b) If such a height has not previously been given could the Applicant please set this out and provide a full analysis of the landscape and visual effects based on this height?</p>

3.5.4	The Applicant Historic England	<p>Landscape effects on LCA2 Hazlegrove In the draft SoCG between the Applicant and Historic England [REP5-016] there is reference to the consideration of the scale of effect on the LCA2 Hazelgrove being under discussion.</p> <p>Could the parties please explain fully their latest positions?</p>
3.5.5	Historic England	<p>Landscape effects on LCA2 Hazlegrove In the draft SoCG between the Applicant and Historic England [REP5-016] there is disagreement between the parties over the effects of consideration of View 38.</p> <p>a) Could Historic England confirm whether it agrees with the Applicant's consideration of the effect as set out in its review of this visual receptor within Appendix E of the Deadline 4 Report (REP4-018)?</p> <p>b) If not, could Historic England set out its justification for a different level of effect?</p>
3.6	Socio-Economic Effects on surrounding Communities	
3.6.1	The Applicant	<p>NMU Route ES Chapter 12, Table 12.23 [APP-049] assesses the effect of the scheme on Non-Motorised Users (NMU) routes. It states that there would be a decrease in journey lengths for NMU's using WN23/33.</p> <p>a) Is this correct?</p> <p>b) IPs say it would reduce NMU use and divide the village due to loss of direct route. What is the Applicant's comment on this matter?</p>
3.6.2	The Applicant	<p>Access to Community Facilities Where has the effect of the scheme on access to community facilities been assessed?</p>

3.6.3	The Applicant	<p>Driver Stress Could the Applicant explain why it considers that there would be a slight beneficial effect on driver stress on local roads?</p>
3.6.4	The Applicant	<p>Anti-Social Behaviour What provision has been made to monitor incidents of crime and anti-social behaviour in the newly formed cul-de-sacs which may occur as suggested by SCC [REP5-032]?</p>
3.6.5	The Applicant	<p>Anti-Social Behaviour The Applicant refers to the concentration of low-level criminal activity at the service station.</p> <p>a) What evidence is there to indicate that such behaviour occurs at present?</p> <p>b) Does the evidence indicate that such problems occur, or are worse at, particular times of day or year?</p> <p>c) What is the basis of the Applicant's belief that the risk of such activity extending to the underbridge is negligible?</p> <p>d) To what extent are the alterations to the local road network in the vicinity of the services station likely to alter the propensity for criminal activity in this location?</p>
3.6.6	The Applicant	<p>Severance How does the scheme reduce severance in accordance with the scheme objectives?</p>

3.6.7	The Applicant	<p>Underbridge The Applicant's responses to the ExA's Further Written Questions 2.6.6 and 2.6.8 [PD-014] acknowledges that due to its enclosed nature the underbridge may introduce a brief reduction in comfort and attractiveness and that this will need to be addressed by way of detailed design.</p> <p>Can the Applicant provide an indication as to how the design could address this matter?</p>
3.7	Traffic and Transport	
3.7.1	The Applicant	<p>Resilience NPSNN Paragraph 4.32 states that the Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable and as aesthetically sensitive, durable, adaptable and resilient as they can reasonably be.</p> <p>a) What does resilience mean in context of this scheme?</p> <p>b) What criteria will be used to assess the resilience of the scheme?</p>
3.7.2	The Applicant	<p>Resilience</p> <p>The Extract from Road Investment Strategy: Overview, Department for Transport, December 2014 (Appendix A of the Funding Statement) [APP-021] states that taken together the improvements to the A303 will transform the route into an Expressway to the South West.</p> <p>In the light of this commitment how resilient would the scheme be in the absence of a parallel road?</p>

3.7.3	The Applicant SCC	<p>Road Safety</p> <p>a) To what extent would the scheme be likely to contribute to safety improvements at the Hazlegrove and Podimore roundabouts?</p> <p>b) Would the inclusion of a Pegasus crossing make a positive contribution to safety?</p>
3.7.4	The Applicant	<p>Parallel Road</p> <p>ES chapter 3, paragraph 5.3.5 [APP-040] explains that the parallel road option put forward by IPs was not taken forward due to the pinch point at Camel Hill and the additional cost. The PCs and other IPs suggest that the parallel road scheme would be more cost effective by comparison with the current proposal since it would not require the Steart Hill Overbridge.</p> <p>a) Is the view expressed by the Applicant in the Consultation Report [APP-023] based on the provision of a parallel road in addition to the overbridge?</p> <p>b) If so, does the Applicant agree with IPs that if a parallel road was provided in this location that the overbridge would not be necessary?</p>
3.7.5	SCC	<p>Private Accesses</p> <p>In the draft Statement of Common Ground between the Applicant and SCC and SSDC, [REP5 -017], SCC is concerned about the risk of mud and loose material deposited on highway from private accesses. The Applicant suggests that new accesses would have a bound surface for a distance of 5 metres from the Highway.</p> <p>Could the Council please explain why this would not address its concerns and what alternative mitigation and/or measures it seeks?</p>

3.7.6	The Applicant	<p>Road Safety Audit In the Statement of Common Ground between the Applicant and SCC and SSDC, SCC suggest that if the post-construction Road Safety Audit identifies any problems with the lighting strategy any remedial work should be completed prior to handover. The Applicant disagrees since this will require a change to the ES.</p> <p>a) In the absence of remedial work would the proposal fall short of the desirable safety standards and possibly have adverse safety effects on road users including NMUs?</p> <p>a) In the event that the post-construction Road Safety Audit identified further works how would these be secured?</p>
3.7.7	The Applicant SCC SSDC Parish Council's	<p>Traffic Monitoring and Mitigation The ExA appreciates that the Applicant's case is that the proposals will not have a significant adverse effect on the local road network.</p> <p>Notwithstanding this, do the parties consider that there is a need to monitor and if necessary, mitigate the traffic impacts post construction?</p>
<p>3.8 Flooding/Drainage Strategy</p>		
3.8.1	Somerset Drainage Board Consortium	<p>Maintenance of Ponds In the Final SoCG between the Applicant and the Somerset Drainage Board Consortium [REP5-018] there is a dispute about the necessary width of any maintenance strips to allow for a full de-silt of the pond with the Consortium arguing for a greater than 4 m strip.</p> <p>a) What greater width is considered necessary?</p> <p>b) What are the practical implications of it only being 4 m wide?</p>

3.9	Cumulative Effects	
3.9.1		The ExA has no questions at this time.
3.10	Draft Development Consent Order [REP5-005 & REP5-006]	
3.10.1	The Applicant SCC SSDC	General Comment Several requirements do not have implementation clauses, for example Requirements 14 and 15. Appropriate implementation timetables need to be included to ensure mitigation is provided at the appropriate time.
3.10.2	The Applicant SC SSDC	Article 2 Interpretation a) Is there a reason that Articles 2 does not include a definition of local highway authority? b) Do the parties agree that "local highway authority" has the same meaning as in the 1980 Act? Would that be a suitable definition?
3.10.3	The Applicant SCC SSDC	Article 2 Interpretation Do the parties agree that the definition of "non-motorised user" is required to include walkers, cyclists, horse riders and carriage drivers?
3.10.4	The Applicant SCC SSDC	Article 2 Interpretation a) Is there a reason that the definition of local planning authority has been removed? b) Do the parties agree that "the relevant planning authority" means the local planning authority for the land and matter in question, being South Somerset District Council or Somerset County Council. Would this be a suitable definition?
3.10.5	The Applicant SSDC	Article 21(8)(c) Do the parties agree that if the development results in damage to a listed building so as to affect its special character as a building or special architectural or historic interest it makes sense for the contractor to notify the local planning authority so that it can consider what works are necessary to rectify the damage?

3.10.6	The Applicant SCC SSDC	<p>Article 43 The Environmental Mitigation Route Map is to be referred to in Requirement 3, and the Limits of Responsibility Drawing(s) will be used in connection with Requirement 12.</p> <p>Do the parties agree that these documents should be added to the list of documents at Article 43?</p>
3.10.7	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 1 Interpretation The definition of "LEMP" includes mitigation measures for "Schedule 1 birds", however "Schedule 1 Birds" is not defined.</p> <p>Do the parties agree that "Schedule 1 birds" needs to be defined in the interests of clarity?</p>
3.10.8	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 1 Interpretation The Applicant has accepted (response to the ExA's Further Written Question 2.1.7) the need for a Conservation Management Plan for that part of the RPG within the red line boundary.</p> <p>Do the parties agree that a definition of "Conservation Management Plan" for the Hazlegrove House Registered Park and Garden is required?</p>

3.10.9	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 1 Interpretation European protected species" and "priority species" are not defined in the Planning Act 2008 (as amended)</p> <p>Do the parties agree that for the purposes of Schedule 2:</p> <p>a) "European protected species" has the same meaning as in regulations 40 (European protected species of animals) and 44 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017 (as amended); and</p> <p>b) A definition for "priority species" should be provided?</p>
3.10.10	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 3(2)(d) Construction Environmental Management Plan Do the parties agree that this requirement should include a reference to the Environmental Mitigation Route Map in the interests of clarity?</p>
3.10.11	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 8(3) Contaminated Land and Groundwater Do the parties agree that for the avoidance of doubt this clause should read: "In the event that contaminated <i>land</i> or material, including impacted groundwater..."?</p>
3.10.12	The Applicant	<p>Schedule 2 - Requirement 10 Ecology, Priority and Protected Species Should the reference to the Explanatory Note be removed?</p>

3.10.13	The Applicant SCC	<p>Schedule 2 – Requirement 12</p> <p>The ExA understands the Applicant’s position that all matters should be subject to the approval of the SoS rather than any matters being the subject to local approval.</p> <p>However, if the ExA concluded that those parts of the proposal that are to ultimately to be the responsibility of SCC pursuant to the Limits of Responsibility Drawing(s) (Article 43) should be subject to the approval of SCC, as local highway authority, with the Applicant paying the Council’s reasonable costs associated with such approval, what wording would the Applicant and SCC suggest to facilitate such an arrangement?</p>
3.10.14	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 12(3) Detailed Design</p> <p>In order to be consistent with Section 7(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), do the parties agree that in place of <i>“permanent change or alteration of the listed features”</i>, the following text should be substituted since this terminology is well known and understood?</p> <p><i>“permanent change or alteration in any manner which would affect its character as a building of special architectural or historic interest”</i></p>
3.10.15	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 12(6) Detailed Design</p> <p>Do the parties agree that this requirement should include <i>“and shall be electronically notified to the Environment Agency, the local highway authority, the local planning authority, and where the works relate to the Hazlegrove House Registered Park and Garden, the Historic Buildings and Monuments Commission for England”</i> in order to ensure that appropriate notification of amendments takes place?</p>

3.10.16	The Applicant	<p>Schedule 2 - Requirement 13 Surface Water Drainage</p> <p>a) Should 13(1) include the Somerset Drainage Board Consortium in those consulted?</p> <p>b) Does 13(6) need to be re-written for clarity? It may be that the punctuation needs resolving.</p>
3.10.17	The Applicant SCC SSDC	<p>Schedule 2 - Requirement 13 Surface Water Drainage</p> <p>While the dDCO limits the relevant discharge rates, it does not provide for the maintenance of the Sustainable Drainage Systems (SuDS) schemes. Therefore, it could lead to excessive water retention on the site with unassessed effects. By ensuring that the SuDS schemes are managed and maintained this avoids this issue.</p> <p>a) Therefore, is a scheme for the management including maintenance of the SuDS schemes to ensure long-term effective operation required?</p> <p>b) Should be this scheme for the approval of the Local Lead Flood Authority as this this is the statutory authority and thus would be the appropriate level for authorisation?</p>

3.10.18	The Applicant SCC SSDC	<p>Schedule 2 Potential New requirement - LEMP</p> <p>Much of the mitigation is to be provided in accordance with the LEMP, however, limited information has been submitted to indicate the matters that should be included within the LEMP. The limited information does not appear to be specific to this scheme, but reflects the general headings within <i>Highways England (2001) Manual of Contract Documents for Highway Works Volume 1 Specification for Highway Works: Series 3000 Landscape and Ecology</i>.</p> <p>In order to ensure that the LEMP provides the necessary mitigation in the short term and the long term, do the parties agree that a separate requirement with the following wording is desirable?</p> <p><i>“No part of the authorised development is to commence until a LEMP, substantially in accordance with the outline LEMP, for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority and local highway authority to the extent that it relates to matters relevant to its function.</i></p> <p><i>The LEMP shall reflect the survey results and the biodiversity, ecological and landscape design, mitigation and enhancement measures included in the environmental statement.</i></p> <p><i>The scheme shall be implemented in accordance with the LEMP.”</i></p>
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3.10.19	The Applicant SCC SSDC	<p>Schedule 2 Potential New requirement -Restoration of land used temporarily for construction</p> <p>a) The dDCO does not include any provision for the restoration of the land following the completion of construction. Do the parties agree that such a requirement is necessary?</p> <p>b) If so, would the following wording make appropriate provision for restoration?</p> <p><i>“Any land within the Order limits which is used temporarily for construction of the works and not ultimately incorporated in the permanent works or approved landscaping, must be reinstated in accordance with details submitted to and approved in writing by the relevant planning authority in consultation with, where appropriate, the relevant highway authority. Such work shall be completed no later than the end of the first planting or seeding season following the opening of the scheme to traffic.”</i></p>
3.10.20	The Applicant DIO	<p>Schedule 2 – Potential New requirement- Construction Equipment Height</p> <p>The ExA notes that the DIO and the Applicant have agreed that the height of construction equipment should be limited. This matter is not included within the dDCO.</p> <p>Could the parties please submit appropriate wording in accordance with Appendix B of the (draft) Statement of Common Ground?</p>

3.10.21	The Applicant	<p>Schedule 2 –Potential New Requirement Conservation Management Plan for the Hazlegrove House RPG</p> <p>Requirement 5 requires the landscaping scheme to be appropriately designed. However, Requirement 6 doesn't deal specifically with the longer term maintenance which would be necessary for the area within the RPG outside the normal landscaping maintenance for longer than 5 years. It is considered that the HEMP would not be sufficient for this given the specialist historic interest of the park and garden.</p> <p>Could the Applicant set out appropriate wording for a Requirement to ensure that such longer term maintenance was delivered in order to protect the specialist historic interest of the park and garden?</p>
3.10.22	The Applicant	<p>Schedule 2 – Potential New Requirement Signage Strategy</p> <p>Although detail of some of the intended signs have been submitted, the dDCO does not include a signage strategy.</p> <p>Could a signage strategy be added to the dDCO please?</p>
3.10.23	The Applicant	<p>Schedule 2 – Potential New Requirement – Upgrade of Higher Farm Lane</p> <p>The ExA understands the Applicant's position that it considers that there is no need to upgrade footpath Y30/UN (Higher Farm Lane) to a bridleway and appreciates that this is outside the red line boundary.</p> <p>However, if the ExA were to consider that the proposed diversion via the Downhead junction were to be of excessive length and such an upgrade was necessary to provide appropriate mitigation to address adverse effects, by way of a negatively worded Requirement (akin to a <i>Grampian</i> condition) what new Requirement would the Applicant suggest to facilitate this to ensure that the upgraded facility were in place before the existing route were closed?</p>

3.11	Explanatory Memorandum	
3.11.1		The ExA has no questions at this time.
3.12	Statement of Reasons	
2.12.1		The ExA has no questions at this time.
3.13	Acquisition and/or Temporary Possession and/or Rights over Land	
3.13.1	The Applicant	Compulsory acquisition and temporary possession: general With regard to the outcomes from on-going diligence, the Applicant is requested to complete the attached Objections Schedule with information about any objections to the compulsory acquisition and temporary possession proposals in the application. (See Annex A to ExQ3 below).

ANNEX A

**A303 SPARKFORD TO ILCHESTER DUALLING PROJECT
 LIST OF ALL OBJECTIONS TO THE GRANT OF COMPULSORY ACQUISITION OR TEMPORARY POSSESSION POWERS
 (EXQ3: QUESTION 3.13.1)**

Obj No. ⁱ	Name/ Organisation	IP/ AP Ref No ⁱⁱ	RR Ref No ⁱⁱⁱ	WR Ref No ^{iv}	Other Doc Ref No ^v	Interest ^{vi}	Permanent/ Temporary ^{vii}	Plot(s)	CA? ^{viii}	Status of objection

ⁱ Obj No = objection number. All objections listed in this table should be given a unique number in sequence.

ⁱⁱ Reference number assigned to each Interested Party (IP) and Affected Person (AP)

ⁱⁱⁱ Reference number assigned to each Relevant Representation (RR) in the Examination library

^{iv} Reference number assigned to each Written Representation (WR) in the Examination library

^v Reference number assigned to any other document in the Examination library

^{vi} This refers to parts 1 to 3 of the Book of Reference:

- Part 1, containing the names and addresses of the owners, lessees, tenants, and occupiers of, and others with an interest in, or power to sell and convey, or release, each parcel of Order land;
- Part 2, containing the names and addresses of any persons whose land is not directly affected under the Order, but who "would or might" be entitled to make a claim under section 10 of the Compulsory Purchase Act 1965, as a result of the Order being implemented, or Part 1 of the Land Compensation Act 1973, as a result of the use of the land once the Order has been implemented;
- Part 3, containing the names and addresses of any persons who are entitled to easements or other private rights over the Order land that may be extinguished, suspended or interfered with under the Order.

^{vii} This column indicates whether the applicant is seeking compulsory acquisition or temporary possession of land/ rights

^{viii} CA = compulsory acquisition. The answer is 'yes' if the land is in parts 1 or 3 of the Book of Reference and National Grid are seeking compulsory acquisition of land/ rights.