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Hannah Sanderson
Senior Project Manager
2/07K Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6HA

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Dear Sir/Madam

A303 Sparkford to Ilchester Dualling Development Consent Order - Non-material change request

During the course of the Examination the Applicant has been progressing discussions with stakeholders in relation to concerns raised with certain design aspects of the project. These include:

- (a) Works within the Hazlegrove House Registered Park and Garden (RPG) in relation to Pond 5;
- (b) Works within the RPG in relation to the proposed access track to Hazlegrove School;
- (c) The turning head proposed to be provided at Podimore; and
- (d) The proposed footpath to be located on land belonging to the Defence Infrastructure Organisation (DIO).

The Applicant has also been discussing the possibility of providing an additional bridleway link from the proposed Podimore turning head to Camel Cross. However, upon further assessment this work cannot be accommodated within the order limits without significant additional engineering and so cannot be included within the scheme.

As a result of ongoing discussions the Applicant is therefore proposing to incorporate the design changes outlined below within the scheme and therefore makes the following non-material change requests.

Works within the Hazlegrove House RPG

Pond 5

The Applicant has been in discussions with Historic England and South Somerset District Council in relation to the design of Pond 5, which is located within the RPG. In order to address concerns raised by those parties, the Applicant proposes to relocate Pond 5 slightly south and west, further into the corner of the RPG. The Applicant also proposes to realign the maintenance track for Pond 5 to follow the western perimeter of the pond, resulting in the eastern perimeter fence of the Pond being moved westwards by approximately 20 metres. These changes are shown on the enclosed updated Works Plans (Sheet 4).

Hazlegrove Preparatory School access

It is proposed to realign the access to the School by moving it approximately 20 metres northwards, which has the beneficial effect of avoiding the veteran tree in this location. In order to improve the sense of arrival in the RPG the Applicant is also proposing additional planting between the realigned Pond 5 access track and the access track to Hazlegrove School. Additional woodland planting is proposed to be provided to the south west of Pond 5 so that the arrival point into the RPG is an emergence from woodland with views to Hazlegrove House. Additional screening planting in front of Bund 7 (in the form of semi-mature trees) in order to screen the environmental barrier is also proposed. The changes to the realigned access are shown on the enclosed updated Works Plans (Sheet 4).

Changes not proposed

The Applicant has not been able to incorporate all of the design changes that have been requested by Historic England and South Somerset District Council. The reasons for this are as follows:

- The Applicant investigated the possibility of extending Bund 7 to the east in order to avoid the need for the timber fence alongside the proposed dual carriageway in the south eastern corner of the park. However, this was not possible as it would have compromised proposed drainage outfalls from the carriageway. Instead, it is proposed to provide additional localised screening planting at this location to soften the appearance of the fence.
- The Applicant investigated the possibility of using an existing access track from adjacent land to the west of the RPG in order to provide maintenance access to Pond 5. The track would have required improvement work to make it suitable for maintenance vehicles, and it would not have been possible to secure this within the DCO as the track is outside the proposed DCO boundary. Instead, the maintenance access track already proposed within the DCO has been retained, although has been realigned so that it runs to the west of the pond.
- The Applicant investigated the possibility of enabling grazing on as much of the pond as possible in order for it to blend in with the rest of the park. However, this would have involved providing access to part of the operational highway estate to a third party and it was considered that this would have compromised Highways England's ability to ensure continued safe and effective performance of the Pond's primary function.

Enclosed with this letter are responses from both Historic England and South Somerset District Council which, although expressing concern that the full suite of proposed changes could not be accommodated, are largely supportive of the changes proposed.

Podimore turning head

Following discussion with Somerset County Council, it was determined that there was no apparent need for a turning head in this location. This area of land (plot 1/5a) is therefore proposed to be downgraded to temporary possession only and no turning head is proposed in this location. This is shown on the enclosed Works Plans (Sheet 1). Somerset County Council requested this change and are therefore in support.

Footpath on land belonging to DIO

The Applicant had previously included two possibilities within the DCO for the diversion of the public right of way from the east of Traits Lane to the west of Gason Lane. One of these (shown as plots 7/5a and 7/6a on the Lands Plans (Sheet 7) [Drawing No HE551507-MMSJV-LSI-000-DR-UU-2023, REP5-002]) was located on Crown land, owned by the DIO and the other (shown as plots 7/7a and 7/7c on the Lands Plans (Sheet 7)) [Drawing No HE551507-MMSJV-LSI-000-DR-UU-2023, REP5-002]) was located on land owned by Mr Hewlett.

Following discussions with the DIO, consent has been obtained under section 135(1) of the Planning Act 2008 from the appropriate Crown authority to the inclusion of the Crown land within the DCO. A letter was submitted to the Examining Authority by the DIO dated 11 April 2019 which confirmed this consent (AS-028).

Therefore, the Applicant now proposes using the Crown land. This avoids taking land from Mr Hewlett which includes a memorial garden that has a particular significance to the Hewlett family. This is shown on the enclosed Works Plans (sheet 3).

Environmental impacts of proposed changes

The proposed design amendments would not result in any changes to the overall assessment and conclusions of likely significant effects presented within the Environmental Statement (ES) chapters (APP-038 to APP-052) and Environmental Statement Addendum (OD-010).

All of the identified amendments to the design are set within the red line boundary for the scheme. Given the nature of the proposed design changes, for the majority of environmental topics, there would be no change (adverse or beneficial) to the assessment presented in the ES and ES Addendum. The only topics that are affected by the proposed changes are landscape and visual impacts, biodiversity, cultural heritage and people and communities. A review of the changes has been undertaken and is summarised as follows.

Works within the Hazlegrove House RPG

For landscape, biodiversity and cultural heritage, the proposed design changes all sit within the respective study areas for each of the assessments already completed and presented in the ES and ES Addendum. Both the landscape assessment (Chapter 7 of APP-044 and Chapter 5 of OD-010) and the cultural heritage assessment (APP-043 and Chapter 4 of OD-010) encompass an assessment of effects of the scheme on the RPG as a whole, and do not consider the effects of individual elements of the scheme independently. When taken as a whole, the revised design proposals would present improvements to heritage and landscape elements within the Registered Park and Garden, as follows:

- Moving the school access drive alignment to the north would allow a new view of Hazlegrove House, and would also contribute to the sense of being in a parkland by bringing the access track away from the existing woodland planting to the south.
- The movement of the Pond 5 south west and the movement of the Pond 5 access track to the west of Pond 5 would allow this to be screened from view when approaching the school, meaning that this is not a detracting feature in the historic landscape.
- The additional woodland planting to the north, ensuring woodland planting on either side of the school access drive, would allow for an increased sense of arrival within the RPG.
- Additional screening planting in front of the environmental barrier in between Bund 7 and 8 will reduce any adverse visual impact of this barrier.

For biodiversity, the proposed access track to Pond 5 takes into consideration the ecological constraints within the area, allowing for both a 30 metre buffer from a known badger sett and a 5 metre buffer for water voles. The proposals would result in a net increase in woodland habitat (high biodiversity value) but a reduction in species rich grassland, which is also of high biodiversity value. The balance would mean that there is no change to the conclusions of the ES (APP-045) and ES Addendum (Chapter 6 of OD-010).

The additional native tree planting proposed to screen the environmental barrier between Bund 6 and Bund 7 would be beneficial for biodiversity, but would not change the conclusions of the biodiversity ES chapter (APP-045 and Chapter 6 of OD-010).

In addition, the proposed re-alignment of the school drive would avoid the loss of 1 veteran tree, and the drive has been realigned to ensure that no additional veteran trees would need to be lost as a result. These ecological benefits do not however change the assessment conclusions of the biodiversity ES chapter (APP-045 and Chapter 6 of OD-010).

Podimore turning head

The removal of Podimore turning head would be an overall benefit environmentally as this area of hardstanding can now be planted. This will be presented on the updated Environmental Masterplan.

Footpath on land belonging to DIO

Chapter 12 People and Communities (APP-049) and Chapter 8 of the Environmental Statement Addendum (OD-010) assessed both possibilities for the diversion of the public right of way from the east of Traits Lane to the west of Gason Lane. The provision of a continual bridleway between Podimore and Sparkford was anticipated to result in a Large Beneficial effect to non-motorised users (NMUs) once the scheme was operational, as it would allow for a new journey to be made for all non-motorised users between these settlements. The change in design for the scheme would not alter the assessment for pedestrians, but would reduce the level of benefits for cyclists and equestrians as they would have further to travel and would also have to make use of local side roads for an approximate 2.2 kilometres section. However, it is considered that this change would still present beneficial effects given the lack of NMU facilities in this area at present. A Large Beneficial effect is therefore still anticipated for non-motorised users once the scheme is in operation.

Materiality of changes

As set out above, no further environmental information is required in order to assess the proposed changes. In addition, the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 are not triggered, because no new compulsory acquisition powers are sought.

The changes proposed are either minor design changes, which are all contained within the redline boundary for the scheme or involve the removal of works or land from the DCO.

It is therefore considered that the changes requested are non-material in nature and we would ask that the Examining Authority accepts these changes into the examination.

If these changes are accepted then the Applicant will provide updated versions of documents that are affected by the changes. These include the land plans, the general arrangement plans, the public rights of way and access plans, the statement of reasons, the book of reference and the DCO. Subject to the timing of any acceptance of this change request, the Applicant proposes to submit these additional documents at Deadline 6a.

Yours sincerely,



Hannah Sanderson
Highways England Project Manager
A303 Sparkford to Ilchester Project Team

Email: A303SparkfordtollchesterDualling@highwaysengland.co.uk

Tel: 0300 123 5000