

# A303 Sparkford to Ilchester Dualling Scheme TR010036

## 9.41 Response to Rule 17 Letter

Planning Act 2008

June 2019



Infrastructure Planning

Planning Act 2008

**A303 Sparkford to Ilchester Dualling  
Scheme**

Development Consent Order 201[X]

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<b>Regulation Number:</b>	
<b>Planning Inspectorate Scheme Reference</b>	TR010036
<b>Application Document Reference</b>	9.41
<b>Author:</b>	A303 Sparkford to Ilchester Dualling Scheme: Highways England project team

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Rev A	June 2019	Submission to the Planning Inspectorate.

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### **1 Response to Rule 17 Letter**

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## 1 Response to Rule 17 Letter

- 1.1.1 This document provides a response to the Rule 17 Letter (PD-020) issued by the Examining Authority (ExA) on 7 June 2019. Each point detailed in the Rule 17 Letter has been responded to in turn and the revised Statement of Reasons (document reference 4.1, Volume 4, Revision 4) has been submitted alongside this document.
- 1.1.2 Point 1 stated: *The heading to Annex A is dated 18 July 2018. This should be amended to show the correct date.*
- 1.1.3 The Applicant has updated the heading of Annex A in the Statement of Reasons (document reference 4.1, Volume 4, Revision 4) and this is submitted with this response, together with a tracked change document showing the relevant changes.
- 1.1.4 Point 2 stated: *Paragraph 5.3.2 states that there is not any Registered Park and Garden Land within the Scheme limits. This is incorrect and should be amended. The same paragraph also states that replacement land would be required if these designations were affected by the proposed Scheme in line with Sections 131 and 132 of the 2008 Act. This is also incorrect in so far as it relates to Registered Park and Garden Land in that sections 131 and 132 of the Planning Act 2008 does apply to Registered Parks and Gardens.*
- 1.1.5 The Applicant has updated paragraph 5.3.2 of the Statement of Reasons and this is submitted with this response, together with a tracked change document showing the relevant changes.
- 1.1.6 Point 3 stated: *Please provide clarification of the various iterations of paragraph 4.12 in the Statement of Reasons. The ExA understands that it was necessary to amend some of the figures within this paragraph following the acceptance of the material change. The accepted changes are summarised at table 1 of the Statement of Reasons Addendum [OD-007].*
- 1.1.7 *Notwithstanding this the ExA is unclear as to the basis for the changes between the November version [AS-009] and the April version (Revision 2) [REP5-009] and May version (Version 3) [REP7-017]. The various figures are shown in the table below. In particular the ExA wishes to understand the reason for the increase in land subject to temporary possession and permanent acquisition of rights. With the exception of plot 7/8b, this does not appear to be reflected in the Statement of Reasons Addendum [OD-007].*
- 1.1.8 An explanation of why the areas taken from the ExA's Rule 17 letter have changed is included in Table 1.1 below
- 1.1.9 The Applicant has also taken this opportunity to update the table at Annex B of the Statement of Reasons so that the ExA has an up to date position on negotiations with affected parties as at the close of the Examination.

Table 1.1 Reasons for changes between versions of the Statement of Reasons

	APP-020	AS-009	Corrected areas for APP-020 and AS-009*	REP5-009	Reason for change between AS-009 and REP5-009 (if applicable)	REP7-017	Reason for change between REP5-009 and REP7-017 (if applicable)
<b>Total Land (hectares)</b>	109.65	109.65	N/A	111.07	To reflect the changes listed below following acceptance of the Applicant's additional land application.	110.87	To reflect the changes listed below pursuant to the Applicant's non-material change request.
<b>Permanently Acquired (hectares)</b>	83.93	83.93	82.04	82.10	Addition of 7/1d, 7/1e, 7/7e following acceptance of the Applicant's additional land application.	82.10	N/A
<b>Temporary Possession (hectares)</b>	22.32	22.32	23.08	24.44	Removal of 2/5b, 7/7b, reduction to 5/13b, 7/1b and addition of 2/5e, 7/5c following acceptance of the Applicant's additional land application.	24.54	1/5a changed to temporary pursuant to the Applicant's non-material change request.
<b>Temporary Possession with the Acquisition of Permanent Rights (hectares)</b>	3.4	3.4	4.53	4.53	Addition to 7/8b following acceptance of the Applicant's additional land application.	4.23	Removal of 7/7a, reduction to 7/7c and 1/5a changed to temporary pursuant to the Applicant's non-material change request.

\*The Applicant has noticed that the original areas provided in APP-020 were incorrect at the time of the submission, although the total area was correct. The third column in Table 1.1 has therefore provided updated figures, for completeness.