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**To:** [A303 Sparkford to Ilchester](#)  
**Cc:** [susan.anderson@df.gov.uk](mailto:susan.anderson@df.gov.uk)  
**Subject:** A303 Sparkford to Ilchester Dualling - DIO response to SoS query 05/11/19  
**Date:** 26 November 2019 16:33:18  
**Attachments:** [TR010036-001005-Highways England - 8.8 Draft Statement of Common Ground with Defence Infrastructure Organisation.pdf](#)  
[20191126 MOD\(DIO\) response to SoS letter 20191105.pdf](#)

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Dear Sir/Madam,

Please find attached the MOD (Defence Infrastructure Organisation) response to the questions posed by the Secretary of State in letter dated 5<sup>th</sup> November 2019.

If I can provide any clarification or additional detail, please don't hesitate to contact me.

Regards,

James

**James Houghton**

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A303 Sparkford/Ilchester Dualling Case Team,  
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Your reference: TR010036  
Our reference: 10044194

26th November 2019

Dear Sir/Madam,

**Planning Act 2008  
The Infrastructure Planning (Examination Procedure) Rules 2010**

**Application by Highways England (“the Applicant”) for an Order granting  
Development Consent for the A303 Sparkford to Ilchester Dualling.**

Thank you for your letter dated 5 November 2019. This letter is written to provide a response to a request for additional evidence or representation setting out the measures or provisions set out by the applicant, Highways England, in consultation with Ministry of Defence (MOD).

This response has been provided by the Defence Infrastructure Organisation (DIO) Safeguarding team, part of the MOD with responsibility for ensuring that operational facilities such as aerodromes, explosive stores, radar facilities and range areas are not compromised by development.

Parts of the application site required for the A303 Sparkford to Ilchester Dualling project fall within areas designated on Safeguarding maps as fundamental to preserving the capability of the airfield at Royal Naval Air Station (RNAS) Yeovilton. These designations secure the safe and continuing use of the airfield (by preventing infringements of Obstacle Limitation Surfaces), the operation of technical equipment (specifically radar and communications) based at RNAS Yeovilton, as well as the area associated with RNAS Yeovilton inside which increased avian populations could substantially increase the risk of birdstrike. Given that the scheme proposed would result in ground levels being varied within these designated areas, as well as the creation of ponds, there exists potential that the development could have a significant and detrimental impact on both aviation safety and the operational capability of RNAS Yeovilton.

MOD has been impressed with the actions of Highways England to engage with DIO throughout the application process. As a result of this engagement a Statement of Common Ground has been prepared that sets out clearly the concerns raised by this department and the actions intended to address those concerns by Highways England and whether these actions have been agreed. A copy of the Statement of Common Ground is attached to this letter.

In response to the Secretary of State's question, birdstrike concerns were addressed during discussions in May 2019, where it was agreed that DIO would be consulted during the detailed design stage to ensure that the size of the ponds, the manner in which they are to drain, and the planting intended for those ponds would not provide habitat, feeding, or roosting conditions desirable to large and/or flocking bird species. The signed Statement of Common Ground refers to a need for a Bird Hazard Management Plan (BHMP). This BHMP would contain measures to ensure that the ponds created as part of the scheme will be managed to ensure that the landscaping and planting is maintained to reduce the risk of attracting and supporting bird species deemed hazardous to aviation safety. The BHMP should also make provision for appropriately qualified and certified bird management operatives to disperse birds when required by RNAS Yeovilton.

In addition, during those May 2019 discussions other potential impacts of the development were debated, specifically the potential for development to infringe on both the Obstacle Limitation Surfaces (Aerodrome Safeguarding) and Technical Safeguarding areas associated with RNAS Yeovilton. Means of mitigating these issues are also set out in the Statement of Common Ground.

In summary, DIO Safeguarding have no objection to the development in principle. Whilst the Statement of Common Ground provides some confidence in addressing MOD concerns relating to birdstrike, technical, and aerodrome safeguarding, it is respectfully requested that any Development Consent Order (DCO) issued in response to the current application make provision that the MOD is a formal consultee when requirements relating to the Construction Environment Management Plan (which should incorporate a Bird Hazard Management Plan that makes provision for management of the newly created ponds and arrangements for flocking bird dispersion if required), Landscape and Ecological Management Plan, Landscaping, Detailed Design, and Surface Water Drainage are to be discharged (the most recent draft DCO (Rev. 0.6) has these requirements at nos. 3, 4, 5, 6, 13, and 14).

I trust the above information provides sufficient detail, if I can provide any further clarification or information please do not hesitate to contact me.

Yours faithfully,

**James Houghton**  
Senior Safeguarding Manager  
DIO Estates

# A303 Sparkford to Ilchester Dualling Scheme TR010036

## 8.8 Draft Statement of Common Ground with Defence Infrastructure Organisation

APFP Regulation 5(2)(g)  
Planning Act 2008  
Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009  
March 2019



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009**

**A303 Sparkford to Ilchester Dualling  
Scheme**

Development Consent Order 201[X]

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**DRAFT STATEMENT OF COMMON GROUND**

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<b>Regulation Number:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010036
<b>Application Document Reference</b>	8.8
<b>Author:</b>	A303 Sparkford to Ilchester Dualling Scheme Project Team, Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev A	January 2019	Draft for Deadline 2
Rev B	March 2019	Draft for Deadline 4
Rev C	April 2019	Draft for Deadline 5
Rev D	June 2019	Final for Deadline 8

## STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Defence Infrastructure Organisation

Signed   
Hannah Sanderson  
Senior Project Manager  
on behalf of Highways England  
Date: June 2019

Signed   
Alex Dunlavy  
Senior Estate Survey  
on behalf of Defence Infrastructure  
Organisation  
Date: June 2019

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## **1 INTRODUCTION**

### **1.1 Purpose of this document**

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A303 Sparkford to Ilchester Dualling Scheme ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and / or the Planning Inspectorate website
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

### **1.2 Parties to this Statement of Common Ground**

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Defence Infrastructure Organisation (DIO).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 The Defence Infrastructure Organisation (DIO) is part of the Ministry of Defence (MOD) that plays a vital role in supporting the armed forces by building, maintaining and servicing the infrastructure needed to support defence.

### **1.3 Terminology**

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Defence Infrastructure Organisation, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Defence Infrastructure Organisation.



## 1.4 Record of Engagement

1.4.1 A summary of the meetings and correspondence that has taken place between Highways England and Defence Infrastructure Organisation in relation to the Application is outlined in Table 1.1.

Table 1.1: Record of engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
30 May 2019	E-mail	Licence issued to DIO for ecology surveys.
09 May 2019	Meeting	Meeting with DIO and MOD to discuss PAR and OLS restrictions on proposed compound location.
11 April 2019	Letter	Letter of consent received from the DIO for the acquisition of land for plots 7/5a and 7/6a.
11 April 2019	Skype Meeting	Skype meeting to discuss progress of the scheme and consent to acquire land from the MOD and progress of the dedication agreement for the footpath.
09 April 2019	Teleconference	Meeting to discuss safeguarding concerns with MOD. Further meeting with technical experts being arranged.
05 April 2019	E-mail	Issue of the draft footpath dedication agreement to both DIO and SCC for review and comment.
14 March 2019	E-mail	Further queries from MOD safeguarding team and additional information issued.
07 March 2019	Letter	Receipt of letter confirming DIO support for the proposed material change for the movement of the main compound location
06 March 2019	Skype Meeting	Skype meeting to discuss progress of the scheme. Discussion regarding the consent to acquire land from the MOD and progress of the dedication agreement. Confirmation of support from the DIO for the proposed material change for the revised compound location
08 February 2019	E-mail	Confirmation from the DIO that content for a footpath to be placed on MOD land.
29 January 2019	E-mail	Further discussion with the DIO Safeguarding team regarding the ponds associated with the scheme and the height restrictions associated with the proposed new compound site.
14 January 2019	Meeting	Discussion held regarding the proposed designation of the right of way across the Camel Hill signal station site.
06 March 2019	Meeting	Discussion between Highways England and the DIO regarding outstanding issues with the SOCG.
21 November 2018	E-mail	e-mail regarding Bird strike risk.
15 November 2018	Meeting on RNAS site proposal for a new set of landing lights (LL)	DIO informed HE they are planning on conducting UXO surveys Approval for the footpath granted but not for bridleway.
1 October 2018 to 1 November 2018	E-mails re: LL	Arranging a meeting with the LL project manager for the proposed LL plans and solicit agreements.
25 September 2018	E-mail (l) re: Footpath	Follow-up email regarding the progress with the Footpath Creation Report that was previously sent.
18 July 2018	E-mail	Asking access to MOD property at Camel Hill

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
12 July 2018	E-mail	Intention to use the field (for the proposed new LL) as a construction compound during the work
12 July 2018	E-mail	Request to upgrade the footpath to a bridleway. Plan/drawing is provided.
9 July 2018 & 3 July 2018	E-mails	Footpath creation report and the Creation Agreement were requested to discuss.
22 June 2018	E-mail	Review of the draft Statement of Common Ground.
19 June 2018	E-mail	The 3 accesses to the Camel Hill property will be affected. Three accesses have been labelled A-C and provides an explanation of each in terms of its location. Access A will be closed permanently. Access B will only be accessible from the southern end of Gason Lane therefore Gason Lane / A303 junction will be closed permanently. Access C will only be accessible from the southern end of Traits Lane as Traits Lane / A303 junction will be closed permanently. These have been annotated on a plan
11 June 2018	E-mail	Requests access to projectwise to overlay the design onto the land plots.
7 June 2018 & 2 June 2018	E-mails	Query about noise as part of the noise modelling.
19 March 2018 to 3 April 2018	E-mails	Proposed land take and the possible impact on the MOD signalling station had been discussed and asked feedback from the MOD safeguarding team.
9 March 2018	E-mail	Discussion on the proposal of a footpath diversion across land currently owned by the Secretary of State for Defence.
2 March 2018	E-mail	Plan showing the possible impacts on the MOD signalling station, for review by the MOD safeguarding team.
10 November 2017	E-mail	The DIO have no objection to the scheme in principle, but require to be kept informed of any further amendments to this scheme.
30 October 2017	E-mail	DIO was provided with the design plans and portal login. In addition to a request for work to commence on the plans.
24 January 2017	E-mail	Request regarding access to ecology survey (KS/0063E/001)

1.4.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Defence Infrastructure Organisation in relation to the issues addressed in this SoCG.

## 2 ISSUES

Topic	Sub-section	Defence Infrastructure comment	Highways England response	Status
General support to the scheme	General support for the scheme	The DIO supports the scheme and agrees for the need.	Acknowledged.	<b>AGREED</b>
Aerodrome safeguarding	Bird-strike safeguarding.	<p>The plan to build ponds to contain permanent standing water would attract birds and increase the risk for bird-strikes.</p> <p>The MOD statutory birdstrike safeguarding concerns remain extant. On meeting with HE we agreed if the ponds could not be dry i.e. only collect water during rainfall they should dry down within 72 hours following a 1 in 100 year storm event, there are alternative design principles such as densely planting the ponds with reeds in particular common reed Phragmites Australis as this provides a continuous year round barrier and does not die back in winter. The bank sides are to be as steep as possible and the reeds will need to be managed via a Bird Hazard Management Plan to ensure the reed is maintained to reduce the risk of attracting and supporting bird species deemed hazardous to aircraft safety in this area such as gulls, starlings etc. DIO understand at present detailed designs are not available and we would only be able to remove our concerns once formal pond designs are submitted for safeguarding analysis.</p>	<p>Highways England met with the MOD and DIO on 9 May 2019 to discuss the bird strike risk in relation to the proposed ponds. Highways England understands the concern raised by the DIO and believes there are a number of design options available to mitigate the risk to an acceptable level. Such options include designing the ponds to not hold water permanently; densely planting the ponds with reeds to deter birds; or designing the permanent body of water to be small so not to encourage birds – or a combination of these measures.</p> <p>In addition to the above, there will be no public access to these ponds to eliminate possible bird feeding.</p> <p>It is noted that the DIO consider the bird-strike risk still remains, however it was agreed during the meeting on 9 May 2019 that the above proposals are detailed design points and that the DIO will be consulted on the final design of the ponds during the detailed design.</p>	<b>AGREED</b>

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Topic	Sub-section	Defence Infrastructure comment	Highways England response	Status
	Precision Approach Radar (PAR)	<p>The DIO and MOD explained during a meeting with Highways England on 9 May 2019 that RNAS Yeovilton operate a PAR to guide approaching aircraft down to the runway to allow them to land safely and that if the PAR is interfered with, it could render the main runway out of action.</p> <p>DIO Safeguarding raised concerns regarding the works compound due to land east of the following grid reference points 356140,124638 and 356132,124860 occupying the Precision Approach Radar line of sight at RNAS Yeovilton. A detailed technical analysis has been carried out regarding this development. The MOD has no concerns subject to development east of 356140,124638 and 356132,124860 being no higher than 9m above ground level. The MOD has no safeguarding concerns regarding development up to 18m west of this location.</p>	<p>Highways England acknowledges the importance of the PAR and will propose a compound layout for consultation with the DIO and MOD following the advice provided.</p> <p>Highways England has attached a drawing to this SoCG showing these height restrictions.</p>	<b>AGREED</b>
	Approach envelope safeguarding – construction equipment.	<p>The DIO explained the importance of the OLS and that any infringement of this would cause a risk to air safety.</p> <p>DIO Safeguarding raised concerns due to the development occupying the statutory any development aerodrome height safeguarding consultation zone surrounding RNAS Yeovilton. DIO recognise at this stage Highways England are unable to provide a detailed design regarding the layout of the works compound. DIO Safeguarding carried out an obstacle</p>	<p>Highways England met with the MOD and DIO on 9 May 2019 to discuss the Obstacle Limitation Surface (OLS), which is the height at above which obstacles become hazardous to low flying aircraft.</p> <p>The tallest proposed equipment that will be located within the compound will be a Concrete Batching Plant, which is likely to be between 13 and 16m in height. It will be possible to locate the batching plant in an area to ensure there is no infringement of the OLS.</p>	<b>AGREED</b>

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Topic	Sub-section	Defence Infrastructure comment	Highways England response	Status
		limitation surface maximum height analysis and determined we would have no safeguarding concerns subject to the development east of 356140,124638 and 356132,124860 being no higher than 9m above ground level. DIO Safeguarding has no concerns regarding development of up to maximum height 18m west of this location.	Highways England has attached a drawing to this SoCG showing these height restrictions.	
Bridleways	Bridleway proposed across land owned by Secretary of State for Defence at Camel Hill.	We are content with a footpath diversion across the MOD land as shown on the proposed plan; however, this will be on the basis that we will not be responsible for the construction or upkeep of the footpath. We would also like to see a fence line to be installed to make the route through the wood irrefutable. We are not content with a bridleway diversion.	Highways England acknowledges that the MOD and DIO will only accept a proposed footpath and not a bridleway. Formal agreements have been drawn up for review by both the DIO and Somerset County Council. Letter of consent received from the MOD for the acquisition of plots 7/5a and 7/6a.	<b>AGREED</b>
		Navy Command have confirmed they are happy to support another Government department project by regulating what is already an unofficial footpath, however, they are not prepared to increase the use as this time which would include a greater land grab. The Queen Camel site is still an active MOD establishment and Navy wish to retain all options open to them for its future use.	Highways England have amended the proposed bridleway to a proposed footpath.	<b>AGREED</b>
National Security Issues	National Security Issues	We can confirm the scheme presents no national security issues.	HE acknowledged.	<b>AGREED</b>
Junction Request	Junction Request	Junction at Camel Cross is required to allow access to RNAS Yeovil.	HE agreed, a junction has been provided.	<b>AGREED</b>

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Topic	Sub-section	Defence Infrastructure comment	Highways England response	Status
Access	Access to Camel Hill Signal Station	The DIO accept the proposed amendments to the access arrangements to this site	HE acknowledged.	<b>AGREED</b>
Construction	Main site compound	The main site compound lies in the location for which new landing lights have been proposed. Potential for construction activities to interfere with these landing lights.	Highways England has submitted a request for material change to the Examining Authority, which has now been accepted. The material change encompasses an amendment of the RLB in order to move the main compound area out of the vicinity of the proposed construction works by the DIO. The DIO has reviewed the proposed changes and has responded to the material change consultation with a letter of support.	<b>AGREED</b>

### 3 APPENDIX A – Calculated Height Restrictions Adjacent to Airfield

3.1.1 Below is an image showing the PAR and OLS height restrictions in meters above the existing ground level.

