

A66 Northern Trans-Pennine project

TR010062

7.22 Statement of Common Ground with the Defence Infrastructure Organisation (Rev 2)

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7.22 STATEMENT OF COMMON GROUND WITH THE DEFENCE INFRASTRUCTURE ORGANISATION

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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 A66 Northern Trans-Pennine ("the Application") made by National Highways Limited ("National Highways") 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 in full information which is available elsewhere within the Application documents. All Application documents are available on the Planning Inspectorate website.
- 1.1.3. The SoCG has been produced to confirm to the Examining Authority where the Applicant understands agreement has been reached between the parties to it, where agreement will not be reached, and where agreement has not (yet) been reached but is still the subject of discussion. 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) National Highways as the Applicant. The first occasion it was shared with (2) the Defence Infrastructure Organisation (DIO) for comment was in advance of Deadline 3. Following Deadline 3 submissions, the content of the Deadline 3 SoCG was shared on 2 February 2023. Feedback from the DIO was received on 8 March 2023 and incorporated into the version prepared for Deadline 5.
- 1.2.2. The Applicant has set out the detail of the issues raised by the DIO to date and each of the SoCG parties' respective positions. This is intended to assist the Examining Authority in understanding where discussions have reached to date. The Applicant intends to narrow the issues and level of detail in this SoCG as the examination progresses and further matters are agreed.
- 1.2.3. National Highways (formerly 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.
- 1.2.4. The DIO is the estate expert for defence, supporting the armed forces to enable military capability by planning, building, maintaining, and servicing infrastructure. The DIO is part of the Ministry of Defence (MoD). The MoD is a department of the British Government responsible for implementing the defence policy set by His Majesty's Government and is the headquarters of the British Armed Forces. Scheme 6 (Appleby to Brough) includes the use of land within the existing MoD training camp at Warcop.



1.3. Terminology

- 1.3.1. In the table in the Issues section of this SoCG:
 - "Agreed" indicates area(s) of agreement from the Applicant's perspective;
 - "Under discussion" indicates area(s) of current disagreement from the Applicant's perspective, where resolution remains possible, and where parties continue discussing the issue to determine whether they can reach agreement by the end of the examination;
 - "Not agreed" indicates a final position for area(s) of disagreement from the Applicant's perspective where the resolution of different positions will not be possible, and both parties agree on this point.
- 1.3.2. It can be assumed that any matters not specifically referred to in the Issues section of this SoCG are not of material interest or relevance to the DIO, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, unless otherwise raised in due course by the DIO.



2. Record of Engagement

2.1.1. A summary of the key meetings and correspondence that has taken place between National Highways and the DIO in relation to the Application is outlined in table 2.1.

Table 2.1 – Record of Engagement

Date	Form of	Key topics discussed and key outcomes
Date	correspondence	They topics discussed and key outcomes
15.09.2020	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD Land. Meeting introduced the DIO to the objectives of Project Speed and high-level details were discussed surrounding MOD land at Warcop.
13.10.2020	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. Meeting included discussions on NH permanent and temporary land requirements and the re-provision of MOD land. It was noted that National Highways and A66 IPT will need to design reprovision of facilities that meet the MODs requirements and needs.
17.11.2020	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD Land. Meeting included discussions on Brough Hill Fair requirements and a need for the replacement provision to be included in a SoCG. It was noted that the A66 IPT would also share programme for environmental surveys with the MOD/DIO.
15.12.2020	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD Land. Meeting included discussions on the design update of the A66 and the impact and future provision of access to MOD facilities and the Bivvy site. It was noted in the meeting that the MOD would not be willing to use the land adjacent to Wheatsheaf Farm as a site for the Brough Hill Fair.
27.01.2021	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD Land. Meeting included discussions on sites and access provisions for the Bivvy, Brough Hill Fair site & Playing Pitch. It was noted by MOD that they have historically provided facilities to Brough Hill Fair.
24.02.2021	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. Meeting included discussions on Land Strategy.
09.03.2021	Site Visit	Site meeting to look at potential options for the replacement football pitch land.
24.03.2021	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. Meeting included discussions on the policy context of the AONB that might



Date	Form of	Key topics discussed and key outcomes		
	correspondence			
		allow the possible incursion of the route into MOD land and the likely reprovision of facilities. It was noted in the meeting that any land take from the north of the existing A66 would adversely impact the MOD and that Warcop is regarded as an important training site.		
28.04.2021	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. Meeting included discussions around the design options of the route at Warcop and the impact upon MoD operations. The MOD/DIO noted which options that they felt would adversely impact upon their facility from a quick glance.		
09.06.2021	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. A site visit was also undertaken to understand existing assets on the Warcop Training Camp and areas of replacement infrastructure required. Meeting included discussions on an update to the alternative route which goes north of the current A66. It was noted in the meeting that there is local support for an alternative route which goes further to the north of the current A66.		
15.07.2021	Online Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. This included discussions on replacement of the tank park areas and updates to the potential alignment of the scheme further north.		
08.09.2021	Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land.		
11.11.2021	Meeting	Update meeting between National Highways, A66 IPT and DIO to discuss proposals and outstanding actions associated with the land and access requirements over MOD land. Meeting included discussions on the design options which the MOD/DIO have reviewed. It was noted that the Blue route would have the least impact, further the Parish Council route would have substantial impact on operations.		
13.12.2021	Meeting	Meeting between National Highways, A66 IPT and DIO to discuss outstanding actions associated with the land and access requirements over MOD land. Further meeting to be reconvened once DIO technical consultant undertook modelling assessment of junctions.		
02.03.2022	Online Meeting	Meeting between MOD, NH, A66 IPT and DIPs to discuss design updates. Meeting included discussion on updates to designs/general arrangement drawings, Brough Hill Fair site, SoCG, legal agreements and enabling works.		
22.03.2022	In Person Meeting	Meeting between MOD, NH, A66 IPT and DIPS to discuss design updates. Meeting included discussions on enabling works.		



Date	Form of	Key topics discussed and key outcomes
	correspondence	
17.05.2022	In Person Meeting	Meeting between MOD, NH and A66 IPT to discuss project updates. Meeting included discussions on land Plans and Requirements, Brough Hill Fair, NH/MOD SLA for PM and Detailed Design and Additional Survey Planning.
24.06.2022	Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and management of Brough Hill Fair.
06.10.2022	In Person Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
18.10.2022	In Person Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
11.11.2022	In Person Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
28.11.2022	Online Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
12.12.2022	Online Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
11.01.2023	Online Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
23.01.2023	Online Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, environmental mitigation and land transfer.
10.02.2023	Online Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, consent to changes within the consultation, land transfer and access for the Accompanied Site Investigation.
08.03.2023	Online Meeting	Meeting between DIO and National Highways. Meeting to discuss land acquisition, consent to changes within the consultation, land transfer and SoCG.

1.1.1 It is agreed that this is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) National Highways and (2) the DIO in relation to the issues addressed in this SoCG.



3. Issues

Table 3-1: Record of Issues – Agreed Issues

Issue	Document References (if relevant)	DIO Position	National Highways Position	Status
3-1.1 Explosive Safeguarding Zone	DIO Relevant Representations 2 September 2022	The consultation zone occupies a part of the explosives safeguarding zone known as the Vulnerable Building Distance (VBD), shown as a purple line on the statutory safeguarding plan. Within this zone all buildings should be designed to be 'non vulnerable' that is of robust design and construction so that should an explosion occur at the MOD storage facility, buildings nearby will not collapse or sustain damage that could cause critical injury to the occupants. The section of the route Grid References E377429, N515242 and E375972, N515387 pass through the safeguarding zone. I have reviewed the documents within this consultation and can confirm that the MOD has no concerns with the proposed development. This response only relates to the Safeguarding elements of this development. The DIO Safeguarding team are aware that our colleagues in the DIO Land Management Services (LMS) department will be submitting representations independently.	National Highways thanks the DIO for confirming there are no concerns with the consultation from a safeguarding position. We note separate representations from DIO LMS which are considered in the matters below.	Agreed
3-2.1 Replacement of MoD Infrastructure on land required for construction of Scheme 6 (Appleby to Brough).	Statutory Consultation Response	To date DIO on behalf of Ministry of Defence have worked with National Highways in developing detailed proposals to ensure the road scheme affecting Warcop meets the needs of Defence now and in the future.	The replacement of MoD infrastructure has been subject to detailed discussions with the DIO and MoD and all infrastructure required will be reprovided on land within the existing MOD estate at Warcop to the current MoD construction standards, and in a timely manner so as not to materially impact on the military operations on site.	Agreed



Issue	Document References (if relevant)	DIO Position	National Highways Position	Status
			Appended to this SoCG is a copy of the land parcels plan for the MoD land and a schedule (Appendix A) setting out the proposed use of each land plot for the DCO. Discussions are ongoing in relation to the extent of land which is to be acquired permanently and used temporarily.	
			The attached plan reflects the changes to National Highways' application for development consent that it is currently considering. National Highways has held a consultation on some proposed changes to the preliminary design of the Project, as presented in the DCO application which includes the changes previously discussed with DIO. Following careful consideration of the responses to statutory consultation, National Highways will decide: (i) whether to submit a request to the Examining Authority to accept all, some or none of the proposed design changes for inclusion in the DCO application being examined, and (ii) what form the proposed changes will take.	
			The extent of land required for the construction of Scheme 6 and the replacement of infrastructure has been the subject of discussions between the DIO and National Highways to agree the principle. The detailed design in line	



Issue	Document References (if relevant)	DIO Position	National Highways Position	Status
			with the DCO requirements will be agreed between the DIO and National Highways as part of ongoing project design. The timing of the infrastructure replacement shall be phased to minimise impacts on the MoD operation of the training facility.	
			All replacement infrastructure is shown on the Works Plans for Scheme 06 [APP-321 and AS-012] and is identified in Schedule 1 to the DCO which describes the 'authorised development' ([REP2-005]).	
3-2.2 Land Acquisition and Environmental Mitigation	Relevant Representations	MOD has made clear to National Highways the difference between tactical and non-tactical land and its significance for the military estate at Warcop.	National Highways has discussed the requirement for environmental mitigation on land north of the A66 with the DIO to agree areas of land which the DIO would in principle make available to National Highways to acquire for the purposes of environmental mitigation.	Agreed
			These areas are shown on the Environmental Mitigation Plans found at Appendix B to this Statement of Common Ground. These plans identify the extent of environmental mitigation solely on MoD land within Scheme 6.	
			Environmental mitigation is now proposed on land north west of Wheatsheaf Farm and north/north east of Street House Farm. National Highways has held a consultation on	



Issue	Document References (if relevant)	DIO Position	National Highways Position	Status
			some proposed changes to the preliminary design of the Project, as presented in the DCO application which includes the changes previously discussed with DIO. Following careful consideration of the responses to statutory consultation, National Highways will decide: (i) whether to submit a request to the Examining Authority to accept all, some or none of the proposed design changes for inclusion in the DCO application being examined, and (ii) what form the proposed changes will take.	

Table 3-2: Record of Issues – Under Discussion Issues

Issue	Document References (if relevant)	DIO Position	National Highways Position	Status

Table 3-3: Record of Issues – Not Agreed Issues

Issue	Document References (if relevant)	DIO Position	National Highways Position	Status



APPENDICES

APPENDIX A: Summary of Proposed Use of Secretary of State for Defence Land and Land Transfer Plan

Summary of Proposed Use of Secretary of State for Defence Land			
Plot No.	Area (square metres)	Works Proposed on Parcel	
06-01-38	2.26	Construction of A66 Dual Carriageway	
06-02-06	258.04	Environmental Mitigation – woodland planting	
06-02-07	96.96	Construction of A66 Dual Carriageway	
06-02-08	15970.29	Construction of A66 Dual Carriageway	
06-02-10	13768.35	Environmental Mitigation – woodland planting	
06-02-12	72518.44	Construction of Sandford Junction, access road and replacement of MoD Flag, incl grassland planting and drainage pond	
06-02-13	18139.26	Environmental Mitigation – woodland planting	
06-02-24	3366.2	Construction of Sandford Junction, access road and replacement of MoD Flag, incl grassland planting	
06-02-25	7145.45	Construction of Sandford Junction, access road and replacement of MoD Flag, incl grassland planting	
06-02-31	16609.43	Construction of A66 Dual Carriageway	
06-02-41	291.01	Construction of A66 Dual Carriageway	
06-03-06	427.7	Construction of A66 Dual Carriageway	
06-03-17	44369.72	Construction of A66 Dual Carriageway	
06-03-21	62237.15	Construction of A66 Dual Carriageway, provision of Warcop west junction and construction of new link between new A66 dual carriageway to existing A66 (existing A66 section to be de-trunked)	
06-03-22	35676.51	Required to facilitate the construction of a new single carriageway road linking the new A66 with the old de-trunked A66 and the provision of landscaping and reprofiling, compensatory floodplain storage.	



Plot No.	Area (square metres)	Works Proposed on Parcel
06-03-24	14687.99	Environmental Mitigation - replacement grassland
06-03-25	10.82	The construction of a new single carriageway road linking the new A66 with the old de-trunked A66 and the provision of landscaping and reprofiling.
06-03-27	557.21	Environmental Mitigation - woodland planting
06-03-29	3575.94	Environmental Mitigation – replacement grassland
06-03-30	2604.61	Environmental Mitigation - replacement grassland and provision of drainage pond
06-03-33	5756.24	Construction of new carriageway to link Warcop west junction to old de-trunked A66
06-03-34	138.96	Environmental Mitigation – woodland planting and minor highway tie in works
06-03-38	233.1	The construction of a new single carriageway road linking the new A66 with the old de-trunked A66 and the provision of landscaping and reprofiling, construction of surface water drainage infrastructure.
06-03-45	1154.65	Environmental mitigation – landscape integration, grassland
06-03-46	12412.7	Construction of A66 dual carriageway and landscape integration
06-03-49		Reprofiling and landscape integration
06-03-51	10254.38	Environmental Mitigation - replacement grassland
06-03-52	17454.93	Construction of A66 Dual Carriageway on Northern Edge and Environmental Mitigation – replacement grassland
06-03-55	2036.31	The construction of a new junction on the new A66 ("Warcop Westbound Junction") linking the new A66 with the new local village access road and the de-trunked A66) and the provision of landscaping and reprofiling, construction of surface water drainage infrastructure.
06-03-56	131.6	Construction of Warcop west junction and land reprofiling
06-04-03	32779.04	Replacement football pitch, pavilion including the provision of changing facilities, classrooms, helicopter landing site. Replacement bivouac facility.



Plot No.	Area (square metres)	Works Proposed on Parcel
06-04-04	317.17	Landscape integration associated with Warcop west junction
06-04-05	5067.32	The construction of a new junction on the new A66 ("Warcop Westbound Junction") linking the new A66 with the new local village access road and the de-trunked A66 and the provision of new private means of access, landscaping and reprofiling, construction of surface water drainage infrastructure.
06-04-06	7336.73	The construction of a new junction on the new A66 ("Warcop Westbound Junction") linking the new A66 with the new local village access road and the de-trunked A66) and the provision of landscaping and reprofiling, construction of surface water drainage infrastructure.
06-04-10	74.24	Improvements to access to replacement football pitch site
06-04-15	34718.56	The construction of a new junction on the new A66 ("Warcop Westbound Junction") linking the new A66 with the new local village access road and the de-trunked A66 environmental mitigation, landscaping and reprofiling.
06-04-21	13375.32	The construction of a new junction on the new A66 ("Warcop Westbound Junction") linking the new A66 with the new local village access road and the de-trunked A66 and the provision of environmental mitigation, landscaping and reprofiling, construction of surface water drainage infrastructure.
06-04-25	604.87	The construction of a new single carriageway local road between Hayber Lane and Flitholme Road and the provision of facilities for use by and benefit of the Ministry of Defence (MoD) and the provision of non- motorised user facilities, landscaping and reprofiling, construction of surface water drainage infrastructure.
06-04-27	6230.89	The construction of a new single carriageway local road between Hayber Lane and Flitholme Road and the provision of facilities for use by and benefit of the Ministry of Defence (MoD) and the provision of non- motorised user facilities, landscaping and reprofiling, construction of surface water drainage infrastructure.
06-04-28	186.09	Required to facilitate the provision of facilities for use by and benefit of the Ministry of Defence (MoD) and the provision of landscaping and reprofiling.
06-04-29	39958.3	Required to facilitate the provision of facilities for use by and benefit of the Ministry of Defence (MoD) and the provision of non-motorised user facilities, landscaping and reprofiling, compensatory floodplain storage, construction of surface water drainage infrastructure.



Plot No.	Area (square metres)	Works Proposed on Parcel
06-04-32	22985.65	Works for the improvement of the existing A66 eastbound and westbound single lane carriageway and the construction of an additional carriageway to upgrade the A66 eastbound and westbound single carriageway to a dual carriageway and the provision of non-motorised user facilities, landscaping and reprofiling, construction of surface water drainage infrastructure. Re-location of the Brough Hill Fair.
06-04-33	38.95	Works for the improvement of the existing A66 eastbound and westbound single lane carriageway and the construction of an additional carriageway to upgrade the A66 eastbound and westbound single carriageway to a dual carriageway and the provision of non-motorised user facilities, landscaping and reprofiling, construction of surface water drainage infrastructure.
06-04-37	468.02	Construction of new access to replacement MoD facilities (detail of buildings required as described in 06-04-38)
06-04-38	19464.17	The construction of the A66 Dual Carriageway and reprovision of tank park, vehicle wash down point and filling station located to the north of the existing Warcop junction (including waste transfer facility, and 6 quickway storage buildings).
06-04-39	11225.91	Reprovision of tank park, vehicle wash down point and filling station located to the north of the existing Warcop junction (including waste transfer facility, and 6 quickway storage buildings).
06-04-41	25434.65	The construction of a new single carriageway local road between Hayber Lane and Flitholme Road and the provision of facilities for use by and benefit of the Ministry of Defence (MoD) and the provision of non- motorised user facilities, landscaping (including replacement woodland planting as part of environmental mitigation) and reprofiling, construction of surface water drainage infrastructure.
06-04-43	20842.63	Works for the improvement of the existing A66 eastbound and westbound single lane carriageway and the construction of an additional carriageway to upgrade the A66 eastbound and westbound single carriageway to a dual carriageway and the provision of non-motorised user facilities, new private means of access, landscaping and reprofiling, construction of surface water drainage infrastructure. Re-location of the Brough Hill Fair.
06-05-06	1040.24	Construction of A66 Dual Carriageway
06-05-08	10361.84	The construction of the new realigned single carriageway road into Flitholme ("Flitholme Road") and the construction of a new single carriageway local road between Hayber Lane and Flitholme Road and the provision of non-motorised user facilities, landscaping and reprofiling, construction of surface water drainage infrastructure.
MoD1	33942.05	Environmental Mitigation Parcel – woodland planting



Summary of Proposed Use of Secretary of State for Defence Land				
Plot No.	Area (square metres)	Works Proposed on Parcel		
MoD2	1861.51	Environmental Mitigation Parcel – woodland planting		
MoD3	404.16	Construction of A66 Dual Carriageway and Environmental Mitigation – woodland planting		
MoD4	6428.84	Environmental Mitigation Parcel – woodland planting		
MoD5	18573.83	Environmental Mitigation Parcel – woodland planting		





APPENDIX B: MoD Environmental Mitigation Plan





