

From: [A303 Sparkford to Ilchester](#)
To: [Anderson-Rowe, Asha](#)
Subject: FW: A303 Sparkford to Ilchester Dualling (TR010036) - Deadline 3 submission documents
Date: 11 February 2019 12:39:50
Attachments: [image001.png](#)
[A303 DCO Comments on Responses to Examiners Questions 08Feb2019.pdf](#)
[HBMCE Comments on Revised Draft DCO Deadline 2.pdf](#)
Importance: High

From: Harries, Beth [mailto:Beth.Harries@HistoricEngland.org.uk]
Sent: 08 February 2019 15:28
To: A303 Sparkford to Ilchester
Cc: Woodhouse, Helen; McAllister, Jo
Subject: A303 Sparkford to Ilchester Dualling (TR010036) - Deadline 3 submission documents
Importance: High

Dear Sir/ Madam,

Application by Highways England for an Order Granting Development Consent for the A303 Sparkford to Ilchester Dualling

Further to the examination timetable and deadline 3. Please find attached for your attention the following documents.

1. Comments on response to the Examining Authority's Written Questions.
2. Comments on applicant's first revised draft DCO.

Following careful consideration, we will not be attending the forthcoming Accompanied Site Inspections.

We have e-mailed separately, as you requested, regarding our attendance at the Issue Specific Hearings.

Should you have any queries, please do not hesitate to contact me.

Yours faithfully

Beth Harries

Solicitor

Governance and Legal Team

Historic England 4th Floor, Cannon Bridge House, Dowgate Hill, London EC4R 2YA
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On behalf of Historic England



<http://www.historicengland.org.uk/advice/hpg/>

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Historic England

**COMMENTS ON RESPONSES TO EXAMINING AUTHORITY'S
QUESTIONS 20/12/18**

**ON BEHALF OF THE
HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND
(HISTORIC ENGLAND)
("HBMCE")**

**Application by
Highways England for an Order granting Development Consent for the A303
Sparkford to Ilchester Dualling**

**PINS Reference No: SPIL-SP0005 & 2001-4933
HBMCE Reference No: PL00285449**

INTRODUCTION

- 1.1. The Historic Buildings and Monuments Commission for England is generally known as Historic England. However due to the potential for confusion in relation to “HE” (Highways England and Historic England), we have used “HBMCE” in our formal submissions to the examination to avoid confusion.
- 1.2. HBMCE was established with effect from 1 April 1984 under Section 32 of the National Heritage Act 1983. The general duties of HBMCE under Section 33 are as follows:
 - “...so far as is practicable:
 - (a) to secure the preservation of ancient monuments and historic buildings situated in England;
 - (b) to promote the preservation and enhancement of the character and appearance of conservation areas situated in England; and
 - (c) to promote the public’s enjoyment of, and advance their knowledge of, ancient monuments and historic buildings situated in England and their preservation”.
- 1.3. HBMCE submitted on 23 January 2019 detailed written submissions and provided responses to the questions put by the Examining Authority in this matter. We have provided our comments on the revised draft Development Consent Order and general observations in a separate document submitted 8 February 2019. .
- 1.4. We therefore set out below our comments on the various responses provided by Highways England in their responses to the Examining Authority’s first round of questions.

HBMCE's COMMENTS ON RESPONSES TO THE QUESTIONS SUBMITTED TO THE EXAMINING AUTHORITY BY 20 DECEMBER 2018

Q 1.1.16 Hazlegrove House and Hazelgrove House RPG

HBMCE comment on Highways England response:

HBMCE welcomes confirmation that Highways England will be producing a photomontage as it will in our opinion assist in illustrating and assessing the visual effects of raising the bunds. However, we do not consider that the photomontage will assist in ascertaining whether the raised height of the bunds might have an additional adverse physical impact to the Registered Park and Garden as set out in our response to this question from the Examining Authority. The larger earthworks could take up more land, potentially extending into the Registered Park and Garden and adversely affecting the experience and understanding of the heritage asset. HBMCE will continue to discuss this aspect of the Scheme with Highways England and will provide confirmation regarding whether agreement has been reached under the SoCG.

Q 1.1.17 Hazlegrove House RPG

HBMCE comment on Highways England response:

HBMCE has reviewed the topic paper and understands the option sifting process undertaken by Highways England and the improvements that have been made in reducing the extent of land-take within the RPG. Our initial review of the topic paper would lead us to query the omission of the attenuation basin in the Stage 1 and Stage 2 designs (Fig 4.1 and 5.1). No reference or explanation is provided as to whether the basin was required in the earlier options and if so where it was to be located. It only appears in the final Stage 3 design (Fig 6.1) but, again, is not referenced in the description. We would welcome additional consideration of the potential impact of this feature on the RPG and will continue to discuss this aspect of the Scheme with Highways England.

Q's 1.1.18 and 1.1.19 Hazlegrove House RPG

HBMCE comment on Highways England response:

HBMCE notes Highways England's response to this question and will continue to discuss this aspect of the Scheme with Highways England and will provide confirmation regarding whether agreement has been reached under the SoCG.

Q 1.1.20 Hazlegrove House RPG

HBMCE comment on Highways England response:

HBMCE notes the comments made by Highways England; our position is set out in our Written Representation and in our SoCG with Highways England.

Q 1.1.21 Archaeology

HBMCE comment on Highways England response:

HBMCE notes the comments of Highways England regarding their assessment of the results of the archaeological investigation conducted on the Scheme. We are in the process of undertaking a detailed review of the reports now submitted which requires an overarching comparison of the results from the geophysical survey work, aerial survey, LiDar analysis and trial trenching in relation to the significance of known archaeological remains. HBMCE would request to reserve the right to provide further comments to the Examining Authority on the results of this work and will provide confirmation regarding whether agreement has been reached with HE under the SoCG

Q 1.1.22 Camel Hill Romano-British Settlement Scheduled Ancient Monument (SAM)

HBMCE comment on Highways England response:

HBMCE notes the response of HE on the results of archaeological investigation closest to the Camel-Hill Scheduled Monument and the implications for their proposed mitigation strategy. HBMCE cannot confirm its position on the overall

degree of harm caused to the SM until we have concluded a detailed review of the reports now submitted which requires an overarching comparison of the results from the geophysical survey work, aerial survey, LiDar analysis and trial trenching in relation to the significance of known archaeological remains. HBMCE would request to reserve the right to provide further comments to the Examining Authority on the results of this work and will provide confirmation regarding whether agreement has been reached with HE under the SoCG

Q 1.1.23 Downhead Medieval Settlement Scheduled Ancient Monument (SAM)

HBMCE comment on Highways England response:

HBMCE notes the response of HE on the proposed ecological mitigation near the Downhead Scheduled Monument. HBMCE cannot confirm its position on the overall degree of harm caused to the SM until we have concluded a detailed review of the reports now submitted which requires an overarching comparison of the results from the geophysical survey work, aerial survey, LiDar analysis and trial trenching in relation to the significance of known archaeological remains. We have requested further information on the detail of the proposed ecological mitigation in discussion with HE and will provide confirmation regarding whether agreement has been reached with HE under the SoCG.

Q 1.1.24 Downhead Medieval Settlement Scheduled Ancient Monument (SAM)

HBMCE comment on Highways England response:

Please refer to our comments on the responses to Question 1.1.23 above.

Qs 1.5 Landscape and Visual Effects and 1.5.3 Clarification (Key views)

HBMCE comment on Highways England response:

HE has not responded in relation to the production of photomontages to illustrate the Camel Hill Scheduled Monument and Hazlegrove House as visual receptors to address our disagreement with the list included in paragraph 7.4.9 as being the only

Key Views. We will continue to discuss the production of this information with HE and will provide confirmation regarding whether agreement has been reached under the SoCG.

HBMCE note that there are comments provided in relation to the revised draft DCO. These are dealt with in our separately submitted document in comments on the draft Development Consent order submitted for Deadline 2.

ENDS



Historic England

**COMMENTS ON REVISED DRAFT DEVELOPMENT CONSENT ORDER
(SUBMITTED AT DEADLINE 2)**

**ON BEHALF OF THE
HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND
(HISTORIC ENGLAND)
("HBMCE")**

**Application by
Highways England for an Order granting Development Consent for the A303
Sparkford to Ilchester Dualling**

**PINS Reference No: SPIL-SP0005 & 2001-4933
HBMCE Reference No: PL00285449**

INTRODUCTION

- 1.1. The Historic Buildings and Monuments Commission for England is generally known as Historic England. However due to the potential for confusion in relation to “HE” (Highways England and Historic England), we have used “HBMCE” in our formal submissions to the examination to avoid confusion.
- 1.2. HBMCE was established with effect from 1 April 1984 under Section 32 of the National Heritage Act 1983. The general duties of HBMCE under Section 33 are as follows:

“...so far as is practicable:

 - (a) to secure the preservation of ancient monuments and historic buildings situated in England;
 - (b) to promote the preservation and enhancement of the character and appearance of conservation areas situated in England; and
 - (c) to promote the public’s enjoyment of, and advance their knowledge of, ancient monuments and historic buildings situated in England and their preservation”.
- 1.3. HBMCE have already submitted on 23 January 2019 detailed written submissions and provided responses to the questions put by the Examining Authority in this matter. We have provided our comments on the various responses submitted by Highways England in a separate document (submitted on 8 February 2019), but for ease of reference have provided our comments on the responses to the Examining Authority’s first round questions on the DCO within this document.
- 1.4. We therefore set out below our comments on the revised draft Development Consent Order submitted by Highways England in January 2019. Our comments should be read in conjunction with those previously submitted in our written representations and our responses to the Examining Authority’s first round of questions.

Article 8. Limits of deviation¹

- 1.5. This was picked up as part of the Examining Authority's question – see question **1.10.9 (Article 2(1), a) Limits of deviation**). In our response to this question from the Examining Authority, we sought confirmation from the Applicant that the limit of lateral deviation included on the Works Plans (Sheet 3 of 4) would not entail encroachment within the Camel Hill Scheduled Monument. Whilst noting the response provided by Highways England, this remains a matter to be addressed and we will seek to discuss this further with Highways England.

Article 47. Removal of Human Remains

- 1.6. This was picked up as part of the Examining Authority's question – see question **1.10.19 (Article 47(12))**. HBMCE welcomes the amendment to refer to the Secretary of State for Justice. In our response to this question from the Examining Authority, we also raised the point that we would expect this to be addressed under the WSI to be included under the CEMP. This remains a matter to be addressed and we will seek to discuss this further with Highways England.

Schedule 2 Part 1 Requirements

Requirement 3 (4)

- 1.7. This was picked up as part of the Examining Authority's questions – see question **1.10.27 (Schedule 2 – Requirement 3(4))**. In our response to this question from the Examining Authority we requested that the Applicant prepared a Conservation Management Plan for the RPG as part of the mitigation strategy, and that this should be incorporated into the HEMP. This remains a matter to be addressed. We will continue to discuss the timing of the production of the HEMP, and the incorporation of a Conservation Management Plan for the RPG in the mitigation strategy as part of the HEMP, and ask that Highways England ensure that the work necessary to inform the HEMP is available within the appropriate timescales.

¹ These references are to the revised draft Development Consent Order submitted January 2019

Schedule 2 Part 1 Requirements

Requirement 5 (2)

- 1.8. This was picked up as part of the Examining Authority's questions – see question **1.10.30 (Schedule 2 – Requirement 5(2))**. IHBMCCE welcomes the acknowledgement that these documents may become dated and that there needs to be some way to address this. It may be appropriate that this is done through a reference to “any subsequent British Standard amending or replacing that”. This would be consistent with how reference has been made elsewhere to the updating of documents – notably the “Design of Highway Drainage Systems”.

Schedule 2 Part 1 Requirements

Requirements 6 (1); 14 (3) and 15 (3)

- 1.9. This was picked up as part of the Examining Authority's questions – see questions **1.10.31, 1.10.42 and 1.10.43**. In our responses to the questions from the Examining Authority we wanted to ensure that the mitigation was completed before the new dual carriageway was fully operation and that there should be a timeline. We note Highways England responses and welcome confirmation by them in response to question 1.10.42 that the appropriate noise mitigation will be in place by the time the scheme opens. HBMCE will continue to discuss the timing of this and other mitigation and its completion in advance of the new dual carriageway being fully operation.

Schedule 2 Part 1 Requirements

Requirement 9

- 1.10. We note that this provision has been amended in the revised draft Development Consent Order. HBMCE is pleased to see this revision which we consider provides a more robust approach to this requirement, ensuring appropriate post-excavation work and publication following completion of the Scheme. We would however reiterate our request as set out in our written representations that we be consulted and involved in the approval of the Written Scheme of Investigation for parts of the Scheme within the settings of nationally important scheduled monuments. We would also note that in our written representations (section 6 – Statement of Common Ground) there are a

number of issues relating to archaeology and these remain to be addressed. We will seek to discuss this and the other matters relating to archaeology further with Highways England.

General comments

1.11. As can be seen from above, there are a number of matters which remain to be addressed. We will continue to discuss these with Highways England and that progress on these matters can be recorded in the updated Statement of Common Ground.

ENDS