

**From:** [REDACTED]  
**To:** [A303 Sparkford to Ilchester](#)  
**Subject:** 20200916 - MOD response to SoS request for comments (16/08/20)  
**Date:** 16 September 2020 13:29:44  
**Attachments:** [image001.jpg](#)  
[20200916 DIO Response to SoS Transport.pdf](#)

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Dear Sir/Madam,

Please find attached the MOD (Defence Infrastructure Organisation - Safeguarding) response to the request for comments from interested parties dated 19 August 2020.

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

Regards,

James

**James Houghton**

Senior Safeguarding Manager | Safeguarding | Estates |  
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Website: [www.gov.uk/dio/](http://www.gov.uk/dio/)

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Read DIO's blog <http://insidedio.blog.gov.uk/>

Due to COVID-19 I am working from home until further notice.

In line with the latest guidance, I am working offline where possible to ease the pressure on the IT network, so I will only be checking emails and Skype periodically. This means I might not respond as promptly as usual, so if you need my attention more urgently, please call me on 07967 750 890.



# Defence Infrastructure Organisation

Defence Infrastructure Organisation  
Safeguarding Department  
Kingston Road  
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Your Reference: TR010036

Our Reference: 10044194

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A303 Sparkford/Ilchester Dualling Case Team,  
The Planning Inspectorate,  
Eagle Wing 3/18,  
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Temple Quay,  
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BS1 6PN

16 September 2020

**By email only**

Dear Ms Kopala,

**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.**

I write in response to the additional information recently submitted by Highways England in accordance with the Secretary of State's minded to refuse letter dated 21 July 2020. Specifically, this letter provides Ministry of Defence (MOD) comments on the Highways England submission TR010036 '9.44 Submission in response to the Secretary of State's letter dated 21 July 2020' dated August 2020.

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.

Elements of the development forming the subject of the A303 Sparkford to Ilchester dualling project are to be sufficiently close to Royal Naval Air Station (RNAS) Yeovilton to occupy parts of designated statutory safeguarding zones that serve to protect the safe operation of the airfield. The development falls within Safeguarding Zones that secure the safe and continuing use of the airfield by aircraft (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. The development proposed has the capacity to have a significant and detrimental impact on aviation safety and on the operation of RNAS Yeovilton.

As identified in Annexe B of the Highways England submission, MOD concerns can be broken down into three areas:

1. The design of the attenuation ponds and associated planting schemes;
2. The management of the development during the construction phase with regard to bird hazard and physical safeguarding of RNAS Yeovilton; and
3. The establishment of a legally secured bird hazard management plan that would exist in perpetuity, safeguarding the operational capability and continued safe use of RNAS Yeovilton.

Subsequent to the Secretary of State's letter dated 21 July 2020 MOD, specifically DIO Safeguarding, have worked with Highways England and their nominated agents through email exchanges and meetings to progress these matters. A log of the interaction can be found in Annexes A and B of the Highways England submission (TR010036 '9.44 Submission in response to the Secretary of State's letter dated 21 July 2020' dated August 2020).

A brief summary of progress on each of the areas of concern is provided below:

1. Draft detailed designs for the proposed ponds and associated planting/landscaping schemes have been discussed and, whilst not yet formally agreed, are progressing toward a point where MOD would be able to support this element of Highways England's proposals. MOD and Highways England are continuing to co-operate to progress the detailed design and associated planting/landscaping details to ensure that the ponds and their surrounding areas do not provide an attractive environment for large or flocking bird species that may be hazardous to aviation safety. The amended text of requirement 12 of the revised draft Development Consent Order (Revision 0.7) provides an acceptable means to formally agree these elements of the scheme.
2. It is noted that document TR010036 '6.7 Outline Construction Environment Management Plan' Revision C dated August 2020 contains a chapter dedicated to a Bird Hazard Management Plan. This, coupled with the updated wording for requirement 3 of the revised draft Development Consent Order (Revision 0.7) would ensure that MOD (through DIO) would have the ability to formally agree the content of a Construction Environment Management Plan (CEMP) to ensure that an appropriate bird hazard management plan is in place for the construction phase of the development. The amended text of requirement 3 of the revised draft Development Consent Order (Revision 0.7) provides an acceptable means to formally agree the content of the CEMP.

MOD note that Appendix A of document TR010036 'Draft Statement of Common Ground with Defence Infrastructure Organisation', dated March 2019, contains a plan showing agreed height limits for structures and the storage of plant, materials or other equipment. These limits would prohibit physical obstruction of the technical safeguarding zone ensuring the effective operation of radar and navigational aids. It is anticipated that this will form part of any future CEMP. Again, the text of requirement 3 of the revised draft Development Consent Order (Revision 0.7) would provide an acceptable means to formally agree how height limitations would be observed.

3. Finally, in order to progress an appropriate Bird Hazard Management Plan that would be attached to the land and would exist in perpetuity, Highways England have provided a draft planning agreement (under Section 106 of the Town and Country Planning Act 1990). This draft is currently being assessed by Subject Matter Experts to ensure that risks would be appropriately managed. The agreement of a Section 106 agreement would provide a suitable means of addressing MOD Safeguarding

concerns relating to the ongoing management of the site and potentially problematic avian populations.

In summary, Highways England and MOD have made significant progress toward addressing MOD Safeguarding concerns. Whilst elements are yet to be finalised, MOD is confident that these issues can be resolved before the Secretary of State's deadline for a decision of 20 November 2020.

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 sincerely,

**James Houghton**  
Senior Safeguarding Manager  
DIO Estates