

A303 Sparkford to Ilchester Dualling Scheme – Local Impact Report

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Henry Hobhouse, Property, Climate Change and Income Generation

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Purpose of the Report

1. To update District Executive on the A303 Sparkford to Ilchester Dualling Scheme and set out the Examination timetable for the Development Consent Order (DCO). Also highlight emerging issues to be covered in the Local Impact Report and request delegation of the Local Impact Report to the Lead Specialist, Strategic Planning, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder. The report also asks Members to agree that the Council submit a Written Representation to the Examining Authority.

Forward Plan

2. This report appears on the District Executive Forward Plan.

Public Interest

3. The report outlines the Examination timetable for the DCO application by Highways England to obtain permission to dual the A303 from Sparkford to Ilchester. The report highlights areas where the Council have concerns over the impact of the proposed scheme and where mitigation will be sought through the DCO Examination. This is not a detailed or exhaustive list as work is ongoing and issues may emerge through the Examination process and at the detailed design stage which will be post consent of the scheme by the Secretary of State.

Recommendations

4. That the District Executive:
 - a. note this report and its contents;
 - b. approve delegation of the Local Impact Report (LiR) to the Lead Specialist, Strategic Planning, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder; and
 - c. agree that the Council submit a Written Representation to the Examining Authority and give delegation of the contents of that Written Representation to the Leader of the Council, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder and the Ward Members for Camelot and Ivelchester.

Background

5. District Executive has considered the dualling of the A303 between Sparkford and Ilchester twice before. In July 2018, Members approved a Statement of in Principle Support for the Scheme to be submitted to Highways England. The principle of the Council entering into a Planning Performance Agreement with Highways England was also approved, alongside a Scheme of Delegation for the Council's input into the Development Consent Order process and a budget to seek external resource for some of that input.

6. In October 2018, Members were notified that an Adequacy of Consultation Response (AoCR) had been submitted to the Planning Inspectorate, that officers were no longer pursuing a Planning Performance Agreement with Highways England and that external resources had been secured to give ecology, cultural heritage and landscape support to the project. At this meeting, Members delegated authority for the Council's Relevant Representations to the Lead Specialist, Strategic Planning, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder, as time constraints meant approval via District Executive was not achievable.
7. We are now in the Examination Period (see below for an outline of the stages the application will go through). The Preliminary Meeting was held on 12th December and the Examination began that afternoon with the first Open Floor Hearing. The Planning Inspectorate have a period of up to 6 months within which they can examine the application and so the Examination will close by the 12th June (the Examination timetable is set out below).

Diagram1: Stages of a Development Consent Order Application

Pre-application	Period before submitting an application. Potential applicants have a statutory duty to carry out consultation on their proposals at this stage.
Acceptance	The Acceptance stage begins when an applicant submits an application for development consent to the Planning Inspectorate. The Planning Inspectorate, on behalf of the Secretary of State decides whether or not the application meets the standards required to be accepted for examination.
Pre-examination	At this stage, the public will be able to register with the Planning Inspectorate to become an Interested Party by making a Relevant Representation. An Examining Authority is also appointed at the Pre-examination stage, and all Interested Parties will be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority. There is no statutory timescale for this stage of the process, but it usually takes approximately three months from the Applicant's formal notification and publicity of an accepted application.
We are here: → Examination	The Planning Inspectorate has up to six months to carry out the examination. During this stage Interested Parties who have registered by making a Relevant Representation are invited to provide more details of their views in writing.
Recommendation and Decision	The Planning Inspectorate must prepare a report on the application to the relevant Secretary of State, including a recommendation, within three months of the close of the six month Examination stage. The relevant Secretary of State then has a further three months to make the decision on whether to grant or refuse development consent.

Post Decision

Once a decision has been issued by the relevant Secretary of State, there is a six week period in which the decision may be challenged in the High Court, known as Judicial Review.

8. The high level timetable remains as it was reported to members previously, for convenience this is reproduced below:
 - Recommendation to Secretary of State by the Examining Authority (ExA) – September 2019
 - Decision by Secretary of State - end of 2019
 - Road construction to commence by March 2020
 - Road open - 2022/2023

Update on Actions Agreed at District Executive in October 2018

9. Officers produced joint Relevant Representations with Somerset County Council and these were submitted to the Examining Authority (ExA) on the 19th October 2018. This along with all the other Relevant Representations is published on the Planning Inspectorate website and can be viewed here:
<https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-sparkford-to-ilchester-dualling/?ipcsection=overview>

Examination

10. The Examination, as explained above, has now commenced. Both the Preliminary Meeting and the Open Floor Hearing were well attended by members of the public and officers from other public bodies including Historic England, Environment Agency, Wiltshire Council and Devon County Council.
11. At the meeting the Planning Inspectorate explained that Highways England are considering making some changes to the application, these are:
 - Relocating the main compound to the west to avoid a clash with proposed landing lights. Whilst the compound will remain in the same field as previously, it will be beyond the original Red Line Boundary;
 - Providing an alternative for Blackwell Farm. Currently an access track is proposed from Blackwell Road. The amendment seeks to improve the corner of Traits Lane and Blackwell Road, therefore removing the track from the proposals. Highways England believe that this is more cost effective and will address concerns of a nearby property; and
 - Relocating the proposed concrete batching plant from its current proposed location which is adjacent to the MOD site, to the main compound site. According to Highways England this is to appease the landholder and may result in some efficiency due to working practices and will reduce environmental impacts.

These changes are likely to require a period of further consultation (a period of 30 days was suggested at the Preliminary Meeting), as they are significant because they include land outside the original red line boundary and trigger additional work.

12. Officers of the Council raised some issues at the Preliminary Meeting (which addresses procedure only) including the need to amend the timetable. The deadlines given are tight and whilst appreciating the Examination has to be completed by the 12th June, it was explained that the process

is a strain on Council resources. The failure to get a PPA was raised, as was the competing pressures on officer time – namely Local Plan Review and the forthcoming A358 DCO. The dates of the District Council elections and purdah period was noted by the Planning Inspectorate.

13. A number of issues were raised by members of the community at the Open Floor Hearing, including:
- Concerns over the design and layout of Hazlegrove junction, Downhead junction, lack of a parallel road and the stopping off of Gassons Lane and Traits Lane,
 - Increased traffic through West Camel, Sparkford and Queen Camel,
 - Concerns over noise levels,
 - Concerns over the future viability of businesses,
 - Concerns over surface water drainage and flooding; and
 - Various mitigation measures were requested.
14. Both the Preliminary Meeting and Open Hearing were recorded and can be accessed via this link: <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-sparkford-to-ilchester-dualling/?ipcsection=overview>
15. The draft timetable for the Council's input is an aggressive one and is set out below. This timetable will be confirmed through the Rule 8 letter which is due shortly and it is hoped that the ExA have listened to the concerns of officers regarding deadlines and amended them slightly to allow some more time. Deadlines currently are:

Deadline	Date	Deadline for submission of following to the ExA (PINS) by the Council:
Deadline 1	Friday 11 th January	<ul style="list-style-type: none"> • Comments on updated application documents • Summary of Relevant Representation as it exceeds 1500 words • Suggested locations for site inspections, and justification • Notification of wish to speak at any subsequent Open Floor Hearing (OFH) • Notification of wish to make oral representations at an Issue Specific Hearing (ISH) • Notification of wish to speak at a Compulsory Acquisition Hearing (CAH) • Comments on any additional information/submissions received • Responses to any further information requested by the ExA for this deadline
Deadline 2	Wednesday 23 rd January	<ul style="list-style-type: none"> • Written Representations (WRs) including summary if it exceeds 1500 words • Local Impact Report • Joint Statement of Common Ground (SoCG) • Response to the ExA's Written Questions • Response to comments on RRs • Comments on draft itinerary for ASI and suggested locations for site inspections • Notification of wish to attend an ASI

		<ul style="list-style-type: none"> • Comments on any additional information/submissions received by D1 • Responses to any further information requested by the ExA for this deadline
Deadline 3	Wednesday 6 th February	<ul style="list-style-type: none"> • Comments on WRs • Comments on Local Impact Reports • Comments on SoCGs • Comments on responses to the ExA's Written Questions • Comments on Applicant's first revised draft DCO • Comments on any additional information/submissions received by D2 • Responses to any further information requested by the ExA for this deadline
Hearings	Tuesday 26 th February to Friday 1 st March, Haynes Motor Museum	
Deadline 4	Friday 8 th March	<ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case • Revised/updated SoCG • Comments on any additional information/submissions received by D3 • Responses to any further information requested by the ExA for this deadline
Deadline 5	Friday 5 th April	<ul style="list-style-type: none"> • Responses to the ExA's further Written Questions (if required) • Comments on any revised/updated SoCGs • Comments on any additional information/submissions received by D4 • Responses to any further information requested by the ExA for this deadline
Deadline 6	Friday 26 th April	<ul style="list-style-type: none"> • Comments on responses to the ExA's further Written Questions (if required) • Comments on Applicant's revised draft DCO • Comments on the ExA's proposed schedule of changes to the draft DCO / or The ExA's draft DCO • Comments on any additional information/submissions received by D5 • Responses to any further information requested by the ExA for this deadline
Hearings	Tuesday 14 th May to Thursday 16 th May, Haynes Motor Museum	
Deadline 7	Friday 24 th May	<ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case (if required) • Responses to comments on the ExA's proposed schedule of changes to the draft DCO / or The ExA's draft DCO • Comments on the Report on Implications for European Sites (RIES) • Comments on any additional information/submissions received by D6 • Responses to any further information requested by the ExA for this deadline

Deadline 8	Friday 31 st May	<ul style="list-style-type: none"> • Response to comments on the Report on Implications for European Sites (RIES) • Final DCO • Final SoCGs • Final Compulsory Acquisition Schedule • Comments on any additional information/submissions received by D7 • Responses to any further information requested by the ExA for this deadline
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16. Officers are making progress on documents for the first and second deadline (11th and 23rd January) and these are covered in detail below. It should be noted however that despite the Examination closing in June 2019, the work for Council officers will not stop there. The DCO application that has been submitted is similar to an outline application and therefore much of the detail will need to be “worked up” after the 12th June deadline. The mitigation measures the Council will be seeking will relate to much of that detail, and therefore is it crucial that the approved DCO contains a mechanism for the Council to engage and actively influence that detailed design.

17. The A358 Scheme is also making progress and a Preferred Route is due to be announced in the spring of 2019.

Local Impact Report (LiR)

18. The deadline for the LiR is January 23rd. The approved scheme of delegation requires sign off from District Executive.

19. Officers have been working on Topic Papers to support the LiR. No significant issues have been identified to date, but several mitigation measures and the requirement for additional evidence and ongoing engagement have been identified to make the proposed scheme acceptable.

20. Emerging issues are as follows:

- Air Quality and Emissions – we raise no significant issues, although concerns over increased traffic in West Camel and Sparkford (see below) and therefore need to do additional investigative work.
- Noise and vibration – we raise no significant issues, although have concerns over increased traffic in West Camel and Sparkford and therefore need to do additional investigative work.
- Biodiversity, ecology and natural environment – we raise no significant issues but a range of mitigation is sought as there is a wide variety of designated sites, habitats and species within the Red Line Boundary and surrounding area.
- Cultural Heritage - we raise no significant issues but a range of mitigation is sought as the scheme is within an area of high historic and cultural value.
- Socio-Economic Effects on surrounding communities – we raise no significant impacts but seek mitigation for affected businesses both during and after construction.

- Draft development consent order – as noted above, in addition to the DCO structure and definitions, we will need to ensure that the Requirements (these are similar to planning conditions) within the DCO secure the level of mitigation that is required and that the DCO gives both the District Council and County Council the ability to approve further detailed design aspects of the proposal. This is a significant issue.
21. Somerset County Council are covering highways, public rights of way, drainage and flooding, and archaeology. It is noted that Members have raised concerns over surface water drainage and this is being raised with SCC.
 22. The Local Impact Report is not presented to Members for a number of reasons and a request is made to delegate the LiR and its contents to the Lead Specialist Strategic Planning, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder. Firstly, the report is not ready. The deadline is not until 23rd January but to take the LiR through the committee process would have required us to have completed it by 13th December. The LiR would not be fully evolved as the Statement of Common Ground negotiations are ongoing and will need to feed into the LiR. Secondly, it would also not be in the best interests of our communities to publish the LiR before the ExA deadline because we would be presenting our Examination arguments to Highway England in advance. Therefore not only will it exert time pressures on us, but it will be placing us at a disadvantage.

West Camel and Sparkford – Update on Mitigation

23. Members are already aware of the concerns of West Camel, Queen Camel, Sparkford and Yeovilton Parish Councils regarding the increased vehicle movements through their villages as a result of the proposed scheme.
24. Highways England have concluded that their modelling does not show significant adverse effects as a result of the increased vehicle movements and therefore no mitigation is required as a result of this scheme.
25. Somerset County Council's technical view is that vehicle movements do increase as a result of the proposed scheme - by 600 vehicles a day through West Camel (a 42% increase from 1,400 to 2,000 vehicles per day) and 1,800 vehicles a day through Sparkford High Street (a 37% increase from 4,900 to 6,700 vehicles a day). But SCC have not yet concluded as whether this increase of vehicles would result in a significant adverse effect.
26. If the proposed scheme does not generate significant adverse effects, mitigation cannot be sought through the DCO process as it would not meet the statutory tests. Whilst Highways England do not accept that the scheme generates significant adverse effects, as a gesture of goodwill have offered the parish of West Camel, highways mitigation outside of the DCO process.
27. There is an existing rat running issue in West Camel and Somerset County Council recognise this and have a scheme of mitigation designed, further details regarding the exact details of this scheme, funding, timescales etc. are being sought from the County Council. SCC are concerned that the scheme being offered by Highways England lacks a clear method to secure the finances, they therefore want the issues to be considered in a transparent manner through the DCO Examination. There is a risk that if the funding is sought through the DCO and the Examining Authority deem the

scheme not to have a significant adverse effect, that the funding currently being offered via the Highways England Designated Fund may be withdrawn.

28. No mitigation is being offered for Sparkford. The scheme also creates congestion at Podimore Roundabout in summer months and no mitigation is offered here either. Highways England are seeking a Statement of Common Ground with each parish council. Officers from SSDC and SCC are meeting with the parish councils to discuss mitigation further.
29. The District Council is not the Highway Authority and understands the County Council's position, however to reflect our community's concerns over the increase in traffic, the intention is to raise this as a significant adverse effect in South Somerset's section of the Local Impact Report.

Written Representations

30. A Written Representation, like the Local Impact Report is a distinct document which gives the local authority an opportunity to express views on the DCO application. Whilst the Local Impact Report is a technical document, the Written Representation is the local authorities opportunity to express their view on the application i.e. whether or not it supports it and the reasons why. A political angle can be included in this document, where it cannot in others.
31. A Written Representation is not a statutory requirement. The District Executive report in July mentions the Written Representations but there is not time in the scheme of delegation to get approval via District Executive if we are going to produce Written Representations.
32. To enable significant community issues to be raised, it is suggested that a member group comprising the Leader of the Council, the two relevant portfolio holders (Strategic Planning and Climate Change and Income Generation) and the two ward members of the affected communities of Ivelchester and Camelot, work with the Specialist – Strategic Planning, to produce a Written Representation on behalf of South Somerset District Council and that District Executive delegate authority to them to do this. Individual members are also encouraged to make representations if they have not already done so and have specific issues they would like to raise. Written Representations will need to be submitted by Deadline 2, Wednesday 23rd January 2019.

Summary

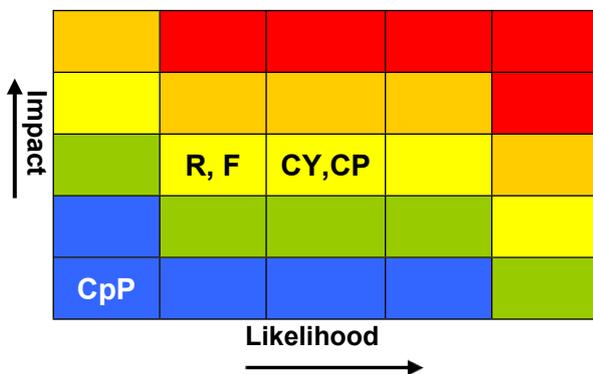
33. Work is ongoing on this project. It has been and continues to be a huge learning curve for officers and lessons have been learnt regarding the vigorous nature of the DCO Examination timetable and governance arrangements.
34. Officers have continued to engage with local ward members and it is believed that evidenced local views are reflected in the emerging LiR. The Council has been clear from the outset that we are supportive of the proposed scheme and that our focus will be on securing the best mitigation for affected communities and not on pursuing an alternative scheme.
35. District Executive is therefore asked to approve delegation of the Local Impact Report (LiR) to the Lead Specialist, Strategic Planning, Strategic Planning Portfolio Holder and Property, Climate Change and Income Generation Portfolio Holder.

Financial Implications

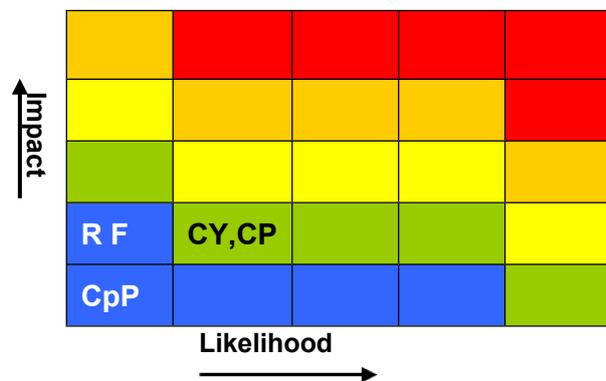
36. Officers from Strategy and Commissioning, Legal Services and Service Delivery will be required to support the project. District Executive has already agreed to £100,000 being set aside from estimated revenue underspends in 2018/19, under-written by general balances, to resource the Council's involvement in this project.
37. As at Q2 there was sufficient projected underspend to offset this cost without impacting on reserves. This position will be reviewed and the up to date funding position will be clearly reflected in the Q3 budget monitoring report to District Executive in February.

Risk Matrix

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact & insignificant probability

Council Plan Implications

None

Carbon Emissions and Climate Change Implications

None

Equality and Diversity Implications

None

Privacy Impact Assessment

No Impact

Background Papers

None