



# Department for Transport

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To:

All Interested Parties

30 November 2021

cc:

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Dear Sir/Madam

## **Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010**

### **Re-determination of the Application by Highways England for an Order granting Development Consent for the A303 Amesbury to Berwick Down (“A303 Stonehenge”)**

#### **STATEMENT OF MATTERS**

1. The High Court’s order dated 30 July 2021 quashed the decision of the Secretary of State for Transport dated 12 November 2020 to grant the application by Highways England (“the Applicant”) for development consent for the construction of a new two-lane dual carriage way for the A303 between Amesbury and Berwick Down in Wiltshire (“the Development”). Following that judgment, the Secretary of State must now re-determine that application.
2. I am therefore writing in accordance with rule 20(2) of the Infrastructure Planning (Examination Procedure) Rules 2010 to set out to you, as an Interested Party to the above application, the following matters on which the Secretary of State invites further representations for the purposes of his re-determination of the application. These matters are:
  - Any updates Interested Parties consider to be material to the information relating to alternatives considered by the Examining Authority in section 5.4 of their report (including the relative merits of a longer tunnel option); and any further information that Interested Parties consider to be material for the Secretary of State to take into account in his re-determination of the application relating to the relative merits of alternatives to the Development;

- any change in whether the Development would be consistent with the requirements and provisions of relevant local or national policies, given the time since the examination closed;
- Any update to:
  - the assessment of the impact of the scheme on the carbon budgets to take account of the sixth carbon budget; and
  - the direct, indirect and cumulative likely significant effects of the development with other existing and/or approved projects on climate, including greenhouse gas emissions and climate change adaptation, in light of the requirements set out in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations') and in light of paragraphs 5.17 and 5.18 of the National Policy Statement for National Networks;
- other than where already covered by the matters set out above, the adequacy of the environmental information produced in support of the application for the Development<sup>1</sup> and whether any further or updated environmental information is now necessary given the time since the examination closed; and
- any other matters arising since 12 November 2020 which Interested Parties consider are material for the Secretary of State to take into account in his re-determination of the application.

### The re-determination process

3. The process for consultation and consideration of the application will be as follows:
  - **The Secretary of State would like to give the Applicant the first opportunity to make representations on the matters set out in paragraph 2. The deadline for the Applicant to respond is 11 January 2022.**
  - A copy of the representations received will be published on the Planning Inspectorate's website as soon as possible after the deadline for the Applicant to respond.
  - **The Secretary of State will then invite all Interested Parties to provide written comments on the Applicant's response and on all other matters stated above.**
  - A copy of these representations will be published on the Planning Inspectorate's website as soon as possible after the final deadline for responding.
4. The Secretary of State intends to take into account in re-determining the application:
  - any relevant responses received to this round of consultation and any subsequent consultation; and
  - all previous material sent to the Planning Inspectorate and the Secretary of State prior to 12 November 2020 and published on the National Infrastructure Planning website, including the Examining Authority's Report.
5. With the above timetable in mind, responses to the matters outlined in this statement of matters should where possible be provided by email to

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<sup>1</sup> The Applicant's Environmental Statement (APP-038 to APP-292) are available at Appendix B of the Examining Authority's Report: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010025/TR010025-002176-Final Recommendation Report Appendices.pdf>

[A303Stonehenge@planninginspectorate.gov.uk](mailto:A303Stonehenge@planninginspectorate.gov.uk), marked "For the attention of the A303 Stonehenge Case Team". Postal responses should be sent to The A303 Stonehenge Case Team, The Planning Inspectorate, Eagle Wing 3/18, Temple Quay House, Temple Quay, Bristol, BS1 6PN. However, please note that as a result of the ongoing Government guidance relating to Coronavirus (COVID-19) there are limited number of staff at Temple Quay House and therefore any submissions sent by post may be subject to delay. If you will have difficulty in submitting a response by the consultation deadline, or difficulty in submitting a response by email, please inform the A303 Stonehenge Case Team.

6. All previous representations and information relating to the application received before 12 November 2020 have been published on the National Infrastructure Planning website. To assist the Secretary of State, any reliance on information contained in previous representations made either during or since the examination should also include the relevant document reference number(s) and preferably also include hyperlinks to where the documents can be viewed on the National Infrastructure Planning website.
7. Any correspondence received between 12 November 2020 and the date of this statement of matters has not been published on the National Infrastructure Planning website and as such will not be taken into account as part of the re-determination process. Where Interested Parties have submitted comments on the application between 12 November 2020 and the date of this statement of matters, and where they wish to have those comments treated as a formal representation in the re-determination process, the Secretary of State requests that Interested Parties resubmit their correspondence. The Secretary of State will then treat such resubmitted correspondence as a formal representation submitted to him in response to his statement of matters.
8. This letter is without prejudice to the Secretary of State's redetermination of the application for the A303 Stonehenge application and his decision whether or not to grant development consent for the Development, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

Natasha Kopala  
Head of Transport Infrastructure Planning Unit