

# TEXT\_Aquind\_ISH5\_Session5\_18022021

Thu, 2/18 4:08PM • 59:02

00:03

All right. Welcome back, everyone, we'll shall resume this issue specific hearing. Before I move on to questions seven, seven, just one point of clarification, if I may from for Mr. Jarvis, you mentioned that the information in respect to that Broadway farm access would be coming in as a technical note, can I just confirm that that technical note will be added to the schedule of ES documents, please?

00:33

I expect it will do so.

00:37

Just as a further point, I have looked into the position with regards to the documents that need to be issued over the break. And I can confirm that the updated framework construction traffic management plan was issued to Hampshire County Council on Tuesday. And I can confirm, and updated travel plan has also been issued. And I understand that is agreed. I can also confirm that the framework traffic management strategy has been updated. And that is ready for issue that's been confirmed this afternoon. And I expect Mr. Williams will issue that this evening. And so those documents are being progressed, we are proactively seeking to make the updates in response to the comments are being received at this time. I don't have a specific timing for the technical notes. But Mr. Williams may be able to provide an update to that effect later today, sir, thank you. Okay, thank you very much. We'll park that until the last item on the agenda any other business just to see if we can capture that. Thank you for that. Moving on, then to questions seven, seven. What evidence is before the examination that the passing base proposed on day lane can be delivered without causing significant effects on biodiversity, landscape and views? What root protection area measures would be required to ensure tree and ensure integrity? And how would these be secured for any DCO

02:02

So, in the first instance, so I'm going to let Mr. Williams talk to the description of the work and then Miss Rita Bowden to discuss

02:09

visual impacts Mr. Ian Ellis will discuss ecological impact and then I can deal with matters relating to how the necessary precautionary methods and mitigations are secured, sir. Thank you. Yes, of course. Mr. Williams, then please.

02:25

Thank you. So just as a brief description of the works, the past in bass has been designed as naught point five metres wide and 20 metres long to accommodate HGVs and will all be constructed within the existing Hampshire County Council highway boundary. With this illustrated in the swept path analysis

drawings, which are included within the day lane technical note submitted at deadline seven see the works overall, therefore result in very minor widening of the existing carriageway.

03:03

The works may

03:07

end up that the widening takes place on two sides of the carriageway rather than one.

03:16

But in those circumstances, there'll be no cases where the overall widening would be beyond naught point five metres. This would be confirmed during the detailed design stages along the carriageway edge in load lines and how the parking bays will tie into the existing carriageway.

03:35

And now I'd like to pass on to miss Bowden for an explanation of the visual impacts please. Thank you. Thank you, sir. So, in terms of landscape visual impacts, no significant effects on landscape and visual immunity will be generated through the loss of trees or hedgerows, which will be avoided through micro siting and detailed design informed by site surveys. And this judgement has been informed by the photographs presented in the proposed passing base swept path analysis supporting the day lane technical note and further site survey was undertaken on the 16th of February this week, which reviewed the widths of the emerging verges sorry, existing villages, proximity of trees, and hedgerows, which are associated with protection areas in relation to the edge of the existing carriageway. And this information will be included in an updated version of the day lane technical note.

04:34

In terms of the survey that was undertaken this week, the most recent survey

04:38

passing Bay one a as we've referred it to, can be microcytic further east to avoid impacting on trees and weather Burgess wider and similarly parsing Bay to be can be microcytic further east to avoid mature trees

04:55

with regards to both parsing base, three C and four D

05:00

There is again sufficient room to accommodate the minor widenings within the existing carriageway, whilst avoiding impacts on adjacent trees and hedgerows. And just to say in terms of passing pay for D, it appears carriageway actually continues underneath the verge in some locations, although this needs to be explored further

05:19

post consent and as part of the detailed design.

05:24

Just also to note there's a presence of the ditch which is recorded on the northern side of day lane, which will be considered in relation to passing a base A and D. And it's noted the ditches located at least one and a half to two metres from the edge of the existing carriageway.

05:40

In terms of tree pruning, since their lane is already used by HGVs on a regular basis, it's unlikely that any management measures are required.

05:51

And as noted in the technical note, the location of parking bays are indicative predictive purposes only. And stated previously is expected to be micro citing and detailed design that no trees and hedgerows will be lost, avoiding landscape and visual impacts. Another point to note is that measures will be taken to not change the landscapes or character. So, the lanes are all character qualities through the use of additional site signage, road markings, curbs and lighting. And this will be reflected as new design principle within the updated dust to be submitted at deadline eight. And what I'd like to do now is pass passes point across to you and Alice who will respond in terms of ecology. Thank you.

06:36

Thank you, Mr. Ellis. Gus, no, sir. Yes, given that no trees or hedgerows will be impacted. In order to establish the passing base, there'll be no impact on ecological features such as bats and door mice. And potential removal of a verge habitat based on a point five metre widening will be negligible. So that will not lead to significant effects on any additional ecological features. The important point is that in any event, standard precautionary measures are included in the outline onshore camp for ecological features would apply. These would include measures to ensure compliance with the wildlife and countryside act with respect to breeding birds, and also precaution measures on sensitive vegetation clearance in order to avoid killing or injury on features such as reptiles or hedgehogs. And, in terms of protection, airy measures I'd like to pass on to my colleague, John Michener, who could provide an update on that.

07:31

Of course.

07:33

Hello, sir John Michener speaking on behalf of the applicant, root protection measures will be secured through the compliance with the principles already outlined in the onshore outline construction investment management plan, and the environmental statement appendix 16.3 arboricultural report.

07:54

The principles to be applied include the identification of root protection areas, which will be undertaken subsequent to a tree survey, the avoidance route protection areas where this is practical, and where encroachment is unavoidable.

08:09

An arboricultural method statement will be put together and will be implemented. This will ensure the sustainable retention of trees and hedges.

08:20

Microsoft team will assist in the avoidance of root protection areas, whilst the ability to widen the carriageway on one side or the other means that we can look at opportunities to avoid impacting

08:33

routes where this cannot be achieved and work within the IP protection area is essential, then the arboricultural method statement will be put together the document will be put together at detailed design and will identify site specific task specific protection measures necessary to protect nearby trees.

08:56

The arboricultural method statements will comply with the requirements of British Standard BS 5837 2012. And it will be

09:06

approved by Hampshire County Council highways, their specialist prior to implementation or the commencement of any construction works.

09:17

Okay, thank you very much. Thank you for that summary. Thank you all for that. And one quick question to Mr. Williams. And in terms of the length of these passing bays, in the very unlikely event, perhaps that there are conflicting vehicles in different directions. When three vehicles three HGVs are travelling in convoy. Is there enough room in a passing bay for all three to move into it effectively? That makes sense. A Yes it does. Thank you. It isn't the case. In such circumstances that the passing bays are needed for a vehicle

09:59

in

10:00

each direction to make use of the passing bay, it'd be the case. In the example you've given that one vehicle would pull into passing bay to allow the three ATV convoy to pass

10:15

on the existing carriageway

10:18

Pass the vehicle waiting in passing Bay. Okay.

10:23

And I lied slightly there is another question for you.

10:27

I've, I've believed I saw from Hampshire County Council appoint that they would actually not mind seeing the passing bays being retained on a on a permanent basis. Is that your understanding? Is that the proposal to retain the passing base, even post construction?

10:45

Yes, that's correct. Okay. Thank you. Thank you very much for confirming that.

10:50

In which case, I just like to refer to Mr. Hughes of the South downs National Park Authority. What are your views about the permanence of these passing bays in any subsequent effects on either the tranquility or the visual effects on the south downs National Park, please? Thank you. So yes, we do have a comment on that. But with your agreement, I will pass out to Robin butcher to answer if that's okay. Of course. You

11:20

have your Thank you, sir. The staff has note there'll be a moderate erosion of the rural character of days loaned during the construction period, with an effect on landscape characters immediately adjoining National Park and visual immunity from Monarchs way which runs across the fields to the immediate north from the movement of lorries.

11:38

The Southdown's Welcome to the occasion as a new design principle relating to belay bias, but we would also welcome and undertaking from the applicant, the laborers are removed. And that day zone is restored to its original baseline state at the end of the construction period to ensure no casual parking would take place as a legacy issue.

11:56

Thank you.

11:57

Thank you very much. I'll actually before going to the applicant, I'll just ask Miss Eva. Mr. Attorney on Miss jury, behalf of Hampshire County Council, obviously the suggestion that the passing base are retained, more permanently kept, I believe came from Hampshire. In Vermont, what's just been said to the south downs National Park Authority is this agree to disagree situation or how do you see that panning out? I think we need to have an offline chat with the national parks to understand a bit more detail about their views. I think from our point it's an it's a very minor carriageway widening and trying to remove that would probably be more problematic to the carriageway surface than trying to retain it. So, we didn't we didn't see it as unnecessary removal. But if there's National Park considerations that need to take into consideration we can we can have that chat next week and confirm the deadline it Okay, that that'd be much appreciated and welcomed, if you could have that discussion and just work out between either way forward.

13:00

Mr. Williams, is there anything for view? or indeed Miss Bowden on the landscape side of things? Is there anything further you wish to add or comment back on what you've just heard?

13:13

So, if I, if I could go forward, first, on in terms of landscape,

13:19

obviously, we can't respond in relation to the permanence of the parking bays from a from a landscape point of view. So would defer that to discussions between my colleague and sat down National Park and Hampshire County Council. In terms of in terms of visual impacts, we did consider the impact of, of construction traffic along day lane. And that was considered as part of the impacts associated with the Monarchs way and also on residential and recreational receptors within the vicinity

13:57

in terms of onyx, where it's already graded as moderate to major

14:01

in during construction, and as I said before, in an earlier response to a question HGVs already utilized a lane and they are they are already noticeable as a baseline. Thank you. Okay, thank you. Is there any other member of the applicant's team wish to make any further comments on questions? Seven, seven.

14:27

I just like to make a quick comment, please. That's just to note that

14:34

the concerns related to parking as Mr. Murray stated they are very minor

14:41

widening of the existing carriageway. I don't feel that they their inclusion. Long term post completion of the

14:51

construction would necessarily lead to people seeing those as an opportunity to park on the lane.

14:59

Okay, thank you.

15:00

Thank, thank you very much. Is there any other party wishing to raise any other matter under questions? Seven, seven.

15:09

Okay, nothing heard. Moving on then to questions seven, eight. Could Hampshire County Council expand on its concerns in relation to the proposed traffic management measures on animal road and the potential for residents parking displacement on the highway? I believe we've already covered the residents parking displacement. But if you could just elaborate on the any remaining concerns on the animal Road Traffic measurement measures, please.

15:39

So, I'll hand over to Holly Drury on this on this one. Okay.

15:45

I think we updated, or we did update our position on this, our deadlines haven't seen response.

15:52

We have had some clarity from the applicant about the number of movements were seeking within CTMP that if this is to happen, that they will legally restrict how many lobby movements they can have within the day.

16:06

And that also that they implemented in the CTMP, a restriction to any HTV movements during school pickup and drop off times. Until you appreciate, we've not been fully able to assess what this parking situation is around those times due to the current climate. So, it is a concern given the proximity of infant junior school. But I believe there is a wider question that is probably beyond or is beyond our remit to be able to ask is why it is necessary to come in from

16:38

Amore road and Mill Road. And why connection can't be made from the from the converter station site to just come across and more road and remove the need for disturbance to residents of no right.

16:52

Okay, thank you very much.

16:55

First of all, going to Mr. Jarvis, we mentioned yesterday, putting a cap on the HCV movements in daylight. And that was a great that that could be done through the draft DCO. Is this Ace?

17:12

The movements could be secured in on Amore road?

17:20

I mean, in theory, it could, sir. My understanding is that it's already secured through the specific weather framework construction traffic management plan, therefore will be secured through the construction traffic management plan that's issued in relation to that phase of the work. So I consider it is already adequately secure. I don't want to fall into the trap of continually trying to pull information out of those documents to put them into the requirements where it's not necessary to do so.

17:45

Okay, fair enough. Thank you for that. And then on the second point, they're more general wider point, the mystery raised about the route to be taken by animal road, a middle road and why a separate route from the converter station has not been sought. I don't know if there's any, anything you can add to that, please.

18:08

I'll pass that question to Mr. Williams. Please, sir. Yes, please. Okay.

18:18

Thank you. So, the access via

18:22

and more road is

18:26

is to access the Kings upon Meadows

18:30

construct site for the ACD works and also the cable route construction

18:40

as it routes north from that point and then onto the northern side of

18:46

of Amore Road.

18:49

The consideration has been given to two alternatives.

18:55

Pretty pre application, the use of silk road

19:00

as an alternative was considered for access by HGVs but considered inappropriate due to its existing width.

19:11

A consideration has also been given to extending the proposed haul road from the converter station down and effectively across our Mall Road to link directly into the fields on the southern side of the carriageway. The issue there is the width

19:31



of the of the space available within the order limits on the northern side of Amel road,

19:37

which wouldn't be adequate to provide a whole road for construction traffic and construct the onshore cable route at that time.

19:49

So unfortunately that has also been discounted, as we've included in the framework CTMP also we've there is a

20:00

On any construction

20:03

vehicles travelling along more road and more lane north of the proposed access junction as well between there and the converter station, because we also found that that was

20:16

that was unsuitable for construction traffic. So, on that basis, the use of Mill Road and Amore Road were really the only feasible options which were available.

20:31

Noting that the works along

20:35

through the field sorry, will be completed very quickly, unfortunately, don't have the timeframe. To handle it, I believe the HDD works will take around 12 weeks.

20:49

So, again, it's a very temporary impact. for residents. We've shown that in the animal road technical note that ATVs already used that route, both Mill Road and animal road and we have proposed necessary management of HTV movements and temporary t arrows to mitigate any impacts associated with that.

21:13

Thank you.

21:15

Thank you very much.

21:17

Not wishing to do a tit for tat on that. But there's mystery have anything to come back on in that regard?

21:24

No, sir.

21:27

Thank you. Mr. Jarvis, your hand is raised. so disappointed clarification. Mr. Williams described that as the order limits are not wide enough for the whole road to be accommodated for vehicles to traverse down from the converse station to animal road. That's principally because to the north that are more road is Hillcrest children's home where it wouldn't be appropriate to widen the order limits or to have a whole roadster

21:51

Okay, thank you for that clarification.

21:54

That's all the points I handed at this question. Does anyone else wish to raise anything? Under questions? Seven, eight.

22:03

Okay, nothing heard. Moving on, then to the last question in this section.

22:09

Could the applicant respond to the submission for Mr. James, Bunbury? With regard to the normal indivisible load deliveries to joint Bay one, in addition to the issues raised by Mr. Banbury? Are there any consequential noise or vibration effects assessing this joint Bay that are not reported in the environmental statement? Now I'm aware that we've received a response at deadline seven C. But if the applicant could just briefly set out the position regarding that place.

22:39

That will be Mr. Williams followed by Mr. Farmer, sir. Okay. Mr. Williams, please. Thank you. So just as a starting point, I'd like to provide a brief summary of Mr. Bumbry submission and his queries. So, it was stated by Mr. Bumbry that the Joint Base technical note that sorry that within the joint Bay technical note the delivery route for joint Bay one is incomplete. Only providing information on how cable drum will be delivered to the converted station area from the atrium, but not from the converter station area to joint Bay one. Miss Mr. Bumbry requested information on how the cable drum will be moved from the converter station area to joint Bay one and if that is the case, how this will be achieved via internal Hall rooms. So firstly, the applicant agrees Mr. Bumbry that the construction traffic route for joint Bay one uses the a three m del Pease West a three Portsmouth road love Dean lane and a lane to access converter station as is the approved construction traffic route contained within the CTMP and that no traffic would be permitted to use Broadway lanes south of the converter station access side.

23:58

This is secured by section 3.4 of the framework CTMP

24:03

within the converter station area, the access road from the Broadway lane from Broadway lane to the converter station and the roads around the converter station compound.

24:14

Sorry, let me let me start that section again.

24:19

Within the converse station area, the access road from Broadway lane to the converter station and the roads around the converter station compound function as haul roads as they will facilitate delivery of equipment and material to and from the compound. The cable construction corridor which is shown on sheet one and two of the work plans will have a haul road within it. The cable

24:42

cable construction corridor haul road will commence from the converter station boundary and access onto the whole road will be via the converter station itself. Cable deliveries to join Phase One, two and three will be via the whole road and for an example of how the whole road

25:00

can be positioned, please refer to appendix one of the applicant's post hearing notes.

25:08

I'd now like to pass it to Mr. Farmer for an explanation of potential noise and vibration effects in relation to this route.

25:16

Thank you, Mr. Williams. So yes, sir in in summary there, there won't be any consequences or consequential noise or vibration effects of AI ELLs accessing the indicative Joint Base One, two and three. Would it be helpful if I summarise the key reasons why that why that's the case?

25:37

Yes, if you could just in case Mr. Bunbury is listening. Yeah, of course. Yeah, so to help answer this question, the AI deliveries have been separated into two activities. Firstly, the unloading of the cable drums at the joint Bay, which is considered the key activity relevant to the noise and vibration assessment. And secondly, the movement of the whales via the whole route. So with respect to the unloading of the AI is joined by one chapter 24 of the ES and that's paragraphs 24.6 point 3.3 and 24.6 point 3.5 of app 139 concluded that the noise and vibration effects of the unloading of the cable drums were negligible and not significant. So secondly, if we look consider the movement of the AI from the converter station area to the joint Bay, the whole route will be located at least 48 metres from the nearest sensitive receptor, and therefore any vibration is unlikely to be perceptible. And hence no consequential vibration effects will result with respect to noise, a calculation based on the worst case number of cable drum deliveries to join page one, two and three, has concluded that the noise level at the nearest receptors would be 16 Db below the threshold between a negligible and small adverse noise level magnitude.

27:03

Therefore, this isn't considered a concern with respect to noise, and particularly considering the short duration of exposure to any temporarily perceived noise. And also that the aim was to travel along this internal haul route during core working hours. And that's confirmed in the framework construction traffic management plan. So in summary, so it can be concluded that there won't there will be no consequential noise or vibration effects from Ah, using the HomeGroup to access the indicative locations for joint days One, two and three.

27:35

Thank you very much, Mr. farmer. And thank you, Mr. Williams for your earlier contribution. I have nothing further on that particular question to ask, Does anyone else wish to raise anything under questions? seven, nine.

27:49

Okay, nothing heard. I'm just one supplementary question. If I can before we move on to the next agenda item. And it arises out of Hampshire County Council's response deadline. Seven C. I actually be deadlines. Seven, Hampshire County Council requested changes to the access and rights of way plans.

28:14

I don't know if Mr. Turney or Miss jury wish to come back and just elaborate on what changes to those plans you felt were necessary for the examination, please.

28:28

Sir, someone will assist you.

28:32

In the respective public rights of way.

28:36

Mister is switched on. So maybe she could help. I recall that I made some requests, though they were more about drafting matters, just as we've got the detail of where the site access arrangements are going to be? Is there a requirement to have rights over a wider area of land and his current that's commonly shown? But it's a point made? No, it's up to you if that's necessary or not? No, I just wanted to make sure that anything remaining was picked up. Before we moved on, Mr. Attorney you wish to say yes, if I may, can it kind of just flag now I don't know whether it's best now on item seven, or whether you want to come back to this Sunday, AIB. But there are two more issues which we have flagged which we did want to raise with you during the course of this hearing on highways matters. Do you want me to say what those are now? Should I do that now before we move off highways or? Yes, sir. So, let's stick to the highway bit. So yes, please propose the concerns. And they are the first one is about reinstatement of the highway and the second one is about out of hours working which we dealt with briefly yesterday. And the point on reinstatement. We've set out in our deadlines, seven submission, the ongoing concerns that we have in respect of reinstatement of the highway and what we're seeking is new parameters.

30:00

To be confirmed by the applicant in the FTMS. To ensure that I think that there is, at least by way of example, for, first of all that if a cables laid in the highway where the surface is less than five years old, that there's half or full carriageway reinstatement rather than just reinstatement through the trench, which is consistent with what's required elsewhere. And the other point is to ensure that where the existing structure of the highway sound and the surface is in good condition that half or full carriageway reinstatement is provided, if the trench falls within the wheeled trapped area of the highway, because that reduces the risk of future safety defects within the maintenance period. And then also in respective bus lanes.

31:00

The management of reinstatement where the bus lanes have marked through red surfacing to ensure that that's consistent, it's reinstated to an appropriate standard. So those are the parameters we've highlighted there.

31:16

I think, and I'll be corrected by napkins if I'm wrong, but I think we're still waiting for the applicant to confirm on that and to include appropriate provision in the FTMS. So that's the first one. The second point is is the point about our spouse working. We do emphasize that we say this is a really important point. So far, we haven't made progress or sufficient progress with the applicant on it. But we as the Highway Authority are very keen to ensure that there is the ability to direct out of hours working for this project in the same way as there would be for any other highways project that's going on any utilities works and so on. There's particular traffic sensitivities here Aquind scheme would be the only scheme that is limited to

32:06

conventional construction hours, and where the Highway Authority would not under the permitting scheme have the flexibility to require a little bit of evening working or longer weekend working, or whatever it is. Obviously, there are amenity concerns, but we manage those in our day job, so to speak, they are things that the county council deal with every day. Those can be managed in liaison with environmental health, and to ensure that there aren't any new significant effects on residential receptors. So we are pushing for that. As a we mentioned it briefly yesterday, but it is a highways related matter. Thank you. Thank you, Mr. Attorney. Before I hand over to Mr. Jarvis to respond to that point. I'm not wishing to put the applicants case but I believe I've seen in writing somewhere the reason why out of hours work and is not preferred is because of the assessed impacts of that are not preferred in terms of adverse effect impacts. And they want evidence to show that there won't be any adverse impacts of working at those hours. How would you respond to that?

33:18

Well, that's part of the normal management of these works. And one has to strike a balance between maybe working until eight o'clock one evening to get the works out of the way before a weekend against the impact of that have a bit more disturbance up to between six and eight o'clock. So, it's those sorts of changes. This is not necessarily anticipated to be in these locations and all-night works.

33:52

At three o'clock in the morning, it's having to slightly extended hours to ensure that they're out of the carriageway as soon as possible. And, and therefore we mitigate the traffic impacts. And whilst there will be effects on residents from working outside normal hours,

34:11

it's wrong to sort of see that as a one-way street for the residents. Because of course, if a resident is offered the prospect of two slightly longer days of working or three days of working or a whole weekend of their of work being present on their street, but no one working there, and they may well prefer and often would prefer the works to be remedied. And so far as the as position goes, it's recognized that you can't, we can't require works through this that would result in new significant effects for EIA purposes. But that can be managed again through liaison with the Environmental Health Officers and within the parameters in the ES so we don't see that

35:00

as a as a core objection here. And just to note that, in the Southampton to London pipeline project, a provision was introduced for precisely this purpose to allow spells work were directed on traffic sensitive streets.

35:16

Okay, thank you very much for that.

35:19

Mr. Jarvis. Now, you may say that this is a point of disagreement point to agree to disagree and will be reflected in the statement of Common Ground perhaps at deadline eight. But are there any other concerns or points that you wish to make that you haven't already on that

35:37

with regard to reinstatement think opposition's been clear throughout that will reinstate in accordance with the new roads and streetlights tax requirements. That remains our tradition. So, we'll reinstate to the statutory required standard with regards to out of hours working and we have produced notes which evidences how giving such directions would give rise to significant adverse effects beyond those which have been assessed. We are of course cautious as the as the applicant of the DCO being granted that would allow effects to arise which are beyond those which are assessed as residual in the environmental statement. I have in liaison with Hampshire who has very kindly coordinated with the other authorities offered wording, which confirms directions can be given where it's evidence that that will not give rise to new significant environmental effects. The response I had back was a few tweaks to wording where instead of there was a need to evidence to be provided, it was for the councils to ensure that was the case. And my response to that was that that's not adequately clear, that does not ensure that new environmental impacts rises because you need to evidence that they will not before you provide those directions. The applicant has obviously as this is EIA development, carried out environmental statements for its work. That is not the same for every statutory undertaking carrying out works in the highway, that directions may be given to you because that is not as development, it is not

subject to the same system of regulation and control. And therefore, we are not analogous, I confirm the applicant is willing to include wording that allows for directions to be given that they can only be given where it has been evidenced that new environmental impacts will not arise. Thank you, sir.

37:22

Thank you very much.

37:24

Again, wishing to invite tit for tat on that. But Mr. Attorney, do you have any final comments to make on what you've just heard? I just wonder whether Mr. Ackerman wants to come back on the management about hours working or indeed surfacing point, but just briefly, okay, you can say

37:43

Hello, there. So just to illustrate that the normal sort of situation we have here.

37:49

On any road, like the a three, which is a major route between heaven and Portsmouth, it's a straight it's a tactical diversion route for a three M. So, it's a major strategic road, we would normally expect works to be carried out less traffic sensitive times on weekends, potentially into the evening and potentially through the night. Now, normally, our processes we would consult first with the environmental health team, if they had any concerns, we would accept that, and we would go with what their advice is. But normally what we have, what we do on a standard practice, is that we generally they generally last two days or two nights

38:29

where this kind of work can go on at night. And yes, there will be impacts. But the tradeoff between that and traffic impact is kind of accepted.

38:41

Okay.

38:43

Just being that standard started. That's a standard working kind of procedure that most highway authorities will adopt across the all their networks. There's never any real requirement to measure noise output or do some kind of evidence based it's based on a local knowledge issue.

39:02

Yes, and just before it before you go, it may be a question for Mr. Attorney. You do understand the the applicants point about this is that being an environmental impact assessment development, compared to other statue Undertaker's just being able to work at direction? Mr. Attorney?

39:23

I understand what said I don't think it's the impediment that Mr. Jarvis suggests it is if work is being carried out under permitted development, then they can't have significant environmental effects. Otherwise, they would be subject to the EIA regime. So, you know, it's a

39:41

it's a point which really doesn't go anywhere. We accept that you have to stay within the environmental envelope of the scheme, but that there is a way to manage that, which doesn't require the authority to go off and carry out its own noise assessments. But I think we'll come back on this in writing. We've heard a lot

40:00

Mr. Jarvis said when he said it to us previously, but it is a point of importance. So we'll put in written submissions on it and you can decide what to recommend on it.

40:10

Okay, thank you, Mr. Turney. Mr. Hayward, I see your hand is raised.

40:16

Sir Peter Hayward from Portsmouth city council survey. Our particular concern is I want to be able to extend working hours in the event there has been some delay in completing work one particular day to allow work to be extended in the evening to complete that, so as not to run on to the next day or require working in the weekend potentially. So, it's not something that there could be reasonably be a prior assessment for it's just a question of being able to extend the work that particular day to resolve any any delay that may have happened during the day.

40:48

Okay, thank you. Mr. Hayward. I see Mr. Ackerman; your hand is raised as well.

40:55

Yeah, sorry, just to come back in on this to give you a scale of the use of this. I'm thinking just from what I've seen from the various documents, networks could be directed possibly on this project, probably I'm guessing around 10 nights worth maximum two consecutive nights each time. It's more the issue really, of potentially some evening works has been just been discussed, or potentially working on a Saturday and Sunday in order to get the work done and get out. And also, to avoid the situation where you have the crew leave the traffic lights up on Friday walk away, the traffic lights are up all over the weekend, causing congestion. And then they've kind of carry on the next April. Public really get annoyed when they see, or they get caught in traffic use with traffic lights where there's no work going on. And this kind of direction assists with that issue.

41:48

Okay, thank you, Mr. Ackerman.

41:51



Mr. Jarvis, you've set out your position of got your position. Is there anything that you wish to raise before moving on?

41:59

Nothing further, sir. No, thank you. Okay. Thank you very much. We'll close that item on the agenda then and we'll move forward to agenda item eight miscellaneous. There's only one question under this at the present time.

42:16

In relation to air quality.

42:19

Is it Portsmouth City Council, in agreement with the applicant, that there is substantial headroom for Pm 2.5 PM 10. And no two between the predicted levels and target levels, to the extent that they are not a concern, and unlikely to suffer an exceedance. Now ultimately, this was a question that we put forward in our further written questions. And Portsmouth responded to said that they could not confirm either way until further investigation was undertaken by the applicant.

42:50

Has the position for Portsmouth city council changed at all in relation to that, please.

42:57

Selena Kane for Portsmouth city council that the short answer is we could give a

43:04

more specific answer than we did in response to your original question. I'm going to hand over to Mrs. Charles.

43:11

Yes, of course.

43:13

Thank you, sir. And so, our position is that we're happy that there's substantial headroom for the particulate matter 2.5 and particulate matter 10.

43:25

But in terms of nitrogen dioxide, we have got some concerns, as we outlined in our submission for deadlines seven C. And this is related to the sensitivity testing that's been undertaken to consider the impact of the Clean Air zone alongside the proposed development. And this modelling work is showing that there will be exceedances caused at two locations in the city centre that are subject to our ministerial direction. And the ministerial direction requires Portsmouth city council to achieve compliance with legal limits for nitrogen dioxide as soon as possible, and by the end of 2022.

44:05

So, although as the outcome points out, the impacts from the traffic management plans put in place will be time limited. It still overlaps with that time period where we've got a requirement to achieve compliance. So that's where their concern is really is that their modelling is showing this exceedance above the 40-microgram limit of nitrogen dioxide in the city centre.

44:33

Thank you very much. The very succinctly put Mr. Jarvis, is there anything you wish to come back on this point you're doing for your colleagues? It will be Mr. Bennett, sir.

44:42

Thank you, Mr. Bennett.

44:46

Thank you, Stuart Bennett on behalf of the applicant, the modelling portfolio, representing the impacts of the Clean Air zone, the updated modelling deadlines seven covered a number of areas

45:00

Inside the air quality management areas

45:04

with respect to air quality monitoring area 11 on Church Street hope streets and commercial road we were predicting small and imperceptible deteriorations, which will not affect compliance with the ministerial directive. So, don't it's not the case that they will trigger they will trigger exceedances that do not exist already. The scheme will not cause any new exceedances within those areas.

45:32

at Mile End road also within our quality management area 11 we predicted an imperceptible improvement as a result of a scheme

45:42

and at London Road A an imperceptible deterioration which again is not predicted to impact Hong Kong plants in 2022.

45:54

I would also just like to add a little bit more clarification around the conservatism that remains within the modelling within the updated modelling.

46:06

You may recall in the in our in the previous hearing, we discussed similar conservatism in the environmental statement modelling.

46:15

This modelling has been updated to represent traffic flows,

46:20

incorporating the Clean Air zone but also emission estimates of vehicle emissions, which represent which represent the local fleet and the updated version of the vehicle emissions factors provided by Defra on the advice of JAKU.

46:40

In addition, the conservatism in the environmental statement referred to the fact that the road closures on Eastern Road have been assumed to be in place for the whole year.

46:50

In the updated work, we've been able to remove the conservatism

46:57

to the point where the only conservative in the assessment that remains a concern is the Hours of operation. So, we still assume in the updated work that localization diversions will be in place for 52 weeks per year. Therefore, the predictions that we put forward in the cleaners on sensitivity testing were still conservative and are expected to be significantly lower than we've actually reported. That said, it's still the case that no new exceedances were predicted as a result of the proposed development in the city centre.

47:34

Okay, thank you very much, Mr. Bennett. Mr. Rouse, is there anything you want to come back on that?

47:41

Yes, if I could please, thank you sir. The concern really is about the magnitude of the impact that the modelling is showing. So, at one of the sites in the city centre, referred to as receptor 573, the modelling undertaken by the applicant shows an increase of between naught point 3.5 micrograms

48:03

of nitrogen dioxide. And if you compare this alongside the modelling that's been undertaken by Portsmouth for the air quality local plan in response to the ministerial directions, and that site could tolerate around naught point three micrograms of increase, before it would be considered non-compliance. So that's where our concern is really it's about that magnitude of change that is likely to come as a result of the proposed development.

48:31

Okay. Okay. Mr. Bennett, you mentioned the conservatism of the modelling is we even with that conservatism is naught point three micrograms, the absolute minimum that could be expected to rise in these scenarios, we could expect the maximum to be approximately half of the of the house prediction. So, I think it will be around that mark. What we can do to provide additional clarification is to is to is to quantify a proportional prediction in allowing for the actual hours of operation in which we'll be able to demonstrate that the maximum increase will be with will be within that, that that mark of tolerance, that that that that that threshold and Miss Chow I just mentioned, and that that's something that we can provide

49:28

and how soon can you provide that

49:31

we can provide that within a matter of days.

49:35

Okay, this would not be this would not be additional modelling as such, it will be a factoring exercise which we can logically complete based on the ratios of the predictions made to the Hours of operation. Okay, I would certainly appreciate if you could get that done within a matter of days. And that then in the statement of common ground between the parties, there is

50:00

final conclusion on where they stand, whether there's agreement or disagreement on that particular matter. So that'd be much appreciated. Thank you. Okay.

50:10

I have nothing further under question eight one. Does anyone else wish to raise anything at this time on that matter?

50:19

Okay, nothing heard. Then what I'll do now is hand back to my colleague, Mr. Man who would take us through agenda nine to nine on the agenda. Thank you.

50:30

Thank you, Mr. Wallace. We're going to any other relevant issues, and 9.1 was Winchester City Council's response to our rule 17 request. For further information in relation to site inspections. We thank Winchester City Council for the further information they've supplied. And we note that their suggestion is now restricted to the converter station proposed site for a site inspection. We continue to monitor the public health restrictions and the final risk assessment will be undertaken prior to the close of the examination.

51:03

At the moment, the examining authorities position remains that as stated in the rule 17 letter, and that we do have sufficiently clear understanding from our earlier on a company site inspection to inform our examination and recommendations. Does Winchester wish to add any further?

51:24

Thank you, sir. Stephen from Winchester City Council. Hello, I think you've outlined the situation clearly in terms of our responses, and I have nothing more to add. Thank you. Thank you very much for your help with Mr. Karma.

51:37

And moving on to 9.2. There was an earlier conversation between Mrs. Jarvis and Wallace, on updating documents, Mr. Williams was saying now, Mr. Jarvis. Mr. Williams.

51:52

I don't have anything further myself. I'll just ask Mr. Williams, whether he has anything further to add on the technical note work that's being undertaken?

52:03

Yes, thank you. And just that, we'll try and share that the technical note with Hampshire by the end of the week. And Mr. Williams, very helpful.

52:14

One further piece of information for everybody, given that we're in a very concertina's environment. Now,

52:20

I'm pleased to say that the recordings and the transcripts of yesterday's hearings have been published already. And they will be added to the examination library as soon as possible. So, thank you to the case team and the admin team in the background for getting that up so quickly.

52:36

So thank you, everybody, for your contributions today. And before I conclude, Mr. Turney.

52:45

So I'm so sorry, I was taking off the points as you went through them, but we had the BAS 106 issue as well, where we're waiting for a response from the applicant. I think if we can have that confirmed, we'll have that by the end of the week as well. That'd be helpful.

53:03

You were able to give that confirmation, Mr. Jarvis?

53:06

Yes, I am, I am able to confirm that. And I've already talked to arrange a meeting with Hampshire to discuss that on Monday. And there's currently arrangements being undertaken with the birth operator so that we can have a discussion on that with them. Also.

53:20

To answer your question, Mr. Turney. Thank you very much, sir. Sorry to Okay, no problem. Was there anything else before I close today's hearing any more burning questions that relate to the content of the hearing we've had today?

53:34

Nothing heard there. So you could ask Mr. Roscoe to recap and compare notes with everybody on today's post hearing actions and notes. Mr. Raskin. Thank you. Right, what I'll do as yesterday, I'll work through my list of post hearing actions and notes. I'll then ask if anyone has any comments to add.

53:51

The first one was agenda item 3.1. Mr. Jarvis on behalf of the applicant offered the response in writing on the yes consultation process, including the contributions made by other panel members on item 3.2

54:08

on behalf of the applicants and offer the post hearing notes on where in the notes were references to the impacts on residential and recreational receptors in terms of days lane. That was agenda item 3.2. On agenda item 4.1. Again,

54:31

offered to come back with a post hearing note in respect of the footnote referred to in that agenda item.

54:41

in respect of agenda item 6.1. Miss Colquhoun on behalf of Portsmouth City Council, offered to come back with a full response in writing on that agenda item 6.1. And also the FM

54:58

On agenda item six point

55:01

Mr. McGuire offered to respond with the earliest opportunity in terms of that agenda item which is 6.2. In terms of Farlington, playing fields reinstatement.

55:15

Onto agenda item 6.5. Mr. Harris on behalf of the University of Portsmouth, offered to respond on the pitch layout and thicker turf aspects in terms of that agenda item, which was 6.5 and also to confirm the University of Portsmouth final position on matters.

55:39

Turning on next agenda item 7.6. Williams on behalf of the applicants referred to a technical note in respect of Broadway lane, and possibly the Broadway lane de la de lane junction

55:58

on behalf of the applicant, and that was agenda item 7.6.1. Agenda Item 7.7. That was referenced by Ms. Bowden to an updated day lane technical note. I must admit that I wasn't sure whether the updated day lane technical note was actually the Broadway lane, stroke day lane junction note that was preferred to previously or if there were two separate matters. If any panel members can assist me on that I would be grateful. If not, I'll go to a wider audience. I believe there were two different notes, but could the applicant help?

56:33

Mr. Williams, I'm happy to confirm that there'll be two separate notes the day lane technical note will be an update of that that was submitted.

56:42

At deadline 7C, the Broadway

56:47

lane note will be in relation to access to the farm. Thank you. To be fair to miss Bowden it was actually referred to as an updated day lane and technical note, but I just wanted the situation confirmed. Thank you very much. Moving further along still on agenda item 7.7. Miss Drori from Hampshire County Council agreed to respond following the offline chat with the South downs national park on the

57:16

removal of the passing bays on day lane.

57:21

Going on to agenda item 7.9. Mr. Turney on behalf of Hampshire County Council

57:29

offered to come back in writing on the county Council's position in terms of out of hours working.

57:37

And on agenda item 8.1. Mr. Bennett,

57:43

on behalf of the applicant offered to come back on the on a proportional prediction to quantify town center air quality impacts. That was the end of my list turning firstly to the other members of the panel. Were there any additional ones that you've spotted? Or any comments on what I've got? I have nothing additional. Neither do I thank you and then just widening that out to any other parties present have anything that they wish to say on the list that has just been given or any additional points.

58:18

Just looking around quickly, nothing hurt. Thank you very much. Thank you, Mr. Ma.

58:22

Thank you, Mr. Roscoe. And thank you everybody. Please remember the next formal deadline is the first of March 2021, which is deadline eight. But as we've discussed today and yesterday, any important information you can get into the examination before then we will do our very best to treat as an additional submission. And that clearly is very important for anything which needs commenting on by other parties.

58:46

Thank you all for your attendance today and for your very useful contributions. It's been very helpful to us and this issue specific hearing is now closed.