

## **The Examining Authority's (ExA) initial assessment of principal issues**

The council have reviewed the initial assessment of principal issues, identified in Annex B of the letter dated 7<sup>th</sup> August. Whilst the list is considered to be extensive, there are a number of additional issues which the council wish to have included. All additional issues requested for inclusion are highlighted in red in the full list set out below.

Full justification for the additional list of issues requested will be set out in full in the councils Local Impact Report.

### 1 Policy

- i. Whether the proposal complies with the policy set out in the National Policy Statement for National Networks (NNNPS).
- ii. The extent to which the proposal would comply with the policies of Local Development Plans.
- iii. Whether or not that part of the application project which is located within the Green Belt would be inappropriate development and its effect on the openness of the Green Belt.

### 2 Environment

- i. The impact of the scheme on the character and appearance of the landscape, in particular the North Wessex Area of Outstanding Natural Beauty.
- ii. The visual impact of the scheme, in particular the effect of the proposed new gantries, lighting and new over and under bridges.
- iii. Whether there would be any increase in the risk of flooding where the scheme is located in flood zones 2 and 3.

The development does not assess the Frogditch watercourse which runs along the M4 and requires culverting as part of the works- the submitted FRA is therefore incomplete.

- iv. In relation to nature conservation, the extent to which the scheme would cause disruption or permanent harm to habitats and plants, invertebrate species, amphibians, reptiles, birds, bats, water voles, otters, and badgers. In particular to what extent there would be an increase in mortality as a result of the introduction of a concrete barrier in the central reservation of the M4.

Insufficient details of replacement planting and landscaping have been submitted with regard to density, type, maturity, maintenance/replacement etc. There is the potential for insufficient replacement planting to have a detrimental impact on local residents.

There has been no Environmental Survey undertaken of the proposed construction Compound which is designated Green Belt land. Whilst the ES states that any species found on site will be avoided (therefore licences will not be required) there is the possibility that the whole site is rendered redundant. This is an ecology concern and does not meet the tests of the temporary CPO.

- v. The extent to which the scheme would impact on air quality. In particular whether there are locations where EU limits for traffic pollutants would be exceeded as a result of the scheme.
- vi. The extent to which the scheme would result in increases in levels of noise and vibration for sensitive receptors, and whether existing noise barriers provide adequate mitigation.
- vii. The effect of the scheme on heritage assets.

The air quality information is lacking details and justification for the incredible improvement in air quality that is expected. There are concerns about the baseline air quality levels,

baseline traffic levels, what assumptions have been made with regards to emission factors of vehicles, forecast air quality levels and historic trends.

The Council does not believe that the ES is therefore not compliant with the EIA Directive as it fails to provide the information required as part of Schedule 2 Part 1(4) and Schedule 2 Part 2(3). The applicant should be advised that further information is required in order to be an acceptable ES.

There are concerns about the extent of the reasonably foreseeable developments used in the cumulative assessment (including the councils emerging Local Plan Part 2 site allocation document).

### 3 Engineering and design

- i. Whether the proposal to develop the M4 Junctions 3 to 12 as a "Smart Motorway" would be the most appropriate measure to meet the need identified [infrastructure.planninginspectorate.gov.uk](http://infrastructure.planninginspectorate.gov.uk) in NNNPS paras 2.1-2.11 for development of the national road network.
- ii. The extent to which the design meets the requirements for good design identified in the NNNPS.
- iii. The extent to which engineering details and the design (including mitigation measures) has been agreed with the 11 local authorities through which the application project passes.

### 4 Impact on road users

- i. Whether the introduction of all lane running (ALR) would undermine the safety of traffic using the motorway.
- ii. Whether the introduction of emergency refuge areas at 2.5 km intervals would secure the safety of users of the motorway in the event of breakdown or other emergency.
- iii. Whether the scheme would increase flows on roads in the surrounding area to the detriment of road safety.
- iv. Whether the scheme would impact upon the safety or convenience of nonmotorised forms of travel.

### 5 Land acquisition

- i. Whether or not all the land or rights proposed to be temporarily or permanently acquired complies with the conditions set out in sections 122(2) and 122(3) of the PA2008.

There is insufficient information provided to assess if the extent of the CPOs (temporary and permanent) accord with the PA2008 in so far as to it being 'required' or necessary. The extent of the temporary CPO at Sipson Road appears excessive and without full justification for the extent that it covers.

- ii. The extent to which land which is currently in allotment use would be acquired on a temporary or permanent basis, and whether adequate alternative provision can be made.
- iii. The extent to which common land would be acquired on a temporary or permanent basis, and whether adequate alternative provision can be made.
- iv. The extent to which any public open space would be acquired on a temporary or permanent basis, and whether adequate alternative provision can be made.

How will the design spec for land under temporary CPO be agreed? Want to ensure adopted highway is built in accordance with council standards if we are to maintain the route post completion.

There is insufficient information about the temporary closure of pedestrian footpaths/subways and public rights of way to allow the council to assess the impact of the proposals on local residents.

6 Socio-economic

i. The extent to which the scheme would result in any socio-economic benefits or disbenefits in terms of the national or local economy.

7 Other matters arising from representations

What are the mechanisms for securing the detail of the development proposals for example, imposition of conditions or legal agreements. Clarification is required in order to progress any such details.