

M3 Junction 9 Improvement Project

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Preliminary Meeting: Submission re Agenda Items

We wish to make a number of points or suggestions in respect of:

- Policy
- The Issues (Annex C)
- The Site Visits

Government Guidance and Policies

We note that within the text of the Rule 6 letter is the statement of predominance of National Policy Statements, especially NPSNN. We seek assurance that an NPS cannot be taken as an assertion of authoritative truth of statements within it, if it can be argued that such statements are physically untrue. By way of example, NPSNN states, under climate matters, that:

the impact of road development on aggregate levels of emissions is likely to be very small.

This is a demonstrably preposterous assertion and must be challengeable. ExA cannot put itself in the White Queen position of believing impossible things within National Policy Statements.

Unreality pervades transport policy in the UK. No serious analyst of the Government's *Transport Decarbonisation Strategy*, for example, could be persuaded that it will deliver a trajectory to meet our treaty commitments on decarbonisation.

Unreality has also pervaded the economic cost-benefit calculations that have underlain every road transport justification for nearly 60 years. Despite being pressed on many occasions, neither the Department for Transport nor National Highways have ever demonstrated any evidence that building roads confers an overall economic benefit on the nation. Neither the Treasury, nor the Parliamentary Select Committee have ever investigated the unfounded assumption of the DfT, that there must be a net value of roadbuilding programmes.

The point we make is that the basic economic and climate effect assumptions on which national policy seems to rely are mathematically and logically challengeable and ought to be challengeable within this Examination.

Issues

We are happy with the main headings of the Principal Issues, but consider that the bullet points of several of them do not adequately cover all the important effects of the scheme to be considered.

- Air Quality
 - 4th bullet point refers to 'annual average' concentrations of pollutants. Annual average is not the only measure of concentration of importance – scope should include all measures that relate to health hazard.
 - 5th bullet point refers to exceedances. It is not clear:
 - Whether examination under this heading relates to current legal thresholds or those likely to be imposed during the lifetime of the scheme
 - Whether the consideration of legal thresholds will be the main focus of the examination of air pollution, or whether, under bullet point 3, the effects of pollution, on health in particular,

will be the main focus of the examination. Since current legal thresholds are known to be an inadequate measure of harm, these are very different questions.

- Alternatives
 - The High Court decision on the Stonehenge scheme found that there had been no proper consideration of alternatives to that scheme. So far as we know, there has been no clear legal ruling as to what constitutes an alternative.
 - It is clear that arguments can be made that all the stated objectives of the scheme could be met, and arguably better met, by non-road alternatives. Will the examination of such alternatives figure within this inquiry?
- Biodiversity and Ecology
 - The bullet points seem largely to do with specific designations either of sites or species. The overall nature impact of increasing the impenetrability of such a major barrier to the migration of species appears not to be a factor under consideration. The barrier effects of the scheme on further fragmentation of habitat as well as potential mitigation of such effects (e.g. through green bridges) ought to be subjects for examination in this inquiry.
- Climate Change and Resilience
 - We note that the majority of the bullet points under this heading are to do with how climate change may affect the resilience of the scheme. This prioritising is a worrying indication of what we may expect from this Examination. We cannot imagine there is anyone, who has the slightest concern for the future of the planet, who would care if the ability of this road scheme to do what is intended for it, was put in peril by the consequences of climate changes that the road programme and road-transport-centred policy will be significantly responsible for causing.
 - If it is not already, early within the lifetime of this scheme, the first bullet point under this heading, will be seen, by all reasoning people, to be by far the most important issue that faced this Inquiry. The implied coverage of the bullet point is inadequate to match this importance.
 - The bullet point talks only of the effect of **this** scheme on carbon emissions. While any development deliberately and significantly increasing carbon emissions is to be deplored, it is the in-combination effect on our carbon treaty commitments, of all the schemes in the road programme that is so alarming to rational people. The current National Highways position is that each scheme is negligible in relation to the total carbon emissions of the nation, which is logically a reason for taking no action on carbon anywhere. Nor is the notion, that the sum of supposedly small things is itself small, consistent with the NH position on the economics of road schemes, where millions of trivial time savings are summed up and deemed to be significant. The camel's back is broken by straws – the Inquiry ought to be looking at the sum burden of straws.
 - We see nothing within the Climate Issue bullets that takes cognizance of Local Authority Climate Emergency Declarations and Action Plans. The Examination ought to look into the appropriateness and fairness of imposing on a Local Authority and the population that democratically elected it, a scheme that ensures that the local policies cannot be met.
- Heritage, Landscape and Biodiversity – a specific consideration
 - One concern that we cover below under the Traffic Issue, is the well-established vicious circle failure of road building to meet its central congestion objective. That this scheme is even being promoted is a proof of this failure. It was not put forward as any likely future need at the four previous Inquiries into the M3 at Winchester – both the original valley route and the Twyford Down route were promoted as solving all the predicted congestion problems in the corridor for the foreseeable future. Now, still within the lifetime of that scheme, we are effectively told this was not true.

- At the time when there was a campaign for Twyford Down to be tunnelled rather than gouged, it was discovered that there was a hidden report being shown to Ministers and which was not disclosed to public inquiry, which made the point that a tunnel would prevent future capacity increase. The report, moreover, apparently contained detailed schematics of how the Twyford Down Cutting could be widened.
- An issue, therefore, is the consequence of the traffic induced by this scheme. If it simply induces congestion within the Twyford Down cutting, NH will come back with further plans for capacity increase there. The Inquiry should examine this likelihood and consider its landscape, heritage, nature and amenity consequences within this critically important salient of the National Park.
- Noise
 - For general reasons of fair treatment of all communities actually and significantly affected by this scheme and, for the particular reasons stated above in respect of the amenity values of the National Park salient, the noise examination should not be confined to the effects of noise directly emanating from the physical footprint of this scheme, but ought to include the additional noise generated elsewhere by the induced traffic this scheme would bring about.
 - In particular such consideration should be given to the effect on communities along the B3335, which have already suffered hugely from the massive generation of traffic brought about by the Twyford Down scheme.
- Policy and Need
 - The fifth bullet point largely allows submission of arguments on real need, but the following needs explanation: *'with particular regard to the need for the development, the prospects of siting the development elsewhere outside the designated area'*. Does this simply mean that the Examination could conclude that the development should be allowed, so long as its footprint moved outside the boundary of the National Park? Or is it indicating that there is already a presumption within ExA that the scheme is needed and that what matters is simply whether it needs to have a different footprint.
- Population and Human Health
 - As indicated above, under Noise and under amenity effects, the health effects (including mental) on population resulting from traffic generated by this scheme ought to be a matter for examination. Again the communities along the B3335, that have suffered so much already as a result of previous M3 decisions, have even more to fear, from noise, pollution, severance and physical danger if this scheme proceeds.
- Traffic and Transport
 - It is not clear what is being included within the first bullet point. Will ExA examine the plausibility of the forecasts and the modelling, neither of which can logically be deemed to be policy? Will it examine the plausibility of the cost-benefit calculations?
 - Will ExA examine the effects of the decision to scrap the M3 smart motorway? Since that decision affects the capability of the southern M3 to carry the level of traffic forecast to use Junction 9, how does this affect the cost-benefit calculations?
 - Will ExA look at the capability of the Twyford Down Cutting to carry the traffic forecast to use the 'improved' Junction 9?
 - Will ExA look at how the increase in scheme capacity will lead to modal transfer away from public transport and rail freight, and affect the viability thereof?
- Waste

- It is not clear whether this heading includes the examination of the appropriateness and effects (landscape, biodiversity, hydrology, archaeology) of the proposed soil dumping areas.

Site Visits

Since the scheme will generate new traffic, it is appropriate that EXA understands the consequences of this induced traffic for communities and the public away from the boundaries of the scheme. We believe that particular locations that will be affected by such growth of traffic include:

- Communities along the B3335 and especially the already blighted Twyford Village
- The amenity value of the National Park, including, on Twyford Down, the remaining Dongas area, the eastern pathway of Plague Pits Valley and the Arethusa Clump. Also affected would be the amenity area of St Catherine's Hill, especially the western and southern ramparts of the hillfort and the amenity area of the Deacon Hill escarpment.

We recommend that ExA undertakes site visits to appreciate how this scheme will add significantly to the already growing pressures on the western salient of the National Park.