

# **M3 Junction 9 Improvement**

**Scheme Number: TR010055**

## **8.1 Cover Letter Deadline 1**

**APFP Regulations 5(2)(q)**

**Planning Act 2008**

**Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009**

**Volume 8**

**6 June 2023**

Ref: TR010055

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6 June 2023

Dear Ms McKay and Mr Sims,

**Application Ref: TR010055**  
**Application by National Highways for an Order Granting Development Consent for the M3 Junction 9 Improvement Scheme.**

### **Applicant's Deadline 1 Submission**

This letter has been prepared by the Applicant to accompany the Applicant's submissions to the Examining Authority (ExA) for Deadline 1 of the Examination for the M3 Junction 9 Improvement Scheme. It has been prepared in accordance with the requirements set out by the Examining Authority in the Rule 8 Letter dated 25 May 2023.

A full list of the documents submitted for Deadline 1 are listed in Section 1 of this letter. The letter also outlines the justification and reasoning for changes made to Application Documents.

For ease of navigation, this Cover Letter has been prepared with a contents page. Should you have any questions or require further information please don't hesitate to contact us.

Yours sincerely,

Anne-Marie Palmer  
National Highways

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## 1 Schedule of Documents Submitted for Deadline 1

Table 1.1: Documents submitted at Deadline 1

Reference	Document	Revision
7.10	Combined Modelling and Appraisal Report	<del>APP-163</del> Rev 1
7.13	Transport Assessment	<del>APP-166</del> Rev 1
7.2	National Policy Statement for National Networks Accordance Table	<del>APP-155</del> Rev 1
7.1	Case for the Scheme	<del>APP-154</del> Rev 1
6.1	Environmental Statement Chapter 14 (Climate)	<del>APP-055</del> Rev 1
6.1	Environmental Statement Chapter 14 (Climate) Appendix 14.2 Operational GHG Emissions	<del>APP-147</del> Rev 1
6.1	Environmental Statement Chapter 7 (Landscape and Visual)	<del>APP-048</del> Rev 1
6.1	Environmental Statement Chapter 7 (Landscape and Visual) Appendix 7.2 Character Baseline	<del>APP-098</del> Rev 1
6.1	Environmental Statement Chapter 7 (Landscape and Visual) Appendix 7.3 Schedule of Landscape Effects	<del>APP-099</del> Rev 1
6.2	Figure: 7.3.1 (Landscape Character Areas) - Document Reference 6.2 ES Chapter 7 (Landscape), Figures Part 1 of 3, Figure 7.3.1 Landscape Character Areas, Page 4	APP-067
6.2	Figure: 7.14 (Visualisation) - Document Reference 6.2 ES Chapter 7 (Landscape), Figures Part 3 of 3, Figure 7.14 Visualisations, VL 14 Sheets 25 to 28, (Pages 43-46)	APP-069
7.3	First Iteration Environmental Management Plan	<del>APP-156</del> Rev 1
6.4	Environmental Statement Non-Technical Summary	<del>APP-153</del>

		Rev 1
6.1	Environmental Statement Chapter 16 (Summary of Effects)	<del>APP-057</del> Rev 1
7.12	Progress with Statements of Common Ground	<del>APP-165</del> Rev 1
1.3	Introduction to the Application (Appendix A Document Tracker)	<del>APP-003</del> Rev 1
8.1	Cover Letter for Deadline 1 (including summary of oral submission at OFH1)	Rev 0
8.2	Response to the Relevant Representations	Rev 0
8.3	Accompanied Site Inspection Itinerary	Rev 0

## 2 Updated Application Documents

### 2.1 Updates to the Transport Assessment Report (7.13, APP-166)

- 2.1.1 An update has been undertaken in relation to comments received from the Hampshire County Council review of the Application Documents.
- 2.1.2 The strategic model traffic flow diagrams, **Figures 7-3 to 7-11** in the **Transport Assessment Report (7.13, APP-166)** were updated to correct a noted presentational error. There was no change to the underlying traffic model and the correct data was used for the assessment, therefore there is no effect on the Scheme assessment and its conclusions.
- 2.1.3 Headings on the strategic model traffic flow diagrams, **Figures 7-3 to 7-11** in the **Transport Assessment Report (7.13, APP-166)** were also amended to respond to ExA Written Question Q16.1.5 as part of the update.

### 2.2 Updates to ES Chapter 14 (Climate) (6.1, APP-055)

- 2.2.1 The total volume of construction Greenhouse Gas (GHG) emissions remains as stated within **Table 14.4** of **Chapter 14** of the **Environmental Statement (ES) (6.2, APP-055)**.
- 2.2.2 There was an error in the total volume of operational carbon emissions reported in **Chapter 14 (Climate)** of the **Environmental Statement (ES) (6.1, APP-055)**. The error stems from incorrect data entry of percentage Heavy Goods Vehicles (HGVs) within the Emissions Factor Tool Kit (EFT) spreadsheet. This was carried through to both the Do-Minimum and Do-Something assessment scenarios and results in an increase in forecasted GHG Emissions.
- 2.2.3 The carbon emissions are reported for the opening year (2027), design year (2042) and over the 60-year lifecycle period. **Tables 14.5** and **14.6** of **Chapter 14 (Climate)** of the **Environmental Statement (ES) (6.1, APP-055)** have been updated with the corrected emissions. The impact of this correction is a net increase in carbon emissions of 260,880 tCO<sub>2</sub>e across the modelled 60-year operational period, compared to 139,759 tCO<sub>2</sub>e reported previously.
- 2.2.4 In the context of the UK Carbon Budgets, the percentage of the Scheme's corrected emissions remain the same for the 4th and 5th carbon budget, with the percentage contribution to the 6th carbon budget (2033-2037) increasing by 0.001% to a total of 0.002%. **Table 14.7** and **paragraph 14.10.16** of **Chapter 14 (Climate)** of the **Environmental Statement (ES) (6.1, APP-055)** has been updated to reflect this. Given that the percentage contribution remains as a small increase, the conclusions of the assessment in the ES remain the same.

## 2.3 Updates to Appendix 14.2 - Operational GHG Emissions Calculations of the ES (6.3, APP-147)

2.3.1 **Table 14.2.2:** B9 End User Utilisation of Infrastructure Calculations Summary within **Appendix 14.2 - Operational GHG Emissions Calculations (6.3, APP-147)** has been updated to reflect the corrected emissions.

2.3.2 Changes to other documents that are reliant upon the reported operational GHG emissions are listed below and include:

- **Case for the Scheme (7.1, APP-154);** and
- **National Policy Statement for National Networks Accordance Table (7.2, APP-155).**

## 2.4 Updates to the Combined Modelling Appraisal Report (7.12, APP-163)

2.4.1 An update was undertaken in relation to comments received from the Hampshire County Council review of the Application Documents. The strategic model traffic flow diagrams **Figures 4-3 to 4-11** in the **Combined Modelling Appraisal Report (7.12, APP-163)** were updated to correct a noted presentational error. There was no change to the underlying traffic model and the correct data was used for the assessment, therefore there is no effect on the Scheme assessment and its conclusions.

2.4.2 Headings on strategic model traffic flow diagrams, **Figures 4-3 to 4-11** in the **Combined Modelling Appraisal Report (7.12, APP-163)** were also amended to respond to ExA Written Question Q16.1.5 as part of the update.

2.4.3 **Appendix F and G** of the **Combined Modelling Appraisal Report (7.12, APP-163)** were changed to reflect the corrected operational GHG emissions.

2.4.4 **Section 5** of the **Combined Modelling Appraisal Report (7.12, APP-163)**, the Economic Appraisal, includes disbenefits relating to GHG emissions which were updated. Table 5-17 details the change but in effect it changes the disbenefit from GHG emissions from -£14,620,039 to -£24,110,508. A change of -£9,490,469.

2.4.5 The subsequent impact on the Benefit Cost Ratio (BCR) is such that it changes from 1.44 to 1.35 (a change of -0.09). This does not change the overall conclusions of the Economic Appraisal and the **Funding Statement (4.2, APP-023)**.

2.4.6 Changes to other documents that are reliant upon the figures reported in the Combined Modelling Appraisal Report are listed below and include:

- **Case for the Scheme (7.1, APP-154);** and

- **National Policy Statement for National Networks Accordance Table (7.2, APP-155).**

## **2.5 Updates to the ES Chapter 7 (Landscape and Visual) (6.1, APP-048)**

2.5.1 As part of ongoing discussions regarding its Statement of Common Ground (SoCG), Winchester City Council commented that the scope of the landscape and visual assessment should make reference to and consider the updated Winchester City Council Landscape Character Assessment (LCA) Supplementary Planning Document 2022.

2.5.2 These updates result in the addition of new landscape receptors which had previously been discounted in the Application Document submission. Updates have been undertaken to:

- a. **Chapter 7 of the Environmental Statement (ES) (Landscape and Visual) (6.1, APP-048)** in sections **7.6** Baseline Conditions, **7.7** Potential Impacts, **7.9** Assessment of Likely Significant Effects, and Section **7.11** Summary, in relation to the addition and consideration of new receptors. Table and paragraph numbering are altered throughout these sections as a result of restructuring required for the additional information.
- b. **Appendix 7.2 Landscape Character Baseline (6.3, APP-098)**. This is updated to include the modification of Section 5 to set out the baseline for WCC Landscape Character Areas (LCAs) under consideration. The structure of the appendix has been modified so that baseline inserts from the published LCA extracts now form a new Section 6.
- c. **Appendix 7.3 Schedule of Landscape Effects (6.3, APP-099)**. This is updated with the addition of new receptors to **Table 1.2** for the consideration of the new LCAs.
- d. **Figure: 7.3.1 (Landscape Character Areas)** contained within **ES Chapter 7 (Landscape) (6.2, APP-067), Figures Part 1 of 3, Figure 7.3.1 Landscape Character Areas, Page 4**. This Figure has been updated for Deadline 1 to include the additional baseline landscape character areas included within the WCC LCA 2022.

2.5.3 Additional updates have been undertaken in relation to comments received from the South Downs National Park Authority review of **Chapter 7 (Landscape and Visual)** of the **Environmental Statement (ES) (6.2, APP-048)** (comments from Michelle Bolger Expert Landscape Consultancy '1261 R01 M3 Junction 9 Review' on behalf of the South Downs National Park Authority, received 13 April 2023). This resulted in the following updates:

- a. **Chapter 7 (Landscape and Visual)** of the **Environmental Statement (ES) (6.2, APP-048)**. Clarification to proposed mitigation within



Section 7.8 in relation to inclusion of chalk grassland as embedded and essential mitigation, and mitigation measures in relation to identified effects on tranquillity.

- b. **Appendix 7.3 Schedule of Landscape Effects (6.3, APP-099)**. This is updated to remove chalk grassland as embedded mitigation.
- c. **Figure: 7.14 (Visualisation) - ES Chapter 7 (Landscape) (6.2, APP-069), Figures Part 3 of 3, Figure 7.14 Visualisations, VL 14 Sheets 25 to 28, (Pages 43-46)** Update to VL14 to remove existing vegetation shown incorrectly in the year 1 scenario which will occur as a result of the Scheme.

## **2.6 Updates to the first iteration Environmental Management Plan (7.3, APP-156)**

- 2.6.1 Updates have been undertaken in relation to comments received from the South Downs National Park Authority review of the Application Documents. The requirement to consult with South Downs National Park Authority has been added to **Table 3.2** (Record of Environmental Actions and Commitments) of the **first iteration Environmental Management Plan (7.3, APP-156)**, where there is an existing requirement to consult with Winchester City Council Archaeologist.

## **2.7 Updates to Chapter 16 (Summary of Effects) of the ES (6.1, APP-057)**

- 2.7.1 Updates to **Table 16.1** (Summary of Residual Effects) in **Chapter 16 (Summary of Effects)** of the **Environmental Statement (ES) (6.1, APP-057)**, have been undertaken where applicable in view of the above updates.

## **2.8 Updates to the Environmental Statement Non-Technical Summary (6.4, APP-153)**

- 2.8.1 Updates have been undertaken to **Section 4.3** of the **Environmental Statement Non-Technical Summary (6.4, APP-153)** in view of the above updates.

## **2.9 Progress with Statements of Common Ground (SoCG) (7.12, APP-165)**

- 2.9.1 Following discussion at OFH1 and at the request of the ExA in the Rule 8 Letter, a SoCG is being prepared with Cycle Winchester as an Interested Party. Winchester Friends of the Earth have declined to work with the Applicant to draft an SoCG. The Applicant understands the ExA are aware of this as the Planning Inspectorate were copied in to email correspondence.
- 2.9.2 The Applicant continues to work with all parties listed in **Table 3.1 of Progress with Statements of Common Ground (7.12)**. Due to the timescales of Local Authorities submitting their Local Impact Reports at Deadline 2, it is

anticipated that that not all draft SoCGs will be available at Deadline 2. The Applicant will therefore endeavour to submit these at a later deadline.

### **3 Summary of Applicant's Oral Submissions at OFH1**

#### **3.1 Representation by Denise Rosewell**

3.1.1 The Applicant requests confirmation of the persons and their properties being formally represented by Ms Rosewell as part of the Examination.

#### **3.2 Diversion routes relating to the cycle route NCN23 and Cycle Winchester's oral submissions**

3.2.1 The Applicant offers to enter into a separate SoCG with Cycle Winchester to address the issues raised in relation to cycle route diversions during construction.

#### **3.3 Representations made by Councillor Jacquie Porter**

3.3.1 The Applicant will clarify the position with Hampshire County Council in relation to the 'Cart and Horses Junction' following review of the Written Summary of Oral Submissions from Councillor Jackie Porter.

## **4 Response to Relevant Representations**

- 4.1.1 The Applicant notes that three separate Relevant Representations have been submitted by Winchester City Council. It is the Applicant's understanding that RR-102 is Winchester City Council's formal response, with RR-103 and RR-104 forming responses from elected representatives. All responses have been responded to separately.

## 5 Examination Library

- 5.1.1 The Applicant notes that three application documents have been duplicated in the Examination Library, and that there is a document missing from the Examination Library that was submitted.
- 5.1.2 The full list of application documents as submitted can be found in the **Introduction to the Application (1.3, APP-003)** and the **Electronic Application Index (1.4, APP-004)**.
- 5.1.3 It is proposed that the APP reference first stated, for those documents that have been duplicated, will be used in any referencing during the Examination.
- 5.1.4 The Applicant requests that the **Environmental Statement Appendix 8.1j Reptile Survey Report 2017 (6.3)** is added to the Examination Library. This document is missing from the Examination Library and was part of the formal submission made on 21 November 2022.
- 5.1.5 **Table 5.1** below provides the full details of the documents referred to above.

Table 5.1: Application documents duplicated in the Examination Library

Application document reference	Document title	Examination Library Reference
6.3	Environmental Statement – Appendix 6.4 – Geophysical Survey Report (2019)	APP-092, APP-152
6.3	Environmental Statement Appendix 8.1g – Otter Survey Report 2017 - CONFIDENTIAL	APP-110, APP-113
6.3	Environmental Statement – Appendix 13.2 – Hydrogeological Risk Assessment	APP-144, APP-145
6.3	Environmental Statement Appendix 8.1j - Reptile Survey Report 2017	No APP reference as this document is not in the Examination Library