

M3 Junction 9 Improvement Scheme

Scheme Number: TR010055

7.2 National Policy Statement for National Networks Accordance Table (Rev 1) Clean

APFP Regulations 5(2)(q)

Planning Act 2008

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

Volume 7

6 June 2023

Infrastructure Planning

Planning Act 2008

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

M3 Junction 9 Improvement
Development Consent Order 202[x]

**7.2 National Policy Statement for National Networks
Accordance Table**

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference:	TR010055
Application Document Reference:	7.2
BIM Document Reference:	HE551511 - VFK - LSI - X_XXXX_XX - RP - LE - 0017
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Version	Date	Status of Version
Rev 0	November 2022	Application Submission
Rev 1	6 June 2023	Deadline 1 Submission

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1 Introduction

1.1 Purpose of this document

- 1.1.1 The National Policy Statement for National Networks (NPS NN) Accordance Table relates to an application for a Development Consent Order (DCO) made by National Highways (the Applicant) to the Secretary of State for Transport (the SoS) via the Planning Inspectorate under Section 37 of the Planning Act 2008 (as amended). If made, the DCO would grant consent for the M3 Junction 9 Improvement Scheme (the Scheme).
- 1.1.2 Under Section 104(2) of the Planning Act 2008, when deciding an application for a DCO, the SoS must (among other matters) have regard to “*any relevant national policy statement*”. The relevant national policy statement (NPS) for the Scheme is the *National Policy Statement for National Networks (2014)* (NPS NN) which sets out the need for, and Government’s policies to deliver, development of nationally significant infrastructure projects (NSIPs) on the national road and rail networks in England.
- 1.1.3 Under Section 104(3) of the Planning Act 2008, the SoS must decide the DCO application in accordance with any relevant NPS, subject to the exceptions set out in Section 104 (4) to (8). Further details about the NPS NN can be found in the **Case for the Scheme (Document Reference 7.1)**.
- 1.1.4 The Accordance Tables provide an assessment of the Scheme conformity with the NPS NN and are set out as follows:
- Table 1: Scheme conformity with NPS NN Chapter 2 – The need for development of the national networks and Government’s policy.
 - Table 2: Scheme conformity with NPS NN Chapter 3 – Wider Government policy on national networks.
 - Table 3: Scheme conformity with NPS NN Chapter 4 – Assessment principles.
 - Table 4: Scheme conformity with NPS NN Chapter 5 – Generic impacts.
- 1.1.5 Each relevant NPS NN paragraph is set out with commentary as to the extent of compliance by the Scheme with its terms.
- 1.1.6 The Accordance Tables reference other relevant documentation submitted as part of the Application and provide a summary where appropriate.

2 National Policy Statement for National Networks Accordance Table

2.1 Table 1: Compliance with NPS NN Chapter 2

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
2		
2.1	<p>The national road and rail networks that connect our cities, regions and international gateways play a significant part in supporting economic growth, as well as existing economic activity and productivity and in facilitating passenger, business and leisure journeys across the country. Well-connected and high-performing networks with sufficient capacity are vital to meet the country’s long-term needs and support a prosperous economy.</p>	<p>Section 3 of the Case for the Scheme (Document Reference 7.1) articulates the need for the Scheme. M3 Junction 9 is a key strategic route interchange which connects South Hampshire and the ports of Southampton and Portsmouth with the wider sub region. It also connects the region to London and the north-west via the M3, and the Midlands and the North via the A34. The A34 also provides a connection to the principal east-west corridor of the A303. The junction acts as a bottleneck on the local and strategic highways network and causes significant delay, especially during peak hours.</p> <p>To address this, the Scheme comprises the development and delivery of works for increasing capacity, enhancing journey time reliability and supporting development in line with Local Plans. The Scheme includes widening of the M3 local to the junction to create four lanes each way, reconfiguring the existing main Junction 9 roundabout to make it more efficient, making provision for walkers, cyclists and horse-riders and improving the motorway slip roads.</p> <p>Section 4 of the Case for the Scheme (Document Reference 7.1) sets out the economic case for the Scheme, and outlines</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
		<p>the economic, environmental, and social impacts of the scheme and provides a means of establishing how the scheme supports its objectives and sub-objectives</p>
2.2	<p>There is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. Improvements may also be required to address the impact of the national networks on quality of life and environmental factors.</p>	<p>The Scheme will create capacity to cope with peak demand and growth on the Strategic Road Network (SRN) at this location, with a significant decrease in journey time and ensuring a free flowing, safe, reliable and resilient network.</p> <p>The economic appraisal of the Scheme has assessed the benefits to users and the wider population. This is compared against the Scheme capital costs and maintenances and operational costs. The economic appraisal was carried out using standard procedures and economic parameters as defined by TAG Unit A1. The Scheme uses data extracted from the traffic model to calculate the BCR for the economic assessment by comparing the Scheme cost to the benefits of the Scheme over the 60-year appraisal period. This is set out in the Combined Modelling and Appraisal Report (Document Reference 7.10) and Section 5 of the Case for the Scheme (Document Reference 7.1).</p> <p>The monetised impacts considered include: accidents; transport user impacts; environmental impacts e.g. local air quality, greenhouse gases (GHG) and noise. Other impacts have been qualitatively assessed e.g. journey time reliability and physical activity. Wider economic impacts have also been assessed.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
		<p>The results of the transport economic analysis indicated that the Scheme is forecast to generate benefits in the order of £152.3M.</p> <p>The greatest benefit relates to user travel time savings, amounting to £155.5M, which are predominantly due to the provision of the free-flow movement between the A34 and the M3.</p> <p>The accident assessment indicates an overall reduction in accidents with a corresponding benefit of £22.9M over the appraisal period. This reduction in accidents is due to the improved infrastructure implemented as part of the scheme, replacing existing elements of the road network with safety issues.</p> <p>The Scheme is forecast to achieve wider economic benefits of £41.8M.</p> <p>The Local Air Quality impacts are positive, and the Scheme provides benefits of +£4.7M, principally due to the reduction of traffic in central Winchester, which is densely populated. However, GHG and Noise impacts are negative, and the Scheme provides disbenefits of -£24.1M and -£1.3M respectively relating to GHG emissions and where the overall increase in traffic flows results in greater carbon and noise</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
		<p>impacts.</p> <p>The Scheme is expected to improve journey time reliability where it provides more capacity which reduces congestion and journey time delays. This is evident from the forecast journey time savings associated with the Scheme, particularly to/from the Easton Lane gyratory approach at M3 Junction 9. As these routes are shown to be more “free flowing” with the Scheme, it can be expected that journey time reliability along these routes will improve. In terms of journey quality, the Scheme will reduce journey times and therefore frustration for drivers. In addition, the Scheme will provide safer travel and reduce fear of accidents for pedestrians and cyclists.</p> <p>The Scheme does include improving cycle connectivity, especially for the National Cycle Network route 23. This would result in benefits associated with the fitness impact of increased physical activity.</p> <p>The Scheme is expected to have a neutral impact on severance, in terms of severance of existing walker, cyclist and horse-rider connectivity.</p> <p>Distributional analysis has been undertaken to consider how the impacts of the Scheme vary across different social groups. For noise, there are no receptors in Income Quintile 1 (most deprived) or Income Quintile 4. For Income Quintiles 2 and 3the</p>

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		<p>Scheme has large adverse impacts on noise levels but for Income Quintile 5, the impacts are moderate beneficial.</p> <p>For air quality, impacts are likely to occur where a Scheme results in changes to traffic flows or speeds or where the physical gap between people and traffic is altered. The Scheme includes changes to the network road alignment, traffic flows, and speeds. There are no receptors in Income Quintile 1 (most deprived). For all other Income Quintiles the scheme has beneficial air quality impacts ranging from a slight beneficial impact for Income Quintile 5, a moderate beneficial impact for Income Quintile 3, and large beneficial impacts for Income Quintiles 2 and 4.</p> <p>The accident assessment for most vulnerable groups has been assessed as slight beneficial as percentages were below that of the national average for the influence area.</p> <p>In terms of user benefits (time and costs impacts), those in the most income deprived quintile are not affected. For all other income quintiles there are beneficial user benefit impacts, due to journey time benefits.</p>
2.4	The pressure on our networks is expected to increase even further as the long-term drivers for demand to travel - GDP and population - are forecast to increase substantially over coming	Section 5 of the Transport Assessment (TA) (Document Reference 7.13) sets out the assessment of future network performance. Analysis of the strategic model Volume to Capacity Ratios (V/Cs) in the Do-Minimum ('without Scheme')

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	<p>years. Under central forecasts, road traffic is forecast to increase by 30% and rail journeys by 40%, rail freight has the potential to nearly double by 2030.</p>	<p>shows a significant number of links close to Junction 9 predicted to be above 75% which means these are close to theoretical capacity. Analysis of the operational model in the Do-Minimum ('without Scheme') in 2047 showed that there are significant predicted delays above free-flow journey time at Junction 9.</p> <p>Section 7.3 of the TA (Document Reference 7.13) indicates a reduction in congestion and a decrease in journey time with the Scheme in place. The largest reduction is shown to be from the A34 southbound to the M3 South, this is due to the significant congestion in the Do-Minimum model being alleviated, particularly in the PM Peak where there is a journey time reduction of 2 minutes and 31 seconds.</p>
2.6	<p>There is also a need for development on the national networks to support national and local economic growth and regeneration, particularly in the most disadvantaged areas. Improved and new transport links can facilitate economic growth by bringing businesses closer to their workers, their markets and each other. This can help rebalance the economy.</p>	<p>Congestion, delays and unreliable journey times caused by inefficient transport infrastructure have a negative impact on the economy. Congestion is a barrier to economic growth.</p> <p>Economic considerations are set out in the Combined Modelling and Appraisal Report (Document Reference 7.10) and Section 5 of the Case for the Scheme (Document Reference 7.1). The Scheme is estimated to have wider economic benefits of £41.8M.</p> <p>See also the response to NPS NN paragraph 2.2 above which provides detail in relation to the distributional and variance of impacts across different social groups.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
2.7	<p>In some cases, there may be a need for development to improve resilience on the networks to adapt to climate change and extreme weather events rather than just tackling a congestion problem.</p>	<p>The Flood Risk Assessment (FRA) (Document Reference 7.4) has been completed in accordance with the ‘Flood Risk Assessments: Climate Change Allowances’ guidance, through the inclusion of the H++ allowance for potential increases in peak river flow. It is anticipated that climate change would cause alterations to the baseline flood zones. The Scheme design has incorporated the potential increase in flood levels, accounting for this through embedded mitigation.</p> <p>Chapter 14 (Climate) of the ES (Document Reference 6.1) considers the Scheme’s vulnerability and resilience to climate change. To build in climate change resilience, the components of the Scheme have been designed to address the potential for increased rainfall and more extreme rainfall events. The drainage system incorporates flood alleviation measures, including attenuation storage with a capacity to accommodate a 1 in 100-year flow event, with a climate change allowance of 40%.</p> <p>New landscaping and planting would create multifunctional habitat corridors within the Scheme and include the creation of new native woodland grassland and scrub. Consideration would be given to drought tolerance and waterlogging species at the detailed design stage.</p> <p>With this mitigation in place, the impact of the Scheme on climate change is considered not significant.</p>

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2.8	<p>There is also a need to improve the integration between the transport modes, including the linkages to ports and airports. Improved integration can reduce end-to-end journey times and provide users of the networks with a wider range of transport choices.</p>	<p>M3 Junction 9 directs traffic along the M3 to the M25 London Orbital, linking the Winchester, Southampton, and neighbouring centres to Heathrow Airport. Heathrow is the largest airport in the UK, serving 81 million passengers and 1.6 million tonnes of cargo in 2019. Heathrow acts as a major economic driver for the South East, supporting an estimated 77,000 jobs and £3.6 billion in annual GVA.</p> <p>As a key link on the SRN, a significant volume of traffic uses M3 Junction 9. Approximately 6,000 vehicles pass through the junction per hour during the peak periods. A high proportion of journeys on the Solent to Midlands and M25 to Solent routes are commercial trips with traffic transporting freight to and from the Solent ports.</p> <p>The majority of routes show a decrease in journey time with the Scheme in place. The Do-Something shows improved journey times from the M3 south to M3 North and the M3 to A34 corridors from the Do-Minimum. This highlights the Scheme being able to accommodate the increased vehicle traffic of the forecasts future demand.</p>
2.9	<p>Broader environment, safety and accessibility goals will also generate requirements for development. In particular, development will be needed to address safety problems, enhance the environment or enhance accessibility for non-motorised users. In their current state,</p>	<p>The Scheme’s objectives, set out in Section 3 of the Case for the Scheme (Document Reference 7.1) are to deliver a design which not only supports economic growth and unlocks development capacity for job, business and housing creation, but results in a safe and serviceable network which is integrated and accessible for all road and footpath users. The Scheme will</p>

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	without development, the national networks will act as a constraint to sustainable economic growth, quality of life and wider environmental objectives.	address safety problems as a result of reducing delays and queue lengths and create a less congested network with expected improvements in journey time reliability. Unavoidable residual impacts of significance are summarised in Table 6.1 of the Case for the Scheme (Document Reference 7.1) .
2.13	The Strategic Road Network provides critical links between cities, joins up communities, connects our major ports, airports and rail terminals. It provides a vital role in people's journeys, and drives prosperity by supporting new and existing development, encouraging trade and attracting investment. A well-functioning Strategic Road Network is critical in enabling safe and reliable journeys and the movement of goods in support of the national and regional economies.	<p>The improvement to M3 Junction 9 was included in the DfT <i>Road Investment Strategy 2015/16 – 2019/20</i> (2015) (RIS1) and <i>Road Investment Strategy 2 2020–2025</i> (2020) (RIS2).</p> <p>The Scheme will create capacity to cope with peak demand and growth on the SRN at this location, with a significant decrease in journey time and ensuring a free flowing, safe, reliable and resilient network. The Scheme will support the development of housing and the creation of jobs, through the potential to accelerate local development sites by improving marketability and mitigating potential capacity constraints, increasing adjacent commercial and industrial land value and the potential to accelerate ongoing trends towards densification and new development in Winnall. The Scheme also has wider economic benefits of £41.8M and is expected to stimulate economic activity. This is further outlined in the Case for the Scheme (Document Reference 7.1).</p>
2.16	<p>Traffic congestion constrains the economy and impacts negatively on quality of life by:</p> <ul style="list-style-type: none"> ■ Constraining existing economic activity as well as economic growth, by increasing costs to 	The Transport Case for the Scheme in Section 4 of the Case for the Scheme (Document Reference 7.1) and the TA (Document Reference 7.13) demonstrate that the Scheme is predicted to achieve the following:

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	<p>businesses, damaging their competitiveness and making it harder for them to access export markets. Businesses regularly consider access to good roads and other transport connections as key criteria in making decisions about where to locate.</p> <ul style="list-style-type: none"> ■ Leading to a marked deterioration in the experience of road users. For some, particularly those with time-pressured journeys, congestion can cause frustration and stress, as well as inconvenience, reducing quality of life. ■ Constraining job opportunities as workers have more difficulty accessing labour markets. ■ Causing more environmental problems, with more emissions per vehicle and greater problems of blight and intrusion for people nearby. This is especially true where traffic is routed through small communities or sensitive environmental areas. 	<ul style="list-style-type: none"> ■ reduced journey times on key movements around the M3 Junction 9 in the AM and PM peak periods. Including between the M3 South and the A34, from Easton Lane to the A33, and between the A31 and Easton Lane. ■ reduced queuing on the M3 Junction 9 approaches including M3 Southbound off-slip, Easton Lane, A272 and the M3 Northbound off-slip. ■ improved journey time reliability. This is evident from the forecast journey time savings associated with the Scheme, particularly to/from the Easton Lane gyratory approach at M3 Junction 9. As these routes are shown to be more “free flowing” with the Scheme, it can be expected that journey time reliability along these routes would improve. ■ a reduced number of accidents. ■ enhanced facilities for walking, cycling and horse-riding. <p>The ES (Document Reference 6.1) presents the assessment of the Scheme’s impacts on the environment and people living within the surrounding area.</p> <p>Chapter 14 (Climate) of the ES (Document Reference 6.1) assesses the GHG emissions associated with the Scheme, including from road user (transport) emissions.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
		<p>Chapter 14 (Climate) of the ES (Document Reference 6.1) states that during construction, the main source of GHG emissions is anticipated to be associated with construction materials embodied carbon, comprising approximately 68.9% of overall construction emissions. Construction emissions as a result of plant equipment use within the work area would also release GHG emissions, through combustion of fuel, and comprise approximately 20.8% of anticipated construction emissions. Land use is estimated to comprise approximately 5.2% of construction emissions. 1.8% of construction emissions arise as a result of the power required for the welfare facilities. The remaining 2.3% and 1.0% are anticipated to arise from transport of materials and construction waste respectively. In total, it is anticipated that an estimated 37,070 tCO_{2e} would be emitted during construction.</p> <p>During operation, In terms of GHG emissions, in comparison to the UK carbon budget, the Scheme is anticipated to comprise 0.002% of the 4th carbon budget and 0.001% of the 5th carbon budget and 0.002% of the 6th carbon budget. It is considered that the increase in emissions as a result of the Scheme would not have a material impact on the ability of UK Government to meet its carbon budgets, therefore in accordance with the DMRB, there would be no significant effect.</p>
2.22	Without improving the road network, including its performance, it will be difficult to support further economic development, employment and	See response to NPS NN paragraphs 2.1, 2.2, 2.6, 2.8, 2.13 and 2.16.

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
	<p>housing and this will impede economic growth and reduce people's quality of life. The Government has therefore concluded that at strategic level there is a compelling need for development of the national road network.</p>	<p>M3 Junction 9 is a key link on the SRN as it connects South Hampshire and the ports of Southampton and Portsmouth with the wider sub region. It also connects the region to London and the north-west via the M3, and the Midlands and the North via the A34. The Scheme will create capacity to cope with peak demand and growth on the SRN at this location, with a significant decrease in journey time and ensuring a free flowing, safe, reliable and resilient network.</p>
2.23	<p>The Government's wider policy is to bring forward improvements and enhancements to the existing Strategic Road Network to address the needs set out earlier. Enhancements to the existing national road network will include:</p> <ul style="list-style-type: none"> ■ junction improvements, new slip roads and upgraded technology to address congestion and improve performance and resilience at junctions, which are a major source of congestion; ■ implementing "smart motorways" (also known as "managed motorways") to increase capacity and improve performance; ■ improvements to trunk roads, in particular dualling of single carriageway strategic trunk roads and additional lanes on existing dual 	<p>The Department for Transport's (DfT) <i>Road Investment Strategy 2015/16 – 2019/20</i> (2015) (RIS1) identified improvements to M3 J9 as one of the key investments in the SRN for the London and South East region and DfT's <i>Road Investment Strategy 2 2020–2025</i> (2020) (RIS2) supports the upgrade of M3 Junction 9 to allow free movement from the A34 to the M3. The Scheme reduces the delays at key areas currently congested.</p> <p>Further details are provided within the Case for the Scheme (Document Reference 7.1).</p>

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	<p>carriageways to increase capacity and to improve performance and resilience.</p>	
2.24	<p>The Government's policy on development of the Strategic Road Network is not that of predicting traffic growth and then providing for that growth regardless. Individual Schemes will be brought forward to tackle specific issues, including those of safety, rather than to meet unconstrained traffic growth (that is, 'predict and provide').</p>	<p>See the response to NPS NN paragraph 2.2.</p> <p>The problems at M3 Junction 9 have been recognised for some time. In 2013, Hampshire County Council identified that infrastructure improvements were necessary to reduce congestion levels and assist with the strategic movement of traffic at Junction 9 of the M3, a key arterial intersection, to make sure that traffic congestion and increased journey times do not compromise the scale of potential future economic growth in the sub-region. Following this, the improvement to M3 Junction 9 was included in RIS1, the <i>Solent to Midlands Route Strategy</i> (Highways England, 2017) and RIS2.</p> <p>Section 3 of the Case for the Scheme (Document Reference 7.1) sets out the Need for the Scheme. Significant volumes of traffic use the grade separated, partially signalised gyratory (approximately 6,000 vehicles per hour during the peak periods) which acts as a bottleneck on the local highway network and causes significant delays throughout the day. Northbound and southbound movements between the M3 and the A34 are particularly intensive, with downstream queues on the northbound off-slip of the M3 often resulting in safety concerns during peak periods. The Scheme is also necessary to address lengthy queues on the A272 Spitfire Link and Easton Lane during the morning and evening peak periods respectively and</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
		to connect the National Cycle Network (NCN) 23 which is incomplete through the M3 Junction 9.

2.2 Table 2: Compliance with NPS NN Chapter 3

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		
3.2	The Government recognises that for development of the national road and rail networks to be sustainable these should be designed to minimize social and environmental impacts and improve quality of life.	<p>The ES (Document Reference 6.1) sets out the effects of the Scheme and the measures designed to mitigate likely significant environmental effects arising from the Scheme. Where specific design, mitigation and enhancement measures have been applied, these are reported under each individual technical chapter of the ES (Document Reference 6.1) and are summarised in the ES Non-Technical Summary (Document Reference 6.4). The likely residual significant effects can be summarised as follows:</p> <p>Air Quality No significant air quality effects have been identified for the construction or operation phase.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>Cultural Heritage No significant cultural heritage effects have been identified for the construction or operation phase.</p> <p>Landscape and Visual The assessment concludes that the Scheme would have a significant adverse effect in the short to medium term (0-15 years). However, this would reduce to a slight adverse effect in the long term (15+ years) as landscape mitigation planting successfully establishes to aid landscape integration and provide visual screening.</p> <p>Biodiversity The assessment identified a number of adverse and beneficial effects to biodiversity receptors during the construction and operation phase. However, in all cases the residual effects were not significant.</p> <p>Geology and Soils The assessment concludes that the Scheme would have a significant adverse effect in terms of agricultural land as it would require the permanent acquisition of 18.7ha of Best Most Versatile agricultural land (11.8ha of Agricultural Land Classification (ALC) Grade 2 land and 6.9ha of Grade 3) and 8ha of grade 3b.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>Material Assets and Waste No significant effects in terms of material assets and waste have been identified for the construction or operation phase.</p> <p>Noise and Vibration The assessment concludes that some residential areas located close to the Scheme are likely to experience temporary significant effects from demolition and construction noise and vibration. Although this is without implementing mitigation outlined in the first iteration Environmental Management Plan (fiEMP) (Document Reference 7.3) which would reduce significant effects identified.</p> <p>During operation, short-term significant beneficial effects are anticipated at one dwelling. In the long-term, these effects are not considered significant, as the impact in the long-term is negligible.</p> <p>During operation, short-term significant adverse effects are anticipated at 20 residential properties during the daytime. Of these, none are anticipated to be directly related to traffic using the Scheme, and 20 are anticipated to be indirectly related to the Scheme. Indirectly affected residential properties are anticipated to experience an increase in traffic flows on the surrounding road network, as a result of the Scheme. In the long-term, these effects are not considered significant, as the impact in the long-term is neutral.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>During operation, significant beneficial effects are anticipated at 8 commercial receptors based on the results of the short-term and long-term noise impacts.</p> <p>Population and Health The assessment identified a number of adverse effects on population and human health during the construction phase. A total of 213 sqm is required from White Hill Cottage temporarily during construction, with rights over the land required permanently. It is anticipated that the Winnall Industrial Estate, Tesco Extra and Keir Highways will experience significant effects during as there will be changes to journey times and accessibility. Itchen Down Farm and Winnall Down Farm will have large areas of land permanently impacted by the Scheme construction which would result in a significant effect.</p> <p>During construction, there are likely to be significant adverse effects on the NCN 23 and other local footpaths. This proposed diversion of the NCN 23 and Winchester Bridleway 502 will not limit access to open space. Users of the diverted routes would still benefit from access to the outdoor space these routes traverse and from the National Park as alternate routes are available.</p> <p>In terms of development land and business during operation of the Scheme, it is anticipated that Winnall Industrial Estate would experience a moderate significant beneficial effect.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>During operation of the Scheme, for walking, cycling and horse-riding routes, there is anticipated to be beneficial significant effects on NCN 23, and Winchester Bridleways 502 and 520. The majority of Public Right of Way (PRoW) are not anticipated to be impacted by the proposals, with no changes to alignment, accessibility or journey times for users of these routes.</p> <p>Road drainage and the Water Environment No significant effects on road drainage and the water environment have been identified for the construction or operation phase.</p> <p>Climate No significant effects as a result of climate change have been identified for the construction or operation phase.</p>
3.3	<p>In delivering new schemes, the Government expects applicants to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government’s planning guidance. Applicants should also provide evidence that they have considered reasonable opportunities to deliver environmental and social benefits as part of schemes.</p>	<p>See response to NPS NN paragraph 3.2.</p> <p>Chapter 6 and Appendix A of the Case for the Scheme (Document Reference 7.1) demonstrate that the Scheme is compliant with national and local planning policy. Chapter 7 demonstrates that the Scheme is compliant with national policy in relation to development within nationally designated areas. The ES (Document Reference 6.1) recommends environmental mitigation and enhancement measures to reduce the Scheme impacts to the environment where possible.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		
3.4	<p>The Appraisal of Sustainability accompanying [the] NPS recognises that some developments will have some adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage and water resources. The significance of these effects and the effectiveness of mitigation is uncertain at the strategic and non-locationally specific level of [the] NPS. Therefore, whilst applicants should deliver developments in accordance with Government policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>	<p>See the responses to NPS NN paragraphs 3.2 and 3.3.</p>
3.6	<p>Transport will play an important part in meeting the Government's legally binding carbon targets and other environmental targets. As part of this there is a need to shift to greener technologies and fuels, and to promote lower carbon transport choices. Over the next decade, the biggest reduction in emissions from domestic transport is likely to come from efficiency improvements in conventional vehicles, specifically cars and vans, driven primarily by EU targets for new vehicle CO2</p>	<p>Chapter 14 (Climate) of the ES (Document Reference 6.1) assesses the GHG emissions associated with the Scheme, including from road user (transport) emissions, The uptake of Electric Vehicles and EU standard vehicles is considered in the context of national strategies, such as the DfT's <i>Transport Decarbonisation Plan (2021)</i>. The Scheme seeks to facilitate and encourage active travel and sustainable forms of transport. The Scheme is enhancing the National Cycle Network (NCN) 23 through the gyratory, providing a shared path (unsegregated, combined footpath, cycle track and footway) along the west of the Scheme and adding a new bridleway link to the east of the</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		
	<p>performance. Electrification of the railway will also support reductions in carbon.</p>	<p>Scheme connecting Long Walk and Easton Lane. The provision of a high quality accessible pedestrian and cyclist routes will encourage and enable travel by low-carbon, sustainable modes.</p>
3.10	<p>The Government’s overall vision and approach on road safety is set out in the Strategic Framework for Road Safety. It is a vision in which Britain remains a world leader in road safety; where highway authorities are empowered to take informed decisions within their area; where driver and rider training gives learners the skills they need to be safe on our roads; and where tough measures are taken against the minority of offenders who deliberately choose to drive dangerously. As set out in paragraphs 4.60 to 4.66, scheme promoters are expected to take opportunities to improve road safety, including introducing the most modern and effective safety measures where proportionate.</p>	<p>Chapter 5 of the Case for the Scheme (Document Reference 7.1) summarises the economic assessment of the Scheme. The Economic Assessment has calculated the accident cost savings in accordance with the DfT’s Transport Analysis Guidance (TAG). This assessment forecasts that, over the 60-year assessment period, the Scheme will provide an accident reduction benefit of £22.9M. Over the 60-year period, this shows a reduction of 537 accidents, including 68 Killed or Seriously Injured (KSI) casualties, with the Scheme in place, when compared to the ‘without Scheme’ scenario.</p> <p>Section 6.2 of the Design and Access Statement (Document Reference 7.9) details the Scheme wide design principles. The Scheme would provide an improved junction, with free flowing connectivity between the M3 and the A34, improving safety on the strategic road network. A motorway junction and new link roads, built to current design standards would provide a safer route than the existing junction which is heavily congested and is prone to queuing traffic on the live M3 carriageway. Signage, Vehicle Restraint Systems (VRS) and associated infrastructure have been incorporated into the preliminary design to ensure the safety principles set out within the <i>Design Manual for Roads</i></p>

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3		
		<p><i>and Bridges</i> (DMRB) are considered and met (where possible).</p> <p>During the development of the design, the needs for walkers, cyclists and horse-riders have been considered and measures added to reduce conflicts between vehicles and vulnerable road users. The improved walking, cycling and horse-riding accessibility within the Application Boundary would provide dedicated routes, these predominately located away from the carriageway with new formal crossing points including subways and a new Toucan crossing on the A33. Figure 2.4 (Existing and New Walking, Cycling and Horse-Riding routes) of the ES (Document Reference 6.2) provides an overview of the existing and new walking, cycling and horse-riding routes.</p>
3.15	<p>The Government is committed to providing people with options to choose sustainable modes and making door-to-door journeys by sustainable means an attractive and convenient option. This is essential to reducing carbon emissions from transport.</p>	<p>The Scheme incorporates new and improved walking, cycling and horse-riding provision, as described in Section 4.12 of the Case for the Scheme (Document Reference 7.1). The Scheme has provided a route between Kings Worthy and Winnall giving the option of a sustainable mode of transport between the residential area of Kings Worthy and the employment area of Winnall. The Scheme improves the National Cycle Network route 23 through Junction 9 of the M3 providing sustainable means of accessing the South Downs National Park.</p>
3.17	<p>There is a direct role for the national road</p>	<p>As part of the consultation undertaken during the initial stages</p>

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3	<p>network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions.</p>	<p>of Scheme development local user groups and adjacent business highlighted issues of connectivity for pedestrians and cyclists. The Scheme has taken account of these barriers and provides a new route for pedestrians from Kings Worthy to Winnall and a link for pedestrians and cyclists from Winnall to the Highway Depot on A34 Winchester bypass to cater for local trips. The route provides segregation for pedestrians/ cyclists at Junction 9 avoiding conflict with vehicles, with a controlled crossing is provided on the A34 for pedestrians using the new route between Kings Worthy and Winnall. Chapter 12 (Population and Human Health) of the ES (Document Reference 6.1) identifies impacts on walkers, cyclists and horse-riders during construction of the Scheme, concluding that there would be negligible adverse to no change for all other paths and routes that interact with the Application Boundary, including for the South Downs Way and other long distance footpaths.</p> <p>Retention of the connection along the old alignment of Easton Lane forming the National Cycle Route 23 comprising of a bridleway. The connection will be improved with the provision of new underpasses, reduced gradients on the route, and mounting blocks for horse riders at the termination of the bridleway. The connection at each end linking to Easton Lane is retained.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>The Scheme provides a new PRoW link between Easton Lane and Long Walk of approximate length of 1.4km connecting Bridleway 253/502/1 with restricted byway 128/19/1 and footpaths 128/20/1, 128/52/1, 128/21/1 and 128/22/2.</p> <p>The Scheme also provides a new link between the new shared footway/cycleway between Kings Worthy and Winnall to footpath 111/749/1 adjacent to the River Itchen.</p>
3.20	<p>The Government’s strategy for improving accessibility for disabled people is set out in Transport for Everyone: an action plan to improve accessibility <i>for all</i>. In particular:</p> <ul style="list-style-type: none"> ■ The Government will continue to work to ensure that the bus and ■ train fleets comply with modern access standards by 2020, and to improve rail station access for passengers with reduced mobility. The private car will continue to play an important role, providing disabled people with independence where other forms of transport are not accessible or available. ■ The Government expects applicants to improve access, wherever possible, on and around the national networks by designing 	<p>The Scheme has considered local communities and access to the highway network providing safe routes between communities for pedestrians, cyclists, and vulnerable users.</p> <p>An Equality Impact Assessment (EqIA) (Document Reference 7.14) has been undertaken and considers the potential effects of the Scheme on protected characteristic groups and seeks to identify any likely differential impacts on such persons. It also identifies opportunities to improve equality of opportunity and eliminate discrimination.</p> <p>The Scheme includes new and safer facilities for walkers, cyclists and horse-riders. These will better integrate with the cycle paths to the north-east and south-west of the Scheme.</p> <p>The Scheme has been designed to allow all gradients to be equal to or less than 1:20 to comply with DfT’s inclusive mobility</p>

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3	<p>and delivering schemes that take account of the accessibility requirements of all those who use, or are affected by, national networks infrastructure, including disabled users. All reasonable opportunities to deliver improvements in accessibility on and to the existing national road network should also be taken wherever appropriate.</p>	<p>impaired users. Also, the walking, cycling and horse-riding routes are designed for cyclists, and therefore as all horizontal gradients are suited for cyclists, they are also considered acceptable for mobility impaired users. The range of opportunities and barriers to all forms of movements have been given due consideration in the design of the Scheme.</p> <p>The Scheme would also remove any obstacles along the footways, widening the footways/footpaths, reducing gradients, and providing more suitable surfacing. This would result in improved facilities for persons related to the protected characteristics of:</p> <ul style="list-style-type: none"> ■ Disability: including people using a wheelchair, mobility scooter, or other mobility aid. ■ Pregnancy and maternity: including people using a pushchair. <p>The provision of at grade formal crossing facilities has enabled the inclusion of facilities to help disabled users, these are to include tactile indicators (knurled rotating nobs) and audible signals that assist visually impaired users. The Scheme also provides tactile paving at dropped crossings to link with adjacent local network.</p> <p>The Scheme provides a number of underpasses, these avoid walkers, cyclists and horse-riders crossing busy traffic routes at</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>grade, reducing conflicts and improving connectivity for vulnerable groups.</p> <p>Paragraph 5.1.7 of the EqIA (Document Reference 7.14) identifies that there is a potential risk that, during construction, the temporary closure of routes due to the Scheme may temporarily isolate walking, cycling and horse-riding users, particularly the disabled and the elderly and women during pregnancy and maternity due to the temporary diversions and/or closures, particularly for the footpath extending north of the National Highways depot. Connectivity between the junction and areas surrounding Abbots Worthy and Kings Worthy to the north may be reduced during construction.</p> <p>PRoW and footways will stay open as much as is practicable throughout the construction phase and suitable diversions will be put in place where possible, which will be suitable for use by those in a wheelchair, mobility scooter and for use with a pushchair. An Outline Traffic Management Plan (Document Reference 7.8) has been developed which includes measures to minimise any impact on pedestrians and cyclists and those with protected characteristics. A Communications Plan will also be developed which will include consulting with groups in the local area. This aims to reduce the impact of the construction work on those with protected characteristics identified as potentially affected by the Scheme.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>Section 6.2 of the Design and Access Statement (Document Reference 7.9) explains that, due to the Scheme’s location in relation to the South Downs National Park, which is sensitive to new lighting arrangements, avoiding and minimising light pollution is a key consideration for the Scheme. The carriageways, junction and the slip roads would not be lit. The Scheme will not provide a continuous system of lighting for the pedestrian/ cycle routes with only key areas benefiting from continuous illumination. Lighting would be required within the underpasses and subways due to the length of these facilities, which would be designed in accordance with the South Downs National Park Authority <i>Dark Skies Technical Advice Note</i> (2021). The approaches and exits to underpasses would not be lit. An EqIA (Document Reference 7.14) has been completed. As part of this assessment the Equality, Diversity and Inclusion sifting Tool (EDIT) was used which is a tool designed to help National Highways project managers, designers and engineers make an informed decision about how equality issues relate to their Scheme. Application of this tool included a full consideration of the potential impacts on various user groups as a result of the design of walking, cycling and horse-riding routes and this has concluded that there would be no significant adverse impacts.</p> <p>Collaborative discussion will continue in the Detailed Design</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
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		stage to ensure elements like surfacing, wayfinding and lighting are accessible.
3.21	Applicants are reminded of their duty to promote equality and to consider the needs of disabled people as part of their normal practice. Applicants are expected to comply with any obligations under the Equalities Act 2010.	See the response to NPS NN paragraph 3.20. An EqIA (Document Reference 7.14) has been prepared for the Scheme and meets the requirements of the Equalities Act 2010. The EqIA (Document Reference 7.14) considers the potential impacts of the Scheme on protected characteristic groups during construction and operation.
3.22	Severance can be a problem in some locations. Where appropriate applicants should seek to deliver improvements that reduce community severance and improve accessibility.	Community severance is defined as the separation of residents from facilities and services they use within their community caused by substantial changes in transport infrastructure or by changes in traffic flows. The Scheme is not expected to have a significant impact on severance of communities. The overall transport impact is assessed as neutral. However, there are significant beneficial effects identified related to improvements delivered by the Scheme. It includes elements that either help ensure continued access for pedestrians, cyclists and horse-riders or bring improvements in terms of current accessibility/severance. Local severance issues have been identified and mitigated with the provision of a shared footway/cycleway between Kings Worthy and Winnall capturing the connection between the highway depot on the A34 and the local retail attractors and

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
3		<p>wider pedestrian/ cycle network.</p> <p>Chapter 12 (Population and Human Health) of the ES (Document Reference 6.1) identifies the Scheme’s impact during construction on the PRow network. For PRow in the wider study area that do not directly interact with the Scheme, it is anticipated that there would typically be no changes to accessibility or severance during construction.</p> <p>The Scheme has incorporated various proposals that improve the accessibility and connectivity across the PRow network, including upgrades to the existing PRow that cross Junction 9, including the NCN 23, and provision of safe walking routes along the length of the road used for recreation and commuting.</p> <p>Through the Scheme, the existing severance between Winchester and the South Downs National Park, created by the current M3 Junction 9 alignment, would be addressed, with improved, safe facilities to access open and recreational space. Further details are provided in Chapter 12 (Population and Human Health) of the ES (Document Reference 6.1).</p>

2.3 Table 3: Compliance with NPS NN Chapter 4

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4 4.3	<p>In considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:</p> <ul style="list-style-type: none"> ■ its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits; ■ its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. 	<p>There is a strong need case for the Scheme in order to address the significant existing congestion and road safety issues on the M3. While it is recognised that great weight is attached to conserving the South Downs National Park, it is also considered that addressing the existing road safety issues and removing an impediment to strategic economic growth is in the public interest.</p> <p>The benefits of the Scheme are outlined in the Combined Modelling and Appraisal Report (Document Reference 7.10) and the Case for the Scheme (Document Reference 7.1).</p> <p>As summarised in Section 5 of the Case for the Scheme (Document Reference 7.1), the transport economic analysis indicates that the Scheme is forecast to generate economic benefits in the order of £152.3M with consideration of user benefits plus the effects of delays during construction, accident benefits, indirect taxation benefits, and monetised environmental impacts. The greatest benefit relates to user travel time savings, amounting to £155.5M, which are predominantly due to the provision of the free-flow movement between the A34 and the M3. The Scheme has wider economic benefits of £41.8M.</p> <p>Potential environmental effects, mitigation and enhancements,</p>

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		<p>are assessed within Chapters 5-14 of the ES (Document Reference 6.1) and cumulative effects are considered in Chapter 15 (Cumulative Effects) of the ES (Document Reference 6.1). The response to NPS NN paragraph 3.2 of the NPS NN above summarises the findings in relation to residual impacts of significance.</p>
4.4	<p>In this context, environmental, safety, social and economic benefits and adverse impacts, should be considered at national, regional and local levels. These may be identified in this NPS, or elsewhere.</p>	<p>The ES (Document Reference 6.1) reports on the EIA, which considers the potential environmental effects of the Scheme at national, regional and local levels.</p> <p>The TA (Document Reference 7.13) and Section 4 of the Case for the Scheme (Document Reference 7.1) consider the potential transport effects of the Scheme on the on the strategic and local network, road safety and sustainable transport such as walking, cycling and horse-riding.</p> <p>Economic considerations are set out in the Combined Modelling and Appraisal Report (Document Reference 7.10) and summarised in Section 5 of the Case for the Scheme (Document Reference 7.1).</p>
4.5	<p>Applications for road and rail projects (with the exception of those for SRFIs, for which the position is covered in paragraph 4.8 below) will normally be supported by a business case</p>	<p>The Combined Modelling and Appraisal Report (Document Reference 7.10) and Section 5 of the Case for the Scheme (Document Reference 7.1) present the anticipated economic benefits and dis-benefits of the Scheme. These impacts are</p>

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4	<p>prepared in accordance with Treasury Green Book principles. This business case provides the basis for investment decisions on road and rail projects. The business case will normally be developed based on the Department’s Transport Business Case guidance and TAG guidance. The economic case prepared for a transport business case will assess the economic, environmental and social impacts of a development. The information provided will be proportionate to the development. This information will be important for the Examining Authority and the Secretary of State’s consideration of the adverse impacts and benefits of a proposed development. It is expected that NSIP schemes brought forward through the development consent order process by virtue of Section 35 of the Planning Act 2008, should also meet this requirement.</p>	<p>monetised in order to estimate the Scheme’s economic worth. Key figures are set out below:</p> <ul style="list-style-type: none"> ■ Over the 60-year appraisal period, the Scheme is forecast to generate economic benefits in the order of £152.3M with consideration of user benefits plus the effects of delays during construction, accident benefits, indirect taxation benefits, and monetised environmental impacts. ■ The greatest benefit relates to user travel time savings, amounting to £155.5M, which were predominantly due to the provision of the free-flow movement between the A34 and the M3. ■ The Scheme is forecast to achieve wider economic benefits of £41.8M. ■ The accident assessment indicated an overall reduction in accidents with a corresponding benefit of £22.9M over the appraisal period. <p>The assessment has used the DfT Transport Analysis Guidance (TAG) data book version 1.18 (May 2022). An economics sensitivity test was undertaken using TAG data book version 1.19 (June 2022 forthcoming updates).</p>
4.6	<p>Applications for road and rail projects should usually be supported by a local transport</p>	<p>The modelling assessment comprises a strategic model complemented with a local operational model. Chapter 4 of the</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<p>model to provide sufficiently accurate detail of the impacts of a project. The modelling will usually include national level factors around the key drivers of transport demand such as economic growth, demographic change, travel costs and labour market participation, as well as local factors. The Examining Authority and the Secretary of State do not need to be concerned with the national methodology and national assumptions around the key drivers of transport demand. We do encourage an assessment of the benefits and costs of schemes under high and low growth scenarios, in addition to the core case. The modelling should be proportionate to the scale of the scheme and include appropriate sensitivity analysis to consider the impact of uncertainty on project impacts.</p>	<p>TA (Document Reference 7.13) provides a summary of the transport models and their development. The strategic model used is a derivation of the South East Regional Transport Model (SERTM), including updates for this stage. This model is referred to as the M3 Junction 9 Model, which underwent a number of further enhancements for the purpose of the assessment in line with the DfT's TAG. Calibration and validation focussed on the area of Winchester to strengthen the model and make it suitable for the analysis of impacts of the Scheme.</p> <p>In PCF Stage 2 (Options Selection) an operational assessment model was developed using PTV-VISSIM software version 11. The VISSIM micro-simulation model of M3 Junction 9 was used to test the updated Scheme in Preliminary Design.</p> <p>The traffic forecasts are dependent on household and employment growth for car trips and DfT's Road Traffic Forecasts (RTF) 2018 for goods vehicles. TAG Unit M-4 recommends the production of an Uncertainty Log (UL) to summarise the local planning assumptions in relation to the nature, likelihood, timing, size, and other details of the future developments. The UL was based on information provided by Hampshire County Council. The forecasts were constrained to TEMPro 7.2 trip end projections. This process retained the trip end projections associated with the new developments in the zones where the developments are located. In the remaining model zones, background was growth reduced to meet the</p>

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4		<p>overall TEMPro trip end projections for the local authorities for which detailed development assumptions were specified. In areas outside these authorities, the TEMPro 7.2 trip end assumptions were used without any further adjustment. The Variable Demand Model (VDM) was used to predict the future changes in demand for private vehicle travel with and without the Scheme.</p> <p>Based on this approach the VDM was applied to forecast the demand impacts of both the Do-Minimum (DM) as well as the Do-Something (DS)). The Do-Minimum represents a without Scheme scenario using the strategic and operational traffic models, it includes all the changes unrelated to the Scheme which are considered more than likely to be in place prior to the respective future year. The Do-Something scenario includes the Scheme.</p> <p>Together these models have been used to evaluate current and future conditions at M3 Junction 9 and on the adjacent road network. The strategic model has been used to provide the initial assessment of any strategic implications of the Scheme, as well as the basis for forecasting future year traffic demand matrices. This included scenario testing relating to development land-use and associated low and high travel demand growth relative to the core forecasting assumptions. The operational model was used to assess the network performance impacts of</p>

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		<p>the Scheme at M3 Junction 9 and the immediate road network.</p> <p>Chapter 5 of the Combined Modelling and Appraisal Report (Document Reference 7.10) presents a summary of the economic cost-benefit assessment of the Scheme, based on the transport modelling and application of TAG, including alternative growth scenarios and sensitivity testing of the economic parameters.</p>
4.15	<p>All proposals for projects that are subject to the European Union’s Environmental Impact Assessment Directive and are likely to have significant effects on the environment, must be accompanied by an environmental statement (ES), describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically requires an environmental impact assessment to identify, describe and assess effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment)</p>	<p>An ES (Document Reference 6.1) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).</p> <p>The ES (Document Reference 6.1) presents a description of the Scheme, the likely significant effects (both beneficial and adverse) and measures to mitigate any adverse effects using the hierarchical mitigation system outlined in Table 4.5 of Chapter 4 (Environmental Assessment Methodology) of the ES (Document Reference 6.1).</p> <p>Regulation 14(3) of the EIA Regulations requires the ES to be based on the most recent Scoping Opinion adopted. The ES (Document Reference 6.1) is based on the 2020 Scoping Opinion, received from the Secretary of State in November 2020, which is the most recent Scoping Opinion adopted.</p>

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4	<p>Regulations 2009 sets out the information that should be included in the environmental statement including a description of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the project, and also the measures envisaged for avoiding or mitigating significant adverse effects. Further guidance can be found in the online planning portal... In this NPS, the terms 'effects', 'impacts' or 'benefits' should accordingly be understood to mean likely significant effects, impacts or benefits.</p>	
4.16	<p>When considering significant cumulative effects, any environmental statement should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been granted, as well as those already in existence).</p>	<p>Chapter 15 (Cumulative Effects) of the ES (Document Reference 6.1) considers the cumulative effects of the Scheme. Two types of cumulative effects have been considered:</p> <ul style="list-style-type: none"> ■ Cumulative effects – effects that occur either as a result of changes caused by other developments reasonably acting cumulatively with the effects of the Proposed Scheme; and ■ Combined effects – effects from the combined effect of several different impacts acting together on a single receptor, such that the combined effect would be more significant than the individual effects.

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4		<p>Chapter 15 (Cumulative Effects) of the ES (Document Reference 6.1) has been prepared with reference to the Planning Inspectorate’s Advice Note 17: Cumulative Effects Assessment (Planning Inspectorate, 2019), guidance on cumulative effects contained in Design Manual for Roads and Bridges (DMRB) LA104 (National Highways, 2019), the NPS NN (DfT, 2014) and the 2020 Scoping Opinion.</p> <p>Chapter 15 (Cumulative Effects) of the ES (Document Reference 6.1) notes that there is potential for cumulative effects on human health during construction with regards to air quality and noise from two ‘other developments’ (ID 72 and ID 79). ID 72 at Easton Lane is for “<i>creation of a new McDonalds restaurant with drive-thru facility, car parking, landscaping and associated works.</i>” ID79 at Land West Of Winnall Manor Road is for the “<i>demolition of existing buildings, alteration to access, erection of up to 2100sqm office floorspace, up to 158 bed purpose built student accommodation; parking; landscaping; and associated features.</i>” However, these two other developments, along with the Scheme, would be subject to compliance with local and national policy. Under these policies, they will need to demonstrate minimal impact to air quality and noise levels and it is assumed that best practice measures would be implemented, which would reduce and mitigate the potential for impacts. As a result, no cumulative effects are anticipated on human health during construction.</p>

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4		<p>The assessment of combined effects did not identify any effects that would result in a greater significance of effect than the individual topic assessments.</p> <p>No significant cumulative effects have been identified and no further mitigation measures to those outlined in the individual environmental topic chapters (Chapters 5-14 of the ES (Document Reference 6.1)) are proposed.</p>
4.18	<p>In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.</p>	<p>The Scheme design is described in Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1) and details are shown on the Engineering Plans and Sections (Document Reference 2.6) and General Arrangement Plans (Document Reference 2.5).</p> <p>The Scheme is at a preliminary design stage and the detailed design stage converts the preliminary design into detailed design. The preliminary design will be refined and informed by additional investigations once past the DCO submission stage. However, any design refinement would be controlled by the following factors:</p> <ul style="list-style-type: none"> ■ The draft DCO (Document Reference 3.1)

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4		<ul style="list-style-type: none"> ■ The limits of deviation (LoD) as described in the draft DCO (Document Reference 3.1) and the Explanatory Memorandum (Document Reference 3.2). ■ The approach to the assessment of the LoD in the EIA as set out in Section 2.6 of Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1). <p>LoD have been established and are defined in the draft DCO (Document Reference 3.1) and are outlined in Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1). LoD have been incorporated within the Application Boundary to allow minor modifications to be made to the Scheme during the detailed design and construction stages. Such flexibility is required, for example, to enable the Principal contractor to alter their working procedures or make minor adjustments to the position of certain infrastructure in response (for example) to unforeseen ground conditions.</p>
4.19	Where some details are still to be finalised, applicants are advised to set out in the environmental statement, to the best of their knowledge, what the maximum extent of the proposed development may be (for example in terms of site area) and assess the potential adverse effects which the project could have to ensure that the impacts of the project as it may	As set out in Chapter 4 (EIA Methodology) of the ES (Document Reference 6.1) , the LoD have been considered within Chapters 5-15 of the ES (Document Reference 6.1) , having regard to the scope for change from the highway alignment. Accordingly, flexibility is accounted for within the Scheme design, which is assessed in accordance with the Rochdale Envelope approach.

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	be constructed have been properly assessed.	Chapters 5-14 of the ES (Document Reference 6.1) explain the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and covers both the construction and operational phases, using a reasonable worst-case assumption throughout the EIA process.
4.22	The applicant should seek the advice of Natural England and, where appropriate, for cross-boundary impacts, Natural Resources Wales and Scottish Natural Heritage to ensure that impacts on European sites in Wales and Scotland are adequately considered.	<p>An assessment of likely significant effects to the National Site Network from the Scheme is set out in the Habitats Regulations Assessment (Document Reference 7.5) so that, in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), the Competent Authority (in this case the Secretary of State) can make an ‘Appropriate Assessment’ of the implications of the Scheme on The National Site Network i.e. to undertake an Habitats Regulation Assessment (HRA).</p> <p>Natural England was consulted regarding the HRA and other matters specific to the Project (details are provided within the document). The HRA Evidence Plan was submitted to Natural England and the Environment Agency in May 2021 for comment.</p>
4.23	Applicants are required to provide sufficient information with their applications for development consent to enable the Secretary of State to carry out an Appropriate	See the response to NPS NN paragraph 4.22.

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4	<p>Assessment if required. This information should include details of any measures that are proposed to minimise or avoid any likely significant effects on a European site. The information provided may also assist the Secretary of State in concluding that an appropriate assessment is not required because significant effects on European sites are sufficiently unlikely that they can be excluded.</p>	
4.26	<p>Applicants should comply with all legal requirements and any policy requirements set out in this NPS on the assessment of alternatives. In particular:</p> <ul style="list-style-type: none"> ■ The EIA Directive requires projects with significant environmental effects to include an outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects. ■ There may also be other specific legal requirements for the consideration of alternatives, for example, under the Habitats and Water Framework Directives. 	<p>Chapter 3 (Assessment of Alternatives) of the ES (Document Reference 6.1) presents a summary of the alternative Scheme options considered. In evaluating the relative advantages and disadvantages of each, not all alternatives have been explored to an equal level of detail. For example, some options have been appraised and eliminated from further consideration early in the design-development process, whereas other options have been retained to a much later stage in the process, having been subject to repeated analysis and refinement.</p> <p>A Consultation Report (Document Reference 5.1) has been prepared to provide an account of the pre-application consultation activities undertaken by the Applicant and to explain how consultation responses have been taken into account in the preparation of the application for the Scheme.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<ul style="list-style-type: none"> There may also be policy requirements in this NPS, for example the flood risk sequential test and the assessment of alternatives for developments in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONB). 	<p>A Habitats Regulations Assessment (Document Reference 7.5) has been prepared so that, in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), the Competent Authority (in this case the Secretary of State) can make an ‘Appropriate Assessment’ of the implications of the Scheme on the National Site Network i.e. to undertake an HRA. The Habitats Regulations Assessment (Document Reference 7.5) comprises two parts – the Screening Report and the Statement to Inform an Appropriate Assessment.</p> <p>A Water Framework Directive Assessment (Document Reference 7.7) has been undertaken. This concludes that the Scheme will not have any significant long-term impacts on the ecology of water quality within water bodies, does not result in a significant change away from baseline conditions for the overall Water Framework Directive (WFD) water bodies and will not result in deterioration of the current WFD potential of the River Itchen, Nun’s Walk Stream and Itchen Navigation Canal surface water bodies. The works will not affect the ability for the key actions identified in the River Basin Management Plan to be implemented for the catchment. As such, the works are compliant with the WFD and will not prevent the water bodies from achieving Good status in the future.</p> <p>An FRA (Document Reference 7.4) has been undertaken. The</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		<p>Scheme constitutes 'Essential Infrastructure' as defined in the NPPF and National Planning Policy Guidance (NPPG). The Scheme is predominantly within Flood Zone 1, although some area adjacent to the watercourses are located in Flood Zone 2 and Flood Zone 3. 'Essential Infrastructure' is considered appropriate in Flood Zone 1 and in Flood Zone 2 and Flood Zone 3 it is appropriate subject to the Sequential Test and Exception Test being met. The FRA (Document Reference 7.4) demonstrates that the Scheme passes these tests.</p> <p>Section 7 of the Case for the Scheme (Document Reference 7.1) considers in detail the compliance of the Scheme with the NPS NN in relation to its development within the South Downs National Park.</p>
4.27	<p>All projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of the paragraphs 3.23 to 3.27 of this NPS). Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate</p>	<p>The Scheme has been subject to a full options appraisal process as described in Chapter 3 (Assessment of Alternatives) of the ES (Document Reference 6.1) and Section 2 of the Case for the Scheme (Document Reference 7.1).</p> <p>The Scheme was included the Department for Transport's (DfT) <i>Road Investment Strategy 2015/16 – 2019/20</i> (2015) (RIS1) and <i>Road Investment Strategy 2 2020–2025</i> (2020) (RIS2).</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		
4.28 - 4.29	<p>option consideration of alternatives will have been undertaken as part of the investment decision making process. It is not necessary for the Examining Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken.</p> <p>Applicants should include design as an integral consideration from the outset of a proposal.</p> <p>Visual appearance should be a key factor in considering the design of new infrastructure, as well as functionality, fitness for purpose, sustainability and cost. Applying “good design” to national network projects should therefore produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, matched by an appearance that demonstrates good aesthetics as far as possible.</p>	<p>The design of the Scheme has been fundamentally influenced by NPS NN policy. The Case for the Scheme (Document Reference 7.1) sets out the rationale for the Scheme and overall compliance with NPS NN.</p> <p>The Design and Access Statement (Document Reference 7.9) explains the design rationale behind the Scheme and sets out the context within which design development has taken place. It identifies the key opportunities and challenges which have influenced the design as well as the role that consultation / stakeholder engagement has played. Comments received from the independent design review panel and how they have been incorporated into the Scheme have also been summarised.</p>
4.31	<p>A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. It should also mitigate any existing adverse</p>	<p>See the response to NPS NN paragraphs 4.28 - 4.29.</p> <p>The Scheme design has responded to the environmental constraints presented by statutory and non-statutory designations and receptors. Assessment of these is detailed within the ES (Document Reference 6.1) and these have</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<p>impacts wherever possible, for example, in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts.</p>	<p>contributed to the design narrative as set out in the Design and Access Statement (Document Reference 7.9). The Scheme proposals are integrated with the sensitive landscape and where necessary appropriate mitigation has been included. In addition, the Scheme results in a number of environmental benefits, including improved habitat connectivity through newly created habitats including chalk grassland creation, and increased accessibility via the new walking, cycling and horse-riding routes.</p>
4.32	<p>Scheme design will be a material consideration in decision making. The Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable and as aesthetically sensitive, durable, adaptable and resilient as they can reasonably be (having regard to regulatory and other constraints and including accounting for natural hazards such as flooding).</p>	<p>Sustainable design is a fundamental consideration of the Scheme. Due to the lifespan of the proposals, the Scheme design considers potential change from future Climate Change, including designing in appropriate water attenuation features for extreme events, specifying durable materials, and including a diverse soft landscape species for resilience. Further details are provided within Chapter 6 of the Design and Access Statement (Document Reference 7.9).</p>
4.33	<p>The applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme's contribution to the quality of the area in which it would be located). Applicants will</p>	<p>See the response to NPS NN paragraphs 4.28 - 4.29, 4.31 and 4.32.</p> <p>The design team comprises qualified and experienced professionals including highways engineers, landscape architects, planners, traffic modellers, drainage engineers,</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<p>want to consider the role of technology in delivering new national networks projects. The use of professional, independent advice on the design aspects of a proposal should be considered, to ensure good design principles are embedded into infrastructure proposals.</p>	<p>acousticians, biodiversity and other environmental professionals.</p> <p>A collaborative approach to design has been central to the development of the Scheme. Stakeholder engagement has been summarised in Section 4 of the Design and Access Statement (Document Reference 7.9), and this demonstrates the integral part that this has played in helping shape the preliminary Scheme proposals submitted as part of the DCO. Engagement has included focused consultation with statutory organisations and stakeholders and the wider public. The Scheme design was also presented to an independent design review panel.</p>
4.34	<p>Whilst the applicant may only have limited choice in the physical appearance of some national networks infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation.</p>	<p>The design draws on the character of the existing landscape including the South Downs National Park and its setting, as well as its ecology and heritage.</p> <p>The landscape strategy includes the use of native species of local provenance, where practicable, to reflect the character of the local landscape, however the selected species mix will be as diverse as reasonably practicable to ensure resilience against potential future diseases and climate change whilst providing functional habitat for wildlife present in the local area. Opportunity for maximising biodiversity benefit has also been provided for with the use of scrub planting throughout the Scheme and species rich grasslands (including chalk</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
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		<p>grassland).</p> <p>The following ES chapters (Document Reference 6.1) identify design, mitigation and enhancement measures in relation to landscape, historical character and function, landscape permeability, landform and vegetation:</p> <ul style="list-style-type: none"> ■ Chapter 6: Cultural Heritage ■ Chapter 7: Landscape and Visual ■ Chapter 8: Biodiversity
4.35	<p>Applicants should be able to demonstrate in their application how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected....</p>	<p>See response to NPS NN paragraphs 4.28 - 4.29, 4.31, 4.32, 4.33 and 4.34.</p>
4.38	<p>Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought</p>	<p>Chapter 14 (Climate) of the ES (Document Reference 6.1) considers the Scheme's vulnerability and resilience to climate change. This utilises UK Climate Projections 2018 (UKCP18) high emissions scenario across a 60 year period. To build in climate change resilience, the components of the Scheme have been designed to address the potential for increased rainfall</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<p>forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the provision of green infrastructure.</p>	<p>and more extreme rainfall events. The drainage system incorporates flood alleviation measures, including attenuation storage with a capacity to accommodate a 1 in 100-year flow event, with a climate change allowance of 40%. Section 14.67 sets out the mitigation measures in relation to vulnerability to future climate change. With this mitigation in place, no significant effects as a result of climate change are anticipated.</p> <p>The Scheme design considers potential change from future Climate Change, including designing in appropriate water attenuation features for extreme events, specifying durable materials, and including a diverse soft landscape species for resilience. Further details are provided within Chapter 6 of the Design and Access Statement (Document Reference 7.9).</p> <p>The FRA (Document Reference 7.4) has been completed in accordance with the 'Flood Risk Assessments: Climate Change Allowances' guidance, through the inclusion of the H++ allowance for potential increases in peak river flow. It is anticipated that climate change would cause alterations to the baseline flood zones. The Scheme design has incorporated the potential increase in flood levels, accounting for this through embedded mitigation.</p> <p>New landscaping and planting would create multifunctional habitat corridors within the Scheme and include the creation of new native woodland grassland and scrub. Consideration would</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		
		be given to drought tolerance and waterlogging species at the detailed design stage.
4.40	New national networks infrastructure will be typically long-term investments which will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the impacts of climate change when planning location, design, build and operation. Any accompanying environment statement should set out how the proposal will take account of the projected impacts of climate change.	See the response to NPS NN paragraph 4.38.
4.41	Where transport infrastructure has safety-critical elements and the design life of the asset is 60 years or greater, the applicant should apply the UK Climate Projections 2009 (UKCP09) high emissions scenario (high impact, low likelihood) against the 2080 projections at the 50% probability level.	Chapter 14 (Climate) of the ES (Document Reference 6.1) considers the Scheme’s vulnerability and resilience to climate change. This utilises UK Climate Projections 2018 (UKCP18) (which is the latest publication at the time of drafting the ES chapter) high emissions scenario across a 60 year period.
4.42	The applicant should take into account the potential impacts of climate change using the latest UK Climate Projections available at the time and ensure any environment statement that is prepared identifies appropriate mitigation or adaptation measures. This should	See the response to NPS NN paragraphs 4.38 and 4.41. The Scheme has been designed to avoid or reduce vulnerability to climate change. Embedded mitigation is listed within Chapter 4 (Environmental Impact Assessment (EIA) Methodology) of the ES (Document Reference 6.1) . Additional embedded and

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	cover the estimated lifetime of the new infrastructure.	<p>essential mitigation measures have been identified within this Chapter 14 (Climate) of the ES (Document Reference 6.1). This mitigation is also included within the fiEMP (Document Reference 7.3).</p> <p>Climate change is considered in both the assessment of the Scheme effects and the design of mitigation and enhancement measures. The consideration of the Scheme’s resilience to climate change is assessed qualitatively, based on the future climate trends outlined in Chapter 14 (Climate) of the ES (Document Reference 6.1). The assessment of the Scheme’s contribution to climate change, through release of GHG emissions, is a quantitative assessment against the legislated UK Government’s carbon budgets.</p>
4.43	The applicant should demonstrate that there are no critical features of the design of new national networks infrastructure which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections. Any potential critical features should be assessed taking account of the latest credible scientific evidence on, for example, sea level rise (e.g. by referring to additional maximum credible scenarios such as from the Intergovernmental	<p>See the response to NPS NN paragraphs 4.38, 4.41 and 4.42.</p> <p>Section 14.16 of Chapter 14 (Climate) of the ES (Document Reference 6.1) presents the essential mitigation measures that have been incorporated into the Scheme’s design.</p> <p>At the construction stage, the Scheme will continue to be designed in accordance with several UK and British Standards and DMRB guidance, including the foundations, structures and pavements/road surfaces, for example the BS EN 1991-1-5:2003 in relation to thermal action and Wind loading BS EN</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<p>Panel on Climate Change or Environment Agency) and on the basis that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime through potential further mitigation or adaptation.</p>	<p>1991-1-4:2005 in relation to wind loading.</p> <p>In terms of Essential Mitigation during operation, the Scheme's planting specifications will be provided at detailed design stage as part of the discharge of requirements (Schedule 2 of the draft DCO (Document Reference 3.1)). The soft landscape planting strategy for the Scheme should follow a contextual approach with regards to native species selection and pattern and be appropriate to its locality. Species with enhanced attributes to drought tolerance and waterlogging will be considered and incorporated where practicable to increase resilience to climate change.</p>
4.44	<p>Any adaptation measures should be based on the latest set of UK Climate Projections, the Government's national Climate Change Risk Assessment and consultation with statutory consultation bodies. Any adaptation measures must themselves also be assessed as part of any environmental impact assessment and included in the environment statement, which should set out how and where such measures are proposed to be secured.</p>	<p>The potential impacts on the Scheme identified within Section 14.15 of Chapter 14 (Climate) of the ES (Document Reference 6.1) have been assessed as part of the Climate Change Risk Assessment (CCRA). The impacts of climate change on the construction phase are scoped out of the CCRA due to the short timescales of the construction phase (construction is proposed to take place early 2024 until 2027).</p> <p>Table 14.13 of Chapter 14 (Climate) of the ES (Document Reference 6.1) lists the climate change effects that could occur and the potential impact on the Scheme with corresponding likelihoods, significance and whether specific mitigation is required. The assessment has not identified effects which are</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
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4.45	<p>If any proposed adaptation measures themselves give rise to consequential impacts the Secretary of State should consider the impact in relation to the application as a whole and the impacts guidance set out in this part of this NPS (e.g. on flooding, water resources, biodiversity, landscape and coastal change).</p>	<p>considered to be significant.</p> <p>Chapter 14 (Climate) of the ES (Document Reference 6.1) sets out mitigation in relation to climate vulnerability and resilience. The Scheme has been designed to prevent consequential impacts of adaption measures.</p> <p>At the construction stage, the Scheme will continue to be designed in accordance with the British Standards and DMRB guidance outlined in Chapter 14 (Climate) of the ES (Document Reference 6.1), for example at the detailed design stage foundation design and soil conditions and ground water levels will be considered and constructed in accordance with UK standards. Wind loading will be included in accordance with BS EN 1991-1-4:2005.</p> <p>In terms of Essential Mitigation during operation, the Scheme’s planting specifications will be provided at detailed design stage as secured through a requirement within Schedule 2 of the draft DCO (Document Reference 3.1). The soft landscape planting strategy for the Scheme should follow a contextual approach with regards to native species selection and pattern and be appropriate to its locality. Species with enhanced attributes to drought tolerance and waterlogging will be considered and incorporated where practicable to increase resilience to climate change.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		
4.46	Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so.	<p>Chapter 14 (Climate) of the ES (Document Reference 6.1) sets out mitigation in relation to the impact of the Scheme on climate and the impact of climate on the Scheme.</p> <p>At the construction stage, the Scheme will continue to be designed in accordance with the British Standards and DMRB guidance outlined in Chapter 14 (Climate) of the ES (Document Reference 6.1), for example at the detailed design stage foundation design and soil conditions and ground water levels will be considered and constructed in accordance with UK standards. Wind loading will be included in accordance with BS EN 1991-1-4:2005.</p> <p>In terms of Essential Mitigation during operation, the Scheme’s planting specifications will be provided at detailed design stage as secured through a requirement within Schedule 2 of the draft DCO (Document Reference 3.1). The soft landscape planting strategy for the Scheme should follow a contextual approach with regards to native species selection and pattern and be appropriate to its locality. Species with enhanced attributes to drought tolerance and waterlogging will be considered and incorporated where practicable to increase resilience to climate change.</p>
4.48	Issues relating to discharges or emissions from	The Consents and Agreements Position Statement

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	<p>a proposed project which affect air quality, water quality, land quality and the marine environment, or which include noise and vibration, may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes. Relevant permissions will need to be obtained for any activities within the development that are regulated under those regimes before the activities can be operated.</p>	<p>(Document Reference 3.3) details other consents and agreements that are expected to be sought for the Scheme, and how these will be obtained.</p>
4.54	<p>Applicants are encouraged to begin pre-application discussions with the Environment Agency as early as possible. It is however expected that an applicant will have first thought through the requirements as a starting point for discussion. Some consents require a significant amount of preparation; as an example, the Environment Agency suggests that applicants should start work towards submitting the permit application at least 6 months prior to the submission of an application for a Development Consent Order, where they wish to parallel track the applications. This will help ensure that applications take account of all relevant environmental considerations and that the</p>	<p>Where the project will be subject to the Environment Agency’s environmental permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in paragraphs NPS NN paragraph 4.48 to 4.56 will apply.</p> <p>Pollution control measures are outlined in fiEMP (Document Reference 7.3), the Appendix 13.1 (Drainage Strategy Report) of the ES (Document Reference 6.3) and Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1). It is also considered throughout the assessment of likely significant effects in Section 13.9 of Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1). Such measures have been prepared in consultation with the Environment Agency.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
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	relevant regulators are able to provide timely advice and assurance to the Examining Authority.	
4.55	The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts. This will require close cooperation with the Environment Agency and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, Drainage Boards, and water and sewerage undertakers, to ensure that in the case of potentially polluting developments: <ul style="list-style-type: none"> ■ the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and ■ the effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits. 	See response to NPS NN paragraph 4.54.
4.58	It is very important that during the examination	See the response to NPS NN paragraphs 5.81 – 5.82.

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4	<p>of a nationally significant infrastructure project, possible sources of nuisance under section 79(1) of the 1990 Act, and how they may be mitigated or limited are considered by the Examining Authority so they can recommend appropriate requirements that the Secretary of State might include in any subsequent order granting development consent. More information on the consideration of possible sources of nuisance is at paragraphs 5.81-5.89</p>	<p>The Statement Relating to Statutory Nuisance (Document Reference 7.6) has considered the potential for the Scheme to cause a statutory nuisance under Section 79(1) of the of the Environmental Protection 1990 Act ('EPA'). It concludes that, with the application of mitigation measures in the fiEMP (Document Reference 7.3) and the draft DCO (Document Reference 3.1), it is considered that no statutory nuisance would arise during construction.</p>
4.60	<p>New highways developments provide an opportunity to make significant safety improvements. Some developments may have safety as a key objective, but even where safety is not the main driver of a development the opportunity should be taken to improve safety, including introducing the most modern and effective safety measures where proportionate. Highway developments can potentially generate significant accident reduction benefits when they are well designed.</p>	<p>A key objective of the Scheme is to improve safety for all road users and reduce the annual collision frequency and severity ratio on the M3 Junction 9.</p> <p>Section 6.2 of the Design and Access Statement (Document Reference 7.9) details the Scheme wide design principles. The Scheme would provide an improved junction, with free flowing connectivity between the M3 and the A34, improving safety on the strategic road network. A motorway junction and new link roads, built to current design standards would provide a safer route than the existing junction which is heavily congested and is prone to queuing traffic on the live M3 carriageway. Signage, Vehicle Restraint Systems (VRS) and associated infrastructure have been incorporated into the preliminary design to ensure the safety principles set out within the Design Manual for Roads and Bridges (DMRB) are considered and met (where possible).</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		<p>The design has been developed based on best practice and a review of the current personal injury collisions has been undertaken to identify areas which could be improved as part of the developed design, and to understand the residual effect of the scheme on road safety with a view to address any specific issues.</p> <p>Accident cost savings have been calculated in accordance with the DfT’s online Transport Analysis Guidance (TAG). This assessment forecasts that, over the 60-year assessment period, the Scheme will provide an accident reduction benefit of £22.9M. Over the 60-year period, this shows a reduction of 537 accidents, including 68 KSI casualties, with the Scheme in place when compared to the ‘without Scheme’ scenario.</p>
4.61	<p>The applicant should undertake an objective assessment of the impact of the proposed development on safety including the impact of any mitigation measures. This should use the methodology outlined in the guidance from DfT (TAG) and from the Highways Agency.</p>	<p>See the response to NPS NN paragraph 4.60.</p> <p>Chapter 8 of the TA (Document Reference 7.13) describes the assessment of the overall impact of the Scheme on road safety, in accordance with Department for Transport’s Transport Analysis Guidance and Highways England guidance.</p> <p>The accident assessment indicated an overall reduction in accidents and casualties. This shows a reduction of 537</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		
		accidents, including 68 Killed or Seriously Injured (KSI) casualties, with the Scheme in place compared to without.
4.62	They should also put in place arrangements for undertaking the road safety audit process. Road safety audits are a mandatory requirement for all trunk road highway improvement schemes in the UK (including motorways).	<p>The design at the appropriate stages are/ will be subject to independent Road Safety Audits.</p> <p>A Stage 1 Road Safety Audit has been completed on the design and the recommendations where practical have been accommodated within the design.</p>
4.64	<p>The applicant should be able to demonstrate that their scheme is consistent with the Highways Agency's Safety Framework for the Strategic Road Network and with the national Strategic Framework for Road Safety. Applicants will wish to show that they have taken all steps that are reasonably required to:</p> <ul style="list-style-type: none"> ▪ minimise the risk of death and injury arising from their development; ▪ contribute to an overall reduction in road casualties; ▪ contribute to an overall reduction in the number of unplanned incidents; and ▪ contribute to improvements in road safety for walkers and cyclists. 	<p>Throughout Scheme development, through a process of consultation and review, safe routes for walkers and cyclists have been incorporated into the Scheme. Through a rigorous process of risk review and assessment the Scheme looks to minimise the risk of death and serious injury and contribute to an overall reduction in casualties.</p> <p>The accident assessment indicated an overall reduction in accidents and casualties. This shows a reduction of 537 accidents, including 68 Killed or Seriously Injured (KSI) casualties, with the Scheme in place compared to without.</p> <p>Further details on the accident analysis and forecast Scheme benefits are included in the Combined Modelling and Appraisal Report (Document Reference 7.10), Chapter 8 of the TA (Document Reference 7.13) and the Case for the Scheme (Document Reference 7.1).</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		
4.65	<p>They will also wish to demonstrate that:</p> <ul style="list-style-type: none"> ▪ they have considered the safety implications of their project from the outset; and ▪ they are putting in place rigorous processes for monitoring and evaluating safety. 	<p>See the response to NPS NN paragraphs 4.60, 4.62 and 4.64.</p> <p>Safety has been considered throughout design development which has resulted in significant changes to the initial concept design. The Scheme has been subject to regular safety reviews through its development with comments being fed back to the design team through meetings, emails and technical notes.</p> <p>The process for monitoring and evaluating safety is set out in the Scheme Safety Plan which has been followed as part of the Scheme development.</p> <p>On completion of the Scheme, a Stage 3 Road Safety Audit will be undertaken to ensure Scheme delivery has minimised the potential for collisions, a further Road Safety Audit (Stage 4) will be undertaken to access any collisions for the period 1 year after completion.</p>
4.66	<p>The Secretary of State should not grant development consent unless satisfied that all reasonable steps have been taken and will be taken to:</p> <ul style="list-style-type: none"> ▪ minimise the risk of road casualties arising from the scheme; and 	<p>See the response to NPS NN paragraphs 4.60 - 4.65 above.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
4		
	<ul style="list-style-type: none"> ■ contribute to an overall improvement in the safety of the Strategic Road Network. 	
4.81 - 4.82	<p>As described in the relevant sections of this NPS, where the proposed project has likely significant environmental impacts that would have an effect on human beings, any environmental statement should identify and set out the assessment of any likely significant adverse health impacts.</p> <p>The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.</p>	<p>Chapter 12 (Population and Health) of the ES (Document Reference 6.1) sets out the assessment methodology used to examine the effects of The Scheme on human health. It identifies the determinants of human health i.e. the health outcomes that can be influenced by external factors such as the environmental, social or economic conditions in which individuals and/or communities find themselves. A qualitative assessment of likely effects on the key determinants of health has been undertaken with reference to identified receptor groupings of relevant health determinants. The assessment has then been made as to the changes to health determinants as a result of The Scheme in combination with the sensitivity of the local population to these changes. No significant effects are identified on human health as a result of the Scheme.</p> <p>No significant effects are likely in terms of air quality.</p>

2.4 Table 4: Compliance with NPS NN Chapter 5

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5		
5.2	Sufficient relevant information is crucial to good decision-taking, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations Assessment and Flood Risk Assessment). To avoid delay, applicants should discuss what information is needed with statutory environmental bodies as early as possible.	As set out in the Consultation Report (Document Reference 5.1) , the Applicant has engaged with relevant statutory bodies throughout the development of the Scheme’s design and assessment, including through non-statutory consultation in 2018 and statutory consultation in 2019 and 2021. In addition, the Applicant has undertaken additional non-statutory engagement from 2017-2022 (inclusive).
5.6 - 5.9	Where the impacts of the project (both on and off-scheme) are likely to have significant air quality effects in relation to meeting EIA requirements and / or affect the UKs ability to comply with the Air Quality Directive, the applicant should undertake an assessment of the impacts of the proposed project as part of the environmental statement. The environmental statement should describe: <ul style="list-style-type: none"> ■ existing air quality levels; ■ forecasts of air quality at the time of opening, assuming that the scheme is not built (the 	An air quality assessment has been undertaken in accordance with the methodology detailed in DMRB LA 105 (Highways England, 2019), to consider the impacts of the construction and operation of the Scheme. The assessment has determined the significance of air quality effects and the risk of non-compliance with the Air Quality Regulations. The existing air quality conditions are described in Section 5.6 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1) . Air quality modelling has been undertaken to determine existing air quality conditions at the time of opening both without (Do-Minimum scenario) and with the Scheme (Do-Something scenario). The air quality effects of the construction and operation of the Scheme, taking account of the impact of road traffic generated by the Scheme are described in Section

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5	<p>future baseline) and taking account of the impact of the scheme; and</p> <ul style="list-style-type: none"> any significant air quality effects, their mitigation and any residual effects, distinguishing between the construction and operation stages and taking account of the impact of road traffic generated by the project. <p>Defra publishes future national projections of air quality based on evidence of future emissions, traffic and vehicle fleet. Projections are updated as the evidence base changes. Applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local impacts.</p> <p>In addition to information on the likely significant effects of a project in relation to EIA, the Secretary of State must be provided with a judgement on the risk as to whether the project would affect the UK's ability to comply with the Air Quality Directive.</p>	<p>5.9 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1). Section 5.8 outlines the associated mitigation measures required.</p> <p>The Department for Environment, Food and Rural Affairs (Defra) air quality tools (published August 2020), including background air quality modelling and emission projections, which are incorporated into the National Highways speed band emission factors have been applied (along with determination of a 'gap factor' to account for uncertainty in the future reduction of NOx emission from vehicles) together with detailed modelling to inform the air quality assessment, as described in Section 5.4 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1).</p> <p>Chapter 5 (Air Quality) of the ES (Document Reference 6.1) assessed the construction phase effects from dust and emissions and concludes that, following the implementation of measures within the fiEMP (Document Reference 7.3), there would be no significant effects on air quality as a result of the construction of the Scheme. In terms of operational traffic emissions, the assessment undertaken demonstrates that there are no locations where NO₂ concentrations exceed the air quality threshold (40 µg/m³). According to the DMRB LA 105 methodology, therefore there would be no significant effects as a result of the operation of the Scheme.</p>

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		<p>Section 5.9 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1) has determined whether the Scheme affects the UK's ability to comply with the Air Quality Regulations. Compliance with the Air Quality Regulations has considered where Defra Pollution Climate Mapping (PCM) model links coincide with roads predicted to exceed the DMRB LA 105 (Highways England, 2019) criteria (of 1,000 AADT).</p> <p>According to the PCM datasets, there are no roadside exceedances of the annual average limit values predicted by the Defra PCM within the Air Quality study area from 2021. There are no PCM links within the Study Area that are predicted to experience a change in traffic flow in excess of 1,000 AADT. Therefore, it is considered that the Scheme represents no risk to the reported date of compliance with the requirements of the Air Quality Regulations.</p>
5.10	The Secretary of State should consider air quality impacts over the wider area likely to be affected, as well as in the near vicinity of the Scheme. In all cases the Secretary of State must take account of relevant statutory air quality thresholds set out in domestic and European legislation. Where a project is likely to lead to a breach of the air quality thresholds,	The air quality assessment has considered impacts at receptors in the vicinity of the Scheme and across the Affected Road Network (ARN) which covers an extensive area. This is described in Chapter 5 (Air Quality) of the ES (Document Reference 6.1) and shown in Figure 5.2 (Affected Road Network) of the ES (Document Reference 6.3) .

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	<p>the applicant should work with the relevant authorities to secure appropriate mitigation measures with a view to ensuring so far as possible that those thresholds are not breached.</p>	<p>Air quality effects have been considered in relation to relevant statutory thresholds set in domestic legislation in order to consider the risk of non-compliance with the Air Quality Regulations. The effects are described in Section 5.9 and the mitigation measures identified are described in Section 5.8 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1).</p> <p>The assessment undertaken demonstrates that there are no locations where NO₂ concentrations exceed the air quality threshold (40 µg/m³). According to the DMRB LA 105 methodology, therefore there would be no significant effects in relation to air quality as a result of the Scheme.</p>
5.11	<p>Air quality considerations are likely to be particularly relevant where schemes are proposed:</p> <ul style="list-style-type: none"> ■ within or adjacent to AQMA; roads identified as being above Limit Values or nature conservation sites (including Natura 2000 sites and Sites of Special Scientific Interest (SSSIs), including those outside England); and ■ where changes are sufficient to bring about the need for a new AQMA or change the size of an existing AQMA; or bring about changes to exceedances of the Limit Values, or where 	<p>The Scheme is not within an AQMA. There is an AQMA in Winchester Town Centre. The River Itchen SSSI is partially within the Application Boundary, St Catherine’s Head SSSI is approximately 500m away from the Application Boundary and four other SSSIs are beyond the 2km study area from the Scheme, but within 200m of the ARN.</p> <p>Air quality impacts have been considered in the vicinity of the Scheme Application Boundary and within 200m of the ARN. The assessment considers impacts on statutory air quality thresholds, including in AQMAs and considers impacts on</p>

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5	<p>they may have the potential to impact on nature conservation sites.</p>	<p>nature conservation sites as discussed in Section 5.9 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1).</p> <p>During operation, the air quality modelling presented in Chapter 5 (Air Quality) of the ES (Document Reference 6.1) and described in Appendix 8.3 (Assessment of Air Quality Effects to Biodiversity Receptors) of the ES (Document Reference 6.3) concludes the following:</p> <ul style="list-style-type: none"> ■ Where there are increases in pollutants at the River Itchen SSSI, these are below the relevant screening thresholds, and therefore effects from changes in emissions from the Scheme will be not significant to the River Itchen SSSI. ■ Increases in nitrogen at the boundary of the St Catherine’s Hill SSSI and Cheesefoot Head SSSI are well below the level at which a theoretical reduction in species diversity might occur. As such, effects from changes in emissions from the Scheme to St Catherine’s Hill SSSI and Cheesefoot Head SSSI will be not significant. ■ At the boundary of the River Test SSSI adjacent to the road, increases in nitrogen levels are 1.2% above the existing baseline. However, the only SSSI habitat in this location is the river, which is not sensitive to increases in nitrogen. At locations where non-river habitats occur, increases in nitrogen

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5		<p>are below the 1% threshold. Effects from changes in emissions from the Scheme will be not significant to the River Test SSSI.</p> <ul style="list-style-type: none"> Where there are increases in pollutants at the Highclere Park SSSI, these are below the relevant screening thresholds, would not result in a reduction in species richness, and therefore effects from changes in emissions from the Scheme will be not significant to Highclere Park SSSI <p>Localised changes in air quality from the Scheme to Burghclere Beacon SSSI were below the relevant screening thresholds and were scoped out of further assessment.</p> <p>The assessment of effects has identified no significant effects on air quality as a result of the Scheme. No monitoring is therefore required in relation to air quality.</p>
5.12	The Secretary of State must give air quality considerations substantial weight where, after taking into account mitigation, a project would lead to a significant air quality impact in relation to EIA and / or where they lead to a deterioration in air quality in a zone/agglomeration	The air quality assessment has been undertaken in accordance with DMRB LA 105 (Highways England, 2019) standards, which allow an assessment of Scheme impacts on air quality, designated sites and compliance with the Air Quality Regulations to determine whether the Scheme results in significant air quality effects. The outcome of the assessment in relation to the determination of significance is reported in

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		<p>Section 5.9 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1).</p> <p>The air quality impacts will not result in a zone/agglomeration reported as being compliant with the Air Quality Regulations becoming non-compliant (or delaying compliance).</p>
5.13	<p>The Secretary of State should refuse consent where, after taking into account mitigation, the air quality impacts of the scheme will:</p> <ul style="list-style-type: none"> ■ result in a zone/agglomeration which is currently reported as being compliant with the Air Quality Directive becoming non-compliant; or ■ affect the ability of a non-compliant area to achieve compliance within the most recent timescales reported to the European Commission at the time of the decision. 	<p>The air quality assessment has been undertaken in accordance with DMRB LA 105 (Highways England, 2019) standards, which requires a compliance risk assessment, to determine if the Scheme affects the UK's reported ability to achieve compliance with the Air Quality Regulations.</p> <p>This compliance risk assessment is reported in Section 5.9 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1). The air quality impacts will not result in a zone/agglomeration reported as being compliant with the Air Quality Regulations becoming non-compliant (or delaying compliance).</p>
5.14 - 5.15	<p>The Secretary of State should consider whether mitigation measures put forward by the applicant are acceptable. A management plan may help codify mitigation at this stage. The proposed mitigation measures should ensure</p>	<p>The mitigation measures identified for the Scheme are described in Section 5.8 of Chapter 5 (Air Quality) of the ES (Document Reference 6.1).</p>

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5	<p>that the net impact of a project does not delay the point at which a zone will meet compliance timescales.</p> <p>Mitigation measures may affect the project design, layout, construction, operation and/or may comprise measures to improve air quality in pollution hotspots beyond the immediate locality of the scheme. Measures could include, but are not limited to, changes to the route of the new scheme, changes to the proximity of vehicles to local receptors in the existing route, physical means including barriers to trap or better disperse emissions, and speed control. The implementation of mitigation measures may require working with partners to support their delivery.</p>	<p>These mitigation measures would seek to suppress the dust generation rate and also mitigate its dispersion and maximise the use of existing vegetation barriers where practicable.</p> <p>The precise measures would depend on the intended construction methods and the degree of dust generation at each site and detailed in the fiEMP (Document Reference 7.3). Such measures may include but would not necessarily be limited to:</p> <ul style="list-style-type: none"> ■ Regular water-spraying and sweeping of unpaved and paved roads to minimise dust and remove mud and debris. ■ Using wheel washes, shaker bars or rotating bristles for vehicles leaving the site where appropriate to minimise the amount of mud and debris deposited on the roads. ■ Sheeting vehicles carrying dusty materials to prevent materials being blown from the vehicles whilst travelling. ■ Enforcing speed limits for vehicles on unmade surfaces to minimise dust entrainment and dispersion. ■ Ensuring any temporary site roads are no wider than necessary to minimise their surface area.

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		<ul style="list-style-type: none"> ■ Damping down of surfaces prior to their being worked. ■ Storing dusty materials away from site boundaries and in appropriate containment (for example, sheeting, sacks, barrels etc.) ■ If necessary, monitoring parameters and a programme would be established.
5.16	<p>The Government has a legally binding framework to cut greenhouse gas emissions by at least 80% by 2050. As stated above, the impact of road development on aggregate levels of emissions is likely to be very small. Emission reductions will be delivered through a system of five-year carbon budgets that set a trajectory to 2050. Carbon budgets and plans will include policies to reduce transport emissions, taking into account the impact of the Government's overall programme of new infrastructure as part of that.</p>	<p>Section 14.10 of Chapter 14 (Climate) of the ES (Document Reference 6.1) provides an assessment of the likely significant effects resulting from the Scheme's carbon emissions in the context of Government carbon budgets, including the 4th, 5th and 6th Carbon Budget which aligns with the 2050 Net Zero target. Section 14.9 sets out climate mitigation measures for the Scheme.</p> <p>Chapter 14 (Climate) of the ES (Document Reference 6.1) states that, during construction, the main source of GHG emissions is anticipated to be associated with construction materials embodied carbon, comprising approximately 68.9% of overall construction emissions. Construction emissions as a result of plant equipment use within the work area would also release GHG emissions, through combustion of fuel, and comprise approximately 20.8% of anticipated construction emissions. Land use is estimated to comprise approximately 5.2% of construction emissions. 1.8% of construction</p>

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		<p>emissions arise as a result of the power required for the welfare facilities. The remaining 2.3% and 1.0% are anticipated to arise from transport of materials and construction waste, respectively. In total, it is anticipated that an estimated 37,070 tCO_{2e} would be emitted during construction.</p> <p>During operation, In terms of GHG emissions, in comparison to the UK carbon budget, the Scheme is anticipated to comprise 0.002% of the 4th carbon budget and 0.001% of the 5th carbon budget and 0.002% of the 6th carbon budget. It is considered that the increase in emissions as a result of the Scheme would not have a material impact on the ability of UK Government to meet its carbon budgets, therefore in accordance with the DMRB, there would be no significant effect.</p>
5.17	<p>Carbon impacts will be considered as part of the appraisal of scheme options (in the business case), prior to the submission of an application for DCO. Where the development is subject to EIA, any Environmental Statement will need to describe an assessment of any likely significant climate factors in accordance with the requirements in the EIA Directive. It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets.</p>	<p>See response to NPS NN paragraph 5.16.</p>

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	However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.	
5.18	The Government has an overarching national carbon reduction strategy (as set out in the Carbon Plan 2011) which is a credible plan for meeting carbon budgets. It includes a range of non-planning policies which will, subject to the occurrence of the very unlikely event described above, ensure that any carbon increases from road development do not compromise its overall carbon reduction commitments. The Government is legally required to meet this plan. Therefore, any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed Scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets.	Section 14.10 of Chapter 14 (Climate) of the ES (Document Reference 6.1) provides an assessment of the likely significant effects resulting from the Scheme's carbon emissions. In accordance with the DMRB LA 114 Climate (National Highways, 2021), the assessment of the Scheme's emissions has been undertaken in the context of Government carbon budgets. The Scheme is not anticipated to have a material impact on the ability of Government to meet its carbon reduction targets.
5.19	Evidence of appropriate mitigation measures (incorporating engineering plans on configuration and layout, and use of materials) in both design and construction should be presented. The Secretary of State will consider	Section 14.9 of Chapter 14 (Climate) of the ES (Document Reference 6.1) sets out climate mitigation for the Scheme. Mitigation measures incorporated into the design of the Scheme are reported as embedded mitigation. Embedded mitigation for the Scheme includes the following measures that

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5	<p>the effectiveness of such mitigation measures in order to ensure that, in relation to design and construction, the carbon footprint is not unnecessarily high. The Secretary of State's view of the adequacy of the mitigation measures relating to design and construction will be a material factor in the decision making process.</p>	<p>avoid/prevent, reduce, and remediate GHG emissions:</p> <ul style="list-style-type: none"> ■ The depth of cuttings and embankments throughout the Scheme have been carefully considered to remove a number of retaining walls where practical, reducing the volume of material required to construct retaining walls and their associated embedded carbon emissions ■ Use of warm mix asphalt (WMA) instead of hot mix asphalt, reducing embodied carbon associated with the production of materials ■ Existing pavements are to be retained wherever possible within the scheme to reduce the requirement for additional materials and construction ■ The bridleway to the east to link Easton Lane with Long Walk would be made from unbound material with a lower carbon intensity than asphalt ■ Material excavated during construction is to be processed for use in the works wherever possible to reduce the amount of material disposed of ■ Construction compounds are located close to the area of works which would reduce the distance of vehicle trips <p>The Scheme has been designed to minimise the requirement</p>

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5		<p>for energy consuming operational equipment such as intelligent transport systems wherever possible. Energy efficient Light Emitting Diodes (LEDs) would be used throughout the Scheme.</p> <p>The Scheme seeks to facilitate and encourage active travel and sustainable forms of transport. The Scheme is enhancing the National Cycle Network (NCN) 23 through the gyratory, enhancing the footway along the west of the Scheme through the provision of a footway and cycleway, and adding a new bridleway link to the east of the Scheme connecting Long Walk and Easton Lane. The provision of a high quality and accessible pedestrian and cyclist routes would encourage and enable travel by low-carbon, sustainable modes.</p> <p>Selecting appropriate materials can also help to reduce the need for maintenance and replacement and GHGs associated with this. Weathering steel is proposed for the gyratory bridges which eliminates the need for a paint system and associated maintenance.</p> <p>Where practicable, measures to reduce GHG emissions would be secured through the fiEMP (Document Reference 7.3). The fiEMP (Document Reference 7.3) includes several mitigation measures covering transport, materials, waste and air quality during construction, these include:</p>

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		<ul style="list-style-type: none"> ■ Using materials with lower embedded GHG emissions and water consumption ■ Using sustainably sourced materials where possible ■ Using recycled or secondary materials where possible ■ Efficient use of materials to reduce waste ■ Management of plant and equipment use so that there is no unnecessary idling of engines and equipment is maintained to check they are operating optimally ■ Welfare facilities would be enabled to integrate renewable energy technology to reduce reliance on diesel or petrol generators for electricity.
5.22 - 5.23	Where the project is subject to EIA the applicant should ensure that the environmental statement clearly sets out any likely significant effects on internationally, nationally and locally designated sites of ecological or geological conservation importance (including those outside England) on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity and that the statement considers	Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) clearly sets out any likely significant effects on internationally, nationally and locally designated areas of ecological importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The assessment considers the full range of potential impacts on ecosystems. Designated areas of geological importance are assessed within Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1) . In all cases, the residual effects following the implementation of

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5	<p>the full range of potential impacts on ecosystems.</p> <p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.</p>	<p>mitigation during the construction and operation of the Scheme effects were predicted to be not significant.</p> <p>Section 8.8 of Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) presents how the Scheme has taken advantage of opportunities to avoid impacts to biodiversity receptors, and to enhance biodiversity. Measures in relation to sites of geological importance are assessed within Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1). This is also discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p> <p>As an example, the current design has been subject to review and options appraisal to enable potential effects to important biodiversity receptors to be avoided where possible. This has resulted in:</p> <ul style="list-style-type: none"> ■ the chosen route of the western walking and cycling route (see Chapter 3 (Assessment of Alternatives) of the ES (Document Reference 6.1)) being located wholly outside the River Itchen SAC and SSSI, other than the proposed new foot/cycle bridge which spans these designated areas. ■ The proposed new foot/cycle bridge over the River Itchen SAC/SSSI would be a clear span structure, with no piers within the river channel. In addition, the abutments would be set back from the riverbank, outside of the SAC and SSSI.

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5		<p>The design of the new foot/cycle bridge, with abutments set back from River Itchen would allow passage of wildlife, in particular otter, to be maintained along the riverbank during operation. The bridge deck also follows the same horizontal alignment as the existing adjacent road bridges (Itchen Bridge and Kingsworthy Bridge), to make certain it does not present an additional blockage to animals such as bats commuting along the River Itchen.</p> <p>The Scheme design has been ecologically informed, such that 'embedded avoidance and mitigation measures' for ecology were contained within the Scheme design as it evolved. These measures include the selection of less damaging options for the shared path (unsegregated combined footpath, cycle track and footway) adjacent to the A34, avoidance of permanent structures in the River Itchen, and an ecologically informed Environmental Masterplan (Figure 2.3 of the ES (Document Reference 6.2)) providing habitats of ecological value which are appropriate for the local environment.</p> <p>Habitat provision set out on Figure 2.3 (Environmental Masterplan) of the ES (Document Reference 6.2)) would enhance connectivity for wildlife within the Scheme. New areas of woodland and scrub towards the north of the Scheme, mostly located adjacent to exiting habitats, would enhance connectivity for bats and dormice and other wildlife. The</p>

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5		<p>provision of substantial areas of chalk grassland, woodland and scrub along the eastern boundary of the Scheme would improve connectivity for a range of wildlife including bats, dormice, and terrestrial invertebrates in a north-south direction.</p> <p>In areas of retained woodland within the Application Boundary, removal of invasive species such as snowberry will be undertaken to provide improvements to this existing habitat. A commitment to delivering this is set out in the Record of Environmental Actions and Commitments within the fiEMP (Document Reference 7.3).</p> <p>Figure 2.3 (Environmental Masterplan) of the ES (Document Reference 6.2) identifies areas of the River Itchen where enhancement measures will be provided. Measures will align with the Environment Agency’s River Itchen Restoration Strategy. These areas are likely to include riparian planting and / or channel narrowing by marginal planting. A commitment to delivering this is set out in the Record of Environmental Actions and Commitments within the fiEMP (Document Reference 7.3).</p> <p>Appendix 8.2 (Biodiversity Net Gain Assessment Report) of the ES (Document Reference 6.3) assesses that the Scheme would result in a predicted net gain in biodiversity (+4.14%) and a predicted net gain in hedgerow units (+3.60%).</p>

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		<p>The Scheme would provide a net increase of over 9.6 ha of chalk grassland, which is appropriate to the local area. The protection and enhancement of this habitat is a key theme within the South Downs Local Plan (adopted July 2019) and has been a key theme within consultation responses from stakeholders. However, the use of this habitat type suppresses the overall result of the metric, due to risk factors associated with this habitat type. For example, if ‘other neutral grassland’ was provided in place of chalk grassland then the overall biodiversity net gain score for the Scheme would change from +4.14% to +14.93%. This demonstrates that the Scheme can comfortably deliver over 10% biodiversity net gain. However, whilst a change from chalk grassland to other neutral grassland would be technically feasible, given the wider benefits, chalk grassland has been taken forward as being most appropriate habitat for the Scheme.</p> <p>In summary, the Applicant has maximised opportunities for building in beneficial biodiversity features into the Scheme.</p>
5.24	<p>The Government’s biodiversity strategy is set out in Biodiversity 2020: A Strategy for England’s wildlife and ecosystem services. Its aim is to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with</p>	<p>See response to NPS NN paragraphs 5.22 – 5.23.</p> <p>Section 8.8 of Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) presents how the Scheme has taken advantage of opportunities to avoid impacts to biodiversity receptors, and to enhance biodiversity, in the context of climate</p>

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	<p>more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge of climate change: failure to address this challenge will result in significant impact on biodiversity.</p>	<p>change.</p> <p>This is discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p>
5.25	<p>As a general principle, and subject to the specific policies below, development should avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives. The applicant may also wish to make use of biodiversity offsetting in devising compensation proposals to counteract any impacts on biodiversity which cannot be avoided or mitigated. Where significant harm cannot be avoided or mitigated, as a last resort, appropriate compensation measures should be sought.</p>	<p>The mitigation hierarchy has been embedded within the EIA process, and the design includes embedded mitigation to avoid potentially significant effects, where possible. Further essential mitigation measures have also been provided to be secured through DCO Requirement as set out in Section 8.8 of Chapter 8 (Biodiversity) of the ES (Document Reference 6.1).</p> <p>Assessment in relation to sites of geological importance are assessed within Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1).</p> <p>This is discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p>
5.26	<p>In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national and local importance, protected species, habitats and other species of principal</p>	<p>Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) clearly sets out any likely significant effects on internationally, nationally and locally designated areas of ecological importance, on protected species and on habitats and other species identified as being of principal importance</p>

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5	importance for the conservation of biodiversity, and to biodiversity and geological interests within the wider environment.	<p>for the conservation of biodiversity. This assessment considers the full range of potential impacts on ecosystems.</p> <p>Designated areas of geological importance are assessed within Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1).</p>
5.27	<p>The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for European sites⁷⁶ (see also paragraphs 4.22 to 4.25). The National Planning Policy Framework states that the following wildlife sites should have the same protection as European sites:</p> <ul style="list-style-type: none"> ■ potential Special Protection Areas and possible Special Areas of Conservation; ■ listed or proposed Ramsar sites; and ■ sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation and listed or proposed Ramsar sites. 	<p>An assessment of likely significant effects to the National Site Network from the Scheme is set out in the Habitats Regulations Assessment (Document Reference 7.5). This is also discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p> <p>None of the below sites were identified for inclusion in the assessment:</p> <ul style="list-style-type: none"> ■ possible Special Areas of Conservation (pSACs); ■ potential Special Protection Areas (pSPAs); ■ listed or proposed Ramsar sites; or ■ sites identified, or required, as compensatory measures for adverse effects on these sites, pSPAs, pSACs and listed or proposed Ramsar sites, were identified for inclusion in the assessment. <p>The Habitats Regulations Assessment (Document</p>

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		<p>Reference 7.5). concludes that, once standard avoidance and mitigation measures are applied, there would be no significant effects on the integrity of the River Itchen SAC and no likely significant effects to the Mottisfont Bats SAC.</p>
5.28 – 5.29	<p>Many Sites of Special Scientific Interest (SSSIs) are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.</p> <p>Where a proposed development on land within or outside a SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect on the site’s notified special interest features is likely, an exception should be made only where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest, and any broader</p>	<p>See response to NPS NN paragraphs 5.22 - 5.23. As set out in Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) the assessment considers all designated areas including SSSIs and site of international importance such as Special Areas of Conservation. The importance level attributed to each ecological feature is in accordance with CIEEM’s geographic framework (CIEEM, 2018). International designated areas have been assessed as being of ‘international’ nature conservation importance; SSSIs have been assessed as being of ‘National’ nature conservation importance.</p> <p>The River Itchen SAC/SSSI is present within the Application Boundary, and this site has been a key consideration during the development of the design. Measures to avoid and mitigate potential effects are set out in Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) and detailed in the fiEMP (Document Reference 7.3).</p> <p>Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) concludes no significant residual effects in terms of</p>

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	<p>impacts on the national network of SSSIs. The Secretary of State should ensure that the applicant’s proposals to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site’s biodiversity or geological interest, are acceptable. Where necessary, requirements and/or planning obligations should be used to ensure these proposals are delivered.</p>	<p>biodiversity.</p>
5.32	<p>Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided.</p>	<p>No ancient woodland or veteran trees are present within the Scheme, and none will be directly affected by the Scheme.</p> <p>Some parcels of ancient woodland outside the Scheme have potential to be affected during operation through increased air pollution. Potential effects are assessed in full within the ES (Document Reference 6.1), which concludes there will be no significant effects to ancient woodland.</p> <p>The Scheme has been designed to minimise any loss of trees and woodlands, and to allow retained trees and woodland to be protected from damage both during the construction and operational phases.</p> <p>Construction Phase mitigation measures of relevance to tree protection are set out in Section 7.8 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1).</p>

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	<p>Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this.</p>	<p>Operational phase mitigation and enhancement measures include new tree and woodland planting (as well as the creation of other habitats such as chalk grassland), resulting in valuable biodiversity resources for the future – see Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1).</p> <p>This is discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p>
5.33	<p>Development proposals potentially provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, the Secretary of State should consider whether the applicant has maximised such opportunities in and around developments. The Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.</p>	<p>See response to NPS NN paragraphs 5.22 – 5.23.</p> <p>As set out in Chapter 8 (Biodiversity) of the ES (Document Reference 6.1), the design includes substantial areas of new habitats of ecological value which are appropriate to the local area, including chalk grassland and woodland, with the aim of maximising biodiversity outputs from the Scheme in accordance with National Highways performance targets. Stakeholders including South Downs National Park Authority have been consulted on the design of the habitat compensation and enhancement package to make certain it is appropriate to the surrounding landscape and habitats, and future climatic conditions.</p>

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5.35	<p>Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and therefore requiring conservation action. The Secretary of State should ensure that applicants have taken measures to ensure these species and habitats are protected from the adverse effects of development. Where appropriate, requirements or planning obligations may be used in order to deliver this protection.</p> <p>The Secretary of State should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits of the development (including need) clearly outweigh that harm.</p>	<p>This is discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p> <p>As set out in Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) a number of Species of Principal Importance (SPI) have been identified during baseline data collection. This includes white helleborine, and a selection of breeding and wintering bird species. No significant effects have been identified to SPI.</p> <p>The creation of new areas of chalk grassland would provide habitats for a range of species including priority species of invertebrates and birds. The seed mix used would include dark mullein <i>Verbascum nigrum</i>, the larval foodplant of the striped lychnis moth (a SPI and Local BAP species with very restricted national distribution). In addition, the seed mix would include kidney vetch <i>Anthyllis vulneraria</i> and horseshoe vetch <i>Hippocrepis comosa</i>, the foodplants of small blue (a SPI), Adonis blue and chalkhill blue butterflies.</p> <p>This is discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p>
5.36	Applicants should include appropriate mitigation measures as an integral part of their proposed development, including identifying where and	Section 8.8 of the Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) , sets out design, mitigation and enhancement measures to be delivered through the Scheme.

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5	<p>how that:</p> <ul style="list-style-type: none"> ■ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; ■ during construction and operation, best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised (including as a consequence of transport access arrangements); ■ habitats will, where practicable, be restored after construction works have finished; ■ developments will be designed and landscaped to provide green corridors and minimise habitat fragmentation where reasonable; ■ opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals, for example through techniques such as the 'greening' of existing network crossing points, the use of green bridges and the habitat improvement of the network verge. 	<p>The mitigation hierarchy has been embedded within the assessment EIA process, whereby the design has sought to avoid adverse impacts in the first instance through an iterative approach to design and by minimising the extent of the Application Boundary. In areas where avoidance is not possible, measures have been included to prevent or reduce potentially significant negative effects. As a last resort, measures to compensate negative effects have also been included. These avoidance, mitigation and enhancement measures have been designed with regard to industry best practice.</p> <p>The Scheme design has been ecologically informed, such that 'embedded avoidance and mitigation measures' for ecology were contained within the Scheme design as it evolved. These measures include the selection of less damaging options for the shared path (unsegregated combined footpath, cycle track and footway) adjacent to the A34, avoidance of permanent structures in the River Itchen, and an ecologically informed Environmental Masterplan (Figure 2.3 of the ES (Document Reference 6.2)) providing habitats of ecological value which are appropriate for the local environment.</p> <p>As shown on Figure 2.3 (Environmental Masterplan) of the ES (Document Reference 6.2), there would be approximately 36ha of new habitats, including chalk grassland (9.6ha),</p>

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5		<p>species rich grassland (8.09ha), native broadleaved woodland (10.10ha), scrub (5.88ha). Overall, there would be an increase of approximately 18ha of semi-natural habitats within the Application Boundary. In addition, a 2.87ha retained area of grassland would be enhanced.</p> <p>This habitat provision would enhance connectivity for wildlife within the Scheme. New areas of woodland and scrub towards the north of the Scheme, mostly located adjacent to exiting habitats, would enhance connectivity for bats and dormice and other wildlife. The provision of substantial areas of chalk grassland, woodland and scrub along the eastern boundary of the Scheme would improve connectivity for a range of wildlife including bats, dormice, and terrestrial invertebrates in a north-south direction.</p> <p>In areas of retained woodland within the Application Boundary removal of invasive species such as snowberry will be undertaken to provide improvements to this existing habitat. A commitment to delivering this is set out in the Record of Environmental Actions and Commitments within the fiEMP (Document Reference 7.3).</p> <p>Figure 2.3 (Environmental Masterplan) of the ES (Document Reference 6.2) identifies areas of the River Itchen where enhancement measures will be provided. Measures will align</p>

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5		<p>with the Environment Agency’s River Itchen Restoration Strategy. These areas are likely to include riparian planting and / or channel narrowing by marginal planting. A commitment to delivering this is set out in the Record of Environmental Actions and Commitments within the fiEMP (Document Reference 7.3).</p> <p>Taking into account the overall increase in area of habitats of ecological value, and the improvements in connectivity across ecological networks, impacts through habitat gains would result in a moderate beneficial impact to habitats.</p> <p>Appendix 8.2 (Biodiversity Net Gain Assessment Report) of the ES Document Reference 6.3) assesses that the Scheme would result in a predicted net gain in biodiversity (+4.14%) and a predicted net gain in hedgerow units (+3.60%).</p> <p>This is discussed in detail in Section 8 of the Case for the Scheme (Document Reference 7.1).</p>
5.37	<p>The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into in order to ensure that mitigation measures are delivered.</p>	<p>Schedule 2 of the draft DCO (Document Reference 3.1) includes proposed Requirements.</p> <p>A fiEMP (Document Reference 7.3) (and later the siEMP) details the environmental mitigation measures proposed to be</p>

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5.42 – 5.44	<p>The applicant should set out the arrangements that are proposed for managing any waste produced. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental outcome.</p> <p>The Secretary of State should consider the extent to which the applicant has proposed an effective process that will be followed to ensure effective management of hazardous and non-hazardous waste arising from the construction and operation of the proposed development. The Secretary of State should be satisfied that the process sets out:</p>	<p>implemented during construction, why they are required, who is responsible for delivering them and details ongoing reporting criteria. The siEMP would need to be prepared in accordance with the fiEMP (Document Reference 7.3). The siEMP would be implemented and is secured through a Requirement in Schedule 2 of the draft DCO (Document Reference 3.1).</p> <p>Estimates of the waste generated, how it would be managed and measures to minimise waste are presented in Table 10.16 and Section 10.8 of Chapter 10 (Material Assets and Waste) of the ES (Document Reference 6.1).</p> <p>Measures to manage waste are detailed in the Register of Environmental Actions and Commitments (REAC) within the fiEMP (Document Reference 7.3). The second iteration Environmental Management Plan (siEMP) would need to be prepared in accordance with the fiEMP (Document Reference 7.3). The siEMP would be implemented and is secured through a Requirement within Schedule 2 of the draft DCO (Document Reference 3.1).</p> <p>Any waste arising during construction would be managed through the implementation of a Site Waste Management Plan (SWMP). An outline SWMP has been developed and is appended to the fiEMP (Document Reference 7.3). The final SWMP would be developed by the Contractor prior to construction commencing and include as appropriate plans for</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5	<ul style="list-style-type: none"> ■ any such waste will be properly managed, both on-site and off-site; ■ the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and ■ adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where an alternative is the most sustainable outcome overall. <p>Where necessary, the Secretary of State should use requirements or planning obligations to ensure that appropriate measures for waste management are applied.</p>	<p>managing any hazardous waste that may arise during construction. The SWMP would aim to ensure that all waste would be dealt with in accordance with the duty of care provisions in the Environmental Protection Act 1990.</p> <p>Any hazardous waste encountered during construction will be minimal and managed / treated in line with standard control measures and the Site Waste Management Plan (a draft Site Waste Management Plan has been included within the fiEMP (Document Reference 7.3)).</p> <p>The principles of the waste hierarchy will be followed, ensuring that waste will firstly be minimised, before consideration of reuse, recycling and recovery, with disposal through landfill as the last resort. To enable this there will be on site material segregation and storage managed by the Principal Contractor.</p> <p>The Principal Contractor has committed to achieving 95% of non-hazardous waste diverted from landfill - this is also outlined within the fiEMP (Document Reference 7.3) which is secured through a requirement in the draft DCO (Document Reference 3.1).</p> <p>Should hazardous waste be encountered during construction, this would be handled at storage compounds within the Application Boundary, prior to transfer to external waste</p>

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		<p>management sites.</p> <p>Non-hazardous materials would be segregated and appropriately re-distributed to alternative projects or re-distributed to waste management facilities.</p>
5.81 – 5.82	<p>As well as noise and vibration (paragraphs 5.186 to 5.200) the construction and operation of national networks infrastructure has the potential to create a range of emissions such as odour, dust, steam, smoke and artificial light. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. Note that pollution impacts from some of these emissions (e.g. dust, smoke) are covered in the section on air emissions and that these and others (e.g. odour) may also be covered by pollution control or other environmental consenting regimes so that paragraphs 4.48 to 4.56 and 5.3 to 5.15 will apply.</p> <p>Because of the potential effects of these emissions and in view of the availability of the defence of statutory authority against nuisance</p>	<p>Chapter 5 (Air Quality) of the ES (Document Reference 6.1) details the residual air quality impacts as a result of the construction (there would be no operational dust impacts) of the Scheme and concludes that they are not significant.</p> <p>This assessment includes the impact of dust nuisance which could potentially be caused by the Scheme, which is assessed using the guidance set out in the Design Manual for Roads and Bridges (DMRB), LA 105 (2019). In accordance with the DMRB, the construction phase dust assessment study area constituted a 200m buffer around any construction works.</p> <p>To mitigate adverse human health effects from dust emissions best practice mitigation will be implemented to control dust emissions from construction works and plant during the construction phase. The mitigation required to control emissions of dust is well known, and mitigation measures would be used to limit the impact of dust emissions in all areas of the Scheme where dust producing activities take place.</p>

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5	<p>claims described previously, it is important that the potential for these impacts is considered by the applicant in their application, by the Examining Authority in examining applications and by the Secretary of State in taking decisions on development consents.</p>	<p>The mitigation in the ES (Document Reference 6.1) is approached on both a general, and a site-specific level. Mitigation is secured by the Environmental Management Plan (EMP) prepared in accordance with a requirement contained in the DCO. A fiEMP (Document Reference 7.3) has been submitted as part of the application for Development Consent and includes measures to mitigate against dust. With mitigation in place, dust emissions would be controlled and would not give rise to any statutory nuisance under the EPA 1990. Further details are provided in the Statement Relating to Statutory Nuisance (Document Reference 7.6).</p> <p>The likely effects on amenity from odour are considered within Chapter 12 (Population and Health) of the ES (Document Reference 6.1). The potential effects of light pollution on night-time views are considered within Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) for both the construction and operation stages of the Scheme.</p> <p>Construction lighting would be designed to minimise light spill through the use of directional lighting and baffles. The majority of construction work would also be undertaken during daylight hours. However, there are construction activities which would require night-time working. A fiEMP (Document Reference 7.3) has been submitted as part of the application for</p>

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5		<p>Development Consent and includes measures to mitigate the impacts of artificial lighting during construction.</p> <p>Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) addresses residual impacts from artificial lighting as a result of operation of the Scheme, which are considered to be not significant. The lighting proposals for the operational Scheme are such that lighting would be limited to underpasses only and designed to minimise light spill. This is secured through the description of the authorised development within the draft DCO (Document Reference 3.1).</p> <p>As detailed in Section 7.2 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1), the LPAs (Winchester County Council and South Downs National Park Authority) have been consulted on the overall scope and methodology of the night-time view assessment, including reference to the <i>Dark Skies Technical Advice Note</i> (SDNPA, 2021).</p> <p>With the application of mitigation measures in the fiEMP (Document Reference 7.3) secured through the draft DCO (Document Reference 3.1), it is considered that no statutory nuisance would arise during construction.</p>

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5.83	<p>For nationally significant infrastructure projects of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. Impacts should be kept to a minimum and should be at a level that is acceptable.</p>	<p>There are residential properties within 500 m of the Application Boundary which may be impacted indirectly by the Scheme with regards to amenity affects or wider changes to the road network. This includes larger settlements like Winchester and Kings Worthy, as well as smaller settlements such as Easton and isolated properties.</p> <p>Indirect impacts, such as changes in air quality or visual amenity, on community land and assets within the study area would be temporary and intermittent. Measures set out in the fiEMP (Document Reference 7.3) would manage and mitigate these impacts.</p> <p>To mitigate adverse human health effects from noise impacts associated with the operation of the Scheme, low noise road surfaces are proposed to be embedded as part of the Scheme where new roads surfaces are to be laid. Further information is provided in Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1).</p> <p>To mitigate adverse human health effects from changes to landscape amenity, new lighting features are restricted to the subways and underpasses only (for safety). Further landscape measures would be provided to minimise the visual impact of the Scheme. Further information is provided in Chapter 7</p>

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		(Landscape and Visual) of the ES (Document Reference 6.1) .
5.84 - 5.86	<p>Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of odour, dust, steam, smoke and artificial light and describe these in the Environmental Statement.</p> <p>In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> ■ the type and quantity of emissions; ■ aspects of the development which may give rise to emissions during construction, operation and decommissioning; ■ premises or locations that may be affected by the emissions; ■ effects of the emission on identified premises or locations; and ■ measures to be employed in preventing or mitigating the emissions. 	See response to NPS NN paragraphs 5.81 – 5.82.

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	<p>The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency about the scope and methodology of the assessment.</p>	
5.87 – 5.88	<p>The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of odour, dust, steam smoke and artificial light. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p> <p>If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorized project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the Development Consent Order.</p>	<p>See response to NPS NN paragraphs 5.81 – 5.82.</p> <p>The Statement Relating to Statutory Nuisance (Document Reference 7.6) has considered the potential for the Scheme to cause a statutory nuisance under section 79(1) of the Environmental Protection 1990 Act ('EPA'). It concludes that, with the application of mitigation measures in the fiEMP (Document Reference 7.3) and the draft DCO (Document Reference 3.1), it is considered that no statutory nuisance would arise during construction.</p>
5.89	<p>The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put</p>	<p>See response to NPS NN paragraphs 5.81 - 5.82.</p>

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	<p>into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of odour, dust, steam, smoke, artificial light from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A construction management plan may help codify mitigation.</p>	
5.90	<p>Climate change over the next few decades is likely to mean milder wetter winters and hotter drier summers in the UK, while sea levels will continue to rise. Within the lifetime of nationally significant infrastructure projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of flooding in some areas which are not currently thought of as being at risk. The applicant, the Examining Authority and the Secretary of State (in taking decisions) should take account of the policy on climate change adaptation in paragraphs 4.36 to 4.47.</p>	<p>Chapter 14 (Climate) of the ES (Document Reference 6.1) assesses the vulnerability of the Scheme to climate and sets out the climate mitigation of the Scheme.</p> <p>Climate change effects in relation to flood risk and drainage are considered in Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1). The FRA (Document Reference 7.4) have been completed in accordance with the 'Flood Risk Assessments: Climate Change Allowances' guidance, through the inclusion of the H++ allowance for potential increases in peak river flow. It is anticipated that climate change would cause alterations to the baseline flood zones. The Scheme design has incorporated the potential increase in flood levels, accounting for this through embedded mitigation.</p>

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		<p>The Drainage Strategy Report (Document Reference 13.1) has also been completed in accordance with the 'Flood Risk Assessments: Climate Change Allowances' guidance, through inclusion of the +40% allowance for potential increases in rainfall intensity, and in accordance with the requirements of LLFA.</p>
5.91	<p>The National Planning Policy Framework (paragraphs 100 to 104) makes clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. But where development is necessary, it should be made safe without increasing flood risk elsewhere. The guidance supporting the National Planning Policy Framework explains that essential transport infrastructure (including mass evacuation routes), which has to cross the area at risk, is permissible in areas of high flood risk, subject to the requirements of the Exception Test.</p>	<p>Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1) confirms that the proposed Scheme is suitable and appropriate in terms of flood risk. The FRA (Document Reference 7.4) includes hydraulic modelling confirming that the proposed Scheme does not cause any increase in floodplain extents and flood depths. The majority of the Scheme is located in Flood Zone 1. The proposed River Itchen crossing is located in Flood Zone 3, however mitigation measures have been proposed to ensure the bridge is not affected by flooding. The EA has reviewed and subsequently approved the FRA (Document Reference 7.4).</p>
5.92 - 5.93	<p>Applications for projects in the following locations should be accompanied by a flood risk assessment (FRA):</p>	<p>See response to NPS NN paragraph 5.94.</p>

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5	<ul style="list-style-type: none"> ■ Flood Zones 2 and 3, medium and high probability of river and sea flooding; ■ Flood Zone 1 (low probability of river and sea flooding) for projects of 1 hectare or greater, projects which may be subject to other sources of flooding (local watercourses, surface water, groundwater or reservoirs), or where the Environment Agency has notified the local planning authority that there are critical drainage problems. <p>This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	
5.94	<p>In preparing an FRA the applicant should:</p> <ul style="list-style-type: none"> ■ consider the risk of all forms of flooding arising from the project (including in adjacent parts of the United Kingdom), in addition to the risk of flooding to the project, and demonstrate how these risks will be managed and, where relevant, mitigated, so that the development remains safe throughout its lifetime; ■ take the impacts of climate change into account, clearly stating the development 	<p>Design considerations, mitigation measures and residual risks are described in Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1), the FRA (Document Reference 7.4) and the Drainage Strategy Report in Appendix 13.1 of the ES (Document Reference 6.3). These documents demonstrate that the Scheme meets the requirement of the NPS NN.</p> <p>The majority of the Scheme is located within Flood Zone 1. The assessment of flood risk to the Scheme has been</p>

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5	<p>lifetime over which the assessment has been made;</p> <ul style="list-style-type: none"> ■ consider the vulnerability of those using the infrastructure including arrangements for safe access and exit; ■ include the assessment of the remaining (known as ‘residual’) risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; ■ consider if there is a need to remain operational during a worst case flood event over the development’s lifetime; ■ provide the evidence for the Secretary of State to apply the Sequential Test and Exception Test, as appropriate. 	<p>undertaken in consultation with the EA and LLFA. The EA has reviewed and approved the FRA (Document Reference 7.4) (correspondence included within the FRA).</p> <p>The FRA (Document Reference 7.4) has assessed fluvial, surface water, sewer and infrastructure failure flood risk and risk of flooding from reservoir.</p> <p>The River Itchen and associated network of watercourses are located in the north and west of Winchester, with numerous crossings of the Application Boundary including at the M3 and A34. The areas surrounding the River Itchen are classified as a combination of Flood Zone 2 ‘Medium Probability’ and Flood Zone 3 ‘High Probability’.</p> <p>Mitigation measures have been proposed to ensure the Scheme does not increase fluvial flood risk.</p> <p>The Scheme includes the provision of a new bridge (footway and cycleway) over the River Itchen. The Scheme has been assessed for a lifetime of 1 in 200 years + climate change (maximum applied) in accordance with NPPF and DMRB guidance. Hydraulic modelling has been completed for this design event and the bridge soffit set at a freeboard above the modelled 1 in 200 year + climate change flood level and therefore will not be affected by flooding. The modelling</p>

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		<p>showed that the Scheme has a negligible impact upon fluvial flood risk.</p> <p>Agreement on climate change allowances and modelling methodology has been confirmed and approved by the EA.</p> <p>The drainage strategy will discharge runoff to ground, and to the river at long-term storage rates (2 l/s/ha) with attenuation provided within extended detention basins and oversized pipes.</p> <p>It is considered that there would be no increase in the risk of flooding (from any source) to or from the Scheme and it therefore meets the requirements of the Exception Test and the requirements of NPS NN paragraph 5.94.</p>
5.96	<p>Applicants for projects which may be affected by, or may add to, flood risk are advised to seek sufficiently early pre-application discussions with the Environment Agency, and, where relevant, other flood risk management bodies such as lead local flood authorities, Internal Drainage Boards, sewerage undertakers, highways authorities and reservoir owners and operators. Such discussions can be used to identify the likelihood and possible extent and nature of the flood risk, to help</p>	<p>See response to NPS NN paragraph 5.94.</p>

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5	<p>scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application once it has been submitted and examined.</p> <p>If the Environment Agency has concerns about the proposal on flood risk grounds, the applicant is encouraged to discuss these concerns with the Environment Agency and look to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns, preferably before the application for development consent is submitted.</p>	
5.97	<p>For local flood risk (surface water, groundwater and ordinary watercourse flooding), local flood risk management strategies and surface water management plans provide useful sources of information for consideration in Flood Risk Assessments. Surface water flood issues need to be understood and then account of these issues can be taken, for example flow routes should be clearly identified and managed.</p>	<p>See response to NPS NN paragraph 5.94.</p>
5.98	<p>Where flood risk is a factor in determining an application for development consent, the</p>	<p>See response to NPS NN paragraph 5.94.</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5	<p>Secretary of State should be satisfied that, where relevant:</p> <ul style="list-style-type: none"> ■ the application is supported by an appropriate FRA; ■ the Sequential Test (see the National Planning Policy Framework) has been applied as part of site selection and, if required, the Exception Test (see the National Planning Policy Framework). 	<p>An FRA (Document Reference 7.4) has been produced.</p> <p>NPPF guidance states that a Sequential Test is required for development in Flood Zones 2 or 3 in order to assess other available sites to find out which has the lowest flood risk. The proposed works are for improvements to an existing road and therefore cannot be located elsewhere. The Sequential Test is therefore considered passed.</p> <p>The proposed works are classified as Essential Infrastructure, which is considered appropriate in Flood Zone 3 ‘High Probability’ subject to passing the Exception Test, in accordance with the Planning Practice Guidance (PPG) Table 3. The FRA (Document Reference 7.4) addresses the second part of the Exception Test, demonstrating that the Scheme is safe in terms of flood risk for its lifetime. The first part of the Exception Test concludes that the Scheme has wider benefits to the area.</p>
5.99	<p>When determining an application the Secretary of State should be satisfied that flood risk will not be increased elsewhere and only consider development appropriate in areas at risk of flooding where (informed by a flood risk assessment, following the Sequential Test and, if required, the Exception Test), it can be</p>	<p>See response to NPS NN paragraphs 5.94 and 5.98.</p>

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	<p>demonstrated that:</p> <ul style="list-style-type: none"> ■ within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and ■ development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and priority is given to the use of sustainable drainage systems. 	
5.100	<p>For construction work which has drainage implications, approval for the project's drainage system will form part of any development consent issued by the Secretary of State.</p> <p>The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.⁹³ In addition, the development consent order, or any associated planning obligations, will need to make</p>	<p>in Appendix 13.1 (Drainage Strategy Report) of the ES (Document Reference 6.3) details the design standards applied, incorporation of SuDS and proposed maintenance of the drainage of the Scheme. The detailed design for the Scheme drainage will be in accordance with relevant guidance in the DMRB.</p> <p>The Scheme incorporates new drainage systems employing SuDS where appropriate, including:</p> <ul style="list-style-type: none"> ■ Two new outfalls to the River Itchen ■ Utilisation of an existing outfall to River Itchen

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5	<p>provision for the adoption and maintenance of any Sustainable Drainage Systems (SuDS), including any necessary access rights to property. The Secretary of State, should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body such as the Internal Drainage Board.</p>	<ul style="list-style-type: none"> ■ Over-the-edge drainage of run-off from carriageways on embankments to filter strips and to infiltration ditches. ■ Collection of run-off at carriageway edge in linear drains, gullies or filter drains, which is piped to the following. ■ Attenuation and Primary Settlement treatment in filtration forebays and unplanted, lined detention basins. ■ Attenuation, Secondary Settlement and Filtration treatment in vegetated extended detention basins, containing both wet and dry habitats. ■ Tertiary treatment in a grassed swale prior to discharge to the River Itchen. ■ In areas where existing carriageway is being overlaid and existing highway drainage is being retained, run-off is either discharged over-the-edge to filter strips or infiltration ditches, or is captured in road gullies and channels, and conveyed to infiltration features such as existing soakaways or trenches.
5.112 - 5.115	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p>	<p>Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1), the FRA (Document Reference 7.4) and the in Appendix 13.1 (Drainage Strategy Report) of the ES (Document Reference 6.3) detail the volumes and peak flow rates and demonstrate how they would</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5	<p>The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities can be taken to lower flood risk</p>	<p>not be increased. It also details the SuDS components that have been incorporated into the design.</p> <p>The FRA (Document Reference 7.4) states that the EA 'flood risk from surface water' map indicate that localised sections of the M3 carriageway is classified as at 'Low' surface water flood risk (1 in 1000 Annual Probability). This is specifically located at M3 Junction 9 and is very localised. There are also very minor and localised areas of 'Medium' (1 in 100 Annual Probability) and 'High' surface water flood risk (1 in 30 Annual Probability) located at Junction 9 on the M3 carriageway.</p> <p>Within the wider Application Boundary there are localised and minor areas classified as at 'High' risk of surface water flooding. These are not located in areas where any changes in ground levels will be proposed.</p> <p>See also response to NPS NN paragraphs 5.94 and 5.98</p>

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	by improving flow routes, flood storage capacity and using SuDS.	
5.116 - 5.118	<p>Where necessary, land stability should be considered in respect of new development, as set out in the National Planning Policy Framework and supporting planning guidance. Specifically, proposals should be appropriate for the location, including preventing unacceptable risks from land instability. If land stability could be an issue, applicants should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected. Applicants should liaise with the Coal Authority if necessary.</p> <p>A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed application for development consent is prepared. Applicants should ensure that any necessary investigations are undertaken to ascertain that their sites are and will remain stable or can be made so as part of the development. The site</p>	<p>A preliminary Land Stability Appraisal has been undertaken as part of Appendix 9.1 (Phase 1 Ground Conditions Assessment) of the ES (Document Reference 6.3) and a geotechnical risk register together with an Engineering Assessment has been developed and included in the Ground Investigation Report (Document Reference 7.11).</p>

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	needs to be assessed in context of surrounding areas where subsidence, landslides and land compression could threaten the development during its anticipated life or damage neighbouring land or property. This could be in the form of a land stability or slope stability risk assessment report.	
5.124	Non-designated assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments should be considered subject to the policies for designated heritage assets.	<p>An assessment of the value/ sensitivity (significance) of heritage assets has been carried out in accordance with criteria set out in Table 6.2 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1) and using professional judgement.</p> <p>Desk-based research and a programme of archaeological evaluation consisting of geophysical surveys and trial trenching has been carried out to identify non-designated heritage assets that might be affected by the Scheme. No remains have been found that are of such high value that they would warrant consideration against policies for designated heritage assets.</p>
5.126 - 5.127	Where the development is subject to EIA the applicant should undertake an assessment of any likely significant heritage impacts of the proposed project as part of the Environmental Impact Assessment and describe these in the environmental statement.	An assessment of the value/ sensitivity (significance) of heritage assets has been carried out in accordance with criteria set out in Table 6.2 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1) and using professional judgement.

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5	<p>The applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation.</p>	<p>The Winchester Historic Environment Record (WHER) and a range of other sources listed in Appendix 6.1 (Detailed Cultural Heritage Baseline) of the ES (Document Reference 6.3) have been used to identify cultural heritage assets that might receive effects from the Scheme.</p> <p>The value/ sensitivity (significance) of cultural heritage receptors considered likely to receive effects including the contribution made by their setting has been considered in Appendix 6.1 (Detailed Cultural Heritage Baseline) of the ES (Document Reference 6.3) and has been summarised in Section 6.6 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p> <p>A programme of archaeological evaluation was undertaken to further assess the potential and significance of archaeological remains that could be affected by the construction of the Scheme. The results are presented in Appendix 6.2 - 6.6 of the ES (Document Reference 6.3) and summarised in Section 6.7 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p>
5.131	<p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation.</p>	<p>The impact of the Scheme on the significance of heritage assets is considered in Section 6.9 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5	<p>The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given that heritage assets are irreplaceable, harm or loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including World Heritage Sites, Scheduled Monuments, grade I and II* Listed Buildings, Registered Battlefields, and grade I and II* Registered Parks and Gardens should be wholly exceptional.</p>	<p>The Scheme will result in changes to a small part of the wider setting of St Gertrude’s Chapel (scheduled monument, NHLE: 1005518) and Worthy Park House (Grade II* listed building, NHLE: 1095892) but will not alter the character of the assets or how their significance is appreciated. There will be direct impacts to a very small part of the Kings Worthy Conservation Area although no key elements or characteristics will be affected. The Scheme will result in minor changes to the setting of the Kings Worthy and Abbots Worthy Conservation Areas. These effects are all considered minor and constitute “less than substantial harm”. The Scheme will not result in significant residual adverse effects to any designated heritage assets.</p>
5.132	<p>Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset, the greater the justification that will be needed for any loss.</p>	<p>The impact of the Scheme on the significance of heritage assets is considered in Section 6.9 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p> <p>The Scheme will not result in significant adverse effects upon designated heritage assets although effects constituting “less than substantial harm” have been identified on several (see response to NPS NN paragraph 5.131). The Scheme is part of the Department for Transport’s Road Investment Strategy</p>

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		(RIS) and is included within national and regional strategies to provide benefits in terms of relief to congestion, improved travel times, road safety and economic development. Therefore, there is significant justification in which to justify the minimal harm to the setting of those designated heritage assets identified as receiving limited residual effects.
5.133	Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits which outweigh that loss or harm, or alternatively that all of the following apply: <ul style="list-style-type: none"> ■ the nature of the heritage asset prevents all reasonable uses of the site; and ■ no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and 	The impact of the Scheme on the significance of heritage assets is considered in Section 6.9 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1) . See responses to NPS NN paragraphs 5.131 and 5.132

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	<ul style="list-style-type: none"> ■ conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and ■ the harm or loss is outweighed by the benefit of bringing the site back into use. 	
5.134	Where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.	<p>The impact of the Scheme on the significance of heritage assets is considered in Section 6.9 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p> <p>See responses to NPS NN Paragraph 5.131 and 5.132</p>
5.135	Not all elements of a World Heritage Site or conservation area will necessarily contribute to its significance. The SoS should treat the loss of a building (or other element) that makes a positive contribution to the site's significance either as substantial harm or less than substantial harm, as appropriate, taking into account the relative significance of the elements affected and their contribution to the significance of the conservation area or World Heritage Site as a whole.	<p>See responses to NPS NN paragraph 5.131 and 5.132.</p> <p>There are no World Heritage Sites within the Application Boundary of the surrounding study area. The impact of the Scheme on the significance of conservation areas is considered in Section 6.9 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p>
5.136	Where the loss of significance of any heritage asset has been justified by the applicant based	A programme of archaeological mitigation is required which would preserve by record any archaeological remains that

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5	<p>on the merits of the new development and the significance of the asset in question, the Secretary of State should consider imposing a requirement that the applicant will prevent the loss occurring until the relevant development or part of development has commenced.</p>	<p>would be impacted upon and would reduce or offset any significant adverse effects. The scope and scale of archaeological mitigation, and post-excavation work, would be based on the strategy set out in Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (Document Reference 6.3). Prior to construction, the outline strategy would be developed into the Detailed Mitigation Strategy (based on the outline strategy) which is secured through the a DCO requirement (refer to Schedule 2 of the draft DCO (Document Reference 3.1)) and would be further discussed with the Winchester City Council Archaeologist. All mitigation would be carried out in accordance with agreed WSIs (which are required within the outline strategy).</p>
5.140	<p>Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part).</p>	<p>An outline mitigation strategy agreed with cultural heritage stakeholders is set out in Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (Document Reference 6.3) and discussed in Section 6.8 of Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p> <p>The Scheme has been designed to limit or avoid, as far as possible, adverse impacts upon environmental receptors including cultural heritage assets, through minimisation of intrusive footprints, depths and method of intrusive ground investigation and construction works to reduce impact on known and unknown archaeological remains, as well as careful</p>

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		<p>consideration of the location of gantries and signage to limit indirect impacts upon cultural heritage assets. This has been achieved through the design development phase and through ongoing consultation between environmental specialists, the design team and key stakeholders.</p> <p>Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (Document Reference 6.3) sets out the broad approach to avoid/ limit harm and mitigate impacts upon cultural heritage assets. This has been prepared following consultation with key heritage stakeholders. In addition, generic cultural heritage mitigation measures are also outlined within the fiEMP (Document Reference 7.3).</p> <p>Where mitigation of impacts upon archaeological remains through design (preservation in situ) is unavoidable then a programme of archaeological works (preservation by record) would be put in place. No archaeological remains have been identified that are of such high value that they warrant preservation in situ.</p>
5.142	Where there is a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the Secretary of State should consider requirements to ensure that appropriate procedures are in place for the	Archaeological evaluation including geophysical survey and trial trenching was agreed with the key heritage stakeholders and carried out on land within the Scheme's Application Boundary, where practical to test the archaeological potential and reduce the risk of previously unknown archaeological remains. These results are presented in Appendix 6.2 - 6.6 of

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	identification and treatment of such assets discovered during construction.	the ES (Document Reference 6.3) . An outline mitigation strategy has been prepared and reflects the views of the cultural heritage stakeholders expressed in the cultural heritage workshops and subsequent correspondence. This is presented in Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (Document Reference 6.3) .
5.143	The landscape and visual effects of proposed projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development.	As detailed in Section 7.6 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) , in line with best practice, in assessing the value, susceptibility and sensitivity of landscape and visual receptors, the assessment of both the baseline and likely significant effects of the Scheme considers the type of development, its location and its landscape setting.
5.144 - 5.146	Where the development is subject to EIA the applicant should undertake an assessment of any likely significant landscape and visual impacts in the environmental impact assessment and describe these in the environmental assessment. A number of guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies, as a means of assessing landscape impacts relevant to the proposed	<p>Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) provides the required assessment of both the baseline and the likely effects that may arise as a result of the Scheme, both during construction and during the operational phase of the Scheme.</p> <p>The assessment methodology follows that set out in:</p> <ul style="list-style-type: none"> ■ DMRB LA 104 Revision 1 Environmental assessment and monitoring (Highways England, 2020) ■ DMRB 107 Revision 2 Landscape and visual effects (Highways England, 2020).

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5	<p>project. The applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England.</p> <p>The applicant’s assessment should include any significant effects during construction of the project and/or the significant effects of the completed development and its operation on landscape components and landscape character (including historic landscape characterisation).</p> <p>The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include any noise and light pollution effects, including on local amenity, tranquility and nature conservation.</p>	<p>Where appropriate, consideration has also been given to the guidance given in:</p> <ul style="list-style-type: none"> ■ <i>Guidelines for Landscape and Visual Impact Assessment Revision 3</i> (Landscape Institute and Institute of Environmental Management and Assessment, 2013) ■ <i>Technical Guidance Note 06/19: Visual Representation of Development Proposals</i> (Landscape Institute, 2019) ■ <i>Technical Guidance Note 02/21: Assessing landscape value outside national designations</i> (Landscape Institute, 2021) <p>Published landscape character assessments have been reviewed and referenced as part of the baseline assessment – see Section 7.6 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) and Appendix 7.4 of the (Document Reference 6.3):</p> <ul style="list-style-type: none"> ■ <i>South Downs Landscape Character Assessment 2020</i> (SDNPA, 2020) ■ <i>Hampshire Integrated Character Assessment</i> (HCC, 2012) ■ <i>Winchester District Landscape Character Assessment</i> (WCC, 2004)

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		<p>Relevant parts of local planning policies have also been considered:</p> <ul style="list-style-type: none"> ■ <i>South Downs Local Plan 2014-2033</i> (adopted 2019) ■ <i>Winchester District Local Plan Part 1 – Joint Core Strategy</i> (adopted 2013) ■ <i>Winchester District Local Plan Part 2 – Development Management and Site Allocations</i> (adopted 2017) ■ <i>Winchester District Local Plan 2018 – 2038</i> (Emerging) <p>Effects on landscape character and visual amenity have been assessed separately in 7.9 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1).</p> <p>The presence of cultural heritage assets has been considered when determining the value of the landscape resource, as detailed in Section 7.4 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1). The impacts on historic landscapes are assessed in Chapter 6 (Cultural Heritage) of the ES (Document Reference 6.1).</p>
5.147 – 5.148	Any statutory undertaker commissioning or undertaking works in relation to, or so as to	The Scheme is located partially within the South Downs National Park and within its setting. The widening of the M3 will

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5	<p>affect land in a National Park or Areas of Outstanding Natural Beauty, would need to comply with the respective duties in section 11A of the National Parks and Access to Countryside Act 1949 and section 85 of the Countryside and Rights of Way Act 2000.</p> <p>For significant road widening or the building of new roads in National Parks and the Broads applicants also need to fulfil the requirements set out in Defra’s English national parks and the broads: UK government vision and circular 2010 or successor documents. These requirements should also be complied with for significant road widening or the building of new roads in Areas of Outstanding Natural Beauty.</p>	<p>occur outside the South Downs National Park. The assessment in Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) refers specifically to effects on the South Downs National Park and on its setting, as well as Appendix 7.3 (Schedule of Landscape Effects) and Appendix 7.4 (Schedule of Visual Effects) of the ES (Document Reference 6.3).</p>
5.149	<p>Landscape effects depend on the nature of the existing landscape likely to be affected and nature of the effect likely to occur. Both of these factors need to be considered in judging the impact of a project on landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimize harm to the landscape, providing</p>	<p>The design of the Scheme has been led by the need to minimise landscape impacts, particularly those experienced within the South Downs National Park and its setting – see Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1).</p> <p>The development of the design for the Scheme has considered <i>The Road to Good Design</i> (Highways England, 2018), which requires road networks to reflect in its design the beauty of the</p>

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	reasonable mitigation where possible and appropriate.	natural, built and historic environment through which it passes, and enhancing it where possible. The Design and Access Statement (Document Reference 7.9) provides information on how the design has responded to its context.
5.150 - 5.153	<p>Great weight should be given to conserving landscape and scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the Secretary of State has a statutory duty to have regard to in decisions.</p> <p>The Secretary of State should refuse development consent in these areas except in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> ■ the need for the development, including in terms of any national considerations, and the 	<p>Section 7 of the Case for the Scheme (Document Reference 7.1). considers NPS NN paragraphs 5.150 – 1.153 in detail. The below provides a summary of Section 7.</p> <p>In relation to paragraph 5.151 bullet point 1, there is a strong need case for an intervention to address the significant existing congestion and road safety issues on the M3. While it is recognised that great weight is attached to conserving the South Downs National Park, it is also considered that addressing the existing road safety issues and removing an impediment to strategic economic growth is in the public interest.</p> <p>In relation to paragraph 5.151 bullet point 2, the M3 and Junction 9 are either within the South Downs National Park itself or within its setting. The issue the Scheme is looking to alleviate is the congestion at Junction 9 itself and given these significant pieces of existing infrastructure are already located in this context, there is no realistic alternative location in which to carry out the proposed improvement works.</p>

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5	<p>impact of consenting, or not consenting it, upon the local economy;</p> <ul style="list-style-type: none"> ■ the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way; and ■ any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. <p>There is a strong presumption against any significant road widening or the building of new roads and strategic rail freight interchanges in a National Park, the Broads and Areas of Outstanding Natural Beauty, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Planning of the Strategic Road Network should encourage routes that avoid National Parks, the Broads and Areas of Outstanding Natural Beauty.</p> <p>Where consent is given in these areas, the Secretary of State should be satisfied that the</p>	<p>In relation to paragraph 5.151 bullet point 3, the ES (Document Reference 6.1) identifies the following likely significant effects:</p> <ul style="list-style-type: none"> ■ Significant adverse effects in relation landscape and visual. However, by year 15, the growth of the proposed structural planting would result in no significant effects on any landscape receptors. ■ Significant adverse effects in relation to population and human health are likely during the construction of the Scheme only. However, likely significant beneficial effects are identified in relation to population and human health during the operation of the Scheme. ■ Significant adverse effects in relation to geology and soils both during construction and operation of the Scheme. ■ Significant adverse effects in relation to noise and vibration during both the construction and early operation of the Scheme. However, these effects reduce to not significant in the long-term. <p>The majority of significant adverse effects occur on a short-term basis during construction, with the exception of geology and soils which cannot be mitigated as the Scheme requires permanent land-take, and landscape and visual effects which will occur in the short to medium term. By year 15 of the Scheme's operation, the significant adverse noise and vibration and landscape and</p>

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5	<p>applicant has ensured that the project will be carried out to high environmental standards and where possible includes measures to enhance other aspects of the environment. Where necessary, the Secretary of State should consider the imposition of appropriate requirements to ensure these standards are delivered.</p>	<p>visual effects would be removed entirely. In contrast to this, the majority of the significant beneficial effects occur during the operation of the Scheme, creating permanent benefits.</p> <p>National Highways has actively sought to avoid or moderate such detrimental effects through the incorporation of appropriate mitigation and through making substantial changes to the Scheme design where reductions in adverse effects could be achieved.</p> <p>The Scheme includes elements that either help to ensure continued access for pedestrians, cyclists and horse-riders or bring improvements in terms of current accessibility/severance.</p> <p>In relation to NPS NN paragraph 5.152, there are significant benefits arising as a result of the Scheme. These benefits include improvements to journey times, direct and indirect economic benefits, improvements to highway safety, and improvements to pedestrian and cycle access to and from the South Downs National Park. When balanced against the limited disbenefits of the Scheme, it is considered that there are compelling reasons for the Scheme and that these benefits outweigh the disbenefits. An explanation of the compelling</p>

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5		<p>reasons for the Scheme is given in the Case for the Scheme (Document Reference 7.1).</p> <p>In relation to NPS NN paragraph 5.153, the Scheme design has responded to the environmental constraints presented by statutory and non-statutory designations and receptors, including the South Downs National Park. The Scheme design incorporates a range of design features and environmental mitigation measures that have been developed to reduce adverse environmental effects. It is concluded therefore that the Applicant can demonstrate that the Scheme would be carried out to high environmental standards.</p> <p>The Applicant has designed measures into the Scheme to enhance other aspects of the environment. These go further than providing mitigation for the effects of the Scheme and would actually enhance the environment beyond the existing baseline. This includes ecological enhancements through habitat creation and wildlife fencing, including the creation of priority chalk grassland habitat within the South Downs National Park; betterment on the existing road drainage system; and increased accessibility via the new walking, cycling and horse-riding routes. It is concluded therefore that the Applicant can demonstrate that the Scheme would enhance the environment in accordance with NPS NN paragraph 5.153.</p>

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		<p>The Applicant considers that there are exceptional circumstances for the grant of consent for the Scheme within the South Downs National Park; there are compelling reasons for the Scheme and the benefits of the Scheme significantly outweigh its costs; and the Scheme will be carried out to high environmental standards and provide environmental enhancements.</p>
5.154 - 5.155	<p>The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on designated areas in Wales or on National Scenic Areas in Scotland. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.</p>	<p>The design of the Scheme has been led by the need to minimise landscape impacts, particularly those experienced within the South Downs National Park – see Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1).</p> <p>The development of the design for the Scheme has considered <i>The Road to Good Design</i> (Highways England, 2018), which requires road networks to ‘reflect in its design the beauty of the natural, built and historic environment through which it passes, and enhancing it where possible’. The Design and Access Statement (Document Reference 7.9) provides information on how the design has responded to its context.</p> <p>Potential residual effects on landscape character and visual amenity within the South Downs National Park are considered as part of Chapter 7 (Landscape and Visual) of the ES</p>

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		<p>(Document Reference 6.1) and Appendix 7.3 (Schedule of Landscape Effects) and Appendix 7.4 (Schedule of Visual Effects) of the ES (Document Reference 6.3) to assist the Planning Inspectorate in its decision-making.</p>
5.156 – 5.157	<p>Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document in England has policies based on landscape character assessment, these should be given particular consideration. However, local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development.</p> <p>In taking decisions, the Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation.</p>	<p>The assessment in Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) considers the published local landscape character studies within the defined study area (identified in Section 7.5 of the chapter). The landscape within the study area falls within either the nationally designated area of the South Downs National Park or within its setting and is located immediately east of the historic townscape of Winchester.</p> <p>Construction phase significant effects on the landscape resource would be limited to designated landscapes and landscape character areas and features which would undergo direct effects due to the proximity of the Scheme and a combination the size and scale and geographical extent of the effect. For all of these, the scale and significance of effect reduces with increasing distance from the Application Boundary, with only limited indirect effects beyond approximately 1km from the Application Boundary.</p> <p>Likewise operational phase significant effects on landscape receptors at winter year 1 are limited to designated landscapes</p>

NPS NN Paragraph Number	Requirement of the National Policy Statement for Networks National (NPS NN)	Compliance with the NPS NN
5		<p>and landscape character areas and features. However, these effects reduce to not significant in the long-term. This reduction in effect is due to the successful establishment of landscape mitigation to aid landscape integration and provide visual screening (discussed further below). By Year 15 of the Scheme's operation, the significant adverse in relation to landscape and visual effects would be removed entirely</p> <p>The design of the Scheme has been led by the need to minimise landscape impacts – see Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1), Environmental Masterplan (Document Reference 6.7) and Section 7.8 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1). The landscape and visual assessment considers the reasonable worst-case situation as a result of the Scheme. It is noted that refinement to the Scheme design during the detailed design stage could mitigate the reported effects further.</p> <p>The development of the design for the Scheme has considered <i>The Road to Good Design</i> (Highways England, 2018), which requires road networks to 'reflect in its design the beauty of the natural, built and historic environment through which it passes, and enhancing it where possible'. The Design and Access Statement (Document Reference 7.9) provides information on how the design has responded to its context.</p>

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		<p>The Scheme includes embedded and essential landscape and visual mitigation measures that have been designed to be in keeping with existing landscape character, whilst both minimising any landscape and visual impacts that would arise from the Scheme and providing landscape and biodiversity enhancements through the creation of new woodlands, chalk grassland, and other ecologically valuable and locally appropriate habitats.</p> <p>The landscape strategy aims to reinforce and enhance (where appropriate) existing defined key characteristics of the receiving South Downs National Park landscape and its setting with reference to the defined Landscape Character Areas (LCA) (LCA G5: Itchen Valley Sides and LCA A5: East Winchester Downs, and LCA F5: Itchen Floodplain).</p>
5.158	The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development.	Section 7.9 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) and Appendix 7.4 (Schedule of Visual Effects) of the ES (Document Reference 6.3) include an assessment of likely visual impacts which would arise from the Scheme, as experienced by a range of local receptors, to assist the Planning Inspectorate in its decision-making.
5.159 – 5.161	Reducing the scale of a project or making changes to its operation can help to avoid or	The sensitive location of the Scheme means that the design of the Scheme has been led by the need to minimise landscape

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5	<p>mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design or changing the operation of a proposed development may result in a significant operational constraint and reduction in function. There may, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in scale or function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape effects outweigh the marginal loss of scale or function.</p> <p>Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design (including choice of materials), and landscaping schemes, depending on the size and type of proposed project. Materials and designs for infrastructure should always be given careful consideration.</p> <p>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site, although if such landscaping was</p>	<p>impacts, particularly those experienced within the South Downs National Park and its setting – see Chapter 2 (The Scheme and its Surroundings) of the ES (Document Reference 6.1) and Section 7.8 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1).</p> <p>The development of the design for the Scheme has considered <i>The Road to Good Design</i> (Highways England, 2018), which requires road networks to reflect in its design the beauty of the natural, built and historic environment through which it passes, and enhancing it where possible. The Design and Access Statement (Document Reference 6.7) provides information on how the design has responded to its context.</p> <p>As a result, landscape and visual mitigation measures have been incorporated into the Scheme from the outset, and such mitigation measures have not resulted in notable reductions in the scale or function of the Scheme.</p>

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	<p>proposed to be consented by the development consent order, it would have to be included within the order limits for that application. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.</p>	
5.165 - 5.167	<p>The applicant should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate.</p> <p>Existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Applicants considering proposals which would involve developing such land should have regard to any local authority's assessment of need for such types of land and</p>	<p>Chapter 12 (Population and Health) of the ES (Document Reference 6.1) identifies and assesses key receptors including Private Property and Housing; Community Land and Assets; Development Land and Businesses; and walking, cycling and horse-riding routes. The Scheme does not prevent development or other uses continuing or occurring on neighbouring sites. Some beneficial effects have been identified by improving accessibility of key neighbouring employment sites such as Winnall Industrial Estate and the CEMEX facility which will benefit from reduced journey times given their proximity to the Scheme.</p>

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5	<p>buildings.</p> <p>During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land-use, having regard to the development plan and relevant applications, and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. These are also matters that local authorities may wish to include in their Local Impact Report which can be submitted after an application for development consent has been accepted.</p>	
5.168	<p>Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification). Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of a higher quality. Applicants should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed. Where possible,</p>	<p>Section 9.4 of Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1) identifies the ALC for land affected by the Scheme. Current and historical sources of land contamination within the study area are also identified in this Chapter and detailed in the Ground Investigation Report (Document Reference 7.11).</p> <p>Section 9.9 of Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1) assesses the impacts on best and most versatile agricultural land and contamination risks during construction and operation of the Scheme.</p>

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5	<p>developments should be on previously developed (brownfield) sites provided that it is not of high environmental value. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.</p>	<p>Significant adverse effects are identified in relation to geology and soils both during construction and operation of the Scheme as the permanent acquisition of 18.7ha of Best Most Versatile agricultural land is required. Whilst the overall land take of the Scheme has been minimised as far as possible, given the permanent nature of the impact and that the loss cannot be mitigated it would constitute a permanent adverse effect which is significant. This loss cannot be mitigated and would therefore constitute a permanent significant adverse effect.</p> <p>The requirement for chalk spoil deposition, generated during construction of the Scheme, on agricultural land within wider areas of the South Downs National Park has been minimised. This is a landscape scale enhancement measure which responds to the objectives of the National Park and positively reinforces and enhances a key characteristic of the South Downs National Park through creation of priority chalk grassland habitat. The Scheme design also minimises agricultural severance to existing land parcels. In redesigning the earthworks between Easton Land and Long Walk to respond to the South Down National Park’s comments to the 2021 statutory consultation, it was calculated that the excess spoil predicted to be raised during the construction phase would be sufficient to construct the new earthworks. This, in turn, prevented the need for the areas of search for excess spoil deposition which resulted in a reduction in the Application Boundary, reduced visual and</p>

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		<p>acoustic intrusion into the South Downs National Park as well as the need to affect less best and most versatile (BMV) agricultural land. This has been used positively to reinforce landscape characteristics and enhance the South Downs National Park through creation of priority chalk grassland habitat. The Scheme design also minimises agricultural severance to existing land parcels.</p> <p>As detailed in the Case for the Scheme (Document Reference 7.1), it is considered that any unavoidable adverse environmental effects which may remain following mitigation are outweighed by the public benefit that will accrue as a result of the Scheme and the Government’s commitment to upgrading the SRN and, for the purposes of Section 104(7) of the Planning Act 2008, that any adverse impacts would not outweigh the benefits of the Scheme.</p>
5.169	Applicants should safeguard any mineral resources on the proposed site as far as possible.	<p>Appendix 10.1 (Mineral Safeguarding Area Assessment) of the ES (Document Reference 6.3) identifies that the potential for sterilisation is very low. Much of the Mineral Safeguarding Area affected by the Scheme lies adjacent to the existing strategic highway network; these areas are likely already devoid of mineral or would be inappropriate to work.</p> <p>Small areas within the Application Boundary, but outside of the highway land, lie within the South Downs National Park. Policy</p>

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		dictates that any working of mineral resources in these areas would only be in exceptional circumstances.
5.173	Where the project conflicts with a proposal in a development plan, the Secretary of State should take account of the stage which the development plan document has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document is to being adopted by the local plan, the greater the weight which can be attached to the impact of the proposal on the plan	Appendix A of the Case for the Scheme (Document Reference 7.1) includes an assessment of relevant local plan policies contained in the adopted and emerging development plans for Hampshire County Council, Winchester District Council and the South Downs National Park Authority, which are the host authorities for the Scheme. The Scheme is not considered to conflict with any proposals in the Development Plan documents.
5.176	The decision-maker should take into account the economic and other benefits of the best and most versatile agricultural land. The decision-maker should give little weight to the loss of agricultural land in grades 3b, 4 and 5, except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	See response to NPS NN paragraph 5.168.
5.180	Where green infrastructure is affected, applicants should aim to ensure the functionality and connectivity of the green	The pedestrian, cyclist, and horse-riding facilities around and within the Scheme are to be upgraded and new routes are to be provided. The Scheme includes elements that either help

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5	<p>infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to new coastal access routes, National Trails and other public rights of way.</p>	<p>ensure continued access for pedestrians, cyclists and horse-riders or bring improvements in terms of current accessibility/severance.</p> <p>PRoW and footways will stay open as much as is practicable throughout the construction phase and suitable diversions will be put in place where possible. An Outline Traffic Management Plan (Document Reference 7.8) has been developed which includes measures to minimise any impacts.</p> <p>There will be provision of a new bridleway link within the design between Easton Lane and Long Walk, improving connectivity within the local PRoW within the South Downs National Park.</p> <p>The Scheme has incorporated various proposals that aim to improve the accessibility and connectivity across the PRoW, including upgrades to the existing PRoW that cross Junction 9, including the NCN 23, and provision of safe walking routes along the length of the road used for recreation and commuting. This is set out in Chapter 12 (Population and Human Health) of the ES (Document Reference 6.1).</p>
5.182	<p>Where a proposed development has an impact on a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that the</p>	<p>There will be no impact on the Mineral Safeguarding Area – see response to NPS NN paragraph 5.169.</p>

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5.184	<p>applicant has put forward appropriate mitigation measures to safeguard mineral resources.</p> <p>Public rights of way, National Trails, and other rights of access to land (e.g. open access land) are important recreational facilities for walkers, cyclists and equestrians. Applicants are expected to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements in respect of these measures might be attached to any grant of development consent.</p>	<p>See the response to NPS NN paragraph 5.180.</p> <p>Walking, cycling and horse-riding routes have been identified and assessed in Chapter 12 (Population and Health) of the ES (Document Reference 6.1). Temporary adverse effects on PRoW have been identified and mitigation has been proposed in the form of temporary diversions. During the operational phase, the Scheme will have permanent beneficial impacts – in particular the National Cycle Route (NCR) 23 through Junction 9.</p> <p>The design has provided future proofed facilities through underpasses for led horses and areas of widened verges.</p>
5.185	<p>Public rights of way can be extinguished under Section 136 of the Act if the Secretary of State is satisfied that an alternative has been or will be provided or is not required.</p>	<p>All public rights of way being extinguished as part of the Scheme will have an alternative provided as shown on the Rights of Way and Access Plans (Document Reference 2.4) and Schedule 4 of the draft DCO (Document Reference 3.1).</p>

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5.186	Excessive noise can have wide-ranging impacts on the quality of human life and health (e.g. owing to annoyance or sleep disturbance), use and enjoyment of areas of value (such as quiet places) and areas with high landscape quality.	The tranquility of the surrounding landscape is a component of landscape character and is therefore considered as part of the baseline and potential effects set out within Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) and Appendix 7.4 (Schedule of Landscape Effects) of the ES (Document Reference 6.3) .
5.187	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed in accordance with the Biodiversity and Geological Conservation section of this NPS.	Noise effects from the Scheme on ecological receptors are assessed within Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) and the results of the assessment are summarised in response to NPS NN paragraph 5.188 below.
5.188	Factors that will determine the likely noise impact include: <ul style="list-style-type: none"> ■ construction noise and the inherent operational noise from the proposed development and its characteristics; ■ the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise 	Potential residual effects on tranquility (as a component of landscape character) within the South Downs National Park and its setting are considered as part of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1) . During construction, in relation to the South Downs National Park, the assessment identifies effects on opportunities to experience the special qualities of breath taking views, tranquillity and recreational access due to the creation/ realignment of roads and reconfiguration of the existing gyratory roundabout, and to the local PRow network, In relation to the PRow network and local connectivity, the

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5	<p>sensitive areas (including certain parks and open spaces);</p> <ul style="list-style-type: none"> ■ the proximity of the proposed development to quiet places and other areas that are particularly valued for their tranquillity, acoustic environment or landscape quality such as National Parks, the Broads or Areas of Outstanding Natural Beauty; and ■ the proximity of the proposed development to designated sites where noise may have an adverse impact on the special features of interest, protected species or other wildlife. 	<p>assessment identifies medium-scale short-term and reversible effects on tranquillity of routes crossing land within or close to the Application Boundary, particularly where these are close to construction activities, and on connectivity between Winchester and the South Downs National Park.</p> <p>During construction, Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) states that potential impacts on bats, otters, water voles, birds (breeding and wintering) and freshwater fish could include disturbance from noise, vibration and lights. This has therefore been assessed.</p> <p>In relation to bats, otters and water voles, the working measures set out in the fiEMP (Document Reference 7.3), where possible would control potential impacts to from construction disturbance. The assessment concludes effects to bats, otters and water voles would be not significant</p> <p>In relation to birds, the noise modelling demonstrates that levels of construction noise would vary throughout the construction period, with noise levels during some construction phases being above the existing baseline, and in others being below the existing baseline. It shows that at 69dB, existing baseline noise levels are relatively high). Therefore birds currently present on this stretch of the River Itchen are likely to be habituated to high noise levels, and occasional increases to</p>

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		<p>79dB are unlikely to result in changes to bird activity. The assessment concludes the overall effects to birds would be not significant</p> <p>The implementation of the mitigation set out in the fiEMP (Document Reference 7.3) would avoid adverse impacts to freshwater fish from direct mortality, habitat degradation or disturbance. As such, the assessment concludes effects to freshwater fish would be not significant.</p> <p>During operation, Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) identifies that there is potential for operational impacts to otter through noise disturbance. However, the noise levels modelled show only very minor increases in noise levels, these very minor increases in operational noise would result in a negligible impact to otter, resulting in a ‘Slight’ effect which is not significant.</p>
5.189	<p>Where a development is subject to EIA and significant noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment, which should form part of the environment statement:</p> <ul style="list-style-type: none"> ■ a description of the noise sources including likely usage in terms of number of movements, 	<p>Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1) presents an assessment of impacts upon construction and demolition noise and vibration and operational noise. The assessment has been undertaken in accordance with the DMRB LA 111 Noise and Vibration (National Highways, 2020). The assessment undertaken includes the requirements as stated within the NPS NN.</p>

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5	<p>fleet mix and diurnal pattern. For any associated fixed structures, such as ventilation fans for tunnels, information about the noise sources including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise.</p> <ul style="list-style-type: none"> ■ identification of noise sensitive premises and noise sensitive areas that may be affected. ■ the characteristics of the existing noise environment. ■ a prediction on how the noise environment will change with the proposed development: ■ In the shorter term such as during the construction period; ■ in the longer term during the operating life of the ■ infrastructure; ■ at particular times of the day, evening and night as appropriate. 	<p>For the construction noise and vibration assessment, the number of vehicle movements is outlined in Section 11.4 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1). Working hours would be restricted to the following core hours:</p> <ul style="list-style-type: none"> ■ 07.00 to 19.00 Monday to Friday ■ 07.00 to 13.00 Saturday ■ No Sunday working <p>Works outside of the core working hours are likely to be required in certain circumstances and would be and would be carried out following consultation with Winchester City Council. These works are currently envisaged to comprise:</p> <ul style="list-style-type: none"> ■ Lifting of gantry and large signs onto concrete bases due to the need for a larger working area to ensure the safety of the workforce and minimise disruption to traffic. ■ Works predominantly within the M3 and A34 corridors which would be similar to maintenance works e.g. planting, resurfacing, painting road markings.

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5	<ul style="list-style-type: none"> ■ an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas. ■ measures to be employed in mitigating the effects of noise. Applicants should consider using best available techniques to reduce noise impacts. ■ the nature and extent of the noise assessment should be proportionate to the likely noise impact. 	<ul style="list-style-type: none"> ■ Closing of gyratory slip roads to allow re-alignment works to take place. ■ Installation and removal of barriers to allow traffic management switches to take place. <p>There may also be circumstances where works would continue outside of core working to allow for efficiencies and engineering reasons. Examples of these would be to complete a concrete pour or to complete an excavation to a safe completion point.</p> <p>A Section 61 application under Control of Pollution Act 1974 for the works would be made (prior consent for work on construction sites) and agreed with the Winchester City Council, and further controlled through the Noise and Vibration Management Plan secured by the fiEMP (Document Reference 7.3).</p> <p>For the operational noise assessment the change in traffic flows have informed the assessment.</p> <p>Noise Important Areas and noise sensitive receptors are identified in Figure 11.1 (M3 Junction 9 Noise Study Areas, Noise Measurement Locations and Receptors) of the ES (Document Reference 6.2).</p>

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5		<p>The existing sound environment has been modelled within the study area. The model has been verified via environmental sound monitoring and is further described in Section 11.6 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1).</p> <p>Where appropriate, measures which have been employed in mitigating the effects of noise have been outlined. To reduce noise impact associated with the demolition and construction works, the following practices would be followed, as included within the fiEMP (Document Reference 7.3):</p> <ul style="list-style-type: none"> ■ Appropriate operational hours. ■ Working methods to ensure quiet working, including the selection of suitably quiet plant and appropriate working hours for excessive noise generating activities. ■ Restriction of number of plant items in use at any one time. ■ Locating noisy plant and equipment at a suitable distance away from noise and vibration sensitive receptors. ■ Frequent maintenance of plant and equipment.

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5		<ul style="list-style-type: none"> ■ Where practical, carry out loading and unloading activities at a suitable distance away from residential dwellings. ■ Closing of compressor, generator and engine compartment doors when in use or idling. ■ Careful lowering of materials/equipment and the minimisation of drop heights. ■ Installation of close board fencing around the main works compound. <p>In addition to the above, a Noise and Vibration Management Plan outlining how construction noise and vibration would be managed (and monitored) throughout the construction of the Scheme including any noise limits would be prepared and agreed with the EHO prior to construction. This plan would be prepared by the Principal Contractor during the detailed design stage and would be Appendix K of the second iteration EMP (siEMP). A commitment to preparing the Noise and Vibration Management Plan is included within the fiEMP (Document Reference 6.1).</p> <p>In addition to the Noise and Vibration Management Plan a Section 61 application would also be applied for - the commitment to applying for this consent is outlined within the fiEMP (Document Reference 7.3).</p>

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5		<p>Section 11.9 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1) assesses the likely significant effects of the Scheme during construction and operation in terms of noise and vibration. It states that likely significant adverse effects are identified in relation to noise and vibration during both the construction and early operation of the Scheme. However, these effects reduce to not significant in the long-term. During construction, with no noise mitigation, temporary moderate significant effects are anticipated at a number of residential dwellings and commercial properties. Although, with the inclusion of the mitigation outlined within the fiEMP (Document Reference 7.3), the resultant significance is anticipated to be reduced such that temporary moderate adverse impacts would be reduced to temporary minor adverse impacts, and temporary major adverse impacts are likely to be reduced to temporary moderate adverse impacts. To summarise, during operation, there would be significant effects in the short-term (the year the new junction opens) and no significant effects in the long-term (15 years after opening).</p> <p>An indication of the likely eligibility for compensation under the Noise Insulation Regulations is provided within Section 11.9 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1). Based on the results, there are no residential properties which are anticipated to be eligible for additional</p>

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		noise insulation under the Noise Insulation Regulations. This is because no properties are anticipated to experience an increase of more than 1dBA above the specified level (68dB LA10,18hr).
5.190	The potential noise impact elsewhere that is directly associated with the development, such as changes in road and rail traffic movements elsewhere on the national networks, should be considered as appropriate.	The assessment of operational noise considers impacts within the Affected Road Network as defined by the transport modelling work undertaken, as reported in the Combined Modelling and Appraisal Report (Document Reference 7.10) . The assessment therefore considers potential noise impact elsewhere on the national networks.
5.191	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. The prediction of road traffic noise should be based on the method described in Calculation of Road Traffic Noise. The prediction of noise from new railways should be based on the method described in Calculation of Railway Noise. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of	See the response to NPS NN paragraph 5.189. In addition to legislation and national and local planning policies, the noise assessment has also been carried out in accordance with the following professional standards and guidance: <ul style="list-style-type: none"> ■ BS 5228-1:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1: Noise ■ BS 5228-2:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 2: Vibration

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5	mitigation strategies.	<ul style="list-style-type: none"> ■ British Standard 7445: Part 1:2003 Description and Measurement of Environmental Noise. Guide to Quantities and Procedures ■ Design Manual for Road and Bridges (2020) LA 111 Noise and Vibration ■ The Calculation of Road Traffic Noise (Department for Transport Welsh Office, 1988) ■ Converting the UK Traffic Noise Index LA10,18h to EU Noise Indices for Noise Mapping. P G Abbott and P M Nelson (TRL Limited). Project Report PR/SE/451/02, 2002 ■ World Health Organisation Environmental Noise Guidelines for the European Region 2018 ■ Guidelines for Community Noise, World Health Organisation, 1999 ■ Night Noise Guidelines for Europe, World Health Organisation, 2009 <p>The assessment of operational noise is based on the method described in the Calculation of Road Traffic Noise, and includes amendments stated within DMRB LA 111 Noise and Vibration (Highways England, 2020).</p>

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		<p>The prediction and assessment of construction noise and vibration is based on guidance provided within BS 5228 Parts 1 and 2:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites (British Standards Institute, 2014).</p>
5.192	<p>The applicant should consult Natural England with regard to assessment of noise on designated nature conservation sites, protected landscapes, protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.</p>	<p>Environmental mitigation and enhancement measures have been discussed with Natural England both through the formal consultation process and through the ongoing working relationship with the project team. Potential residual effects on tranquility (as a component of landscape character) within the South Downs National Park and its setting are considered in Section 7.9 of Chapter 7 (Landscape and Visual) of the ES (Document Reference 6.1).</p> <p>The assessment of effects to biodiversity and noise and vibration is reported in Chapter 8 (Biodiversity) and Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1) and the assessment results are discussed in response to NPS NN paragraph 5.188.</p> <p>Natural England has provided a Section 42 response in relation to the Scheme, and their comments have been addressed as outlined within Chapter 8 (Biodiversity) of the ES (Document Reference 6.1). Natural England has been consulted upon during the development and design of the</p>

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		<p>Scheme, as outlined in Chapter 8 (Biodiversity) of the ES (Document Reference 6.1) and the Consultation Report (Document Reference 5.1).</p> <p>Noise effects from the Scheme on ecological receptors are assessed within Chapter 8 (Biodiversity) of the ES (Document Reference 6.1).</p>
5.193	<p>Developments must be undertaken in accordance with statutory requirements for noise. Due regard must have been given to the relevant sections of the Noise Policy Statement for England, National Planning Policy Framework and the Government's associated planning guidance on noise.</p>	<p>The relevant legislation and policies have been considered as part of the assessment and outlined in Section 11.3 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1) and the Case for the Scheme (Document Reference 7.1).</p>
5.194	<p>The project should demonstrate good design through optimisation of scheme layout to minimise noise emissions and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. The project should also consider the need for the mitigation of impacts elsewhere on the road and rail networks that have been identified as arising from the development, according to Government policy.</p>	<p>The fiEMP (Document Reference 7.3) and Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1) set out noise mitigation measures and best practice techniques that are expected to reduce the potential for significant effects occurring due to noise from the construction and operation of the Scheme.</p> <p>To reduce noise impacts associated with the operation of the Scheme, low noise road surfaces are proposed to be embedded as part of the Scheme where new roads surfaces are to be laid. The surface shall be specified to achieve a Road</p>

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5		<p>Surface Influence (RSI) of -3.5dB.</p> <p>To reduce noise impact associated with the demolition and construction works, the following practices would be followed, as included within the fiEMP (Document Reference 7.3):</p> <ul style="list-style-type: none"> ■ Appropriate operational hours. ■ Working methods to ensure quiet working, including the selection of suitably quiet plant and appropriate working hours for excessive noise generating activities. ■ Restriction of number of plant items in use at any one time. ■ Locating noisy plant and equipment at a suitable distance away from noise and vibration sensitive receptors. ■ Frequent maintenance of plant and equipment. ■ Where practical, carry out loading and unloading activities at a suitable distance away from residential dwellings. ■ Closing of compressor, generator and engine compartment doors when in use or idling.

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5		<ul style="list-style-type: none"> ■ Careful lowering of materials/equipment and the minimisation of drop heights. ■ Installation of close board fencing around the main works compound. <p>In addition to the above, a Noise and Vibration Management Plan outlining how construction noise and vibration would be managed (and monitored) throughout the construction of the Scheme including any noise limits would be prepared and agreed with the EHO prior to construction. This plan would be prepared by the Principal Contractor during the detailed design stage and would be Appendix K of the second iteration EMP (siEMP). A commitment to preparing the Noise and Vibration Management Plan is included within the fiEMP (Document Reference 6.1).</p> <p>In addition to the Noise and Vibration Management Plan a Section 61 application would also be applied for - the commitment to applying for this consent is outlined within the fiEMP (Document Reference 7.3).</p> <p>No essential mitigation is proposed or required during operation.</p> <p>An indication of the likely eligibility for compensation under the Noise Insulation Regulations is provided within Section 11.9 of</p>

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		<p>Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1). Based on the results, there are no residential properties which are anticipated to be eligible for additional noise insulation under the Noise Insulation Regulations. This is because no properties are anticipated to experience an increase of more than 1dBA above the specified level (68dB LA10,18hr).</p>
5.195	<p>The Secretary of State should not grant development consent unless satisfied that the proposals will meet, the following aims, within the context of Government policy on sustainable development:</p> <ul style="list-style-type: none"> ■ avoid significant adverse impacts on health and quality of life from noise as a result of the new development; ■ mitigate and minimise other adverse impacts on health and quality of life from noise from the new development; and ■ contribute to improvements to health and quality of life through the effective management and control of noise, where possible. 	<p>See the response to NPS NN paragraph 5.189 and 5.194.</p> <p>Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1) identifies that some residential areas located close to the Scheme are likely to experience temporary moderate significant effects from demolition of the existing gyratory and construction noise and vibration. Chapter 12 (Population and Health) of the ES (Document Reference 6.1) considers magnitude of impacts at a population, rather than an individual level. Therefore, taking into consideration the conclusions of the noise assessment, during construction, negative health outcomes have been identified for the wards of St Michaels and St Bartholomew which contain the majority of receptors significantly adversely affected by noise. All other wards are considered to have a neutral health outcome.</p> <p>During operation, there is anticipated to be negligible increases in noise levels within noise important areas, which is therefore</p>

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5		<p>considered to be not significant. The chapter concludes that significant effects during operation are not anticipated. In consideration of this, it is anticipated that the Scheme is likely to have a neutral health outcome on ambient noise environment all study areas. Chapter 12 (Population and Health) of the ES (Document Reference 6.1).</p> <p>An indication of the likely eligibility for compensation under the Noise Insulation Regulations is provided within Section 11.9 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1). Based on the results, there are no residential properties which are anticipated to be eligible for additional noise insulation under the Noise Insulation Regulations. This is because no properties are anticipated to experience an increase of more than 1dBA above the specified level (68dB LA10,18hr).</p>
5.198	<p>Mitigation measures for the project should be proportionate and reasonable and may include one or more of the following:</p> <ul style="list-style-type: none"> ■ engineering: containment of noise generated; ■ materials: use of materials that reduce noise, (for example low noise road surfacing); 	See response to NPS NN paragraphs 189 and 194.

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5	<ul style="list-style-type: none"> ■ lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural or purpose built barriers; ■ administration: specifying acceptable noise limits or times of use (e.g., in the case of railway station PA systems). 	
5.199	<p>For most national network projects, the relevant Noise Insulation Regulations will apply. These place a duty on and provide powers to the relevant authority to offer noise mitigation through improved sound insulation to dwellings, with associated ventilation to deal with both construction and operational noise. An indication of the likely eligibility for such compensation should be included in the assessment. In extreme cases, the applicant may consider it appropriate to provide noise mitigation through the compulsory acquisition of affected properties in order to gain consent for what might otherwise be unacceptable development.</p>	<p>An indication of the likely eligibility for compensation under the Noise Insulation Regulations is provided within Section 11.9 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1). Based on the results, there are no residential properties which are anticipated to be eligible for additional noise insulation under the Noise Insulation Regulations. This is because no properties are anticipated to experience an increase of more than 1dBA above the specified level (68dB LA10,18hr).</p>

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	Where mitigation is proposed to be dealt with through compulsory acquisition, such properties would have to be included within the development consent order land in relation to which compulsory acquisition powers are being sought.	
5.200	Applicants should consider opportunities to address the noise issues associated with the Important Areas as identified through the noise action planning process.	<p>Three Noise Important Areas (NIAs) have been identified as follows:</p> <ul style="list-style-type: none"> ■ NIA 4008 – located to the west of the M3, south of the Junction 9 gyratory ■ NIA 4007 – located along the A34 in Kings Worthy ■ NIA 4006 – located to the west of the M3 to the north of Junction 9 <p>NIAs have been assessed in Section 11.9 of Chapter 11 (Noise and Vibration) of the ES (Document Reference 6.1). The magnitude of noise impact is considered to be negligible. For residential dwellings with a high sensitivity, this equates to a slight beneficial and slight adverse significance of effect which is not significant.</p>
5.203 - 5.205	Applicants should have regard to the policies set out in local plans, for example, policies on demand management being undertaken at the local level.	The Case for the Scheme (Document Reference 7.1) assesses the Scheme’s conformity with Local Development Plans and Local Transport Plans.

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5	<p>Applicants should consult the relevant highway authority, and local planning authority, as appropriate, on the assessment of transport impacts.</p> <p>Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.</p>	<p>The Highway Authority has been consulted.</p> <p>The Scheme incorporates new and improved walking, cycling and horse-riding provision, as described in Section 4.12 of the Case for the Scheme (Document Reference 7.1). The improved walking, cycling and horse-riding accessibility within the Application Boundary would provide dedicated routes, these predominately located away from the carriageway with new formal crossing points including subways and a new Toucan crossing on the A33.</p> <p>Local severance issues have been identified and mitigated with the provision of a shared footway/cycleway between Kings Worthy and Winnall capturing the connection between the highway depot on the A34 and the local retail attractors and wider pedestrian/ cycle network. The Scheme also improves the National Cycle Network route 23 through Junction 9 of the M3 providing sustainable means of accessing the South Downs National Park.</p>
5.206	<p>For road and rail developments, if a development is subject to EIA and is likely to have significant environmental impacts arising from impacts on transport networks, the applicant's environmental statement should describe those impacts and mitigating</p>	<p>The supporting ES (Document Reference 6.1) contains within each chapter an assessment of the likely environmental effects of the proposed development, and then outlines the mitigation that has been implemented.</p> <p>The supporting TA (Document Reference 7.13) provides a</p>

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	<p>commitments. In all other cases the applicant’s assessment should include a proportionate assessment of the transport impacts on other networks as part of the application.</p>	<p>description of the existing transport features, an outline of relevant policy context, a summary of the transport modelling work undertaken and the impact of the Scheme on the strategic and local network, road safety and sustainable modes of transport.</p>
5.208	<p>Where appropriate, the applicant should prepare a travel plan including management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport and sustainable modes where relevant, to reduce the need for any parking associated with the proposal and to mitigate transport impacts.</p>	<p>An Outline Traffic Management Plan (Document Reference 7.8) has been prepared.</p>
5.209	<p>For schemes impacting on the Strategic Road Network, applicants should have regard to DfT Circular 02/2013 The Strategic Road Network and the delivery of sustainable development (or prevailing policy) which sets out the way in which the highway authority for the Strategic Road Network, will engage with communities and the development industry to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and</p>	<p>All statutory and non-statutory public consultations have been carried out, as set out in the Consultation Report (Document Reference 5.1).</p> <p>National Highways is the operator of the SRN and is the applicant. Hampshire County Council, as the Local Highway Authority, has been consulted on the Scheme development.</p> <p>Comments received during the consultation events were reviewed by the design team. A summary of the information presented, and comments received during the consultation</p>

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	<p>purpose of the Strategic Road Network.</p>	<p>events is presented in the Consultation Report (Document Reference 5.1). Engagement has also continued with Hampshire County Council following statutory consultation and will continue into the detailed design and construction phases.</p> <p>During detailed design and construction there will be ongoing engagement with communities and key stakeholders such as Hampshire County Council including through the delivery of the various plans (Traffic Management Plan, Environmental Management Plan) that will manage and mitigate potential impacts of the construction of the Scheme on communities.</p> <p>Further consideration of plans and policies is set out in the Case for Scheme (Document Reference 7.1).</p>
5.210	<p>If new transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits. Guidance has been issued in England which explains the circumstances where this may be possible. The Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time, and cannot provide financial support to a scheme that solely mitigates the impacts of a</p>	<p>Third party funding is not required as the Scheme has funding committed through the Government’s RIS. Funding sources are described in the Funding Statement (Document Reference 4.2).</p>

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	specific development. Any decisions on co-funded transport infrastructure will need to be taken in the context of the Government’s wider policy of transport improvements.	
5.211	The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in local plans, for example, policies on demand management being undertaken at the local level.	The Case for the Scheme (Document Reference 7.1) assesses the Scheme’s conformity with local plans, where relevant.
5.212	Schemes should be developed and options considered in the light of relevant local policies and local plans, taking into account local models where appropriate, however the scheme must be decided in accordance with the NPS except to the extent that one or more of sub-sections 104(4) to 104(8) of the Planning Act 2008 applies.	The consideration of development plan policies is provided in the Case for the Scheme (Document Reference 7.1) .
5.215	Mitigation measures for schemes should be proportionate and reasonable, focussed on promoting sustainable development.	The ES (Document Reference 6.1) contains an assessment of the likely environmental effects of the Scheme and, where significant impacts are identified, articulates how those impacts can be avoided, reduced or mitigated. A conclusion of these impacts is included within Table 6.1 of the Case for the Scheme (Document Reference 7.1) . The proposed mitigation measures set out throughout the ES (Document Reference 6.1) are proportionate and reasonable and take

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		<p>account of relevant policy and guidance, including the policy focus on promoting sustainable development. These measures have been developed in response to the findings of surveys, assessments and consultation with key stakeholders. They are designed principally to address impacts whose occurrence, timing and location can be predicted in advance and are intrinsic to the design of the Scheme.</p>
5.216	<p>Where development would worsen accessibility such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated.</p>	<p>See response to NPS NN paragraphs 5.203 - 5.205.</p>
5.220	<p>... Where applicable, an application for a development consent order has to contain a plan with accompanying information identifying water bodies in a River Basin Management Plan.</p>	<p>Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1) is supported by Figure 13.1 (Study Area and Receptors) of the ES (Document Reference 6.2) and a Water Framework Directive Assessment (Document Reference 7.7).</p> <p>There are two WFD designated surface water bodies in the vicinity of the Scheme (within the South East River Basin District): Itchen (GB107042022580) and Nun’s Walk Stream (GB107042022730). Both water bodies are currently (Cycle 2, 2019) classified as at overall Moderate status, with Good ecological status, but Fail chemical status.</p>

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		<p>The Scheme is underlain by the River Itchen Chalk WFD groundwater body (GB40701G505000), which is currently (Cycle 2, 2019) at Poor overall status, with Poor status for both quantitative and chemical elements.</p> <p>The River Itchen Navigation Canal is designated as a heavily modified waterbody and is located approximately 2.5km downstream of the Scheme (southern extent). It is currently (Cycle 2, 2019) classified as at overall Moderate status with Good ecological status but Fail chemical status.</p>
5.221	<p>Applicants should make early contact with the relevant regulators, including the Environment Agency, for abstraction licensing and with water supply companies likely to supply the water. Where a development is subject to EIA and the development is likely to have significant adverse effects on the water environment, the applicant should ascertain the existing status of, and carry out an assessment of the impacts of the proposed project on water quality, water resources and physical characteristics as part of the environmental statement.</p>	<p>See response to NPS NN paragraph 4.54.</p> <p>Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1) notes that the EA and the LLFA responded to the 2019 Scoping Report via the Planning Inspectorate.</p> <p>Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1) has not identified any significant adverse effects on surface water and groundwater receptors during construction or operation of the Scheme subject to the mitigation measures included in the fiEMP (Document Reference 7.3).</p>
5.222	For those projects that are improvements to the	Chapter 13 (Road Drainage and Water Environment) of the

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5	<p>existing infrastructure, such as road widening, opportunities should be taken, where feasible, to improve upon the quality of existing discharges where these are identified and shown to contribute towards Water Framework Directive commitments.</p>	<p>ES (Document Reference 6.1) considers the effects on the Scheme on water quality and identifies opportunities to improve the quality of existing discharges.</p> <p>The Water Framework Directive Assessment (Document Reference 7.7) states that the Scheme does not result in a significant change away from baseline conditions for the overall Water Framework Directive water bodies identified within the assessment.</p> <p>The HEWRAT (included within the Drainage Strategy) and Hydrogeological Risk Assessment confirm that there are no adverse effects on groundwater quality following application of the proposed drainage strategy mitigation measures.</p>
5.223	<p>Any environmental statement should describe:</p> <ul style="list-style-type: none"> ■ the existing quality of waters affected by the proposed project; ■ existing water resources affected by the proposed project and the impacts of the proposed project on water resources; ■ existing physical characteristics of the water environment (including quantity and dynamics 	<p>Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1) describes the existing water environment, assesses the impacts of the Scheme, proposed mitigation and examines residual impacts.</p> <p>The assessment identifies a number of adverse and beneficial impacts to water environment receptors, however in all cases the residual effects are not significant following the adoption of a package of embedded and essential mitigation measures has been provided, as set out in Section 13.8 of Chapter 13 (Road</p>

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5	<p>of flow) affected by the proposed project, and any impact of physical modifications to these</p> <ul style="list-style-type: none"> ■ characteristics; ■ any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions; and ■ any cumulative effects. 	<p>Drainage and Water Environment) of the ES (Document Reference 6.1).</p> <p>The outcome of this assessment is based on the mitigation measures described which will be secured through measures embedded in the design of the Scheme and the implementation of the fiEMP (Document Reference 7.3) and siEMP.</p> <p>The HEWRAT and Hydrogeological Risk Assessment confirm that there is no adverse impact on water quality. The Scheme is unlikely to result in any significant cumulative effects during construction or operation or in combination with any other developments within the ZOI.</p>
5.226	<p>The Secretary of State should be satisfied that a proposal has had regard to the River Basin Management Plans and the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater. The specific objectives for particular river basins are set out in River Basin Management Plans.</p> <p>In terms of Water Framework Directive compliance, the overall aim of projects should</p>	<p>See response to NPS NN paragraph 5.220.</p> <p>A Water Framework Directive Assessment (Document Reference 7.7) has been undertaken. This concludes that the Scheme will not have any significant long-term impacts on the ecology of water quality within water bodies, does not result in a significant change away from baseline conditions for the overall WFD water bodies and will not result in deterioration of the current WFD potential of the River Itchen, Nun’s Walk Stream and Itchen Navigation Canal surface water bodies. The works will not affect the ability for the key actions identified in</p>

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	<p>be no deterioration of ecological status in watercourses, ensuring that Article 4.7 of the Water Framework Directive Regulations does not need to be applied.</p>	<p>the River Basin Management Plan to be implemented for the catchment. As such, the works are compliant with the WFD and will not prevent the water bodies from achieving Good status in the future.</p>
5.227	<p>The Examining Authority and the Secretary of State should consider proposals put forward by the applicant to mitigate adverse effects on the water environment and whether appropriate requirements should be attached to any development consent and/or planning obligations. If the Environment Agency continues to have concerns and objects to the grant of development consent on the grounds of impacts on water quality/resources, the Secretary of State can grant consent, but will need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the Environment Agency to try to resolve the concerns, and that the Environment Agency is satisfied with the outcome.</p>	<p>Table 13.1 of Chapter 13 (Road Drainage and Water Environment) of the ES (Document Reference 6.1) describes the consultation that has been carried out to date with the EA, LLFA, Hampshire County Council and Natural England.</p> <p>Good practice mitigation measures to protect the water environment are set out in the fiEMP (Document Reference 7.3) and siEMP and will be secured through the DCO.</p>
5.229	<p>The Secretary of State should consider whether the mitigation measures put forward by the applicant which are needed for operation and construction (and which are over and above any which may form part of the project application)</p>	<p>A fiEMP (Document Reference 7.3) (and later the siEMP) details the environmental mitigation measures proposed to be implemented during construction, why they are required, who is responsible for delivering them and details ongoing reporting criteria. The siEMP would need to be prepared in accordance</p>

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	are acceptable. A construction management plan may help codify mitigation.	with the fiEMP (Document Reference 7.3) . The siEMP would be implemented and is secured through a Requirement in Schedule 2 of the draft DCO (Document Reference 3.1) .
5.230	The project should adhere to any National Standards for sustainable drainage systems (SuDs). The National SuDs Standards will introduce a hierarchical approach to drainage design that promotes the most sustainable approach but recognises feasibility, and use of conventional drainage systems as part of a sustainable solution for any given site given its constraints.	See response to NPS NN paragraph 5.100.