M3 Junction 9 Improvement

Scheme Number: TR010055

8.6 Applicant Response to Written Summaries of Oral Submissions at Open Floor Hearing 1 (OFH1)

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M3 Junction 9 Improvement
Development Consent Order 202[x]

8.6 Applicant Response to Written Summaries of Oral Submissions at Open Floor Hearing 1 (OFH1)

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1 Introduction

1.1.1 Open Floor Hearing 1 (OFH1) for the M3 Junction 9 Improvement Scheme (the Scheme) Development Consent Order (DCO) application was held at the Mercure Winchester Wessex, Paternoster Row, Winchester on 17 May 2023 commencing at 10:00.

1.1.2 The Examining Authority (ExA) invited National Highways (the Applicant) to respond on points of clarification to matters raised, a summary of the Applicant's oral submissions were provided within **Part 3** of the **Cover Letter – Deadline 1 (8.1, REP1-030)**.

1.1.3 In accordance with the Rule 8 letter issued by the ExA on 25 May 2023, this document provides the Applicant's response to summaries of oral submissions made at OFH1.

1.1.4 The following parties provided oral submissions at OFH1:

- Denise Rosewell (Resident)
- Richard Doughty (Itchen Valley Parish Council)
- Rob Jordan / Andy Key (Cycle Winchester)
- Dr Hannah Greenberg (20s Plenty Winchester)
- Christopher Gillham (Winchester Friends of the Earth)
- Phil Gagg (Winchester Action on the Climate Crisis)
- Jackie Porter (County Councillor)

1.1.5 Of those who provided oral submissions, written summaries have been provided by the following:

- Denise Rosewell (Resident) (REP1-035)
- Rob Jordan / Andy Key (Cycle Winchester) (REP1-034)
- Dr Hannah Greenberg (20s Plenty Winchester) (REP1-033)
- Phil Gagg (Winchester Action on the Climate Crisis) (REP1-038)

1.1.6 Christopher Gillham (Winchester Friends of the Earth) has provided a Deadline 1 submission (REP-038); however, this appears to the Applicant to be a full Written Representation as opposed to a written summary of oral submission at OFH1. As such the Applicant intends to respond to this at Deadline 3 as part of the Responses to Written Representations.

1.1.7 The Applicant has responded to the topics raised by each of the attending parties who have provided written summaries of oral representations in **Section 2**.

1.1.8 The Applicant requests the ExA encourages those who provided oral representations at OFH1 to submit written summaries, so these can be responded to by the Applicant at a future Deadline.

2 Applicant responses to written summaries of oral submissions at OFH1

2.1 Denise Rosewell (Resident) (REP1-035)

Summary of Oral Representation	Applicant's Response
I am the joint owner and resident of **[REDACTED]**. I have concerns regarding air quality, noise and light pollution both during works and on completion. The 'Initial Assessment of Principal Issues' states that particular regard will be given to the cumulative impact of the scheme on **[REDACTED]** but I would suggest that particular regard is also given to all the other properties in close proximity to the works along Easton Lane and Long Walk. The road will be coming closer to our property **[REDACTED]**. The landscaping and planting at Easton Down is of great importance for screening and reduction in noise levels for those residents along Easton Lane. I note that householders at **[REDACTED]** have also registered their concerns regarding this. It is difficult to gain an accurate understanding of how the landscape will be once completed. Whilst I welcome the proposed new bridleway, careful consideration should be given to the specifications of the path to balance good drainage and its suitability for users within its downland landscape. Our property is adjacent to and overlooks the Construction Compound. Our outlook will be very much impacted during works. We have concerns regarding air quality both during works and on completion, particularly as we have a child with respiratory issues. This is a concern shared with residents of **[REDACTED]**. Currently the lighting at Junction 9 is not particularly intrusive to us. We live within the South Downs National Park with its Dark Skies Policy. We do have concerns that the lighting could become more intrusive both during the works and once completed, particularly during the winter months and before any planting is established. We are concerned about possible restricted access to property during works, particularly the gateway to our paddock at **[REDACTED]** opposite the driveway to **[REDACTED]** I am concerned that non-motorised access to Winnall and Winchester via the existing Bridleways 502 and 520 will be restricted during works meaning that every journey for us and other nearby properties will be by car. Cycleway 23 is a very well used route, both for recreation and commuting into Winchester with easy access to the railway station. **[REDACTED]** has a borehole sited approximately 50-100m from the proposed attenuation and infiltration basin (EDB5). This borehole provides drinking water to our home and adjacent farmland totalling approximately 25 hectares, owned by **[REDACTED]**. (See map below). [Map sketch provided in REP1-035] We note that the applicant's Hydrogeological Risk Assessment (below) lists Private Water Supplies within 2km of the application boundary. However, it does not show a borehole at **[REDACTED]**. I believe there is also a domestic borehole at **[REDACTED]** again not shown on this document. [Extract from Hydrological Risk Assessment in REP1-035] Following my letter to the applicant in November 2022, we received a visit and were told that the basin would only receive run-off from the new bridleway. However, the applicant's Risk Assessment and map (below) clearly shows that it will in fact receive run-off from the road and the bridleway. It is also not clear whether the bridleway will be surfaced or not so the	The Applicant notes the concerns raised, however due to the level of redaction of personal information within the submission, it is not possible to respond directly to a number of points within this response. The Applicant would encourage Ms Rosewell to contact Jonathan Nesbitt (jonathannesbitt@ardent-management.com), to discuss these points directly, where specific details can be shared. The Applicant appreciates the view that it can sometimes be difficult to gain an accurate understanding of how the landscape will be once completed, and suggests reference to the visualisations in **Figure 7.14** of **Chapter 7 (Landscape and Visual – Figures (Part 3 of 3))** of the **ES (6.2, APP-069).** During preliminary design, the Applicant worked with the South Downs National Park Authority in developing proposals for the bridleway located between Easton Lane and Long Walk. This had previously been identified as a footway link and was designated a Bridleway following consultation responses. As part of the design development the selected route provided a design solution which balances between promoting accessibility for all users with minimising land take and landform modifications within the South Downs National Park. Its position maximises screening of the existing M3 corridor and proposed Scheme (landform and proposed soft landscape proposals), whilst providing a variety of visual experiences and views of the wider South Downs National Park for users. Further detail on the approach is set out in **Design and Access Statement (7.9, APP-162)**. The **Rights of Way and Access Plans (2.4, Rev 1)** have been revised for clarity for submission at Deadline 2. They have been updated to show widths, proposed surfacing and their status. Air quality has been assessed and impacts reported in **Chapter 5 (Air Quality)** of the **Environmental Statement (ES) (6.1, Rev 1)**. Mitigation measures proposed to reduce potential impacts as a result of the Scheme are outlined in the **first iteration Environmental Management Plan (fiEMP) (7.3, Rev 2)**, and are derived from **Chapter 5 (Air Quality)** of the **Environmental Statement (ES) (6.1, Rev 1)**. Residual effects (effects after mitigation measures have been implemented) from construction dust, construction traffic emissions and operational traffic emissions were assessed and reported in **Chapter 5 (Air Quality) the Environmental Statement (ES) (6.1, Rev 1)**. In summary, no significant residual effects during construction or operation were identified. No exceedances of the relevant air quality thresholds have been predicted. Consequently, the Scheme is not predicted to result in a significant effect on Air Quality. Noise and vibration have been assessed and impacts reported in **Chapter 11 (Noise and Vibration)** of the **Environmental Statement (ES) (6.1, Rev 1)**. Mitigation measures proposed to reduce potential impacts as a result of the Scheme are outlined in the **first iteration Environmental Management Plan (fiEMP) (7.3, Rev 2)**, and are derived from **Chapter 11 (Noise and Vibration)** of the **Environmental Statement (ES) (6.1, APP-052)**. Residual effects from construction noise and vibration and from operational traffic noise were assessed and reported in **Chapter 11 (Noise and Vibration)** of the **Environmental Statement (ES) (6.1, APP-052)**. In summary, no significant impacts relating to construction noise and construction traffic have been identified.

Summary of Oral Representation	Applicant's Response
amount of surface run-off cannot be fully understood. [Extract from General Arrangement Plans provided in REP1-035] The borehole and the infiltration basin are situated at a low point in the landscape and we are concerned that our drinking water supply will become contaminated. The costs and disruption of a new borehole sited away from the basin, or the installation of mains water and future water costs would be considerable. I am concerned about Long Walk being used for access by works traffic. **[REDACTED]** are accessed only via Long Walk, a narrow lane which includes a bridge beneath the M3. The resident **[REDACTED]** is very concerned about the impact the works will have on her property. Several PRoW converge near Fulling Mill (Itchen Valley Footpaths 20, 21, 22, 49, 52 and Restricted Byeway 19) and during works access will be restricted. Several of these paths are currently in need of maintenance. Once the new bridleway opens these paths should see increased use and will need to be improved and maintained accordingly.	With regards to light pollution, **Chapter 7 (Landscape and Visual)** of the **Environmental Statement (ES) (6.1, Rev 1)** considers the effects of light pollution during both construction and operation of the Scheme. As stated in the **first iteration Environmental Management Plan (fiEMP) (7.3, Rev 2)**: *'There will be static lighting points fixed to temporary structures such as the masts, cabins, workshops, gantry cranes and silos with the lamps up to 10m in height. These will be used to illuminate regularly used work areas, the car park and access areas. Baffles will be installed on all lighting columns and light is to be angled to face works.* It is the Applicant's understanding that the borehole detailed as Mansard House is the location referred to by Ms Rosewell, near to the Shoulder of Mutton Farm off Easton Lane. This borehole for private groundwater abstraction is shown on **Figure 3.14 'Licenced and private abstractions and SPZs'** of **Appendix 13.2: Hydrogeological Risk Assessment (6.3, APP-144)** and is 90m east of the Application Boundary. The borehole is up the hydraulic gradient of the proposed works which means that groundwater flowing past Drainage Basin 5 will be flowing away from the borehole. It is therefore considered to have a negligible risk of impacting it. Walking, cycling and horse-riding route closures and associated diversions would be avoided unless absolutely necessary. However, due to the nature of the work required on the M3 Junction 9 gyratory, there would be a diversion required to the National Cycle Network (NCN) Route 23 as the new gyratory abutments are constructed. Please refer to **Figure 2.6 (Temporary diversion of walking, cycling and horse-riding routes)** of **Chapter 2 (The Scheme and its Surroundings – Figures (Part 3 of 4))** of the **ES (6.2, APP-063)** which shows two temporary diversion routes for NCN 23.

2.2 Rob Jordan / Andy Key (Cycle Winchester) (REP1-034)

Summary of Oral Representation	Applicant's Response
Cycle Winchester is a community campaign group based in Winchester. The aim of Cycle Winchester is to make Winchester better by bike, i.e. to create a better Winchester (the city and surrounding villages) by promoting cycling as a convenient, healthy, inexpensive and environmentally-friendly way to get around, as well as to campaign for improved provision that will enable more people to cycle. In so doing, we also hope to reduce traffic congestion and pollution in order to make Winchester a more enjoyable place to live, work and visit. We are an independent group but are affiliated to Cycling UK, the national cycling charity, and two members of our team are registered members of Cycling UK's Cycling Advocacy Network (CAN). We believe that the M3 Junction 9 redevelopment provides major opportunities to improve utility cycling, recreational cycling and green tourism in the area: ▪ The cycle route across the junction to Easton Lane is part of National Cycle Route 23 provides a direct link between the city and the South Downs National Park, as well as to the villages of the Itchen Valley and the market town of Alresford, but the present crossing is woefully inadequate and unsafe and is under-used as a result. ▪ The proposed new non-motorised route between Junction 9 and Kings Worthy would link Kings Worthy (a large and growing satellite settlement of Winchester) with the employment and retail areas of Winnall and beyond that to the city itself and the new	The legal status of the new, altered or diverted public rights of way is defined in **Schedule 3** of the **draft Development Consent Order (3.1, Rev 2)**. The route to the west of the M3, being the Winnall to Kings Worthy shown on the **Rights of Way and Access Plans (2.4, Rev 1)** between points 16, 4 and 15 will be a cycle track. The realignment of the pre-existing bridleway from underneath the gyratory to Easton Lane between points 3 and 4 on sheets 6 and 7 will remain a bridleway. The route to the east of the M3 shown on the public rights of way and access plans between points 1 and 2 will be a bridleway. Under article 14 of the **draft Development Consent Order (3.1, Rev 2)** any highway constructed, altered or diverted, which includes a bridleway or cycle track, must be constructed to the satisfaction of Hampshire County Council as local highway authority who must then, unless otherwise agreed maintain that highway from completion. The proposed walking and cycling elements are designed in accordance with the DMRB CD143 Designing for walking, cycling and horse-riding (National Highways, 2021). The document is used for the design of walking, cycling and horse-riding routes on and/or adjacent to the motorway and all-purpose trunk road network. In accordance with CD143, the widths of unsegregated shared use routes shall be a minimum of 3.0 metres where there are 200 users an hour or more (approximately 1 user every 20 seconds). The **Rights of Way and Access Plans (2.4, Rev 1)** have been revised for clarity for submission at Deadline 2. They have been updated to show widths, proposed surfacing and their status.

Summary of Oral Representation	Applicant's Response
sports and leisure centre, providing an opportunity for increased commuting, utility and leisure journeys by bike and e-bike. ▪ Both of the above would link into the emerging Local Cycling and Walking Infrastructure Plan (LCWIP) network for the city and the surrounding district. ▪ The proposed new bridleway would provide increased opportunities for recreational offroad riding, accessible from Winchester without the need for a car journey. Cycle Winchester is a member of a consultative group which meets regularly with the National Highways project team to review the non-motorised user aspects of this project as they develop. We have been happy with the level of discussion that has taken place with the consultative group: the project team were very open about the issues and the pros and cons of various solutions to them, and took on board feedback from ourselves and other members of the group. Some progress has been made but there are several issues still outstanding (in part issues that we thought had been resolved but which are not included in the current proposals. In particular, the following remain of concern: ▪ Some aspects are not clearly-enough defined, especially in terms of the legal statuses, width and surface standards of the various routes. (This is of special concern as a historic failure to record the legal status of the original cycle route through Junction 9 led to a long dispute over the status of the route and whether National Highways' predecessors had to maintain it as a cycle facility or not. That ended up in a degraded path and a compromise solution that suits no-one, where half the route across the junction is now legally a bridleway while the other half isn't.) ▪ Some are sub-optimal in their design e.g. an insistence on shared-use rather than segregated paths, and built to minimum allowable dimensions under National Highways' DMRB CD 143 – Designing for walking, cycling and horseriding. Shared-use and minimum widths are allowed in DMRB CD 143 in situations where space precludes anything better. That isn't the case here and National Highways should be building to better than the minimum. ▪ We would prefer to see National Highways adopt LTN 1/20 standards, which are more up to date and reflect current expert thinking. ▪ It is important that the routes are future-proofed as retrospective improvements are usually impossible. ▪ Some aspects could benefit from further improvement (e.g. the proposed new cycle route from Kings Worthy includes an at-grade crossing of a busy motorway link road which we think could be avoided). ▪ National Highways could do more to fund cycling, walking and horse-riding improvements in the surrounding area as part of the scheme mitigation, for example expansion of the Watercress Way and/or improvements to the western end of the South Downs Way between the M3 and Chilcomb village. We also have concerns about the construction process itself. ▪ Firstly, we want to make sure that diversions do not cause much higher traffic levels on other roads used by cyclists (especially the B3047, the B3420 Andover Road, the A272, Bar End Road and city centre routes generally). ▪ Secondly, we want to ensure that any closures and diversions of the existing NCN23	The proposed at-grade crossing is located adjacent to the existing National Highways depot as shown on the **General Arrangement Plans (2.5, APP-009)**. It should be noted that the main flow of traffic using the existing M3 Junction 9 gyratory is vehicles travelling via the M3 (Portsmouth / Southampton Docks) to the Midlands via the A34. This traffic currently must negotiate Junction 9 and travel via the existing A34 carriageway. In the proposed scheme layout, the A34 is accessed via dedicated free flow links to and from the mainline M3 carriageway. An existing section of the A34 is then to be realigned and reclassified as the A33, whereby the proposed toucan crossing will cross the A33. Traffic flows on the A33 will be significantly lower than the A34 and therefore the proposed design is appropriate. The walking, cycling and horse-riding facilities around and within the Scheme are to be upgraded. This includes an improvement to the National Cycle Network (NCN) Route 23. An additional footpath, cycle path and bridleway are proposed on the eastern side of the Scheme to link Easton Lane with Long Walk. Such a route would provide a circular leisure path for those using the South Downs National Park with a link to the other paths around Long Walk with their links to local villages. A new combined footpath and cycle path for the western side of the Scheme is proposed to link the A33 / B3047 Junction to Winnall Industrial Estate situated on Easton Lane. Further improvements to the surrounding public rights of way (referred to as Watercress Way, and western end of South Downs Way) are outside of the Application Boundary. Cycle Winchester have requested a Statement of Common Ground and the Applicant will further explain its position and seek agreement as part of this process. **Figure 2.6 (Temporary diversion of walking, cycling and horse-riding routes)** of **Chapter 2 (The Scheme and its Surroundings – Figures (Part 3 of 4))** of the **ES (6.2, APP-063)** provides overview of temporary diversion routes. The first route suggested in OFH1 for use of Long Walk, Fair Lane and Alresford Road (B3404) is one of the diversion routes. **Paragraph 2.8.33** of **Chapter 2 (The Scheme and its Surroundings)** of the **Environmental Statement (ES) (6.2, APP-043)** describes temporary diversion routes for walking, cycling and horse-riding. During Phase 1 and 2 it sets out the diversions and splits the walking diversion from the NCN 23 cycling diversion. The reason for separate diversion routes is that the route suggested at OFH1 is suitable for cyclists, and the Long Walk underneath Kings Worthy Bridge route proposed **Chapter 2 (The Scheme and its Surroundings)** of the **Environmental Statement (ES) (6.2, APP-043)** is suitable for walkers. Condition surveys and remedial works on diversion routes are not considered necessary as they are existing public rights of way.

Summary of Oral Representation	Applicant's Response
cycle route are minimised and are discussed in advance and clearly notified and signposted. At the open-floor hearing on 17 May 2023, we outlined our position that: ▪ The M3 improvement project – if it goes ahead – should provide improved cycle infrastructure, designed and implemented to a high-standard. ▪ That well-used cycle routes should not be unreasonably disrupted during the construction period. On that second point, we expressed concern that, despite assurances from National Highways that no decisions had been taken on non-motorised diversions, and that we would be consulted before any were proposed, in fact the submitted plans included a detailed diversion route during construction. The proposed diversion is both illegal and physically impossible for cyclists and equestrians to use, including as it does two public footpaths, two stiles, and a bridge with clearance so low that even pedestrians have to duck when using it. Bear in mind that this is a diversion for a well-used National Cycle Network route. We're very concerned about this, as it suggests that despite all the good work so far, National Highways is still not taking the requirements of non-motorised users seriously. As noted by other representations at the OFH, the lack of a satisfactory diversion during construction will result in residents of Easton and the Itchen Valley, who happily visit shops in Winnall by bicycle or on foot, instead getting into their cars for this short journey; the exact opposite of behaviour we want to encourage. We were questioned by the examiners on suitable alternative diversions, and while this decision depends very much on related plans for motorised diversions, we mentioned two possible routes: ▪ Long Walk, Fair Lane and Alresford Road (B3404), and ▪ Easton Lane and Martyr Worthy Road (B3047). Alresford Road is very busy and cyclist-hostile, so National Highways should be looking at funding mitigation measures to make it more suitable as an alternative cycle route, if that is their preferred option. Both are very much longer than the current NCN23 route, so the duration of diversionary period would need to as short as possible. We request National Highways to document their proposed diversion – one that is legal, practical, and with appropriate mitigations for cyclists' safety – at the earliest opportunity. Finally, we expressed a wish to participate in consultations on the SoCG in relation to "effects on the Public Rights of Way and on cyclists, pedestrians and horse riders". We were pleased that representatives of the applicant stepped forward at the end of the hearing, and offered to facilitate our participation. This has now been formalised by a Rule 8 letter from the ExA (TR010055, 25 May 2023). We are currently in the process of agreeing the issues to be included in the SoCG for cyclists.	

2.3 Dr Hannah Greenberg (20s Plenty Winchester) (REP1-033)

Summary of Oral Representation	Applicant's Response
I am Dr Hannah Greenberg (a medical doctor) and I'm also the County Lead for 20's Plenty Hampshire, in this role I represent thousands of residents throughout Hampshire who want slower speeds where traffic and people mix and feel that their lives are already blighted by excess traffic, which is travelling too fast through the streets where they live. I am the Winchester District Councillor for Twyford and Colden Common and I run a weekly Cycle Bus along the B3335 from Colden Common, through Twyford to Winchester Secondary Schools. Twyford and Colden Common already experience an extremely high volume of heavy traffic caused by the Twyford Down M3 construction; the road layout through Twyford in particular is not suitable for heavy traffic- with a sharp chicane and very narrow or nonexistent pavements. The proposed construction and concomitant increase in traffic volume makes me extremely concerned about the environmental, human health and mental distress impacts, as well as the prohibitive effects it will have on cycling and walking on the wider network, but in particular in Twyford and Colden Common. Our community is dominated and divided by a road that, if you have any mobility issues whatsoever, is virtually impossible to cross, due to inadequate safe pedestrian provision. This means that there are elderly people in the villages who simply do not access half of their own village due to the danger. We also lack any cycling provision. I would also like to draw your attention to the extremely unsafe cyclist and pedestrian crossing of B3335 south of the M3 near the Hockley Golf Course. This crossing has no light phasing for pedestrians and cyclists, and even worse, when waiting to cross you cannot see the lights controlling traffic coming off the motorway or coming from Hockley Link. This means that, even if you have great mobility and cognitive processing (children under the age of 14 are unable to accurately judge speed and approach of traffic) you cannot tell when you would be able to run across the road. It's dangerous as it is. My concern is that, during the construction phase, when it is planned that northbound motorway traffic is diverted south to turn around using Junction 11, the pressure and congestion at junction 11 will become unmanageable and that this will escalate danger for vulnerable road users at this crossing. As part of the construction mitigation we will require the building and funding of a proper light-controlled crossings with pedestrian and cycle phasing over this section of B3335. Also safe provision at the junction with Hockley Link to enable cyclists to safely navigate the junction and join the cycle way into Winchester. There also needs to be proper consideration of what the effects on the wider network in terms of induced traffic and congestion is going to be- during both construction and operation. The above mentioned pressure on Junction 11 would heavily increase the volume of traffic, and the congestion into Twyford and Colden Common, so it would be absolutely essential that mitigating measures be included and funded as part of the construction of J9. The traffic backing up into Twyford and Colden Common would cause many problems and dangers: pollution, noise, effects on health, prohibitive effects on walking and cycling, mental distress, and increase in road danger. Now that the plan for a Smart Motorway south of Junction 11 has been dropped, there will not be the same capacity south of Junction 11 and this will put further pressure on the B3335: a road that is simply not suitable for the volume and weight of traffic that it already bears. It is therefore also essential that mitigating measures be introduced and funded through the main road in Twyford and Colden	Twyford is located outside the Application Boundary and the traffic model shows a very small increase in the average daily traffic flows with the Scheme. The very small increase in traffic flows is below the levels which would trigger inclusion in the assessment criteria for air quality and noise and vibration as set out in the Design Manual for Roads and Bridges (DMRB) LA 105 Air quality (Highways England, November 2019) and Design Manual for Roads and Bridges (DMRB) LA 111 Noise and vibration (Highways England, May 2020). There is not considered to be a risk of changes in traffic flow which would exceed the LA 105 or LA 111 screening criteria, and therefore there are considered to be no significant effects on air quality or noise and vibration. It is for this reason, that no improvements are proposed to these roads outside the Application Boundary. Suggested improvements including; reductions in speed limits, provision of light-controlled pedestrian crossings and weight limits on the local road network in and around Twyford and Colden Common are not included within the scope of the Scheme and concerns should be raised with Hampshire County Council as the local highway authority responsible. The **Outline Traffic Management Plan (7.8, Rev 1)** provides details of suitable temporary diversion routes to reduce congestion during construction phase. All closures and diversion routes will be clearly communicated and signposted and there will be regular meetings with stakeholders. The construction phase would be programmed and sequenced to reduce disruption to the local surroundings and the environment, residents, business, and road users as far as practicable. Information on the Construction Traffic Management traffic modelling assessment can be found in the **Combined Modelling and Appraisal Report (7.10, Rev 1)**. An assessment of predicted traffic impacts is reported in the **Transport Assessment Report (7.13, Rev 1)**. The Scheme has been assessed using transport modelling with a forward forecast to 2047 prepared in line with Department for Transport guidance and datasets including predicted change in travel and freight demand. The traffic assessment indicates a reduction in congestion and journey times through M3 Junction 9 with the Scheme in place. The Scheme increases attractiveness of the M3 Junction 9 reassigning traffic that would otherwise be travelling via other routes on the local network. The predicted modelled impacts associated with the M3 Junction 9 are predominantly related to re-routing of existing traffic as opposed to induced travel demand. Consideration has been given to health and quality of life within **Chapter 12 (Population and Human Health)** of the **Environmental Statement (ES) (6.1, APP-053)** and assessment was undertaken in accordance with the Design Manual for Roads and Bridges (DMRB) LA 112 Population and human health (Highways England, January 2020) , and covers the following determinants regarding human health: ▪ The location and type of community, recreational and education facilities and severance/separation of communities from such facilities ▪ The location of green/open space and severance/separation of communities from such facilities ▪ The location of healthcare facilities and severance/separation of communities from such facilities

Summary of Oral Representation	Applicant's Response
Common. These would include: standardisation and reduction of the speed limits along the entire length of this road from J11 through Colden Common to 20mph in villages and to a maximum of 40mph elsewhere, provision of light-controlled pedestrian crossings on the main road in Twyford and Colden Common and provision of a safe cycle route- part of this safety is reducing speed limits, which would do a lot to improve cycling, and would also allow the road north of Twyford to be narrowed to provide a cycle lane. The route is currently difficult to use for cycling unless you are a very experienced cyclist, and the planned construction will only make it more dangerous, at a time when the Government, Hampshire County and Winchester District Councils are all urging people to get out of their cars and choose greener modes of transport. When running the Cycle Bus, we take a group of children with adults surrounding them on the outside- this is the only way we can normalise cycling as a mode of transport for a whole generation of children- by physically protecting them with adults. But even adult human bodies are not adequate protection from HGVs and speeding cars. With a cycle lane this route would be easily cyclable to Winchester and would take pressure off the city congestion, and go someway to reducing the negative impacts of this construction. This route will also need a weight limit, with exceptions for access. I ask for consideration of whether the proposed development would negatively contribute to the health and quality of life of the population along the entire affected network, and what would need to be included and funded by the development to allow for improvement of quality of life and mitigation of road and health danger for these affected communities. When considering alternatives that have been suggested for this construction, the only alternatives that have been mentioned are alternative routes and not alternatives to this construction in its entirety. As demonstrated yesterday in Winchester, when there was a terrible accident that led to closure of the M3, the entire network ground to a halt and was in complete gridlock. We simply do not even have the capacity for the amount of traffic that is currently choking our roads. Serious consideration must be given to the alternatives that would remove traffic from the network: improved bus and every-stop train services, rail freight, modal shift. All of these real alternatives would improve safety, reduce congestion and improve air quality, would have better longevity and likely be more cost effective; they should be investigated properly as a first phase. I urge you to plan a visit through Twyford and Colden Common and to the Junction with Hockley Link at peak traffic times, I would be very happy to accompany you.	▪ Outline spatial characteristics of the transport network and usage in the area, including the surrounding road network, Public Rights of Way (including bridleways), cycle ways, non-designated public routes and public transport routes ▪ Air quality management areas and ambient air quality ▪ Areas recognised as being sensitive to noise (e.g. noise important areas, noise management areas) and the ambient noise environment ▪ Sources and pathways of potential pollution (e.g. land/water contamination) ▪ Landscape amenity ▪ Safety information associated with the existing affected road network (e.g. numbers of killed and seriously injured) ▪ Where available, information collated from stakeholder consultation The study area for human health is defined as the application boundary, and **Figure 12.2 (Human Health Study Area)** of **Chapter 12 (Population and Human Health – Figures)** of the **ES (6.2, APP-074)** identifies the wards considered directly and indirectly affected by the scheme (these are: Winchester District, Alresford and Itchen Valley Ward, St Bartholomew Ward, St Michael Ward, The Worthys Ward and the Upper Meon Valley Ward). **Section 12.8** of **Chapter 12 (Population and Human Health)** of the **Environmental Statement (ES) (6.1, APP-053)** considers in its assessment embedded and essential mitigation and likely residual effects. There have been no enhancements (defined by Design Manual for Roads and Bridges (DMRB) LA 104 Environmental assessment and monitoring (Highways England, August 2020) as 'a measure that is over and above what is required to mitigate the adverse effects of a project')) anticipated as needed in relation to population and human health. The Scheme was included the Department for Transport's (DfT) Road Investment Strategy 2015/16 – 2019/20 (2015) (RIS1) and Road Investment Strategy 2 2020–2025 (2020) (RIS2). A range of alternatives were considered and appraised during National Highways Project Control Framework (PCF) Stages 0, 1 and 2, the conclusion of which resulted in the preferred scheme of the M3 Junction 9 to be taken to detailed design in PCF Stage 3, in order to address the problem identified with the Junction and the flow of movement from the A34 to the M3. The Scheme has been subject to a full options appraisal process as described in **Chapter 3 (Assessment of Alternatives)** of the **Environmental Statement (ES) (6.1, APP-044)** and **Section 2** of the **Case for the Scheme (7.1, Rev 1)**.

2.4 Phil Gagg (Winchester Action on the Climate Crisis) (REP1-038)

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National Highways have failed to consider ways of tackling congestion at M3 Junction 9 that involve solutions other than road-building.. They should have considered: ▪ Improving railfreight infrastructure ▪ Improving local rail services	With respect to alternative transport options, a range of alternatives were considered and appraised during National Highways Project Control Framework (PCF) Stages 0, 1 and 2, the conclusion of which resulted in the preferred scheme of the M3 Junction 9 to be taken to detailed design in PCF Stage 3, in order to address the problem identified with the Junction and the flow of movement from the A34 to the M3. The Scheme has been subject to a full

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▪ Creating a good district bus network ▪ More frequent cross-country rail services. The traffic-flow modelling suggests the scheme will bring about only a small increase in traffic volumes and only a small drop in journey times. The predicted increase in traffic caused by the scheme seems very modest, and calls into question whether such an expensive scheme is worth doing if it brings about so little change. National Highways have modelled how traffic levels if the scheme is built ('Do Something (DS)') will compare with levels if the scheme is not built (Do Minimum (DM)). By 2047, with the scheme, the modelling predicts traffic will be greater across the whole modelled area by 2.86%, and traffic in central Winchester will reduce by 3%. Some routes, such as the M3N, will experience a reduction in traffic. Either the predictions are inaccurate, or the project is relatively ineffective. Neither do the predicted journey-time savings offer a justification for the scheme if, by 2047, according to the modelling, there will be a 7.9% average cut on journeys modelled passing through M3J9. The scheme struggles to achieve better than a poor value for money rating. The proposals do not address the problems of pollution by PM2.5. It now seems that dangerous levels of the particulates are present throughout the M3J9 at levels above the maxima recently proposed by the government. National Highways have agreed to include tables on this, but have not agreed to make any proposals for tackling the problem. PM2.5 will pose health issues for people at the roadside and even more for people travelling inside vehicles. The proposals do not provide an adequate analysis on greenhouse gas emissions. Inappropriate data has been used and it is impossible to see how National Highways have done their calculations or how they have reached their conclusions. Government guidance on greenhouse gas reporting for applications has not been followed. There is no analysis of 'current' emissions across the area covered by the traffic modelling, and the calculations for increased emissions in future years are opaque, and the conclusions untenable. The application has no coherent way of allowing for the government's Pathway to Net Zero. It is not clear what allowance has been made to reflect emissions reduction through electrification of transport, nor what assumptions have been made about the decarbonisation of the electricity supply. If end user emissions are calculated in line with government guidance, they are too far above the government's carbon reduction plans for 2027 and 2042. Once full account has been taken of the emissions target reductions set out in the Road to Net Zero, it is clear the calculated increase in emissions caused by the scheme will undermine the Road to Net Zero. It is too far outside the tolerance allowed for in the National Policy Statement for National Networks (NPSNN). Chapter 14 concludes that the growth in greenhouse emissions caused by the scheme will be negligible. This is because it compares the increase in emissions in the modelled area (Winchester Town) with baseline emissions for an unspecified much larger area. It would be legitimate to compare the increase in emissions nationally (including all current road schemes) with a national baseline, or, alternatively, to compare the increase in emissions across the modelling area with current emissions across the modelling area. It is not	options appraisal process as described in **Chapter 3 (Assessment of Alternatives)** of the **Environmental Statement (ES) (6.1, APP-044)** and **Section 2** of the **Case for the Scheme (7.1, Rev 1)**. **Paragraph 3.5** in the **Case for the Scheme (7.1, Rev 1)** details the five strategic objectives for the Scheme, needed to address the issues identified with the functioning of the M3 Junction 9. The Scheme objectives are specific to the location and are consistent with the strategic objectives of the *National Policy Statement for National Networks (NPS NN)*. **Table 3.1** in the **Case for the Scheme (7.1, Rev 1)** considers how the Scheme meets the five strategic Scheme objectives. It should be noted that whilst journey time savings are a significant benefit of the Scheme, they must not be considered in isolation. **Section 5** in the **Case for the Scheme (7.1, Rev 1)** sets out the Economic case for the Scheme. The full economic appraisal including monetised benefits and disbenefits is provided in the **Combined Modelling and Appraisal Report (7.10, Rev 1)**. The **Case for the Scheme (7.1, Rev 1)** concludes that the benefits of the Scheme significantly outweigh any harm predicted, and that the scheme complies with the *National Policy Statement for National Networks (NPS NN)*. **Section 5.6** of the **Case for the Scheme (7.1, Rev 1)** outlines that Value for money (VfM) has been assessed based on the Scheme costs and benefits reported and the DfT's Value for Money Framework. This included consideration of monetised and non-monetised impacts as detailed in **Section 5.4** and **5.5** respectively of the **Case for the Scheme (7.1, Rev 1).** With consideration of user benefits plus the effects of delays during construction, accident benefits, indirect taxation benefits, and monetised environmental impacts, the initial Benefit to Cost Ratio (BCR) is 1.35. Inclusion of the wider economic impacts gives an adjusted BCR of 1.72. **Section 6** of the **Combined Modelling and Appraisal Report (7.10, Rev 1)** details the total present value of benefits, and the Net Present Value, that informs the two BCR figures. There are also journey time reliability, environmental, and social and distributional impacts which have not been monetised. Inclusion of all these impacts within the VfM assessment indicates the scheme represents 'Medium' Value for Money The potential health effects of PM2.5 are acknowledged. In accordance with DMRB LA105 (paragraph 2.21.4) the potential impacts of the Scheme on PM2.5 concentrations are not considered to require detailed assessment as the UK currently meets its legal requirements for PM2.5 and modelling of PM10 can be used to demonstrate that the scheme does not impact on the PM2.5 legal threshold. The targets for PM2.5 recently adopted relate to longer term concentration and exposure reduction targets. DEFRA evidence indicates that with the implementation of a range of mitigation measures they will be complied with and there is no methodology for assessing the impact of individual schemes to this. National Highways has set a programme for and net zero targets within their Net zero highways: our 2030 / 2040 / 2050 plan (National Highways, 2021). The targets within this plan align with the UK Carbon Budget trajectory to net zero by 2050. These targets include net zero maintenance and construction activities by 2040 with an interim target of 10% reduction compared to 2020 by 2025. Mitigation measures with the aim to reduce the Scheme's emissions in line with the Net Zero Highways plan are reported in **Section 14.9 of Chapter 14 (Climate)** of the **Environmental Statement (ES) (6.1, Rev 2)**. Mitigation has been secured through incorporating the measures within the design of the

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legitimate to compare emissions across different areas. It is not appropriate therefore to conclude that the increase in emissions will be negligible. The analysis of emissions associated with construction is far more thorough and accessible than the analysis of end-user emissions. The problem with construction emissions lies elsewhere. The proposals unnecessarily involve too much demolition of reusable infrastructure. For example the central J9 roundabout could be adapted to the revised traffic flow rather than demolished and rebuilt. Chapter 14 section 14.9.5 on mitigation does not demonstrate the scale of the emissions-reduction it will achieve. The approaches proposed are marginal to the whole application.	Scheme and the application drawings submitted with the DCO application, which will be secured in the first iteration Environmental Management Plan **(fiEMP) (7.3, Rev 2)**. Measures include retaining existing roads where possible, reducing the volume of material required to construct the Scheme and using alternative materials that are less carbon intensive. For the operational stage of the Scheme, mitigation includes the provision of high-quality accessible pedestrian and cyclist routes which will encourage and enable travel by low-carbon, sustainable modes. Further work will be undertaken including the development of an internal Carbon Management Plan and Carbon Opportunities Tracker for the Scheme. This will enable mitigation to continue to evolve during detailed design of the Scheme (and will be secured by inclusion in the second iteration Environmental Management Plan (siEMP)) in order to align it with the targets within the Net Zero Highways Plan and in turn, the UK Carbon Budget trajectory to net zero by 2050. As noted in **paragraphs 14.5.40** of **Chapter 14 (Climate)** of the **ES (6.1, Rev 2)**, Defra's Emission Factor Toolkit, which was used to calculate operational end-user emissions, accounts for likely changes to national vehicle fleet composition such as increasing uptake of electric vehicles (EVs). The EFT is inclusive of direct emissions from tailpipe and indirect emissions associated with the charging of the batteries of electric and plug-in hybrid cars and LGVs. The EFT utilises carbon factors provided by DfT for years up to 2050 and accounts for decarbonisation of the National Grid. The methodology and data sources that support the EFT are set out in the EFT User Guide (Defra, 2021). The same vehicle fleet composition projections are applied to both the Do-Minimum (DM) and Do-Something (DS) scenarios of the same year. **Section 14.6** of **Chapter 14 (Climate)** of the **ES (6.1, Rev 2)** confirms that the study area for operational end-user GHG emissions, which is determined by the Scheme's traffic model, covers the south-east region of England as shown **Figure 14.1 (Transport Model Study Area)** of **Chapter 14 (Climate – Figures)** of the **ES (6.2, APP- 076)**. This applies to both the DM and DS scenarios assessed for opening and design year (2027 and 2042). Therefore, the assessment uses a consistent study area across all scenarios, comparing the modelled area baseline emissions (DM) with the modelled area including the Scheme (DS). Further detail of the extent of the traffic model is provided within the **Transport Assessment Report (7.13, Rev 1).** There is no legislated methodology for the assessment of significance that should be followed to assess likely significant effects of a Scheme. For a road Scheme, the UK-wide industry standard methodology to use for assessments are those set out within the DMRB. National Highways follows these standards to ensure consistency in how all road Schemes are progressed and the outcomes evaluated. As a result, the assessments undertaken within **Chapter 14 (Climate)** of the **Environmental Statement ES (6.1, Rev 2)** were in accordance with DMRB LA 114 Climate (Highways England, June 2021). The DMRB in turn follows the National Policy Statement for National Networks (NPS NN). The National Policy Statement for National Networks (NPS NN) sets the national policy framework against which decision makers can evaluate the outcomes of proposed road infrastructure projects. As noted in **Paragraphs 14.5.33-35** of **Chapter 14 (Climate)** of the **ES (6.1, Rev 2)**, the methodology is consistent with the decision-making requirements set out in paragraphs 5.17 and 5.18 of the National Policy Statement for National Networks (NPS NN). Mitigation set out in **Paragraphs 14.9.2-14.9.7 of Chapter 14 (Climate)** of the

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	Environmental Statement (ES) (6.1, Rev 2) is considered to be 'embedded mitigation' and has been incorporated into the design of the development. These measures have therefore been accounted for within the construction emissions presented in **Table 14.4 of Chapter 14 (Climate)** of the **Environmental Statement (ES) (6.1, Rev 2)**. Additional mitigation, termed as 'essential', has not been taken into account within the GHG assessment given that specifics of, for example, the proportion of recycled material, is not known at this stage and therefore any carbon reductions associated with these are not currently quantifiable.