



Application by National Highways for an Order Granting Development Consent for the M3 Junction 9 Improvement Project

Notification of the date, time and venue for the Issue Specific Hearing (ISH) on Tuesday 11 July 2023 was provided in the Examining Authority's letter dated 25 May 2023 [PD-007].

Detailed Agenda for Issue Specific Hearing 1 (ISH1) Landscape Effects, Visual Impact, Design and Historic Heritage

Date: Tuesday 11 July 2023

Arrangements Conference: 9.30am

Participants must join the Arrangements Conference in order to register and be permitted access to the virtual Issue Specific Hearing.

Hearing start time: 10.00am

Venue: Mercure Wessex Hotel Winchester Paternoster Row Winchester
Hampshire SO23 9LQ

And

Virtual hearing via Microsoft Teams

Full instructions on how to join online or by phone will be sent to parties registered to attend, shortly before the Hearing.

The event will be livestreamed and a link for watching the livestream will be posted on the project page of the National Infrastructure Planning website closer to the event date. Interested Parties (IPs) and members of the public who wish to observe the event can therefore view and listen to the Hearing using the livestream, or the recording, after it has concluded.

Participation, conduct and management of the Hearing

The Examining Authority (ExA) has identified the matters to be considered at this ISH, and those on which it requires further information, and these are set out in this agenda. It is intended that the scope of the ISH will be limited to those matters. However, the ExA may wish to raise matters arising from oral submissions and pursue lines of inquiry in the course of the discussions which are not listed on the agenda. The actual agenda on the day including the order of items may be subject to change at the discretion of the ExA.

Oral submissions on other matters or from persons who are not IPs may only be heard at the discretion of the ExA. However, reliance should not be placed upon the exercise of that discretion and attention is drawn to the opportunity for any such submissions to be made in writing by **Deadline 4, 18 August 2023**.

The ExA invites and would particularly like to hear from the following IPs during this Hearing:

- The Applicant
- South Downs National Park Authority (SDNPA)
- Winchester City Council (WCC)

Those IPs listed above are those from whom the ExA would particularly like to hear from on this topic. By way of clarification, IPs who are not included in that list, but who have specifically requested to speak at this ISH will also be sent a joining link. They are reminded that the ISH will be livestreamed in the usual way.

Participation in the Hearing is subject to the ExA's power to control the Hearing. It is for the ExA to determine how hearings are to be conducted, including the time allowed at the Hearing for the making of a person's representations. IPs may be invited to make oral representations at the Hearing¹ (subject to the ExA's power to control the Hearing), on the specific issues being examined at the event, as set out in this agenda. The Hearing will be managed in the interests of ensuring that the submissions of invited persons are fully heard within the allotted time.

Oral representations should be informed by the Relevant Representations, Written Representations and Local Impact Reports made by the person by whom (or on whose behalf) the oral representations are made.

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation, and evidential corroboration to help inform the ExA.

The ExA may ask questions about representations or ask the Applicant or other parties to comment or respond. The ExA will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by a member of the Panel, supported by other Panel members.

All participants are advised that written summaries of their oral submissions at this Hearing should be submitted at **Deadline 4, 18 August 2023**.

The Hearing will run until the ExA is content that all matters on the agenda have been addressed.

¹ Section 91 Planning Act 2008

Arrangements Conference

Invitees attending virtually will receive a joining link or telephone number in a separate e-mail, shortly before the Hearing. Please join the Arrangement Conference at the appointed time for the Hearing. The Case Team will admit you from the Lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the Hearing to start promptly.

About the Landscape Effects, Visual Impact, Design and Historic Heritage Issue Specific Hearing

The main purpose of this ISH is to undertake an examination of Landscape, Visual Impact and Design matters, and to provide an opportunity for the issues raised by IPs, in particular the differences between them, to be explored further by the ExA.

Relevant application and other documents to be considered include:

- Draft Development Consent Order (Rev 2) [REP2-012]
- Environmental Statement - Chapter 7: Landscape and Visual - Rev 1 [REP1-003]
- Environmental Statement - Chapter 7 - Landscape and Visual - Figures (Part 1 of 3) [APP-067]
- Environmental Statement - Chapter 7 - Landscape and Visual - Figures (Part 2 of 3) [APP-068]
- Environmental Statement - Chapter 7 - Landscape and Visual - Figures (Part 3 of 3) [APP-069]
- Environmental Statement - Chapter 7: Landscape and Visual - Figure 7.3.1 - Landscape Character Areas - Rev 1 [REP1-009]
- Environmental Statement - Chapter 7: Landscape and Visual - Figure 7.14 - Visualisations Sheets 25 to 28 - Rev 1 [REP1-010]
- Environmental Statement - Appendix 7.2: Landscape Character Baseline - Rev 1 [REP1-011]
- Environmental Statement - Appendix 7.3: Schedule of Landscape Effects - Rev 1 (Clean) [REP1-013]
- Environmental Statement - Appendix 7.6 - Outline Landscape and Ecological Management Plan [APP-102]
- Environmental Statement - Chapter 6 - Cultural Heritage [APP-047]
- Environmental Statement - Chapter 6 - Cultural Heritage – Figures [APP-066]
- Environmental Statement - Appendix 6.8 - Archaeology and Heritage Outline Mitigation Strategy [APP-096]
- First Iteration Environmental Management Plan (Rev 2) [REP2-042]
- Applicant responses to Written Questions [REP2-051]
- SDNPA - Local Impact Reports (LIR) from Local Authorities [REP2-071]
- SDNPA - Responses to ExQ1 [REP2-072, REP2-073]
- SDNPA - Written Representations (WRs), including summaries of all WRs exceeding 1500 words [REP2-075]
- WCC - Local Impact Reports (LIR) from Local Authorities [REP2-083]
- WCC - Responses to ExQ1 [REP2-084]

- WCC - Written Representations (WRs), including summaries of all WRs exceeding 1500 words [REP2-085].

Please note some references to documents may be very limited but have been included for completeness. References made to page number during ISH1 will relate to electronic version of the documents.

Detailed Agenda for Issue Specific Hearing 1 (ISH1) Landscape and Visual Impact, Design and Historic Heritage

1. Welcome, introductions and arrangements for the Hearing

Reference will be made in Agenda items 2 - 6 to the Applicant's and IP's responses to ExQ1 and relevant submission documents

2. The LVIA

(i) The LVIA visualisations/ viewpoints

- Whether the baseline photographs and the visualisations accurately show the full impact of the proposed work (with particular regard to viewpoints 1 and 14 and the D1 submission by the applicant of a new visualisation for VP 14).
- Whether any additional clarification of matters within the LVIA is required

(ii) The LVIA conclusions

- The reliability of the judgments within the LVIA including the finding that landscape effects on the South Downs National Park (SDNP) will no longer be significant at Year 15 of operation having regard to its intrinsic characteristics including its topography.

3. Design principles

- Design considerations and the overall approach to design reflected by the submitted scheme.
- Whether any specific design principles/objectives and/or design code that reflects the location of the Proposed Development within the protected landscape should be secured by the draft DCO?

4. Landscape effects on the special qualities of the SDNP

(i) Earthworks/Changes to topography

- Clarification of the degree of change that would be experienced in the landscape.

- Whether the overall design of the scheme should have given greater consideration to the proposed landform proposals and better reflect the existing positive characteristics of the Open Downland landform?
- The effectiveness of the mitigation measures proposed and whether provision should be made for any additional mitigation measures.

(ii) Loss of existing vegetation

- The effect on the landscape that would result from the proposed clearance of existing trees/vegetation and the opening up of views of the road to the SDNP and the Winnall Moors Nature Reserve and across the valley to built-up parts of Winchester.
- Whether the provision of advance planting to minimise the opening up of views should be secured by a DCO requirement setting out the timing, type, and minimum standards for any such planting.

(iii) Main/central construction compound

- Whether the proposed location of the compound represents an unacceptable incursion into the Open Downland landscape of the SDNP?
- Whether the compound could be located outside the SDNP and the suitability of the alternatives locations for it proposed by the SDNPA.
- If located within the SDNP, whether any further mitigation can be achieved such as requiring the compound not to be used for the storage of plant and welfare units.

(iv) Proposed swale and attenuation ponds

- The impact of the proposed swale and attenuation ponds upon the Open Downland of the SDNP and the setting of the Abbots Worthy Conservation Area.
- Whether the draft DCO should make provision for further control of the detailed design of the attenuation features and the swale, and secure the maximisation of any potential environmental benefits of these features.

(v) Chalk Grassland and farmland interface

- Whether additional Chalk Grassland is required to mitigate the impacts of the proposed scheme with the extension of the Chalk Grassland across the remainder of the fields east of the M3 being secured through the draft DCO Requirements.

(vi) Chalk Grassland as mitigation

- The design, management, and viability of the proposed areas of Chalk Grassland
- Whether the inclusion of the use of Chalk Grassland within separate sections for embedded and essential mitigation measures represents double counting.
- Whether the scheme should make provision for additional landscape enhancements to mitigate and offset the harm the development would cause to landscape character by means of an appropriate Section 106 planning obligation.

5. Visual impact

- Impacts on visual amenity during construction and operation.

6. Historic Heritage, including Archaeology

- The adverse effects on buried archaeological assets and the adequacy of the proposed mitigation and/or enhancement measures, including whether any amendments are necessary to the draft DCO Requirements, the first Iteration Environmental Management Plan and the Archaeology and Heritage Outline Mitigation Strategy, and the provision of financial contribution secured through a Section 106 legal agreement.
- The effects on the Conservation Areas and whether any additional mitigation measures and/or safeguards are necessary.

7. Any other matters

8. Close of hearing