

M3J9_ISH1_11_July_2023

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FULL TRANSCRIPT (with timecode)

00:00:05:21 - 00:00:31:17

Good morning, everyone. It's 10:00 and time for me to open this hearing. Welcome to this issue specific hearing, which is being held in connection with landscape effects, visual impact design and historic heritage relating to the M3 Junction nine Improvement Project. Before I go further, I can confirm that everybody can hear me clearly.

00:00:34:00 - 00:00:54:27

If there are any difficulties in that respect during the event, either in relation to myself or another speaker, then do please draw that to my attention or to that of the case manager. Can also confirm with the case manager, Mrs. Norris, that the live streaming and recording of this event has begun.

00:00:56:29 - 00:00:57:14

Two.

00:00:59:19 - 00:01:17:10

My name is Wendy McCarthy. I'm lead member of the panel of examining inspectors who've been appointed to examine reports and make a recommendation to the Secretary of State on this application. I'm now going to ask the other panel member to introduce himself to you.

00:01:18:28 - 00:01:27:15

Thank you. My name is Matthew Simms. I'm a chartered civil engineer, and I've been appointed by the Secretary of state to be a member of the panel for this application.

00:01:29:07 - 00:02:00:02

Thank you. Now, together, we constitute the examining authority for this application. I'll just explain a few housekeeping matters for those who are attending the hearing in person today. Can I please ask everyone to set all devices and phones to silent or turn them off so as not to disrupt the proceedings? And you may have noticed that you came in, but the toilets are located down the stairs opposite the main hotel reception.

00:02:01:01 - 00:02:38:06

I'm told that there is no fire alarm testing scheduled during the hearing today. Therefore, if the fire alarm does go, please leave the building by the nearest clear exit and do not re-enter the building until instructed to do so by staff. The assembly point is the hotel front car park. Now, as far as any breaks are concerned, we intend to take a short 15 minute mid-morning break breaks around 1130. We'll take a longer break at for lunch at around 1:00 and another short mid-afternoon break is proposed around 330.

00:02:39:00 - 00:03:03:11

I think finally, I'd just like to draw your attention to the fact that we do have two graduate apprentices with the Planning Inspectorate here today. They're simply observing the proceedings for their own educational purposes. Obviously, they won't be taking any part in the discussion, but it was just in case you might have seen Mr. Simms or myself talking to them during the break.

00:03:06:01 - 00:03:45:17

Now in terms of the agenda, this meeting will follow the indicative agenda published on the National Infrastructure Planning website on the 5th of July 2023 and the examine library reference for that is zero nine. Would be helpful if you had a copy of that in front of you. The agenda is for guidance only. And we may add other considerations or issues as we progress. We will conclude the hearing as soon as all relevant contributions have been made and all questions have been asked and responded to.

00:03:47:03 - 00:04:10:14

If the discussions can't be concluded, then it may be necessary for us to prioritize matters and defer other matters to further written questions or a later date. Likewise, if you cannot answer the questions being asked or require time to get the information requested, then please do indicate that you need to respond in writing.

00:04:12:03 - 00:04:21:28

Now today's hearing is being undertaken in a hybrid way. However, am informed that there are no virtual attendees today. And.

00:04:23:15 - 00:04:54:25

And everybody who is present, who is who is attending, is present in the room. Now recording of today's hearing will be made available on the M3 Junction nine Improvement Project section of the National Infrastructure Planning website as soon as practicable after the hearing is finished. With this in mind, please ensure that you speak clearly into the microphone stating your name and who you are representing each time you speak.

00:04:55:20 - 00:05:33:00

The microphone is switched on and off using the button on the front of it. If you are not at a table with a microphone, there is a roving microphone. So please wait for one of these to be brought to you before you speak. Now linked to the planning. Inspectorate's Privacy Notice was provided in the notification for this hearing. We assume that everybody here today has made themselves familiar with that. Which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws.

00:05:33:25 - 00:05:47:25

Please speak to the case manager, Mrs. Norris, if you have any questions of this. Now. Now, asked my colleague, Mr. Simms, to briefly explain the purpose of this issue specific hearing and how it will proceed.

00:05:49:00 - 00:06:19:16

Thank you, Mr. McCoy. So the issue specific hearing provides an opportunity for the issues raised by the interested parties and in particular, the differences between them to be explored further by the examining authority. As indicated in the agenda. Questioning at the hearing will be led by a member of the panel supported by the other panel member. I would ask for those present not to interrupt whilst another person is given evidence, even though you may disagree strongly with what is being said.

00:06:19:18 - 00:06:52:24

It's important that everybody has a fair opportunity to put their case without being interrupted or any other distraction. The guidance for the examination of applications for development Consent explains that the examining authority may refuse to hear evidence, which is, in its view, irrelevant. Vexatious or frivolous relates to the merits of a national policy statement repeats other representations already made or relates to compensation for compulsory acquisition of land or an interest in or over land.

00:06:53:18 - 00:07:05:19

Additionally, the examining authority may request any person behaving in a disruptive manner to leave the hearing or to remain only if that person complies with specific conditions. Thank you very much.

00:07:06:02 - 00:07:41:20

Thank you, Mr. Simms. Now, it would now be helpful if those of you who are participating in today's hearing could introduce yourselves. When state your organization's name, please introduce yourself stating your name, who you represent, and which agenda item you wish to speak on. If you are not representing an organization, please confirm your name, summarize your interest in the application and confirm the agenda item on which you wish to speak. And please could everybody state how they wish to be addressed? Now, I'll start with the applicant today who represents the applicant.

00:07:43:22 - 00:07:44:14

Good morning.

00:07:44:16 - 00:08:15:28

My name is Katherine Tracey. I represent the applicant. I'm from Burgess Salmon Law Firm. I do also have with me today my colleague Douglas Haycock, but he's not intending to speak. And we've got Mr. Tom Beasley from National Highways, again, not intending to speak today and then those intending to speak. I'll let them introduce themselves. But I've got Mr. Chester, Mr. Willingham and Mr..

00:08:16:25 - 00:08:18:03

Pettyfer sorry,

00:08:20:10 - 00:08:29:04

who will be speaking on individual topic matters as we go through. I will speak for all agenda items as as needed. I can be addressed as Mrs. Tracy.

00:08:32:14 - 00:08:34:17

Thank you. So if I could hear from.

00:08:36:08 - 00:08:37:10

Your advisers.

00:08:38:25 - 00:08:42:08

Hello. And so I'm Andrew Chester. And

00:08:44:07 - 00:08:55:07

Andrew is fine. Mr. Chester, right? Um, yeah, I'm a landscape architect. So. Something on the landscape today?

00:08:58:01 - 00:08:58:16

Yeah.

00:08:59:00 - 00:09:03:13

Good morning. I'm Malcolm Billingham. I'm designing for Stantec, representing the applicant.

00:09:05:28 - 00:09:06:16

This means. Mr..

00:09:09:21 - 00:09:11:15

Speaking predominately on matters of design.

00:09:16:03 - 00:09:24:12

We're going. I'm Steve Pettyfer from Patrick will be covering the item on the compound. The best is Steve will be fine.

00:09:25:27 - 00:09:26:18

Thank you.

00:09:26:27 - 00:09:35:00

Sorry. Just for completeness, we do have Mr. Bray with us for cultural heritage, but we're not proposing to bring him to the table until.

00:09:35:08 - 00:09:41:14

No, that's right. We'll get that later on to that later on in the day. But thank you. Thank you for that.

00:09:43:06 - 00:10:01:22

Right that that completes those speaking for the applicant. Thank you. Now, now move on to the organizations and individuals that have given notice of their intention to speak and those which the examining authority has invited to speak. So first of all, the South Downs National Park Authority.

00:10:03:20 - 00:10:30:00

Morning, ma'am. I'm Nick Grant of Council. Mr. Grant is fine. I'm instructed by the South Downs National Park Authority. To my right is Miss Kelly Porter. Major projects lead happy to be addressed as Miss Porter, please. And to my left, from whom you'll probably be hearing most today on our behalf, is Michelle Boulger of Michelle Bolger landscape consultancy. And Ms.. Bolger is fine.

00:10:34:10 - 00:10:36:09

Thank you. And.

00:10:38:00 - 00:10:50:15

The Winchester City Council. We did invite you to attend. We appreciate your coming and realize that you weren't weren't otherwise proposing. So thank thanks for coming.

00:10:51:09 - 00:11:00:28

Yes. Good morning, ma'am. Thank you. Robert Greenfield, Winchester City Council. Mr. Green is fine here for matters of clarification today. So willing to speak on any item needed. Thank you.

00:11:01:03 - 00:11:01:27

Thank you.

00:11:07:16 - 00:11:20:15

Now. I wasn't anticipating there would be anyone else wishing to speak. But I will just say this, that if there is anyone else in the room who wishes to speak at the hearing today, then please introduce yourself now.

00:11:27:16 - 00:12:03:00

And we don't have untold any virtual attendees with us on Microsoft teams today. So we'll move on to the substantive part of the agenda. The first item concerns the landscape and visual impact visualizations. And the first bullet point of item two one on the agenda. It is indeed the landscape visualizations and viewpoints. And so we'll go first to the South National Park Authority.

00:12:03:02 - 00:12:34:29

So in response to the examining authority's question 12 122, you indicated that you were not satisfied with either the baseline photographs or the visualizations. Probably if matters may have moved on from there with the benefit of the applicants. One submission of a new visualization for 14. Have you any comments on that D1 submission or baseline photographs and visualizations generally to make?

00:12:37:10 - 00:12:37:25

Yes.

00:12:37:27 - 00:12:38:25

Yes, we do. We do.

00:12:38:27 - 00:12:39:21

Have some.

00:12:39:23 - 00:12:44:16

Comments. I'm sorry, Michel. Thank you.

00:12:45:12 - 00:12:48:25

We'll be out of it by the end of the day. Yeah. Speaking on.

00:12:48:27 - 00:12:49:24

Behalf of the.

00:12:49:26 - 00:13:25:26

South Downs National Park Authority, um, yes, we do have concerns. So we identified that the tree removal hadn't been correctly shown in. We thought it hadn't been correctly shown in viewpoint 14 and the revised photo montage from Viewpoint 14 shows that it was very significantly underrepresented and don't know whether we need to look at the two to see the difference between what was originally submitted with the application and what has now been submitted.

00:13:26:00 - 00:13:43:25

So the, uh, I'll assume that we're all working from the, um, the, the examination document and won't put them on the screen. But I do have the facility, if you would prefer to use the teams to show them on the screen.

00:13:43:27 - 00:13:58:24

Do you know it's always helpful. Mean obviously I've seen the comparison for myself. If there are points you want to make on it to the room generally, then it would be it would be helpful perhaps for those to be put on teams.

00:13:58:26 - 00:14:07:10

Okay. So, um, the, the first one to look at is a, a 69.

00:14:08:14 - 00:14:09:11

And.

00:14:10:28 - 00:14:23:00

The the PDF page is 43 and I will now hopefully put that on. Teams.

00:14:33:29 - 00:15:10:14

Right. Lovely. Okay, so. So this is the this is the view from viewpoint 14, which is the itchen way. Now, this is a fairly, um, momentary view. This is it doesn't represent a long stretch from which this view is available. Um, we can see that there are a line of trees along the horizon that um, include this

is a winter view and we, they're quite striking because of the, the mix of conifers that makes them much easier to recognise in the landscape and than otherwise.

00:15:10:16 - 00:15:32:20

So we were concerned that that didn't um, represent the tree loss. So I'm like, am I audible? So if we now look at the, um, uh. The revised photo montage from this location. Which is.

00:15:34:27 - 00:15:38:09

Rep. 1010.

00:15:40:10 - 00:15:44:02

There we have the existing view. Sorry, I might have been.

00:15:48:21 - 00:16:05:06

We can see that the loss of that vegetation along that ridge is entire. Um. And and not only is there's an entire loss of vegetation, but obviously now there are views of the gantry that there weren't previously. Um.

00:16:07:00 - 00:16:22:22

Sorry. Do I just want to make sure that I was showing you the photo montage last time. The problem is that the photo montage and the existing are so close that I may have made a mistake. Wouldn't want to have. Um. So.

00:16:24:07 - 00:16:32:13

Yes. So the second one. So this one is the is the proposed. As we can see, all that vegetation is still there. We've got that. Yes. Okay.

00:16:34:21 - 00:17:11:06

Eight when we saw that just how, um, uh, uh, misleading or not, I'm sure not intentionally, but how, how the, the, the visualization had failed to properly represent that loss of vegetation. We then went back and reviewed a number of the other photo montages and we came to the conclusion that there were two one which we think is very significant, which is viewpoint three, where similarly the vegetation to be removed hasn't been shown.

00:17:11:10 - 00:17:18:23

So if we go back to the original submission. And.

00:17:21:08 - 00:17:52:11

We go to viewpoint three. We all. This is a view from the since within way. It's located on the very boundary of the South Downs National Park, looking across the Itchen Valley towards the open downland the slopes of the open Downland the sorry, the river valley side slopes. We don't see the open downland in this view.

00:17:52:21 - 00:18:07:01

Um, and this is the existing view and we see from the following one where we've got the proposed, we can very clearly see that line of vegetation which hasn't been removed. Um.

00:18:08:02 - 00:18:26:04

So think what I need from you is to tell me and you content with 14 now what has been submitted and be whether any additional corrections that you seeking and then we can find out when they'll be.

00:18:26:06 - 00:18:57:12

Provided right so we are content with point 14 now we think that viewpoint three definitely and Viewpoint seven definitely needs to be revised. We also think that all the others should be checked because obviously national highways have has much more modelling than we do. So we we can't check everything, but we can see just physically, we can see that these two are very wrong.

00:18:57:14 - 00:19:35:18

And and this one in particular we think is very important because obviously it's a it's a it's a looking across the South Downs. But also we've identified that something that was missed in the in the in the and we also missed when we did our review that the South Downs has a study which it commissioned which is a views analysis study in which they identify views within the park that they consider are important.

00:19:35:27 - 00:19:53:06

And in fact one of the representative views is this actual view. And there's even a photograph in the study. Now, obviously, that's not in the library yet. The document, the examination library. So clearly we will need to put that in.

00:19:53:08 - 00:19:54:01

For you if you.

00:19:54:03 - 00:20:02:10

Would put that in. And if I could ask the applicant to take up those points that just been made, I don't know when.

00:20:02:25 - 00:20:03:23

If.

00:20:03:25 - 00:20:06:19

Those could be provided for the next deadline.

00:20:08:16 - 00:20:29:01

Is that feasible? Katherine Tracy For the applicant? Yes. Think that deadline three is when we're intending to submit updated visualizations for three and seven. And for clarity, it's the same block of vegetation that has remained in 14, three and seven, and it's not different.

00:20:29:22 - 00:20:32:23

We were also asking you to use your resources to check.

00:20:32:25 - 00:20:37:22

That we have already been through and checked every other visualization so we can confirm there are no other

00:20:39:11 - 00:20:42:18

omissions or errors within the visualizations. Thank you.

00:20:45:09 - 00:20:45:24

Uh.

00:20:46:02 - 00:21:29:09

Yes. And the the other concern about the photo montages and whether if they're being represented, this could be done is that they are better if we have a single frame. We've got the wider panorama, which is useful for context, but there should be a single frame which should fit onto an A3 sheet for the for the section where we're actually looking at the area in which change can happen. It's quite a

simple thing to do. It doesn't require presenting, you know, doing any more work, but it's particularly important these days because notice we are none of us, we none of us have them printed out in front of us at the scale that they should be printed.

00:21:29:11 - 00:22:04:00

And when you're looking at them on screen, a single frame at A3 is a better representation of what you might be able to see. Now, I know these are only reference and you are going to be going out on site and no doubt you'll have to visit this view again with the new photo montage. Um, but as we do all look at them on screen and we do use them for reference if, if the when they are reissued if they could be issued with a single frame focusing on the the area that we're looking at.

00:22:04:15 - 00:22:43:23

I would also say about viewpoint three is very different from viewpoint 14, whereas Viewpoint 14 is a single is is a kind of like AA1 view when there aren't many views on that path. This is a view that you get for a long section of citizens. Clearly it's not prominent citizens. Quite clearly it doesn't all look exactly like this viewpoint. But when you're there because the the the even in even in summer, the this group of trees and that open field looking up is very is very distinctive.

00:22:43:25 - 00:22:58:12

You can see that as you're walking along. I mean, we did wonder if it was something that should be accompanied. But as you're walking along, you can you can use your judgement to guess how that view will change given the.

00:22:58:14 - 00:23:01:27

Yeah, think that's right. The vegetation that we've we've achieved that. Yeah.

00:23:02:07 - 00:23:35:26

And and and also this slope that we're looking at that's going up to that that vegetation is where there's going to be um, around about four separate bits of road and the attenuation ponds. So we're concerned that with the loss of vegetation, I don't know whether the place to just to see that would be in um the local impact report for the South Downs.

00:23:44:03 - 00:23:44:20

Okay.

00:23:46:17 - 00:23:47:02

Um.

00:23:48:23 - 00:24:10:01

Yes. Yeah. Think we'll get enough to see what conclusions we draw from this later on. So think if we could move on from that. The other point I think that you had made in response to our question was that you consider it would be helpful to have nighttime photographs and visualizations now is. Is that still.

00:24:10:03 - 00:24:10:22

Sort?

00:24:14:22 - 00:24:17:15

Uh. And if so, why?

00:24:25:29 - 00:24:27:11

I. I'm.

00:24:31:13 - 00:24:35:21

Not so sure about the nighttime. I'm not sure when we asked for the nighttime vigil.

00:24:35:23 - 00:24:49:05

Oh, that was just in response to our question. 12 122 that that was mentioned. It may have been a passing reference. It may not be. Obviously, it may not be a strong point for you, but that's why I'm giving you the opportunity to clarify.

00:24:51:06 - 00:24:51:21

Sorry.

00:24:53:05 - 00:24:59:12

Sorry, ma'am. Nick Grant, South Downs National Park Authority. I'll hand over to Miss Porter, who drafted the response to us.

00:24:59:19 - 00:25:19:04

Thank you. So it was just the general point about checking the accuracies of it, given what we discovered with the other ones, but obviously you've already confirmed that they are accurate. So if that's the case, then. Right, that's that's fine. Then we'll move on. Um, is there anything else that the applicant wants to add or respond to?

00:25:21:09 - 00:25:40:15

All, Mr. Chester, on behalf of the applicant. And just to. In response to the query about the presentation of the visualizations they've been done to industry standard and the reason for the presentation is and the 90.

00:25:44:06 - 00:26:11:18

Failed and you held the image at the printed scale at arm's length. It would be a representation of what what you see and think. Producing a reduced field of view visualization would not add anything to the process unless they are asking for a scale verifiable output where we enlarge the. It's zoomed in in the fact.

00:26:13:19 - 00:26:16:29

Can can we put that back?

00:26:17:06 - 00:26:18:16

Well, if if.

00:26:18:18 - 00:26:39:02

I mean, I appreciate your point, but think I'm content with what we have already. And unless you have an additional comment to make on that and bear in mind that, you know, we have been out on site and we can see for ourselves in comparison if.

00:26:39:04 - 00:26:39:21

If if.

00:26:39:23 - 00:27:25:19

You're content that you can you can see it then then that's fine. But should just say basically the the the visualizations that have been presented are accurate if they're printed to a one width. Now, don't know whether when you were on site you did have a one width versions with you you did have the A1 width versions with you. Okay then that's fine. The choosing an A3 single frame is also part of industry standards and it is understood that it makes it much easier being on site with an A3 And it's

also preferable because we do all view these these things on our laptops as well as being out and they are they're not zoomed in.

00:27:25:21 - 00:27:41:21

It's exactly the same image. It's just it's instead of being presented to A1 widths, it's an A3 width and that makes it easier for everybody to use. But if you are content that you have used the A1 and that that hasn't.

00:27:41:28 - 00:27:49:21

We just say and we do, we are familiar with visualizations and the pluses and minuses of them. Yes.

00:27:51:29 - 00:27:53:22

Just getting that I'm presenting.

00:27:53:24 - 00:27:54:23

So I'm zooming in.

00:27:59:23 - 00:28:02:27

So if we move on to the next.

00:28:05:07 - 00:28:45:00

Item on the agenda, and that's relating to any we may well have covered it, but do have a couple of questions to ask the Winchester City Council. Any additional clarification of matters within the As required? So my question is to Winchester City Council. So in your written reports and near um, both make reference to the 3D visualizations of the gantries that have been provided and clarification from the applicant was sought as to whether there are any available public view points closer to the gantries that had not been provided.

00:28:45:02 - 00:28:53:17

Can you indicate whether you are now satisfied on that point? And with the 3D visualizations of the countries that have been submitted?

00:28:55:00 - 00:29:05:06

Yes. Thank you, ma'am. Robert Greenfield, Winchester City Council. So, yes, we have received the long distance 3D grant reviews, but we are still waiting for that clarification on if there are any available closer views.

00:29:05:29 - 00:29:09:19

Can the applicant answer that point today? Or if.

00:29:09:21 - 00:29:10:15

Not, can you.

00:29:10:17 - 00:29:11:27

Respond in writing?

00:29:12:03 - 00:29:19:10

We can respond in our in deadline three in the response to the earlier. But the answer is no, There aren't any closer views. One.

00:29:24:07 - 00:29:46:24

And again, we addressed the city council, sought confirmation of the final topography of the temporary hall road and soil testing to ensure that reinstatement could be successfully established.

And can you indicate for me whether you are now satisfied with the information provided in relation to that temporary hall road?

00:29:48:12 - 00:29:55:11

Thank you, ma'am. Greenfield Winchester. No, we're still waiting for clarification on that point as well. So it was you happy to receive it at deadline three as well?

00:29:56:14 - 00:29:59:29

I'm Catherine Tracy for the applicant. Yes. Will respond at deadline three. Thank you.

00:30:09:27 - 00:30:31:09

And think it may be again, a matter to be postponed until after deadline three. But again, Winchester City Council sought further areas of clarification. You couldn't confirm compliance with your policies. 15 and 23 Are you yet in a position to confirm compliance with those policies?

00:30:32:27 - 00:30:40:00

Robert Greene for Winchester City Council, just awaiting those final two clarification points before we'll be able to confirm either way. Thank you.

00:30:40:03 - 00:30:50:01

All right. Thank you. All right. I'll just check with my colleague, Mr. Sims, in case he has any points you want to make on those topics.

00:30:50:27 - 00:30:53:13

No, thank you. Thank you for asking. No further questions.

00:30:55:16 - 00:31:00:14

Right. So we move on now to the conclusions.

00:31:03:10 - 00:31:33:06

So yes. Your response to question 12 122 indicates your content with the assessment methodology and reporting of the baseline information in the Elvia, but you disagree with the judgments contained within it, and particularly where it finds that landscape effects on the national park will no longer be significant at year 15 of operation. So could I just check that that remains your position today?

00:31:36:15 - 00:31:39:07

And it it does, although

00:31:40:28 - 00:31:54:06

it's possible that one of the reasons we disagree with the conclusions after year 15 could be considered a methodological issue. So just to just to clarify that.

00:31:54:08 - 00:31:55:00

Sorry, could could.

00:31:55:02 - 00:32:43:17

Could be considered a methodological issue as opposed to the rest of it, which is obviously a matter of judgment, and that is that at year 15 only the effects in summer have been assessed. So we don't have any assessment of the effects year 15 at winter. Now that isn't something I've ever come across before, and it seems to me that that obviously results in an under assessment of the effects. I mean, winter is about six months of the year when we're talking about lack of vegetation on the trees and therefore the landscape and visual effects that summer year 15 is not it's not a full representation of the effects of the scheme at year 15.

00:32:44:15 - 00:33:27:24

The Yes examinee authority did ask a question on that point. That's 12 .1. 24. The applicant responded to the effect. It's reviewed the visual assessments to ensure that the conclusions are also reflective of a winter scenario at year 15. And it did conclude that the assessment considered the worst case scenario. Um, maybe if I can turn to the applicant in response to that answer and ask them to explain the further review of the visual assessment that is carried out to ensure that your conclusions are reflective of the winter season in year 15.

00:33:29:14 - 00:33:32:04

And that it does, in fact represent the worst case.

00:33:33:13 - 00:34:00:20

Mr. Chester Representing the applicant. Um, the, the methodology that we followed is one of seven. That's quite clear. And it's assessment of a winter year, one scenario and a summer year 15 scenario. The chapter seven of the document reference 6.1. Um, so.

00:34:00:22 - 00:34:01:07

In effect.

00:34:01:09 - 00:34:01:24

Are you.

00:34:01:26 - 00:34:05:24

Saying that it doesn't require you to do to do that.

00:34:06:28 - 00:34:08:03

The winter? Yeah.

00:34:09:01 - 00:34:12:01

Yeah. And the methodology is um.

00:34:12:16 - 00:34:14:00

As stated in our and.

00:34:14:04 - 00:34:14:27

And the.

00:34:14:29 - 00:34:16:08

Logic behind that.

00:34:17:26 - 00:34:49:19

So in consideration of the worst case, the winter year, one is considered the worst case scenario. And in our view and the assessment instead is that, however, noting that the question that was raised, we did review the visual assessment because the the presence of of leaf and no leaf is a visual principal and visual matter rather than a landscape character matter. And we reviewed the the work that had been done.

00:34:49:21 - 00:35:06:13

And as a result of the mitigation that's been put forward of the scheme and the multiple layers of vegetation that's proposed, it's considered that that has a screening effect on on the views that have been agreed and assessed and.

00:35:08:00 - 00:35:18:05

And yes, there are there are no leads, but that multiple layer provides a screening effect of the views of the proposed infrastructure elements.

00:35:19:27 - 00:35:34:18

I. Sunny would have found it helpful to even though you're not required to have had a visualization of that. Because I you obviously hear what you say. But from my point of view, would that be difficult to achieve?

00:35:38:10 - 00:35:43:03

You can. We can take that away and have like it wouldn't be possible for deadline three.

00:35:43:18 - 00:35:44:16

Understand that.

00:35:48:01 - 00:36:21:28

It. Michelle Bolger served as National Park Authority. Um, first of all, just a point that, um, landscape character effects also include what you can see in there. Just a little visual effects are effects on receptors, but many landscape character changes are as a result of changes in views. So think don't think one can say it only. It only refers to the the visual effects. Um, I simply it just looking at the landscape as it is, I've been looking at that view.

00:36:22:00 - 00:36:55:25

We were just looking at from viewpoint three. You'll be going and seeing it in the summer. I think there is a big difference at the moment. There are lots of, you know, layers of vegetation. Um, it's not a it's not an empty landscape and yet we can the views in summer are a much more screened than those in winter think. It's unlikely that even in 15 years the vegetation proposed planted for this scheme is going to be as effective as the existing vegetation, many of which has been there for much longer.

00:36:55:27 - 00:37:03:08

Therefore, I would very much welcome um, the year 15 winter visualisations.

00:37:07:20 - 00:37:11:27

Thank you. Any further comments on that gender item?

00:37:12:15 - 00:37:13:23

Well, I

00:37:15:12 - 00:37:52:20

identified that first because because wanted to be clear, it's a sort of methodology. There is a methodology issue there. But in terms of the conclusions on year 15, um, and think probably the best place to, to see that is in the revised. Um, let me just get the it's in the rep 1013 which is the appendix 7.3 schedule of landscape effects and it's the revised version.

00:37:53:29 - 00:37:54:14

And.

00:37:57:23 - 00:38:30:08

And I mean, there's just a couple of things that you know, the. The magnitude of change at 15 years is considered to be negligible. And I simply don't think that in terms of landscape character, we're going to have changes in topography. We're going to have, as we've looked, if we've been looking at it, that

area, which can't currently has kind of like woodland on it, which will be roads round about attenuation ponds.

00:38:30:10 - 00:39:02:07

I don't see how that can result in a negligible impact on the landscape character. Even after 15 years, the vegetation that's being proposed in the screen in the scheme at best will replicate the vegetation that's already there. In fact, it can't even do that to some extent because some of the areas where there is vegetation in particular, the one that we're looking at it, that the vegetation can't it can't there can't be tree planting there because there are elements of the scheme are going to be there.

00:39:02:09 - 00:39:32:09

And I know you looked at what what I think of as that pinch point at Mill Cottage when you were on the site visit yesterday. At the moment you've got about 150m to the edge of the carriageway. With the scheme in place, that's going to be three different bits of road in there plus an attenuation pond. I do not see how the end result of that can be negligible. Change to the landscape character.

00:39:32:18 - 00:40:05:03

I also note that in the in the the column on size scale, geographical extent, duration, reversibility, it says at the very bottom of that column long term beneficial effects on the tranquillity within the western parts of the South Downs National Park. I don't see how the scheme can result in long term beneficial effects. The most that can be done is that it can be compensated for. I can't see that there can be beneficial effects.

00:40:05:05 - 00:40:17:03

So that's why the Park Authority doesn't feel that the mitigation currently proposed does adequately compensate for the harm.

00:40:21:14 - 00:40:21:29

Thank you.

00:40:24:17 - 00:40:28:23

Don't know if the applicant wants to respond now or later in writing.

00:40:34:17 - 00:41:12:17

Andrew Chester. Ms.. Chester from the applicant. Um, just in, in summary, um, the, the landscaping visual impact assessment has been conducted looks at to the, the negligible change that is being mentioned is in relation to the South Downs National Park as a receptor. Um is that the designation and the reasons for that designation in relation to the special qualities landscape character has been considered and there are reports, there are effects reported within the landscape, visual impact of cover, those matters separately.

00:41:12:20 - 00:41:15:19

Um think they should be reviewed?

00:41:19:24 - 00:41:26:09

Can I just ask a clarification? The pinch point is that White Hill cottage. You said the mill. Yeah.

00:41:27:05 - 00:41:27:20

Sorry.

00:41:28:03 - 00:41:34:16

I had assumed it was that at that point that we've seen.

00:41:37:25 - 00:41:44:26

I think other than that, Katherine Tracy for the applicant will probably respond in writing because it's quite, quite detailed response.

00:41:47:15 - 00:41:49:05

Thank you. I didn't see that.

00:41:56:06 - 00:42:31:10

Right. So if we move on now to the next item which relates to design principles and the first aspect of that. And which relates to design considerations and the overall approach to design reflected by the scheme. So turning to Southwest National Park again, your response to question 12 one three indicates that you don't agree that the design of the proposed development is sympathetic to the current form of the national park.

00:42:31:12 - 00:43:12:28

Nor do you agree that environmental mitigations be maximized. And then your written representations sets out concerns in relation to the proposed landform changes and summarizes additional mitigation measures that you say should be taken. So just I just want to deal with it in broad terms at this stage, just to confirm that that remains your position in relation to the overall approach to design and whether any progress has been made in relation to further design changes and any positive design opportunities that are sought.

00:43:14:06 - 00:43:22:21

Nick Grant For the National Park Authority No, that's still very much position as we understand it, and I don't think there's been any positive progression of that.

00:43:32:06 - 00:44:02:02

Just if I could go to Winchester County. Counsel You've also responded to the examining Authority's Question 12 one three, indicating that further consideration on levels and ultimate topography is required to ensure that the open downland the nature of it's not harmed. Could you explain further for me the nature of your concerns in this respect and also that that remains your position?

00:44:04:05 - 00:44:35:09

Thank you, ma'am. Robert Greenfield. Winchester City Council. Um, yes, that was from our landscape Architect. And it linked to the discussions we had earlier with the visualization 14 as well. So it does relate to those, as we said, cut infill and the more engineered approaches to to the roadway and also to the attenuation ponds as well. Um, so yes, that is still a consideration. It steps into South Downs National Park View, which obviously we're keeping jurisdiction separate, but it was included there just to create the whole picture.

00:44:35:11 - 00:44:35:27

Thank you.

00:44:43:25 - 00:44:49:28

Don't know. There may not be anything for the. The applicant wishes to respond, but that's an opportunity if you wish to do so.

00:44:51:25 - 00:45:18:21

Just in terms of the attenuation basins and soils, I think we may well come onto them later. But um, sorry. Catherine Treacy for the applicant. Um, we are there are cross-sections available in the application documents, but we are producing some additional cross-sections for the swales and drainage basins that will submit it to line three, which will show, um, flood water levels and things as well.

00:45:20:11 - 00:45:21:16

Yeah. And then Mr..

00:45:21:18 - 00:45:22:03

Chester

00:45:23:14 - 00:45:45:22

And there are also additional sections that we should share with the National Park. Um, so the sections that produce figure 2.2.8 go east west. We were also asked for sections that went north, south through the downland. They've been submitted to the national park and they'll be submitted at that line three as well for further information.

00:45:46:06 - 00:45:47:21

All right. Thank you so.

00:45:51:10 - 00:46:25:18

So moving on to the next item that relates to whether there should be any specific design principles or design code secured by the draft DCO. And that in response to our question, 12 one two South Downs National Park Authority indicated that a design code design approach would be one way of identifying the degree to which some specific design measures are capable of addressing some of the potential adverse impacts of the proposal.

00:46:25:23 - 00:47:01:18

And Winchester City Council indicated that although they haven't discussed the use of design documents to date, it would be supported, they would support an additional requirements in that respect. The applicant, in contrast, refer to the design strategy, which included the design and access statement, and your position is you maintain that requirements five and 12 both comprise design approach documents and there is no need for any additional requirements or design code.

00:47:01:26 - 00:47:20:02

So South Downs National Park Authority, do you agree with the applicant's position as expressed in that response? Um, given that we do have draft requirements five and 12 and the contents of the design and access statement.

00:47:22:14 - 00:48:06:25

Um, well, Nick Grant for the National Park Authority will hand over to Ms.. Porter in a moment. Um, no, we don't. It's a bit. Think, um, five and 12 are fairly broad brush and can come back on the detail of the slightly later if that would help. Um, but from, from our perspective, as you can see, we're struggling with the design. We're not sure it's satisfactory and hasn't we think been a key part of the process in terms of design and impact on the national park itself and in circumstances where, no, we're not in a policy hearing today, but in circumstances where the national policy talks about exceptional, exceptional need that goes not just in my submission to the case they have to meet, but in the evidence base for it.

00:48:06:27 - 00:48:15:24

And so it's exceptional. And we're looking at and the applications are not there yet. So the greatest respect we we stick to our position.

00:48:23:12 - 00:48:35:09

So did. Did you want to add anything? No. No, Nothing. No, that's all right. So with that for you, um, perhaps if I could just pose this same question to Winchester City Council before I go to the applicant.

00:48:36:08 - 00:49:07:14

Thank you. Robert Green for Winchester City Council. The preference remains to have a design code and the reasoning for that, it's a it's a precise document that can be referred to by all parties. The design and access statement was going into the principles. It doesn't compete with the design code in terms of a precise reference and also reviewing the applicant's response to question 12.12 and the text of requirements five and 12. They refer to consultation with the relevant planning authority.

00:49:07:16 - 00:49:19:12

It's just a point that in the definitions, that's the authority for the land in question. So that that could exclude the South Downs or Winchester, depending on whose jurisdiction it sits. And so just a point on the wording there. Thank you.

00:49:20:10 - 00:49:29:02

Mammoth Grant for the South Downs. But that point on relevant planning authority was something we were going to come back to either at the end or in writing. But that's the point that we have concerns about as well.

00:49:31:24 - 00:49:43:24

You know, we are having a hearing, obviously, but is there anything in addition you wanted to say at this stage on requirements, those requirements five and 12 that we've just mentioned?

00:49:49:11 - 00:49:59:26

And Nick Grant for the National Park Authority. Don't think so at the moment. I'm not without getting to really technical drafting territory, which we can say for a very exciting other day for August.

00:49:59:28 - 00:50:00:17

Yeah.

00:50:04:05 - 00:50:06:22

Right. So if I could have the applicants respond.

00:50:09:09 - 00:50:41:05

Taking Katherine Tracy for the applicant. Taking the last point about think we accept in this circumstance because of the national park overlaying Winchester that there's a discrepancy there. So we're more than happy to consult both parties and can amend the requirements accordingly. Um, thought we'd already done that. But if we haven't picked that up and amend that at the next point that we submit a draft. Um, in respect of whether or not a design code and design principles are needed.

00:50:41:09 - 00:51:28:04

Um, our position is that this is a heavily constrained site with um, very, very restricted limits of deviation anyway, and we've got quite detailed preliminary designs, um, which must be complied with through to detailed design. Um, and therefore we, we don't really see the need for any additional layer. However, if, if there were to be any additional layer, it would be lifting the principles from, from the Das, um, probably in the design and access statement, probably not going any further than that, but we, if it was felt that it would be helpful, um, or required, we can certainly take away looking at whether or not we produce those into a, into a separate document and add them to the requirements or.

00:51:28:06 - 00:51:59:13

If you could do that. And also if we could have, you know, from the parties that have been seeking greater clarification on design, if I could have from you or perhaps you could liaise with each other and discuss the specific aspects within the design and aspect statements that would be put into that and whether you think those need to be more precise, more specific, more expansive. So if if could perhaps ask you to do that.

00:52:01:03 - 00:52:14:21

I'm Nick Grant from the National Park Authority. We're happy to do that. We have some slight concerns about the Das and whether it includes what we're concerned about, and that's probably better taken up offline rather than in this hearing and support is happy to do that.

00:52:16:17 - 00:52:19:24

Katherine Tracy for the applicant, we're equally happy to take it offline.

00:52:49:21 - 00:53:06:15

Therefore, move on now to item four on the agenda. That's landscape effects on the special qualities of the South Downs National Park. And the first topic is earthworks and changes to topography. Um.

00:53:08:19 - 00:53:19:26

Obviously you, the South Downs National Park Authority will see a correspondence with some of these agenda items and what they've put in there

00:53:21:14 - 00:53:36:13

and written submissions, but think these are very important aspects that would benefit from comments today. So the first is the clarification of the degree of change that would be experienced in the landscape.

00:53:38:22 - 00:53:47:22

And you've made comments in your local impact report. And think again. We're going into.

00:53:49:23 - 00:54:14:00

The additional long section drawings that you were seeking and you were also requested a shaded relief plan. Have you received all the information that you were seeking from the applicant on this? And if so, are you in a position today to provide further detailed comments on the topography changes?

00:54:15:18 - 00:54:25:17

Michelle Bolger. National Park Authority. And we did receive the long sections which are useful, and

00:54:27:17 - 00:55:02:02

I believe they're going to be submitted at at deadline, the next deadline. Um, we did ask that what should be added to those long sections was Elevational Heights. Now we were pointed to another set of drawings where we could derive that information from. And whilst that is true, one can keep going between the two sets of drawings. It would actually be very useful to have elevational height so that you can understand the degree of change without referring to another drawing.

00:55:02:19 - 00:55:33:24

Uh, so. So. So that's useful. Um, we haven't had a shaded relief map. Um, we question, um, the, the, the, the justification for some of the fill that's going in there as to whether it is actually required for screening of the motorway or any other purposes or whether it's perhaps just a way of preventing the amount of spoiler has to be taken off.

00:55:33:26 - 00:56:03:19

I mean now we understand that that's a positive. In normal circumstances, that's a positive thing to minimise the amount that has to be taken off. But in the case of the the National park, where one of the things that's very characteristic is the is, is these dips in the landscape, We think that the minimum should be the minimum necessary for any purposes, should be fill, should be. And we don't think we've, we've seen any evidence that that illustrates that.

00:56:07:15 - 00:56:12:17

So just for clarification, you're wanting the combined, um,

00:56:14:03 - 00:56:21:13

information, information combined on the single plan. And are you also still seeking the shaded relief plan?

00:56:22:19 - 00:56:54:02

Well, it's a schedule relief plan would be good. Yes. And we would still like that. And we're not so much wanting the two drawings to be combined as some of the information from the the the I'm calling it the heat map. I'm sure you know which drawing I mean, it's the one that shows that you probably know it as well. Yeah. That some of the information from that sort of like maximum areas it doesn't have to be absolutely everywhere but some information from that to go on to the long section so you don't have to be looking at the two drawings at once.

00:56:54:04 - 00:57:01:29

So those those are the two things that we would still like the the the shaded relief if that's if that's possible.

00:57:03:20 - 00:57:04:20

The applicant.

00:57:05:15 - 00:57:36:10

All right, Mr. Chester, on behalf of the applicant and. Figure 2.8. The sections that East West do have the occasional spot height information on those, just to show the variation and think we can add that information to the the long sections going north south. However, that probably isn't possible for deadline three and we'll need to follow it. Deadline for and in terms of the shaded relief plan that will be available at deadline three.

00:57:36:24 - 00:57:40:29

All right. Thank you. So is it.

00:57:41:18 - 00:57:51:05

In terms of the the long sections? Would it be useful to submit it at deadline three without the elevation information? Or would you prefer to wait the deadline for.

00:57:53:07 - 00:57:53:22

Um.

00:57:53:24 - 00:58:03:10

And that's for you because I've already seen it without the the height question of whether you think it's useful to have it now without the lights or whether you'd be happier to wait.

00:58:04:09 - 00:58:10:08

I think I would prefer to wait and have it with with those additions. Thank you.

00:58:13:20 - 00:58:29:18

Just can I just ask the applicant to follow up on the comment that was made about deposition of Phil, please, and how that has been approached in overall terms and the comment made about the landscape characteristics based on deposition, please.

00:58:32:08 - 00:59:40:24

Andrew Chester, It's Chester. On behalf of the applicant. And if I could provide a bit of context. Um, so the M3 and Junction nine are located either within the national park or within its setting, that the scheme is seeking to alleviate the congestion Junction nine And given that the significant infrastructural elements already located in this area, there's no realistic alternatives to carry out the proposed works without going into the national park. It's the applicant's position and during statutory consultation, comments were received from the South Downs National Park in relation to the reprofiling of the earthworks specific reference with regard to the flank of the downland and the creation of false cuts on the Downland and those being perceived to restrict views to the wider national park, which was raised as a concern and also that questions were raised in the missed opportunity of the use of the expert excess spoil in delivery, mitigation and enhancement measures.

00:59:41:20 - 01:00:13:09

And the applicant continue to work through the proposals to what has been submitted as part of the application with the National Park through workshops and engagement. And we proposed removal of the artificial earthworks on the flank and the removal of the spoil deposition areas which affected wider areas of the national park. And we sought to use that material in a way that could provide visual screening and integration of the scheme into the landscape.

01:00:14:00 - 01:00:32:14

And that has been done in the applicant's view in a sympathetic way, responding to existing profiles, landform profiles and. And has the benefit of visual screening. The Das application reference 10.9.

01:00:34:03 - 01:00:45:23

Application 162 Highlights design principles, including sympathetically designed earthworks to reflect the existing landform wherever possible. Um.

01:00:50:12 - 01:01:25:12

In terms of the modifications they are set out on to the figures sheets two and seven of figure 2.3, the Environmental Master Plan. And. Replication six point document reference 6.2 um shows where material shows the existing on the proposed contours where that is to be placed. Um, and it's also demonstrated on the, the sections that we've mentioned already, um, in terms of the fill.

01:01:26:09 - 01:01:57:14

That varies across the scheme, but generally it is up to a maximum of three meters. Um, there are and the design, the extent of the earthwork operations is to. That spread the material over sufficient areas so that it respond to the proposed landform. Um, and gradients vary between 1 in 12 and 1 in 40 and which is reflective of the current landform.

01:01:58:02 - 01:02:10:14

And the placement of felt provides the basis for creation of chalk grassland, which is one of our mitigation measures for mitigation measures and.

01:02:14:09 - 01:02:48:27

In addition, there are areas where the fill has been increased. Um. Where we've introduced false cuttings. Um, we, these were specifically discussed with the national park and requested and that's documented in the consultation report and document reference 5.1 in September 2021 and, and that they are areas where the existing M3 corridor is visible from the eastern side and.

01:02:58:00 - 01:03:17:10

Just if can continue. Um, so in the in the wider area and we have. Placement of film material in areas to be returned to agriculture. That's been designed to 1 in 15 gradient. Um.

01:03:19:14 - 01:03:54:25

Um, but the the maximum is 1 in 12 for those areas to be restored to agriculture. Um, on the areas adjacent to the proposed infrastructure where we have cutting, um, the gradients vary between to a maximum of one and two, but up to 1 in 5. Um, and those areas will be planted. Um, so once that vegetation is established, they will be integrated into the landscape and not, not visible.

01:03:55:01 - 01:03:58:03

Um. When the wet weather is.

01:04:00:29 - 01:04:03:11

Think that's answer your question.

01:04:08:02 - 01:04:12:18

Just just one comment on that. So if you could just say your name. Sorry.

01:04:14:07 - 01:04:37:00

Michelle Bolger. South Central Park Authority. Um, just one comment. You said up to a maximum of three meters, but it isn't. That might be an average. I don't know, but the maximum is up to nine meters. So, you know, there are areas where the the increase will be up to nine meters. Not so three isn't a maximum. Might be an average.

01:04:39:25 - 01:04:41:28

Yeah. Thanks. Thanks for that clarification.

01:04:42:20 - 01:04:44:01

Yeah, it's just the first one.

01:04:45:09 - 01:05:02:19

So think the maximum. Sorry. Andrew Chester for the applicant. The point it's been pointed out the increase in those areas is the areas where we've got false courts. So there is more placement of material and that that Aids visual screening scheme.

01:05:04:29 - 01:05:30:09

Well, I'm not. Michelle Bodger, South Downs National Park Authority, and I'm not sure that it's for visual screening, that it's being raised by nine metres. Don't think nine metres is necessary for visual screening. It's because of the scheme. It's just clarifying that you know, there is going to be greater changes than just plus three metres are going to be.

01:05:34:17 - 01:05:58:03

And if I could, Andrew Chester on behalf of the applicant, it would just draw attention to section F of the the long sections figure 2.7 and which shows the, the area of film that's being discussed. It's up to two eight metres and the, and the, the false cut that's created in that area and that's useful.

01:06:01:27 - 01:06:11:14

Katherine Tracy for the applicant. Just if it helps, this will form part of our response to the so you will you'll get the opportunity to respond and see it in writing.

01:06:22:23 - 01:06:52:29

Right. If we move on to the next point of this agenda item, and that's whether the overall design scheme should have given greater consideration to the proposed landform proposals and better reflect the existing positive carats of the Open Downland platform and South Downs National Park. I just wanted to you to just to summarize your position on. The question posed by that said. Right. And if you could do so,

01:06:54:16 - 01:06:59:07

we could just summarize the main aspects of your position on that. Thank you, ma'am.

01:06:59:14 - 01:07:00:11

Kelly Porter from the.

01:07:00:24 - 01:07:05:17

National Park Authority. Yes. As highlighted in paragraph 3.1.

01:07:05:19 - 01:07:10:18

Point two, one of our local impact report, it's it's the absence of specific design.

01:07:10:20 - 01:07:12:15

Principles to conserve.

01:07:12:17 - 01:07:17:20

And enhance the national park. Is is that is our concern. Thank you.

01:07:27:00 - 01:07:48:28

And how, in your opinion, could. And there have been something that would better reflect those existing positive characteristics. In practical terms, what would you have been looking for and what what might you still be looking for? Thank you. Say it again. Kelly Porter from National Park.

01:07:49:12 - 01:07:50:24

So, for example.

01:07:50:26 - 01:08:02:16

From the very beginning, one of the design principles could have been acknowledging the rolling downland and how that could have shaped and formed the design as it as it went, as it was developed.

01:08:05:21 - 01:08:06:10

Thank you.

01:08:06:19 - 01:08:09:23

If I can just. The applicant wish to respond.

01:08:16:02 - 01:08:18:00

Andrew Chestnut, behalf of the applicant.

01:08:19:23 - 01:08:44:18

Think there is there is a response to this in the headline three. Um, but just in, in direct response to the concern of an enhanced that met point and the principle that that is mentioned and included within the Das as a as one of the overarching design principles. And yeah, I think headline three we will.

01:08:47:09 - 01:09:02:13

Do you want to. You may be able to give it in writing if you could just for to make it easier for everybody, if you could give a specific reference for that. Um. Where it's referred to in the dance in your.

01:09:02:15 - 01:09:05:25

You know when when we respond. When you respond.

01:09:06:22 - 01:09:09:24

Yeah and you know appreciate that some of this is.

01:09:09:28 - 01:09:10:13

You.

01:09:10:18 - 01:09:19:21

You would be responding in writing. But the timing of this particular hearing was to accommodate various parties.

01:09:19:23 - 01:09:52:19

Yeah, No, that's fine. We will provide a reference. Think the other thing we will come back in writing on this point because it isn't just a landscape point. The the road and the motorways have to be designed which set out a certain number of constraints with which the applicant has to make and appreciating we are in or affecting the setting of a national park landscape was considered. Um, and and given due weight and importance. But it can't be the only factor in in designing the scheme.

01:09:57:24 - 01:10:27:22

Right again The next the third bullet point under this main agenda item, that's effectiveness of mitigation measures proposed and whether a provision should be made for any additional mitigation measures. So, yes, I'd invite the South Downs National Park Authority. If you could summarize your position on on this and why you do say that additional measures are necessary.

01:10:29:25 - 01:11:03:03

Well, I'm answering that last point first. The reason we think additional measures are necessary is because we think that there as the scheme stands at the moment, it results in harm to the national park and would continue to result in harm to the national park after 15 years. So that's why we feel there should be additional mitigation measures. In terms of effectiveness, the the two things that we're particularly concerned about are the chalk grassland on the slopes and on the margins.

01:11:03:06 - 01:11:43:14

Whilst we we don't object to this as a as a sort of like, you know, as a principle, we think that they they may be difficult to establish and that they will be very fragmented and therefore may not necessarily contribute as positively towards the character of the South Downs as large areas of chalk grassland would. Um, in particular the area on the slopes has got shrub tree planting at the top of it, which has issues for the chalk grassland establishment in terms of shading and the fact that you're going to have to import topsoil in order to plant the trees in it.

01:11:43:16 - 01:12:25:09

And then there's possibility the topsoil gets washed down the slope and so on. We actually feel that the tree planting will be more effective. It was if it was actually on the top of the slope and not on the slope. And we assume the reason that hasn't been done is because the area of of significant chalk grassland that's being created at the top is actually quite a narrow ribbon. And if you were to take out space in that for more tree planting, which would be more effective in terms of use because it would be on the top of the slope, you'd be left with very little of this kind of like, you know, chalk of the more substantial layer of chalk grassland.

01:12:25:11 - 01:12:54:02

We feel very strongly that the the the up to the order limit the area on the east side up to the order limits should be restored, should be returned to chalk grassland and that that would be um, a significant compensation for the character of the South Downs National Park that could be set against what we consider will be the, the permanent harm.

01:12:56:06 - 01:13:07:11

It will be coming to that point again later on in the agenda. So we'll look at that in more detail. So don't need a detailed response to that aspect, but would you like to respond?

01:13:13:09 - 01:13:50:17

Yeah. Mr. Chester, on behalf of the applicant, the in response to the query regarding the placement of the vegetation on the slopes, this was in response to consultation with the national park and, and the and they thought that placement of vegetation within landform that's represented the the valley sides being wooded in context was more responsive to the character of the landscape rather than placement of vegetation on the open downland landscape, which would be incongruous with the wider character area.

01:13:56:14 - 01:13:57:13

You want to come back on that?

01:13:58:15 - 01:14:31:02

Michelle Just sometimes National Park Authority, and I understand why that was possibly said at an earlier stage. Think now that we've got to this stage in the scheme, what we can see is that the in my view, what we see is the those cuttings are not really going to look like the sides, the wooded sides, that in terms of screening, it might be more effective if it was on the top, but not if it was done at the at the cost of losing chalk grassland.

01:14:31:06 - 01:14:33:06

I think that's that's.

01:14:35:03 - 01:14:40:13

Thank you for that clarification. Anything you wanted to come back on? No, thank you.

01:14:50:21 - 01:15:30:18

Right. If we move on now to the loss of existing vegetation. Um, so that Southwest National Park Authority local impact report says that the loss of this vegetation would have negative impacts by opening up views of the motorway corridor, the new infrastructure and increased activity and also towards built up parts of Winchester. Could you for me, um, outline in more details your concerns in this respect and in terms of the significance of landscape effects?

01:15:34:12 - 01:15:35:04

So

01:15:36:24 - 01:16:10:14

we're going partly this is going back to the that viewpoint that we looked at at the big three, um, where the, the, the, the clearance of existing trees and vegetation is going to open up the views across, across the park towards, towards possibly existing road, but certainly um, new new elements within the road and almost certainly um, gantries or vehicle movements.

01:16:11:08 - 01:16:11:23

Um.

01:16:13:24 - 01:16:30:06

Uh, and similarly, there are going to be views from the eastern side that are going to be opened up towards the, towards Winchester. And I think that's, um, represented in viewpoint one. Think, um.

01:16:35:00 - 01:16:37:04

Two? Yes. Is that.

01:16:37:24 - 01:16:42:21

Yes. That's sufficient. Thank you. Did the applicant want to respond at all to them?

01:16:47:28 - 01:16:56:02

Oh, Mr. Chester, on behalf of the applicant. And just in summary, the scheme, I.

01:16:56:04 - 01:17:06:08

Think link it to the the last part of the the question posed, which is in terms of landscape effects of that loss of existing vegetation.

01:17:09:27 - 01:17:20:05

Yeah. So, um, yeah, the scheme is thought to, to minimise vegetation loss. Just making that point. But we do recognise there is loss and as the, the

01:17:22:13 - 01:17:44:19

point identifies that that vegetation loss is you know, unavoidable because of the scheme and, but the landscape visual assessment and the revision one application reference 1003 has considered that that vegetation loss as part of the assessment.

01:17:50:11 - 01:17:51:06

Thank you.

01:17:55:04 - 01:18:29:09

So if I move on to the next. Question posed by the agenda, and that's whether the provision of advance planting to minimize opening up of those views should be secured by requirement and that sort believe by the South Downs National Park Authority Local impact report. And so you want further information provided now and secured within the requirements, including those details set out in the agenda item.

01:18:29:11 - 01:18:52:28

So can ask has any progress be made as regards the provision and details for advanced planting? And we did have pointed out to us on the site visit site inspection yesterday certain locations in which advanced counting was proposed, but just wondered whether you'd had any progress on those discussion.

01:18:53:28 - 01:19:24:25

Ma'am. Nick Grant for the National Park Authority No progress at the moment, as far as I'm aware. I should just say that I think we've specifically asked for details in the requirements. I understand that would be quite an unusual level of detail in requirements itself. So if it's to be what we want details et-cetera of advanced planting, if that's to go in one of the environmental plans rather than a requirement itself, that's from a drafting point. That's something we're content to work with.

01:19:25:02 - 01:19:26:20

Just in terms of moving this on.

01:19:26:22 - 01:19:27:07

Thank you.

01:19:40:15 - 01:20:12:11

Sorry. Just before I come to the applicant, see if they have any response. If I could go to Winchester City Council. And in response to the examining authority's question 12 122 you stated that wider sources of planting of at least 25m in depth should be provided along the South Downs National Park

edge of the M3 for screening and tranquility. And again, you also sought planting at the top of the slopes.

01:20:12:19 - 01:20:17:18

And again, does that remain your position as any progress being made in that respect?

01:20:19:06 - 01:20:27:23

Robert Green Winchester City Council. Thank you, ma'am. That was in support of certain comments from the South Downs National Park. So no further movement on that thinking.

01:20:31:09 - 01:20:53:17

So if I can ask the applicant to respond on that and in terms of advance planting mean that have been granted that have included specific provision for that and indeed some quite detailed aspects of it and perhaps given the location of.

01:20:53:29 - 01:20:54:19

The.

01:20:54:21 - 01:21:03:12

Works. Is that something that you would consider or. Not feel comfortable with.

01:21:04:22 - 01:21:36:15

What the outline environmental management plans do. Landscape and environmental management do show areas of advanced planting and the applicant is more than willing to provide those. I think we just all need to be clear that advance planting is at the start of works, not before the start of, you know, not before the disease is granted. And so that is something we're happy to to work with and ensure that everybody's comfortable, that it's properly secured. I think from my perspective.

01:21:36:17 - 01:21:38:27

So we can take that. But Mr. Chester just got something to.

01:21:40:21 - 01:22:00:04

It was just above the applicant just to confirm it. Deadline through will be submitting additional information on the locations of advance planting proposed within documents already been submitted. But for ease of understanding and the rationale as to why that planting has been proposed.

01:22:01:03 - 01:22:03:23

Now that's helpful. And perhaps.

01:22:05:16 - 01:22:15:17

If you can also explain why, if there are any areas that are also sought and not included, why those have been rejected by.

01:22:16:17 - 01:22:20:12

But we've not had that specific information from.

01:22:21:26 - 01:22:23:02

I'm jumping ahead.

01:22:25:16 - 01:22:34:18

Uh, you know, are there areas that you would seek to be included that that have not been to date? And if so, can you liaise with the applicant on that?

01:22:35:11 - 01:23:11:00

Uh, yes, ma'am. Um, there are I think one example is the 25m worth of planting, but this might be something that's getting so detailed it's easier to, to pick up offline. Exactly. And certainly I think in. We'll look forward to whatever further information is provided at deadline three. I think part of our concern is not just the location. It seems like species makes what's going to be planted and when we don't have any, not making any suggestion planting should take place before the is granted. But as you know, when as soon as possible after how quickly it's going to take effect that those sorts of things think all detail that can be dealt with outside of this.

01:23:11:02 - 01:23:15:15

But that's the kind of detail that we're we're hoping for to be included in the plans.

01:23:20:09 - 01:23:22:16

Right. Sorry. Nothing.

01:23:26:04 - 01:23:41:06

We're getting rather move on to the main construction compound. Think we'll be which might take us a little while. We will break now and we will resume at 25 to 12.

01:23:45:02 - 01:23:46:22

Sorry, 20 to 12.

01:23:49:06 - 01:23:54:24

Resumption at 20 to 12. Thank you. So the hearing is adjourned.