

M3J9_ISH1_11_July_2023_PT2

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FULL TRANSCRIPT (with timecode)

00:00:05:27 - 00:00:38:08

The hearing is now resumed. Just before we begin, can just check with the case manager, Mrs. Norris, that the live streaming and recording has begun. Thank you. So our next item for consideration relates to the compound. And whether that represents an unacceptable incursion into the open downland landscape of the South Downs National Park.

00:00:38:18 - 00:01:13:06

And this is a point that South Downs National Park Authority has made in its local impact report that in the proposed location it will protrude and exacerbate the negative impact of the proposed works on the national park. So could the South Downs National Park confirm its position and summarise it on that and perhaps explain why you regard that as unacceptable?

00:01:15:21 - 00:01:37:09

Thank you, ma'am. Sir Kelly Porter from the National Park Authority. Yes, that's set out in our submissions. Our starting position is that the harm caused to the national park is entirely avoidable by relocating the compound outside the boundaries of the national park and will let Michelle elaborate further on the specific impacts.

00:01:38:09 - 00:01:39:00

Thank you.

00:01:40:05 - 00:01:40:20

And.

00:01:43:17 - 00:02:15:01

Michelle Bolger sat down. National Park Authority. So there's this there's a clearly whilst the compound is in in place, there will be a visual impact from the adjacent eastern lane in particular. Um, but we don't yet have the details of what kind of, um, land regrading might be necessary in order to, to accommodate the compound.

00:02:15:03 - 00:02:49:18

So we don't in fact know the full effects of the the compound on the, on the landscape of the area at the moment. Um, everything, as it were, negative is going to be contained north of Eastern Lane. The only, the only piece of infrastructure going south of Eastern Lane is the, is the proposed bridleway cycleway. So it's the sort of the scheme is kind of bleeding out of the area where it was kind of, you know, contained by having the the compound to the south of Eastern Lane.

00:02:54:10 - 00:02:54:25

In.

00:02:57:18 - 00:03:01:16

To Mr. Sims. Did you want to ask? Yeah. Touch on.

00:03:02:04 - 00:03:31:05

Yes. Think. As you just touched on, and it was going to be a question to the applicant, so I'll ask the applicant to to address this, but I'd just like to add a comment as well as we saw on the site visit yesterday. I think the comment about, um, about the gradient is was observed and mentioned at the time. So I think it would just be suitable if the applicant could advise where they are with the detail of the compound design and and assessment please.

00:03:32:04 - 00:03:49:01

And so just before we do so it's bullshit. You made a comment in relation you don't know what the form landform would be. Is that right? And that's in relation to the compound as it would be in in use?

00:03:49:03 - 00:04:20:28

That's correct. We do have a plan for that. What they're obviously going to be some regrading for the the cycleway bridleway and we do have that information, but we don't know is what will be required in order to make it a usable compound for for for the duration of the scheme. And and the fact that it's not easy to you know, once you've disturbed these landscapes, it's not easy to to restore it so that it looks like it did before.

00:04:25:14 - 00:05:07:21

Katherine Tracy on behalf of the applicant and the. Current use of the land is as an agricultural field. So it is. It's plowed every, every season. Um, but in terms of reprofiling of the land, to be able to use it as a compound, my understanding is that there isn't any profile reprofiling needed. It will just be stripping of the topsoil and then storing that until the end and that any, any leveling can be done within that, um, that, that operation and then the topsoil will be reinstated at the end of the construction period, which is expected to be three years.

00:05:10:26 - 00:05:36:08

Uh, thank you for the confirmation. Think it would be useful? I know we talked about long sections and cross sections. Think it would be quite useful to have a few cross sections across the proposed construction compound to show where, you know, roads will be within that compound and storage sites and, you know, a little bit more detail than we have at the moment to understand the impact because I don't think we have seen that in sufficient details so far.

00:05:37:09 - 00:05:51:11

Tracy, the applicant, we can certainly provide that. It won't be we don't have it currently, so it would need to be a deadline for submission. But we can if it's ready early form, we can share with South Downs early then. Then we will.

00:05:53:13 - 00:06:19:17

Now think, Mr. Simpson. And my comment is that, having seen it, yes, it seemed to be quite considerable slope. So mean. Your confirmation today and your position today is that it wouldn't need to be the landform itself wouldn't be needed to be altered and that you could work with that slope and with the existing topography and just simply remove the topsoil.

00:06:21:19 - 00:06:35:24

My understanding is that it wouldn't be significant. I think what we'll do is we'll respond. Uh, three. Okay, we can respond in full in deadline for deadline for with the cross-sections in the plans.

00:06:44:08 - 00:07:12:03

Sophie, move on. South Downs National Park Authority suggests that the there are alternative locations for the compound outside the national park, which should be given further consideration. And you have suggested some sites. Could you just give me a little bit more detail about those and why you say those would be acceptable alternatives?

00:07:13:11 - 00:07:44:02

Thank you. I'm Kelly Porter from the National Park Authority. Yes. And obviously, through our ongoing pre-application discussions with with the applicant, we suggested that the Badger farm location where forgive me if it's the correct terminology or not, but the Smart Motorways team were proposed to be an oven given the situation. Well, that's not progressing now. There is an existing compound that could be used that it's outside of the park, therefore, obviously avoiding harm to the park. Thank you.

00:07:47:01 - 00:07:53:05

And that's your your main proposal. That as opposed to any other.

00:07:53:11 - 00:07:54:03

Yes. Yes.

00:08:02:11 - 00:08:07:22

So the applicant's response, please. Why can't use this alternative site?

00:08:08:29 - 00:09:00:20

Katherine Tracy For the applicant at the time that we say there is an alternatives compound assessment set out in the environmental statement in chapter three 313. It starts at at the time that that was carried out. Smart Motorways was going ahead and there was anticipated to be significant overlap in the construction periods so that that compound wasn't was not available to national highways at all. However, it was. Tentatively considered and ruled out for for other reasons so that even even now, the Smart Motorways Project, while the Smart Motorways programme has been cancelled, there are still works going on to the central reservation and that is still in use by the Smart Motorways team and will be in use by them for a while yet.

00:09:01:07 - 00:09:03:08

We can respond

00:09:05:00 - 00:09:35:02

and update I suppose, the alternatives assessment if that would be useful to cover Badger Farm. But the same reason that Christmas Hill, which is about six kilometres to the north of the scheme, was ruled out. Most of those reasons apply to Badger Farm in respect of vehicle movements and the movement of plant and staff around the site. We also have.

00:09:38:02 - 00:10:12:12

Even without the compound, if if the compound was removed, that it follows the route of the whole road for the site so you wouldn't be able to lose all of all of that area. Because it is the route of the Spitfire link, which is where all staff would come in in any event and plant and materials, because that is the only safe access point because of the existing road network. These are high speed roads. You can't just create an entrance off the M3 to the site.

00:10:12:14 - 00:10:49:10

Also, as you'll have seen, there's various gradients and drops and levels that equally applies to the A33 and the A34. So that's why we've got the whole road running up on the side of the M3 going under the. Eastern lane underpass and down the other side so that that that removes all construction traffic from the road network, which would be subject to various contraflow and diversionary routes during construction anyway.

00:10:49:15 - 00:11:23:14

And to put all of our our traffic on that network is. Would exacerbate that problem. Uh, the contractor also has to consider the safety and the working environment of its employee of workers and employees. And there is a need for a welfare unit on both sides of the M3 carriageway. There is a satellite compound on the western side, and then on the eastern side it's proposed to have the main welfare facilities, which.

00:11:25:03 - 00:12:02:24

Would include showers as well as toilets and restrooms, as well as some office facilities and training facilities. And that's because that is the point at which people would check in to the site, it being the arrival point. Um, we are working in a chalk landscape potentially with with wet chalk as well. And it's not just it's not appropriate to ask staff to be wet and dirty and travel 5 or 6 miles on a congested motorway network with no certainty about what how long it's going to take them to get to an off site welfare facility.

00:12:03:28 - 00:12:04:22

So.

00:12:06:20 - 00:12:37:03

That's. That's partly why this location has been chosen. It doesn't. You can't put it on any on anywhere else within the site boundary that's outside the national park. So it has to be inside. We started with a. An assessment of needing five hectares and through consultation and because we're in a national park, we have streamlined and minimised the land that's needed.

00:12:37:05 - 00:12:47:03

So we're now at just over three hectares for the for the site compound and. And.

00:12:53:21 - 00:12:59:26

It. It's a temporary this. It will only be required during construction. The contractor is.

00:13:02:11 - 00:13:11:09

It'll remove as much planning materials as quickly as they can from the area because it costs them to keep it so when they're completed.

00:13:13:15 - 00:13:32:24

They are willing to. And minimize their impacts so far as they can. But from a when you look at all the considerations that are needed for a construction compound. This really is the most appropriate location, notwithstanding that it is in a national park.

00:13:36:16 - 00:13:43:19

I think it would be helpful if you could provide a formal alternative updates on Badger's Farm.

00:13:43:21 - 00:13:45:03

Yeah, we'll do that for deadline.

00:13:45:09 - 00:14:00:22

And um, just to South Downs National Park Authority, want to respond on those comments in relation to. Their view of disadvantages of other locations and other sites.

00:14:01:16 - 00:14:02:01

Um.

00:14:03:12 - 00:14:07:09

Man, Nick Grant, National Park Authority. There was obviously quite a lot of information in that.

00:14:07:11 - 00:14:18:00

So we may need to go and look at the transcript and respond in more detail afterwards. And in terms of the fact that it's just picking up a couple of headline points and.

00:14:19:25 - 00:14:57:14

In terms of the fact that it's a temporary compound. Of course, we understand that. But that's also happening during the construction phase, where even the appellate applicant's own assessments indicate some quite high level impact on the national park. So the question we say is whether these are avoidable. And even if there has to be some sort of compound, whether it can be shrunk further, you'll have seen in our I think one of the points we moved is whether certain plants or certain height, certain elements of plant or other big ugly things, for want of a better word, could be stored at other compounds, even if completely understanding the need for welfare facilities in the vicinity.

00:14:57:16 - 00:15:15:02

Even if some part of this compound needs to remain. In terms of reinstatement, again, take the point that obviously the contractor will want to finish this and get it over with as soon as possible. But you've got Miss Bolger's point, that Miss Bolger's point, sorry that it's not necessarily easy to reinstate these.

00:15:16:25 - 00:15:52:28

And so really suppose that the question for you, ma'am, sir, his going to be whether it's affordable or whether it can be further reduced and partially we're not in a position to help much more now because there was quite a lot of information. B, we're still missing some of the information on things like the levels which is coming, which will enable us to give you a steer as to how big we think the impact is going to be. And then it's going to be a matter for you of is it a significant adverse impact at this point and how does that what is the trade off there? So beyond that, think there's not a lot I can miss
Anything you want to add, Michelle?

00:15:53:22 - 00:16:04:08

Just a short one to say that in terms of landscape visual impact, obviously the impact of a whole road is very significantly reduced compared to a construction compound.

00:16:08:06 - 00:16:34:29

Can I just suggest that all requests that when you are looking at the the update of the alternatives because the initial sift was done, I believe in 2020, whether there's it's the opportunity to just double check that there's no other alternatives that have occurred. In the meantime, in a similar way that you've mentioned about the Smart motorway depot. So I think it would be an opportunity just to double check that there's no other opportunities that could be reconsidered.

00:16:35:23 - 00:16:36:08

Thank you.

00:16:36:10 - 00:16:45:01

Katherine Tracy, if the applicant yes, we can do that. We have tentatively done that ourselves, but we can formalize that and we'll cover off the the big ugly plant. Um.

00:16:55:25 - 00:16:59:28

So the next item which has been touched on. Already is

00:17:01:17 - 00:17:45:15

whether further mitigation be achieved, such as requiring the compound not to be used for storage of plants and welfare units. So I've heard the applicant express their views to the need for welfare units

in that location and. It is suggested by the South Downs National Park Authority. Do you want to respond on that and perhaps give an idea of the distinction between on landscape impacts and visuals in terms of the storage of plants and welfare units being elsewhere and and being on the side?

00:17:51:09 - 00:17:52:21
Michelle Hogan landscape.

00:17:52:23 - 00:17:53:08
Um.

00:17:53:11 - 00:18:23:28
Sometimes National Park Authority. Um, I think we need a bit more detail about the options. So if there were, if there was going to be welfare and plant, what, what sort of quantities we're looking at, what sorts of heights, if that could be located elsewhere. But some things could. So we'd need to see what the options were in order to say, well, what's the what's the the difference in terms of landscape visual harm.

00:18:26:11 - 00:18:27:06
The applicant.

00:18:27:21 - 00:19:00:21
Katherine Tracy, the applicant. We can certainly provide that. Some of that information mean if people are thinking cranes and piling rigs, they will be they won't be in the construction compound. They'll be at the point of the site that they're required. So we can provide some parameters around the very big ugly stuff which which will probably never be well, it won't ever be in the compound because it takes half a day. I've been told to erect a piling rake so you don't put a piling rig up for half a day and take it down and then store it somewhere so we can provide some context about what will be here.

00:19:00:23 - 00:19:04:16
Predominantly, this is about car parking, welfare, um,

00:19:06:03 - 00:19:20:13
machinery arriving to site and being checked in in a maintenance yard, um, possibly some storage of smaller vehicles, but and materials but but not cranes and, and the like.

00:19:22:03 - 00:19:53:19
At the National Park Authority. That's really helpful effectively. Think it this much like a number of the other things we've discussed today. It might be that there are ways forward, but they will only come out in the detail and our ability to suggest things like off the top of my head, if it's car park is going to be there, whether car parking can be elsewhere in minibuses in or if that's not possible, because you have to work welfare units on site. Things like that can only be explored once we fully understand what the intention is to go in that. And it's that's when you're in the position of being able to make your decision on the trade offs.

00:19:53:29 - 00:19:57:07
Is there anything else you wanted to say? I think that's it from us. Thank you.

00:19:57:18 - 00:20:16:04
Think if it could also understand from the South Downs National Park Authority because you had suggested it, the storage of plants and welfare units elsewhere. What difference what difference does that make in in your professional assessment?

00:20:17:28 - 00:20:18:19

Why are you.

00:20:18:21 - 00:20:23:16

Asking for them to be elsewhere? What? What's the harm from those items?

00:20:26:13 - 00:20:43:14

I think that it was considered that they were possibly the largest things that would be on site. So it was a question of reducing height and footprint. But as we say, until we know what the actual likely parameters are, we will know that.

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So you would.

00:20:46:13 - 00:20:48:23

Be seeking parameters on those aspects.

00:20:50:02 - 00:21:31:18

I think that would be helpful. Ma'am, I understand that part of the point about welfare and plant links to something we've discussed earlier about profiling, we weren't clear how things like big welfare units in plant or big plant could be stored without significant reprofiling. So it might be that the answer to that turns or is influential on the specific plant and welfare unit point. More than that, or just as a general big picture point, it's about trying to minimize to the greatest extent possible any harm to the national park, even if the scheme is and I know you're not prejudging this, but if it is to proceed, it's a matter of trying to eke out every possible benefit we can possibly get because of the high level of protection that's enshrined in law and policy,

00:21:33:11 - 00:21:35:25

basically where those of those suggestions have come from.

00:21:38:07 - 00:21:42:15

Thank you. Did the applicant want to add anything on that?

00:21:44:16 - 00:21:52:09

Now? Don't think so. Think we'll have discussions with South Downs about what we can do and then we'll follow up at deadline for.

00:21:55:01 - 00:22:27:19

So we move on now to the proposed swale and attenuation ponds. And then. The Southwest National Park Authority or criticized is the form and location of the swale and attenuation ponds and looks to the negative impact, including loss of open downland and the setting of the Abbots worthy conservation area, which you say would be exacerbated.

00:22:28:18 - 00:22:38:28

And so could the South Downs National Park Authority. Explain further your criticism of those aspects of the scheme?

00:22:41:28 - 00:23:08:12

Michelle Bolger. National Park Authority. Um, I'm only I'm not dealing with the Abbots worthy Conservation Area point. Um, as we've already discussed, there is this pinch point in the scheme between at Whitehall Cottage and that is where one of the, one of the, the larger um,

00:23:09:29 - 00:23:56:27

attenuation ponds is going to be located. And that is again as you, as you saw in your site visit, you know, so up on the side of the South Downs where there's going to be a lot of reprofiling of land and there's going to be a lot of new highway infrastructure introduced. Um, and our feeling is that that area will effectively lose all of its existing character as open downland and, and that's part of our argument about the fact that we just don't see that the overall impact can be negligible because that will never that area will never go back to being what it is at the moment where you've got that kind of very, very sweeping, quite deep drop away.

00:23:57:01 - 00:24:36:15

And so and then the and then the the, the second attenuation ponds which are in a more appropriate in the sense that they're further down into the further down into the valley are also located on that that sort of um the side of that hill that we were looking at sweeping up to that line of trees. Um, that's, that's where they're located and we, we haven't think had sufficient, um, detail yet to know how these, how these factors are go in terms of kind of like, you know, levels and whatever, how these factors are going to be addressed.

00:24:36:17 - 00:24:53:09

But certainly in terms of the one at Whitehill Cottage, we find it difficult to see how it can be addressed in any way that doesn't result in the loss of of of that existing and not restoring all that existing landscape character.

00:24:59:03 - 00:25:08:09

So you're still looking for further information relating to the continuation pond in terms of proposed contours? Yes.

00:25:15:11 - 00:25:15:26

Well.

00:25:19:25 - 00:25:21:11

Very exciting interruption.

00:25:21:13 - 00:25:22:09

Outside.

00:25:24:15 - 00:25:27:07

Hopefully they're moving on promptly.

00:25:29:20 - 00:25:44:13

Right. Thank you. Can I just ask South Downs National Park Authority? Did. Did anyone else want to comment on the setting of the abuts worthy conservation area that has been mentioned? Yeah. Thank you, ma'am.

00:25:44:15 - 00:25:49:20

Kelly Porter from the National Park Authority. Uh, yes. So it's the as.

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We said, we support the principle of.

00:25:52:17 - 00:25:53:02

Suds.

00:25:53:04 - 00:25:55:15

Features helps conserve and.

00:25:55:17 - 00:26:14:01

Enhance the national park. It's more about, obviously, the specific design of the features shown in, in the application documents. And similar to the the points Michelle was making about the open downland. Well, that is a characteristic of the conservation area. So the same point applies.

00:26:18:26 - 00:26:25:25

He had made a detailed point about, um, the the planting proposals.

00:26:27:27 - 00:26:38:05

Yes. Okay. Kelly Porter. Yeah. It goes back to the point we were making about the construction compound issue. In principle, you're causing harm to the national park.

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And ideally.

00:26:39:17 - 00:26:54:23

It should be avoidable. But also for for your judgment to make is whether we can maximize the benefits that are being created. So, yes, is there is there something around the planting that could benefit the national park and its purposes and duty?

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And is.

00:26:57:21 - 00:27:06:13

There any, you know, specifically in relation to the conservation area? Is there any specific change that you're seeking in planting terms?

00:27:08:04 - 00:27:14:25

Not in planting terms per se. It's more about the form that those structures take. Thank you.

00:27:15:25 - 00:27:18:20

So if I could ask the applicant to respond, please.

00:27:21:18 - 00:27:57:20

Mr. Chester on behalf of the applicant and with reference to the proposed drainage features within the open downland landscape basins five and six, and the position of the highway modifications to the landform results in the need for drainage features located on the eastern side of the M3 as they collect the natural flow of water from the surrounding landform. And the position has been noted is within the East Winchester, the landscaped character area.

00:27:57:23 - 00:28:30:07

But Drainage Basin five is within a more depressed area than compared to Basin six, which is further north. And Basin six is designed as an infiltration feature to accommodate overland flows from the surrounding landscape. Although it's been referred to as a basin, it's a surface feature generator to the rear and sides by local topography and the and the bridle way, which is on its western side.

00:28:30:29 - 00:28:32:25

And the.

00:28:34:11 - 00:28:45:29

The form of of the basin will have profiles similar to the surrounding landscape, and that's demonstrated in the sections Fig. 2.7.

00:28:48:19 - 00:28:58:03

Um, and yeah, they're obviously those the design of that basin has considered that flowing downwind. Okay. Um.

00:29:00:12 - 00:29:40:08

But just to summarize the base in its sections. Sorry, sound familiar? But the basin is designed to provide infiltration of water to ground and it takes the overland flows. It's not that feature is not taking any drainage from the highway. Um. And. Modeling has been done in terms of the the the wetting of that that feature. And it will be limited to several days of of the year and those more extreme events and in it um obviously then dissipate into the ground.

00:29:40:10 - 00:29:49:06

So it will have a form that is characteristic of the surrounding short grass and that is being created and appearance of the chalk grasslands being created in the area.

00:29:50:26 - 00:29:59:09

Um, with regard to Basin five, which is adjacent to White Hill Cottage, um, on Eastern Lane,

00:30:00:26 - 00:30:18:08

the the landform has been designed to ensure that the basin has sufficient volume to accommodate a 1 in 100 year plus 40% climate change events whilst minimizing land take. And again, the landform has um, looked to be sympathetic as it can.

00:30:19:28 - 00:30:45:21

There is no excavation in that area. Again, similar to Basin six, it is the formation of the Bridleway and the false cut that we've already discussed today that creates that damming of of that the basin is taking overland flows and it is also taking some surface water from the proposed slip roads. Um.

00:30:48:10 - 00:30:50:07

Just in touch of.

00:30:50:09 - 00:30:50:26

The.

00:30:50:28 - 00:31:28:05

Touching on the point about the character and the proposed planting in that location. So the South Downs National Park define that that area as being part of the East Winchester up and down the landscape character area. The applicant just wanted to highlight that. The Hampshire County Council study also identifies the same area as part of the Itchen Valley. And so in our view, it's an area of transition between the two character areas and the the landform is around 50m above ground level.

00:31:29:15 - 00:32:01:16

Yeah. Yeah, we do. Um, and whereas the wider area rises to around 100m, so, um, it could be considered that it has associations with the valley floor and the Itchen Valley sides which are similar elevations and are more vegetated. The location itself, as we saw on, on the accompany site inspection yesterday, it's vegetated along Eastern Lane, the M3 corridor, vegetated and the vegetation fronting the properties and within the group of properties at that location.

00:32:01:27 - 00:32:15:12

So by providing woodland surrounding the feature, it's considered that that is having responding to its context and it's providing a visual screening function, landscape integration function of the feature.

00:32:17:17 - 00:32:22:18

The section we've highlighted already goes through Basin five and explains.

00:32:25:03 - 00:32:25:24

Potato.

00:32:28:07 - 00:32:29:12

I think that's me.

00:32:30:11 - 00:32:30:26

Go to.

00:32:32:09 - 00:32:33:05

So just to.

00:32:33:07 - 00:32:49:06

Clarify, are you saying that there's, you know, the plans already exist that shows what that show what is proposed and there's no need because you're not making any. Alterations are subject to the profile.

00:32:49:17 - 00:32:50:04

So the.

00:32:50:21 - 00:32:58:00

The profile. We are producing additional set sections that we write. Deadline So he says, yeah.

00:32:58:24 - 00:33:01:05

So they will they will fill any gaps.

00:33:01:07 - 00:33:01:23

Yes.

00:33:02:09 - 00:33:15:05

Thank you. And does you or anyone else from the applicant want to say anything about the setting of the Abbots Worthy Conservation area? In this context.

00:33:15:16 - 00:33:16:01

Like.

00:33:16:28 - 00:33:29:27

Catherine Tracy for the applicant no will respond in writing on on that point the response just given will be submitted as part of that response to the deadline three as well. So there'll be an opportunity to see that.

00:33:32:17 - 00:34:12:23

Michelle Bolger. South Downs National Park. Just just two points. One point of clarification. It is Basin five that we're concerned with, not based on six. Yeah. So the one further north isn't we're not, you know, raising an issue with that base and totally take your your description of it. Yes it's based on five and I think. I know you stood there yesterday and think the fact that it is not going to need any excavation to create that basin tells you how much land raising there is going to be between the site of the basin and the existing edge of the motorway.

00:34:12:25 - 00:34:48:13

That's why I mean, that's one of the reasons. Um, I don't know whether the land raising is greater in order to create the attenuation basin without any excavation. I don't know if that's one of the decisions that's been made, but as you know, you stand on that. You're very much on higher downland looking down quite steeply. You definitely not in the valley when you're standing on that location. And if the Hampshire County Council has that in the valley, it's probably got a pretty wide definition of the Itchen Valley.

00:34:48:19 - 00:34:56:08

That's definitely, you know, you're definitely on the higher open downland when you're standing where the basin is going to be.

00:35:00:07 - 00:35:00:22

Okay.

00:35:04:06 - 00:35:06:14

That the applicant wants to add anything or.

00:35:09:20 - 00:35:10:25

Oh, sorry.

00:35:14:10 - 00:35:15:02

Sorry.

00:35:15:25 - 00:35:29:27

Marvin. And my apologies to the applicant. And I think contrary to what you've just said, we do have some issues on on base and six as well. Um, I'll hand over to Miss Porter to signpost. Thank you.

00:35:30:09 - 00:35:30:26

Thank you.

00:35:32:17 - 00:35:41:28

So. So I was just going to refer back. Sorry. Kelly Porter, South Downs National Park Authority. Yeah, I was just going to refer back to our my original opening statement about.

00:35:42:00 - 00:35:42:15

The.

00:35:42:17 - 00:35:51:08

Form in that that location and obviously about maximizing the benefits. So just to clarify that point. Thank you.

00:35:53:09 - 00:35:53:28

Thank you.

00:35:58:03 - 00:35:58:27

Yeah. Can I.

00:35:58:29 - 00:36:25:08

Just. Can I just ask for the next. When you when you respond about this, could you just clarify the situation about the setting and the difference between what you're you've had from Hampshire County Council and what the South Downs National Park Authority is saying? Think I'd like some clarification on on the difference in why there is a difference and why you've taken the approach you have in that that area please.

00:36:28:14 - 00:36:51:14

Yeah. Mr. Chester, on behalf of the applicant, don't think it's. It was just iterating the point that there is differences in opinion of what how that landscape has been considered historically and which is obviously. Informed the decision about why woodland planting in that area is appropriate and. Things.

00:36:53:26 - 00:37:07:13

Yes. No, I understood that point. But we have the South Downs National Park Authority having a slightly different view. So I'm just asking for some confirmation of how you've approached that particular area, bearing in mind that comment from South Downs National Park, please.

00:37:10:22 - 00:37:12:17

We can provide that deadline for.

00:37:19:11 - 00:37:52:26

So moving on, the next aspect of this agenda item looks to whether the draft DCO should make provision for further control of the detailed design of the attenuation features and Swale and South Downs National Park Authority Local Impact report was seeking further information from the applicant on the detailed design of the attenuation features and swale, and measures taken to ensure the maximization of potential environmental benefits.

00:37:52:28 - 00:38:05:03

So I can ask the South Downs National Park Authority has any further information been provided to date by the applicant in that respect? And in terms of.

00:38:06:26 - 00:38:12:25

Additional provisions. What? What are you seeking in general terms?

00:38:14:17 - 00:38:15:03

Thank you, ma'am.

00:38:15:11 - 00:38:17:28

Kelly Porter from the National Park Authority.

00:38:18:12 - 00:38:18:27

Um.

00:38:21:06 - 00:38:21:21

Uh.

00:38:22:18 - 00:38:35:00

So I suppose. Well, sorry. In answer to your first question, no, we haven't received the additional information, but obviously we've already talked about the slightly out of sequence. The hearing is so suspect when there will be a deadline three submission from the.

00:38:35:02 - 00:38:35:20

Applicant.

00:38:35:22 - 00:38:45:23

And suppose to pick up on your earlier point. Think perhaps this is a good example where a design code could be used for these features come.

00:38:47:25 - 00:38:51:10

Yeah. Thank you. Does the applicant have a response to that?

00:38:53:21 - 00:39:25:07

Right. Katherine Tracy for the applicant. Um, I think if we're talking about additional environmental benefits for biodiversity and things. And. Uh, my understanding is that for that to happen, we would have to have a way of ensuring that these basins were permanently wetted. Um, and that's a fundamentally different proposition to, to what we have at the moment, that they are to collect the water and then it will infiltrate through and then it will be dry.

00:39:25:16 - 00:39:36:06

Um, so if that is what's being asked, we, we don't think that we can actually achieve that without changing the position.

00:39:38:06 - 00:39:39:20

Could we have clarification?

00:39:39:22 - 00:40:06:21

Yes, ma'am. Nick Grant for the South Downs National Park Authority. And we're not talking about permanently wet basins. It's other things like linking it to habitat corridors. You said this might be something this might be a detailed point, easier to pick up offline again rather than have to IN and froing over this room. But it's it's not a permanently wet pointer. There are other benefits we think might at the very least be explored and perhaps we should take those up on offline and work on that basis.

00:40:06:26 - 00:40:12:07

Thank you. Those if those could be discussed elsewhere. Thank you.

00:40:24:21 - 00:40:31:08

The just checking. The applicant has no further response on what's been said on this topic. No.

00:40:40:29 - 00:41:18:20

Thank you. So if we move on now to the next item, which is grassland and farmland interface. So the South Downs National Park Authority in its local impact report seeks further measures. And this is the point that Ms.. Bolger made earlier, that you consider that the fields to the east of the M3 should be treated as one and all reverted to grassland and secured through the requirements. The applicant, in contrast, considers that no additional chalk grassland is required to mitigate the impacts of the proposed scheme.

00:41:18:22 - 00:41:32:18

So, um, first, if I could ask the South Downs National Park Authority to explain further its position that additional chalk grassland is required is necessary to mitigate the impacts.

00:41:33:18 - 00:42:08:22

And just reiterating what I said earlier this morning, we consider that there will be remaining harm to the national park and after 15 years with the scheme as it is proposed and because that is the case, there should be additional mitigation. And we did in our in identifying a number of ways. But the the key one of these is by extending the chalk grassland, because chalk grassland is on the open.

00:42:08:24 - 00:42:25:22

Downland is historically characteristic. And one of the key characteristics of the park and the extension of it would be beneficial and that that would be some compensation for the harm that the the residual harm that would remain from the scheme.

00:42:31:13 - 00:42:59:18

And and sorry. And the other thing is that as it is proposed at the moment, what's being created is kind of like a strip of chalk grassland and an artificial and a sort of line between the chalk grassland and the and the arable land next to it. Whereas what what would be more natural would be for the whole of the field to be grassland and then obviously for the arable other agricultural uses to, to to be elsewhere.

00:43:01:03 - 00:43:04:15

So so you think it would the finished product would look odd. Yes.

00:43:04:20 - 00:43:12:26

As it stands and look odd and also be quite difficult to manage because you'd be kind of like doing, um, you know, arable

00:43:14:20 - 00:43:35:08

management of crops and things right next to the grassland. So obviously there's much greater chance of, um, uh, you know, nutrients and things being leaching from one to the other, especially since we're on a slope here so that it would be much better to establish if it wasn't, if it didn't have this and you're not going to.

00:43:37:06 - 00:43:49:02

Hard to hate your logic. That would be completely inappropriate. So, um. So yes, you're at the moment what you have is a a very unusual and rather artificial interface between between the two. Yeah.

00:43:50:27 - 00:44:18:27

It may not be a question for you, but the applicant has in in part in rejecting that suggestion, referred to permanent land changes that would be needed to achieve that. Does anyone from South Downs want to say anything on that aspect and how achievable would this be and what would it what would be required in terms of changes to DCO and anything else?

00:44:23:16 - 00:44:35:27

Thank you, ma'am. Yeah. Kelly Porter from Mr. Park. I mean, obviously, in terms of changes to the DCO, it would require the red line of the application to be amended because obviously the current application is drawn quite tight.

00:44:36:03 - 00:44:37:05

To to that.

00:44:37:07 - 00:44:40:22

So it doesn't necessarily include all of that field, possibly.

00:44:42:05 - 00:44:42:29

Um, and.

00:44:43:01 - 00:45:04:02

Then in terms of it, the point that Michelle was making, it's about the management of, of that land. We don't necessarily agree that the land would need substantial changes to create that chalk grassland, but it's more about the yes, there will be long term management and maintenance requirements to make sure that that chalk grassland is successful.

00:45:06:13 - 00:45:13:12

The current line of the. Does include most of the field. It doesn't include quite all of it, but it does include the majority of it.

00:45:15:27 - 00:45:25:23

So in terms of that part of the field that. That is included. If if the whole of that.

00:45:25:25 - 00:45:26:13

That's currently.

00:45:26:15 - 00:45:37:08

Within the red line boundary were included within the chalk grassland. How beneficial, in your view, would that be?

00:45:38:14 - 00:46:18:00

That would be that would be significantly beneficial. Think think from an agricultural point of view, it might leave a little piece that would be difficult for mean which wouldn't be used for arable because it would be too small. So you wouldn't have the same you wouldn't have the same issue of the sort of like the adjacent management, but you might have an issue from from the land ownership and the because it would be too small. But but if all the if all of the area that is within the DCO went to chalk grassland that would be um, you know, a significantly better compensation than what's currently proposed.

00:46:20:26 - 00:46:33:28

Ma'am, you mentioned the applicant in rejecting the can, rejecting the suggestion. Can I just double check which bit of the applicant documentation you're referring to? Is that their response to one of the first written questions? Just one.

00:46:35:01 - 00:46:36:08

Yes, I believe so.

00:46:36:12 - 00:46:37:07

Okay. Thank you.

00:46:49:11 - 00:47:18:08

So the Yeah. If can turn then to the applicant. So if could have your response including a further explanation of the permanent land changes that would be needed that you've referred to. And also what are the designated funds that could potentially be utilized, But you're saying that would be outside the process?

00:47:22:03 - 00:48:03:16

At Mr. Chester. Half of the applicant. And so, as has been pointed out, the delineation of the chalk grassland area on the on the eastern. The Downland within the East and East Ireland landscape character area and is providing around about nine hectares of chalk grassland creation over those that that length of field. And this is providing a biodiversity mitigation for the scheme and a landscape enhancement measure and the extension of the field.

00:48:03:18 - 00:48:18:27

The chalk grassland creation further east would result in further impacts to the best and most versatile agricultural land within the South Downs National Park. So that is a consideration as to why we have defined it.

00:48:20:15 - 00:48:25:11

Can I just ask you just to repeat that last point.

00:48:25:24 - 00:48:26:11

If you could repeat.

00:48:26:17 - 00:48:38:02

Them so that they extend in the field east to create further chalk, grassland would remove land from agricultural use, which is considered best and most versatile.

00:48:40:18 - 00:49:14:17

Um. I think. Obviously, we we acknowledge that chalk grassland creation is in the national park. Think we are agreeable is considered a benefit. It has um, you know works with the aspirations of, of the national park and the opportunities that they've identified. Um, but think we disagree on the, on the point about mitigation and the designated funds that you've referred to relates to landscape enhancement.

00:49:14:19 - 00:49:27:02

So that would be. Delivered outside of the DCO because we don't consider that we can take that land. Permanently acquire that land for enhancement measures. And.

00:49:28:21 - 00:49:31:17

Think what, in terms of justification.

00:49:33:03 - 00:49:35:06

Katherine Tracy for the applicant. Yes, that's right.

00:49:36:29 - 00:50:07:08

Um. In terms of how that that 100 meter corridor has been identified, that that area that is the area where the primary land form reprofiling and the placement of chalk from co areas across the wider scheme. And it's that placement of chalk within those areas that is the allowing the or contributing to the creation of chalk chalk.

00:50:07:17 - 00:50:23:12

And we acknowledge the point that the remainder of the field could be reverted from, from arable use through um, measures. Um, but that's not currently part of the, the proposals.

00:50:26:29 - 00:50:58:00

A monarch grant for the National Park Authority. I'll bring this in in a moment. On the technical landscaping side, just on the justification side, if you are with us, that this is mitigation and not just an ancillary benefit, wouldn't that rather indicate and it's mitigating, it's mitigating the negative impacts of the scheme and therefore that goes into the fact that it can be justified in terms. So whether it goes to justification depends on whether you're with us, that it's whether you're with us, that it's mitigation or whether you want the applicant, that it's not. It's just an ancillary benefit.

00:50:58:09 - 00:51:01:05

Yes, that. Thanks. Understand that? Yeah.

00:51:03:02 - 00:51:03:17

So mean.

00:51:03:19 - 00:51:09:16

There's the primary point of distinction between you both on that.

00:51:12:03 - 00:51:12:18

At.

00:51:14:28 - 00:51:49:29

Another sort of like, you know, minor benefit would be if the if the whole field or whole um, consent order limits were reverted to chalk grassland. It might be possible to it would be possible to create at least a footpath that would be actually more desirable than the the route of the current bridleway cycleway. Now I know that that is constrained partly by gradient and obviously with the footpath you don't have the same constraints, but it's also constrained by the area that's that.

00:51:50:01 - 00:52:17:01

It's got to be within that grassland area. If you had the whole of that field, you could have a much nicer footpath which would be higher up further away from the motorway with, with more attractive views, particularly further away from the motorway, apart from at the pinch point, when you don't have an option, that's where you've got to go through. Um, so that would be another benefit that would, would, would derive from extending the chalk grassland.

00:52:21:10 - 00:52:23:09

Thank you. Did the applicant want to respond?

00:52:26:19 - 00:52:59:04

Um, Mr. Chester, on behalf of the applicant, um, the. The applicant worked with the South Downs National Park on the position of the Bridleway, um, prior to the application being made and the position of, of that route, there was the, the landform proposals in that area. Um, must take the point that moving it physically further away from the motorway and higher up the landscape may give greater visibility of the surrounding landscape.

00:52:59:23 - 00:53:22:12

The proposals and the position of the bridleway have has been designed to minimise views of the scheme. The landform proposals and the mitigation on the on the cut slopes, on the on the embankments, provide that visual screening function to minimize views of the of the scheme and the existing M3.

00:53:23:29 - 00:53:24:18

Ma'am. Uh.

00:53:25:04 - 00:53:25:19

Yeah.

00:53:25:29 - 00:53:32:01

I'll just thought I was going to ask you to come back on that because I know you've made that point.

00:53:32:03 - 00:53:32:18

Yeah.

00:53:32:20 - 00:54:01:20

I'll revert to this boulder on the technical side again, but in terms of the, the working with the applicant on the position of the footpath, yes, we've had engagement in that process, but it was always in the context of us saying take the bigger field and push the footpath up rather than here's the great alignment of the path. What should follow for us has always been, but we've communicated, it has always been on the basis of it needs to be more than it is now and the footpath should be pushed up utilizing that bigger field.

00:54:04:25 - 00:54:29:17

Michelle Bolger at National Park Authority. Yes. Just to reiterate, nothing was ever offered outside of that line. Mean that was the that was the absolute. We couldn't go outside there. So that was all that could be discussed. All that could be kind of like negotiated. We've always said it would be better if you could take it further away and higher up the footpath at least.

00:54:36:25 - 00:54:39:03

Is there anything that the applicant wants to add?

00:54:42:21 - 00:54:50:14

From Tracy for the applicant. No, don't. Don't think so. We'll be responding in writing anyway to a deadline three. So.

00:54:56:26 - 00:55:28:22

So we move on to the next item. Chalk Grassland mitigation, the design, management and viability of the proposed areas of chalk grassland. This is a topic that we have already touched on somewhat earlier. And the South Downs National Park Authority Local Impact report queries The proposals to manage lower embankments alongside the M3 is chalk grassland. So just wanted to check that first.

00:55:28:24 - 00:55:44:29

You still have concerns in that respect and if so, how do you propose that the first iteration environmental management plan, the outline landscape and ecological management plan and requirements should be strengthened?

00:55:50:04 - 00:56:02:23

Michelle Bulshit, South Downs National Park Authority. Um, yes, we still have concerns. And, um, uh. We we it's

00:56:04:21 - 00:56:38:00

it's not so much that we specifically. Think that there are things that are being that aren't being done correctly. It's that we don't know that the how successful the establishment will be because of the fragmentation. So it's not necessarily how it's being managed, but because it's fragmented, it's not linked to wider areas. These these are the grass verges are come to the slope in a minute. What what we think is that it shouldn't really be considered as chalk grassland compensation.

00:56:38:02 - 00:57:31:17

You know, it's more it's it's grass verges to motorways which can be very biodiverse, can have lots of biodiverse benefits. Um, but that it isn't really a national park compensation to have these strips of grass along these grass verges alongside the motorway. So those are, those are the grass verges. So it's not so much their management, it's how it's being considered in terms of mitigation to the harm of the scheme. The the the the the slope, the issue is really the fact that it's got the trees towards the top and which is going to make it difficult to prevent, um, encroachment of scrub and, and the sort of possible um, uh, materials, topsoil that's going to come down from the.

00:57:31:19 - 00:58:09:18

Now I understand from what Mr. Chester says that early on the thinking of the South Downs was that it would be better if these slopes looked more like Valley Slide. But in a way it's got to be one or the other really. It can't try and be both. If it's valley side, it could all be planted, it could all be planted on the side. Um, but to try and do a bit of planting and then a bit of chalk grassland we don't think is really going to work in the long term because they don't go so well together in that when you've got such a small you're talking about narrow bits of land, you know, not not a wide area.

00:58:09:20 - 00:58:30:15

So, so, so those are the areas of concern that the the idea of how much mitigation it affects, whether if you're going for a valley side, you go for all planting or you go for all chalk grassland and keep the tree planting elsewhere. So we we think that we think they need to be thought about again, those proposals.

00:58:31:01 - 00:58:37:04

Ma'am. Nick Grant for the National Park Authority. On the second part of your question about amendments, um.

00:58:38:19 - 00:59:10:16

On view is the kick calling, the fire the first iteration, the and the limp and every other at this point at the moment and is quite generic and high level in terms of the complexities of managing grassland. So there are certain. There are certain suggestions that we have. But again, think, as we say, much of this is probably easier to pick up the detail outside of this room. Um, but there are other matters that will link to certain requirements in the draft.

00:59:10:28 - 00:59:34:03

Like for example, specifically with reference to the chalk grass. And we have slight concerns about the there's an initial five year replacement if it dies, period, and whether that needs to be slightly longer. At least for the chalk grassland bits. But so there are ideas that we have in terms of strengthening the fire in theater. But again, it might be easier if we pick them up directly with national highways rather than give you a litany and a list here.

00:59:34:07 - 00:59:39:12

No, that's fine. If you'd rather discuss first before sharing with us.

00:59:41:07 - 00:59:49:21

Katherine Tracy for the applicant we would welcome. Discussion of things that you've obviously got in your mind that we might be able to address or otherwise.

00:59:51:08 - 01:00:04:20

All right. You know, and if if progress is not made and there are changes you would like to see if you could make. You know, specifically set those out, um, for us to consider.

01:00:05:12 - 01:00:18:09

Yes, ma'am. Of course. Think my suggestion of picking it up off line first is not. This is a big examination. It's not to bother you with stuff that we might be able to get resolved and only bring it to you both if it's if it's a dispute. Disputed point.

01:00:27:01 - 01:00:30:15

Do the applicant want to respond to what Ms.. Bolger said?

01:00:32:14 - 01:00:38:12

No, I don't think so at this stage. We will be responding at deadline three. Thank you. So, yeah.

01:00:44:04 - 01:01:04:02

So the next topic for us to consider is whether the inclusion of the use of grassland within separate sections for embedded and essential mitigation measures represents double counting. So that's. Something that the South Downs National Park Authority Local Impact report

01:01:05:22 - 01:01:32:20

highlights and considers its inclusion in separate sections for embedded in essential mitigation measures. This double counting. How does the South Downs National Park Authority propose that

applications at any document should be updated? Mean it's not for you to update, but what changes would you seek to reflect that?

01:01:33:02 - 01:01:41:26

Michelle Bolger National Park It has been it has been changed in the in the deadline one submission. It has been changed. Yes. Yes.

01:01:42:25 - 01:02:00:08

Apologies for overlooking that. And, um. If the applicant could just confirm and indicate to me whether that position is accepted in terms of double counting and whether that changed your conclusions.

01:02:00:29 - 01:02:13:22

Katherine Tracy For the applicant. It was think it was a presentational error in the environmental statement that's been updated and no double counting was undertaken in the assessment and there's no changes to the conclusions in the assessment.

01:02:17:06 - 01:02:18:27

Thank you for that clarification.

01:02:26:18 - 01:03:00:11

So if we move on again, 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. So if I go to the South Downs National Park Authority, would you consider that the Section 106 planning application is required? And what significant additional enhancements within the local area do you say should be provided?

01:03:01:19 - 01:03:23:06

Thank you, ma'am. Kelly Porter from National Park Authority. Yeah, we obviously set out in our local impact report and more specifically, appendix C, the plan that highlights a number of areas where there could be additional mitigation and enhancements. To give you two examples. One could be obviously the deposition and soil issue. There are other.

01:03:23:08 - 01:03:24:27

Sites such as near.

01:03:24:29 - 01:03:40:04

Saint Catherine's Hill where that would be beneficial if deposition or soil was used to improve and enhance that area. And another example is around the cart and horses junction. And again, that's picked up in more detail in our local impact report. Thank you.

01:03:43:21 - 01:03:44:19

I thank you.

01:03:52:07 - 01:04:02:27

So if I could ask the applicant to respond and. You know, expand upon why you say there's no need for a Section 106 in this in this application.

01:04:04:19 - 01:04:25:09

Katherine Tracy for the applicant in broad terms. We don't consider that any further mitigation is required and therefore there's no requirement for any additional mitigation to be skewered at all in the Section one, zero six or otherwise. But we can respond more fully at deadline three.

01:04:29:16 - 01:04:30:04

Thank you.

01:04:32:20 - 01:05:00:14

Martin Nick Grant for the National Park Authority will review that position at deadline three and respond. I think our position, as sort of hinted earlier at in this in these proceedings, is that to satisfy the exceptional test, it's got to be exceptional and providing that additional mitigation as part of the exceptionality of this scheme, it cannot be a another road widening scheme. It's got to be exceptional and the additional mitigations we seek play into that. But we'll see what National Highway saying respond.

01:05:05:05 - 01:05:33:18

Thank you. So moving on to visual impact. Um. Impacts on visual imagery during construction and operation. Have no specific questions on this topic, but it was simply included in the agenda in case parties had any additional points they wanted to make on the subject. Can I just check first, is there anything South Wales National Park Authority want to add on on that?

01:05:34:04 - 01:06:07:21

Michelle Bolger South Downs National Park Authority. Think the things all the issues have already been discussed today. So the new photo montage is the winter year 15 photo montages. And we you know that the the inclusion of the fact that the viewpoint three represents a representative viewpoint in the South Downs National Park and that the the visual impact assessment should be reassessed in light of all those things.

01:06:11:08 - 01:06:15:07

Thank you. Just check if there's anything Winchester City Council wanted to add.

01:06:15:26 - 01:06:16:22

No, thank you, Mom.

01:06:18:12 - 01:06:19:11

If the app does.

01:06:19:13 - 01:06:21:09

The applicant want to make any response?

01:06:24:01 - 01:06:48:06

Uh, Mr. Chester, on behalf of the applicant. Just on the point of view. Location three being on within way and the reference to the View shared study by the South Downs National Park that is identified within Appendix 7.4 of the landscape and visual the visual assessment appendices. We have acknowledged that.

01:06:51:11 - 01:07:08:17

My apologies then. I hadn't I hadn't spotted that. But it, you know, perhaps it hasn't been given enough weight, given the given the the change that we now see from the photo montage. So I will I'll review that yet so apologies and spotted that.

01:07:11:03 - 01:07:23:27

But can I just start a fit? So in terms of taking the point about the visualizations and the updates to that, in terms of the sensitivity for that receptor, it was identified as very, very high acknowledging importance.

01:07:30:11 - 01:07:35:21

Thank you. The next topic is historic heritage, including archaeology. Um.

01:07:38:12 - 01:07:44:19

And the question is posed by the first bullet point did want to go to.

01:07:46:06 - 01:08:05:05

The applicant. And that was first, as regards your response to the examining authority's question. I think it's 11 one two. Have you had confirmation from the city archaeologist that you said you were awaiting?

01:08:08:12 - 01:08:14:28

Sorry, ma'am, can we just do a quick swap of seating trade? My engineer for my heritage expert.

01:08:35:27 - 01:08:40:27

So we have Daniel Brey, who's our heritage expert here. Could you repeat the question for him?

01:08:40:29 - 01:09:11:22

Yes, certainly. It was just think you made a reference, um, in response to our question, 11 .1.2, and that you were indicating you were getting some confirmation from the city archaeologist. I don't know if that was something that would occur potentially after the wars or was not granted at a later date or if that's if you'd have had any further discussions with the city archaeologist at this stage.

01:09:14:11 - 01:09:14:26

Thanks

01:09:16:03 - 01:09:27:04

Ray from Stantec for the applicant. And that was in regard to archiving. And no, we haven't had any further further discussions with the county archaeologist this year.

01:09:30:00 - 01:10:06:05

So if I can go to Winchester City Council. And that was in response to our question 11.1. Point one and you stated that, um. You had you reasonably content content with requirement nine of the draft DCO. Um, except for appropriate provisions and contributions for the installation and ongoing management and maintenance of an on site archaeological interpretation which you believe should be secured by a section 106 legal agreement.

01:10:06:07 - 01:10:09:29

Could you please explain to me why you consider that to be necessary?

01:10:11:23 - 01:10:46:27

Yes. Thank you, ma'am. Robert Green for Windsor City Council on a few of those points there. One of them has fallen away. I'm satisfied the requirement does secure consultation with the city archaeologist as well. I think the wording of that is appropriate. Um, going back to your earlier question to the applicant, the the further request for information outlined in 5.3.7 of the Winchester Law. Um, I was under the assumption that maybe a deadline three eight could be confirmed if there would be any changes to the outline mitigation strategy just to take account of those of those comments.

01:10:47:03 - 01:11:02:16

And then also off the back of that requirement, nine should be sufficient to secure those details. Obviously, if Section 106 is required for any financial contributions for the repository, then then we can come to that. But that was my expectation for Deadline three to respond to these issues.

01:11:03:21 - 01:11:11:15

And is that what Winchester City Council believe financial contribution should be made and should be secured in that way?

01:11:13:16 - 01:11:39:03

Robert Greene for Winchester. It is just in regards to the the alternatives for a repository location as well there in the and in the response to question 11.1. Point two. There are issues in the Southeast with capacity. So think it's just an alternative which may require that financial contribution just in case the primary repository cannot take them, cannot deal with the input.

01:11:39:14 - 01:11:42:24

But your position is it should be secured at this stage.

01:11:44:17 - 01:11:47:03

That? Yes. Yes, it would be. If that's the case, yeah.

01:11:52:28 - 01:12:27:06

And then South House National Park Authority. Think think. You made a similar point in response to our question. 11.1. Point two in your local impact report that there would should be appropriate financial recompense built into the archiving process. And you you were also looking to a Section one planning obligation, um, saying that's necessary to mitigate the harm. And again, if could confirm your position and also why would you say it's necessary to secure the funds at this stage of the process?

01:12:27:08 - 01:12:57:28

Yeah. Thank you, ma'am. Sir Kelly Porter from the South Downs National Park Authority. Just for a point of clarification, the South Downs National Park Authority and Winchester City Council actually share services when it comes to heritage and archaeology. So we just would just like clarification in all the submissions that when it refers to city archaeologist, they actually represent both Winchester and the National Park because obviously the the planning authority split slightly, but it's just to clarify that position.

01:12:58:15 - 01:13:30:18

And yes, so in our local impact report and particularly paragraph 6.27, um, we are generally in agreement with the applicant over heritage and archaeology issues. There are 1 or 2 amendments that need to be made to the submission documents which hopefully are being addressed at deadline three. If that's the case, then then these issues have been resolved. And then the only outstanding issue then yes, is we think a Section 106 financial contribution is necessary for the same reasons that Winchester pointed out.

01:13:30:20 - 01:13:46:08

We're already at capacity in this area and I'm afraid we're treating the applicant like any other developer. We seek one section 106 contributions from other developments across the national park for those very reasons. So the same should apply to national highways. Thank you.

01:13:48:26 - 01:13:49:26

No, thank you.

01:13:51:25 - 01:14:08:18

And then sorry, I'm going back to Winchester City Council. And in terms of how have you made progress in drafting of documentation, in particular the, um, archaeology and heritage outline mitigation strategy?

01:14:10:05 - 01:14:19:18

Thank you, Robert Greenfield, Winchester City Council. No, not not yet, ma'am. I was anticipating that at deadline three would receive a response to that. And then we take it take it from that point.

01:14:21:13 - 01:14:22:06

Thank you.

01:14:25:25 - 01:14:31:09

So if I can go back to the applicant on that topic, if you want to make any response.

01:14:32:11 - 01:15:12:12

Katherine Tracy For the applicant. Um, we are making amendments to the outline archaeological strategy mitigation strategy. That's specifically to do with overburdening of assets that won't be excavated at all. So that, that should address that point. We are more than happy to ensure that we talk to both Winchester and South Downs archaeologists in the event that they become a separate two different people. Um, and with both their hats on so we can amend the wording in the requirements to cover that in much the same way we are for the local planning authority points.

01:15:12:23 - 01:15:18:03

Um, in respect of funding for the storage of any, um.

01:15:19:23 - 01:15:53:10

Fines. In principle, we don't have any problem with providing funding in the same way that any of the developer does. We don't consider that a Section 106 is needed to do that for at this stage for a number of reasons. There is a cost obviously attached to that which is directly attributable to how much is found and how much is considered necessary and appropriate to store, because not all fines will ultimately be will be archived and that process is secured in requirement.

01:15:53:22 - 01:15:54:19

Nine.

01:15:57:15 - 01:16:31:21

Actually paragraph six believe of it. But it is can all be secured by way of including the detail in the strategy which needs to be approved by the Secretary of State prior to commencement, at which point a certain level of archaeological investigations will have been done. So there'll be some more parameters known. And at this stage, just knowing what the cost would be is, is impossible. Um, this, that approach and not taking a Section 106 obligation has been used on the national highways.

01:16:32:24 - 01:16:41:02

Um, so we're, we would like to follow the same, the same process. It works. And there's no need for a section 106 obligation.

01:16:43:08 - 01:16:54:03

Have you already set out? Those are the CEOs that have been in which that approach has been followed. And if not, can you include reference to.

01:16:54:08 - 01:17:02:18

Yeah, no, no, we haven't. And yes, we will. We can do that, um, in our response to the lawyer and then take that forward.

01:17:04:15 - 01:17:12:29

And I check with South Sudan's National Park Authority if they want to respond to that. And indeed, also Winchester City Council.

01:17:13:16 - 01:17:45:09

Ma'am Nick Grant for the National Parks Authority. We may look at the other examples that are set sent through in terms of whether requirement nine six is enough. It's fairly broad brush and refers to suitable resources and provisions for long term storage. So we might ask for a tweak to the wording to make clear that financial contributions fall within that. Um, but otherwise, in terms of whether a requirement is enough and we don't therefore need a section one six, I think that's the point we're going to have to take away.

01:17:45:17 - 01:17:51:22

I'm going to have to go and get my books out, have a little think about, put bluntly. Um, so that's where we are on that.

01:17:53:04 - 01:17:56:00

Thank you. Winchester City Council.

01:17:56:15 - 01:18:13:13

Thank you. Robert Green for the city council. Yes, I agree. Obviously, paragraph six, that does secure the the details. But my only question is, when it comes to the financial contribution, you know, how is that script to the requirements? I'll be happy to look at any other examples and and take us offline. Thank you.

01:18:14:28 - 01:18:15:21

Thank you.

01:18:24:17 - 01:18:38:04

All right. If we move on to the final item on the agenda, that's the effects on the conservation areas and whether any additional mitigation measures or safeguards are necessary. Um.

01:18:40:03 - 01:19:15:09

So Winchester City Council. The applicant gave a response to the examining authority's question 11.1. Point eight, which concerns key elements of the King's worthy conservation area and the Abbot's worthy conservation area, which could potentially be impacted. By the works and they highlighted the important group of trees along the a33 and the important group of trees and tree to the northeast of Victoria Cottage at the Cart and Horse Junction.

01:19:15:11 - 01:19:37:04

And they they provide an explanation as to why they say the works would not impact upon those key elements. So I wanted to ask Winchester County Council, so I'm happy for you to respond in writing as to whether you agreed with that position, whether there were any remaining concerns.

01:19:37:06 - 01:19:37:21

As.

01:19:37:23 - 01:19:47:05

Regards alterations to road signage in the locality and as a consequence of the modified junction?

01:19:48:16 - 01:19:59:08

Thank you, ma'am. Robert Green for Winchester City Council. It's only Kings worthy conservation area that sits within Winchester's jurisdiction. No, the applicant has responded in one. And on the.

01:19:59:10 - 01:20:00:00

Apologies.

01:20:00:12 - 01:20:11:05

That's on the on the halfway point. And we're satisfied with that response that that matter is dealt with from our perspective and obviously passed to the South Downs for the apples worthy question. Thank you.

01:20:13:00 - 01:20:34:28

Thank you. Kelly Porter from the National Park Authority. Um, again, yes, generally we're satisfied. But obviously what brings into question is how far the application should include the cart and horses junction. So obviously if, for example, you take a different view to the applicant at the moment, then yes, there could be wider impacts because obviously the conservation area includes that junction.

01:20:35:03 - 01:20:35:18

Thank you.

01:20:36:19 - 01:20:40:05

Thank you for that clarification. Is there anything the applicant wants to add?

01:20:47:04 - 01:20:55:13

So I'll just check with my colleague. Mr. Sims said that anything else you wanted to ask on any other points?

01:20:59:17 - 01:21:03:28

Right. Any other matters. So Will should make that point.

01:21:04:03 - 01:21:36:02

Thank you. So just a question generally about the progress with the statement of common ground, please. We've noted that you, the applicant you sent in an update at the one on the progress of the statements of common ground. But unless we mix it up correctly, saying that we haven't had a draft through yet. So I know this is out of deadline, but but would you mind just giving us an update where you are with the statement of common ground when we might expect a draft? Be seen, please.

01:21:37:25 - 01:21:58:00

Yet. Katherine Tracy for the applicant. We've provided a draft, I believe, in February to South Downs and we've not had a response to that yet. And I wouldn't want to submit a draft until we're at a point where everybody's content with the contents of it. So maybe it's just if South Downs could give us an update.

01:22:00:12 - 01:22:25:20

Um, sir. Ma'am, it is with us. Um. Given it sounds like there might be quite a lot of information coming in from the applicant deadline, which has the potential to narrow these issues. Um, could we possibly wait until deadline three to to take that on board, take on the changes, particularly as there were already been some changes and um, then hopefully revert and provide an update after that.

01:22:26:14 - 01:22:27:01

Delightful.

01:22:28:10 - 01:22:30:08

But deadline for potentially.

01:22:31:08 - 01:22:47:25

I'm seeing some nodding from both sides, which is which means that we're probably we're going to be comfortable with that as well. So, yeah, and think some of the matters that have been discussed today

will also have an impact on the statement of common ground, which is partly why we wanted to mention it. So think if we can expect that deadline for that would be very useful. Thank you.

01:22:54:28 - 01:23:00:00

Right. Can I ask if there are any other matters that anyone wants to raise?

01:23:02:21 - 01:23:07:23

You know, I don't see any hands up. If there are no other matters.

01:23:08:12 - 01:23:08:27

Sorry.

01:23:09:00 - 01:23:09:20

Not a.

01:23:10:00 - 01:23:10:27

Popular Nick.

01:23:10:29 - 01:23:31:22

Grant from the National Park Authority. Not a particularly detailed matter, but just so that you know that something's coming in from us. Ms. Bolger put together a more detailed report than the one that's in the air and the written rep. This has been provided to national highways already, but we're going to be sticking in probably a deadline three, just so you're aware that it's coming And what's triggered that? That's all.

01:23:46:09 - 01:24:10:04

Katherine Tracy for the applicant. We have had we had cited it on on Friday having undertaken a review of it. It looks like it's a a lot of it's a duplication of what's already in the for our benefit. It would be really useful if it could be a track change version submitted as well to save us having to do a side by side comparison to spot the additions.

01:24:13:27 - 01:24:16:24

And that can that be done because that would certainly help us as well.

01:24:16:26 - 01:24:17:24

Yes, that could be done.

01:24:23:02 - 01:24:36:00

Right. If there are no other matters that anyone wishes to raise, I'll now close the hearing. Thank you all very much for your attendance and participation in this hearing. So the hearing is now closed.