

M3 Junction 9 Improvement

Scheme Number: TR010055

8.8 Applicant Comments on Written Representations

APFP Regulation 5(2)(q)

Planning Act 2008

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

Volume 8

17 July 2023

Infrastructure Planning

Planning Act 2008

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

M3 Junction 9 Improvement
Development Consent Order 202[x]

8.8 Applicant Comments on Written Representations

Regulation Number:	5(2)(q)
Planning Inspectorate Scheme Reference:	TR010055
Application Document Reference:	8.8
BIM Document Reference:	HE551511-VFK-HGN-XXXX_XX-RP-IM-40004
Author:	M3 Junction 9 Improvement Project Team, National Highways

Version	Date	Status of Version
Rev 0	17 July 2023	Deadline 3 Submission



Contents

- 1 Introduction..... 1**
- 2 Applicant comments on Written Representations..... 2**
 - 2.1 Addleshaw Goddard LLP on behalf of Southern Gas Networks PLC (REP2-061)..... 2
 - 2.2 Christopher Gillham on behalf of Winchester Friends of the Earth (REP1-039)..... 2
 - 2.3 Colden Common and Twyford Cycle Bus (REP2-062)..... 11
 - 2.4 South Downs National Park Authority (REP2-075)..... 12
 - 2.5 Southern Water Services Limited (REP2-079) 32
 - 2.6 Winchester Action on Climate Crisis (WINACC) (REP2-082) 39
 - 2.7 Winchester City Council (REP2-085) 56

1 Introduction

- 1.1.1 The purpose of this document is to set out the Applicant's response to the Written Representations received from interested parties at Deadline 2. A total of 6 Written Representation responses were received and published on the Planning Inspectorate website on 21 June 2023.
- 1.1.2 An additional Written Representation by Christopher Gillam (Winchester Friends of the Earth) had been included, please refer to **Paragraph 1.1.6** in the **Applicant Response to Written Summaries of Oral Submissions at Open Floor Hearing 1 (OFH1) 8.6, Rev 1**.
- 1.1.3 In many instances the matters and topics raised within the Written Representations are similar in content to those already raised in the **Applicant Responses to Relevant Representations (8.2, REP1-031)** and the **Applicant responses to Written Questions (REP2-051)**. Therefore, to avoid unnecessary duplication, the Applicant sought to respond only to new issues raised.
- 1.1.4 For defined terms and abbreviations, please refer to **Section 12** of the **Introduction to the A2.5pplication (1.3, Rev 3)**.

2 Applicant comments on Written Representations

2.1 Addleshaw Goddard LLP on behalf of Southern Gas Networks PLC (REP2-061)

Reference	Written Representation	Applicant Comment
REP2-061	<p>As the Examining Authority is aware, we are instructed by Southern Gas Networks Plc (SGN) in relation to the above Order as detailed in the relevant representation made by SGN on 8 March 2023.</p> <p>For the purposes of efficiency, this email is being provided in default of a full written representation from SGN. For the benefit of the Examining Authority, SGN can confirm that they are actively engaging with the undertaker in relation to the protective provisions and a confidential side agreement. SGN will continue to proactively negotiate with the undertaker with the view to secure the early removal of SGN's objection.</p> <p>Further updates will be provided to the Examining Authority in a timely manner.</p>	<p>The Applicant notes SGN's Written Representation and is working proactively with Addleshaw Goddard LLP on the behalf of Southern Gas Networks PLC to agree protective provisions to secure the removal of SGN's objection at the earliest opportunity.</p>

2.2 Christopher Gillham on behalf of Winchester Friends of the Earth (REP1-039)

Reference	Written Representation	Applicant Comment
REP1-039a	<p>SUMMARY</p> <p>This opening statement introduces the Winchester Friends of the Earth position on the current scheme and FoE's history of campaigning against the previous Twyford Down scheme. We reject the notion that there can be any common ground between us and the applicant and express our astonishment that anyone who accepts the imperatives of action on global heating, can accept the Principle of the Scheme. Nor do we see that there is any coherent logical ground in government policy that justifies this scheme. Government policy on climate action draws its advice from the Climate Change Committee and that Committee explicitly states that traffic growth needs not just to be limited but to be reversed. This scheme is predicated on traffic growth. Indeed, there is no coherence within the DfT itself, for its Transport Decarbonisation Pathway assume traffic levels way below the National Road Traffic Projections that inform the supposed need for this scheme.</p> <p>We believe that the applicant has failed in its duty to consider alternatives. The National Policy Statement requires that applications for developments in National Parks should include an assessment of: "the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way". Since NH does not accept that there is any alternative siting of a road scheme to meet the supposed need, it must logically look for and assess some other ways.</p> <p>Of the five scheme objectives, we argue that there is no evidence that building this scheme will achieve the first four objectives and plenty of evidence that it will not.</p>	<p>The Applicant notes the in principle objection to the Scheme. This Applicant has responded to points which are not about the principle of the Scheme or matters which relate to government policy as appropriate</p>

Reference	Written Representation	Applicant Comment
	<p>The 5th objective of somehow facilitating active travel is rather ironic since National Highways is merely proposing to restore a safe connectivity that it has only recently taken away.</p> <p><i>Preface:</i></p> <p>I am afraid I came to the Open Floor Hearing, misunderstanding its purpose. I had assumed that it was, more or less, for the purpose of explaining our Preliminary Meeting submission of matters we hoped would be covered by the Issues hearings. When it became apparent that what was expected were opening statements, I had to rapidly ad lib a statement of case for objection. I would like to remedy the incoherence of that attempt with a written opening statement.</p> <p><i>Introduction:</i></p> <p>My name is Christopher Gillham. I have a PhD in Physics from Imperial College. I have been a resident of Winchester for 51 years, arriving here just after the first public inquiry into the M3 scheme, though not being aware of it until the 1973 decision to build the scheme. I was involved in the successful campaign to get the 1976 Side Roads Inquiry turned into a second inquiry into need and took part in that 2-year long inquiry, which ended in the scrapping of the Itchen Valley scheme west of St Catherine's Hill. I also opposed the Easton Lane Link Road, which was defeated at public inquiry – that corridor is now the public part of the Winnall Moor Nature Reserve. I was involved throughout the campaign against the Twyford Down scheme and am a part author of a book on the later Direct Action phase of that campaign.[1]</p> <p>[1] in REP1-039</p> <p>While Twyford Down was a major campaign of the national Friends of the Earth, the local Winchester FoE group was formed just after that campaign. I have been its transport spokesperson since then and its convenor for the last two years.</p> <p>Winchester FoE has consistently responded to consultations on the scheme before you, with very clear objection in principle, seeing it as entirely misconceived; incoherent; highly damaging environmentally, economically and socially; in contradiction of treaty obligations; and dishonest in its justification and in its representation of future consequences. It belongs to a different age, when there may have been an explanation (but not an excuse) of ignorance. It is no longer possible to deny the realities that make this sort of project irrational.</p>	
REP1-039b	<p><i>Common Ground:</i></p> <p>It is fashionable to talk about achieving 'balance' in policies and strategies, but there are distinct dangers in the notion. There may be fuzzy areas of compromise in our lives, but there isn't a balance to be had between good and evil or between facts and falsehood. And some of the apparent and generally accepted realities of the human and planetary predicament are so palpable and existential that they brook no</p>	<p>Following the Examining Authority's request at the Open Floor Hearing 1 and in the Rule 8 Letter that a Statement of Common Ground with Winchester Friends of the Earth is drafted, the Applicant wrote to Winchester Friends of the Earth. Winchester Friends of the Earth has declined to work with the Applicant to draft a Statement of Common Ground. The Applicant understands that the Examining Authority is aware of this as the Examining Authority was copied into the email</p>

Reference	Written Representation	Applicant Comment
	<p>compromised point of view. One such is anthropogenic global warming. Science is never infallible, and it is possible for scientists not to accept this reality, as instanced by Piers Corbyn, a younger but near contemporary of mine in the Physics Department at Imperial College. But science always tries to be consensual, and the size of the consensus on global warming is enormous. Even if that consensus is right, the planet may still have corrective, negative^[2] feedback mechanisms (Gaia, if you like) that nobody has yet thought of, but it is not like Pascal's Wager where the taker has nothing to lose and can be pleasantly surprised – we cannot gamble on the consensus being wrong because, if it is right and we act as if it might be wrong, the consequences are catastrophic.</p> <p>[2] in REP1-039</p> <p>In any case, the UK government has signed up, in international treaty agreements, to believing the consensus and to taking the action that the consensus dictates is necessary to avoid the catastrophe. The problem we are facing here is that the UK government suffers from cognitive dissonance, it believes opposite things can be true at the same time. The Department for Transport, in particular, appears to be taking the view that the only action that needs to be taken is to develop technologies that will stop the emissions or even suck the greenhouse gases out of the atmosphere. Our view is that this is a New Climate Change Denial – that technology (some of it frankly fantastical) will solve the problem and not only is behaviour change unnecessary, but that we can carry on with even more of the same behaviours that have created the problem. At the very best it ignores Jevons' Paradox^[3]</p> <p>[3] in REP1-039 is redacted</p> <p>This, of itself, is not necessarily strictly irrational, but it is certainly the gambling behaviour of an irrational addict. For one thing, it is not taking the advice of the consensus that it signs up to. We do not know what advice the DfT believes it has, to counter the definitive advice given it by the government-appointed Climate Change Committee, that traffic growth needs not just to be limited but to be reversed. They state that "Overall, we expect that 6% of baseline car demand can be avoided or switched to other modes by 2030, rising to 17% by 2050." [Climate Change Committee 'The Sixth Carbon Budget, Surface Transport' available from [Redacted], p. 34]. DfT does not apparently accept this advice, because the draft NPSNN assumes that traffic growth is inevitable: "However, all scenarios have projected a growth of traffic between 2025 and 2060 for England and Wales, with forecasts ranging from 12% to 54%." [NNNPS 3.28].</p> <p>But then again the DfT's strange Decarbonising Transport strategy says "We will use our cars differently and less often" [DfT 'Decarbonising Transport', July 2021, p.36] https://www.gov.uk/government/publications/transport-decarbonisation-plan. Is this incoherence the DfT speaking with a forked tongue or is it that there are different voices in the DfT that are not speaking to each other? What is the balance here; what is the Common Ground? If our response to an invitation to seek</p>	<p>correspondence relating to this request.</p>

Reference	Written Representation	Applicant Comment
	<p>common ground with NH, sounded flippant or prissy, I can only apologise. I do not mean to be impolite, but I have to stress that we regard this scheme as actually insane, for the reasons I give above and for another I talk about below. It is not about weighing merits against demerits and finding a balanced position – there is no balance to be had between the sanity of preventing human and planetary catastrophe and the insanity of chasing after that catastrophe. We are simply dumbfounded to find that there are otherwise rational parties to an SOCG at this Examination that can accept the “Principle of the Development”.</p>	
<p>REP1-039c</p>	<p><i>Outline of Objection:</i></p> <p>I hope to make submissions directly to some of the specific issues (Rule 6 letter: Annex C) for which hearings are programmed, including especially Air Pollution, Alternatives, Climate Change, Policy and Need, and Traffic and Transport (which I assume will include the economic appraisal). I may also make submission on Biodiversity, Human Health, Landscape and Noise and I may make written submissions on the answers provided by NH to ExA questions.</p> <p>In outlining our objection, I will confine comments here to some general remarks under just some of these Issue headings and to a summary critique of what the NH calls its scheme objectives.</p> <p><i>Policy and Need:</i></p> <p>As discussed above, there is a clear disconnect between the government’s treaty obligation to achieve net zero carbon emission and a national policy statement that anticipates a continuing growth in traffic, if we are to assume that the Government accepts the advice given to it by the Climate Change Committee, that it set up to give independent advice on how to meet its climate obligations. There is nothing in the NPS to suggest that it has other climate advice or that it rejects the advice of the CCC. The incoherence, however, is at the heart of the DfT itself, in its Decarbonisation Strategy stating a need for car use to decline.</p> <p>Since national policy is cited as the basis for providing the capacity to increase traffic and national policy is fundamentally contradictory, the basic policy premise for road building schemes of this sort is rationally untenable. Since policy is incoherent, we must assume that need for this scheme has to be argued on its own merit and we tackle that under the Five Strategic Objectives below. There remains the problem of what is essentially a ukase. We are told that this is a Nationally Important Infrastructure Project (which is why it gets a fast-track examination without benefit of an adversarial cross-examination role for those who object to it) with the implication that its need has already been established. But by whom and by what mandate and with what evidence? We examine the role of the Infrastructure Commission in this in the next section.</p> <p><i>Alternatives:</i></p> <p>As you are well aware, Madam Inspector, the ExA recommendation not to grant a</p>	<p>In the case of development within a National Park, paragraph 5.151 bullet point 2 of the <i>National Policy Statement for National Networks (NPS NN)</i> expressly requires the consideration of alternatives for development within nationally designated areas. It states that applications should include assessment of the cost of, and scope for, developing elsewhere, or meeting the need for the proposed development in some other way. The M3 and A34 are within the South Downs National Park, and Junction 9 is within its setting, with the National Park immediately to the east, 380m to the west, and 750m to the north of Junction 9. The Scheme is heavily constrained; and in order to address the congestion at Junction 9 and the flow of traffic between the M3 and A34 it is necessary to develop in this location. Given that these significant infrastructural elements - the M3 Motorway, M3 Junction 9 and the A34 - are already situated in this context, there is no realistic alternative location for development that would address the issues identified. The Scheme has been subject to a full options appraisal process as described in Chapter 3 (Assessment of Alternatives) of the Environmental Statement (6.1, APP-044) and Section 2 of the Case for the Scheme (7.1, Rev 1).</p> <p>Paragraph 4.27 of the NPS NN states that “Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process.”.</p> <p>In December 2014, the Department for Transport’s (DfT) <i>Road Investment Strategy 2015/16 – 2019/20</i> (RIS1) was published. RIS1 set out the list of schemes that were to be delivered by the Applicant over the period 2015 to 2020. RIS1 identified improvements to M3 J9 Winnall Interchange as one of the key investments in the Strategic Road Network (SRN) for the London and South East region. As part of the RIS process DfT consider whether other modal alternatives are more appropriate.</p> <p>Section 2.2 of the Case for the Scheme (7.1, Rev 1) titled ‘options identification’ provides additional context to how the options were tested with further detail included within Appendix 3.1 (Stage 1 Technical Appraisal Report) of the ES (6.3, APP-080).</p> <p>In regard to other matters raised, all are noted by the Applicant but the Applicant</p>

Reference	Written Representation	Applicant Comment
	<p>Consent Order for the Stonehenge scheme, was overruled by the Secretary of State. The subsequent High Court judgment was that the SoS was in error in so doing. Justice Holgate ruled that the applicant should have considered alternatives to the scheme. In the process of the SoS redetermining the scheme, I believe NH has only responded with posited road alternatives which it has then dismissed. There is nothing in the NPS to suggest that non-road alternative means of achieving the objectives of a scheme should be ruled out and since NH appears to rule out road alternatives to their preferred scheme, it is hard to see what reason there could be for not examining non-road alternatives.</p> <p>In respect of the current scheme, the National Park designation applies and the NPS states at §5.151 that, in such cases[4], 'Consideration of such applications should include an assessment of:the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way' [my emphasis]</p> <p>[4] in REP1-039</p> <p>Since the left side of the 'or' in this statement must be deemed to comprise all other road alternatives, 'some other way' can only be construed as non-road alternatives.</p> <p>One can, of course, see why NH have not looked at non-road alternatives at Stonehenge. [5] NH is not a transport-oriented organisation. It exists entirely to build and manage part of the road system. Its very existence and, consequently, all its careers, its defence mechanisms and its thinking, are dependent on the building of roads. It not only has no interest in other modes of transport, it has a self-interest in finding reasons to oppose them.</p> <p>[5] in REP1-039</p> <p>One would hope that the Department for Transport was concerned with transport, that is with finding the best solutions to transport problems. Unfortunately, the DfT has never behaved as if this was its concern. It has been content, for many decades, to compartmentalise transport modes and minimise any interaction between those responsible for facilitating each of them. The separation between infrastructure spend and service support spend, though doubtless a consequence of the way the Treasury thinks about economics, is another compartmentalisation which gets in the way of solving transport problems. It is for these reasons that transport appraisal across modes is incoherent.</p> <p>There seems to be no department of government that questions this incoherence in the Department for Transport. Neither the Treasury, the Transport Select Committee, the National Audit Office, nor the Infrastructure Commission ever seems to do so. Eight years after its creation, the Infrastructure Commission has still not got beyond thinking of the disposition of transport infrastructure provision as it is, rather than as it should be. In its 2nd Baseline Report[6] it appears just to be vaguely thinking of cross-modal transport:</p>	<p>is unable to respond on points that do not relate to the Application or to the merits of certain policy set out in a National Policy Statement.</p>

Reference	Written Representation	Applicant Comment
	<ul style="list-style-type: none"> The government is investing substantially in interurban transport through projects such as High Speed 2 and the second Road Investment Strategy. An integrated rail plan, informed by the Commission’s Rail Needs Assessment for the Midlands and the North, is also expected soon. A multi modal transport strategy for interurban connectivity would help ensure that investments like these are planned together effectively, optimising the use of different modes and considering the needs of passenger and freight travel together. Challenge 9: Interurban transport across modes – the Commission will consider relative priorities and long term investment needs, including the role of new technologies, as part of a strategic multimodal transport plan. <p>[6] in REP1-039</p> <p>So, coherent transport policy, maybe tomorrow or sometime, never, but meanwhile billions are spent, and environments are ruined, without any concern for whether current policy makes any sense.</p> <p><i>Climate:</i></p> <p>The government has already admitted, in its Carbon Budget Delivery Plan update (March 2023) that it is not on course to meet at 2030, the carbon trajectory of its treaty obligation under the Paris Agreement. It has not come forward with any further measures to put it back on track.</p> <p>But it is in the DfT’s Transport Decarbonisation Strategy, that highlights just how far the government is from facing reality. Or perhaps it would be more accurate to say that the DfT has been positively resistant to anyone drawing attention to reality, since it has taken more than a year from March 2022, for it to release important data to Dr. Greg Marsden, first refusing an FoIA request, then appealing the Information Commission’s instruction to release.</p> <p>What Marsden[7] discovered from the data is that the Transport Decarbonisation Pathway assumes a low trip rate prediction, high fuel costs and low GDP, at odds with government policy. This is a trajectory that assumes traffic in 2035 will be 40 billion vehicle miles (14%) less than the National Road Traffic Projections used by the DfT to justify its road building. Marsden also shows that the technology uptake assumptions are wildly optimistic and that none of the decarbonisation scenarios will meet the 6th Carbon Budget on current government policy.</p> <p>[7] in REP1-039 is redacted</p> <p>Apart from Marsden, the reliance on technology rather than behavioural or organisational/political prioritisation of alternatives (like investing in public transport), presupposes quite a lot about how much renewable energy will be available and that road transport should have priority access to what is available. Much road transport in fact is highly discretionary – we don’t really need to do it, whereas most other activities that consume energy (heating houses, hospitals, schools etc; fuelling</p>	

Reference	Written Representation	Applicant Comment
	<p>industrial processes etc.) are much less discretionary.</p> <p>‘When you’re in a hole, the first thing to do is stop digging’. It is beyond extraordinary, that the DfT, staring the climate reality of transport in the face, should continue with a deliberate policy of increasing traffic and emitting large quantities of carbon in road construction. It is then beyond irresponsible to pretend that those emissions are small, with the preposterous policy of not summing up all the carbon emissions arising directly and indirectly from their individual schemes. The argument is that, for a given scheme, the carbon emission is small compared with the total emissions of the UK (why not, while they are about it, compare its insignificance with the total emissions across the planet?). The camel’s back is broken by straws.</p> <p>The DfT idea that the sum of small emissions (though no road scheme has small emissions) is small, is also completely at odds with its Wehtag appraisal methodology, where the sum of millions of insignificant (and arguably dubious) time savings is somehow deemed to be economically significant. There is hypocrisy here.</p> <p>The Scheme has five strategic objectives, supported by the National Highways Delivery Plan 2015-2020 (National Highways, 2015):</p> <p><i>Congestion relief:</i></p> <p>To reduce delays at M3 Junction 9 on all links M3, A33 and A34. Road network congestion is always given as a reason for increasing capacity of the road system. But we know that increased capacity increases traffic, though the new draft NPSNN erroneously seeks to downplay the well-known SACTRA report, by essentially asserting that the evidence is cloudy. In fact, the report it cites does not, in any way, go counter to SACTRA. It does not suggest that induced traffic is not significant; rather it stresses the obvious, that induced traffic is likely to be greater where congestion (or predicted congestion) is high, precisely the conditions that are usually cited as a reason for building a road and precisely the conditions for ensuring that the economic model spews out a significant benefit.</p> <p>That of itself does not mean that more new congestion arises than is relieved (obviously, in principle, one could keep increasing capacity until there is no population left to occupy it), but one might have expected that the DfT or National Highways would at some stage have researched whether an economically and politically plausible level of road building would bring about an overall reduction of congestion on the network. In fact, no such research has ever been carried out. Such evidence as exists rather demonstrates that the congestion problem never was, nor ever will be solved by capacity increase on the SRN.</p> <p>Data on total network congestion is surprisingly hard to come by, considering the eye-watering sums of money that have been expended with the objective of reducing it. I can explain the following graphs in a later submission, if necessary, but essentially plotting what limited data there is on network congestion against measures of road building shows no intimation that the latter has ever solved the</p>	

Reference	Written Representation	Applicant Comment
	<p>former.</p> <p>[Graph in REP1-039]</p> <p>Neither the motorway nor the all-roads capacity increases can be seen to demonstrate any beneficial effect on overall network congestion. The motorway capacity increases around 2012 are followed by a slow general climb in congestion, and a slight decline around 2017, but the 2017/2018 expansion is followed by a very significant congestion rise, up to the start of COVID. The all-roads figure can be similarly interpreted. We don't yet know how the congestion curve for late 2022 into the current year will turn out. It is reasonable, however, to assume that COVID will have had some lasting effect on overall traffic, with changes of travel habit, particularly as a result of increased home working. What ought to be depressing is the fact that, despite the changes in work behaviour brought about by COVID and despite the new splurge of road building in 2017 and 2018, congestion is back to the level of 2018. An opportunity lost.</p> <p>So the claim of network relief by road building has no basis in the observable data. Nor indeed does the draft NPSNN document see any prospect of actual relief. At §3.3 we have: Increases in the number of seconds of time lost due to congestion on motorways also varies under the Core scenario; from 81.8% in one region to 215.5% in another.</p> <p><i>Journey Time Reliability:</i></p> <p>Smooth the flow of traffic by improving journey time reliability and reducing delays (time lost per vehicle per mile) at M3 Junction 9 and the exit and entry roads for the A33 and A34. It is really hard to see how this objective is different from the first. If one did relieve congestion then the journey time would be more reliably predictable and vice versa, so this objective suffers from the same objection as the first.</p> <p>There is an additional reason for suspecting that capacity increases do not bring about improved reliability or indeed journey times. It is how the Jevons Paradox manifests itself in this field[8], as observed in the research of David Metz.[9]. The central plank of Webtag economic appraisal is a supposed value of time and roads are built to reduce that time. But the user behaviour changes to use the same time to travel further. In practice this seems not to mean gaining access to new opportunity, but that the distance to facilities, like hospitals, employment, etc. simply increases – more travel (more emission, more environmental and social damage) to the same economic purpose.</p> <p>[8 and 9] in REP1-039</p> <p><i>Safety:</i></p> <p>Improve the safety for all road users and reduce the annual collision frequency and severity ratio on the M3 Junction 9. One is tempted to recall that the M3 through Twyford Down was partly justified on exactly the same basis – the then Roads</p>	

Reference	Written Representation	Applicant Comment
	<p>Minister, Christopher Chope, claimed that lives were being lost every day on the A33 at Winchester, when in fact there was about one death every five years. Truth is a regular casualty when the road builders get to work.</p> <p>The idea that road safety is improved by road building is a nice little invention of the Webtag appraisal process. The idea is that a high-capacity modern road has a lower accident rate than any road it replaces. In fact, it has never been demonstrated that the building of such roads improves the overall safety of the network. DfT has never researched the matter, so we just do not know whether there are effects (e.g. off-junction speed behaviour) that add accident risk to the surrounding network[10]. Crosscorrelation of road building and accident increments suggests that negative effects might be occurring.[11]</p> <p>[10 and 11] in REP1-039</p> <p>Road safety would, of course, be improved if the DfT invested in modal shift and pothole repair rather than big road scheme construction. And what would be the health benefit to the nation as a whole if the huge burden of air pollution brought about by DfT policy were removed?</p> <p><i>Economic Growth:</i></p> <p>Support economic growth and ensure the junction can accommodate additional traffic. The sustainable economic growth that politicians universally proclaim to be their goal, is as near being oxymoronic as it is possible to be for any economic model that acknowledges a trophic reality. But we won't labour this point, fundamental though it is. It suffices to point out that neither the Department for Transport nor the Treasury have been able to point to any research that demonstrates that growth (as measured, say, by GDP) arises from building additional roads in a relatively mature network.</p> <p>When pressed on this matter the DfT cites the Eddington Report, clearly not having read it properly. What it says is that GDP correlates with road building, but Eddington was at pains to point out that he did not know which way the correlation ran. This specific question is one of several questions repeatedly put to the DfT, through a previous Transport SoS and through two submissions to the Transport Select Committee . It has never been answered. The question was put in relation to some work in cross-correlation, which actually implies that incremental road building correlates negatively with changes in GDP in following years. The Department has never countered this observation.</p> <p>The DfT has been known to add up all the net-present-values of its road schemes and claim that that is a demonstration of economic value of its overall road programme. This is simply a circular argument, because it starts with the assumption that road transport is an economically beneficial activity at any level of traffic and that, therefore, it must be beneficial to reduce its costs. The economic principle is that of the user's willingness to pay, an argument that only has force if it is the user that pays all the costs. If the user is subsidised by externalising costs,</p>	

Reference	Written Representation	Applicant Comment
	<p>this is a manifestly false principle.</p> <p>Eddington stated that users should pay for the externalities, but this has never been the case. The Blueprint 5[12] analysis, long before the extent of climate cost externality was appreciated, showed that motorists were subsidised to the extent of about three times the total tax and duty take on the activity. If even these externalities were recovered (e.g. through road pricing) and the mass of climate externality ignored, the elasticity of road use demand over price would signify a level of traffic on UK roads comparable to that pertaining in the 1950s.</p> <p>[12] in REP1-039</p> <p>The arguments here can be seen in detail at footnote 11. The DfT has never countered any element of these arguments.</p> <p><i>Active Travel Benefit:</i></p> <p>Improvements for walkers and cyclists including connecting the National Cycle Network Route 23 which is severed by the current junction layout. This is a very cheeky proposition. The crossing of Junction 9 for cyclists was always unpleasant and will be unpleasant with this scheme. But it was a lot less unpleasant before NH/HCC widened the carriageway of the current roundabout a few years ago, so that a whole new lane of car and HGV traffic was installed right up against the narrow pavement that formed the crossing of Network Route 23 between the two cycleway tunnels. The public were not asked if they wanted this (a proximity to cycles that is not recommended in the Highway Code) and there was no opportunity to object. So, many thanks NH for giving us back a small part of what you took away from us.</p>	

2.3 Colden Common and Twyford Cycle Bus (REP2-062)

Reference	Written Representation	Applicant Comment
REP2-062	<p>I am writing on behalf of Colden common and Twyford cycle bus</p> <p>We are the only secondary cycle school bus in the country protecting young people who want to make the choice to be on bicycles on the roads cycling to school (Westgate and Kings schools) and also allowing any other people who choose to commute or travel on bicycles to join us.</p> <p>This has become the only viable option, due to the lack of investment in cycling infrastructure in the Colden common and Twyford corridor.</p> <p>We do not understand why the Twyford and Colden common corridor is continually overlooked in terms of cycling, with very heavy traffic flow and HGVs on the road. This would be a typical planning application as part of travel strategy in the</p>	<p>Twyford is located outside the Application Boundary.</p> <p>The Applicant notes the comments with respect to cycle provision at M3 Junction 11 for cyclists going from Twyford to Winchester on the B3335. In the existing context there is a shared cycle and footpath on the B3335 approach to the traffic signals that control traffic coming off the M3 southbound off slip at Junction 11. There is an uncontrolled crossing at this location where cyclists can dismount and use the pavement. Continuing under the bridge of the M3 motorway there is a controlled pedestrian crossing of the A3090 Hockley Link, continuing to a bridleway that connects to the NCN 23 for routes north and south, and Five Bridges Road for journeys north-west to St Cross Road and into Winchester.</p>

Reference	Written Representation	Applicant Comment
	<p>winchester area, that ignores the needs of active travel from Twyford and Colden common and the impact of planning decisions on the B3335 resulting in HGVs diverting through places where people live</p> <p>We do not understand why, when there will be an impact on junction 11, that there will be investment in cycling infrastructure in the worthy's but not in this traffic corridor.</p> <p>If the consultation was internally consistent, then any argument for a cycle way from the worthy's into the town Centre, would apply as part of this junction improvement, to the Colden common and Twyford corridor</p> <p>Hockley junction is very poorly designed and as a cycle bus we completely ignore the existing infrastructure and use the motorway turn lane to safely access the start of the itchen navigation shared path. This is similar for the return journey. It would be possible to reduce speed limits on the B3335 as part of mitigation to unblock the main factor preventing the building of cycle lanes.</p> <p>All the kids who cycle with us are transitioning from bikeability to being able to independently cycle into Winchester. There has been no data analysis of the relative impact of all kids cycling into Winchester on reducing traffic into Winchester, because what we witness is a transformation of the attitude of kids towards active independent travel to a greater level than anything Hampshire county council has ever done for children in our communities.</p> <p>This junction improvement appears to ignore the active travel strategy in that it is prioritising the car over people who walk and choose to travel on bicycles and putting a disproportionate investment into this mode of transport.</p> <p>With proper cycling infrastructure the time between Colden common and Twyford and Winchester city Centre would be 15mins In fact one of the young people cycled back from westgate school to Twyford in 15 mins within the last month.</p> <p>We would like reassurance that the money allocated to any cycle lane built in mitigation will result in a cycle path being built and not just plans being drawn up</p>	<p>In relation to Junction 11, the strategic traffic modelling indicates minor impacts in average daily vehicle traffic (changes less than 200 Passenger Car Unit average 2-way per day in the 2027 opening year) with corresponding minor changes in network operation. The impacts of the Scheme do not cause localised re-routing in or near to Twyford and with such minor changes to the traffic flow that are outside of the Application Boundary, mitigation is not considered necessary.</p> <p>There is currently no existing dedicated cycle provision connecting Winnal to King's Worthy and the Scheme is directly affecting the A34 and A33 roads, and has therefore been included within the Scheme.</p>

2.4 South Downs National Park Authority (REP2-075)

Reference	Written Representation	Applicant Comment
REP02-075a	<p>Summary</p> <p>The South Downs National Park Authority (SDNPA) objects to the development proposed due to the significant adverse harm the proposal would cause, contrary to the statutory purpose to conserve and enhance the National Park, and there is a</p>	<p>The Applicant notes South Downs National Park Authority's objection. Appendix A of the Case for the Scheme (7.1, Rev 1) provides an assessment against the South Downs Local Plan policies including those listed in the representation.</p> <p>The Applicant's response to the South Downs National Park Authority's Local Impact Report (response to paragraphs 6.1 – 6.9 of the LIR) provides a full</p>

Reference	Written Representation	Applicant Comment
	<p>lack of mitigation and compensation for the harm caused.</p> <p>The proposal conflicts with following South Downs Local Plan policies and therefore should be refused permission:</p> <ul style="list-style-type: none"> ▪ SD1 – Sustainable Development ▪ SD2 - Ecosystem Services ▪ SD3 – Major Development ▪ SD4 – Landscape Character ▪ SD5 - Design ▪ SD6 – Safeguarding views ▪ SD7 - Relative tranquillity ▪ SD9 – Biodiversity ▪ SD11 – Trees, Woodland and Hedgerows ▪ SD42 - Infrastructure ▪ SD45 – Green Infrastructure ▪ SD54 – Pollution and Air Quality <p>The SDNPA has highlighted elements within the proposed scheme which could be improved. These improvements just lessen the significant adverse harm caused. But do not overcome the issue that this major road widening scheme will result in residual and significant permanent adverse effects due to the erosion of the Special Qualities of the South Downs National Park. This harm identified needs to be considered alongside any benefits of the proposal.</p>	<p>response to the points raised in relation to the likely significant effects, the special qualities of the National Park, and the benefits of the Scheme.</p>
REP02-075b	<p>Introduction</p> <p>This written representation is submitted by the South Downs National Park Authority (SDNPA) in response to the application by National Highways (the applicant) to enlarge the M3 Junction 9.</p> <p>Approximately 62% of the proposed development area falls within the South Downs National Park and the majority of the remaining development area is within the setting of the National Park.</p> <p>In summary, the proposal requires land from within the National Park:</p> <ul style="list-style-type: none"> ▪ to construct new roads / links and associated drainage and other works, ▪ provide a site for the temporary construction compound, and ▪ provide land for various proposed mitigation measures. <p>The South Downs National Park contains over 1,600 sq. km of England’s most iconic lowland landscapes, stretching from Winchester in the west to Eastbourne in the east. The SDNPA is the organisation responsible for promoting the statutory purposes of the National Park and the interests of the people who live and work in it.</p> <p>The SDNPA is the Local Planning Authority for the National Park.</p>	<p>The Applicant notes South Downs National Park Authority’s concerns and acknowledges its Written Representation submitted alongside its Local Impact Report. The Applicant’s response follows in the order presented by the South Downs National Park Authority.</p> <p>A detailed breakdown of the use of land within the National Park is provided within the Applicant Response to South Downs National Park Authority in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p>

Reference	Written Representation	Applicant Comment
	<p>This written representation should be read in conjunction with:</p> <ul style="list-style-type: none"> ▪ SDNPA’s Local Impact Report (LIR) ▪ The forthcoming draft Statement of Common Ground between the applicant and the SDNPA. <p>As recommended in paragraph 23.2 of the Planning Inspectorate’s Advice Note 2, where possible we have cross referenced to the above documents in order to assist in keeping submissions as concise as possible and to avoid repetition.</p> <p>This written representation concentrates on those parts of the DCO application to which the SDNPA objects and those issues which, in the SDNPA’s view, remain outstanding or unresolved. This representation refers to amendments to the DCO Requirements and possible obligations secured through a Section 106 Legal Agreement, however, it should also be read in conjunction with the LIR for a full set of amendments and obligations.</p> <p>Matters of agreement are being recorded in the draft Statement of Common Ground.</p>	
<p>REP02-075c</p>	<p>The SDNPA’s View of the Proposal</p> <p>Objections to the proposal</p> <p><i>Principle of Development</i></p> <p>As set out the SDNPA’s Local Impact Report (LIR), the overarching National Policy Statement for National Networks (NPSNN, December 2014), the National Planning Policy Framework (updated July 2021) and the South Downs Local Plan (SDLP adopted July 2019, specifically Policy SD3), confirm that National Parks have the highest status of protection in relation to landscape and scenic beauty and that major development should be refused save in exceptional circumstances, and where the development is in the public interest.</p> <p>This ‘major development test’ (as set out in 5.151 of the NPSNN) states that the consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> ▪ the need for the development, including in terms of any national considerations, and the impact of consenting, or not consenting it, upon the local economy; ▪ the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way; and ▪ any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. <p>Paragraph 5.152 goes on to state that there is a strong presumption against any significant road widening or the building of new roads in a National Park, unless it</p>	<p>NPS NN</p> <p>The Applicant’s response to paragraphs 6.1 – 6.9 of the South Downs National Park Authority Local Impact Report addresses the principle matters raised in relation to the <i>National Policy Statement for National Networks (NPS NN)</i>.</p> <p>Construction Compound</p> <p>The Applicant’s response to paragraphs 6.14 c) of the South Downs National Park Authority Local Impact Report addresses the position on the main construction compound. This can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>Economic benefits analysis</p> <p>Natural capital costs including landscape monetisation have not been prepared for the Scheme to support the economic benefits analysis. In a transport context, landscape is most often included in a value for money assessment as a non-monetised impact, alongside other environmental impacts which has been undertaken. This is in accordance with DfT (2021) <i>Value for Money Supplementary Guidance on Landscape</i>.</p> <p>Journey Time Savings</p> <p>Journey time figures have been extracted from two distinct models used within</p>

Reference	Written Representation	Applicant Comment
	<p>can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly.</p> <p>Then at paragraph 5.153 it states that if consent were to be given the Secretary of State should be satisfied that the applicant has ensured that the project will be carried out to high environmental standards and where possible includes measures to enhance other aspects of the environment.</p> <p>In response to these requirements, the SDNPA acknowledges there is a need to improve, in some way, the M3 Junction 9 (and surrounding roads) and given the various boundary constraints around the existing highway infrastructure, (including the National Park boundary being to the east and west of it), there is limited scope for developing completely outside the National Park.</p> <p>Where the SDNPA differs from the applicant, is over the extent to which the detrimental effects to the environment, landscape and recreational opportunities have been moderated (following the mitigation hierarchy), whether the benefits of the scheme outweigh the environmental, landscape and recreational costs very significantly (our emphasis) and whether the scheme will be carried out to high environmental standards and includes measures to enhance the environment.</p> <p>As set out in more detail below (and within the SDNPA's LIR), examples which highlight our objection include the changes to topography and landscape character (including proposed mitigation measures to moderate the harm caused), the proposed central temporary construction compound and the location and design of the drainage and infiltration features.</p> <p>The proposal involves land take from the South Downs National Park which results in significant adverse and permanent impacts on its special qualities.</p> <p>The proposed central temporary construction compound and associated haul roads / access tracks causes significant adverse harm which is entirely avoidable. It is the SDNPA's view that insufficient consideration has been given to locating the proposed main / central compound outside the National Park, in a less sensitive location. There is another (and existing) compound (referred to as Badger Farm) located outside the National Park, which is / was being used by the 'Smart Motorway' team working in and around Junction 9 (and beyond). Further consideration should be given to the use of this area thereby avoiding any harm to the National Park.</p> <p>The economic benefits of the scheme are weighted heavily to time savings from a 'free flow movement between the A34 and M3' which seem to be greater in the 'Combined Modelling and Appraisal Report' (Table 4.9 and 6.1.3 within application document APP-163) than the Case for the Scheme (4.10.3 and Table 4.3 within application document APP-154). In addition, no natural capital costs have been used for the BCR (benefit cost ratio) process, so the costs are not reflective of the environmental and landscape harm.</p>	<p>the evaluation and appraisal of the Scheme impacts.</p> <p>Within Table 4.3 of the Case for the Scheme (7.1, Rev 1), the journey time results are derived from the operational model. As stated within paragraph 4.6.13, an operational assessment has been carried out using a micro-simulation model of the M3 Junction 9. Figure 4-7 shows the geographic extent of the model.</p> <p>Within the Combined Modelling and Appraisal Report (7.10, Rev 1), Table 4.9, the journey time comparisons are derived from the strategic macro-model, Figure 4-12 shows the geographic extent of the model.</p> <p>Journey time routes within the two modelling platforms are not identical in length.</p> <p>A two-tiered modelling appraisal approach (micro simulation and strategic modelling) has been used in assessing the impacts of M3 junction 9 as this offers several advantages. The strategic model operates at a high level, considering broad travel patterns, network infrastructure, and allowing for the forecast of wider traffic impacts that are fed into the economic appraisal of the scheme. On the other hand, the microsimulation model provides a detailed, granular analysis by simulating individual vehicle movements and interactions within the transportation network.</p> <p>It should be noted that the journey time savings highlighted within the strategic model feed into the economic assessment and calculation of journey time saving benefits from the scheme. Traffic demand forecasts from the strategic M3 Junction 9 model are cordoned and transferred into the microsimulation model, therefore traffic flow volumes between the two models are comparable. Furthermore, variance in journey time savings related to the M3 Junction 9 scheme between the two model types can be attributed to the difference in model simulation techniques, with the operation microsimulation model simulating individual vehicle interactions and the impacts of a more stochastic demand profile within the assessed hourly period, whilst congestion within the strategic model uses more aggregate measures of traffic volumes and capacity constraints.</p> <p>Landscape conclusions</p> <p>Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) sets out the mitigation and enhancements secured within the Scheme. The Case for the Scheme (7.1, Rev 1) sets out how the Scheme complies with the relevant National and Local policies, including Policy SD3 (Major Development) and SD4 (landscape Character) of the South Downs Local Plan.</p> <p>The Applicant notes that in paragraph 6.6 South Downs National Park Authority acknowledges that there is a need to improve M3 Junction 9 and that the existing highway infrastructure is constrained with the national park located east and north-west of it, and as such there is '<i>limited scope for developing outside of the</i></p>

Reference	Written Representation	Applicant Comment
	<p>The SDNPA considers that the benefits of the scheme have not been proven to outweigh the harm identified to the National Park. A key objective of the scheme (as set out in the application documents) is to improve flow and reduce journey times and congestion to and from the M3 and the A34. As set out in the 'Case for the Scheme' (Table 4.3 within application document APP-154) and the 'Combined Modelling and Appraisal Report' (various references including at 4.5.7 and 5.5.11 within application document APP-163) the reductions on journey times for the M3 is minimal and the benefits are not anticipated to be seen until 2042 or 2047. The key objective routes (M3 / A34) show very few decreases in travel times, with only a potential benefit occurring to / from A34 movement in the evening peak (Tables 4.3 and 4.4 in application document APP-154).</p> <p>As set out Section 5 and Appendix B of the LIR, the SDNPA (together with other stakeholders) has undertaken a lot of work in identifying landscape enhancement measures to lessen the impact of the existing M3 on the National Park. The proposal will make the landscape harm caused by the road worse. Whilst there are some connectivity improvements, the landscape harm will be significantly worse. The First Iteration Environmental Management Plan (application document APP-156), at 1.2.13 states 'Consideration has also been given to the enhancement of the South Downs National Park where reasonably practicable'. However, the application fails to demonstrate how the proposal will enhance the National Park not just mitigate for the harmful impacts.</p> <p>Therefore, the SDNPA does not consider that the proposed development accords with both National and Local policies for 'major development', nor with the statutory requirement to conserve and enhance the National Park.</p>	<p><i>National Park</i>.</p>
<p>REP02-075d</p>	<p><i>Landscape Harm</i></p> <p>The SDNPA agrees with the applicant's assessment (such as in 7.11.11 of application document APP-048) that the development proposed would cause significant adverse harm to the National Park, including views to and from the National Park and to its setting. This would be contrary to SDLP Policies SD1, SD2, SD3, SD4, SD5, SD6, SD11 and SD42 (and the SDNPA's Design Guide, Supplementary Planning Document, July 2022), nor would the proposal meet the statutory purpose of conserving and enhancing the National Park.</p> <p>Where the SDNPA disagrees with the applicant, is in the conclusion of the LVIA (landscape and visual impact assessment) which is set out in Chapter 7 of the submitted Environment Statement (application document APP-048), where it finds that landscape effects on the National Park will no longer be significant at Year 15 of operation.</p> <p>The incursion and expansion of the motorway landscape into the National Park will result in the erosion of intrinsic characteristics such as the Downland topography which would have a residual and permanent significant adverse effect.</p>	<p>With reference to the landscape and visual assessment for the Scheme, the rationale for the conclusions reached is set out in Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1).</p> <p>The Applicant maintains that by Year 15, the growth and development of structural landscape elements (LE2.1 Woodland, LE2.4 belts of tree and shrub planting, and LE2.8 scrub planting) alongside new road alignments and within internal land parcels between highways would help to integrate the Scheme into the surrounding landscape. The visibility of the Scheme would be no greater than that which currently exists when seen from higher elevations on the western edge of the South Downs National Park. When viewed from lower elevations, including from the new walking, cycling and horse-riding routes, the visibility of the Scheme would be reduced. Where not hidden by intervening tree cover, gantries, variable message sign and signage would not form a notable feature in views. Whilst long term permanent adverse effects occur as a result of the landform changes, it is considered these would be localised and therefore only result in a very small change to the receptor as a whole.</p> <p>In response to the key areas of objection the Applicant provides the following</p>

Reference	Written Representation	Applicant Comment
	<p>The key areas of objection relating to landscape harm are (as set out in the LIR):</p> <p>a) Earthworks / Changes to Topography – cutting into the chalk Open Downland east of the existing M3 and the deposit of the excess spoil into two existing natural depressions / dry valleys in the Downland. Rather than integrating the road upgrades into the valley landscape, the upgrades would extend the footprint of the highways network by cutting into the Open Downland.</p> <p>As highlighted above, the proposed cuttings etc have not followed the continuous line of the Downland. The current proposals will mark the line of the road as a dominant feature cutting through the landscape rather than sitting within the folds of the Downs (even if these are made up ground).</p> <p>The overall design of the scheme should have given greater consideration to the to the landform proposals to ensure that there is a seamless and appropriate join up with the existing positive characteristics of the Open Downland landform.</p> <p>b) Vegetation Clearance - current trees / vegetation soften the interface between the motorway and the SDNP and is relatively successful in minimising the visual impact of the motorway on the wider National Park. The loss of this vegetation would open up views (in particular of the motorway corridor and new infrastructure) causing significant adverse harm.</p> <p>This will have a significant detrimental landscape and visual effect on the National Park and the Winnall Moors Nature Reserve in particular when considered in combination with the proposed increased height of the new junction elements, the existing screening and buffering that the tree stands provide. The existing woodland areas were particularly noted in considering the inclusion of Winnall Moors into the National Park (during the designation process), due to their contribution to the tranquillity of the Itchen Valley.</p> <p>c) Main / Central Construction Compound – in the proposed location it will protrude into and exacerbate the impact of the proposed works on the National Park. The SDNPA considers that a compound in this location would be an unacceptable incursion beyond the existing highway into Open Downland landscape of the National Park beyond the valley side. As highlighted above, the SDNPA considers there are alternative locations for the compound (outside of the National Park) which would make the significant adverse harm caused by the current proposal entirely avoidable.</p> <p>In addition, the SDNPA is concerned that Easton Lane is currently a well-used route and ‘gateway’ into the National Park, therefore there is potential conflict between walkers / cyclists and heavy machinery accessing the compound.</p>	<p>responses:</p> <p>a) The Applicant’s response to paragraphs 6.14a of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to earthworks and changes to topography and can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>b) The Applicant’s response to paragraphs 6.14b of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to vegetation clearance and can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>c) The Applicant’s response to paragraphs 6.14c of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to the main / central construction compound and can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>d) The Applicant’s response to paragraphs 6.14d of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to the proposed swale and attenuation ponds and can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>e) The Applicant’s response to paragraphs 6.14e of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to the chalk grassland and farmland interface and can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p><i>LVIA Conclusions</i></p> <p>The Applicant’s response to paragraphs 6.8 of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to the LVIA conclusions and can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p><i>Visualisations</i></p> <p>The Applicant’s response to paragraphs 6.14a of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to the visualisations and can be found in Chapter 4 of the Applicant Comments on</p>

Reference	Written Representation	Applicant Comment
	<p>If the Examining Authority accepts the applicant's position that the central compound cannot be located outside the National Park, then without prejudice to our objection above, the SDNPA requests that any bulky / prominent items such as the plant storage and welfare units should be located elsewhere within the main corridor of works, or elsewhere, but not within the National Park.</p> <p>d) Proposed swale and attenuation ponds – the swale and attenuation ponds, and the associated earthworks required to form the ponds, are to be located in sensitive areas (for example due to topography or habitat sensitivities) and the form and locations are uncharacteristic of chalk geology and landscape. They appear to be superimposed on the Downland and are incongruous features due to the uncharacteristic vertical and horizontal layout and positioning.</p> <p>These elements would not read as part of the Downland landscape but as part of the overall highways landscape, which would be perceived as having extended into the Downland. In addition, the loss of the Open Downland character would be exacerbated by the proposed scrub and woodland planting – types of planting which is usually found on the lower valley sides and valley floor.</p> <p>e) Chalk Grassland and farmland interface – Despite the SDNPA's support for Chalk Grassland as a mitigation measure, the proposals for Chalk Grassland within the landscape east of the M3 would establish an artificial new line or sub-division within the Open Downland. This is because the area proposed to be managed as Chalk Grassland would not correspond with any existing field boundaries. The proposal and differences in management regimes would establish a new pattern in the landscape, which would not correspond to any existing or historic patterns, exacerbating the impacts of the proposed scheme. Furthermore, it is unclear how the Chalk Grassland would be protected from agricultural activities and management practices which might undermine or disturb the proposed Chalk Grassland.</p> <p>As set out in the LIR, in the SDNPA's opinion, the fields east of the M3 should be treated as one (as reflected in the overall landscape character of this area), and all reverted to Chalk Grassland secured through the DCO Requirements.</p> <p>The SDNPA also considers that the effects have been underestimated in the LVIA chapter and they are also underestimated in the accompanying visualisations (as set out in application document APP-069). The visualisations do not show the full impact of the proposed works, for example:</p> <ul style="list-style-type: none"> ▪ Planting growth appears optimistic, particularly at Viewpoint 1; ▪ In Viewpoint 14, existing trees are shown along the edge of the motorway however these are proposed to be removed; 	<p>Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p><i>Landscape Led Design</i></p> <p>The South Downs National Park Authorities Design Guide Supplementary Planning Document defines a landscape led design as</p> <p><i>'Design, which is strongly informed by understanding the essential character of the site and its context (the landscape), creates development which speaks of its location, responds to local character and fits well into its environment. It needs to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and create sustainable and successful places for people'</i></p> <p>The Applicant would highlight that Section 5 of the Design and Access Statement (7.9, APP-162) provides the design narrative and six design principles that have driven the design of the Scheme, this includes seeking to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, and promote access, recreation and understanding of the designation and its special qualities.</p> <p>The Scheme is focused on improvement works associated with the existing M3 Junction 9 and is partially located within the South Down National Park. A landscape-led strategy is a principle of the Scheme. Reference to the Landscape Character Areas in which the Scheme is located is included with respect to reinforcing and enhancing the key characteristics of those areas. Examples of how this has been achieved and how the design strategy has responded to the special qualities of the designation are also set out. Furthermore, the principle of placemaking recognises the need to create an identity for the Scheme within the designated landscape and principles relating to how the Scheme responds to each Landscape Character Area are set out.</p> <p>The Applicant considers that the Scheme design, whilst building new highway infrastructure partially within the South Downs National Park, seeks to conserve and where possible enhance existing landscape character features which contribute to its distinctive character. The landscape-led approach has been based on a thorough understanding of the environmental baseline and character of all Landscape Character Areas to create a Scheme which responds to local character and is entirely appropriate to its environment.</p>

Reference	Written Representation	Applicant Comment
	<ul style="list-style-type: none"> ▪ Structures such as the attenuation ponds are not shown, and ▪ The road, particularly at Viewpoint 14, is not how it will actually look. There are no vehicles, no barriers, no road markings etc. <p>The Viewpoints need to be corrected to address the above and the applicant should provide confirmation that all the other viewpoints / visualisations are accurate.</p> <p>The SDNPA would also question how and in what way the overall design of the works has been 'landscape-led' (as required by the policies in the SDLP).</p> <p>A failure of the overall approach is the absence of specific design principles that conserve and enhance the landscape character or any recognition of this highly protected landscape within the overall scheme objectives (neither are reflected in the submitted Design and Access Statement, application document APP-162). For example, the SDNPA would have expected to see that the existing flowing Downland topography east of the M3 is conserved as much as possible thereby avoiding the erosion of the 18th – 19th Century planned enclosure landscape pattern and preventing further fragmentation of the Open Downs. In addition, the SDNPA would have expected to see proposals for filling of deposition material is designed in a manner which is sympathetic to this distinctive landform (again acknowledging the overall landscape character).</p>	
REP02-075e	<p><i>Landscape – Insufficient Mitigation</i></p> <p>As referred to in the SDNPA's LIR, in the current absence of any appropriate Section 106 planning obligation to mitigate and offset the harm caused by delivering agreed and significant landscape enhancements within the local area, the SDNPA 9 considers the proposal would cause significant harm to the National Park and its setting. The NPSNN states the Secretary of State (should consent be granted) should be satisfied that the applicant has ensured that the project will be carried out to high environmental standards and where possible includes measures to enhance other aspects of the environment.</p> <p>The key areas of objection relating to landscape mitigation and enhancement are:</p> <ul style="list-style-type: none"> a) Chalk Grassland on embankments and areas of fill material – The SDNPA would also question the proposed location of some of the Chalk Grassland (such as the lower embankments alongside the M3 and how viable its long-term success would actually be. The long-term management of the Chalk Grassland has to be 'designed in' from the start as this type of habitat is 'man-made' and will quickly scrub over unless it is cut or grazed regularly. <p>The proposed areas of Chalk Grassland need to be designed with good management in mind, in terms of access, degree of slope, and if grazing is proposed, water supply and fencing into suitable grazing cells. T</p> <p>he SDNPA is concerned that failure to address these issues now will affect</p>	<p>a)</p> <p>Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1) identifies areas of proposed chalk grassland and areas of species rich grassland creation. Chalk grassland is located to the east of the M3 corridor, namely within the East Winchester Open Downland Landscape Character Areas, and species rich grassland to the west, predominately within the Itchen Valley and Itchen Floodplain Landscape Character Areas.</p> <p>Appendix 7.6 (Outline Landscape and Ecological Management Plan) of the ES (6.3, APP-102) includes outline requirements for proposed landscape elements, as well as their specification, management and maintenance. As discussed with the South Downs National Park Authority during PCF Stage 3 the intention with maintenance of the chalk grassland would be for mechanical cuts to ensure establishment of this habitat type. Further detail will be provided as part of the detail design proposals to be delivered as part of Requirement 5 of the draft Development Consent Order (3.1, Rev 3). The Project Team provided (on 12 May 2023) further information on Species rich grassland and Chalk grassland creation secured as part of other projects. This included projects at varying scales where earthworks included cutting into chalk, and placement of chalk spoil occurred, as well as arable conversion. In all instances the projects achieved successful chalk grassland creation.</p>

Reference	Written Representation	Applicant Comment
	<p>the viability of the mitigation proposals.</p> <p>The applicant has very recently shared additional information with the SDNPA regarding works carried out on the A354 Weymouth Relief Road (document entitled M3 Junction 9 Improvement – Chalk Grassland Creation 12 May 2023). However, this does not provide enough information with regard to scale and gradient to know if it is comparable to the current proposals. Therefore, our concerns still remain.</p> <p>b) Chalk Grassland as mitigation – The SDNPA supports the use of Chalk Grassland as part of the overall mitigation measures. However, the application includes separate sections for embedded and essential mitigation measures. The SDNPA, in our view, considers that in relation to Chalk Grassland that this would appear to be double counting. In our opinion, the planting proposals are essential parts of the scheme not mitigation. As set out in the LIR, the application documents should be updated to reflect this, and the applicant should advise on whether this update changes their conclusions regarding mitigation of the landscape effects.</p> <p>c) Proposed Vegetation – as highlighted in paragraph 6.14 of the SDNPA's LIR, in places the width of proposed tree planting alongside the eastern edge of the M3 is only 10m wide which is unlikely to be sufficient to provide a robust level of screening of the road infrastructure and activity, particularly in the short term, examples of this include Easton Lane and Long Walk and the proposed bridleway between these lanes (see Environmental Masterplan, Figure 2.3, application document APP-062).</p> <p>In some areas the proposed tree planting is narrower than the existing cover, which at present is up to 25m in width. In addition, in some areas the majority of the proposed planting is located on the cut batter rather than above the slope, where it would be more effective at providing visual relief in views from higher ground east within the National Park.</p> <p>The DCO requirements should be strengthened to ensure that tree planting along the eastern edge of the motorway is no less than 25m in width and that at least half of this planting occurs on top of the cut batter where it will be more elevated and will provide a more effective screen.</p> <p>The SDNPA would also like to see the DCO Requirements strengthened to include minimum planting / stock sizes. For example, in the nursery stock proposed for the woodland areas (set out in the 'Outline Landscape and 10 Ecological Management Plan', Appendix 7.6 – application document App-102), the proposed proportion of 80% transplants is too high. The SDNPA would expect to see 5% Heavy standard (selecting native species which are easily replanted at this size), 10% standard, 20% feathered and 65% transplants.</p>	<p>b)</p> <p>The Applicant's response to paragraphs 6.14f of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to the chalk grassland as mitigation. This can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>c)</p> <p>The Applicant's response to paragraphs 6.14g of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to proposed vegetation. This can be found in the Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>d)</p> <p>The Applicant's response to paragraphs 6.14i of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to proposed Public Rights of Way. This can be found in the Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p>The Applicant notes South Downs National Park Authority's comment on the Natural Capital Investment Area and assumes the reference made to Appendix B should instead be to Appendix C '<i>Package of Measures to restore the Landscape</i>' in the Local Impact Report.</p> <p>Based on that assumption, the Applicant provides comment on each of the areas within Appendix C below which demonstrate the Applicant's contribution to natural capital:</p> <p>Area 1 - Located west of the M3, north of the A34, and east of the A33 within the area defined by the River Itchen and its tributaries. This location is generally outside the Application Boundary as it includes the designated areas of the South Downs National Park, the River Itchen Special Area of Conservation and the Site of Special Scientific Interest. No proposals relate to the upstream flood protection / habitat enhancement included in the Application for this broad area. The Scheme seeks to minimise harm to the River Itchen through development of an appropriate drainage strategy for the Scheme (Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 – APP-143)), and placement of the physical works associated with the River. However, a commitment to river enhancement measures is identified on Figure 2.3 Environmental Masterplan (Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1)), for the locations where the River Itchen crosses between the A34 northbound and A34 southbound carriageway. Specific design</p>

Reference	Written Representation	Applicant Comment
	<p>d) Proposed Public Right of Way – the inclusion of the new bridleway between Easton Lane and Long Walk, a new shared foot / cycle connection beneath and around the gyratory and new shared foot / cycle route alongside the A34 are supported as they would contribute to the SDNPA’s second purpose and policy priority of improving accessibility within and around the National Park. However, the rationale for the alignment of the proposed bridleway between Easton Lane and Long Walk is arbitrary and does not take the optimum route in landscape and visual amenity terms. In meetings with the applicant, they have explained that the route was designed to establish a 1:20 grade. However, given that the route will be located on land subject to reprofiling works, this grade could be formed elsewhere. In our opinion, the route should be further east of the M3 or at least provide an alternative walking route further up the slope away from the motorway corridor, where views will be more extensive and the impact of passing vehicles on the amenity of the route would be less.</p> <p>The proposed public rights of way alongside the A33 and A34 are very close to the proposed carriageways and as such are unlikely to be attractive routes. Further details on design measures taken to ensure these routes are attractive need to be provided, this could include the use of bunds between the walking and cycling route as well as replacement tree planting to provide additional cover and relief from the surrounding highway.</p> <p>It is also considered that insufficient consideration has been given to how the scheme could contribute to this ‘Natural Capital Investment Area’ and deliver on the mitigation and enhancement proposals (secured through a DCO Requirement and / or appropriate Section 106 planning obligation) as set out in Appendix B of LIR.</p> <p>Therefore, the current proposal would be contrary to the English National Parks and the Broads, UK Government Vision and Circular 2010 (DEFRA) which states ‘relevant authorities’ (such as National Highways) should support the SDNPA in seeking to minimise harm and maximise the beneficial effects to the National Park.</p>	<p>measures for these locations will be explored during detailed design subject to further consultation with the Environment Agency to align with its River Itchen restoration strategy. Area 2 – Located west of the M3 corridor on existing agricultural land, between the A34 and Long Walk within the Application Boundary At this location the Scheme includes a range of measures including arable reversion to species rich grassland, with increased provision of scrub and woodland planting to provide visual screening of the Scheme. Overall the mitigation proposals for this location look to support habitat creation in support of protected species.</p> <p>Area 3 – Located south west of the A34 corridor adjacent to Hampshire and Isle of Wight Wildfire Trust land, in an area of existing agricultural land use. This location is remote from the Scheme and Application Boundary and located outside the South Downs National Park boundary. Options highlighted by the South Downs National Park included management of chalk downland and new tree planting to replace trees lost to development. The Scheme has sought to include a range of environmental measures with proximity to the Scheme to mitigate the identified effects including chalk grassland creation within areas of the South Downs National Park, and screening planting adjacent to the Scheme.</p> <p>Area 4 – Located east of the M3 corridor on existing agricultural land, between Easton Lane and Long Walk within the Application Boundary. At this location the Scheme includes a range of environmental measures including chalk grassland creation on modified landform and new woodland / scrub planting adjacent to the Scheme to minimise visibility of the Scheme, whilst balancing the need to retain views to the South Downs National Park and to the historic centre of Winchester.</p> <p>Area 5 – Located south east of the M3 Junction 10 adjacent to Hampshire and Isle of Wight Wildfire Trust land, in an area of existing agricultural land use. This location is remote from the Scheme and Application Boundary and no environmental measures have been included in this area. Options highlighted by the South Downs National Park included management of chalk downland, which the Scheme has sought to deliver in areas with closer proximity to the Scheme to mitigate the identified effects.</p> <p>Area 6 – Located south west of the M3 Junction 10 within Southern Water land. This location is remote from the Scheme and Application Boundary and no environmental measures have been included in this area. Options highlighted by the South Downs National Park included management of chalk downland and use of spoil. The use of spoil and creation of chalk grassland are proposed for areas in closer proximity to the Scheme to mitigate the identified effects.</p> <p>Area 7 – Located east of the M3 and south west of Abbots Worthy within the area defined by the River Itchen. This location is generally outside the Application Boundary and no proposals related to channel restoration are included in the Application. The Scheme seeks to minimise harm to the River Itchen through development of an appropriate drainage strategy for the Scheme (Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 – APP-143)), and placement of the physical works outside the River.</p> <p>Area 8 – Located west of the M3 corridor. This location is generally remote from the Scheme and</p>

Reference	Written Representation	Applicant Comment
		<p>Application Boundary and no environmental measures (for urban tree planting) have been included in this area. Individual tree and hedgerow planting have been included in areas immediately west of the Scheme to support visual amenity and screening of the Scheme. Area 9 – Located west of the M3 corridor south of Junction 10. This location is generally remote from the Scheme and Application Boundary and no environmental measures (for scrub management at St Catherines Hill) have been included. The Scheme has sought to include a range of environmental measures with closer proximity to the Scheme to mitigate the identified effects including chalk grassland creation, which will improve accessibility for recreational users to other areas of the National Park.</p> <p>Area 10 – Located east of the M3 corridor south of Junction 10. This location is generally remote from the Scheme and Application Boundary and no environmental measures (for scrub management) have been included. The Scheme has sought to include a range of environmental measures with closer proximity to the Scheme to mitigate the identified effects including chalk grassland creation east of the Scheme in the identified Area 4.</p> <p>Area 11 - Located west of the M3 corridor south of Junction 10. This location is generally remote from the Scheme and Application Boundary and no environmental measures (conservation management) have been included. The Scheme has sought to include a range of environmental measures with closer proximity to the Scheme to mitigate the identified effects.</p> <p>With regard to English National Parks and the Broads, UK Government Vision and Circular 2010 (DEFRA) Section 3 sets the vision for National Parks and is relevant to bodies with an influence on the management of these special areas. The Scheme has had regard to this vision and has considered the special qualities of the South Downs National Park in designing the Scheme – this is outlined in Section 7.6 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1).</p> <p>Section 4.1 of the circular relates to the two purposes of the National Park, including conserving and enhancing natural beauty, wildlife, and cultural heritage of the Parks. As well as promoting opportunities for understanding and enjoyment of the special qualities of the Parks by the public. Sections of the existing M3 and A34 roads are within the South Downs National Park. Permanent land take within the South Downs National Park includes land to deliver highway improvements to the existing highway network, including to walking, cycling, and horse-riding routes, and land to deliver environmental mitigation and enhancements (in identified locations). A large proportion of the permanent land take within the designation is within the existing highway estate. As outlined in Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) adverse effects are reported in year 15 on the designation but these are considered not significant. The Scheme design seeks to minimise harm and mitigate effects as far as possible. Taking the Scheme as a whole, it has had regard to the purpose 5(1) of the Act to conserve and</p>

Reference	Written Representation	Applicant Comment
		<p>enhance the natural beauty, wildlife, and cultural heritage of the South Downs National Park. This is outlined in Section 7.8 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) in relation to the special qualities of the South Downs National Park.</p> <p>The Scheme seeks to respond to the special qualities of the South Downs National Park in its design. The use of chalk grassland is in response to the landscape character and the Scheme has sought to create enhancements. The improvements to National Cycling Network (NCN) Route 23 and walking routes within the Scheme would promote opportunities for walking and cycling within the South Downs National Park. The Scheme has therefore had regard to purpose 5(2) with respect to promoting opportunities for enjoyment of the special qualities of the park.</p>
<p>REP02-075f</p>	<p><i>Tranquillity, including Noise</i></p> <p>As set out in the LIR, the proposal would have a significant adverse impact on the sense of tranquillity, contrary to SDLP Policy SD7 even with the proposals to mitigate for noise impacts. However, there are no clear proposals to mitigate the impact (or compensate) for the harm caused to tranquillity, one of the National Park's special qualities.</p> <p>The SDNPA considers that there are additional measures that could be taken to reduce and / or compensate for the loss of tranquillity. Some of these are measures are identified to reduce and / or compensate for the loss of landscape character that would, through screening or reinforcing the natural character of the landscape, also have beneficial impacts on the sense of tranquillity. They are:</p> <ul style="list-style-type: none"> ▪ Prioritising the creation of natural landforms (throughout design and implementation) on regraded areas including attenuation ponds, bunds etc, to avoid the creation of over engineered landforms; ▪ Widening of the proposed tree belts along the eastern edge of the new alignment; ▪ Extension of the restored chalk grassland to the east of the new alignment to the order limits; ▪ Provision of an alternative route though the restored chalk grassland (pedestrian only if necessary) that is further from the M3 carriageway than the one currently proposed; ▪ Relocating the central construction compound outside the National Park; ▪ If central construction compound is moved there may be opportunities for advance planting of woodland planting; ▪ A commitment to extend the use of 'low noise road surfacing' to existing sections of the M3 throughout the order limits (or even wherever the M3 runs through or adjacent to the National Park), and ▪ Commitment to minimise gantries for signage as far as possible. <p>However, these are not currently being put forward by the applicant. The SDNPA is willing to continue to work with the applicant to address this objection and to</p>	<p>The Applicant's response to paragraphs 6.15-20 of the South Downs National Park Authority Local Impact Report addresses the matters raised in relation to Tranquillity.</p> <p>As stated above in responses to REP02-075d rationale is provided as to why mitigation measures have been included with regard to landform, widening of tree belts, extension of chalk grassland, the central construction compound. In addition as stated within Paragraph 11.8.2 of Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052), low noise road surfaces are proposed as part of the Scheme where new road surfaces are to be laid.</p> <p>The Applicant will continue to discuss the SDNPA's concerns with them.</p>

Reference	Written Representation	Applicant Comment
REP02-075g	<p>ensure compliance with SDLP Policy SD7.</p> <p><i>Biodiversity</i></p> <p>The SDNPA objects to the proposal as it would be contrary to SDLP policies SD2, SD9 and SD45, as set out in the SDNPA's LIR and landscape section above, with one of the main concerns related to the potential double counting within the proposed mitigation measures. The SDNPA would like to make the following additional comments:</p> <p>a) The current proposal is missing an opportunity to be an exemplar project for National Highways to deliver on ecological and landscape benefits as part of the requirement of paragraph 5.153 of NPSNN and to help contribute to the Government's commitment to nature recovery (as set out in the 25-year Environment Plan). This scheme could provide habitat connectivity / enhancements (and biodiversity net gain) through the design and materials proposed for the bridges and other structures within the scheme. For example, it is noted that the Kingsworthy Bridge will need to be 'strengthened', there is an opportunity to use green wall cladding, as demonstrated by the Millbrook Roundabout in Southampton (referred to as the Living Wall at Millbrook), to demonstrate mitigation and improvements for biodiversity and provide as many opportunities as possible to connect up habitats across the whole proposed development. Another example, is providing a clear commitment that all fencing and roadside drainage will be 'animal friendly' to enable small animals / reptiles and amphibians safe passage to the various habitats in and around the road scheme;</p> <p>b) It is the SDNPA's view that there is scope for the proposed development to make a positive contribution to landscape scale adaptation responses to climate change. It is disappointing that there is very little reference to this (the only reference is to potential carbon sequestration at the detailed design stage). There is also little reference to how the proposal could provide mitigation and enhancement measures to help tackle climate change (for example selecting plant species for water capture or to help with air quality);</p> <p>c) There are also other opportunities to increase the overall 'biodiversity net gain' and enhance the National Park, for example, work at the 'Cart and Horses Junction' (also see comments below under 'Highways') could include additional planting to screen the right of way, and</p> <p>d) We are disappointed that proposed development does not propose enhancement measures to address the issue of 'Nitrate Neutrality' (the River Itchen discharges directly to further, coastal European sites - the Solent and Dorset Coast SPA and Solent and Southampton Water</p>	<p>As set out in Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049) a full assessment of potential effects to biodiversity receptors has been undertaken in line with industry standards. It concludes that, in the context of agreed embedded and essential mitigation, there will be no residual significant effects on biodiversity. Information is set out below in relation to the South Downs Local Plan Policies SD2, SD9, and SD45.</p> <p><i>Policy SD2: Ecosystem Services</i> states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services, achieved through the use of high-quality design, and by delivering environmental opportunities.</p> <p>As set out in Section 8.8 of Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049) and presented in Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1), the Scheme has been designed to enhance connectivity for wildlife through the landscape design with the provision of substantial areas of chalk grassland, woodland and scrub. Of relevance to the South Downs National Park, along the east of the M3 the Scheme will create new habitats which would improve connectivity for a range of wildlife including bats, dormice, and terrestrial invertebrates in a north-south direction. New habitats will also provide connectivity between existing areas of chalk grassland in the wider landscape. The overall result will be improved joined-up habitats which are of value to local wildlife. Proposed new Public Rights of Way through this area will enable the local community to benefit from improved access to these areas.</p> <p>The embedded mitigation measures set out in Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 - APP-143) for managing surface water runoff from the road include provision of measures for treatment of surface water. They will avoid adverse operational impacts (associated with a reduction in water quality from pollution events such as traffic collisions) and should provide an improvement to the existing situation. This approach is supported by Natural England which states in its response to The Examining Authority's First Written Questions that '<i>We consider overall this scheme could result in a net benefit to the River Itchen in terms of improved water quality of discharge compared to current baseline.</i>'</p> <p>In summary, the Applicant considers that the Scheme is compliant with South Downs National Park Policy SD2: Ecosystem Services.</p> <p><i>SD9: Biodiversity and Geodiversity</i> considers conserving and enhancing biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation.</p> <p>As set out in Chapter 8 (Biodiversity) of the Environmental Statement (ES)</p>

Reference	Written Representation	Applicant Comment
	<p>SPA/Ramsar site). For example, during the operational phase, the development could have a significant positive benefit by taking land out of agricultural use and converting it to a use (for mitigation) that does not increase the nitrogen load of the land and / or creating wetland environments that act as a nitrogen sink and remove nitrogen from the river (a catchment management solution).</p>	<p>(6.1, APP-049), the Scheme has been designed in accordance with the mitigation hierarchy and a number of potential effects have been avoided through good environmental design. The design presented on Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1), demonstrates that the Scheme provides a range of native habitats including substantial areas of chalk grassland, a Habitat of Principle Importance (HPI) for the conservation of biodiversity in England. The creation of new areas of chalk grassland would provide habitats for a range of species such as the stripped lychnis moth (a Species of Principle Importance (SPI) for the conservation of biodiversity in England, and Local Biodiversity Action Plan (BAP) species with very restricted national distribution).</p> <p>Appendix 8.2 (Biodiversity Net Gain Assessment Report) of the ES (6.3, APP-131) demonstrates that the Scheme delivers an overall net gain in biodiversity.</p> <p>The Applicant considers that the Scheme is compliant with South Downs National Park Policy <i>SD9: Biodiversity and Geodiversity</i>.</p> <p><i>SD45: Green Infrastructure</i></p> <p>Substantial green infrastructure provision, as shown within Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1), would create multi-functional habitat corridors across the Scheme and would link to the wider landscape. A diverse selection of species is proposed, including suitable seed mixes of chalk grassland species, native broadleaved woodland, and a mosaic of native scrub. The incorporation of a variety of species as well as the selection of low maintenance habitats provides greater climate resilience as there would be less needed to water the planting during periods of low rainfall or drought. Proposed new Public Rights of Way will enable the local community to access these benefits. The Applicant considers that the Scheme is compliant with South Downs National Park policy <i>SD45: Green Infrastructure</i>.</p> <p>The South Downs National Park Authority’s concerns in relation to double counting of proposed mitigation were addressed during updates to Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1), submitted at Deadline 2. On review it was noted that the landform proposals (on which chalk grassland creation will occur) should be identified as embedded mitigation, and the chalk and species-rich grassland creation should be defined under essential mitigation. The Applicant reviewed and made updates to Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) to reflect this. However, to confirm, Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) did not double count the effects of this mitigation, and it is considered that the updates made do not affect the conclusions of the landscape and visual impact assessment.</p>

Reference	Written Representation	Applicant Comment
		<p>The Applicant provides a response to the additional points raised by South Downs National Park Authority below:</p> <p>a)</p> <p>Various options for ecological mitigation and enhancement have been considered during the development of the current design, with those taken forward set out in Section 8.8 of Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049) and presented on Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1).</p> <p>Of relevance to the South Downs National Park Authority is provision of an area of chalk grassland, native scrub and woodland to the east of the M3. This area is currently arable farmland within the South Downs National Park. The Scheme would provide a net increase of approximately 9.6ha of chalk grassland. Such an extensive area of chalk grassland has been included within the Scheme design as it provides multiple biodiversity and landscape benefits and is appropriate to the geology of the local area. It is a Hampshire Biodiversity Action Plan habitat, is a qualifying feature of nearby designated areas (such as St Catherine’s Hill Site of Special Scientific Interest), and the protection and enhancement of this habitat is a key theme within the <i>South Downs Local Plan 2014-2033</i> (South Downs National Park Authority, 2019). The provision of chalk grassland has also been a key theme within consultation responses from stakeholders.</p> <p>In addition to chalk grassland, the design includes the provision of species-rich grasslands, native broadleaved woodland and native scrub, along with enhancement of retained habitats within the Scheme.</p> <p>As shown on Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1) the proposed A34 southbound underpass west of the M3 includes vegetation to the top of the structure to reduce visual intrusion and allow connectivity between and integration of habitats in the area.</p> <p>The measures incorporated in the current design are considered to provide the most significant contribution to mitigating impacts and enhancing biodiversity. The design ensures the Scheme will be carried out to high environmental standards and includes measures to enhance other aspects of the environment (such as landscape) and as such is compliant with paragraph 5.153 of the <i>National Policy Statement for National Networks (NPS NN)</i> and helps contribute to the Government’s commitment to nature recovery (as set out in the Government’s 25-year Environment Plan).</p> <p>It is worth noting that mitigation and enhancement measures within the current design have been agreed with the Environment Agency within the Statement of Common Ground with the Environment Agency (7.12.4, REP2-047), and Natural England within the Statement of Common Ground with Natural England (7.12.5, REP2-048) (other than a single specific point in relation to</p>

Reference	Written Representation	Applicant Comment
		<p>dormouse mitigation which the Applicant is actively engaged in resolving).</p> <p>b) Climate adaptation</p> <p>As set out in Section 14.6 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2), the following mitigation has been incorporated into the design of the Scheme. As these measures are part of design, they will be implemented during construction but will provide mitigation during the entirety of the operational stage of the Scheme:</p> <ul style="list-style-type: none"> ▪ The Scheme has been designed in accordance with UK and British Standards, including BS EN 1991-1-5:2003 in relation to thermal action and BS EN 1991-1-4:2005. The design standards increase durability by requiring reinforced concrete elements for the effects of early thermal cracking and incorporated well detailed weathering steel elements. ▪ The attenuation storage within the system is designed to have a capacity to accommodate a 1 in 100-year flow event, with a climate change allowance of 40%. ▪ The Scheme has been designed in accordance with the Design Manual for Roads and Bridges CD 356 Design of Highway structures for hydraulic action (Highways England, 2020), allowing to +120% climate change allowance for the bridge soffit height. ▪ In addition, Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 - 143) sets out how the Scheme integrates Sustainable Drainage Solutions (SuDS) which include basins, swales and filter drains. <p>Further, the substantial green infrastructure provision within Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1) would create multi-functional habitat corridors across the Scheme and would link to the wider landscape. A diverse selection of species is proposed, including suitable seed mixes of chalk grassland species, native broadleaved woodland and a mosaic of native scrub. The incorporation of a variety of species as well as the selection of low maintenance habitats provides greater climate resilience as there would be less needed to water the planting during periods of low rainfall or drought. The Scheme’s planting specifications would be provided at detailed design stage and will accord with the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 3).</p> <p>Lastly, Appendix 7.6 (Outline Landscape and Ecological Management Plan) of the ES (6.3, APP-102) includes the appropriate establishment and management of new landscape planting and features in accordance with relevant best practice and standards. Suitable management of the proposed landscaping would help to ensure the long-term success of the planting. The duration of management and monitoring for each</p>

Reference	Written Representation	Applicant Comment
		<p>landscape/ecology element created or enhanced is 25 years from completion of the authorised development. The proposed planting and its management include several measures that are recommended in Natural England's Climate Change Adaption Manual (NE751) (Natural England, 2021), such as selecting a greater mix of native trees and shrubs. The Applicant confirms that no changes or additions to the proposed mitigation have been made since the preparation of the Environmental Statement (ES) (6.1-6.3, APP-042 - APP-153).</p> <p>c) Biodiversity Net Gain</p> <p>Whilst there is no current legal or policy requirement for the Scheme to deliver biodiversity net gain, biodiversity has been a key consideration throughout the design process, and the mitigation hierarchy has been followed to ensure impacts have been avoided, minimised, or as a last resort compensated. The design includes habitats of ecological value which are appropriate to the local area, including chalk grassland, species rich grassland (with chalk grassland characteristics), native scrub and woodland, with the aim of maximising biodiversity outputs from the Scheme in accordance with National Highways performance targets. Stakeholders including South Downs National Park Authority and Butterfly Conservation have been consulted on the design of the habitat compensation and enhancement package to make certain it is appropriate to the surrounding landscape and habitats, and future climatic conditions.</p> <p>The biodiversity net gain assessment of the Scheme is presented in Appendix 8.2 (Biodiversity Net Gain Assessment Report) of the ES (6.3, APP-131). The results demonstrate the Scheme delivers an overall net gain in biodiversity. As such it aligns with the recommendations set out in the <i>National Policy Statement for National Networks (NPS NN)</i> and National Planning Policy Framework and meets National Highway's ambitions of no net loss set out in the Road Investment Strategy.</p> <p>d)</p> <p>As set out in the Habitats Regulations Assessment (7.5, APP-158), in line with Natural England guidance <i>Nutrient Neutrality – A summary guide and frequently asked questions</i> (June 2022) and <i>Winchester City Council's Position Statement on Nitrate Neutral Development</i> dated February 2020, no nutrient input pathways from the Scheme (such as housing or facilities resulting in overnight stays) have been identified. Therefore, there would be no impacts from nutrients and no requirement for a nutrient neutrality assessment.</p> <p>However, as mentioned by South Downs National Park Authority in its Written Representation, developments can have positive impacts on the nutrient neutrality issue through a range of measures such as removal of land from intensive agriculture, or creation of wetland which can sequester carbon. In</p>

Reference	Written Representation	Applicant Comment
		<p>addition, Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 - 143) sets out how the Scheme integrates Sustainable Drainage Solutions (SuDS) which include basins, swales and filter drains. Whilst no formal nutrient neutrality calculation has been undertaken, these measures are likely to have a positive impact through removal of nutrients which could otherwise end up in the River Itchen or other protected areas downstream.</p>
<p>REP02-075h</p>	<p><i>Residential Amenity</i></p> <p>The SDNPA has serious concerns regarding the adverse impacts on residential amenity, particularly on residents of White Hill Cottage and the insufficient mitigation measures proposed. As set out in the SDNPA's LIR, it is unfortunately inevitable that work will give rise to localised disturbance to amenity during the construction phase. However, some of the adverse harm caused is entirely avoidable for example, by relocating the central construction compound outside the boundary of the National Park and redesigning the proposed drainage features in a more sensitive manner. Therefore, the proposal is contrary to SDLP Policies SD2, SD5 and SD54.</p>	<p>A detailed response to paragraphs 6.38-6.39 of the South Downs National Park Authority's Local Impact Report is given in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3 and addresses the matters raised in relation to the occupiers of White Hill Cottage.</p> <p>The Applicant's Response to paragraphs 6.14c of the South Downs National Park Authority's Local Impact Report can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3. and addresses the position on the main construction compound. The Applicant would like to highlight that removal of the construction compound from this location would not remove the construction haul route and therefore construction activity would remain perceptible within this view.</p> <p>The Applicants response to paragraphs 6.14d of the South Downs National Park Authority's Local Impact Report can be found in the Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.and addresses the matters raised in relation to the proposed drainage features.</p>
<p>REP02-075i</p>	<p><i>Matters of concern</i></p> <p><i>Highways, including Public Rights of Way</i></p> <p>The issue of the 'major development test' and objections to the location of the central compound are set out above. However, the SDNPA does have other highway related concerns, and would like to make the following comments:</p> <p>a) The SDNPA supports Hampshire County Council, as the Local Highways Authority, in their objection to the exclusion of proposals for the 'Cart and Horses junction' from the DCO. The proposed development will result in an increased level of traffic through this junction and will have negative impacts on the local road network and therefore negative impacts on the National Park. Therefore, this junction should be included within the DCO application and appropriate measures should be provided to mitigate the impacts of the additional traffic and ensure safe crossing points (and routes) for all users who want to access and visit the National Park.</p> <p>If the Examining Authority accepts the applicant's position that the 'Cart and</p>	<p>The Applicant's position on the Cart and Horses junction is set out in Appendix A (Cart and Horses junction position statement) in the Applicant response to Written Questions (8.5, REP2-051) submitted at Deadline 2.</p> <p>The Rights of Way and Access Plans (2.4, Rev 1) have been updated to include the shared use status, widths and proposed surface material and submitted at Deadline 2. Article 2 in the draft Development Consent Order (3.1, Rev 3) submitted at Deadline 3 identifies the legal status of each Public Right of Way. Article 14 (3) in the draft Development Consent Order (3.1, Rev 3) submitted at Deadline 3 identifies that maintenance will pass to the local highway authority following completion. There is no plan to segregate pedestrian and cycle routes.</p> <p>The proposed walking and cycling elements are designed in accordance with the Design Manual for Roads and Bridges CD143 Designing for walking, cycling and horse-riding (National Highways, 2021). These standards are used for the design of walking, cycling and horse-riding (WCH) routes on and/or adjacent to the motorway and all-purpose trunk roads. In accordance with the Design Manual for Roads and Bridges CD143 Designing for walking, cycling and horse-riding</p>

Reference	Written Representation	Applicant Comment
	<p>Horses junction' should remain outside the DCO, then without prejudice to our comments above, the SDNPA requests that a financial contribution towards highway and access improvements at this junction is secured through an appropriate worded obligation with a Section 106 legal agreement.</p> <p>b) Whilst the public right of way network within the National Park generally is extensive, within this part of the National Park, it is relatively sparse. Therefore, the SDNPA supports the principle of the inclusion of a new bridleway to the east of M3 and the other improvements / routes for non-motorised users (subject to overcoming the landscape objections set out above).</p> <p>However, and as set out in the LIR, the DCO requirements should clearly set out the widths of all those paths / routes, legal status of the completed works / routes and clear roles and responsibilities for their management and maintenance.</p> <p>It is acknowledged that the dimensions for the proposed subways accord with the minimum dimensions for unsegregated subways for pedestrians and cyclists as set out in the Design Manual for Roads and Bridges (DMRB) CD 143 Version 2.0.1 - Designing for walking, cycling and horse-riding (Table E/4.11). However, if the intention is for the pedestrian and cycle routes to be segregated e.g. by means of a physical barrier, the minimum width of the subway would need to be increased to 5 metres. In addition, it is possible for the application to 'diverge' from the DMRB standard to provide enhancements by following the standards set out in LTN 1/20. Therefore, the application should be amended to follow LTN 1/20 standards (and that is then clearly set out in the DCO Requirements).</p> <p>In addition, the applicant needs to provide an explanation of the detailed design measures that have been taken to maximise the sense of spaciousness and the actual and perceived sense of safety within the subways. This should include measures such as the use of materiality or colour choices to create visual interruptions to minimise the perceived length of the subways, the use of discreet lighting, and the use of consistent surfacing to establish a smooth transition between exterior and interior of the subways.</p> <p>Regarding the existing right of way alongside the River Itchen, the proposal will result in an increase in the combined width of highways structures crossing the River Itchen and the public right of way (including the proposed 3.5m wide footbridge alongside the A34 northbound). Currently, the Itchen Valley Way (a named and promoted long distance path that is well used) uses the public right of way beneath the existing bridges, which are very low in relation to the footpath. Due to the noise and low height of the bridge the existing route is unattractive. Further details on the relationship between the</p>	<p>(National Highways, 2021), the widths of unsegregated shared use routes shall be a minimum of 3m where there are 200 users an hour or more.</p> <p>The proposed walking and cycling routes as part of the M3 Junction 9 Improvement Scheme are within a rural area. Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design (Department for Transport, July 2020) is more suited to areas where high pedestrian and cyclist flows are anticipated. It should also be noted that the proposed walking and cycling route connects to the existing National Cycle Network Route 23 network, the proposed point of tie-in, the National Cycle Network Route 23 is a shared use path approximately 2m wide.</p> <p>However, the five overarching design principles and twenty-two summary principles within LTN 1/20 have been considered. Table 6-3 of Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design (Department for Transport, July 2020) states recommended widths for shared use routes carrying up to 300 cyclists per hour as 3m, which is the width as proposed for the M3 Junction 9 Improvement Scheme. It is not expected that the proposed volumes of pedestrians and cyclists using the proposed route will be of a level to justify increased widths.</p> <p>The existing subways are 3m wide by 2.3m high compared to the proposed subways which are 4m wide by 2.7m high. This will give the feeling of a more spacious environment. The length of the four proposed subways vary from 22m to 29m. The surfacing of the Public Right of Way will continue through the subway to prevent any visual interruptions. The new subways will be lit to enhance security, and the entrances and exits are designed to be as wide as possible within the constraints of the Scheme. The subways are straight to enable users to see through the subway on their approach.</p> <p>The proposed design does not widen the existing highway structures over the River Itchen. The new pedestrian / cycle bridge is separate from highway bridge providing a more open and attractive route for users. A link to new cycle pedestrian route from the Itchen Valley Way will be provided, increasing the connectivity to the local Public Right of Way from the new cycle / pedestrian route.</p> <p>With regard to diversion routes please refer to the Applicant's response to Q16.1.27 in the Applicant responses to Written Questions (8.5, REP2-051) submitted at Deadline 2.</p>

Reference	Written Representation	Applicant Comment
	<p>proposed scheme and this important promoted route should be provided, including details of any opportunities taken for its enhancement.</p> <p>As set out in the LIR in paragraphs 6.32 and 6.34, in addition, an appropriate S106 planning obligation is required to mitigate the harm through funding walking, cycling and horse-riding improvements in the surrounding area, such as the 'Cart and Horses' junction to ensure the scheme delivers on the second statutory purpose of the National Park.</p> <p>As also set out in 6.34 of the LIR, the SDNPA would also support local access groups (including Cycle Winchester, the Ramblers Association and the British Horse Society) in their concerns regarding the diversion routes during the construction phases and the DCO Requirements should be amended to address these concerns.</p>	
REP02-075j	<p><i>Water Environment including Drainage and Flood Risk</i></p> <p>As set out in the SDNPA's LIR, the SDNPA has no objection to principle of the drainage strategy and measures proposed to deal with flood risk and avoid harm to the River Itchen, subject to securing further biodiversity mitigation measures and enhancements (as referred to in paragraph 6.24 of LIR). However, as highlighted under the landscape section above, the SDNPA objects to the proposed swales and attention ponds as they are considered to be incongruous features within the Chalk Downland.</p>	<p>The Applicant notes the comments in relation to the principle of the drainage strategy and measures proposed to deal with flood risk.</p> <p>The Applicants response to paragraphs 6.14d of the South Downs National Park Authority Local Impact Report can be found in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3. and addresses the matters raised in relation to the proposed drainage features and their sensitive location.</p>
REP02-075k	<p><i>Cultural Heritage, including Archaeology</i></p> <p>The SDNPA's LIR sets out that although permanent adverse effects to buried archaeological assets will occur, these can be satisfactorily mitigated. This is subject to amendments to the DCO Requirements (and associated Environmental Management Plans and Archaeology and Heritage Outline Mitigation Strategy), and the provision of financial contribution secured through a Section 106 legal agreement, as referred to in the SDNPA's LIR.</p>	<p>The Applicant welcomes confirmation that the South Downs National Park Authority agrees with the assessment of effects in the Environmental Statement (ES) (6.1-6.3, APP-042 – APP-153). The Applicant notes the request for amendments to the Development Consent Order (and associated Environmental Management Plans and Archaeology and Heritage Outline Mitigation Strategy) and has responded to these within Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3. It is not possible at this stage to determine costs and capacity required, but options for long term storage and funding will be included within the Detailed Archaeology and Heritage Mitigation Strategy prepared during the detailed design of the Scheme. The Applicant will seek to include this agreement within the Statement of Common Ground with South Downs National Park Authority (Document Reference 7.12.2) to be submitted at a later deadline.</p>
REP02-075l	<p><i>Geology and Soils, including Contaminated Land</i></p> <p>As set out in the LIR, the SDNPA would like clarification to ensure that archaeology is considered in the Soil Management Plan.</p>	<p>The intention of the Soil Management Plan is to protect all soils (as appropriate) that may be impacted by the Scheme, including during archaeological works which will be identified in more detail during detailed design. The scope of archaeological mitigation is to be discussed and agreed with the relevant stakeholders during detailed design and will be set out in the Detailed Archaeology and Heritage Mitigation Strategy and subsequent Written Schemes of Investigations. The intrusive investigations will take into account the requirements of the Soil Management Plan to protect all soils (as appropriate).</p>

Reference	Written Representation	Applicant Comment
		The Applicants Archaeology and Heritage advisors will coordinate with the Geology and Soils Team to ensure that archaeological mitigation requirements are taken into account when preparing the Soil Management Plan .
REP02-075m	<p>Other Matters</p> <p>As set out in the SDNPA’s LIR the following topics are considered to have neutral or limited impact. Therefore, the SDNPA has no further comments to make at this stage but reserves the right to make additional comments should any relevant amendments be made to the application during the examination process.</p> <ul style="list-style-type: none"> ▪ Dark Night Skies (given the proposed DCO Requirements); ▪ Air Quality; ▪ Open Access Land and Public Open Space; ▪ Material Assets and Waste, and ▪ Socio-economic. 	The Applicant notes this and welcomes any additional comments by South Downs National Park Authority should amendments be made to the application during the examination process.
REP02-075n	<p>Common Ground</p> <p>The agreed matters, as they currently stand between SDNPA and the applicant, are captured in the draft Statement of Common Ground to be submitted by the applicant by the required deadline and in the interests of brevity, there is no need to repeat these matters in this written representation.</p>	The Applicant will continue to engage proactively within the Statement of Common Ground with South Downs National Park Authority (Document Reference 7.12.2) to be submitted at a later deadline.
REP02-075o	<p>Conclusion</p> <p>The SDNPA objects to the DCO application for the reasons given above.</p> <p>The SDNPA will continue discussions with the applicant in an attempt to address the issues raised in this written representation and will continue to engage positively and in a timely fashion during the examination process.</p>	The Applicant notes your objection.

2.5 Southern Water Services Limited (REP2-079)

Reference	Written Representation	Applicant Comment
REP2-079	<p>Southern Water’s status and statutory responsibilities</p> <p>We are instructed by Southern Water Services Limited (Southern Water) in relation to the application for a development consent order (DCO) made by National Highways (the Applicant) to authorise upgrades to Junction 9 of the M3 to allow free movement from the A34 to the M3 (the Project). This written representation is made on behalf of Southern Water ahead of Deadline 2 of the Examination on 15 June 2023.</p> <p>As detailed in its Relevant Representation, Southern Water is the appointed water undertaker under the Water Industry Act 1991 for certain areas in the south-east of England comprising the Isle of Wight and parts of Hampshire, Sussex and Kent.</p>	<p>The Applicant notes Southern Water’s statutory responsibilities and notes that whilst it maintains its objection, it does not object in principle to the Scheme.</p> <p>The Applicant notes that Southern Water considers that suitable protective provisions can resolve all their points of objections. Consequently the Applicant does not propose to respond to each of the points raised in the Written Representation. The Applicant has provided a draft set of Protective Provisions to Southern Water’s legal team and will continue to engage to agree these at the earliest opportunity.</p>

Reference	Written Representation	Applicant Comment
	<p>Southern Water is also the appointed sewerage undertaker for the purposes of that same Act, comprising a larger continuous area stretching from Hampshire to Kent, including the Isle of Wight. As a result, Southern Water is subject to a number of strict statutory duties for the supply of water to c. 2.6 million people and providing sewerage services to c.4.6 million people.</p> <p>Southern Water is the appointed water and sewerage undertaker for the entirety of the Order limits as defined in article 2(1) of the draft DCO [AS-004] (and the surrounding areas). Southern Water is therefore a statutory undertaker for the purposes of sections 127 and 138 of the Planning Act 2008 in relation to the Project.</p> <p>Given its statutory duties, any development in areas where Southern Water is responsible for providing water and sewerage services, or over or near land in which Southern Water maintains assets and/or has other rights for the purposes of discharging its statutory duties, is carefully considered by Southern Water and the Project is no different.</p> <p>Objection</p> <p>At this present time, Southern Water maintains its objection (as first set out in its Relevant Representation) to the Project. Whilst Southern Water does not object <i>in principle</i> to the Project, its statutory duties compel it to object to the Project on the basis that, absent of satisfactory protections for its benefit, the Project would cause serious detriment to Southern Water's undertaking. Southern Water has the following overarching principal issues with the DCO application at present:</p> <ul style="list-style-type: none"> ▪ the proposed operation of powers contained in the draft DCO authorising the Applicant to construct, operate and maintain works on, across, under, above or adjacent to Southern Water's operational assets which may impede Southern Water's ability to ensure the safe, efficient and economical provision of water and sewerage services and for Southern Water to discharge its statutory duties; ▪ the proposed operation of powers contained in the draft DCO authorising the Applicant to compulsorily acquire land, to compulsorily acquire rights in or over land, extinguish rights in land or take temporary possession of land in which Southern Water maintains assets and/or has other rights for the purposes of discharging its statutory duties; ▪ the fact that the intention of the Applicant appears to be for Southern Water to have no formal input into mitigation measures that are directly relevant to its functions (e.g. under the proposed Environmental Management Plan (second iteration) secured by Requirement 3 in Schedule 2 to the draft DCO or surface water drainage details under Requirement 13 in that Schedule); and the absence in the current draft DCO of satisfactory protective provisions for the benefit of Southern Water. <p>Engagement between Southern Water and the Applicant</p> <p>As a preliminary point, it is worth noting that the Applicant has only undertaken</p>	

Reference	Written Representation	Applicant Comment
	<p>limited engagement with Southern Water to date, with the most recent substantive engagement taking place in September 2022.</p> <p>In summary, this engagement has been restricted to the progression of the 'conventional' C3 process for the Project under the New Roads and Street Works Act 1991, beginning in May 2019 and culminating in Southern Water providing a revised C3 budget estimate to Volker Fitzpatrick Ltd (the Applicant's contractors dealing with utility matters) on 2 September 2022 in respect of impacts to Southern Water's water supply infrastructure. It was not until 2 February 2023 that Volker Fitzpatrick Ltd responded in short form to Southern Water and requested that this scheme be progressed from C3 to C4, and in any event it was determined that this would be managed through the DCO process. No further engagement has taken place between the parties since then.</p> <p>In addition, there has been no dialogue or communication to date between Southern Water and the Applicant or Volker Fitzpatrick Ltd regarding any impact on Southern Water's sewer network as a result of works proposed by the Project.</p> <p>Southern Water has noted the Applicant's <i>Responses to Relevant Representations</i> submission [REP1-031], particularly the response given to Southern Water's relevant representation. It is stated that "<i>Discussions are ongoing with Southern Water</i>".</p> <p>For the benefit of the Examining Authority, Southern Water wishes to make clear that in its view this is not an accurate characterisation of engagement between the parties to date. Nevertheless, Southern Water's solicitors have, since Deadline 1, been in contact with the Applicant's solicitors, with a view to discussing Southern Water's outstanding issues and it is understood that the Applicant wishes to engage positively moving forward, which is very much welcomed. Southern Water has also reached out to the Applicant's technical teams with a view to re-commencing technical engagement between the parties.</p> <p>Further Detail on the impact of the DCO Scheme on Southern Water</p> <p>Because of the lack of engagement with the Applicant to date, Southern Water is still considering the full extent of the impacts from the Project on its operations. However, below is a summary of the key issues that Southern Water has identified that need to be resolved.</p> <p><i>Water Supply</i></p> <p>Southern Water is still reviewing the potential impacts from the Project on its water supply apparatus, including in relation such apparatus that needs to be diverted and that apparatus that will remain in situ but require protection. Further engagement with the Applicant is required.</p> <p>However, Southern Water has noted some preliminary comments from the DCO application documents.</p>	

Reference	Written Representation	Applicant Comment																																											
	<p>The proposed temporary and permanent water mains diversions under the Project enter land which is currently in third-party ownership, at Itchen Down Farm, on the west side of the M3 London-bound carriageway. This land falls within the Order limits, but the detail on the timing and nature of the rights to be acquired to facilitate these diversions is outstanding. It is Southern Water’s assumption that the Applicant intends to secure all land required for diversions under the DCO.</p> <p>The practicality of the diversion works need to be considered and agreed. For example, should Southern Water be carrying out the diversions on behalf of the Applicant, Southern Water will need to consider any additional compound or storage requirements, such as potentially requesting provision by the Applicant of shared use of their compound areas and temporary slip-roads.</p> <p>Southern Water notes the proposed diversion of the 300mm D.I (ductile iron) water main and understands that the work will be carried out in two stages, with a temporary main being installed in the first instance. The new main will be laid in 355mm HPPE (high performance polyethylene).</p> <p>This is a strategic trunk main which serves a large number of properties in Winnall and surrounding areas. As such, it is vital that there is significant engagement with all parties involved with this diversion during the construction phase. In particular, there will need to be close management of the connections to the existing mains network to ensure that the impact to Southern Water’s existing customers is mitigated as much as possible, to avoid unnecessary disruption.</p> <p>The permanent diversion arguably places Southern Water in a worse position as regards future asset access and maintenance, by having two sections of ducted mains and the remainder in highway embankments behind industrial units on Moorside Road, where currently all pipe is in the relatively more favourable setting of agricultural land. Southern Water wishes to discuss this further with the Applicant.</p> <p>Southern Water notes the following stand-off distances that the Applicant will need to safeguard in respect of works in or near Southern Water’s existing assets:</p> <p>Fresh Water Main – Table of stand-off distance Requirements (m):</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #0070C0; color: white;"> <th rowspan="2">Depth to Crown (m)</th> <th colspan="10">Internal Diameter (mm)</th> </tr> <tr style="background-color: #0070C0; color: white;"> <th><250</th> <th>250-299</th> <th>300-399</th> <th>400-449</th> <th>450-499</th> <th>500-599</th> <th>600-799</th> <th>800-999</th> <th>1000-1199</th> <th>1200+</th> </tr> </thead> <tbody> <tr> <td>1.50</td> <td>6</td> <td>6</td> <td>6</td> <td>6</td> <td>6</td> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> </tr> <tr> <td>2.50</td> <td>6</td> <td>7</td> <td>7</td> <td>8</td> <td>8</td> <td>8</td> <td>9</td> <td>10</td> <td>11</td> <td>12</td> </tr> </tbody> </table>	Depth to Crown (m)	Internal Diameter (mm)										<250	250-299	300-399	400-449	450-499	500-599	600-799	800-999	1000-1199	1200+	1.50	6	6	6	6	6	6	7	8	9	10	2.50	6	7	7	8	8	8	9	10	11	12	
Depth to Crown (m)	Internal Diameter (mm)																																												
	<250	250-299	300-399	400-449	450-499	500-599	600-799	800-999	1000-1199	1200+																																			
1.50	6	6	6	6	6	6	7	8	9	10																																			
2.50	6	7	7	8	8	8	9	10	11	12																																			

Reference	Written Representation											Applicant Comment
	3.50	6	9	9	10	10	10	11	12	12	12	
	4.50	8	11	11	12	12	12	12	12	12	12	
	<p>In addition, the Applicant is requested to engage with Southern Water on the impacts of any tree-planting proposals over or near Southern Water’s re-laid assets.</p> <p>It is acknowledged many (or all) of these points could be adequately addressed through satisfactory protective provisions for the benefit of Southern Water. As such, Southern Water wishes to engage with the Applicant on these as soon as possible.</p> <p><i>Sewers</i></p> <p>Southern Water has considered the sewers that may be affected as a result of the Project but the Applicant has not engaged with the Applicant on this. Early engagement is critical in order that the impact on these sewers can be discussed and any necessary diversions identified.</p> <p>Otherwise, there is little comment that Southern Water can offer at this stage on sewer impacts without yet knowing the full extent of any diversion works required and therefore must maintain its objection, partly on this basis.</p> <p>There also needs to be engagement with the Applicant on the surface water drainage proposals, as proposed to be secured by way of a requirement in Schedule 2 to the DCO.</p> <p>As with the water supply infrastructure, it is acknowledged that many (or all) of these points could be adequately addressed through satisfactory protective provisions for the benefit of Southern Water. As such, Southern Water wishes to engage with the Applicant on these as soon as possible.</p> <p><i>Land Interests</i></p> <p>Southern Water is still reviewing the potential impacts from the Project on its land interests. Further engagement with the Applicant is required and welcomed.</p> <p>However, Southern Water has noted some preliminary points from the DCO application documents.</p> <p>Southern Water notes that none of its freehold land at the strategically important Easton Water Supply Works (WSW) (in the vicinity of the Project) appears to fall within the Project Order limits which is welcomed. However, suitable access will need to be maintained at all times (given its strategic nature) and Southern Water requests a commitment from the Applicant in this regard.</p> <p>Fulling Mill Lane is a dead-end road and Southern Water’s sole means of access to both its land interests north of the M3 (containing Easton No.2 Borehole</p>											

Reference	Written Representation	Applicant Comment
	<p>underground source) and south of the M3 (containing Easton WSW (a strategic asset, as set out above), boreholes and related apparatus including multiple control valves on various strategic water distribution mains). Southern Water wishes to understand the Applicant's intentions for any road closures that may need to be implemented to facilitate the Project (given the powers contained in article 16 of the draft DCO to temporarily stop up <i>any</i> street), particularly for any works to upgrade or rebuild the M3 underpass, which would isolate access to the Easton No.2 borehole in this location. There is no alternative access from the north.</p> <p><i>Water Sources</i></p> <p>Southern Water is still reviewing the potential impacts from the Project on its water sources. Further engagement with the Applicant is required and welcomed.</p> <p>However, Southern Water has noted some preliminary points from the DCO application documents.</p> <p>Southern Water notes that the abstraction boreholes at Easton WSW fall within close proximity to the Project Order limits. Southern Water notes that it may be necessary to consider the potential hydrogeological impacts of any nearby earthworks on these sources and the impact of the exercise of any DCO powers outside of the Order limits (e.g. under article 23 of the DCO).</p> <p>Further information is also required on the proposed use of, for example, the powers contained in article 21 of the DCO (power to discharge water).</p> <p>In addition, Southern Water references the M4 J3-12 Smart Motorway Scheme and South East Water boreholes at Bray, Maidenhead, in which the Applicant covered the cost of a standby Amazon filter to mitigate the risk of embankment works impacting on borehole water quality. Southern Water would appreciate further discussions with the Applicant on similar matters.</p> <p>In addition, as alluded to above, Southern Water wishes to engage further with the Applicant to ensure it has a sufficiently robust role in the development of mitigation measures relevant to its operations under, for example, the requirements contained in Schedule 2 to the draft DCO.</p> <p><i>Hydrogeological Risk Assessment</i></p> <p>Southern Water has reviewed the Hydrogeological Risk Assessment (HRA) [APP-144] prepared for the Project, which is drafted as a contaminated land assessment and does not consider the full range of groundwater related construction and operational impacts of the Project.</p> <p>The HRA is predominantly focused on the Detention Basin operational impacts.</p> <p>Unfortunately, it does not consider the potential hydrogeological risks to Southern</p>	

Reference	Written Representation	Applicant Comment
	<p>Water's groundwater source, in the list of receptors, and the wider range of construction activities are not considered. For example, the HRA does not provide assessment on cutting impacts, historic landfill disturbance, turbidity risks or construction works within the Source Protection Zones.</p> <p>The HRA needs to be updated to reflect all potential impacts the Project could have on Southern Water's groundwater sources. It should also be updated with all previously raised concerns, as these do not feature in the report.</p> <p>Southern Water has previously provided long term groundwater level monitoring data to the Applicant. This does not feature in the baseline setting for the Project. This is a likely indicator that there is a disconnect of information. This need to be addressed.</p> <p>The Conceptual Site Model in the HRA (Section 4) discusses mitigations under sources, as per the Source-Pathway-Receptor (SPR) model. As the mitigation options are not described in detail, this causes a degree of confusion between sources of contamination and mitigation. Southern Water suggests this is relocated to pathway or elsewhere. Many receptors listed in the baseline section are not presented in the receptors section, this needs to be updated. The baseline section identifies fracture networks in the Chalk, but the risk assessment does not incorporate this information. No karst information is presented in the report and the two mentions of karsts in the report are via a copy of a BGS dataset. There is a disconnect between the baseline information and pathways of the SPR which requires addressing.</p> <p>The Baseline data, Conceptual Site Model and HRA would need amendment to address these concerns. It is important to note that impact assessments will need to adopt Drinking Water Standards (DWS) where the receptor is a public water supply or private water supply when considering water quality impacts.</p> <p><i>Other</i></p> <p>All of Southern Water's professional fees, and any third-party compensation it is required to pay when implementing diversions or related works, should ultimately be payable by the Applicant.</p> <p>Protective Provisions</p> <p>Southern Water notes the 'standard' set of protective provisions for the benefit of statutory undertakers contained in Part 1 of Schedule 10 to the draft Order. As has been communicated to the Applicant, these are unsatisfactory to Southern Water in a number of areas. Southern Water wishes to engage with the Applicant with a view to reaching agreement on a satisfactory form of protective provisions for the benefit of Southern Water, to deal with the impacts on its interests so as to avoid serious detriment to its undertaking arising from the Project. It is considered likely that all the</p>	

Reference	Written Representation	Applicant Comment
	<p>issues raised above could be resolved through such means.</p> <p>Current Position</p> <p>If the Applicant and Southern Water can reach agreement on the form of protective provisions to address the concerns detailed above, Southern Water considers that its objection could be resolved swiftly. However, Southern Water is compelled to maintain its objection to the Project at this stage absent such agreement with the Applicant.</p> <p>Southern Water will seek to positively engage with the Applicant on these points.</p>	

2.6 Winchester Action on Climate Crisis (WINACC) (REP2-082)

Reference	Written Representation	Applicant Comment
REP2-082a	<p>Summary</p> <p>The applicant has failed to consider ways of tackling congestion at M3 Junction 9 that involve solutions other than road-building. They should have considered:</p> <ul style="list-style-type: none"> ▪ Improving railfreight infrastructure ▪ Improving local rail services ▪ Creating a good district bus network ▪ More frequent cross-country rail services. <p>The traffic-flow modelling suggests the scheme will bring about only a small increase in traffic volumes and only a small drop in journey times. The predicted increase in traffic caused by the scheme seems very modest, and calls into question whether such an expensive scheme is worth doing if it brings about so little change. National Highways have modelled how traffic levels if the scheme is built ('Do Something (DS)') will compare with levels if the scheme is not built (Do Minimum (DM)). By 2047, with the scheme, the modelling predicts traffic will be greater across the whole modelled area by 2.86%, and traffic in central Winchester will reduce by 3%. Some routes, such as the M3N, will experience a reduction in traffic. Either the predictions are inaccurate, or the project is relatively ineffective. Neither do the predicted journey-time savings offer a justification for the scheme if, by 2047, according to the modelling, there will be a 7.9% average cut on journeys modelled passing through M3J9.</p> <p>The scheme struggles to achieve better than a poor value for money rating.</p> <p>The proposals do not address the problems of pollution by PM2.5. It now seems that dangerous levels of the particulates are present throughout the M3J9 at levels above the maxima recently proposed by the government. National Highways have agreed to include tables on this, but have not agreed to make any proposals for</p>	<p>The Applicant notes the concerns of Winchester Action on Climate Crisis concerns and responds in turn.</p>

Reference	Written Representation	Applicant Comment
	<p>tackling the problem. PM2.5 will pose health issues for people at the roadside and even more for people travelling inside vehicles.</p> <p>The proposals do not provide an adequate analysis on greenhouse gas emissions. Inappropriate data has been used and it is impossible to see how National Highways have done their calculations or how they have reached their conclusions.</p> <p>Government guidance on greenhouse gas reporting for applications has not been followed. There is no analysis of 'current' emissions across the area covered by the traffic modelling, and the calculations for increased emissions in future years are opaque, and the conclusions untenable.</p> <p>The application has no coherent way of allowing for the government's Pathway to Net Zero. It is not clear what allowance has been made to reflect emissions reduction through electrification of transport, nor what assumptions have been made about the decarbonisation of the electricity supply.</p> <p>Our own calculations suggest that the applicant's estimate of increased emissions is too high when compared with the government's carbon reduction plans for 2027 and 2042. Once full account has been taken of the emissions target reductions set out in the Road to Net Zero, it is clear the calculated increase in emissions caused by the scheme will undermine the Road to Net Zero. It is too far outside the default tolerance suggested in the National Policy Statement for National Networks (NPSNN).</p> <p>Chapter 14 concludes that the growth in greenhouse emissions caused by the scheme will be negligible. This is because it compares the increase in emissions in the modelled area (Winchester Town) with baseline emissions for an unspecified much larger area. It would be legitimate to compare the increase in emissions nationally (including all current road schemes) with a national baseline, or, alternatively, to compare the increase in emissions across the modelling area with current emissions across the modelling area. It is not legitimate to compare emissions across different areas. It is not appropriate therefore to conclude that the increase in emissions will be negligible.</p> <p>The analysis of emissions associated with construction is far more thorough and accessible than the analysis of end-user emissions. The problem with construction emissions lies elsewhere. The proposals unnecessarily involve too much demolition of reusable infrastructure. For example the central J9 roundabout could be adapted to the revised traffic flow rather than demolished and rebuilt.</p> <p>Chapter 14 section 14.9.5 on mitigation does not demonstrate the scale of the emissions-reduction it will achieve. The approaches proposed are marginal to the whole application.</p>	
REP2-082b	<p>Alternatives that are truly likely to reduce both congestion and emissions</p>	<p>Paragraph 4.27 of the <i>National Policy Statement for National Networks (NPS NN)</i> states that:</p>

Reference	Written Representation	Applicant Comment
	<p>have not been considered</p> <p>Para 4.27 of the NPSNN says all projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of the paragraphs 3.23 to 3.27 of this NPS).</p> <p>Section 3.1 of Chapter 3 of the application (Assessment of Alternatives) begins with a recognition of the need to consider alternative approaches:</p> <ul style="list-style-type: none"> ▪ The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations) require that an Environmental Statement (ES) should include a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) that have been studied by the developer which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of environmental effects. ▪ Planning Inspectorate Advice Note 7 (2020) identifies that a good ES is one that (inter alia): ▪ ‘...explains the reasonable alternatives considered and the reasons for the chosen option taking into account the effects of the Proposed Development on the environment’ ▪ This chapter presents a summary of the alternative options considered. <p>One alternative, modal shift of freight to rail, is strongly encouraged in the March 2023 draft National Policy Statement for National Networks:</p> <p>Government strongly supports growth in these sectors as they are predicted to have the greatest ability to transfer goods from road to rail, supporting the wider modal shift agenda and decarbonising our transport network. With the correct infrastructure in place, modal shift can be facilitated at pace, unlocking the benefits of rail freight.</p> <p><i>Environment</i></p> <p>Supporting the effective development of strategic rail freight interchanges (and other rail freight interchanges) in the right locations as well as other key enablers, will be a critical element of realising the full range of environmental benefits that rail freight can offer.</p> <p>As chapter 2 set out, rail is a low-carbon transport mode, comprising only 1% of 2019 domestic greenhouse gas emissions. Rail is also currently the only means of transporting heavy goods in a low-carbon way using existing, proven technology through electrification. However, it is key that the sector fully decarbonises if the UK is to reach its net zero targets.</p> <p>Government is also clear on the need to encourage modal shift from road to rail to realise the full environmental benefits and continues to provide funding through the Modal Shift Revenue Support grant to enable goods to be moved by rail where other</p>	<p><i>‘Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process.’</i></p> <p>In December 2014, the Department for Transport’s (DfT) <i>Road Investment Strategy 2015/16 – 2019/20</i> (2015) (RIS1) was published. RIS1 set out the list of schemes that were to be delivered by the Applicant over the period 2015 to 2020. RIS1 identified improvements to M3 J9 Winnall Interchange as one of the key investments in the Strategic Road Network (SRN) for the London and South East region. As part of the RIS process DfT consider whether other modal alternatives are more appropriate.</p> <p>Section 2.2 of the Case for the Scheme (7.1, Rev 1) titled ‘options identification’ provides additional context to how the options were tested with further detail included within Appendix 3.1 (Stage 1 Technical Appraisal Report) of the ES (6.3, APP-080).</p>

Reference	Written Representation	Applicant Comment
	<p>modes have an economic advantage.</p> <p>Strategic Rail Freight Interchange (SRFI) developments will need to be sensitive to, respond to, and contribute to their environmental context. For developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements. It is important for the environmental impacts to be taken into account when planning a development, by avoiding and mitigating impacts and opportunities for environmental enhancement realised.</p> <p>Table 1 second row: Reliance on road-based logistics</p> <p>Government is committed to modal shift from road to rail, providing both social and economic benefits to the UK, such as decreasing congestion and improving air quality, as well as boosting the economy. A network of both rail and road freight enables a more secure and resilient supply chain, as well as encouraging competition within the freight sector and driving down cost. The government is also committed to growing rail freight due to the environmental benefits of the sector, with rail freight emitting approximately 75% less CO2 than equivalent transport by road.</p> <p>However, none of the alternatives presented by the application look widely enough at the viable possibilities. In order to identify low-carbon alternative ways of reducing congestion at M3J9 National Highways should have considered:</p> <ul style="list-style-type: none"> ▪ Improving railway freight capacity between Southampton and the Midlands, and electrifying the route: DP World, operators of Southampton Docks have a target to increase the share of rail transport from and to the docks by 33%. National Highways have produced jointly with Network Rail [redacted] o explore the potential for modal transfer on this route. It is government policy to develop the share of freight carried by rail, and the most effective and technologically viable way of decarbonising long-distance HGVs is to transfer their loads to rail ▪ Constructing SRFIs close to Portsmouth, in the North Solent Conurbation Area, and close to BCI to reduce logistics traffic on the A34 and M3 ▪ Developing good frequent rail local passenger services between Basingstoke and Southampton ▪ Developing good active transport, and public transport networks radiating from the railway stations served ▪ Developing a public transport interchange at Winchester railway station ▪ Building rail passenger stations where lines serving places in the catchment of M3J9 pass close to large areas of housing e.g. at Springvale, Whiteley, and Welborne ▪ Developing a frequent low-carbon bus network across Hampshire, especially north of Winchester to Newbury, and, ▪ Trebling cross-country train services to Oxford bringing them above their pre-covid frequency. <p>These approaches could reduce local traffic on the M3 between Basingstoke and Southampton, freight traffic from Southampton to the Midlands, and local traffic on</p>	

Reference	Written Representation	Applicant Comment
	<p>the A34 by an extend that would obviate the need for these proposals. These changes alone could reduce emissions in the modelled area well below their current levels even without road vehicle electrification.</p> <p>We hope the examination will explore why the applicant has failed to explore and appraise these alternatives and consider their potential as solutions.</p>	
<p>REP2-082c</p>	<p>Improbable predictions of low increases in volume and minor reductions in journey time</p> <p>The modelling maps in document 7.10 Combined Modelling and Appraisal Report compare traffic flow if the project does not go ahead (Do Minimum (DM)) with what will happen if the project goes ahead (Do Something (DS)). The final comparison models what will happen in 2047.</p> <p><i>Traffic Volumes</i></p> <p>In the table below [Table in Rep2-082] we have added together both directions for the AM peak, the period between the peaks, and the PM peak.</p> <p>There are some roads that will suffer major traffic increases: especially Easton Lane, and the A34 as it passes through King's Worthy. Some roads will benefit from major decreases such as Chesil Street and Andover Road.</p> <p>However the overall picture is one of very little change. It is very surprising that the modellers predict a small reduction in traffic along the M3 from Winchester to Basingstoke. It will reduce traffic levels within Winchester Town very little.</p> <p>There are four possible reactions to this low-impact forecast:</p> <ul style="list-style-type: none"> ▪ In the long-term this will not be too detrimental even if it may not achieve much ▪ It's not worth spending so much money on a project that will have so little impact ▪ The forecasts have been 'fixed' to get the project through (on the 'Trojan Horse' principle) and traffic volumes could increase far more one the project is built ▪ Alternative proposals such as rail improvements to encourage more rail freight, good bus services, and frequent local rail services could have more impact for less expenditure. <p>Even where there will be the highest level of traffic growth, the growth is predicted to be slow. The modelling is at odds with research that shows that road widening encourages additional traffic, to the extent that additional road capacity is soon filled: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762976/latest-evidence-on-induced-travel-demand-an-evidence-review.pdf</p>	<p><i>Traffic Volumes</i></p> <p>The Applicant notes Winchester Action on Climate Crisis has extracted reporting and data from the Combined Modelling and Appraisal Report (7.10, Rev 1) and raised specific points. The response to each point is provided below.</p> <p>The Applicant notes the predicted decrease in traffic in central Winchester on several local roads including Andover Road (25% decrease in average 2-way traffic per day in the 2047 horizon year), Chesil Street (21% decrease in average 2-way traffic per day in the 2047 horizon year), St Cross Road (13% decrease in average 2-way traffic per day in the 2047 horizon year), and Worthy Road (9% decrease in average 2-way traffic per day in the 2047 horizon year). This is reflected in the Winchester Action on Climate Crisis traffic flow analysis, however, the Applicant would consider this to be a notable positive impact and not 'little change'.</p> <p>The Applicant notes that the predicted change in traffic on the M3 north of Junction 9 is very small (less than 1% difference in average 2-way traffic per day in the 2047 horizon year), which is reflected in the Winchester Action on Climate Crisis traffic flow analysis.</p> <p>As noted by Winchester Action on Climate Crisis, the modelling indicates an increase in traffic due to the provision of direct slip roads between the M3 and A34 with the Scheme. The Applicant considers this is an appropriately robust assessment of predicted impacts which is based on traffic modelling undertaken in line with Department for Transport guidance. There is no evidence to suggest a greater increase where the predicted modelled impacts associated with the M3 Junction 9 Scheme are predominantly related to re-routing of existing traffic as opposed to induced travel demand.</p> <p><i>Journey Times</i></p> <p>The Applicant notes Winchester Action on Climate Crisis has commented on modelled journey times in the 2027 Scheme opening year. It is assumed that these have been extracted from Section 7.3 in the Transport Assessment Report (7.13, Rev 1) strategic model journey times. This report also presents strategic model journey time impacts in the 2042 and 2047 forecast years.</p> <p>The Applicant considers that the strategic model journey times demonstrate predicted improvements with the introduction of the Scheme. The A34 route northbound between M3 Junction 10 and A34/A272 junction is predicted to have</p>

Reference	Written Representation	Applicant Comment
	<p>The report above accepts that induced demand is a significant phenomenon. In the worst cases, especially where there is traffic congestion, traffic will increase to fill the available space. The applicant proposes doubling (at least) the carriageway width on the route through the junction linking M3S and A34N in both directions. In a situation like this it would not be unknown for traffic to double. This route does show the greatest two-way traffic increase across the 20 year modelling period but the increase of 26% predicted by the modelling understates the likely results of a 100% capacity increase: See [A34N Traffic Volumes Modelling Figure in Rep2-080].</p> <p><i>Journey Times</i></p> <p>The average of predictions on how route journey times will be reduced by the proposals seem similarly underwhelming. For 2027 most time savings across Winchester are less than a minute, and even the greatest time-savings are little over 1 minute 30 seconds. Average % reduction in journey times across Winchester in the modelling area is only 10% and we calculate the average time saving on the journeys to be 56 seconds.</p> <p>In the Case for the scheme Table 4.3 shows that in 2047 the benefits will be even less. Journey time savings on these journeys across M3J9 will average only 30.3 seconds, a mere 7.9% of the DM journey times on the routes in the sample. Worse, the main savings are on those journeys with fewest vehicles, and most of the busiest through journeys (M3S to M3N, M3N to M3S M3S to A34) will actually take longer if the project takes place: [Table in Rep2-080].</p> <p>These benefits are insignificant. With scheme costs at £105,022,033 (2010 prices) the price works out at £3,466,073.70 per second saved on average cross-M3J9 route journey-time. 2023 prices are about 50% higher.</p> <p>We hope the examination will ask the applicant to produce additional material to demonstrate that these figures are accurate, to justify the disruption and expenditure they propose, and to clarify that improving other transport modes will not prove a more cost-effective way of tackling the congestion at M3J9. For transparency and to help gauge the full impact of the scheme it would be appropriate for the applicant could release the data of the 2017 traffic-flow baseline they appear to have used to validate the modelling and develop their forecasts.(para 3.5 of 7.10 Combined Modelling and Appraisal.pdf)</p> <p><i>Low Benefit: Cost Ratio</i></p> <p>These unimpressive forecasts are no doubt factored in to the overall benefit : cost ratio of the scheme. Para 5.6.1 of 7.1 Case for the Scheme says 'With consideration of user benefits plus the effects of delays during construction, accident benefits, indirect taxation benefits, and monetised environmental impacts, the initial Benefit to Cost Ratio (BCR) is 1.44. Inclusion of the wider economic impacts gives an adjusted BCR of 1.81'.</p>	<p>journey time savings in excess of two minutes in 2027, in excess of three minutes in 2042, and in excess of four minutes in 2047 in the PM peak period and around one minute for the AM Peak. The equivalent southbound journey time savings are approximately one minute in 2027, 2042 and 2047. The eastbound Easton Lane route is predicted to have journey time savings in 2027, 2042 and 2047 across all time periods resulting from the alleviation of congestion at the Easton Lane approach to Junction 9. The highest predicted impact is in 2047 in the PM peak with a journey time saving more than four minutes.</p> <p>The Applicant notes Winchester Action on Climate Crisis has extracted modelled journey times for the 2047 horizon year from the Case for the Scheme (7.1, Rev 1), which are from the operational model assessment.</p> <p>The Applicant considers that the operational model journey time reductions also demonstrate predicted improvements with the introduction of the Scheme. In the AM peak period there is a predicted reduction in journey time between the Do-Minimum and Do-Something of almost 4 minutes from Easton Lane to both the A31 and A33. The A31 to Easton Lane has almost a 4-minute predicted reduction in journey time in the PM peak period. There are also predicted journey time reductions on the A34 to M3 southbound routes in the AM and PM peak periods and the reverse route in the PM peak period.</p> <p>The Scheme economic assessment, as reported in the Combined Modelling and Appraisal Report (7.10, Rev 1), has been undertaken in line with Department for Transport guidance. This includes the calculation of Scheme journey time benefits based on the strategic modelling, which indicates travel time savings, amounting to £155.5M, that are predominantly due to the provision of the free-flow movement between the A34 and the M3.</p> <p>The updated cost estimate was agreed late 2022 and included current and future inflationary increases. The inflation provision has been included in the scheme budget and the economic assessment.</p> <p>The Applicant considers that the Scheme transport assessment is valid where this is based on transport models developed in accordance with Department for Transport guidance. As summarised in Section 3.5 of the Combined Modelling and Appraisal Report (7.10, Rev 1) the M3 Junction 9 Model met the Department for Transport's (DfT) Transport Analysis Guidance criteria for the calibration and validation of transport models.</p> <p><i>Benefit: Cost Ratio</i></p> <p>The Applicant notes that the value for money (VfM) assessment, as reported Case for the Scheme (7.1, Rev 1), was undertaken in line with Department for Transport (DfT) guidance. Specifically the DfT Value for Money Framework states that 'the category should be derived from the adjusted value for money</p>

Reference	Written Representation	Applicant Comment
	<p>Without the wider economic impacts the scheme would have been in the 'poor' category in the government's Value for Money Framework . With a more thorough calculation of the greenhouse gas emissions suggested below the scheme could return to that category. [Box 5.1 Standard Categories Table in Rep2-080].</p>	<p>metric as it includes a reasonably broad range of impacts in which the Department has sufficient confidence'. Therefore, the inclusion of wider economic impacts is appropriate. Based on the adjusted Benefits Cost Ratio (BCR) of 1.72 and other impacts the VfM assessment indicates the scheme represents 'Medium' Value for Money.</p> <p>The remainder of this response provides commentary on the calculation of the greenhouse gas emissions. The monetisation of greenhouse gas impacts was undertaken in line with DfT Transport Analysis Guidance Unit A3 (Environmental Impact Appraisal) and this is incorporated in the adjusted BCR and the VfM assessment.</p>
<p>REP2-082d</p>	<p>No proposals to tackle PM2.5 pollution</p> <p>The government has now set air quality standards for PM2.5. The new legally determined target is 10 µg/m³ annual mean concentration PM2.5 nationwide by 2040, with an interim target of 12 µg/m³ by January 2028</p> <p>The Preliminary Environmental Information Report Appendix 5.1 – Air Quality Figures (Part 6 of 6) May 2021 includes a map of PM2.5 emissions along the M3. The map makes it clear that J9 will be close to non-compliance by 2028, and non-compliant by 2040. The level of PM2.5 reported in the PEIR, is 10-12 µg/m³</p> <p>[Drawing Extract in Rep2-080].</p> <p>The area could well become more polluted by 2040, but no projection has been provided by the applicant.</p> <p>Failure to address PM2,5 pollution is raised in 6.3 Environmental Statement - Appendix 4.2: Scoping Comments and Responses comment IDs 4.2.4 and 4.2.7 but met with little interest from the applicant. They do not appear to address the threat to human health recognised in the recent government guidance and targets (Air quality strategy: framework for local authority delivery - GOV.UK (www.gov.uk)). We hope the examination will explore proposals to limit PM2.5 pollution.</p>	<p>As mentioned in Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 1) the Applicant has undertaken an air quality assessment in accordance with the Design Manual for Roads and Bridges (DMRB) LA105 Air quality (National Highways, 2019) Paragraph 2.21.4 states that the potential impacts of the Scheme on PM2.5 concentrations are not considered to require detailed assessment as the UK currently meets its legal requirements for PM2.5 and modelling of PM10 can be used to demonstrate that the Scheme does not impact on the PM2.5 legal threshold.</p> <p>National Highways has subsequently considered emerging guidance from the Department for Environment, Food and Rural Affairs (DEFRA) which is seeking to develop new approaches to the assessment of PM2.5 to inform the planning process. This work is continuing, and current guidance will be updated in due course to establish an appropriate and informed assessment process.</p> <p>Specifically, National Highways has considered the specific requirements laid down by the proposed new Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 (referred to as ETR (PM2.5)). The new ETR (PM2.5) set:</p> <ul style="list-style-type: none"> ▪ A new PM2.5 Annual Mean Concentration Target (AMCT) of 10 µg/m³ to be met by the end of 31st December 2040 in England. ▪ A new PM2.5 Population Exposure Reduction Target (PERT) of at least a 35% reduction in population exposure by the end of 31st December 2040 when compared with the average population exposure in the three-year period from 1st January 2016 to 31st December 2018. <p>As the PERT applies to a reduction in population exposure across the country, individual schemes or developments, including the M3 Junction 9 Scheme, are not considered to affect the attainment of this countrywide target. Consequently, the PERT element of the new ETR (PM 2.5) is not relevant to the Scheme assessment.</p> <p>Additionally, under the title 'Measurement', Regulation 5 of the ETR (PM2.5) states:</p>

Reference	Written Representation	Applicant Comment
		<p>‘(1) The annual mean concentration target is met by 31st December 2040 if, at every relevant monitoring station, the annual mean level of PM2.5 in ambient air, calculated in accordance with regulation 15 and rounded to the nearest whole number of $\mu\text{g}/\text{m}^3$, is equal to or less than the target level in the year 2040. (2) In paragraph (1), "relevant monitoring station" means a monitoring station from which fixed measurements of PM2.5 are taken— (a) throughout the whole of the year 2040, disregarding any periods during that year in which the monitoring station is temporarily out of operation, for example for repair or maintenance; and (b) which meet the minimum annual data capture requirement in that year.’</p> <p>Regulation 5(1) of ETR (PM2.5) makes it clear that the AMCT only applies at specific locations (that is, a relevant monitoring station) and is not to be applied generally. It is not a target which is legally required to be met in 2040 at locations other than at a relevant monitoring station. For this additional reason the Scheme is not applicable as it is not a specified monitoring location.</p> <p>For the purposes of the ETR (PM2.5) the nearest monitoring station is in Southampton, which is over 10 miles away from the Scheme and influenced by its own local air quality characteristics. In 2022 the measured annual mean concentration of PM2.5 at this monitoring station was less than $10\mu\text{g}/\text{m}^3$ and therefore below the 2040 target value. Measurements at the air quality monitoring station in Southampton will not be affected by emissions associated with the Scheme, as there are no qualifying changes in traffic flows as set out in paragraph 2.1 of Design Manual for Roads and Bridges (DMRB) LA 104 (Air Quality) which pass this monitoring location following the opening of the Scheme.</p> <p>Since the Scheme will not affect emissions at a monitoring station location to which the 2023 Regulations apply, the PM2.5 concentration targets and the interim targets do not have any implications for the Scheme.</p> <p>In conclusion, the annual mean UK Air Quality Standards for particulates ($40\mu\text{g}/\text{m}^3$ and $20\mu\text{g}/\text{m}^3$ for PM10 and PM2.5 respectively) are still applicable and have been considered in Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 1) for the determination of effects, which are assessed as being not significant.</p>
REP2-082e	<p>Denial of significance of national and local climate change targets</p> <p>The Environment Statement Chapter 14 states:</p> <ul style="list-style-type: none"> ▪ It is noted that the CCA 2008 does not impose a legal duty to set carbon budgets at a smaller scale than national i.e. regional, local or sectoral. The Government has not made public any forecasts of carbon emissions from all relevant cumulative sources at a scale less than the national level, over a time frame relevant to the assessment of a particular proposed road scheme, which reflects existing government policy to attain the 6th carbon budget and net zero 	<p>The Applicant recognises the value of Winchester City Council’s targets which are aimed to achieve carbon neutrality by 2030. However, as set out in Paragraph 14.5.38 of Chapter 14 (Climate) of Environmental Statement (ES) (6.1, Rev 2), the <i>Climate Change Act 2008 (CCA)</i> does not impose a legal duty to set carbon budgets at a smaller scale than the national level, including the local authority level.</p> <p>Similarly, the Government has not identified any sectoral targets for carbon reductions related to transport, or any other sector. The impact assessment has therefore only been undertaken against national level carbon budgets which</p>

Reference	Written Representation	Applicant Comment
	<p>2050 and which does not include carbon emissions from the proposed road scheme. Therefore, there is no reasonable basis upon which an assessment can be made on the carbon emission impact of the Scheme at a local, regional or sectoral level. The impact assessment has therefore only been undertaken against national level carbon budgets. This approach is in accordance with DRMB LA 114 climate (Highways England, 2021).</p> <p>Currently there is a national target of net-zero emissions by 2050 with specific intermediate targets set out in the government's net-zero pathway. Only if the government were at a national level to set local carbon budgets would this national set of targets be superseded locally. By default, therefore, the national target of net-zero emissions, and the net-zero pathway will apply to the area covered by this scheme. This will continue to apply until and unless national legislation covering this local area has been passed to amend the law that currently applies nationally in a uniform way.</p> <p>The national targets have been adopted locally by Hampshire County Council, and taken further by Winchester City Council (ES Chapter 14 para 14.7.6) and aim for a net-zero-carbon district by 2030. Since there are no nationally determined targets specifically affecting the local area that would supersede ones set locally, we submit that the targets set by Winchester City Council are the ones that should be applied to this development.</p> <p>As an analogy it would be absurd to suggest that even though there is a national speed limit of 70 mph it does not apply to the area proposed for this scheme because no law has been passed nationally confirming that the national speed limit applies here.</p>	<p>reflect existing Government policy to reach net zero by 2050. An analysis against a sector or local 2030 target has not been undertaken in accordance with the Design Manual for Roads and Bridges LA 114 Climate (National Highways, 2021) and the <i>National Policy Statement for National Networks (NPS NN)</i>. Motorway transport emissions are excluded from Winchester City Council's <i>Carbon Neutrality Action Plan</i> and Winchester City Council's <i>Carbon Neutrality Roadmap (WSP, 2022)</i> given that 'these are national infrastructure and will require a national response'.</p> <p>As a consequence, the Scheme's operational road-user emissions do not fall within Winchester City Council's target to be a carbon neutral Council by 2030. It should also be noted that the road-user emissions set out in Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) apply to the study area of the Scheme's transport model. This covers the South East region of England, and therefore these emissions are not limited to the Winchester City Council area.</p>
<p>REP2-082f</p>	<p>Greenhouse gas analysis does not comply with guidance</p> <p><i>NPSNN</i></p> <p>The 2014 NPSNN, despite its expectation that individual road schemes will not affect the government's ability to meet carbon targets, nonetheless requires evidence and an assessment far more rigorous than the applicant has provided. While it may not be necessary to achieve national targets in a single project, the guidance seems to require an analysis to demonstrate how far every scheme relates to national targets:</p> <p>Applicant's assessment</p> <ul style="list-style-type: none"> Carbon impacts will be considered as part of the appraisal of scheme options (in the business case), prior to the submission of an application for DCO. Where the development is subject to EIA, any Environmental Statement will need to describe an assessment of any likely significant climate factors in accordance with the requirements in the EIA Directive. It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants 	<p><i>National Policy Statement for National Networks (NPS NN)</i></p> <p>The methodology is consistent with the decision-making requirements set out in paragraphs 5.17 and 5.18 of the <i>National Policy Statement for National Networks (NPS NN)</i> by providing evidence of the carbon emissions of the Scheme and assessing against the Government's carbon budgets in Section 14.1 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2).</p> <p>The Applicant's response in the Draft National Policy Statement for National Networks Statement Accordance Table (8.7, REP2-053) sets out where the assessment complies with the <i>Draft National Policy Statement for National Networks (NPS NN)</i>. The response confirms that a whole life carbon assessment has been undertaken as set out in Table 14.1 in Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2).</p> <p><i>Design Manual for Roads and Bridges LA 114 Climate (Highways England, 2021)</i></p> <p>The scale and nature of greenhouse gas (GHG) emissions across the lifecycle stages of the Scheme are reported in Table 14.4, 14.5. and 14.6 in Chapter 14</p>

Reference	Written Representation	Applicant Comment
	<p>should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.</p> <p>In the March 2023 draft this has been strengthened:</p> <ul style="list-style-type: none"> whole life carbon assessment should be used to measure greenhouse gas emissions at every stage of the proposed development to ensure that emissions are minimised as far as possible as we transition to net zero. This includes the construction, maintenance, operation and use of the asset across its entire lifecycle. <p>DRNB LA144</p> <p>Nowhere in DRNB LA 114 is the approach adopted by the applicant advocated, or even allowed for. It does not require there to be local targets before an assessment can be made. It requires that "projects shall use the assessment and design process to demonstrate their contribution to reduced GHG emissions in line with the EIA Directive 2011/92/EU [Ref 1.N] and the Climate Change Act 2008 SI No. 1056 CCA 2008 [Ref 10.N]." and that "The assessment and reporting shall identify the scale and nature of GHG emissions across the whole project life cycle, taking into account design and mitigation measures already incorporated into the project." [link to standard for highways in Rep2-080].</p> <p>The baseline requirements of LA 114 require an analysis of the likely significant effects on the environment to include a baseline assessment of emissions before the project begins. and estimates of equivalent data at 'key lifecycle stages' for a period after the project is completed. Climate data should be consistent with the study area. In this case this is probably the traffic modelling area.</p> <p>The application does not comply with these requirements of LA114:</p> <ul style="list-style-type: none"> 3.1 The scoping assessment shall report on the likely additional and avoided GHG emissions at each life cycle stage of the project, in comparison with current and future baseline GHG emissions. 3.2 The scoping assessment shall report on the nature and scale of GHG emissions (positive, neutral or negative) and the likelihood of significant effects. <p>Study area</p> <ul style="list-style-type: none"> 3.8 For construction and operational maintenance, the study area shall comprise GHG emissions associated with project construction related activities/materials and their associated transport. 3.9 For operational road user GHG emissions, the study area shall be consistent with the affected road network defined in a project's traffic 	<p>(Climate) of the Environmental Statement (ES) (6.1, Rev 2). Mitigation set out in paragraphs 14.9.2-14.9.7 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) is considered to be 'embedded mitigation' and has been incorporated into the design of the development. These measures have therefore been accounted for within the construction emissions presented in Table 14.4 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2). Additional mitigation, termed as 'essential', has not been taken into account within the greenhouse gas (GHG) assessment given that specific detail relating to, for example, the proportion of recycled material, is not known at this stage and therefore any carbon reductions associated with these are not currently quantifiable. Further work will be undertaken including the development of an internal Carbon Management Plan and Carbon Opportunities Tracker for the Scheme. This process will enable carbon savings resulting from design decisions to be quantified.</p> <p>The 'modelled area' referred to in the Written Response reflects only an individual representation of the traffic model. As set out in the response to Question 6.1.8 in the Applicant responses to Written Questions (8.5, REP2-051), Section 14.6 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) the study area for operational end-user greenhouse gas (GHG) emissions, which is determined by the Scheme's traffic model, covers the South East region of England as shown Figure 14.1 (Transport Model Study Area) of Chapter 14 (Climate – Figures) of the ES (6.2, Rev 1). This applies to both the Do-Minimum and Do-Something scenarios assessed for the opening and design years (2027 and 2042) and all road links within the Scheme's traffic model, including those with changes of traffic flows greater than 10%, have been assessed. Therefore, the assessment uses a consistent study area across all scenarios in line with the Design Manual for Roads and Bridges LA 114 Climate (Highways England, 2021), comparing the modelled area baseline emissions Do-Minimum with the modelled area including the Scheme (DS). Further detail of the extent of the traffic model is provided within the Transport Assessment Report (7.13, Rev 1).</p> <p>As stated in Paragraph 14.5.26 of Chapter 14 (Climate) of the ES (6.1, Rev 2), the Scheme emissions are determined through calculating the difference between the Do-Minimum and Do-Something scenarios. The assessment therefore distinguishes the Scheme's emissions from those of the baseline emissions.</p> <p>Section 14.5 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) confirms how the assessment approach follows paragraphs 3.1-3.10.2 (and other sections) of the Design Manual for Roads and Bridges LA 114 Climate (National Highways, 2021). The emissions data provided is therefore suitable and sufficient to determine the likely significant effects of the Scheme.</p> <p>The response to assessing against an appropriate baseline is set out further in</p>

Reference	Written Representation	Applicant Comment
	<p>model.</p> <p>Baseline scenario</p> <p>3.10 The GHG emissions without the project shall be identified for the current and future baseline (do-minimum scenarios).</p> <p>3.10.1 The boundary of the baseline GHG emissions should include current operational maintenance GHG emissions and operational user GHG emissions.</p> <p>3.10.2 The baseline GHG emissions should be consistent with the study area outlined for the project.</p> <p>The application does not provide the emissions data required.</p> <p>The analysis fails to meet the requirement in LA114 that changes greater than 10% be highlighted.</p> <p>It appears that Chapter 14 does not wish to distinguish between emissions in this scheme's area and transport emissions across the whole of the southeast of England (undefined): "The modelling includes the total GHG emissions for all existing traffic using the strategic road network (covered by the traffic model) in the vicinity of the Scheme and its surrounding region (south east England)."</p> <p>Chapter 14 is wrong to say that this is modelled in accordance with DMRB LA 114 Climate. LA 114 says clearly</p> <p><i>The Modelled Area</i></p> <p>Para 3.10.2 says the baseline GHG emissions should be consistent with the 'study area' outlined for the project. The most appropriate area for this 'study area' would be the area used for traffic modelling. Data on greenhouse gas emissions and traffic levels and journey times can then be aligned referring to the same dates and geographic area. The modelled area used in the map below and many other modelling maps extends the 'application area' by adding the M3 south to J11, and also adds an area of mostly minor roads across an area of 6.75 sq miles (17.47 km²) covering Winchester Town. Winchester District covers 255.2 square miles (661 km²) so it is not appropriate to rely on emissions data for the whole district.</p> <p>[Two Drawing Extracts in Rep2-080].</p> <p>The following still need to be provided:</p> <ul style="list-style-type: none"> ▪ A current greenhouse gas baseline for the modelled area ▪ Greenhouse gas projections for the modelled area for 'do something' at key stages 	<p>REP2-082g below.</p>

Reference	Written Representation	Applicant Comment
	<ul style="list-style-type: none"> Greenhouse gas projections for the modelled area for 'do minimum' in the same years as the proposed 'key stages' A greenhouse gas projectory showing how 'do minimum' assumptions reflect the government's road to net zero. 	
REP2-082g	<p>The need for a more rigorous treatment of climate and traffic data</p> <p>The dates of the traffic modelling do not tie in with the dates used for the climate data. It is not possible to see the relationships between the two sets of figures.</p> <p><i>Inconsistency of 'place'</i></p> <ul style="list-style-type: none"> The applicant has provided baseline emissions monitoring data for the whole South East and for the whole of Winchester District and gives a figure for the emissions in 2027 and 2042 for the whole South East, suggesting wrongly that this is the 'traffic model' area (paras 14.7,15/16). The conclusion is based on a comparison between the figure for national emissions and the projected emissions increase within the modelling area. This is clearly not a valid comparison. Traffic modelling focuses on the application area plus Winchester Town for all years modelled. <p><i>Inconsistency of 'year'</i></p> <ul style="list-style-type: none"> Chapter 14 refers to a plethora of dates in its introduction on emissions but makes no comments on the relevance most of these references have to the proposal. Table 14.3 quotes emissions data for 2020 (South East England and Winchester District) as 'baseline.' End-user' emissions data are given for 2027 and 2042. Traffic modelling gives 2015 and 2017 as base years, but gives no data, and gives data for forecasts for 2027, 2042, and 2047. <p><i>2020 was an atypical year</i></p> <p>The background data is not clearly presented or well chosen. Chapter 14 (para 14.7.5) refers to DESNeZ (formerly BEIS) data for all transport emissions in Winchester District in 2020 as 356.5 ktCO2.(confusingly referred to as 'Winchester City Council'). The figure reported by DESNeZ was indeed roughly that (actually not for CO2 but for Greenhouse Gas at 356.51 ktCO2e).</p> <p>More serious is the decision to use data for 2020. As the first year of Covid-19 it was atypical, and it would have been better to report transport emissions in 2019 as a more accurate predictor of future emissions (at 448.509 ktCO2e over 25% higher). Initial data for 2021 suggests emissions will return to the previous trajectory at 95% of the 2019 figure.</p>	<p><i>Inconsistency of 'place'</i></p> <p>Please see the response to REP2-82f that confirms that the assessment of operational end-user emissions within Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) is based on the traffic model study area.</p> <p><i>Inconsistency of 'year'</i></p> <p>As outlined in Section 5.3 of the Transport Assessment Report (7.13, Rev 1), three forecast years were modelled as follows:</p> <ul style="list-style-type: none"> 2027: assumed to be the opening year of the Scheme at the time of the development of the forecasts 2042: assumed to be the design year 15 years after the assumed opening year 2047: a horizon year for modelling that is three years on from that in the Stage <p>The transport model forecasts were prepared in line with Department for Transport guidance and datasets including predicted change in travel and freight demand.</p> <p>The Design Manual for Roads and Bridges LA114 Climate (National Highways, 2021) only requires the opening year and design year to be assessed and therefore 2047 was not taken forward as an additional assessment year within Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2).</p> <p><i>2020 was an atypical year</i></p> <p>Paragraph 14.7.3 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2), acknowledges that transport emissions reduced as a result of the COVID-19 pandemic. Paragraph 14.5.11 confirms that local authority and South East England baseline data provided by the Department for Energy Security and Net Zero (DESNZ, known as DBEIS at the time of writing Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2)) is set out for context purposes only and was not taken further within the assessment given that DESNZ does not provide emission data projections for future years. Therefore, there is no available local authority emissions data that can be compared to the Scheme's opening and design assessment years, and consequently the assessment has been based on the modelled Do-Minimum</p>

Reference	Written Representation	Applicant Comment
	<p><i>Towards an emissions baseline figure for the traffic modelling area in 2021</i></p> <p>We set out below an initial sketch of what we think the climate change calculations in the application should have looked like, and consider how the results compare with the results provided by the applicant.</p> <p>First, an estimate of how 2019 figures could turn out in 2021 would need to be made. 2021 is likely to be a far more typical year for emissions than 2020 (chosen as a starting point by the applicant). In 2020 emissions were abnormally low because of Covid-19.</p> <p>Emissions reported for both motorways and 'A' roads in Winchester District totalled :230.47 ktCO₂e for 2020 and 298.08 ktCO₂e for 2019. For 2021, if we accept indications that it will be 95% of the 2019 figure, this would suggest a possible 2021 figure of 283.18 ktCO₂e. The actual DESNeZ / Ricardo estimate will be published in June 2023.</p> <p>Emissions reported for minor roads in Winchester District totalled: 141.27 ktCO₂e for 2019 and 118.29 ktCO₂e for 2020. For 2021, if we accept indications that it will be 95% of the 2019 figure, this would suggest a 2021 figure of 134.21 ktCO₂e.</p> <p>The table below then scales down these 2021 projected figures to emissions within the study area. We have allocated emissions to each 'A' road and the M3, focusing on those stretches inside the scheme boundary as set out in the maps. Where possible we have used the 'DM' traffic volumes from 6.2 Environmental Statement Chapter 1 Introduction – Figures and multiplied them by the length in miles for each stretch of road and apportioned total emissions.</p> <p>For minor roads in the modelled area it is more difficult to estimate emissions. The modelled area covers only 2.64% of Winchester District. Because of Winchester Town's importance as a traffic focus and the relative density of the traffic network, we have assumed minor roads there handle 10 times the intensity per hectare compared with District average. We have estimated therefore that the modelled area had 26.4% of the district's minor roads emissions, and have expressed that as a proportion of our projected emissions for district minor roads in 2021.</p> <p>The table below shows the results of these calculations. It is unlikely this is a precise estimate, but it is an initial attempt to provide an illustrative example of the type of calculation the applicant should have made.</p> <p>We have used this breakdown to calculate an illustrative 'current' baseline for Motorway and 'A' road emissions and minor roads within the modelled area.</p> <p>We calculate this to be 152.72 ktCO₂e. No equivalent data is given in Chapter 14. The closest to an equivalent, the figure given in 14.7.16 is 3,214.7 ktCO₂e. This is, inappropriately, for 2027 and is not therefore the 'current' baseline required. The</p>	<p>scenario instead.</p> <p><i>Towards an emissions baseline figure for the traffic modelling area in 2021</i></p> <p>To reiterate for clarity, the traffic volumes referred to in the Written Representation, taken from Figure 1.4 (Comparison of Indicative Traffic Flows) of Chapter 1 (Introduction – Figures) of the Environmental Statement (ES) (6.2, Rev 1), only shows traffic volumes in the immediate vicinity of the Scheme and is not the full extent of the traffic model. It is therefore not appropriate to use these figures to calculate the Scheme's greenhouse gas (GHG) emissions. As noted above, 2019 and 2021 did not form assessment years for the transport model and therefore it was not possible to model GHG emissions for these years. However, the data from DESNZ provides suitable context for the current baseline.</p> <p>For clarity, the current baseline emissions are not carried forward to inform the future Do-Minimum baseline for 2027 and 2042. Paragraphs 14.5.25-14.5.27 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) sets out the methodology used to calculate the baseline Do-Minimum figures presented in Paragraph 14.7.5 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) confirming that traffic data extracted the traffic model for the relevant future years has been inputted into Defra's Emissions Factor Toolkit (EFT) to calculate road-user GHG emissions. The traffic model utilises Department for Transport guidance and datasets to provide forecasts for the future assessment years. Further details of the traffic model are provided within the Transport Assessment Report (7.13, Rev 1).</p>

Reference	Written Representation	Applicant Comment
	<p>guidance requires an initial 'current' baseline and also a DM baseline for subsequent years.</p> <p>[Table in Rep2-080].</p> <p>Nothing has been provided to show how the two 'baseline' figures have been arrived at by the applicant. The table in paragraph 14.7.5 gives the DESNeZ figure for all transport emissions in 2020 for the whole government South East Region: 15,538.95 ktCO₂e (for greenhouse gas, not, as labelled, CO₂ only). Paragraph 14.7.16 suggests the baseline emissions will be 3,214.78 ktCO₂e in 2027 and 2,497,84 ktCO₂e in 2042. There is nothing to explain how these two 'baseline' figures were arrived at or what they represent. There are vague references to the government's carbon budgets, but Chapter 14 does not explain how these have been incorporated into the calculations. Neither are we told how the volume of "all the traffic using the strategic network" (4.7.15) was determined or which strategic network the document is referring to.</p> <p>This is not the approach specified in the guidance referred to above.</p> <p>Compared with our calculations the applicant's figure given for the 2027 DM is at least 21 times too high. It is completely out of alignment with DESNeZ data for Winchester District, and as such is of no value as a monitoring baseline for the change in emissions that will happen as a result of this scheme.</p>	
REP2-082h	<p>Need to reflect Government Net Zero Pathway more completely</p> <p>Chapter 14 refers only briefly to the government's carbon budgets. More useful and more detailed is the associated government Pathway to Net Zero. The March 2023 draft NPSNN clarifies the government's approach and how this should be followed:</p> <p>2.20 In June 2021, the Government set the sixth carbon budget covering 2033-37, setting a level representing an approximate 77% reduction in greenhouse gas emissions (including international aviation and shipping) compared to 1990. These carbon budgets are set to ensure the UK keeps to a trajectory consistent with meeting its 2050 net zero emissions target as set out in the Climate Change Act 2008 (as amended)</p> <p>2.24 Carbon emissions from construction and operation of the strategic road network represented around 2% of the total emissions that year, with the vast majority generated by the vehicles that travel on them. The National Road Traffic Projections 2022 provide a strong analytical basis for understanding the potential evolution of traffic growth, congestion, and emissions under a wide range of plausible future scenarios. In all scenarios carbon dioxide tailpipe emissions are projected to fall significantly due to the anticipated uptake of EVs. This assumption reflects recent developments in the electric car and van market, in particular lower battery prices and a recent acceleration in sales.</p> <p>This should be treated as a benchmark for what is proposed. This sets out on an</p>	<p>As noted above, the transport model forecasts were prepared in line with Department for Transport guidance and datasets including predicted change in travel and freight demand in accordance with the adopted <i>National Policy Statement for National Networks (NPS NN)</i>.</p> <p>The Scheme's greenhouse gas (GHG) emissions have been calculated in accordance with the Design Manual for Roads and Bridges LA 114 Climate (Highways England, 2021), which requires the assessment to use the traffic model to estimate operational road user GHG emissions and compare these emissions against the UK Carbon Budgets. There is no requirement to provide an assessment against any other potential net zero pathways.</p> <p>With regard to the last paragraph, the Do-Minimum and Do-Something scenarios are directly comparable given that they utilise the same geographical study area and assessment years. The calculations are based on the traffic model for the Scheme and therefore do not inflate either scenario. The Do-Minimum and Do-Something scenarios have been calculated in accordance with the Design Manual for Roads and Bridges LA 114 Climate (Highways England, 2021). Consequently, the Applicant considers that the emissions presented in Chapter 14 of the Environmental Statement (ES) (6.1, Rev 2) are based on a robust assessment approach as endorsed by the Design Manual for Roads and Bridges methodology.</p>

Reference	Written Representation	Applicant Comment
	<p>annual basis what the government think is required for reducing emissions up to 2037 and for 2050. The net zero pathway suggests norms for percentages by which transport emissions need to be reduced to reach net zero. We have applied the government percentage reductions for transport emissions to the estimated pre-covid baseline in 2019 for the area within the application boundary. We suggest this be the baseline for future years since it is a reliable indication of what needs to happen in the modelled area to make a proportionate contribution to the government's Pathway to Net Zero. Since the current roadmap does not give figures for 2042 or 2047, we have estimated (shaded grey) what that would be on the government-proposed reduction curve.</p> <p>Where DS predictions exceed these figures we would expect strong justification and identification of compensatory measures, without which this project should not proceed.</p> <p>[Table in Rep2-080].</p> <p>Calculated incorporating the transport emissions pathway data given in Net Zero Strategy: charts and tables (updated 5 April 2022) (publishing.service.gov.uk).</p> <p>[Figure in Rep2-080] Indicative national domestic transport emissions pathway to 2037</p> <p>Chapter 14 gives what it calls baselines for 2027 (3215 ktCO₂e) and 2042 (2498 ktCO₂e) but these are so at odds (26 to 105 times too high) with our calculations that we conclude that the whole process is fundamentally flawed. It is misleading to inflate the baseline figures in this way; it has unjustifiably minimised the scale of any changes caused by the works proposed.</p>	
REP2-082i	<p>End User 'Do Something (DS)' Emissions: High % Increase</p> <p>Chapter 14 paragraph 14.10.13 gives estimates for emissions during the first year (2027) of the proposed scheme. The increase is 2.69 ktCO₂e above the level of emissions that would happen without the scheme but it is not clear what area this increase applies to or what any of the other assumptions are behind this calculation.</p> <p>It is probably prudent to regard the stated increase as unreliable as the calculation of the baselines. However, if the calculation of the increase were to prove credible, but the baselines were to be abandoned in favour of our baselines, this increase of 2.69 ktCO₂e would add 2.1% to 2.4% to the net zero pathway baseline range we have identified for the modelled area. This would still probably be too high and would pose a serious risk to government plans to reach net zero by 2050.</p> <p>The estimated increase in 2042 is 2.2 ktCO₂e. The government Net Zero pathway does not yet include a range for 2042, but by apportioning the targets for 2037 and 2042 we have estimated the target range for 2042 as between 11% and 19% of 2019 emissions. This would give an increase of 7.25% to 12.82% over the DM baseline necessary to reflect government net zero targets. It is clear from this that by</p>	<p>The Applicant's response to REP2-82f confirms that the assessment of operational end-user emissions within Chapter 14 Climate of the Environmental Statement (ES) (6.1, Rev 2) is based on the traffic model study area. The assessment is therefore in line with the Design Manual for Roads and Bridges LA 114 Climate (National Highways, 2021).</p> <p>The Applicant has responded to comments on using other carbon budgets in Relevant Representations RR-018e in Applicant Responses to Relevant Representations (8.2, REP1-031) and Written Question 6.1.5 in Applicant responses to Written Questions (8.5, REP2-051). As noted in Paragraphs 14.5.33-35 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2), the methodology is consistent with the decision-making requirements set out in paragraphs 5.17 and 5.18 of the <i>National Policy Statement for National Networks (NPS NN)</i>, including the requirement that for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's Carbon Budgets.</p> <p>The Applicant responded to concerns of increasing emissions resulting from the</p>

Reference	Written Representation	Applicant Comment
	<p>2042 increased emissions caused by this scheme, even using National Highways estimates, is unacceptable and will undermine the national climate change strategy.</p> <p>Under LA114 guidance (3.3), increases in traffic volumes of over 10% against the baseline should give rise to 'further assessment.' According to the Introduction maps this applies to A34N, A33N and Easton Lane. There is no evidence that this requirement for further assessment has been met.</p>	<p>Scheme in RR-018f in the Applicant Responses to Relevant Representations (8.2, REP1-031). A net increase in emissions from a particular policy or project is managed within the Government's overall strategy for meeting carbon budgets and the net zero target as part of 'an economy-wide transition'. In March 2023, the Department for Energy Security and Net Zero published the <i>Carbon Budget Delivery Plan</i> which sets out how Government policy will enable the carbon budgets to be met. The plan utilises Energy and Emission Projections (EEP 2021-2040) which make assumptions for future economic growth that allow for investment in, and the build out of, new infrastructure to come forward while still enabling the required trajectory toward net zero.</p> <p>As noted in the response to REP2-082f, links with traffic volumes of over 10% have been assessed in Chapter 14 Climate of the Environmental Statement (ES) (6.1, Rev 2), which addresses the 'further assessment' requirement in the Design Manual for Roads and Bridges LA114 Climate (National Highways, 2021).</p>
REP2-082j	<p>Unreliable conclusion</p> <p>The conclusion given in Chapter 14 para 14.10.14 is clearly flawed. It is of little relevance to compare the emissions increase in a small area around Winchester with an indeterminate area that has emissions DM figures at least fourteen times too high for the traffic modelling area. All we are told is that comparative emissions DM figures are for a 'strategic road network' covering an area somewhere between the application area and the whole of the South East of England. In common language, we should not be comparing apples with fruit we do not even have a description of.</p> <p>Appendix 14.2 lacks sufficient information for a responsible decision based on its data and conclusions. The poor use of data in determining the baseline suggests close scrutiny is necessary. Before any decision can be made on this application there is an urgent need for more information on assumptions used in the calculations:</p> <ul style="list-style-type: none"> ▪ the rate of vehicle electrification ▪ the traffic generation effect of doubling road capacity at a point of congestion (many studies show quadrupling of traffic in time in such places - a report by WSP in 2018, Latest evidence on induced travel demand: an evidence review (publishing.service.gov.uk), confirmed that induced traffic should be treated as a significant factor) ▪ how government emissions reduction targets are reflected in the DM calculations ▪ the availability of green electricity and the mix, source, and carbon content of the electricity supply in the years chosen <p>how the greenhouse gas calculations reflected these assumptions. Need to reduce scale of infrastructure</p>	<p>Please see response to REP2-082f which confirms the study area and traffic model that is defined within Chapter 14 Climate of the Environmental Statement (ES) (6.1, Rev 2).</p> <p>The Applicant has provided an appropriate response in relation to the rate of vehicle electrification in response to Winchester Action on Climate Crisis (REP1-038), Post hearing submissions including written summary of oral submissions at Open Floor Hearing 1 (OFH1) Oral Representation within Section 2.4 of the Applicant Response to Written Summaries and Oral Submissions at Open Floor Hearing 1 (OFH1) (8.6, REP2-052). This is provided below for completeness.</p> <p>As noted in Paragraph 14.5.40 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2), DEFRA's Emission Factor Toolkit, which was used to calculate operational end-user emissions, accounts for likely changes to national vehicle fleet composition such as increasing uptake of electric vehicles (EVs). The Emission Factor Toolkit is inclusive of direct emissions from tailpipe and indirect emissions associated with the charging of the batteries of electric and plug-in hybrid cars and Light Goods Vehicles (LGV). The Emission Factor Toolkit (EFT) utilises carbon factors provided by Department for Transport (DfT) for years up to 2050 and accounts for decarbonisation of the National Grid. The methodology and data sources that support the Emission Factor Toolkit are set out in the <i>Emission Factor Toolkit User Guide</i> (Defra, 2021). The same vehicle fleet composition projections are applied to both the Do-Minimum and Do-Something scenarios of the same year.</p> <p>As noted in the response to REP2-082c, the Applicant considers the assessment of traffic to be an appropriately robust assessment of predicted impacts which is based on traffic modelling undertaken in line with Department for Transport guidance. There is no evidence to suggest a greater increase</p>

Reference	Written Representation	Applicant Comment
		<p>where the predicted modelled impacts associated with the Scheme are predominantly related to re-routing of existing traffic as opposed to induced travel demand.</p> <p>The assessment undertaken within Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2) was undertaken in accordance with Design Manual for Roads and Bridges LA 114 Climate (Highways England, June 2021). Therefore the Applicant considers that the conclusions are robust and reliable.</p>
REP2-082k	<p>replacement to reduce high levels of embedded carbon emissions</p> <p>Appendix 14.1 lists clearly the emissions associated with construction, and shows the calculations. It demonstrates a thoroughness that is missing in sections on baseline emissions and end user emissions.</p> <p>Table 14.7 on p 28 of Chapter 14 suggests that construction emissions (37 ktCO₂e) will be greater than increased operation emissions (30.6 ktCO₂e) between 2027 and 2037 although operation emissions will continue. The use of steel and concrete in new structures is an important part of this. Given the urgency of the climate emergency it does not seem to us right to demolish and then replace so many concrete and steel structures, just to rebuild them slightly differently. For example, it seems extravagant to demolish and replace the main roundabout at J9. The detailed maps show that the existing bridges could be adapted for the proposed scheme. For example in ES Chapter 1 the aerial view of the J9 roundabout with superimposed plans does not demonstrate convincingly the need for replacing the structure.</p> <p>[Map in Rep2-080]</p> <p>This application should not be approved without full justification where it is proposed to replace existing infrastructure that could be adapted.</p>	<p>The new A34 routing separate from the M3 gyratory generates the need to replace the existing gyratory bridges with longer spanning new gyratory bridges. This is to provide a widened M3 motorway directly under the gyratory, increasing from two lanes to four lanes at this location.</p>
REP2-082l	<p>Need for numeric detail on mitigation</p> <p>Chapter 14 section 14.9.5 touches on construction mitigation, but the examples seem marginal compared to the scale of construction proposed.</p> <p>A number of mitigation proposals are included but by now they should be quantified in terms of the emissions they will save. Examples of sentences that need to be accompanied by hard quantitative measures of savings achieved include:</p> <ul style="list-style-type: none"> ▪ “Use of warm mix asphalt (WMA) instead of hot mix asphalt on all road surfaces, reducing embodied carbon associated with the production of materials” ▪ “The provision of a high quality accessible pedestrian and cyclist routes will encourage and enable travel by low-carbon, sustainable modes” ▪ “The use of Euro 6 compliant vehicles which are more fuel efficient and/or EVs within National Highways fleet used during the construction of the Scheme” 	<p>National Highways has set a programme for net zero targets within its Net Zero Highways: our 2030 / 2040 / 2050 plan (National Highways, 2021). The targets within this plan align with the UK Carbon Budget trajectory to net zero by 2050. These targets include net zero maintenance and construction activities by 2040 with an interim target of 10% reduction compared to 2020 by 2025. Mitigation measures with the aim to reduce the Scheme’s emissions in line with the Net Zero Highways plan are reported in Section 14.9 of Chapter 14 (Climate) of the Environmental Statement (ES) (6.1, Rev 2).</p> <p>Mitigation has been secured through incorporating the measures within the design of the Scheme and the application drawings submitted with the Development Consent Order application, which will be secured in the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 3). Measures include retaining existing roads where possible, reducing the volume of material required to construct the Scheme and using alternative materials that are less carbon intensive. For the operational stage of the Scheme, mitigation includes the provision of high-quality accessible pedestrian and cyclist routes which will</p>

Reference	Written Representation	Applicant Comment
	<ul style="list-style-type: none"> “Use of materials with lower embedded GHG emissions and water consumption where possible” <p>There is little to assure us that the results of all these ideas will be more than marginal in an otherwise high emissions project.</p> <p>Tables 14.4 and 14.5 list emissions, but we are given no sense of how much the mitigation techniques proposed reduce these figures which appear to be undesirably high.</p>	<p>encourage and enable travel by low-carbon, sustainable modes.</p> <p>Further work will be undertaken including the development of an internal Carbon Management Plan and Carbon Opportunities Tracker for the Scheme. This will enable mitigation to continue to evolve during detailed design of the Scheme (and will be secured by inclusion in the second iteration Environmental Management Plan (siEMP)) in order to align it with the targets within the Net Zero Highways Plan and in turn, the UK Carbon Budget trajectory to net zero by 2050. This process will enable carbon savings resulting from design decisions to be quantified.</p>

2.7 Winchester City Council (REP2-085)

Reference	Written Representation	Applicant Comment
REP2-085a	<p>Introduction</p> <p>This report forms the Written Representation (1) of Winchester City Council (hereafter WCC) and is to be read alongside the Local Impact Report.</p> <p>WCC is one of the host authorities for the M3 Junction 9 Improvement Scheme alongside Hampshire County Council and the South Downs National Park Authority.</p> <p>WCC has also entered into a draft Statement of Common Ground (SoCG) with National Highways (hereafter ‘the applicant’).</p>	<p>The Applicant notes Winchester City Councils Written Representation alongside the Local Impact Report.</p>
REP2-085b	<p>WCC Views on the Proposal</p> <p><i>Principle</i></p> <p>The City of Winchester Movement Strategy strongly supports enhancing the strategic road network capacity on the M3 in order to:</p> <ul style="list-style-type: none"> sustain future growth of the national, regional and local economy improve the resilience of the strategic network and reduce through traffic in the city, allowing the reallocation of road space to pedestrians and cyclists leading to improved air quality. <p>As identified within section 5.1 of the LIR, whilst the Development Plan does not contain a policy which specifically provides the principle of development (due to its scale and unique size), there is an acknowledgement that existing infrastructure and utilities need to be improved in countryside areas.</p> <p>The overarching principle of development is therefore considered acceptable. However, it is important to highlight that a number of areas of concern and clarification remain and these are outlined in the sections below.</p>	<p>The Applicant notes that Winchester City Council consider the Scheme to be supported by the City of Winchester Movement Strategy.</p>

Reference	Written Representation	Applicant Comment						
REP2-085c	<p>Matters of Concern</p> <p><i>Climate</i></p> <p>Section 5.2 of the LIR assesses the impact of Climate against local plan policy. The LIR concludes that in the absence of appropriate mitigation the proposal is not considered to meet relevant policies. WCC consider the emissions from the construction and operational phases to be significant.</p> <p>Insufficient mitigation has been proposed. This is a missed opportunity to introduce mitigation benefits including alternative fuel infrastructure (including electric vehicle charging) and Carbon Offsetting Funds.</p> <p>Paragraphs 5.2.15 and 5.2.16 of the LIR provide suggestions of mitigation techniques and WCC will continue to work proactively with the applicant in order to achieve appropriate mitigation.</p>	<p>The Applicant provides a response to the Local Impact Report Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p>						
REP2-085d	<p><i>South Downs National Park Authority</i></p> <p>The parts of the site within the jurisdiction of WCC also form part of the setting of the South Downs National Park. As neighbouring authority, WCC is bound by the statutory duty in Section 11a of the National Parks and Access to the Countryside Act 1949 to consider the park's statutory purposes.</p> <p>WCC wish to note the significant concerns raised by the South Downs National Park within their Local Impact Report and note the conflict with a number of South Downs Local Plan policies.</p> <p>The SDNP have pro-actively requested further information in order to address the majority of concerns and WCC will review this additional information alongside neighbouring authority colleagues throughout the process.</p>	<p>The Applicant notes Winchester City Council's position regarding South Downs National Park Authority's concerns on the Scheme.</p>						
REP2-085e	<p><i>Areas of Clarification</i></p> <p>There are a number of areas where additional points of clarification are requested which are summarised in Table 1 below. Full details can be found within the LIR.</p> <table border="1"> <thead> <tr> <th>Topic</th> <th>Description of Clarification</th> </tr> </thead> <tbody> <tr> <td>Archaeology</td> <td> <ul style="list-style-type: none"> Multiple areas across documents. Outlined within paragraph 5.3.7 of the LIR </td> </tr> <tr> <td>Noise & Air Quality</td> <td> <ul style="list-style-type: none"> Further assessment on alternative diversion routes. Mitigation delivered through measures within the Environmental Management Plan however Noise and Vibration Management Plan not provided. Dust impacts to be mitigated through Environmental </td> </tr> </tbody> </table>	Topic	Description of Clarification	Archaeology	<ul style="list-style-type: none"> Multiple areas across documents. Outlined within paragraph 5.3.7 of the LIR 	Noise & Air Quality	<ul style="list-style-type: none"> Further assessment on alternative diversion routes. Mitigation delivered through measures within the Environmental Management Plan however Noise and Vibration Management Plan not provided. Dust impacts to be mitigated through Environmental 	<p><i>Archaeology, Noise and Air Quality and Biodiversity</i></p> <p>The Applicant provides a response these matters in Chapter 4 of the Applicant Comments on Local Impact Reports (Document Reference 8.9) submitted at Deadline 3.</p> <p><i>Landscape</i></p> <p>A series of 3D Visualisations (Figure 7.14 of Chapter 7 (Landscape and Visual – Figures (Part 3 of 3)) of the ES (6.2, Rev 1) have been prepared (with location agreed with the Local Authorities) with gantries and variable message signs (VMS) included where relevant. Visualisation view locations 01, and 03 show where gantries and variable message signs (VMS) are visible. No further</p>
Topic	Description of Clarification							
Archaeology	<ul style="list-style-type: none"> Multiple areas across documents. Outlined within paragraph 5.3.7 of the LIR 							
Noise & Air Quality	<ul style="list-style-type: none"> Further assessment on alternative diversion routes. Mitigation delivered through measures within the Environmental Management Plan however Noise and Vibration Management Plan not provided. Dust impacts to be mitigated through Environmental 							

Reference	Written Representation	Applicant Comment
	<p>Management Plan however details not yet provided.</p> <p>Biodiversity</p> <ul style="list-style-type: none"> The applicant has worked closely with WCC Ecology Officers to provide further information. A number of results are awaited as outlined in paragraph 5.5.2 of the LIR. <p>Landscape</p> <ul style="list-style-type: none"> 3D visualisations of gantries – clarification on any available close-up views. Details of ground used for temporary haul road. Confirmation of the final topography (assuming haul road is retained) and soil testing to ensure that reinstatement can be successfully established is required <p>Whilst no overarching objections are made in these relevant topic areas, full compliance and support cannot be confirmed until the clarification is received.</p>	<p>visualisations have been prepared.</p> <p>No temporary haul roads are to be retained. Depending on the location of the temporary haul road, the land use will be returned to the existing use unless permanent works are proposed.</p> <p>Table 3.2 in the first iteration of the Environmental Management Plan (fiEMP) (7.3, Rev 3) identifies commitment LV14 in the Record of Environmental Actions and Commitments Table which seeks to ensure soils are reinstated to support the end use with the land use identified.</p>
REP2-085f	<p>Areas of Agreement</p> <p><i>Historic Environment</i></p> <p>The assessment made is sound and thorough and no further points of clarification are requested.</p>	<p>The Applicant welcomes this position.</p>
REP2-085g	<p>Conclusion</p> <p>Whilst the overarching principle of the scheme is agreed to achieve the outcomes of the Winchester Movement Strategy, there remain areas of concern and points of clarification which prevent WCC being able to confirm full support for the application based on the current submission (please see section 1.2 of the LIR).</p> <p>WCC will continue to work with the applicant to discuss and review additional information and it is hoped this would include GHG mitigation measures.</p>	<p>The Applicant notes your written representation and is keen to continue working proactively within the Statement of Common Ground with Winchester City Council (7.12.1, REP2-046).</p>