

M3 Junction 9 Improvement

Scheme Number: TR010055

8.23 Applicant Comments on Deadline 5 Submissions

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Planning Act 2008

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

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8.23 Applicant Comments on Deadline 5 Submissions

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1 Introduction

1.1 Introduction

1.1.1 The Applicant has responded where necessary and relevant, to the following items submitted at Deadline 5:

- Climate Emergency Policy and Planning (CEPP) - Responses to ExQ2 (including comments on ISH summaries and other submissions) **(REP5-031)**
- Hampshire County Council - Responses to ExQ2 **(REP5-032)**
- Hampshire County Council - Responses to ExQ2 (Definitive ProW statement and map) **(REP5-033)**
- Natural England - Responses to ExQ2 **(REP5-034)**
- South Downs National Park Authority - Responses to ExQ2 (including amendments to DCO and Landscape Briefing Note) **(REP5-035)**
- Winchester Action on the Climate Crisis - Responses to ExQ2 (comments on ISH3 summary, Appendix A) **(REP5-036)**
- Winchester City Council - Responses to any further information requested by the ExA for this deadline (ExQ2 responses and comments on ISH summaries) **(REP5-037)**
- Winchester Friends of the Earth - Comments on any additional info or submissions received by D4 (Comments on Applicant's ISH2 summary) **(REP5-038)**
- Winchester Friends of the Earth - Responses to any further information requested by the ExA for this deadline (Comments on Applicant's ISH2 + 3 summaries) **(REP5-039)**
- Winchester Action on the Climate Crisis - Responses to ExQ2 (Including questions to the Applicant) **(REP5-040)**

2 Applicant's comments on information received at Deadline 5

2.1 Climate Emergency Policy and Planning (CEPP) - Responses to ExQ2 (including comments on ISH summaries and other submissions) (REP5-031)

Climate Emergency Policy and Planning	Applicant Response
<p>Section 2 – Prime Minister's Speech on Net Zero on 20th September 2023</p> <ul style="list-style-type: none"> ▪ 2.1 Impact on GHG emissions ▪ 2.2 Impact on BCR 	<p>The impact on greenhouse gas (GHG) emissions and the Benefit Cost Ratio (BCR) of the Scheme as a result of the Prime Minister's Speech on the 20 September 2023 is addressed in the Applicant's response to ExQ3 6.3.7 and ExQ3 6.3.8 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Section 3 – Recent Updates: Policy and Legal Framework</p> <ul style="list-style-type: none"> ▪ 3.1 Delivery risk and policy gap in securing delivery of net zero, and the undisclosed Risk Tables ▪ 3.2 Material weight of the CCC Progress Report 	<p>Please refer to the Applicant's response to ExQ3 6.3.12 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) in regard to section 3.1 of REP5-031 (Delivery risk and policy gap in securing delivery of net zero, and the undisclosed Risk Tables).</p> <p>Please refer to the Applicant's response to ExQ3 6.3.13 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) in regard to section 3.2 of REP5-031 (Material weight of the CCC Progress Report).</p>
<p>Section 4 – Notification of Potential Issue – Variable Demand Modelling for HGV's and LGV's</p>	<p>Please refer to the Applicant's response to ExQ3 6.3.14 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Section 5 – IEMA</p> <ul style="list-style-type: none"> ▪ 5.1 IEMA Contextualisation: sectoral reduction strategies ▪ 5.2 IEMA Contextualisation: Existing and emerging national and local policy or regulation ▪ 5.3 IEMA Summary 	<p>Please refer to the Applicant's response to ExQ3 6.3.15 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Section 6 – Comments on REP4-037, Appendix A</p> <ul style="list-style-type: none"> ▪ 6.1 Remedy to the falsehoods of assuming that climate policy is 100% secured ▪ 6.2 Relevance of data to SoS decision making process specifically on the M3J9 Scheme ▪ 6.3 Data for contextualising a reasoned conclusion on GHG emissions ▪ 6.4 Full list of contextualisations required of emission type vs budget or target ▪ 6.5 Example of applying data: Combination 1: Construction: 4th carbon budget ▪ 6.6 Example of applying data: Combination 3: Operation: 6th carbon budgets ▪ 6.7 "Major Adverse" scheme ▪ 6.8 Further comments on REP4-037 	<p>Please refer to the Applicant's response to ExQ3 6.3.17 and ExQ3 6.3.18 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Section 7 – Responses to ExQ2</p> <ul style="list-style-type: none"> ▪ 7.1 Q6.2.3, Carbon Plan(s) ▪ 7.2 Q6.2.21, Mitigation ▪ 7.3 Q6.2.14, Assessment ▪ 7.4 Q16.2.4, Combined appraisal 	<p>The Applicant has no comments regarding 7.1 and 7.3 of this submission.</p> <p>There is no requirement in the Climate Change Act 2008 (CCA) or in Government policy for carbon emissions for all road transport to become net zero. 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'. Please refer to the Applicant's response to ExQ3 6.3.1 on mitigation in the Applicant Response to the</p>

Climate Emergency Policy and Planning	Applicant Response
<ul style="list-style-type: none"> ▪ 7.5 Q16.2.5, Combined appraisal ▪ 7.6 Q16.2.6, Combined appraisal 	<p>Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22), as well as commentary on how National Highways Net Zero Highways Plan accounts for emissions from the Scheme when determining its own trajectory to net zero.</p> <p>Please refer to the Applicant’s response to ExQ3 6.3.7 and 6.3.8 on the Prime Ministers September 2023 announcement in the Applicant Response to the Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22).</p> <p>The Applicant has provided a response to ExQ2 16.2.5 in relation to optimism bias in Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026) and has no further comments. The Applicant notes that the comments in relation to Q16.2.6 are in relation to the merits of Department of Transport’s modelling Transport Analysis Guidance (TAG) and therefore has no further comments.</p>

2.2 Hampshire County Council - Responses to ExQ2 (REP5-032)

Hampshire County Council	Applicant Response
<p>Q9.2.21 – Requirement 13 Surface Water Drainage (page 6)</p> <p>Q10.2.1 – Infiltration Rates (page 9)</p>	<p>Please refer to the Applicant’s response to ExQ3 10.3.1 and ExQ3 6.3.18 in the Applicant Response to the Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Q13.2.2 – Noise and Vibration Mitigation (page 10)</p> <p>The County Council notes that the Applicant will provide low noise surfacing on all carriageway within the red line boundary, including those that will be maintained by the local highway authority (both existing and new carriageway). The County Council can only maintain this type of surfacing with a commuted sum to cover full replacement costs over a 120 year lifecycle. The lifecycle of this surfacing is lower than standard HRA surfacing and will need replacing more frequently and therefore additional cost to the County Council above its core maintenance budgets.</p>	<p>The Applicant will agree maintenance arrangements with Hampshire County Council, as previously outlined in the Statement of Common Ground with Hampshire County Council (7.12.3, REP5-025) submitted at Deadline 5.</p>

2.3 Hampshire County Council - Responses to ExQ2 (Definitive ProW statement and map) (REP5-033)

Hampshire County Council	Applicant Response
<p>Hampshire County Council - Definitive ProW statement and map</p>	<p>The Applicant has no further comments, please see where matters relating to the Public Rights of Way are agreed in References 1.4, 1.5, 15.4, and 15.5 of the Statement of Common Ground with Hampshire County Council (7.12.3, REP5-025).</p>

2.4 Natural England - Responses to ExQ2 (REP5-034)

Natural England	Applicant Response
Natural England – Responses to ExQ2	Please see Applicant Response to Questions from the ExA in the Report on the Implications for European Sites (REIS) (Document Reference 8.26) .

2.5 South Downs National Park Authority - Responses to ExQ2 (including amendments to DCO and Landscape Briefing Note) (REP5-035)

South Downs National Park Authority	Applicant Response
Question Reference Q4.2.12 (page 2)	<p>As to why Badger Farm was considered suitable for other developments, but is not considered a practical, suitable or obvious alternative for the M3J9 Scheme, please refer to the Applicant's response ExQ2 4.2.7 of the Applicant's Response to Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026).</p> <p>In response to the question regarding more limited provision for welfare at the Main Construction Compound this is outlined in ExQ3 4.3.4 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
Question Reference Q6.2.23 (page 3 - 4)	<p>The Applicant has responded with respect to the Register of Environmental Actions and Commitments (REAC) entry LV22 of the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 5) in ExQ3 Q12.3.9 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p> <p>The impact on greenhouse gas (GHG) emissions of the Scheme as a result of the Prime Minister's Speech on the 20 September 2023 is addressed in the Applicant's response to ExQ3 6.3.7 and ExQ3 6.3.8 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
Question Reference Q9.2.15 (page 6 – 7)	Please see response to Appendix B of the SDNPA submission in the below sections of this table which responds to suggested changes to the DCO Requirements.
Question Reference Q9.2.24 (page 10 – 11)	The Applicant has responded with respect to draft Development Consent Order (DCO) wording in ExQ2 9.2.24 of Applicant's Response to Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) .
Question Reference Q12.2.2 (page 13 – 14)	The Applicant notes that whilst the South Downs National Park Authority remain of the position that there will be long term permanent harm to the South Downs National Park, they accept that given the introduction of highway infrastructure, there are no preferential landscape proposals for this specific location. The Applicant has previously set out its position to the level of harm on the South Downs National Park. The Applicant has also responded with respect to the landscape assessment in ExQ3 12.3.2 of Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) .

South Downs National Park Authority	Applicant Response
<p>Question Reference Q12.2.5 (page 16 – 17) –</p>	<p>Please also note that whilst the Landscaping Scheme outlines the design and specification of planting, the Outline Landscape and Ecological Management Plan (OLEMP) describes how this planting is to be managed.</p> <p>As identified in the Applicant Comments on Local Impact Reports (Appendix C) (Document Reference 8.9) submitted at Deadline 3, advanced planting will be undertaken at an early phase of the construction programme. Please also refer to how the timings of advanced planting will be secured in the Applicant’s responses to ExQ2 4.2.4 in the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026).</p> <p>For clarification at Deadline 6 the Applicant has updated the wording of LV16 of the first iteration of the Environmental Management Plan (fiEMP) (7.3, Rev 6) to include additional planting plot areas which had previously been missed. This now makes commitments for advanced planting at planting plots 003-02, 003-04, 003-16, 008-27, 008-28, 009-25, and 009-41.</p>
<p>Question Reference Q12.2.6 (page 17 – 18) –</p>	<p>The Applicant has responded with respect to construction compounds in ExQ3 12.3.8 of Applicant’s Response to Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22).</p> <p>The Applicant has responded with respect to living hoardings in ExQ3 4.3.5 of Applicant’s Response to Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Question Reference Q12.2.12 (page 20 – 21) –</p>	<p>There is no discrepancy between the first iteration Environmental Management Plan (fiEMP) (3.1, Rev 5) and the Outline Landscape and Ecological Management Plan (OLEMP) (6.3, APP-102). Both documents refer to the establishment period as being 5 years. Entry LV22 of Table 3.2 (Register of Environmental Actions and Commitments (REAC)) within the first iteration Environmental Management Plan (fiEMP) (3.1, Rev 5) states:</p> <p><i>“During the establishment period monitoring for establishment of newly created landscape elements will take the form of quarterly inspection in the first two years, followed by annual inspections in the following three years after seeding / planting.”</i></p> <p>The Applicant agrees to an amendment, of Entry LV22 in Table 3.2 (Register of Environmental Actions and Commitments (REAC)) within the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 6). As set out in ExQ3 12.3.9 in the Applicant Response to the Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22), this has been updated to:</p> <p><i>‘During the establishment period monitoring for establishment of newly created landscape elements will take the form of quarterly inspection in the first two years, followed by biannual inspections in the following three years after seeding/planting’.</i></p> <p>With regard to the management proposed by South Downs National Park Authority, the Outline Landscape and Ecological Management Plan (OLEMP) (6.3, APP-102) commits to cut areas</p>

South Downs National Park Authority	Applicant Response
	suppressed by invasive plants and any shrub (scrub) saplings when identified following biannual monitoring undertaken during the establishment phase.
Appendix B – Suggested amendments to DCO and other documents	
<p>Draft Development Consent Order Article 34(1)</p> <p>“34.—(1) The undertaker may, in connection with <u>where necessary</u> for the carrying out of the authorised development, but subject to article 26(2) (time limit for exercise of authority to acquire land compulsorily) and the Requirements of Schedule 2.—”</p>	<p>The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.9 of the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026).</p>
<p>Draft Development Consent Order Article 39(4)</p> <p>“(4) The undertaker may for the purposes of carrying out the authorised development but subject to paragraph (2) remove any hedgerow described in Schedule 8 (removal of hedgerows), <u>but not remove any hedgerow not described in Schedule 8.</u>”</p>	<p>The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.10 and ExQ2 9.2.11 of the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026). Alternative wording proposed by the Applicant was also implemented into the Applicant’s Deadline 5 submission Draft Development Consent Order (3.1, Rev 4).</p>
<p>Draft Development Consent Order Requirement 4(3)</p> <p>The undertaker must ensure that any consultation responses are reflected in the details submitted to the Secretary of State for approval under this Schedule, but only where it is appropriate, reasonable and feasible to do so, taking into account considerations including, but not limited to, cost and engineering practicality</p>	<p>The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.14 of the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026).</p>
<p>Draft Development Consent Order Requirement 5(3)</p> <p>(3) The landscaping scheme prepared under sub-paragraph (1) must include details of hard and soft landscaping works, including— (a) location, number, species, size, <u>timing</u>, and planting density of any proposed planting, <u>including advanced planting</u>; (b) cultivation, importing of materials and other operations to ensure plant establishment; (c) proposed finished ground levels; (d) hard surfacing materials; (e) details of existing trees to be retained, with measures for their protection during the construction period outlined within a Tree Protection Plan and Arboricultural Method Statement; and (f) implementation and maintenance timetables for all landscaping works. <u>(g) [as set out in ExA Q9.1.47 (Document Reference – ExQ1) should including fencing and walls etc]</u></p>	<p>The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.15 and ExQ2 9.2.24 of the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026) and some of these changes were incorporated into the Draft Development Consent Order (3.1, Rev 4) submitted at Deadline 5.</p> <p>The Applicant has updated Requirement 5(3)(g) to the extent outlined in Applicant Response to the Examining Authority’s Proposed changes to the draft Development Consent Order (Document Reference 8.25).</p>
<p>Draft Development Consent Order Requirement 6(3)</p> <p>(3) Any tree or shrub, <u>or other element</u> planted as part of the landscaping scheme that, within a period of 5 <u>10</u> years after planting, is removed, dies or becomes, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted.</p>	<p>The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.16 of the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026). The Applicant has also responded with regards to suggested amendments to this requirement in Applicant Response to the Examining Authority’s Proposed changes to the draft Development Consent Order (Document Reference 8.25).</p>
<p>Draft Development Consent Order Requirement 7</p> <p>Requirement should be deleted and the necessary details approved under Requirement 5.</p>	<p>The Applicant has responded as to the purpose and operation of this requirement in ExQ2 9.2.15 in Applicant Response to Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026).</p>

South Downs National Park Authority	Applicant Response
	The Applicant has also responded as to the purpose of this requirement in Applicant Response to the Examining Authority's Proposed changes to the draft Development Consent Order (Document Reference 8.25) .
<p>Draft Development Consent Order Requirement 11(1)</p> <p>As highlighted in our previous submissions, the SDNPA needs to be consulted on the Traffic Management Plan (especially if the document is going to include the PRow diversions and management plan and the Construction Workers Travel Plan, as suggested by the applicant during ISH2). Therefore, Requirement 11(1) should be amended to include consultation with both Winchester City Council and the SDNPA as well as the Local Highway Authority.</p>	<p>The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.18 in Applicant Response to Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026).</p> <p>The Applicant has also responded to suggested amendments to this requirement in Applicant Response to the Examining Authority's Proposed changes to the draft Development Consent Order (Document Reference 8.25).</p>
<p>Draft Development Consent Order Requirement 14(1)</p> <p>As highlighted in our previous submissions, the change submitted at Deadline 3 (document reference REP3-005) could lead to confusion. The SDNPA needs to be consulted as the noise mitigation measures are part of the mitigation measures required due to the impacts to the National Park. If the overall reference to 'relevant planning authority' is not changed then 14(1) needs to be amended again to explicitly refer to consulting the SDNPA as well as Winchester City Council.</p>	The Applicant has responded with regards to suggested amendments to this requirement in ExQ2 9.2.22 of the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) , noting the suggested wording by the Examining Authority in The Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO) (PD-014) .
<p>Draft Development Consent Order Additional Requirement for a Phasing Plan</p> <p>Requirement 5 Landscaping, still refers to 'written landscaping scheme for that part'. That is why we suggested another DCO Requirement for the submission of a Phasing Plan / schedule of works to avoid any confusion or ambiguity.</p>	The Applicant has responded with regards to an additional requirement for a phasing plan in ExQ2 9.2.24 in Applicant Response to Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) .
<p>First Iteration Environmental Management Plan (Document Reference REP4-027) LV22</p> <p>During the establishment aftercare period and beyond, environmental features (including soft landscape features) will be routinely inspected and monitored to ensure compliance with Appendix 7.6 (OLEMP) of the ES (Document Reference 6.3), and future LEMP. During the establishment period monitoring for establishment of newly created landscape elements will take the form of quarterly inspection in the first two <u>five</u> years, followed by annual <u>twice</u> yearly inspections in the following three years after seeding/planting.</p>	<p>The Applicant agrees to an amendment of Entry LV22 in the Table 3.2 (Register of Environmental Actions and Commitments (REAC)) within the first iteration Environmental Management Plan (fiEMP) (3.1, Rev 5). As set out in ExQ3 12.3.9 in the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) this has been updated to:</p> <p><i>'During the establishment period monitoring for establishment of newly created landscape elements will take the form of quarterly inspection in the first two years, followed by biannual inspections in the following three years after seeding/planting.'</i></p>
Appendix C - Landscape Briefing Note 02 – Deadline 5 (Michelle Bolger)	<p>The Applicant notes this additional submission and that the South Downs National Park Authority remain of the position that there will be long term permanent harm to the South Downs National Park. The Applicant has previously set out its position with regard to the limited level of harm on the South Downs National Park.</p> <p>With reference to commentary on the design strategy put forward for the landscape and attenuation Basin 5 the Applicant has responded in the ExQ3 12.3.2 of Applicant Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22). The Applicant acknowledges that the South Downs National Park accepts that, given the introduction</p>

South Downs National Park Authority	Applicant Response
	<p>of highway infrastructure into the South Downs landscape, there are no preferential landscape proposals for this specific location.</p> <p>With reference to commentary on the revised visualisations the Applicant has responded in ExQ3 12.3.4 in the Applicant Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>

2.6 Winchester Action on the Climate Crisis - Response to REP4-036 – The applicant's document 8.15 Appendix A on ISH3 18 August 2023 (comments on ISH3 summary, Appendix A) (REP5-036)

Winchester Action on the Climate Crisis	Applicant Response
Response to REP4-036 – The applicant's document 8.15 Appendix A on ISH3 18 August 2023	The Applicant has responded with respect to this submission in ExQ3 4.3.1 and ExQ3 4.3.2 of Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) .

2.7 Winchester City Council - Responses to any further information requested by the ExA for this deadline (ExQ2 responses and comments on ISH summaries) (REP5-037)

Winchester City Council	Applicant Response
Page 1 of Deadline 5 Submission -	<p>The Applicant has responded with respect to comparable schemes in ExQ3 6.3.11 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p> <p>With regard to the Carbon Neutrality Action Plan (CNAP), please refer to the Applicant's response to ExQ3 6.3.9 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p> <p>With regard to climate mitigation measures, please refer to the Applicant's response to ExQ3 6.3.1 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) where a full list of climate mitigation measures and how they are secured is provided.</p> <p>With regard to the recent Government announcement on 20 September 2023, please refer to the Applicant's response to ExQ3 6.3.7 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
Question Reference Q6.2.9 (page 3 – 4) -	Please refer to the Applicant's response to ExQ3 6.3.2 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) .
Question Reference Q6.2.9 (page 4 – 6) -	Please refer to the Applicant's response to ExQ3 6.3.4 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) .

Winchester City Council	Applicant Response
Question Reference Q6.2.10 (page 6) -	<p>With regard to mitigation and offsetting, please refer to the Applicant's response to ExQ3 6.3.2 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p> <p>With regard to the Emissions Trading Scheme (ETS) please refer to the Applicant's response to ExQ3 6.3.5 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22).</p>
Question Reference Q6.2.12 (page 7 – 9) -	The Applicant has responded with respect to Tyndall Budgets in ExQ3 6.3.6 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) .
Question Reference 9.2.13 (page 9 – 10) -	<p>A new entry (NV20) has been added to Table 3.2 (Register of Environmental Actions and Commitments (REAC)) of the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 6). This commits the Applicant to a post-construction validation report to demonstrate that noise mitigation measures have been delivered in accordance with the modelled acoustic specification.</p> <p>The proposed wording is as follows:</p> <p><i>'A post-construction validation report will be provided to the relevant planning authority within 28 days of the opening of the authorised development for public use to demonstrate noise mitigation measures outlined in Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052) have been delivered in accordance with the acoustic specification outlined in Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052).</i></p>

2.8 Winchester Friends of the Earth - Comments on any additional info or submissions received by D4 (Comments on Applicant's ISH2 summary) (REP5-038)

Winchester Friends of the Earth	Applicant Response
Item 3 (i) first bullet	<p>The Applicant has provided further information in relation to observed data used in the calibration and validation of the model in Applicant Comments on Deadline 4 Submissions (Appendix C - Stage 3 Transport Data Package Report) (8.20, REP5-030). A wide range of observed data was collected and collated for model development including such data as traffic counts and journey times. The observed data was collected in accordance with Department for Transport (DfT) Transport Appraisal Guidance (TAG) unit M1-2 (Data Sources and Surveys), taking cognisance of time series data, in neutral months and avoiding abnormal traffic periods (weekends, holidays etc) to be representative of typical or representative data.</p> <p>The observed data was then used in the development of the model to inform calibration and demonstrate validation. The resulting comparisons of observed vs modelled data were then undertaken in accordance with DfT TAG unit M3-1 (Highway Assignment Modelling).</p> <p>The resulting base year model was then used as the basis to prepare Do Minimum and Do Something forecasts in accordance with DfT TAG unit M4 (Forecasting and Uncertainty). The</p>

Winchester Friends of the Earth	Applicant Response
	<p>Do Minimum and Do Something models are then compared against each other to quantify the impacts of the Scheme against a range of criteria (flows, journey times, delays etc).</p>
<p>Item 3(i) – third bullet</p>	<p>SACTRA 1994 and more recently DfT’s ‘Latest Evidence on Induced Travel Demand: An Evidence Review’ recognise that induced traffic does exist, though its size and significance is likely to vary in different circumstances. The Variable Demand Model (VDM) used in the appraisal of the Scheme is capable of quantifying the possibility of induced traffic as a consequence of a scheme.</p> <p>The Scheme is not a road widening scheme, it is a junction improvement scheme.</p> <p>The information provided by in Appendix B of the Combined Modelling and Appraisal Report (7.10, Rev 1) demonstrates that the differences between the Do Minimum and DO Something do show additional trips, but they are in effect negligible as they represent less than 0.01% change.</p> <p>The overall level of travel demand changes over time (between 2027, 2043 and 2047) as demonstrated in Appendix B of the Combined Modelling and Appraisal Report (7.10, Rev 1) as a consequence of predicted changes in travel demand. This is calculated from a combination of data including DfT projections and Local Authority Planning data. The travel demand for each individual forecast year is consistent for both the Do Minimum and Do Something.</p>
<p>Item 3 (ii)</p>	<p>The Applicant has provided a further response regarding accident benefits within ExQ3 16.3.1 in the Applicant’s Response to Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Item 6 (i) – second bullet</p>	<p>PM2.5 is included within the cost-benefit calculation as explained in the Applicant’s response to ExQ2 16.2.7 within the Applicant Response to the Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026).</p> <p>The Scheme is predicted to lead to a decrease in population exposure to PM2.5 within the Study Area due to the predicted decrease in traffic through the more populated area of Winchester City centre.</p> <p>The electrification of vehicles will result in elimination of exhaust related particulate emission and whilst the weight of electric vehicles (EVs) may be heavier, this does not necessarily mean greater particulate emissions due to the use of regenerative braking and specific tyres. Research by Imperial College London in on brake wear particulate matter emissions indicates that regenerative braking on EVs could result in overall reductions in particulate emissions from brake wear, although tyre wear and road abrasion contributions are more directly influenced by vehicle weight (and speed and driving behaviour). Please see Appendix A (Quantifying the change of brake wear particulate matter emissions through powertrain electrification in passenger vehicles – Environmental Research Group, Imperial College London 2023) of Applicant Comments on Deadline 4 Submissions (8.18, REP5-030) for the full research paper.</p>

Winchester Friends of the Earth	Applicant Response
	<p>Please also refer to Section 2.15 (Winchester Friends of the Earth – Post hearings submissions including written summaries of oral cases 4) of Applicant Comments on Deadline 4 Submissions (8.20, REP5-030).</p>
<p>Item 6 (i) – third bullet</p>	<p>The assessment of potential effects from nitrogen deposition to designated sites, including those containing chalk grassland, is set out in Appendix 8.3 (Assessment of Operational Air Quality Impacts on Biodiversity) of the ES (6.3, Rev 1).</p> <p>The assessment of potential operational effects on designated habitats from vehicle exhaust emissions has been undertaken with regard to standard industry guidance, including:</p> <ul style="list-style-type: none"> ▪ Design Manual for Roads and Bridges (DMRB) LA105 Air Quality (Highways England, 2019) with particular reference to Figure 2.98 Assessment of significant effects on designated sites (see Plate 1 below) ▪ NEA001 Natural England’s approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (Natural England, June 2018) ▪ Assessing the effects of small increments of atmospheric nitrogen deposition (above the critical load) on semi-natural habitats of conservation importance. (Natural England Commissioned Reports, Number 210) ▪ Advice on Ecological Assessment of Air Quality Impacts (Chartered Institute of Ecology and Environmental Management, 2021) ▪ A guide to the assessment of air quality impacts on designated nature conservation sites – version 1.0 (Holman et al., 2020) (referred to as the Institute of Air Quality Management or ‘IAQM guidance’ within this technical note) <p>The assessment confirms that many sites currently receive high background levels of nitrogen deposition. The assessment also shows that, whilst there will be some small increases in nitrogen deposition from the Scheme, these are small, and typically most noticeable at the road edge. They are also below the level at which a theoretical reduction in species diversity might occur. For these reasons effects from changes in traffic emissions from the Scheme will be not significant. Accordingly, as effects to the sites assessed are not significant, no specific mitigation is required or provided. However, the provision by the Scheme of over 9ha of new chalk grassland to the east of the M3 within South Downs National Park will both increase the quantum of this resource in the local area and provide benefits to existing areas of chalk grassland through linking habitats.</p>
<p>Submission re 7.10 Modelling and Appraisal Report</p>	<p>The Applicant notes that there are comments in relation to the merits of Department of Transport’s modelling Transport Analysis Guidance (TAG) and national traffic forecasts, and therefore has no further comments.</p>

Winchester Friends of the Earth	Applicant Response
	The Applicant has provided a further response regarding accident benefits with respect to ExQ3 16.3.1 in the Applicant's Response to Examining Authority's Third Written Questions (ExQ3) (Document Reference 8.22) .

2.9 Winchester Friends of the Earth - Responses to any further information requested by the ExA for this deadline (Comments on Applicant's ISH2 + 3 summaries) (REP5-039)

Winchester Friends of the Earth	Applicant Response
Item 2(i) - fourth bullet	<p>The Applicant has undertaken the assessment of the agglomeration benefits in accordance with Department for Transport's Transport Analysis Guidance (TAG). Paragraph 5.7.12 of the Combined Modelling and Appraisal Report (7.10, Rev 1), notes:</p> <p><i>"A proportionate approach was taken in quantifying the agglomeration benefits based on consideration of the underlying transport model features and available data. This was based on considerations explained in the Economics Appraisal Package, TAG Unit A2.4 guidance (specifically Appendix C), and liaison with the WITA software developers. The geographic focus of the agglomeration calculations reflects where Winchester is one of the primary employment locations in the Enterprise M3 area and the Scheme is expected to boost productivity by removing congestion"</i></p> <p>Agglomeration benefits were therefore focused to and from Winchester. This does not include additional agglomeration benefits that could be attributed from the wider economic region – for example, with the inclusion of improved agglomeration benefits between Solent Ports and the Midlands/London. The assessment does not include this wider economic region, but it would likely result in greater economic benefits if it were to do so.</p>

2.10 Winchester Friends of the Earth - Responses to ExQ2 (Comments on ExA 2nd Questions) (REP5-040)

Winchester Friends of the Earth	Applicant Response
<p>Question Reference 2.2.1 WCC, NE, SDNPA (Page 1) -</p>	<p>The tolerance of grassland and other habitats to increases in nitrogen deposition relative to existing background levels is presented in Table 21 of <i>Natural England Commissioned Report NECR210 Assessing the effects of small increments of atmospheric nitrogen deposition (above the critical load) on semi-natural habitats of conservation importance</i>.</p>
<p>Question Reference Q6.2.17 (Page 2) -</p> <p>Following the Prime Minister’s recent U-turn, it is now apparent that the Government’s transport decarbonisation trajectory is no longer applicable to estimating the operational carbon consequences of the scheme, since it results in increased proportion of ICE vehicles relative to that previously assumed. We submit that this specific issue needs separate consideration within this inquiry and a revision of the Climate modelling documents and the cost-benefit assessment of the carbon emissions.</p>	<p>Please refer to the Applicant’s response to ExQ3 6.3.7 in the Applicant’s Response to Examining Authority’s Third Written Questions (ExQ3) (Document Reference 8.22).</p>
<p>Question Reference 16.2.5 (Page 4) -</p> <p>We reiterate that “Most Likely” estimate has to come with an error bar – i.e. risk factor that ought to figure in the cost-benefit. “Most likely” is a statistical term and relates to the known probability distributions of the factors that enter the calculation. The error bar on this estimate can be computed from those distributions. Optimism bias is an additional factor recognising that the Applicant, on average, distorts the “Most likely” calculations significantly downwards. Strictly in risk analysis, the error bar on “Most-likely” needs to be added (in the normal way of summing variances) to the average optimism bias for this sort of scheme.</p>	<p>The Applicant maintains its position with respect to optimism bias as set out in response to ExQ2 16.2.5 in the Applicant’s Response to Examining Authority’s Second Written Questions (8.17, REP5-026).</p>
<p>Question Reference 16.2.7 (Page 4) -</p> <p>Our understanding of the air quality benefit is that it arises from the supposed traffic reductions (actually the modelled traffic reductions from the increased traffic levels that are predicted for Do Minimum, but which can only be brought about by the scheme allowing such traffic growth in the corridor – see our other D5 submission) on the internal network of Winchester. Since we have demonstrated that no statistical significance can be given to those reductions the AQ economic benefit has to be regarded as illusory. Since traffic is induced by this scheme there will of course be AQ disbenefits elsewhere, particularly in the areas where new trips begin or end. These disbenefits are ignored by the Applicant.</p>	<p>Please refer to the Applicant’s response to ExQ2 16.2.7 in the Applicant’s Response to Examining Authority’s Second Written Questions (ExQ2) (8.17, REP5-026) for an explanation of how the changes in air quality have been monetised.</p> <p>The Study Area for the assessment includes the wider highway network where increased traffic flows are predicted by the model as well as Winchester City Centre where decreased traffic flows are predicted.</p>