

M3 Junction 9 Improvement Scheme

Scheme Number: TR010055

7.12.2 Statement of Common Ground with South Downs National Park Authority (Rev 1)

APFP Regulations 5(2)(q)

Planning Act 2008

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

Volume 7

16 November 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]

7.12.2 DRAFT STATEMENT OF COMMON GROUND WITH SOUTH DOWNS NATIONAL PARK AUTHORITY

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference:	TR010055
Application Document Reference:	7.12.2
BIM Document Reference:	HE551511-VFK-LSI-XXXX_XX-RP-ZL-40002
Author:	M3 Junction 9 Improvement Project Team, National Highways

Version	Date	Status of Version
Rev 0	27 October 2023	Deadline 6 Submission
Rev 1	16 November 2023	Post Deadline 8 Submission

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) South Downs National Park Authority

Signed..........
Thomas Beasley
Senior Project Manager
on behalf of National Highways
Date: 16 November 2023

Signed..........
Kelly Porter
Major Projects Lead
on behalf of South Downs National
Park Authority
Date: 16 November 2023

Contents

1 Introduction 1

 1.1 Purpose of this document 1

 1.2 Parties to this Statement of Common Ground..... 1

 1.3 Terminology 2

2 Record of Engagement..... 3

3 Issues 9

Tables

Table 2.1: Record of Engagement..... 3

Table 3.1: Summary Issues Table 9

Table 3.2: Issues Table 11

1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed M3 Junction 9 Improvement Scheme (the Scheme) made by National Highways Limited (National Highways) to the Secretary of State for Transport (Secretary of State) for a Development Consent Order (the Order) under section 37 of the Planning Act 2008 (as amended).
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All Application documents are available on the Planning Inspectorate website.
- 1.1.3 The SoCG is being produced with the intention to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) National Highways as the Applicant and (2) South Downs National Park Authority.
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain, and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations, including in respect of the Application, to be conferred upon or assumed by National Highways.
- 1.2.3 South Downs National Park Authority is a host authority (category B) and a statutory consultee for the Scheme.
- 1.2.4 As a host authority, South Downs National Park Authority will be engaged in all stages of the DCO process including:
- Liaising and sharing resources with other affected local authorities
 - Consultation on scoping of the environmental impact assessment
 - Participating in consultation as a statutory consultee
 - Submission of *an Adequacy of Consultation* representation
 - Evidence planning and preparation of *Statements of Common Ground*
 - Participation in the examination process

- Monitoring and enforcement of requirements once a DCO is made

1.2.5 The Government has provided two statutory purposes for National Parks in England. All public bodies and utility companies, when undertaking any activity which may have an impact on the designated area, have a duty to have regard to these purposes.

1.2.6 The Government also places a corresponding social and economic duty upon National Park Authorities themselves – to be considered when delivering the two purposes. This reciprocal arrangement is designed to ensure a high degree of mutual cooperation, avoiding the risk either that the needs of National Park residents and businesses will be ignored, or that others will ignore its designation when undertaking activities.

“Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.”

“Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.”

“Duty: To foster the social and economic wellbeing of the local communities within the National Park in pursuit of the purposes.”

1.3 Terminology

1.3.1 In the tables in **Section 3** of this SoCG:

- “Agreed” indicates areas of agreement
- “Provisionally agreed” indicates areas that are agreed in principle. Both parties expect the issues to be “agreed” shortly after the close of the Examination
- “Not agreed” indicates a final position for areas of disagreement where the resolution of divergent positions will not be possible, and parties agree on this point

1.3.2 It can be assumed that any matters not specifically referred to in **Section 3** of this SoCG are not of material interest or relevance to South Downs National Park Authority, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to South Downs National Park Authority.

2 Record of Engagement

2.1.1 A summary of the key meetings and correspondence that has taken place between National Highways and South Downs National Park Authority in relation to the Application is outlined in **Table 2.1** below.

Table 2.1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
6 August 2020	Meeting with South Downs National Park Authority	Project update meeting.
17 September 2020	Meeting with South Downs National Park Authority	Project introduction/update with host authorities.
9 October 2020	Meeting with South Downs National Park Authority	Communications meeting with host authorities. Key topics include: <ul style="list-style-type: none"> ▪ Scope of Comms Working Group ▪ Programme ▪ Revised 2021 Statement of Community Consultation (SoCC) / Strategy ▪ Scoping / environmental matters ▪ Forthcoming communications (elected representatives, the public, landowners)
25 November 2020	Meeting with South Downs National Park Authority	Cultural Heritage Workshop, key topics include: <ul style="list-style-type: none"> ▪ Introduction to Scheme ▪ Design ▪ Cultural Heritage Baseline ▪ Landscape and Visual Summary ▪ Mitigation Strategy ▪ Geophysics
07 December 2020	Email from South Downs National Park Authority to National Highways	Comments on the Draft 2021 SoCC and SoCC Explanatory Statement.
14 January 2021	Meeting with South Downs National Park Authority	Project update meeting with host authorities.
21 January 2021	Email from National Highways to South Downs National Park Authority	Type 4 Accurate Visual Representation and lighting assessment locations for review / comment.

Date	Form of correspondence	Key topics discussed and key outcomes
18 February 2021	Email from National Highways to South Downs National Park Authority	Project update on delay of consultation.
18 March 2021	Meeting with South Downs National Park Authority	Engagement Working group with host authorities, key topics include: <ul style="list-style-type: none"> 2021 SoCC Informal consultation Host authorities comments on draft SoCC Informal comments received by neighbouring authorities.
17 May 2021	Meeting	Project update meeting with host authorities.
20 May 2021	Email from National Highways to South Downs National Park Authority	Project update – Statutory Consultation dates –Stakeholder Briefing Session for Statutory Environmental Bodies (SEBs) to be held on 26 May 2021.
26 May 2021	Letter from National Highways to South Downs National Park Authority	Section 42 letter and Section 48 Notice – electronic link to the 2021 Preliminary Environment Information Report (PEIR) – PEIR Non-Technical Summary (NTS) – PEIR Appendices.
2 July 2021	Meeting with South Downs National Park Authority	All Walking Cycling and Horse-riding routes discussed.
7 July 2021	Letter from South Downs National Park Authority to National Highways	Formal Section 42 response.
16 July 2021	Meeting with South Downs National Park Authority	Easton Lane to Long Walk Walking Cycling and Horse-riding route discussed.
11 August 2021	Meeting with South Downs National Park Authority	Project update and Statutory Consultation, key topics include: <ul style="list-style-type: none"> Landscape design Biodiversity Landscape assessment Deposition areas Construction compounds Cycling routes Further engagement.
3 September 2021	Meeting with South Downs National Park Authority	Walkers, cyclists and horse-riders, key topics include: <ul style="list-style-type: none"> Project update

Date	Form of correspondence	Key topics discussed and key outcomes
		<ul style="list-style-type: none"> ▪ PRow/Bridleway/Cycleway Revised Proposal ▪ Links to other rights of way
22 September 2021	Meeting with South Downs National Park Authority	Project update and 2021 Statutory Consultation, key topics include: <ul style="list-style-type: none"> ▪ Project update – eastern side ▪ Project update – wider scheme / western side ▪ Construction compounds ▪ SoCG development
8 October 2021	Meeting with South Downs National Park Authority	Walkers, cyclists and horse-riders, key topics include: <ul style="list-style-type: none"> ▪ Scheme overview (Easton Lane to Long Walk and Winnall to Kings Worthy) ▪ Funding
22 October 2021	Meeting with South Downs National Park Authority	Site visit, visiting eastern slopes, area of proposed compound and drainage features on western side of the Scheme. Key topics of discussion included: <ul style="list-style-type: none"> ▪ Long Walk to Easton Lane Bridleway ▪ Infiltration features on eastern slopes ▪ Construction Compounds ▪ Tree / vegetation loss ▪ Drainage features design
5 November 2021	Meeting with South Downs National Park Authority	Walkers, Cyclists and Horse riders, key topics include: <ul style="list-style-type: none"> ▪ Scheme update ▪ Consultation summary ▪ Hampshire County Council and Winchester City Council engagement ▪ South Downs National Park Authority site visit
24 November 2021	Meeting with South Downs National Park Authority	Project update and Statutory Consultation, key topics include: <ul style="list-style-type: none"> ▪ Project Update ▪ Draft Outline Drainage Strategy ▪ Environmental Masterplan ▪ Outline Landscape and Ecological Management Plan ▪ Construction Compounds ▪ Preliminary Arboricultural Impact Assessment discussion and comments ▪ SoCG

Date	Form of correspondence	Key topics discussed and key outcomes
2 December 2021	Email from National Highways to South Downs National Park Authority	<p>Link to information requested at last project update meeting:</p> <ul style="list-style-type: none"> ▪ Preliminary Arboricultural Impact Assessment ▪ Outline Landscape and Ecological Management Plan ▪ Environmental Masterplan ▪ General Arrangement drawings ▪ Isopleth map ▪ Selected Cross Sections ▪ Long Sections ▪ Stage 3 Drainage Strategy Report
12 January 2022	Workshop with South Downs National Park Authority	<p>Workshop with host authorities, key topics include:</p> <ul style="list-style-type: none"> ▪ Proposed construction hours ▪ Traffic management during construction ▪ Road and footpath closures ▪ Section 278 for a new access compound ▪ Section 61 – noise assessment ▪ Maintenance requirements during construction.
23 February 2022	Meeting with South Downs National Park Authority	<p>Project update and Statutory Consultation, key topics include:</p> <ul style="list-style-type: none"> ▪ Project update ▪ Response to comments received 24 December 2021 ▪ General comments ▪ Landform – topography / characteristics ▪ Landform – new bridleway ▪ Landform – Section F the Walking, cycling and horse-riding (adjacent to A33) ▪ Layout – visible Downland ▪ Layout – Swales / Sustainable Drainage Systems (SuDS) ▪ Outline Landscape and Ecological Management Plan ▪ Access to and from the National Park ▪ SoCG status / timings.

Date	Form of correspondence	Key topics discussed and key outcomes
30 March 2022	Meeting with South Downs National Park Authority	Monthly project update meeting: <ul style="list-style-type: none"> Project update SoCG development
9 May 2022	Email from National Highways to South Downs National Park Authority	Project update - DCO submission delay
24 May 2022	Email from National Highways to South Downs National Park Authority	Landscape and Visual Impact Assessment (LVIA) - Consultation on Additional View Locations and Visualisation for review / comment.
25 May 2022	Meeting with South Downs National Park Authority	Monthly project update meeting: <ul style="list-style-type: none"> Project update Scheme without all lane running (ALR) changes Environmental Statement update Archaeology and Heritage update SoCG development
27 July 2022	Meeting with South Downs National Park Authority	Monthly project update meeting: <ul style="list-style-type: none"> Project update SoCG development
31 August 2022	Meeting with South Downs National Park Authority	Monthly project update meeting: <ul style="list-style-type: none"> Project update SoCG development
21 September 2022	Email from National Highways to South Downs National Park Authority	A project update was shared including letters to landowners, and slides from a recent Members Briefing.
26 October 2022	Meeting with South Downs National Park Authority	Monthly project update meeting: <ul style="list-style-type: none"> Project update SoCG development
25 November 2022	Email from National Highways to South Downs National Park Authority	Notification of DCO submission and informed of the expected process.
6 December 2022	Meeting with South Downs National Park Authority	Monthly project update meeting: <ul style="list-style-type: none"> Project update SoCG development
1 February 2023	Meeting with South Downs National Park Authority	Joint meeting with Winchester City Council to discuss items on the SoCG relating to Cultural Heritage.

Date	Form of correspondence	Key topics discussed and key outcomes
1 March 2023	Meeting with South Downs National Park Authority	Landscape meeting: <ul style="list-style-type: none"> ▪ DCO programme ▪ Landscape strategy and design principles ▪ Landform design strategy ▪ Planting and management strategy ▪ PROW strategy ▪ SoCG
3 March 2023	Meeting with South Downs National Park Authority	Meeting on the SoCG
2 June 2023	Meeting with South Downs National Park Authority	Site meeting with Walkers, Cyclists and Horse riders, key topics include: <ul style="list-style-type: none"> ▪ PROW diversions ▪ PROW design ▪ Maintenance
31 July 2023	Meeting with South Downs National Park Authority	Landscape meeting, key topics include: <ul style="list-style-type: none"> ▪ Design Principles ▪ Construction compound ▪ Land east of the M3 mainline ▪ PROWs ▪ Tranquillity ▪ Additional enhancements

2.1.2 It is agreed that this is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) National Highways and (2) South Downs National Park Authority in relation to the issues addressed in this SoCG.

3 Issues

Table 3.1: Summary Issues Table

Issue Topic		Status	Key matters 'not agreed'
Draft Development Consent Order			Drafting changes suggested by South Downs National Park Authority
Principle of development			Alternatives and Policy SD3
Chapter 5 Air Quality	Scope, methodology and baseline information		
	Mitigation, and residual effects and conclusions		
Chapter 6 Cultural Heritage	Scope, methodology and baseline information		
	Mitigation, and residual effects and conclusions		
Chapter 7 Landscape and Visual	Scope, methodology and baseline information		The central compound, extent of Chalk Grassland, changes to topography, proposed vegetation, effects at year 15
	Mitigation, and residual effects and conclusions		
Chapter 8 Biodiversity	Scope, methodology and baseline information		Chalk grassland management, habitat connectivity, further mitigation measures
	Mitigation, and residual effects and conclusions		
Chapter 9 Geology and Soils	Scope, methodology and baseline information		
	Mitigation, and residual effects and conclusions		
Chapter 10 Material Assets and Waste	Scope, methodology and baseline information		Reuse of spoil at St Catherine's Hill
	Mitigation, and residual effects and conclusions		
Chapter 11 Noise and Vibration	Scope, methodology and baseline information		Low noise surfacing
	Mitigation, and residual effects and conclusions		
Chapter 12	Scope, methodology and baseline information		Design standards, improvements to existing

Issue Topic		Status	Key matters 'not agreed'
Population and Human Health	Mitigation, and residual effects and conclusions		PRoW, negative impacts to PRoW
Chapter 13 Road Drainage and the Water Environment	Scope, methodology and baseline information		Further biodiversity enhancements, appearance of drainage features, nitrate neutrality
	Mitigation, and residual effects and conclusions		
Chapter 15 Cumulative Effects	Scope and methodology		Insufficient mitigation effecting residential amenity
	Mitigation and monitoring, and conclusions		
Traffic and Transport	Transport Assessment		The Cart and Horses junction
	Traffic Management Plan		Workers Travel Plan, PRoW diversions

Table 3.2: Issues Table

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
1. Draft Development Consent Order						
1.1	Articles Part 4, 34 (Temporary use of land for carrying out the authorised development)	draft Development Consent Order (3.1, Rev 5)	<p>15 June 2023</p> <p>As set out in paragraph 6.45 of our Local Impact Report (REP2-071). The SDNPA has suggested further changes to the DCO Requirements:</p> <p>These are rather arbitrary powers that conflict with the assurances and commitments given elsewhere in the development proposal (for example around the retention of vegetation). It is unclear why these powers would be required when the applicant has already assessed the vegetation it needs to remove within the Order limits and has made provision for a sizeable temporary construction compound.</p> <p>3 August 2023</p> <p>The South Downs National Park Authority suggest the following change:</p> <p>"34.—(1) The undertaker may, in connection with <i>where necessary for</i> the carrying out of the authorised development, but subject to article 26(2) (time limit for exercise of authority to acquire land compulsorily) <i>and the Requirements of Schedule 2—</i>"</p>	<p>22 September 2023</p> <p>Please see National Highways response to ExQ2 9.2.9 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026).</p>	Not agreed	25 October 2023
1.2	Articles Part 6, 39 and 40 (Felling or lopping of trees and removal of hedgerows, and Trees subject to tree preservation orders)	draft Development Consent Order (3.1, Rev 4)	<p>15 June 2023</p> <p>As set out in paragraph 6.45 of our Local Impact Report (REP2-071). The SDNPA has suggested further changes to the DCO Requirements:</p> <p>This gives the applicant the ability to lop or fell any tree within or overhanging the Order limits. It also gives the applicant the ability to remove any hedgerows within the Order limits. This is a blanket power without any real constraint on its use. Given the rather arbitrary nature of this power it makes it difficult to understand and assess the actual tree and hedgerow loss associated with the development.</p> <p>3 August 2023</p>	<p>22 September 2023</p> <p>Please see National Highways response to ExQ2 9.2.10 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026). At Deadline 5, the draft Development Consent Order (3.1, Rev 4) was amended to:</p> <p>"(4) The undertaker may for the purposes of carrying out the authorised development but subject to paragraph (2) remove any hedgerow <i>provided that the hedgerow is</i> described in Schedule 8 (removal of hedgerows)."</p>	Agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			The South Downs National Park Authority suggests the following change: “(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), <i>but not remove any hedgerow not described in Schedule 8.</i> ”			
1.3	Articles Part 7, 44 (Defence to proceedings in respect of statutory nuisance)	draft Development Consent Order (3.1, Rev 5)	15 June 2023 As set out in paragraph 6.45 of our Local Impact Report (REP2-071). The SDNPA has suggested further changes to the DCO Requirements: A statutory nuisance by its very definition is harmful. We do not consider that a defence against this should be written into the DCO. Rather the emphasis should be on managing and controlling such matters so as to ensure that a statutory nuisance does not arise.	17 July 2023 Please see National Highways position in Applicant comments on Local Impact Reports (8.9, REP3-023) .	Not agreed	25 October 2023
1.4	Requirements Schedule 2, Part 1, 4 (Details of construction)	draft Development Consent Order (3.1, Rev 5)	15 June 2023 As set out in paragraph 6.45 of our Local Impact Report (REP2-071). The SDNPA has suggested further changes to the DCO Requirements: 4(3) should be amended to delete ‘ <i>taking into account consideration including, but not limited to, cost and engineering practicality</i> ’. The requirement provides the applicant with sufficient flexibility without this additional wording.	22 September 2023 Please see National Highways response to ExQ2 9.2.14 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) .	Not agreed	25 October 2023
1.5	Requirements Schedule 2, Part 1, 5 (Landscape)	draft Development Consent Order (3.1, Rev 5)	3 August 2023 The South Downs National Park Authority suggests the following change: (3) The landscaping scheme prepared under sub-paragraph (1) must include details of hard and soft landscaping works, including— (a) location, number, species, size, <i>timing</i> , and planting density of any proposed planting, <i>including advanced planting</i> ; (b) cultivation, importing of materials and other operations to ensure plant establishment; (c) proposed finished ground levels;	15 June 2023 Fencing is secured through Requirement 7 of the draft Development Consent Order (3.1, Rev 3) . 22 September 2023 Please see National Highways response to ExQ2 9.2.15 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) . At Deadline 5, the draft Development Consent Order (3.1, Rev 4) was amended.	Not agreed	14 November 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>(d) hard surfacing materials;</p> <p>(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</p> <p>(f) implementation and maintenance timetables for all landscaping works.</p> <p>(g) <i>[as set out in ExA Q9.1.47 – should including fencing and walls etc]</i></p> <p>3 November 2023</p> <p>See SDNPA's D7 submission, we support the ExA preferred wording. Whilst the SDNPA appreciates and fully understands structural and safety concerns raised this is not a valid reason to include this specific exemption. Fencing and walls can provide a 'dual' purpose and the applicant could use some of these features to improve the overall design of the scheme and provide opportunities for landscape and biodiversity enhancements.</p>	<p>27 October 2023</p> <p>At Deadline 6, National Highways propose to amend the draft Development Consent Order (3.1, Rev 5) as follows:</p> <p><i>(3)(g) landscaping works associated with the provision of any fences and walls which do not serve a structural or safety purpose for a highway.</i></p>		
1.6	<p>Requirements</p> <p>Schedule 2, Part 1, 6 (Implementation and maintenance of landscaping)</p>	<p>draft Development Consent Order (3.1, Rev 5)</p>	<p>3 August 2023</p> <p>The South Downs National Park Authority suggests the following change:</p> <p>(3) Any tree or shrub, <i>or other element</i> planted as part of the landscaping scheme that, within a period of 5 10 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>22 September 2023</p> <p>Please see National Highways response to ExQ2 9.2.16 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026). At Deadline 5, the draft Development Consent Order (3.1, Rev 4) was amended to reference chalk grassland.</p>	Not agreed	25 October 2023
1.7	<p>Requirements</p> <p>Schedule 2, Part 1, 9 (Archaeology) Archive deposition</p>	<p>draft Development Consent Order (3.1, Rev 4)</p>	<p>15 June 2023</p> <p>As set out in paragraph 6.27 of our Local Impact Report (REP2-071). Further details are required on the detailed mitigation package relating to archive deposition (para. 5.1.1 Archaeology and Heritage Outline Mitigation Strategy; draft DCO Requirement 9 (6)). The SDNPA is concerned that given the lack of space currently affecting collecting capacity of archaeological archiving repositories across the South East suitable provision needs to be secured by the applicant. There should also be appropriate</p>	<p>17 July 2023</p> <p>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. Currently, Requirement 9(6) of the draft Development Consent Order (3.1, Rev 3) sets out that suitable resources will be allocated.</p> <p>22 September 2023</p> <p>The following changes were submitted at Deadline 5:</p>	Agreed	17 August 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			financial recompense built into the archiving process, given major infrastructure projects of this kind often have a significant impact on archaeological archive stores, many of which are publicly funded. The SDNPA considers that an appropriate S106 planning obligation is required to mitigate the harm.	"(6) On completion of the authorised development, suitable resources and provisions for long term storage of the archaeological archive will be <i>agreed discussed</i> with the City Archaeologist."		
1.8	Requirements Schedule 2, Part 1, 14 (Noise mitigation)	draft Development Consent Order (3.1, Rev 4)	3 August 2023 The change at Deadline 3 (REP3-005) again 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 you are not going to change the overall reference to 'relevant planning authority' then 14(1) needs to be amended again to explicitly refer to the SDNPA as well as WCC.	22 September 2023 Please see National Highways response to ExQ2 9.2.22 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) . At Deadline 5, the draft Development Consent Order (3.1, Rev 4) was amended.	Agreed	25 October 2023
1.9	Requirements The suggested Requirement is not currently included within Schedule 2 Stages of Authorised Development	draft Development Consent Order (3.1, Rev 5) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	15 June 2023 As set out in paragraph 6.45 of our Local Impact Report (REP2-071). The SDNPA has suggested further changes to the DCO Requirements: The SDNPA considers the DCO should include the following requirement, 'The authorised development may not commence until a written scheme setting out all stages of the authorised development including a phasing plan indicating when each stage will be constructed has been submitted to each relevant planning authority'. The DCO should be explicit about the stages / phasing plan. 3 August 2023 Whilst we acknowledge the intention to deliver the scheme as a continuous build out, the actual works will not happen in that way (for example the construction compound will come first and that includes some advanced planting?) and that is why we suggested the need for phasing plan. This would also help with the timing and understanding of when information will be provided for approval. For example, in the DCO, under Requirement 5 Landscaping, the current wording refers to 'written landscaping scheme for that part'. That is why we	22 September 2023 Please see National Highways response to ExQ2 9.2.24 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) .	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			suggested another DCO Requirement for the submission of a Phasing Plan.			
1.10	Requirements Walking, cycling and horse-riding	draft Development Consent Order (3.1, Rev 5) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	<p>15 June 2023</p> <p>The DCO Requirements should set out the minimum widths of all the proposed footpaths / cycleways / bridleways including the subways – the applicant has been asked to clarify where the subway routes will be segregated or unsegregated as this could have an impact on the minimum width. In addition, the DCO Requirements should clearly state the legal status (such as clarity around whether they are footpaths, restricted byways or bridleways for example) of the completed works / routes (to ensure legal requirements and future management / maintenance requirements are clear).</p> <p>The SDNPA reserves the right to make further comments when the applicant provides further information and should the DCO Requirements be amended, as currently various application documents refer to 'minimum standards' but these are not often what would be expected as 'best practice' (for example LTN 1/20 at 5.3 refers to ideal headroom's at underbridges and subways and 5.5 refers to cycle lane widths due to physical constraints such as vertical features).</p>	<p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9 – REP3-023), response to paragraph 6.34 (a) of South Downs National Park Authority's LIR (REP2-071).</p>	Not agreed	25 October 2023
2. Principle of development						
2.1	Assessment of alternatives Requirements of the <i>National Policy Statement for National Networks (NPS NN)</i> Requirement 4.26 of the <i>NPS NN</i> states that alternatives for a proposed project should be studied. Requirement 4.27 of the <i>NPS NN</i> outlines that 'all projects should be subject to an options appraisal'.	South Downs National Park Authority's Local Impact Report (LIR) (REP2-071) and Written Representation (REP2-075)	<p>15 June 2023</p> <p>See paragraphs 6.1 – 6.9 and 6.32 of our Local Impact Report (REP2-071) and 3.1 – 3.1.13 and 3.2.1 of our Written Representation (REP2-075).</p>	<p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraphs 6.1 – 6.9 and 6.32 of South Downs National Park Authority's LIR (REP2-071).</p>	Not agreed	21 July 2023
2.2	Policy SD3 of the South Downs Local Plan (2019)	Case for the Scheme (7.1, Rev 1), the ES (6.1-6.3, APP-042 –	15 June 2023	<p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-</p>	Not agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	<p>The potential for significant adverse impact on the South Downs National Park</p> <p>The Scheme should demonstrate that the development is the interest of the public. The need for the development, the cost of the development and any detrimental effects should be assessed.</p> <p>All opportunities to conserve and enhance the special qualities of the South Downs National Park should be sought.</p>	APP-153), South Downs National Park Authority's Local Impact Report (LIR) (REP2-071) and Written Representation (REP2-075)	See paragraphs 6.10 – 6.14 of our Local Impact Report (REP2-071) and 3.1.14 – 3.1.25 of our Written Representation (REP2-075).	023), response to paragraphs 6.10 – 6.14 of South Downs National Park Authority's LIR (REP2-071), and in sections REP02-075d and REP02-075e in Applicant Comments on Written Representations (8.8, REP3-022) .		
2.3	<p>Compliance with NPS NN paragraph 5.153</p> <p>High environmental standards and enhancement measures</p>	Written Representation (REP2-075), NPS NN Accordance Table (7.2, Rev 2)	<p>15 June 2023</p> <p>As set out in paragraph 3.1.22 of our Written Representation, 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 – there is currently insufficient mitigation and failure to achieve significant landscape enhancements. Including insufficient consideration has been given to how the scheme could contribute to '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 C of our LIR.</p>	<p>As noted in NPS NN Accordance Table (7.2, Rev 2), the Scheme design incorporates a range of design features and environmental mitigation measures that have been developed to reduce adverse environmental effects. National Highways has designed measures into the Scheme to enhance other aspects of the environment. These include: ecological enhancements through habitat creation and wildlife fencing, including the creation of priority chalk grassland habitat within the South Downs National Park; improvements to the existing road drainage system; and increased accessibility via the new walking, cycling and horse-riding routes.</p> <p>17 July 2023</p> <p>Please refer to section REP02-075e in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position on Appendix C of South Downs National Park Authority's LIR (REP2-071).</p>	Not agreed	21 July 2023
2.4	<p>Application Boundary</p> <p>Chalk grassland and farmland interface</p> <p>Cart and Horses junction</p>	Figure 2.3 (Environmental Masterplan) in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1), South Downs National	<p>15 June 2023</p> <p>See paragraphs 6.14(e) and 6.32 of our Local Impact Report (REP2-071) and 3.1.17(e) and 3.2.1(a) of our Written Representation (REP2-075), which highlight two issues:</p> <ul style="list-style-type: none"> Chalk grassland and farmland interface The exclusion of the Cart and Horses Junction 	<p>Assurance of mitigation and compensation would be secured through the DCO with reference to Figure 2.3 (Environmental Masterplan) in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1).</p> <p>The Cart and Horses junction is outside the Application Boundary and no work is proposed to the junction as part of the Scheme.</p>	Not agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
		Park Authority's Local Impact Report (LIR) (REP2-071) and Written Representation (REP2-075) and Applicant responses to Written Questions (8.5, REP2-051)		17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.14(e) of South Downs National Park Authority's LIR (REP2-071). National Highways' position with respect to the Cart and Horses junction is outlined in Appendix A of the Applicant responses to Written Questions (8.5, REP2-051) .		
Environmental Statement						
3. Chapter 5 Air Quality						
3.1	Scope of Assessment, methodology and baseline information	Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 2) , South Downs National Park Authority's Local Impact Report (LIR) (REP2-071) and Written Representation (REP2-075)	15 June 2023 As set out in paragraph 6.37 of our Local Impact Report (REP2-071). The SDNPA notes the conclusions of the applicant's Environment Statement (Chapter 5 (Air Quality) of the ES (6.1, APP-046)) that the proposal during the operational phase is not predicted to result in a significant effect on air quality and that there will be short term impacts to residential properties during the construction phase. 22 September 2023 The SDNPA supports Natural England in its position as this relates to the sensitivity of Chalk Grassland and our on-going concerns regarding such mitigation measures are well managed to ensure their long-term success.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.37 of South Downs National Park Authority's LIR (REP2-071). 10 November 2023 National Highways has addressed Natural England's comments. At Deadline 8, National Highways and Natural England submitted a signed, final SoCG with not matters outstanding. Please see Statement of Common Ground with Natural England (7.12.5, Rev 1) .	Provisionally agreed	15 November 2023
3.2	Mitigation Section 5.8 of Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 2) outlines the essential mitigation during construction.	Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 2) and First Iteration Environmental Management Plan (fiEMP) (7.3, Rev 3) , South Downs National Park Authority's Local Impact Report (LIR) (REP2-071) and	22 September 2023 The SDNPA supports Natural England in its position as this relates to the sensitivity of Chalk Grassland and our on-going concerns regarding such mitigation measures are well managed to ensure their long-term success.	10 November 2023 National Highways has addressed Natural England's comments. At Deadline 8, National Highways and Natural England submitted a signed, final SoCG with not matters outstanding. Please see Statement of Common Ground with Natural England (7.12.5, Rev 1) .	Provisionally agreed	15 November 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
		Written Representation (REP2-075)				
3.3	Residual effects and conclusions Section 5.9 of Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 2) outlines the essential the residual effects of the Scheme following mitigation.	Chapter 5 (Air Quality) of the Environmental Statement (ES) (6.1, Rev 2), South Downs National Park Authority's Local Impact Report (LIR) (REP2-071) and Written Representation (REP2-075)	22 September 2023 The SDNPA supports Natural England in its position as this relates to the sensitivity of Chalk Grassland and our on-going concerns regarding such mitigation measures are well managed to ensure their long-term success.	10 November 2023 National Highways has addressed Natural England's comments. At Deadline 8, National Highways and Natural England submitted a signed, final SoCG with not matters outstanding. Please see Statement of Common Ground with Natural England (7.12.5, Rev 1) .	Provisionally agreed	15 November 2023
4. Chapter 6 Cultural Heritage						
4.1	Scope of Assessment, methodology and baseline information Inclusion of important hedgerows within the Environmental Statement assessment. Study area for designated and non-designated assets.	Chapter 6 (Cultural Heritage) of the Environmental Statement (ES) (6.1, APP-047)	The South Downs National Park Authority agrees with the scope of the assessment, methodology and baseline information.	The scope of the assessment has been agreed with the South Downs National Park Authority.	Agreed	3 March 2023
4.2	Mitigation Geophysical survey work	Appendix 6.6 (Archaeological Trial Trench Evaluation Report) of the ES (6.3, APP-094) and Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1)	Further trial trenching could be undertaken as part of a staged mitigation programme following the granting of any Development Consent Order.	A trial trench evaluation in Appendix 6.6 (Archaeological Trial Trench Evaluation Report) of the ES (6.3, APP-094) has been carried out as part of the assessment on suitable areas not covered during previous work. These have been used to formulate an Archaeology and Heritage Outline Mitigation Strategy in consultation with the Winchester City Council and South Downs National Park Authority's Archaeologist in Appendix 6.7 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) .	Agreed	3 March 2023
4.3	Mitigation Mitigation approach Scheme wide considerations Ground investigation works	Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1)	The broad mitigation approach outlined in this document accords with previous discussions undertaken with National Highway's Archaeological Consultant (Stantec), as indicated in para. 2.1.2.	The mitigation approach is agreed with the South Downs National Park Authority. The contents of Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) are	Agreed	3 March 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	Main works area			agreed with the South Downs National Park Authority, accept where listed below.		
4.4	Mitigation Section 5 of Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) outlines additional opportunities.	Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) , First Iteration Environmental Management Plan (fiEMP) (7.3, Rev 3) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	<p>The OMS should include requirements for outreach and engagement during the archaeological work (onsite and post-excavation) and this should also be detailed within the ES. Para. 5.1.1 – it would be helpful to understand more about the archiving options and the detailed mitigation package referred to, so that South Downs National Park Authority can be sure that the final project archive is suitably housed and made publicly available.</p> <p>15 June 2023</p> <p>As set out in paragraph 6.27 of our Local Impact Report (REP2-071). Although archaeological outreach and public engagement related to pre-construction / construction phase archaeological mitigation work and at the operational phase (e.g. information panels / use of digital technology / heritage trails) is referenced in the First Iteration Environmental Management Plan (Enhancement – Cultural Heritage - EH1), this is not explicitly linked to any draft DCO Requirement. It is suggested that this element of archaeological mitigation and enhancement is more explicitly covered in the Archaeology and Heritage Outline Mitigation Strategy (and subsequently in more detail in the future final Archaeology and Heritage Mitigation Strategy / Written Scheme of Investigation) and thus is linked to draft DCO Requirement 9.</p>	<p>17 July 2023</p> <p>At Deadline 3, Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) was updated to address the South Downs National Park Authority comment about exploring opportunities further during detailed design.</p>	Agreed	25 October 2023
4.5	Mitigation Consultation	First Iteration Environmental Management Plan (fiEMP) (7.3, Rev 3) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	<p>15 June 2023</p> <p>As set out in paragraph 6.27 of our Local Impact Report (REP2-071). The South Downs National Park Authority request that the DCO Requirements and First Iteration Environmental Management Plan are explicit that any consultation with the 'City Archaeologist' also references consultation with the SDNPA's archaeologist / advisor as well (where relevant) to avoid any confusion in the future.</p>	<p>31 July 2023</p> <p>The first iteration Environmental Management Plan (fiEMP) (7.3, Rev 3) has been updated to include the South Downs National Park Authority as well as the City Archaeologist on Cultural Heritage matters.</p> <p>At Deadline 3, Requirement 9 of the draft Development Consent Order (3.3, Rev 3) was updated to include the South Downs National Park Authority as a consultee where relevant.</p>	Agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
4.6	Mitigation Areas of cut and fill	Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	15 June 2023 As set out in paragraph 6.27 of our Local Impact Report (REP2-071). Section 3.3 of Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, APP-096) confirms that areas of both cut and fill will be subject to archaeological mitigation where existing overburden to be removed / a strip is required. All areas of fill (including those where any overburden is not to be removed / the area striped) may result in compression effects to archaeological remains and so should be subject strip, map and excavation mitigation.	17 July 2023 At Deadline 3, Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) was updated to address the South Downs National Park Authority comment on strip, map and excavation mitigation.	Agreed	25 October 2023
4.7	Mitigation Archaeology consideration in the Soil Management Plan	Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) , First Iteration Environmental Management Plan (fiEMP) (7.3, Rev 3) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	15 June 2023 As set out in paragraph 6.27 of our Local Impact Report (REP2-071). The First Iteration Environmental Management Plan (and subsequent iterations) should ensure archaeology is considered in the Soil Management Plan.	17 July 2023 At Deadline 3, Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) was updated to address the South Downs National Park Authority comment on this matter.	Agreed	25 October 2023
4.8	Mitigation On-site interpretation and digital interpretation	Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) and South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	15 June 2023 As set out in paragraph 6.27 of our Local Impact Report (REP2-071). Strategies for on-site interpretation and digital interpretation should be agreed between all relevant parties, including the SDNPA, Winchester City Council, National Highways and their consultants and potentially also Historic England.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.27(c) of South Downs National Park Authority's LIR (REP2-071). Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) was updated at Deadline 3.	Agreed	25 October 2023
4.9	Residual effects and conclusions Section 6.9 of Chapter 6 (Cultural Heritage) of the Environmental Statement (ES) (6.1, APP-047) outlines the essential the residual	Chapter 6 (Cultural Heritage) of the Environmental Statement (ES) (6.1, APP-047)	15 June 2023 As set out in paragraphs 6.25 – 6.26 of our Local Impact Report (REP2-071), notwithstanding the comments above regarding landscape impacts (and in particular the loss of historic field patterns), the	The residual effects and conclusions have been agreed with South Downs National Park Authority.	Agreed	3 March 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	effects of the Scheme following mitigation.		<p>South Downs National Park Authority agrees with the conclusions of the applicant's Environment Statement (Chapter 6 Cultural Heritage – application document APP-047)) on the issue of cultural heritage including archaeology. Although permanent adverse impacts to buried archaeological assets will occur, these can, in this case, be satisfactorily mitigated.</p> <p>The South Downs National Park Authority is generally satisfied that the DCO Requirements (application document APP-019) and First Iteration Environmental Management Plan (application document APP-156) complies with SDLP Policies SD12 and SD16.</p>			
5. Chapter 7 Landscape and Visual						
5.1	<p>Legislative, policy framework and guidance</p> <p>Section 7.3 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) outlines the which current legislation, national, regional and local plans and policies have been considered in the assessment.</p>	Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1)	<p>8 April 2022</p> <p>DMRB LA107 is the standard for the Assessment methodology referring to and using the guidance from GLVIA 3, ELC 2000 and various relevant technical notes as set out in the intro to LA107 and including TGN 02/21 (Assessing landscape Value) which is not referred to in LA107.</p>	<p>The landscape and visual assessment has been carried out in accordance with:</p> <ul style="list-style-type: none"> European Landscape Convention 2000 (signed by the UK government in 2006) Design Manual for Roads and Bridges (DMRB) LA 107 Landscape and visual effects (Highways England 2020) Guidelines for Landscape and Visual Impact Assessment Revision 3 (Landscape Institute and Institute of Environmental Management and Assessment, 2013) (GLVIA3) GLVIA3 Statement of Clarification 1/13 (Landscape Institute, 2013) Technical Guidance Note 02/21: Assessing landscape value outside national designations (Landscape Institute, 2021) Hedgerow Regulations 1997 	Agreed	26 October 2023
5.2	<p>Scope of Assessment</p> <p>Section 7.4 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) outlines the scope of the assessment. An evaluation of the character, features and designations</p>	Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1)		The scope of the assessment is agreed with the South Downs National Park Authority.	Agreed	26 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	is made to identify the landscape qualities, values and sensitivities, which could potentially be affected by the Scheme.					
5.3	Assessment methodology Lighting, including Dark Night Skies	Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1), Appendix 7.7 (Technical Note Lighting Assessment of Gantry Signage) of the ES (6.3, APP-103)	<p>15 June 2023</p> <p>As set out in Paragraph 6.23 of our Local Impact Report (REP2-071). The SDNPA welcomes the general approach by the applicant to avoid and minimise the impacts of lighting and the statement, including the commitments in the First Iteration Environmental Management Plan (application document APP-156), that lighting would be designed in consultation with the SDNPA and in accordance with the SDNPA's Dark Skies Technical Advice Note Version 2 (May 2021), which accompanies Policy SD8.</p> <p>However, we do have concerns over the assessment – due to the issues with the visualisations, set out above and this in turn could have an impact on the lighting assessment and mitigation measures.</p>	<p>17 July 2023</p> <p>Following discussion at Issue Specific Hearing 1 (ISH1), National Highways updated Figure 7.14 of Chapter 7 (Landscape and Visual – Figures) (Part 3 of 3) (6.2, Rev 1).</p>	Not agreed	25 October 2023
5.4	Assessment methodology Design Principles	Design Principles Report (8.18, Rev 1)	<p>7 July 2021</p> <p>DMRB LD 117 Landscape Design Standards for Highways (National Highways, 2020), sets out in Point 2.4 (Section 2 Principles and Purpose) 'A project's design strategy shall establish a landscape strategy (design vision) and/or a set of defined landscape objectives for the project early on in the development of motorway and all-purpose trunk road projects as an essential part of the design process'.</p> <p>15 June 2023</p> <p>As set out in paragraphs 3.1.20 – 3.1.21 of our Written Representation (REP2-075).</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</p>	<p>17 July 2023</p> <p>Please refer to section REP02-075d in Applicant Comments on Written Representations (8.8, REP3-022).</p> <p>22 September 2023</p> <p>Please see National Highways response to ExQ2 9.2.24 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026).</p> <p>6 November 2023</p> <p>National Highways notes South Downs National Park Authority's response to ExQ3 1.3.3 in REP6-034. The Design Principles Report (8.18, Rev 1) will be updated at Deadline 8.</p> <p>10 November 2023</p> <p>The purpose of the Design Principles Report (8.18, Rev 1) is to set out the principles that are to be incorporated into the detailed design of the Scheme,</p>	Not agreed	10 November 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>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> <p>3 November 2023</p> <p>The SDNPA has already responded to the submitted Design Principles Report (see our response at Deadline 6 – REP6-034). However, we also support Winchester City Council comments (set out in REP6-036) that further iterations of the Design Principles Report should be made a specific requirement of the DCO and that a final version should be agreed with Winchester City Council, Hampshire County Council and the SDNPA prior to the detailed design stage and any development commencing on site.</p>	<p>that will be considered under Requirement 12 of the draft Development Consent Order (3.1, Rev 6), for which South Downs National Park Authority is a consultee.</p> <p>National Highways does not consider it necessary to include an additional requirement.</p>		
5.5	<p>Assessment methodology</p> <p>Assessing landscape and visual effects for winter at year 15</p>	<p>Landscape Review (REP3-028), Applicant written summaries of oral case at ISH1 (8.13, REP4-034)</p>	<p>15 June 2023</p> <p>There is no explanation as to how the incursion and expansion of the motorway landscape into the SDNP, which will result in the erosion of intrinsic characteristics such as the downland topography and the loss of trees that cannot be replaced, could be reduced to negligible. We consider there would be a significant residual and permanent adverse effect on the SDNP. The failure to assess landscape and visual effects for winter at year 15 has also resulted in an underestimation of the effects. Winter effects are as important as summer effects as they last for about half the year and there is no justification for excluding them.</p>	<p>Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) and associated appendices includes an assessment of the South Downs National Park as a receptor with consideration given to the special qualities and the resulting impact from these from the Scheme including the modified junction and new link roads within the South Downs National Park. Furthermore, consideration is given to the character and the features of the South Downs National Park and the effect on these as a result of the Scheme.</p> <p>National Highway's methodology is in accordance with Design Manual for Roads and Bridges (DMRB) LA107 Landscape and visual effects (Highways England, 2020) which is clear that assessment</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
				<p>should be done against a Winter Year 1 scenario and a Summer Year 15 scenario. This assesses the worst-case scenario. At Issue Specific Hearing 1 (ISH1), National Highways confirmed that it would consider whether it was possible to provide a visualisation for Winter Year 15.</p> <p>18 August 2023</p> <p>At Deadline 4, National Highways submitted winter Year 15 visualisations in Appendix B of Applicant written summaries of oral case at ISH1 (8.13, REP4-034).</p>		
5.6	<p>Baseline information</p> <p>Section 7.6 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) outlines that the Scheme and study area lies within three of the landscape character areas (LCAs) identified in the <i>South Downs Landscape Character Assessment (South Downs National Park Authority, 2020)</i>.</p>	<p>Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1)</p>	<p>15 June 2023</p> <p>The SDNPA agrees with the LVIA, that the South Downs National Park has very high sensitivity to the changes proposed. We also agree that the proposals would result in significant adverse effects on the landscape of the SDNP during construction and Year 1 of operation.</p>	<p>Sensitivity of receptors is stated in Table 7.15 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1).</p>	Agreed	21 July 2023
5.7	<p>Baseline information</p> <p>25 View Locations (VLs) have been identified for the analysis of effects on visual amenity.</p>	<p>Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1)</p>	<p>Please refer to Table 7.1 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1).</p>	<p>Please refer to Table 7.1 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1).</p>	Agreed	6 December 2022
5.8	<p>Mitigation</p> <p>Section 7.8 of Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1) outlines the embedded and essential mitigation, and enhancement.</p>	<p>Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1), the first iteration Environment Management Plan (fiEMP) (7.3, Rev 6), Appendix 7.6 (OLEMP) of the ES (6.3, APP-102), Figure</p>	<p>7 July 2021</p> <p>The site is within and on the side of a river valley, the valley floor is typically a wooded pastoral mosaic floodplain, with the valley sides more open and intensively arable farmed, some pasture and woodland further east. This would suggest that the Scheme would be best located within woodland as a strategic approach with refinements and Chalk Grassland reversion to create a second tier of mitigation within the outer / higher elevation areas of the Scheme.</p>	<p>Woodland has been prioritised within the valley floor and sides with chalk grassland creation prioritised on the open downland landscape. Areas of grassland are proposed within the valley floor for visibility splays, maintained and utility easements. Low nutrient grassland with chalk grassland is proposed as the most suitable grassland type in this location and application.</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
5.9		2.3 (Environmental Masterplan) of Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1) , the Design and Access Statement (7.9, APP-162)	24 December 2021 The OLEMP references habitat restoration or replanting having to reflect extant Landscape Character, however, the South Downs National Park Authority requests reference to local assessments and typologies, and further commitment to the special qualities of the National Park.	23 February 2022 The Design and Access Statement (7.9, APP-162) explores these points further, however further detail has been provided within the OLEMP referencing to the landscape character and special qualities of the South Downs National Park.	Not agreed	25 October 2023
5.10			24 December 2021 A review of the species list should be carried out to take into account climate change impacts.	23 February 2022 The OLEMP provides recommendations on the indicative species list, the suggested mix responding to local character but recognising risks from climate change. The final selection will aim to provide resilience through diversity. Requirement 5 of the draft Development Consent Order (3.1, Rev 5) will require the detailed landscape proposals to set out planting proposals and species selection in further detail prior to construction. The National Park would have the opportunity to comment further on species selection at this time.	Not agreed	25 October 2023
5.11			24 December 2021 The proportion of 80% transplants for larger plantations is too high. 15 June 2023 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.	23 February 2022 National Highways acknowledges the reason for the request however consider the current proposals to be sufficient and robust in terms of meeting the mitigation requirement. Proposed advance planting will aid tree establishment. A greater provision of larger nursery stock in particular areas of the Scheme where more immediate impact would be beneficial could be explored during detailed design. 17 July 2023 Appendix E (Position Paper – Soft Landscaping Specification) of Applicant Comments on Local Impact Reports (8.9, REP3-023) outlines the rationale for the selected planting stock sizes.	Not agreed	25 October 2023
5.12			24 December 2021 The OLEMP should set out how yearly inspections and replanting will be undertaken. Failed plantings should be replaced every year and documented. 22 September 2023	23 February 2022 The DCO will provide detail on replacement planting requirements. Requirement 6 will ensure failed planting is replaced in the next available planting season.	Not agreed	14 November 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>SDNPA's D5 submission set out our suggested wording for LV22- <i>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 five years, followed by annual twice yearly inspections in the following three years after seeding/planting.</i></p> <p>26 October 2023</p> <p>SDNPA's D6 submission (in response to Q12.3.10) sets out our concerns and reiterates our suggested change to LV22.</p>	<p>6 November 2023</p> <p>Please see National Highways response to ExQ3 12.3.9 within the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (8.22, REP6-023). Entry LV22 in the REAC (Table 3.2) within the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 6) was updated.</p>		
5.13	<p>Mitigation</p> <p>The central compound and the South Downs National Park</p>	<p>Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1), Chapter 3 (Assessment of Alternatives) of the Environmental Statement (ES) (6.1, Rev 1)</p>	<p>15 June 2023</p> <p>As set out in paragraphs 6.14(c) of our Local Impact Report (REP2-071) and 3.1.17 (c) of our Written Representation (REP2-075).</p> <p>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.</p> <p>The SDNPA considers there are alternative locations for the compound (outside of the National Park – such as at Badger Farm) 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>18 August 2023</p> <p>At Deadline 4, National Highways resubmitted Chapter 3 (Assessment of Alternatives) of the Environmental Statement (ES) (6.1, Rev 1) to include the assessment of Badger Farm as a possible compound location. Badger Farm was discounted for the same reasons as Area B (Christmas Hill).</p> <p>National Highways position is outlined in Appendix C (Construction compound position paper) of Applicant written summaries of oral case for Issue Specific Hearing 1 (ISH1) (8.13, REP4-034).</p> <p>13 October 2023</p> <p>As part of the detailed Traffic Management Plan leading up to commencement of works on site, a temporary traffic management design will be in place to mitigate any conflict and minimise any disruption to NMU's for Easton Lane. At peak use times during construction this will likely be a person-managed crossing point with priority provided to NMU's with construction plant stopping points on either side. A priority of the Scheme is to minimise plant movements across site so the use of the crossing will be kept to a minimum.</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
5.14	Mitigation Outline Landscape and Ecology Management Plan	Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1), Appendix 7.6 (OLEMP) of the ES (6.3, APP-102), and Figure 2.3 (Environmental Masterplan) of Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1)	<p>24 December 2021</p> <p>The aftercare and monitoring of the proposed Chalk Grassland as set out in the OLEMP is adequate.</p> <p>22 September 2023</p> <p>SDNPA's D5 submission set out our suggested wording for LV22- <i>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 five years, followed by annual twice yearly inspections in the following three years after seeding/planting.</i></p> <p>26 October 2023</p> <p>SDNPA's D6 submission (in response to Q12.3.10) sets out our concerns and reiterates our suggested change to LV22.</p>	<p>The context, location, objectives and management of Chalk Grassland is described in Section 1.8 of Appendix 7.6 (OLEMP) of the ES (6.3, APP-102).</p> <p>6 November 2023</p> <p>Please see National Highways response to ExQ3 12.3.9 within the Applicant Response to the Examining Authority's Third Written Questions (ExQ3) (8.22, REP6-023). Entry LV22 in the REAC (Table 3.2) within the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 6) was updated.</p>	Not agreed	10 November 2023
5.15			<p>24 December 2021</p> <p>The South Downs National Park Authority would like to see a commitment to source seed with a local provenance (where possible) rather than a generic seed-mix. Three target species should be included in the seed mix.</p>	<p>23 February 2022</p> <p>The OLEMP was updated to action this comment.</p>	Agreed	26 October 2023
5.16			<p>24 December 2021</p> <p>It is recommended that the management of Chalk Grassland includes control of aggressive species that seed readily in bare ground. Confirmation is requested on whether mechanical cutting is proposed.</p>	<p>23 February 2022</p> <p>When required, it is anticipated that the Chalk Grassland will be mechanically cut as set out in the Appendix 7.6 (OLEMP) of the ES (6.3, APP-102). Once detail design has been progressed further detail will be provided in the LEMP.</p>	Agreed	6 December 2022
5.17	Mitigation Topography	fiEMP (7.3, Rev 3), Chapter 2 (The Scheme and its Surroundings) of the ES (6.1, APP-043) and Figure 2.9 (Finish Variance from	<p>24 December 2021</p> <p>The South Downs National Park Authority has significant concerns about the proposed cuttings and embankments as they do not follow the continuous line of the Downland. A project example was given of where embankments were created a</p>	<p>23 February 2022</p> <p>The design principles for the landform proposals have been to utilise site gained material in a positive way which:</p> <ul style="list-style-type: none"> i. Minimise land take ii. Maximise visual screening 	Not agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
		Existing Level) of Chapter 2 (The Scheme and its Surroundings – Figures (Part 4 of 4)) of the ES (6.2, APP-064), South Downs National Park Authority's Local Impact Report (LIR) (REP2-071) and Written Representation (REP2-075), Applicant Comments on Written Representations (8.8, REP3-022)	<p>continuous 'arc', rather than a flat top and steep cutting / maximum slope.</p> <p>15 June 2023</p> <p>As set out in paragraphs 6.14(a) of our Local Impact Report (REP2-071) and 3.1.17 (a) of our Written Representation (REP2-075).</p> <p>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>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). 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>iii. Reflects and responds to the landscape characteristics</p> <p>The provision of an elevated area of landform adjacent to the embankment maximises visual screening of the M3 and Scheme. Visibility analysis and the production of visualisations has identified that once landscape mitigation on these slopes has established the earthworks will not be a dominant feature and the proposed woodland features will be reflective of the surrounding characteristic features found within the River Valley and further integrate the earthworks.</p> <p>National Highways has added an environmental commitment to the fiEMP (7.3, Rev 3) to further explain the design intent and commit to developing the earthwork profiles during detail design.</p> <p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraph 6.14(a) of South Downs National Park Authority's LIR (REP2-071).</p>		
5.18			<p>24 December 2021</p> <p>The South Downs National Park requests a bund between the walking and cycling route that is adjacent to the A33 and the road, as well as replacement tree planting to provide additional cover and relief from the surrounding highway Scheme.</p> <p>15 June 2023</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>23 February 2022</p> <p>The walking and cycling route from Winnall to Kings Worthy is both adjacent to the proposed A33 and a SuDS feature. There is not sufficient room at this location to provide a bund which would support visual screening.</p> <p>17 July 2023</p> <p>Please refer to section REP02-075e in Applicant Comments on Written Representations (8.8, REP3-022).</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
5.19			<p>9 April 2022</p> <p>South Downs National Park Authority requests to see calculations for cut and fill.</p> <p>21 July 2023</p> <p>The South Downs National Park Authority requested additional long sections and shaded relief plan.</p>	<p>18 November 2022</p> <p>Section 2.6 of Chapter 2 (The Scheme and its Surroundings) of the Environmental Statement (ES) (6.1, Rev 1) outlines the anticipated excavated material that would be required to be excavated during the construction phase of the Scheme. The majority is anticipated to be re-used within the Application Boundary to facilitate the construction of the development itself, or through land reprofiling.</p> <p>17 July 2023</p> <p>Additional long sections to the east of the Scheme and existing and proposed digital surface model (Appendix A and Appendix B) were submitted at Deadline 3 as part of Applicant Comments on Written Representations (8.8, REP3-022).</p>	Not agreed	25 October 2023
5.20	Mitigation Chalk Grassland creation	Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1)	<p>7 July 2021</p> <p>The South Downs National Park Authority welcomes the principle of proposed Chalk Grassland as a form of mitigation for the Scheme.</p>	Chalk Grassland is proposed on lower slopes of the South Downs National Park open downland slopes, and adjacent to new woodland/scrub areas on cutting / embankment slopes throughout the Application Boundary.	Agreed	6 December 2022
5.21			<p>24 December 2021</p> <p>Having reviewed Figure 2.3 (Environmental Masterplan) of Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1), the South Downs National Park Authority is concerned that not all of the visible Downland to the east is proposed Chalk Grassland. A new line (sub-division) will be created along the Downland by the new Bridleway and by the change of use along the easterly fence line which is assumed will still be used for arable crops. It is recommended that all of land within the Application Boundary is included in the arable reversion to Chalk Downland.</p> <p>15 June 2023</p>	<p>23 February 2022</p> <p>The Scheme includes an area of Chalk Grassland within the open downland landscape to the east of the M3 motorway in the area affected by the proposed landform modification. This is a positive feature which responds to the local character, and objectives of the South Downs National Park. Its primary mitigation function is for biodiversity; however, the creation has landscape and biodiversity enhancement benefits. Extending the chalk grassland beyond the current area identified goes beyond the biodiversity mitigation requirements and would also result in additional loss to areas of Best and Most Versatile agricultural land. Extension of the chalk grassland for landscape enhancement is not considered possible under the powers of compulsory Acquisition awarded under the Development Consent Order.</p> <p>It is considered that the retained arable farmland combined with chalk grassland within this part of the landscape will still retain the open downland</p>	Not agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>As set out in paragraphs 6.14(e) of our Local Impact Report (REP2-071) and 3.1.17 (e) of our Written Representation (REP2-075).</p> <p>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>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>characteristics and its broad scale and not result in perceptible subdivision. Furthermore, the establishment of the woodland planting on the M3 embankments slopes will reduce visibility of the delineation from the west. From the east, the rolling topography will also reduce the perception of this delineation.</p> <p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraph 6.14(e) of South Downs National Park Authority's LIR (REP2-071).</p> <p>13 October 2023</p> <p>Regarding management practices, Appendix 7.6 Outline Landscape and Ecological Management Plan (6.3, APP-102) includes outline requirements for proposed landscape elements, as well as their specification, management and maintenance. Requirements 3 & 5 of the draft DCO (3.1, Rev 4) and the REAC entry LV3 within the First Iteration of the Environmental Management Plan (7.3, Rev 5) sets out the requirement to produce a Landscape and Ecological Management Plan (LEMP) prior to implementation of the Scheme. During detailed design further information will be provided in relation to the design and management requirements for the interaction between agricultural landscape and areas of chalk grassland creation. This will include measures to minimise risks from nutrient leaching from the adjacent agricultural practices such as definition of appropriate margins</p>		
5.22			<p>15 June 2023</p> <p>As set out in paragraphs 3.1.23(a) of our Written Representation (REP2-075).</p> <p>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</p>	<p>17 July 2023</p> <p>Please refer to section REP02-075e in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.</p> <p>13 October 2023</p> <p>In addition, and in response to the South Downs National Park Authorities view on chalk grassland not successfully establishing on verges, National Highways has committed to a range of measures outlined in Appendix 7.6 (Outline Landscape and</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>habitat is 'man-made' and will quickly scrub over unless it is cut or grazed regularly.</p> <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. The SDNPA is concerned that failure to address these issues now will affect the viability of the mitigation proposals.</p> <p>Whilst you have shared with us additional information regarding works carried out on the A354 Weymouth Relief Road (document entitled M3 Junction 9 Improvement – Chalk Grassland Creation 12 May 2023). We do not consider that this scheme is comparable for two key reasons, the fragmentation of the areas of chalk grassland located along the highway verges and the trees and shrubs proposed for the top of the slopes. It is only the band of chalk grassland proposed on the top of the down that we consider has a high likelihood of development as chalk grassland.</p> <p>We are not convinced that the cut chalk faces and the fragmented highway verges are capable of becoming chalk grassland and that they should not, therefore, be counted as mitigation as far as the SDNP is concerned.</p>	<p>Ecological Management Plan) of the ES (6.3, APP-102), to ensure this is successful. These measures and controls will be refined and updated (in consultation with the South Downs National Park) and included in the second iteration of the Environmental Management Plan.</p> <p>National Highways considers that chalk grassland could establish with appropriate management due to the prevailing geology, however, should this not prevail in accordance with the South Downs National Park Authorities requirements, a species rich neutral grassland would establish. This landscape element would still contribute to mitigation and likely lead to an improvement of the current Biodiversity Net Gain score reported for the Scheme.</p>		
5.23			<p>15 June 2023</p> <p>As set out in paragraphs 3.1.23(b) of our Written Representation (REP2-075).</p> <p>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 our LIR, the application documents should be updated to reflect this, and we should be advised on whether this update changes alters the conclusions regarding mitigation of the landscape effects.</p>	<p>17 July 2023</p> <p>National Highways position on this on this matter, and in response to paragraph 3.1.23(b) of South Downs National Park Authority Written Representation (REP2-075), is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraph 6.14(f) of South Downs National Park Authority's LIR (REP2-071).</p>	Agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
5.24	Mitigation Extent of tree / woodland / vegetation loss	Appendix 7.5 (Preliminary Arboricultural Impact Assessment (AIA)) of the ES (6.3, APP-101), Appendix 7.6 (OLEMP) of the ES (6.3, APP-102), Landscape Review (REP3-028), Chapter 7 (Landscape and Visual – Figures) (Part 3 of 3) (6.2, Rev 1), Landscape Review (REP3-028)	<p>24 December 2021</p> <p>Having reviewed Appendix 7.5 (AIA) of the ES Appendices (Document Reference 6.3), the South Downs National Park Authority is concerned that much of the existing tree stock will be lost which will have a detrimental landscape and visual effect on the National Park and Winnall Moors Nature Reserve. South Downs National Park Authority requests that National Highways produce a statement to set out the total losses of trees and the quantum methodology for replacement ratios so that it can be worked up into numbers and hectares to show the total replacement planting proposed within the Scheme.</p> <p>8 April 2022</p> <p>The AIA has only been shared relatively recently and shows extensive areas of existing woodland to be removed. South Downs National Park Authority requests specific information relating to the extent of removals, the strategy for replacement planting – including quantities and ratio based approaches to demonstrate effective replacement and mitigation for the loss of screening, noise abatement and increased intrusion due to tree and woodland loss.</p> <p>15 June 2023</p> <p>As set out in paragraphs 6.14(b) of our Local Impact Report (REP2-071) and 3.1.17 (b) of our Written Representation (REP2-075).</p> <p>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</p>	<p>23 February 2022</p> <p>The landscape and visual effects of tree loss are considered in Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1). No replacement ratios have been proposed. As reported in Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049), there is 7.51ha of existing woodland habitat within the Application Boundary and following implementation of mitigation there would be 9.88ha an increase of 2.37ha. In addition to this a further 6ha of scrub is included in the proposals.</p> <p>However, the provision of replacement planting is focused on quality rather than quantum. Proposals are responsive to character and location and look to maximise biodiversity enhancement, through supporting habitat connectivity and linkages across the Scheme, linking with retained features.</p> <p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraph 6.14(b) of South Downs National Park Authority's LIR (REP2-071).</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			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.			
5.25			17 July 2023 The effects have been underestimated in the LVIA chapter and they are also underestimated in the accompanying visualisations submitted by National Highways which form part of that assessment. The visualisations fail to accurately show the loss of vegetation. We identified that this was the case for Vp 14 and the revised Vp 14 submitted at Deadline 1 (REP1-0107) has confirmed that the tree removal had not been shown. We have now reviewed the other visualisations and there is a more significant failure to show tree loss from Vp 3 and Vp 7. National Highways have said that they are reviewing the visualisations and will submit new visualisations for Deadline 3.	17 July 2023 Following discussion at Issue Specific Hearing 1 (ISH1), National Highways updated Figure 7.14 of Chapter 7 (Landscape and Visual – Figures) (Part 3 of 3) (6.2, Rev 1) .	Not agreed	25 October 2023
5.26	Mitigation Proposed vegetation	South Downs National Park Authority's Local Impact Report (LIR) (REP2-071)	15 June 2023 As set out in paragraphs 3.1.23(c) of our Written Representation (REP2-075). 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). 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. The DCO requirements should be strengthened to ensure that tree planting along the eastern edge of	17 July 2023 National Highways position on this on this matter, and in response to paragraph 3.1.23(c) of South Downs National Park Authority Written Representation (REP2-075), is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.14(f) of South Downs National Park Authority's LIR (REP2-071). 22 September 2023 National Highways position is stated in response to ExQ2 12.2.2 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) . Commitment LV26 has been added to Table 3.2 (Register of Environmental Actions and Commitments (REAC) in the first iteration Environmental Management (fiEMP) (7.3, Rev 6) to support environmental visual screening and provide a total width of planting of 25m. 10 November 2023	Not agreed	15 November 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			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. 26 October 2023 SDNPA's D6 submission (in response to Q1.3.2) sets out our concerns.	National Highway confirms that the inclusion of additional commitments is in response to requests made by the South Downs National Park Authority. It was not possible to identify these on the Environmental Masterplan as this work is subject to a number of constraints which require further consideration at detailed design. These commitments will be further explored at detailed design at which stage the South Down National Park Authority will be consulted and be able to provide commentary on the appropriateness of these.		
5.27			15 June 2023 As set out in paragraph 6.34(c) of our Local Impact Report (REP2-071) There are missed opportunities, such as at public rights of way alongside the River Itchen and at the 'Cart and Horses Junction' to provide additional planting of hedgerow / grasses / 'living walls' to screen rights of way from the carriageway, improving safety, feel and attractiveness to non-motorised users.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.34(c) of South Downs National Park Authority's LIR (REP2-071). National Highways' position with respect to the Cart and Horses junction is outlined in Appendix A of the Applicant responses to Written Questions (8.5, REP2-051) .	Not agreed	25 October 2023
5.28	Mitigation Advanced planting	Appendix C (Proposed advanced planting locations and the rationale for each) of Applicant Comments on Local Impact Reports (8.9, REP3-023)	15 June 2023 It appears that most of the proposed vegetation loss is unavoidable as it relates to vegetation within the footprint of the proposed works and for this reason cannot be reinstated. We recommend that advanced planting is undertaken to minimise the opening up of views as much as possible. In this regard, NH should provide a plan which shows the location of the advanced planting, with an explanation for its rationale (i.e. the role each area of planting will have in terms of mitigating the impact of the proposals). It is not sufficient to rely on the Environmental Masterplan (EM) to show this information due to the amount of information already shown on the EM.	17 July 2023 Locations for proposed advanced planting have been shared with the South Downs National Park Authority. A commitment to the provision of advanced planting is set out in Table 3.2 (Record of Environmental Actions and Commitments) in the first iteration Environmental Management Plan (fiEMP) (7.3, Rev 5) at commitment LV16.	Agreed	26 October 2023
5.29	Mitigation Viewpoint 14	Landscape Review (REP3-028), Chapter 7 (Landscape and Visual – Figures) (Part	15 June 2023 In addition to the failure to show tree removal the visualisations do not show the full impact of the proposed works. For example, the slip road in Vp 14	13 October 2023 The visualisations show an accurate representation of the Scheme at the relevant time periods in accordance with the methodology set out in Chapter	Not agreed	26 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
		3 of 3) of the ES (6.2, Rev 1)	has the appearance of a cycle path rather than a major element of a motorway with all the attendant road markings, signage, traffic etc.	7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1). The errors identified with reference to vegetation loss have been rectified. However, in order to address the specific comment, the visualisation demonstrates that the intervening earthworks and elevation of the Scheme in relation to the view location serve to reduce the visibility of the actual carriageway and road markings. Representations of vehicles including HGVs have been added to the visualisations.		
5.30	Mitigation Viewpoint 3 significance	Landscape Review (REP3-028)	17 July 2023 The LVIA identifies that Vp 3 has have been identified by the SDNPA as being a representative view, illustrative of the diverse, inspirational landscapes of the South Downs, and considers that the Vp has Very High Sensitivity. However, all viewpoints within the SDNP are considered to have Very High Sensitivity. There is no consideration within the narrative description of effects (APP-100 6.3 Environmental Statement - Appendix 7.4: Schedule of Visual Effects pages 7 & 8) of whether changes to a view identified as representative by the SDNPA viewpoint may be of greater significance, especially as this is not a single viewpoint but represents views from a significant stretch of St Swithun's Way.	13 October 2023 Consideration has been given to the <i>South Downs National Park: View Characterisation and Analysis (South Downs National Park Authority, 2015)</i> in the baseline description and the definition of the receptor's sensitivity. With reference to the description of the changes and in accordance with the DMRB LA107 methodology, the relevance of the view being representative of the South Downs National Park does not alter the conclusions on the magnitude and nature of the change reported or the narrative provided.	Not agreed	25 October 2023
5.31	Residual effects and conclusions Viewpoint 3 conclusion	Landscape Review (REP3-028)	17 July 2023 The SDNPA disagrees with the conclusion with regard to the effects from Vp 3, that at year 15 the magnitude of change would be negligible. Trees to be removed cannot be fully mitigated and traffic on the new sections of slip road are likely to be visible from St Swithun's Way.	13 October 2023 In consideration of the methodology and the baseline condition of the view which includes the existing M3, A34 and A33, National Highways' view is that the mitigated scenario will result in only a very small part of the Proposed Development being visible, thus resulting in a barely noticeable change. Consideration has been given to the potential visibility of the slip roads. However, proposed landscape mitigation planting will restrict the visibility of these features. National Highways is considering the South Downs National Park Authority's request to introduce more woodland planting in the areas to the west of the M3, and north of the proposed A33 with the aim to provide additional replacement tree	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
				planting which would be partially visible from this view.		
5.32	Residual effects and conclusions Effects at year 15	Chapter 7 (Landscape and Visual) of the Environmental Statement (ES) (6.1, Rev 1), South Downs National Park Authority Written Representation (REP2-075), Landscape Review (REP3-028)	<p>15 June 2023</p> <p>See paragraph 3.1.15 of South Downs National Park Authority Written Representation (REP2-075). The South Downs National Park Authority disagrees with 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>There is no narrative text to support the assessment in <i>Table 7.27: Operation phase non-significant landscape effects – summer year 15</i> that the magnitude of change on the SDNP and on the affected SDNP LCAs at summer year 15 is 'negligible.' The LVIA states that '<i>The effects reduce to a slight adverse and not significant effect in the long term as landscape mitigation planting successfully establishes to aid landscape integration and provide visual screening.</i>' This is a statement not an explanation and omits the fact that the assessment only refers to summer at year 15.</p>	<p>17 July 2023</p> <p>Please refer to section REP02-075d in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.</p>	Not agreed	21 July 2023
5.33	Residual effects and conclusions Viewpoint 3 conclusion	Landscape Review (REP3-028)	<p>17 July 2023</p> <p>The SDNPA disagrees with the conclusion with regard to the effects from Vp 3, that at year 15 the magnitude of change would be negligible. Trees to be removed cannot be fully mitigated and traffic on the new sections of slip road are likely to be visible from St Swithun's Way.</p>	<p>22 September 2023</p> <p>National Highways position is stated in response to ExQ2 12.2.2 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026). Commitment LV25 has been added to Table 3.2 (Register of Environmental Actions and Commitments (REAC)) in the first iteration Environmental Management (fiEMP) (7.3, Rev 5).</p>	Not agreed	26 October 2023
6. Chapter 8 Biodiversity						
6.1	Scope of Assessment, methodology and baseline information	Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049)	<p>21 July 2023</p> <p>SDNPA is in general agreement with scope, methodology (inc. BNG) and baseline – the exception is to the potential double counting see</p>	<p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraph 6.24(a) of South Downs National Park Authority's LIR (REP2-071).</p>	Agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			Landscape Harm section above and some of the mitigation points below.			
6.2	Mitigation Chalk Grassland double counting	South Downs National Park Authority's LIR (REP2-071)	15 June 2023 The potential double counting within the embedded and essential mitigation measures.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.24(a) of South Downs National Park Authority's LIR (REP2-071).	Agreed	25 October 2023
6.3	Mitigation Chalk Grassland management	South Downs National Park Authority's LIR (REP2-071)	15 June 2023 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. The SDNPA is concerned that failure to address these issues now will affect the viability of the mitigation proposals (including insufficient establishment periods for the landscape proposals)	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.24(b) of South Downs National Park Authority's LIR (REP2-071).	Not agreed	25 October 2023
6.4	Mitigation Management and maintenance	South Downs National Park Authority's LIR (REP2-071)	15 June 2023 The DCO Requirements should provide clear future management and maintenance plans covering a suitable time period appropriate for the types of planting / mitigation measures proposed. The application documents refer to the negative landscape harm being severe for 15 years post opening, yet the general post opening project evaluations only refer to 5 years after opening.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.24(c) of South Downs National Park Authority's LIR (REP2-071).	Not agreed	25 October 2023
6.5	Mitigation River Itchen Restoration Designated Funds project	South Downs National Park Authority's LIR (REP2-071)	15 June 2023 The SDNPA welcomes discussions with the Environment Agency regarding enhancements to the River Itchen as part of a project potentially funded under their 'Designated Funds' regime. However, these cannot be currently considered as part of the assessment of this application as they are not secured in anyway. The SDNPA considers that those enhancements should be provided as part of the DCO Requirements, through a suitable worded obligation within a Section 106 legal agreement.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.24(d) of South Downs National Park Authority's LIR (REP2-071).	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
6.6	Mitigation Protected species	South Downs National Park Authority's LIR (REP2-071)	15 June 2023 Further information is required regarding protected species including bats, dormouse, badgers and birds. In addition, there could be negative impacts on small animals and amphibians having safe passage to the various habitats in and around the road scheme. The SDNPA would like to see and comment upon any draft mitigation and compensation strategy (secured through the DCO Requirements) and Natural England comments in order to be confident that the measures proposed are appropriate and they conserve and enhance the special qualities of the National Park.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.24(e) of South Downs National Park Authority's LIR (REP2-071).	Not agreed	15 November 2023
6.7	Mitigation Missed opportunities	Written Representation (REP2-075)	15 June 2023 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.	17 July 2023 Please refer to section REP02-075g in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.	Not agreed	25 October 2023
6.8	Mitigation Climate adaptation	Written Representation (REP2-075), Chapter 14 (Climate) of the	15 June 2023 It is the SDNPA's view that there is scope for the proposed development to make a positive	17 July 2023	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
		Environmental Statement (ES) (6.1, Rev 2), Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 – APP-143)	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).	Please refer to section REP02-075g in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.		
6.9	Mitigation Biodiversity / habitat connectivity Opportunity to provide habitat connectivity / enhancements through the design and materials proposed for the many bridges and other structures within the Scheme.	Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049), Appendix 8.2 (Biodiversity Net Gain Assessment Report) of the ES (6.3, APP-131), and Figure 2.3 (Environmental Masterplan) Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1)	7 July 2021 The South Downs National Park Authority notes that the requirement for biodiversity net gain should be clearly demonstrated. The South Downs National Park Authority considers the mitigation should be developed to maximise habitat corridors and connectivity and contribute to biodiversity net gain. 15 June 2023 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.	Section 8.9 of Chapter 8 (Biodiversity) of the ES (6.1, APP-049) and Appendix 8.2 (Biodiversity Net Gain Assessment Report) of the ES (6.3, APP-131) outlines the biodiversity net gain for the Scheme following the implementation of mitigation. New areas of woodland and scrub within the landscape design have been located to maintain and enhance connectivity for wildlife within the Scheme and wider landscape during operation. Much of the additional woodland and scrub planting is adjacent to existing woodlands, or provides habitat links, which would enhance their ecological function. The provision of substantial areas of chalk grassland, woodland and scrub along the eastern boundary of the Scheme would improve connectivity for wildlife in a north-south direction. Please refer to Figure 2.3 in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1) . 17 July 2023 Please refer to section REP02-075g in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.	Not agreed	25 October 2023
6.10	Residual effects and conclusions Section 8.9 of Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049) outlines the residual effects of the Scheme following the implementation of mitigation.	Chapter 8 (Biodiversity) of the Environmental Statement (ES) (6.1, APP-049)	22 September 2023 This is related to Air Quality impacts, the SDNPA supports Natural England in its position as this relates to the sensitivity of Chalk Grassland and our on-going concerns regarding such mitigation measures are well managed to ensure their long-term success.	Potential impacts from construction, operation, and maintenance of the Scheme that could relate to important biodiversity receptors include habitat loss and gain, fragmentation of populations or habitats, disturbance, habitat degradation, and species mortality. The assessment identifies a number of adverse and beneficial impacts to biodiversity receptors, however, in all cases the residual effects are not significant.	Not agreed	26 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
7. Chapter 9 Geology and Soils (including contaminated land)						
7.1	Scope of Assessment, methodology and baseline information	Chapter 9 (Geology and Soils) of the Environmental Statement (ES) (6.1, APP-050)	SDNPA is satisfied with the scope, methodology and baseline information contained within the submitted ES Chapter.	The scope of the assessment, methodology and baseline information is agreed with South Downs National Park Authority.	Agreed	21 July 2023
7.2	Mitigation Section 9.8 of Chapter 9 (Geology and Soils) of the Environmental Statement (ES) (6.1, APP-050) outlines the embedded and essential mitigation, and enhancement.	Chapter 9 (Geology and Soils) of the Environmental Statement (ES) (6.1, APP-050), first iteration Environmental Management Plan (fiEMP) (7.3, Rev 4) and Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1)	15 June 2023 As set out in paragraph 6.42 of our Local Impact Report (REP2-071). The SDNPA generally agrees with the conclusions of the applicant's Environmental Assessment (Chapter 9 Geology and Soils, application document APP-050) and is satisfied that the First Iteration Environmental Management Plan and DCO Requirements adequately addresses the issue of geology and soils, including contaminated land, subject to the clarification ensuring that archaeology is considered in the Soil Management Plan. Therefore, the proposal accords with SDLP Policy SD55.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.42 of South Downs National Park Authority's LIR (REP2-071). At Deadline 3, Appendix 6.8 (Archaeology and Heritage Outline Mitigation Strategy) of the ES (6.3, Rev 1) was updated to address the South Downs National Park Authority comment on this matter.	Agreed	25 October 2023
7.3	Residual effects and conclusions Section 9.9 of Chapter 9 (Geology and Soils) of the Environmental Statement (ES) (6.1, APP-050) presents the assessment of likely significant effects for construction and operation on geology and soils, taking into account the potential impacts to each receptor following the implementation of embedded and essential mitigation measures to determine the significant of the residual effects.	Chapter 9 (Geology and Soils) of the Environmental Statement (ES) (6.1, APP-050)		The residual effects and conclusions are agreed with the South Downs National Park Authority.	Agreed	25 October 2023
8. Chapter 10 Material Assets and Waste						
8.1	Scope of Assessment, methodology and baseline information	Chapter 10 (Material Assets and Waste) of the Environmental Statement (ES) (6.1, Rev 1)	SDNPA is satisfied with the scope, methodology and baseline information contained within the submitted ES Chapter.	The scope of the assessment, methodology and baseline information are agreed with South Downs National Park Authority.	Agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
8.2	Mitigation Section 10.8 of Chapter 10 (Material Assets and Waste) of the Environmental Statement (ES) (6.1, Rev 1) outlines the embedded and essential mitigation to limit material and waste impacts of the Scheme. The use of spoil at St Catherine's Hill	Chapter 10 (Material Assets and Waste) of the Environmental Statement (ES) (6.1, Rev 1), South Downs National Park Authority's LIR (REP2-071)	18 August 2023 SDNPA's D4 submission – reiterating that a further mitigation measure should be the use of spoil from the proposed scheme to restore chalk downland at the former Southern Water site near St Catherine's Hill.	National Highways position on using spoil at St Catherine's Hill (Area 6 in Appendix C (Package of Measures to restore the Landscape) of South Downs National Park Authority's Local Impact Report (REP2-071)) is outlined in section REP02-075e in Applicant Comments on Written Representations (8.8, REP3-022) .	Not agreed	26 October 2023
8.3	Residual effects and conclusions Section 10.9 of Chapter 10 (Material Assets and Waste) of the Environmental Statement (ES) (6.1, Rev 1) outlines the potential likely significant effects arising from construction in the form of depletion of natural resources, potential sterilisation of a Mineral Safeguarding Area, the generation and management of waste on site, potential impacts on the available landfill void capacity, and the alignment of the Scheme with the legislative and policy framework for sustainable development, material resources and waste.	Chapter 10 (Material Assets and Waste) of the Environmental Statement (ES) (6.1, Rev 1)	15 June 2023 As set out in paragraph 6.43 of our Local Impact Report (REP2-071). With the exception of the proposed reuse of spoil, addressed in the landscape section above, the SDNPA generally agrees with the conclusions of the applicant's Environmental Assessment (Chapter 10 Material Assets and Waste, application document APP-051) and is satisfied that the First Iteration Environmental Management Plan and DCO Requirements adequately addresses the issue of material assets and waste.	The residual effects and conclusions are agreed with the South Downs National Park Authority.	Agreed	25 October 2023
9. Chapter 11 Noise and Vibration (including tranquillity)						
9.1	Scope of Assessment, methodology and baseline information	Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052)	15 June 2023 As set out in paragraphs 6.15 – 6.20 of our Local Impact Report (REP2-071) and 3.1.26 – 3.1.28 of our Written Representation (REP2-075). National Highways acknowledge, within various application documents, that the proposal would have a significant adverse impact on the sense of tranquillity, contrary to Policy SD7. The SDNPA agrees with this conclusion and is also linked to our landscape concerns set out above. The SDNPA acknowledges there are proposals to mitigate for noise impacts and welcomes the specific reference in the First Iteration Environmental Management Plan (application document APP-156),	The scope of the assessment, methodology and baseline information of the noise assessment are agreed with the South Downs National Park Authority.	Agreed	26 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>to the use of 'low noise road surfacing' and the draft DCO Requirement 14 (application document APP-019). However, there does not appear to be clear proposals to mitigate the impact (or compensate) for the harm caused to tranquillity, one of the National Park's special qualities. The SDNPA is willing to continue to work with the applicant to address this concern to ensure compliance with SDLP Policy SD7.</p> <p>SDNPA considers additional measures should be taken to reduce / compensate for the loss of tranquillity (as set out in our Written Representation) – these are set out below.</p>			
9.2	Mitigation Construction working hours	Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052) and the fiEMP (7.3, Rev 3), South Downs National Park Authority's LIR (REP2-071)	<p>15 June 2023</p> <p>The SDNPA also notes that the DCO Requirement No: 3 would limit construction working hours, including fewer working hours on Saturdays and that any additional changes to working hours would be agreed with the Local Planning Authority. The SDNPA considers the proposed working hours would help to lessen the negative impacts on tranquillity during the construction phase at least.</p>	The proposed construction hours are agreed with South Downs National Park Authority.	Agreed	21 July 2023
9.3	Mitigation Low noise surfacing	Written Representation (REP2-075), Applicant Comments on Written Representations (8.8, REP3-022)	<p>15 June 2023</p> <p>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)</p>	<p>17 July 2023</p> <p>Paragraph 11.8.2 of Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052) states that low noise road surfaces are proposed as part of the Scheme where new road surfaces are to be laid.</p> <p>6 November 2023</p> <p>National Highways position is stated in response to ExQ2 13.2.4 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026).</p>	Not agreed	25 October 2023
9.4	Residual effects and conclusions Section 11.9 of Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052) determines the significance of the residual effects of the Scheme on each receptor	Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052)		Paragraph 11.8.2 of Chapter 11 (Noise and Vibration) of the Environmental Statement (ES) (6.1, APP-052) states that low noise road surfaces are proposed as part of the Scheme where new road surfaces are to be laid.	Not agreed	26 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	following the implementation of embedded mitigation measures (but not essential mitigation) Low noise surfacing			6 November 2023 National Highways position is stated in response to ExQ2 13.2.4 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026) .		
10. Chapter 12 Population and Human Health						
10.1	Scope of Assessment, methodology and baseline information	Chapter 12 (Population and Human Health) of the Environmental Statement (ES) (6.1, Rev 1)	15 June 2023 As set out in paragraphs 6.40 – 6.41 of our Local Impact Report (REP2-071). As a National Park, the SDNPA is the Relevant Authority for Access Land. The development proposal would have no effect on access to open land. There is no loss of public open space in the National Park associated with the proposal and thus the development complies with SDLP Policy SD46 which seeks the protection of such space. SDNPA is satisfied with the scope, methodology and baseline information contained within the submitted ES Chapter.	The scope of the assessment, methodology and baseline information are agreed with South Downs National Park Authority.	Agreed	21 July 2023
10.2	Mitigation Walking, cycling and horse-riding facilities	Chapter 12 (Population and Human Health) of the Environmental Statement (ES) (6.1, Rev 1)	7 July 2021 For bridleway provision by the junction gyratory, the South Downs National Park Authority considers that a 3m wide route is insufficient to accommodate a horse and rider side by side. A 5 metre wide route would be in line with current standards for bridleway provision (in accordance with guidance from DMRB, Interim Advice Note 195/16 Cycle traffic and the strategic road network (National Highways, 2016)).	CD 195 is not applicable as this bridleway is not on the trunk road and motorway network. LTN 1/20 is more appropriate and covers cycle infrastructure design including those on other rights of way such as bridleways and routes within public open space. However, this document does not specify minimum or recommended widths for bridleways. Hampshire County Council's Design Standards Path Widths clarifies that the desirable path width and heights for vegetation clearances are to be a minimum width of 2.5m and height of 3.5m for bridleways (or paths which are also open to cyclists and/or horse-riders). 4m wide subways have been proposed which are compliant with DMRB CD 143 (also compliant to non-trunk road scheme guidance LTN 1/20) and suitable space provided for mounting blocks according to British Horse Society advice literature. The provisions have been discussed with the British Horse Society.	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
10.3			7 July 2021 The route between Easton Lane and Long Walk should be for walkers, cyclists, and horse riders.	22 September 2021 National Highways proposes that the route between Long Walk and Easton Lane is a bridleway with a 1:20 gradient.	Agreed	6 December 2022
10.4			7 July 2021 The South Downs National Park Authority expects to see any upgrade to walking, cycling and horse riding facilities to accommodate sufficient headroom so that horse riders do not need to dismount at any point and also sufficient width for two way walking/cycling/equestrian traffic is provided.	A subway route with a ridden horse requires 3.7m headroom which is 1m more than a route with a horse being led. Due a combination of the space available within the gyratory and the increased depth of subway tie-in levels to the Scheme, it is not feasible to provide a compliant design for a ridden horse-route. 4m wide subways have been proposed which are compliant with DMRB CD 143 Designing for walking, cycling and horse-riding (National Highways, 2021 (also compliant to non-trunk road scheme guidance LTN 1/20)) and suitable space provided for mounting blocks to British Horse Society advice literature. The provisions have been discussed with the British Horse Society.	Not agreed	25 October 2023
10.5			15 June 2023 Proposed Subways – in addition to the comments below under the highway section, we request 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, such as: <ul style="list-style-type: none"> The use of lighting to maximise visibility and to create daylight effect. The use of materiality or colour choices to create visual interruptions to minimise the perceived length of the subways. The use of consistent surfacing to establish a smooth transition between exterior and interior of the subways 	17 July 2023 Please refer to section REP02-075i in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.	Not agreed	25 October 2023
10.6			24 December 2021 The South Downs National Park Authority requests that improvements of existing rights of way beneath the A33/A34 are improved as part of the mitigation for the Scheme.	23 February 2022 These routes are outside of the Scheme Application Boundary and are not included in the Scheme proposals.	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			<p>6 April 2022</p> <p>As enhancement to the National Park and reducing severance (caused by the A33 / A34) the existing poor-quality subways and underpasses should be upgraded / restored.</p> <p>The National Policy Statement makes reference to applicants investing in infrastructure to address historic problems, reduce severance etc especially for existing severance issues which act as a barrier to non-motorised users.</p>	<p>18 November 2022</p> <p>National Highways has taken into account the comments received from local user groups on connectivity for pedestrians and cyclists and has taken account of these barriers in developing the new route for pedestrians from Winnall to Kings Worthy, a link for pedestrians and cyclists from Winnall to the Highway Depot on A34 Winchester bypass and a new link between Easton Lane to Long Walk.</p> <p>Chapter 12 (Population and Human Health) of the Environmental Statement (ES) (6.1, Rev 1) identifies impacts on walkers, cyclists and horse-riders during construction of the Scheme, concluding that there would be negligible adverse to no change for all other paths and routes that interact with the Application Boundary, including for the South Downs Way and other long-distance footpaths.</p>		
10.7			<p>24 December 2021</p> <p>The South Downs National Park Authority queries the alignment of the bridleway.</p> <p>15 June 2023</p> <p>As set out in paragraphs 3.1.23(d) of our Written Representation (REP2-075).</p> <p>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.</p> <p>Given that the route will be located on land subject to reprofiling works, the 1:20 grade (the reason given for the current location) could be formed elsewhere.</p> <p>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</p>	<p>23 February 2022</p> <p>The alignment is designed to accommodate a 1:20 gradient to maximise accessibility for all. This also accords with National Highways' objectives and principles of Good Road Design.</p> <p>17 July 2023</p> <p>Please refer to section REP02-075e in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.</p>	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			views will be more extensive and the impact of passing vehicles on the amenity of the route would be less.			
10.8			15 June 2023 Regarding the existing PRoW alongside the River Itchen, it is understood that the combined width of highways structures crossing the River Itchen and the PRoW will increase, including as a result of the proposed 3.5m wide footbridge alongside the A34 northbound. Currently, the Itchen Way uses the PRoW beneath the existing bridges, which are very low in relation to the footpath. Due to the noise and low height of the existing route beneath the bridge this route is unattractive. Further details on the relationship between the proposed works and this important promoted route should be provided, including details of any opportunities taken for its enhancement.	17 July 2023 Please refer to section REP02-075i in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways position.	Not agreed	25 October 2023
10.9	Residual effects and conclusions Section 12.9 of Chapter 12 (Population and Human Health) of the Environmental Statement (ES) (6.1, Rev 1) outlines the assessment of likely significant effects for construction and operation on population and human health, with consideration given to the embedded and essential mitigation	Chapter 12 (Population and Human Health) of the Environmental Statement (ES) (6.1, Rev 1)	15 June 2023 As set out in paragraph 6.44 of our Local Impact Report (REP2-071). The SDNPA has a statutory duty to 'foster the economic and social well-being of communities living within the National Park'. The applicant, and the SDNPA, acknowledge the permanent loss of agricultural land holdings within the National Park. The SDNPA generally agrees with the conclusions of the applicant's Environmental Assessment (Chapter 12 Population and Human Health, application document APP-053). However, the negative impacts on landscape character (including landscape amenity) and access (including public rights of way) are set out above.	17 July 2023 National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.44 of South Downs National Park Authority's LIR (REP2-071).	Agreed	26 October 2023
11. Chapter 13 Road Drainage and the Water Environment						
11.1	Scope of Assessment, methodology and baseline information	Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1) and Appendix 13.1 (Drainage	SDNPA is satisfied with the scope, methodology and baseline information contained within the submitted ES Chapter.	The scope of the assessment, methodology and baseline information are agreed with South Downs National Park Authority.	Agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
		Strategy Report) of the ES (6.3, APP-142 – APP-143)				
11.2	Mitigation Section 13.8 of Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1) outlines the embedded and essential mitigation. Overall Drainage Strategy and mitigation measures	Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1), Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 – APP-143)	15 June 2023 As set out in our Local Impact Report (REP2-071) and Written Representation (REP2-075), the SDNPA has no objection to the principle of the overall 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 (see Biodiversity section above).	17 June 2023 Please refer to section REP02-075g in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways' position.	Not agreed	21 July 2023
11.3	Mitigation Proposed SuDS and attenuation ponds	Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1), Appendix 13.1 (Drainage Strategy Report) of the ES (6.3, APP-142 – APP-143), the fiEMP (7.3, Rev 5), Appendix 7.6 (OLEMP) of the ES (6.3, APP-102), and Figure 2.3 (Environmental Masterplan) in Chapter 2 (The Scheme and its Surroundings – Figures (Part 2 of 4)) of the ES (6.2, Rev 1), Applicant Comments on Local Impact Reports (8.9, REP3-023)	15 June 2023 As set out in paragraphs 6.14(d) of our Local Impact Report (REP2-071) and 3.1.17 (d) of our Written Representation (REP2-075). 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. 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. There are no plans which show the proposed contours for the attenuation pond. Neither its proposed depth, nor the steepness of its slopes. However, with a footprint of approximately 4,200m ² , it would be seen as a large engineering feature in the landscape. Further information should be provided.	17 July 2023 National Highways' position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to paragraph 6.14(d) of South Downs National Park Authority's LIR (REP2-071). Appendix D of Applicant Comments on Local Impact Reports (8.9, REP3-023) was submitted at Deadline 3 to provide further detail on proposed Basins 5 and 6.	Not agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			The SDNPA also has significant concerns about the proposed limits of deviation of up to 5.0 metres as currently set out in Part 2, Principal Powers, Section 8(c) of the draft DCO (application document APP-019).			
11.4	Mitigation Nitrate Neutrality	Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1)	<p>7 July 2021</p> <p>South Downs National Park Authority requests mitigation for the issue of 'Nitrate Neutrality' given that the River Itchen discharges directly to further coastal European sites. Mitigation and enhancement measures could address this issue.</p> <p>15 June 2023</p> <p>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 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>Although the River Itchen discharges to the coastal European sites such as the Solent, in line with <i>paragraph 4.12 of Advice on Achieving Nutrient Neutrality for New Development in the Solent Region Version 4(Natural England, 2020)</i> and Winchester City Council's Position Statement on <i>Nitrate Neutral Development (February 2020)</i>, no nutrient input pathways from the Scheme (such as housing or facilities resulting in overnight stays) have been identified. Therefore, there will be no impacts from nutrients (and no requirement for a nutrient neutrality assessment) and no mitigation or enhancement measures are required.</p> <p>17 June 2023</p> <p>Please refer to section REP02-075g in Applicant Comments on Written Representations (8.8, REP3-022) for National Highways' position. There would be no impacts from nutrients and no requirement for a nutrient neutrality assessment.</p>	Not agreed	21 July 2023
11.5	Residual effects and conclusions Section 13.9 of Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1) presents the assessment of likely significant effects for construction and operation on important water environment receptors. The assessment of effects considers the potential impacts to each receptor following the implementation of embedded and essential mitigation measures to determine residual	Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement (ES) (6.1, Rev 1)	As per 11.2 and 11.3 above	The residual effects and conclusions of the road drainage and the water environment assessment are not agreed with South Downs National Park Authority.	Not agreed	26 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	effects and identify whether they are significant or not.					
12. Chapter 15 Cumulative Effects						
12.1	Scope of Assessment Section 15.1 of Chapter 15 (Cumulative Effects) of the Environmental Statement (ES) (6.1, APP- 056) outlines the scope of the assessment. The assessment covers cumulative effects, effects that occur as a result of changes caused by other developments acting cumulatively with the effects of the Scheme, and combined effects, effects from the combined effect of several different impacts acting together on a single receptor, such that the combined effect would be more significant than the individual effects.	Chapter 15 (Cumulative Effects) of the Environmental Statement (ES) (6.1, APP-056)		The scope of the cumulative effects assessment is agreed with the South Downs National Park Authority.	Agreed	26 October 2023
12.2	Assessment methodology Section 15.3 of Chapter 15 (Cumulative Effects) of the ES (6.1, APP- 056) outlines the assessment methodology. The methodology used for assessing cumulative effects is the Planning Inspectorate's Advice Note 17: Cumulative Effects Assessment (Planning Inspectorate, 2019), the 2020 Scoping Opinion (Planning Inspectorate, 2020), DMRB LA 104 Environmental assessment and monitoring (National Highways, 2020).	Chapter 15 (Cumulative Effects) of the Environmental Statement (ES) (6.1, APP-056)		The methodology of the cumulative effects assessment is agreed with the South Downs National Park Authority.	Agreed	26 October 2023
12.3	Mitigation and monitoring Linked to other topics – see Landscape, Tranquillity and Water Environment - impact to residential	Chapter 15 (Cumulative Effects) of the Environmental Statement (ES) (6.1, APP-056) , Written Representation	15 June 2023 As set out paragraph 3.1.30 of our Written Representation (REP2-075), the SDNPA has serious concerns regarding the adverse impacts on residential amenity, particularly on residents of	17 July 2023 National Highways position on this on this matter, and in response to paragraph 3.1.30 of South Downs National Park Authority Written Representation (REP2-075), is stated in Applicant comments on Local Impact Reports (8.9, REP3-023) , response to	Not agreed	25 October 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
	amenity, and in particular White Hill Cottage	(REP2-075), fiEMP (7.3, Rev 4)	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.	paragraphs 6.38-6.39, 6.14(c) and 6.14(d) of South Downs National Park Authority's LIR (REP2-071) . 18 August 2023 At Deadline 4, the fiEMP (7.3, Rev 4) was updated to include an Outline Noise and Vibration Management Plan at Appendix L.		
12.4	Conclusions Section 15.8 of Chapter 15 (Cumulative Effects) of the Environmental Statement (ES) (6.1, APP- 056) states that no significant combined effects have been identified.	Chapter 15 (Cumulative Effects) of the Environmental Statement (ES) (6.1, APP-056)	22 September 2023 This is related to Air Quality impacts, the SDNPA supports Natural England in its position as this relates to the sensitivity of Chalk Grassland and our on-going concerns regarding such mitigation measures are well managed to ensure their long-term success.	The conclusions of the cumulative effects assessment are not agreed with the South Downs National Park due to comments on mitigation and monitoring. National Highways has addressed Natural England's comments. At Deadline 8, National Highways and Natural England submitted a signed, final SoCG with no matters outstanding. Please see Statement of Common Ground with Natural England (7.12.5, Rev 1) .	Not agreed	26 October 2023
13. Traffic and Transport						
13.1	Scope, methodology and baseline information Exclusion of the Cart and Horses junction	Transport Assessment Report (7.13, Rev 1) and Combined Modelling and Appraisal Report (7.10, Rev 1)	15 June 2023 As set out in paragraph 6.32 of our Local Impact Report (REP2-071) and paragraph 3.2.1(a) of our Written Representation (REP2-075). In relation to impact on the local highway network within the National Park, the SDNPA would support Hampshire County Council's position, that an area of specific concern relates to the operation of the A33 / B3047 junction (often referred to as the Cart and Horses junction). The proposed development will result in an increased level of traffic through this junction. Whilst part of the road / junction is included within the DCO application (the approach to the junction from the south), the junction itself is excluded with no works proposed. The proposed scheme will have negative impacts on the local road network, therefore this junction should be included within the DCO application and appropriate measures should	17 July 2023 National Highways has outlined its position with respect to the 'Cart and Horses' junction in response to the Examining Authority's written questions (ExQ1) issued on the 25 May 2023 and this is contained within Appendix A of the Applicant responses to Written Questions (8.5, REP2-051) .	Not agreed	21 July 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
			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.			
14. Traffic Management Plan						
14.1	Workers Travel Plan	Outline Traffic Management Plan (7.8, Rev 2), Local Impact Report (REP2-071), Applicant Written Summaries of Oral Case for ISH1 (8.13, APP4-034)	<p>12 January 2022 South Downs National Park Authority requests that there is a workers travel plan that aims to reduce single occupancy travel and encourage the use of public transport.</p> <p>15 June 2023 As set out in paragraph 6.34(d) of our Local Impact Report (REP2-071)</p> <p>The DCO Requirements should include a 'construction worker travel plan' that makes use of the nearby Winchester train station, bus station and Park and Ride facilities. Workers could arrive via public transport and be moved to the compound by a minibus service, thereby reducing the need and size of a central compound within the National Park.</p> <p>26 October 2023 SDNPA's D6 submission (in response to Q1.3.2) sets out our concerns.</p>	<p>18 November 2022 A <i>Green travel plan</i> will be produced during Stage 5 with a series of initiatives to encourage sustainable ways of travelling to and from site. The plan looks at a variety of travel options, including bus, train, car sharing and cycling.</p> <p>22 September 2023 National Highways position is stated in response to ExQ2 9.2.18 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026). Commitment C15 has been added to Table 3.2 (Register of Environmental Actions and Commitments (REAC)) in the first iteration Environmental Management (fiEMP) (7.3, Rev 5).</p> <p>10 November 2023 The Green Travel Plan, to be produced as part of the siEMP, will include targets to reduce the use of private cars and other measures to promote sustainable travel. These can only be provided once all measures and provisions relating to the management of the construction workforce and construction compound are decided at detailed design stage.</p>	Not agreed	14 November 2023
14.2	Road closures during construction	Outline Traffic Management Plan (7.8, Rev 2) and Figure 2.5 (Temporary traffic diversion routes) of Chapter 2 (The Scheme and its Surroundings – Figures (Part 3 of 4)) of the ES (6.2, APP-063)	<p>3 November 2023 See SDNPA's D7 submission, we support the ExA preferred wording.</p>	<p>12 January 2022 Full road closures, weekend road closures and night closures were outlined in a combined stakeholder construction phase workshop.</p> <p>6 November 2023 National Highways position on Requirement 11 is outlined in the Applicant Response to the Examining Authority's Proposed changes to the draft Development Consent Order (8.25, REP6-026).</p>	Not agreed	14 November 2023

Reference	Issue	Document References (if relevant)	South Downs National Park Authority's Position	National Highways' Position	Status	Date
14.3	Walking, cycling and horse-riding route closures during construction	Outline Traffic Management Plan (7.8, Rev 2) and Figure 2.6 (Temporary Diversion of Walking, Cycling and Horse-riding Routes) in Chapter 2 (The Scheme and its Surroundings – Figures (Part 3 of 4)) of the ES (6.2, APP-063)	<p>15 June 2023</p> <p>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>	<p>12 January 2022</p> <p>Footpath closures were outlined in a combined stakeholder construction phase workshop.</p> <p>17 July 2023</p> <p>Please refer to National Highways' response to Q16.1.27 in the Applicant responses to Written Questions (8.5, REP2-051) submitted at Deadline 2.</p>	Not agreed	25 October 2023
14.4	NCN route 23 Proposed diversion routes	Outline Traffic Management Plan (7.8, Rev 2)	<p>15 June 2023</p> <p>As set out in paragraph 6.34(b) of our Local Impact Report (REP2-071).</p> <p>The current proposed diversion routes, particularly for the temporary replacement for the National Cycle Network (NCN23), needs further consideration due to the negative impacts which will be caused to users of those proposed diverted routes. The DCO Requirements should be amended to ensure that before a temporary route is brought into use, the Local Planning Authorities and Local Highway Authority, in consultation with local access groups 24 (including Cycle Winchester, the Ramblers Association and the British Horse Society), are consulted and agree to any diversion route. This is also linked to the comment below about the DCO Requirements including a phasing plan, as early advanced warning will enable wider communications / notifications to all users of the routes.</p>	<p>17 July 2023</p> <p>National Highways position is stated in Applicant comments on Local Impact Reports (8.9, REP3-023), response to paragraph 6.34(b) of South Downs National Park Authority's LIR (REP2-071).</p> <p>22 September 2023</p> <p>National Highways position is stated in response to ExQ2 9.2.18 within the Applicant Response to the Examining Authority's Second Written Questions (ExQ2) (8.17, REP5-026).</p>	Not agreed	25 October 2023