

Response to the Examining Authority's Questions

Q1.4.9	South Norfolk Council	<p>Paragraph 2.2.7.3 of the Outline Ecological Management Plan [APP-180] states that a hedgerow survey was conducted along the cable corridor route according to the Hedgerow Survey Handbook Methodology 2007.</p> <p>What information is absent in relation to the identification of 'important' hedgerows under the Hedgerows Regulations 1997?</p> <p><b>The Defra (2007) Hedgerow Survey Handbook methodology differs to that set out in the Hedgerows Regulations 1997, for example the 30-metre sampling is different (paragraph 7(3) of Schedule 1 to the Regulations. Furthermore, we require testing against all the criteria of the Regulations, which include historical and archaeological considerations too.</b></p> <p><b>We require a full assessment of all the potentially implicated hedgerows using the methods prescribed by the Hedgerows Regulations and the associated guidance.</b></p>
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Q1.9.1	Applicant, South Norfolk Council (SNC)	<p>Representations have been made regarding the potential implications of the on-shore cable route for future housing development sites [including RR-051, RR-067 and RR-147].</p> <p>The Applicant and SNC are both requested to provide details of the location of potential housing sites, the stage they have reached in the planning process, the effects the proposal would be likely to have upon them and any appropriate mitigation measures that may be required.</p> <p><b>The sites have no status in planning terms as they have been submitted under the call for sites and the initial Regulation 18 stage, which is the first stages of the Local Plan process. The sites have been subject to a high-level desk-top assessment in the Housing and Economic Land Availability Assessment (HELAA). Sites identified as <i>potentially</i> suitable in the HELAA still need to be subject to a full site assessment before a draft Regulation 18 plan is consulted on in autumn 2019.</b></p>
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Q1.10.7	Applicant,	The ES [APP-082] concludes that there would be a minor adverse effect on tourism.
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	<p>Broadland District Council, North Norfolk District Council, South Norfolk Council</p>	<p>Please provide further details of the economic effects on the tourist industry in Norfolk, including from:  seasonal traffic impacts;  <b>Unlikely to be any in South Norfolk</b>  impacts on public rights of way (including the Norfolk Coast Path National Trail);  <b>Unlikely to be any in South Norfolk but further information could be provided by the Public Rights of Way officer at Norfolk County Council.</b>  the demand for accommodation; and  the implications of the proposed phasing options.  <b>Unlikely to be any in South Norfolk</b></p> <p>Are there any local areas where economic effects would be concentrated?  <b>Unlikely to be any in South Norfolk</b></p> <p>What measures could be proposed to mitigate any such impacts?</p>
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<p>Q1.11.1</p>	<p>Norfolk County Council (NCC), Broadland District Council (BDC), North Norfolk District Council (NNDC), South Norfolk Council (SNC), Highways England (HE)</p>	<p>Do you agree with the methodology, baseline data and predicted traffic movements used to assess traffic and transport impacts in the ES [APP-079]?</p> <p>Please identify any outstanding issues.</p> <p><b>South Norfolk Council would defer to NCC as Statutory Highway Authority</b></p>
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<p>Q1.12.2</p>	<p>Broadland District Council</p>	<p>Do you agree with the Applicant's noise assessment methodology, including the baseline monitoring [APP-080]?</p>
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	(BDC), North Norfolk District Council (NNDC), South Norfolk Council (SNC)	<b>South Norfolk Council agrees.</b>
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Q1.12.6	Applicant, BDC, NNDC, SNC	<p>Paragraph 4.1.1.1 of the Outline Code of Construction Practice [APP-179] sets out proposed core working hours for construction. These appear to extend beyond standard construction working hours, including starting at 07:00 on Mondays to Saturdays.</p> <p>Bearing in mind the proximity of some work sites to residential properties (and the period of construction of the HVDC convertor/HVAC substation), what is the justification for these working hours?</p> <p>Should provision be made for reduced hours or no working on Bank Holidays?</p> <p><b>South Norfolk Council concurs with best practice which is to undertake any potentially noisy construction and demolition activities during the following times:</b>  <b>08:00 - 18:00 Monday to Friday</b>  <b>08:00 - 13:00 on Saturdays</b></p> <p><b>No work on Sundays or Bank Holidays</b></p>
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Q1.12.7	Applicant, BDC, NNDC, SNC	The Outline Code of Construction Practice [APP-179] allows for continuous working hours in certain circumstances.
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Q1.12.11	BDC, NNDC, SNC	<p>The applicant has provided an Electro-Magnetic Fields Compliance Statement [APP-087].</p> <p>Do you agree with this statement?</p> <p><b>South Norfolk Council agrees.</b></p>
Q1.13.8	Applicant, Broadland District Council (BDC), North Norfolk District Council (NNDC), South Norfolk Council (SNC)	<p>The definition of 'onshore site preparation works' in Article 2 includes site clearance, demolition and archaeological investigations. It is noted that similar drafting has been adopted in some other projects. Nevertheless, these may well be substantial works in their own right, particularly in relation to the clearance of vegetation along the cable corridor. Vegetation clearance could take place in areas which have yet to be subject to ecological surveys.</p> <p>What is the justification for excluding site clearance and demolition from the definition of 'commence' in the particular circumstances of this application?</p> <p>How would pre-construction surveys be secured through the dDCO if site clearance would not amount to commencement?</p> <p>How would Requirement 16, relating to archaeological investigations, operate if those investigations were themselves excluded from the definition of commencement?</p> <p><b>South Norfolk Council considers that there is no justification as a blanket provision.</b></p>
Q1.13.9	Applicant, BDC, NNDC, SNC	<p>The definition of 'onshore site preparation works' in Article 2 appears to be broader than the equivalent wording within the definition of 'commence' in the Hornsea Two Offshore Wind Farm Order 2016.</p>

		<p>Specifically, it includes diversion and laying of services and the creation of site accesses.</p> <p>What is the justification for adopting a broader definition in this case?</p> <p>How would relevant mitigation measures be secured, such as those in the Outline Code of Construction Practice [APP-179], given that the detailed versions of mitigation documents may not be approved until after the 'onshore site preparation works' have taken place?</p> <p><b>South Norfolk Council at this point in time does not see a justification but will consider further before the hearing.</b></p>
Q1.13.21	NCC, BDC, NNDC, SNC	<p>Article 10(2) would enable the undertaker to use streets that have been temporarily stopped up as temporary working areas.</p> <p>Would the drafting of Article 10 provide satisfactory mitigation for any potential impacts on the living conditions of local residents?</p> <p><b>Yes</b></p>
Q1.13.23	NCC, BDC, NNDC, SNC	<p>Article 12 would enable the undertaker to seek approval for accesses to the highway, other than those listed in Schedule 5. Approval would be deemed to have been given if no decision was notified within 28 days.</p> <p>Would the drafting of Article 12 provide a reasonable timescale for such requests to be properly considered?</p> <p><b>Defer to NCC as statutory Highway Authority.</b></p>
Q1.13.46	Applicant, NCC, BDC, NNDC, SNC	<p>Requirement 16 provides for a scheme of archaeological investigation to be approved by the relevant planning authority (defined as district planning authority in Article 2). NCC [RR-035] has proposed alternative, more detailed drafting in which NCC would be the determining authority.</p>

		<p>Please can the applicant comment on the drafting suggested by NCC.</p> <p>Which authority (or authorities) should be responsible for approving the scheme?</p> <p><b>NCC</b></p>
Q1.14.15	<p>Broadland District Council, North Norfolk District Council, South Norfolk Council</p>	<p>Paragraph 1.4.1.7 of the Funding Statement [APP-029] considers the arrangements for the approval of a funding guarantee and concludes that such approval should be given by the Secretary of State rather than being delegated to local authorities.</p> <p>Do you agree with the Applicant's conclusion?</p> <p><b>Yes.</b></p>
Q1.15.8	<p>Natural England (NE), Environment Agency (EA), Royal Society for the Protection of Birds (RSPB), Norfolk Wildlife Trust (NWT), Broadland District Council (BDC), North Norfolk District Council (NNDC), South Norfolk Council</p>	<p>Please comment on the Outline Code of Construction Practice [APP-179] and comment on any potential amendments that may, in your view, be required in order the secure appropriate environmental outcomes and regulatory compliance.</p> <p><b>South Norfolk Council would suggest no amendments at this stage.</b></p>

	(SNC)	
Q1.15.12	NE, BDC, NNDC, SNC	<p>Please comment on the Outline Landscape Management Plan [APP-181] and comment on any potential amendments that may, in your view, be required in order the secure appropriate mitigation of landscape and visual impacts.</p> <p>There is an uncertainty as to the exact nature of the mitigation and enhancement planting works that will be undertaken along the cabling route; this is partly due to full information about tree and hedgerow losses/implications remaining outstanding, but also due to the uncertainties with regards to landowner co-operation with the aspirations, particularly with regards to enhancements. Once the outstanding information is received, we would wish to have a clear set of information confirming the features to be removed, and a plan and specification for where replanting will take place, whether for mitigation or enhancement.</p> <p>Mechanisms and responsibilities for ensuring the delivery and long-term management within both the cable route and the 100m working corridor ideally need to be identified, especially if the land will not be under the operational control of the applicant.</p> <p>Clarity will need to be provided on the long-term management for the re-instated and new features, including an explanation of likely operations for beyond the five-year establishment period. This will include timings of works and an indication of appropriate cycles where operations are repeated (e.g. the coppicing outlined in 5.3.2 of the Outline Landscape Management Plan. Note that at present there is confusion between the Outline Landscape Management Plan and Outline Ecological Management Plan as to which is prescribing the long-term management; the former states in 1.1.1.5 that the OEMP will describe the long-term management measures, whilst the latter states in 8.2.1.1 that once established, new planting will be managed in accordance with the OLMP.</p>