



Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System

**Appendix 30: Statement of
Common Ground between Triton
Knoll Offshore Wind Farm
Limited and Lincolnshire County
Council**

Date: October 2015

**Appendix 30 of the Applicant's
response to Deadline 1**

Triton Knoll Offshore Wind Farm Limited

Triton Knoll Electrical System

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Limited and Lincolnshire County Council

Appendix 30 of the Applicant's response to
Deadline 1

Date: October 2015

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Offshore Wind Farm Limited
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1. CONFIRMATION OF AGREEMENT

Confirmation of Agreement with Lincolnshire County Council

Signed:



For: Triton Knoll Offshore Wind Farm Limited

Name: KIM GAULD-CLARK

Title: SENIOR CONSENTS MANAGER

Date: 5/10/15

Signed:

For: Lincolnshire County Council

Name: Phil Hughes

Title: Strategic Planning Manager

Date: 5 October 2015

Hardwick, Sarah

From: Phil Hughes [REDACTED]
Sent: 05 October 2015 13:16
To: Lloyd, Chris
Subject: Appendix 30 - SoCG with LCC - V4 - Clean
Attachments: Appendix 30 - SoCG with LCC - V4 - Clean.docx

Chris,

Please find attached signed SoCG as the currently agreed version. Please acknowledge receipt.

Thanks,

Phil

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2. INTRODUCTION

Reason for this Statement of Common Ground

- 2.1 This Statement of Common Ground (SoCG) has been prepared in respect of Triton Knoll Offshore Wind Farm Ltd's (TKOWFL or the Applicant) application for a development consent order (DCO) under the Planning Act 2008 (the Application).
- 2.2 This SoCG with Lincolnshire County Council (LCC) is a means of clearly recording any areas of agreement and disagreement between the two parties in relation to the Application. The SoCG has been structured to reflect topics of relevance to LCC as a planning authority in relation the Application.
- 2.3 The structure of the SoCG is as follows:
- Section 1: Introduction;
 - Section 2: Consultation;
 - Section 3: Matters agreed;
 - Section 4: Matters under discussion; and
 - Section 5: Matters not agreed.
- 2.4 Throughout this SoCG the phrase "It is agreed..." is used as a precursor to any point that has been specifically agreed between the Applicant and LCC. The phrase "It is not agreed..." is used as a precursor to any point that the Applicant and LCC wish to identify as not yet agreed. Points that are "still under discussion" or "not agreed" will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.
- 2.5 It is the intention that this document will facilitate further discussions between both parties and also give the Examining Authority (ExA) an understanding of the level of common ground between both parties from the outset of the examination process.

The proposed development

- 2.6 The proposed development comprises the project elements as described in Volume 3, Chapter 1, Onshore Project Description (document reference 6.2.3.1) of the Environmental Statement (ES).

Application elements under the LCC remit

- 2.7 LCC is a prescribed consultee for the proposed development under section 42 of the Planning Act 2008 and Regulation 9 (1)(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.
- 2.8 LCC is the county planning authority in whose area the project is located. In relation to the Triton Knoll Electrical System (TKES) its responsibilities include engagement in the pre-application process, production of a local impact report (LIR) during the Examination phase and being responsible as the relevant authority for the discharge of onshore requirements for some onshore elements of the TKES works, including traffic and access, historic environment and acting as the lead local flood authority.
- 2.9 The assessment topics under LCC's remit that have been agreed to include within this SoCG are:
- Volume 1, Chapter 4, of the ES, Site Selection and Alternatives
 - Volume 3, Chapter 2 of the ES, Landscape and Visual
 - Volume 3, Chapter 3 of the ES, Socio-Economics, Tourism and Recreation
 - Volume 3, Chapter 4 of the ES, Terrestrial Ecology
 - Volume 3, Chapter 5 of the ES, Land Use, Agriculture and Soils
 - Volume 3, Chapter 6 of the ES, Geology, Hydrogeology and Ground Conditions
 - Volume 3, Chapter 7 of the ES, Hydrology and Flood Risk
 - Volume 3, Chapter 8 of the ES, Historic Environment
 - Volume 3, Chapter 9 of the ES, Traffic and Access
- 2.10 It has been agreed that in respect of the Lincolnshire Coastal Grazing Marsh project, LCC will defer to the views of Natural England and the Lincolnshire Wildlife Trust.

3. CONSULTATION

Summary

- 3.1 The Applicant engaged with LCC on the proposed development during the pre-application process, both in terms of informal non-statutory engagement, and formal consultation carried out pursuant to section 42 of the Planning Act 2008 (the 2008 Act). A summary of consultation undertaken, specific to an environmental topic, is presented in each of the chapters of the ES, with detail on all the consultation undertaken by the Applicant during the pre-application process presented in the Consultation Report (document reference 5.1). The Consultation Report demonstrates how the Applicant has complied with its duties under the relevant sections of the 2008 Act.

EIA Evidence Plan

- 3.2 LCC participated in the pre-application EIA Evidence Plan process which commenced in May 2014. The primary aim of the EIA Evidence Plan was to ensure that TKOWFL, by agreement with the key statutory and non-statutory bodies, provided sufficient and proportionate information and applied appropriate and proportionate methods in the assessment of the TKES works and the application documentation. The EIA Evidence Plan (document reference 8.16) was submitted with the application for development consent and provides detail of the discussions and agreements undertaken and made as part of that process.
- 3.3 As part of the process LCC was represented in topic-specific Review Panels and was a member of the EIA Evidence Plan Steering Group. LCC was involved in the Human Environment Review Panel which covered Landscape and Visual and Socioeconomics, Tourism and Recreation. It was also represented on the Review Panels for Hydrology and Flood Risk, Onshore Historic Environment and the Traffic and Access.
- 3.4 Agreements reached during the EIA Evidence Plan process are set out in this SoCG in order to provide the ExA with a clear understanding of the status of these matters.

Pre-application Consultation

- 3.5 Consultation on the TKES commenced with discussions with LCC in 2008. At that time the discussions related to the entire project, both the offshore array and the TKES.
- 3.6 LCC took part in the alternatives consultation of the proposed development undertaken between 19th February and 30th April 2013.

- 3.7 Discussions in relation securing land rights on LCC owned land commenced in 2014.
- 3.8 In its response to the TKES statutory consultation in November 2014 LCC provided comments on the preliminary environmental information (PEI), LCC provided comments on the areas of the draft Environmental Statement (ES) relevant to their remit.
- 3.9 The meetings detailed in Table 1 were held with LCC to discuss outstanding issues.
- 3.10 It is agreed that Table 1 presents an accurate chronological overview of the key meetings in relation to the Application which were undertaken with LCC prior to the submission of the Application.
- 3.11 It is agreed that the Consultation Report (document reference 5.1) submitted with the application provides accurate record of the statutory consultation with LCC.
- 3.12 It is agreed that additional topic-specific consultation with LCC, outside of the EIA Evidence Plan process, is captured within the consultation sections of each of the relevant ES chapters, listed in paragraph 2.9.

Table 1: Consultation undertaken with Lincolnshire County Council pre-application

Date	Form of consultation	Activity/Summary	Application Reference for further details
14-May-13	Consultation Meeting	Site selection update meeting	Site selection and design report (doc ref 8.17)
24-Oct-13	Consultation Meeting	Site selection update meeting	Site selection and design report (doc ref 8.17)
22-Apr-14	Consultation Meeting	Discussions regarding the content of the draft SoCC	Consultation Report (doc ref 5.1)
15-May-14	Consultation Meeting	Discussions regarding the content of the draft SoCC	Consultation Report (doc ref 5.1)

15-May-14	Review Panel Meeting	Historic Environment Review Panel	EIA evidence plan (doc ref 8.6) Appendix I; Annex C1
15-May-14	Review Panel Meeting	Human Environment (Landscape) Review Panel Kick-off	EIA evidence plan (doc ref 8.6) Appendix I; Annex E1
15-May-14	Consultation meeting	Human Environment: Socioeconomics, Tourism and Recreation, Traffic and Access Consultation meeting	Volume 3 Chapter 3 of the ES. (doc ref 6.2.3.3)
15-May-14	Review Panel Meeting	Traffic & Access Review Panel	EIA evidence plan (doc ref 8.6) Appendix I; Annex E4
30-Jul-14	Review Panel Meeting	Traffic & Access Review Panel	EIA evidence plan (doc ref 8.6) Appendix I; Annex E4
30-Jul-14	Review Panel Meeting	Human Environment (Landscape) Review Panel 1	EIA evidence plan (doc ref 8.6) Appendix I; Annex E1
30-Jul-14	Review Panel Meeting	Human Environment: Socioeconomics, Tourism and Recreation Review Panel	EIA evidence plan (doc ref 8.6) Appendix I; Annex E3
07-Aug-14	Review Panel Meeting	Historic Environment Review Panel	EIA evidence plan (doc ref 8.6) Appendix I; Annex C1
10-Sep-14	Steering Group Meeting	EIA Evidence Plan – 1st Steering Group	EIA evidence plan (doc ref 8.6) Appendix I; Annex F
11-Feb-15	Review Panel Meeting	Historic Environment Review Panel	EIA evidence plan (doc ref 8.6) Appendix I; Annex C1

25-Feb-15	Steering Group Meeting	EIA Evidence Plan – 2nd Steering Group	EIA evidence plan (doc ref 8.6) Appendix I; Annex F
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Post-application Consultation

- 3.13 The Applicant made initial contact with LCC in relation to the preparation of a SoCG in late May 2015, following the Secretary of State’s acceptance of the Application. It was agreed that drafting a SoCG would be appropriate as a means of making a clear statement to the ExA appointed for the Application on the key issues during the early stages of the examination.
- 3.14 The Applicant met with LCC on 9 September 2015 to discuss a first draft of the SoCG and the relevant representation submitted to the Planning Inspectorate.

4. MATTERS AGREED

The Application

- 4.1 The following sections of this SoCG set out the areas of agreement by the parties in respect of the Application.
- 4.2 Where the agreements set out in the following sections refer to sections of the ES, it is agreed that those statements apply equally to the equivalent data, descriptions or analyses set out in any relevant technical reports, survey reports or any other application documents, unless otherwise stated.

Policy Context

- 4.3 It is agreed that the National Policy Statements (NPS) for Overarching Energy (EN-1), Renewable Energy (EN-3) and Electricity Networks Infrastructure (EN-5), are the overriding policy documents in relation to the Project.
- 4.4 It is agreed that NPS EN-1, EN-3 and EN-5 provide for flexibility in the project design at the point of consent.
- 4.5 It is agreed that NPS EN-1 and EN-3 advocate the use of the 'Rochdale Envelope' approach to allow the assessment of effects in relation to the scope of the project design by reference to the maximum extents or dimensions, subject to the imposition of relevant controls in the draft DCO and DML (paragraphs 4.2.7 to 4.2.8 of EN-1 and paragraphs 2.6.42 to 2.6.43 of EN-3).
- 4.6 It is agreed that the Policy Context sections of each of the relevant ES chapters listed in paragraph 2.9, have considered and referred to all relevant specific policy and guidance documents and all relevant national and international legislation in relation to the potential impacts identified.
- 4.7 It is agreed that each of the relevant ES chapters listed in paragraph 2.9 of this statement, contains a complete assessment of all the potential direct and indirect impacts that ought to be included for this type of development within the project area, and as defined by the relevant NPS(s) and other relevant policy and guidance.
- 4.8 It is agreed that the Planning Statement (document reference 8.4) refers to and considers the appropriate planning policy in relation the proposed development.

Project Description

- 4.9 It is agreed that the project details described in Volume 3, Chapter 1, Onshore Project Description of the ES (document reference 6.2.3.1) provide a clear and thorough
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description of the proposed development, and are suitable as a basis for detailed assessment of all onshore topics relating to the proposed development.

- 4.10 It is agreed that the project details of the proposed development are appropriately reflected in the parameters of the Authorised project set out in Schedule 1 of the draft DCO (document reference 3.1).
- 4.11 It is agreed that the staged approach to the construction of the authorised development, as set out in Schedule 1 (Authorised Project), Part 1 (Authorised Development) of the draft DCO is an appropriate mechanism to divide the authorised development for the purposes of the DCO and for the discharge of requirements.

Key Parameters for the Assessment

- 4.12 It is agreed that a maximum adverse scenario has been established according to the 'Rochdale Envelope', using project specification details given in Volume 3, Chapter 1 of the ES.

Approach to EIA

- 4.13 It is agreed that the EIA process, as set out in Volume 1, Chapter 3, Approach to EIA of the ES (document reference 6.2.1.3) is an appropriate approach for the identification and assessment of the potential impacts and effects of the proposed development.

Site Selection and Alternatives

- 4.14 This section of the SoCG sets out those aspects of the Application that are agreed in relation to site selection and alternatives.
- 4.15 It is agreed that paragraphs 4.25 – 4.79, Volume 1, Chapter 4, Site Selection and Alternatives of the ES (document reference 6.2.1.4) provide an accurate summary of the Interface Selection Assessment, including the changes to the Interface Selection Assessment assumptions set out in paragraphs 4.65 – 4.79.
- 4.16 It is agreed that the process described in paragraphs 4.25 – 4.79, Volume 1, Chapter 4 of the ES is appropriate for the selection of the onshore interface point at Bicker Fen and took due consideration of the siting requirements of the substation, Intermediate Electrical Compound (IEC), landfall and cable route.
- 4.17 It is agreed that the paragraphs 4.80 – 4.248, Volume 1, Chapter 4 of the ES provide an accurate summary of the Site Selection Assessment and that the process undertaken was appropriate for the selection of the substation, IEC, landfall and cable route.
- 4.18 It is agreed that the site selection and alternatives process has resulted in an appropriate location for the interface point at Bicker Fen.
- 4.19 It is agreed that the site selection and alternatives process has resulted in an appropriate location for the substation.
- 4.20 It is agreed that the site selection and alternatives process has resulted in an appropriate location for the IEC.
- 4.21 It is agreed that the site selection and alternatives process has resulted in an appropriate location for the landfall.
- 4.22 It is agreed that the site selection and alternatives process has resulted in an appropriate location for the cable route.

Landscape and Visual

4.23 This section of the SoCG sets out those aspects of the Application that are agreed in relation to Landscape and Visual.

Scope and Methodology

4.24 It is agreed that Applicant has consulted LCC with respect to the scope and methodology of the landscape and visual assessment, as detailed in the EIA Evidence Plan (document reference 8.16).

4.25 It is agreed that the impact assessment approach presented in paragraphs 2.36 – 2.67, Volume 3, Chapter 2, Landscape and Visual, of the ES (document reference 6.2.3.2) is based on appropriate methodologies for the assessment of Landscape and Visual impacts and that it is fit for purpose for use in the assessment process.

4.26 It is agreed that the approach to assessment of effects on the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) and information provided for viewpoint 10, with regards to views from the AONB are appropriate.

4.27 It is agreed that the Photographic Surveys and Visualisations described in paragraphs 2.68 – 2.86, Volume 3, Chapter 2 of the ES and located in Volume 5, Chapter 2, Annex 2.2, are an accurate representation of the proposed development and are appropriate for the purposes of aiding the assessment of potential Landscape and Visual impacts.

4.28 It is agreed that the number and location of representative viewpoints are appropriate.

4.29 It is agreed that relevant guidance has been used to inform the assessment of potential Landscape and Visual impacts.

Existing Environment

4.30 It is agreed that the Landscape and Visual study area defined in paragraphs 2.27 – 2.30, Volume 3, Chapter 2 of the ES is acceptable for the purposes of describing the baseline environment and understanding the potential Landscape and Visual impacts as a result of the proposed development.

4.31 It is agreed that the baseline field assessments undertaken to characterise the existing environment around the proposed development as set out in paragraphs 2.34 – 2.35, Volume 3, Chapter 2 of the ES are appropriate to identify and describe the baseline environment and inform the assessment.

4.32 It is agreed that the descriptions given in paragraphs 2.87 – 2.127, Volume 3, Chapter 2 of the ES provide an accurate and appropriate characterisation of the landscape and

visual baseline based on the existing data available from literature and site-specific surveys.

Key Parameters for Assessment and Embedded Mitigation

- 4.33 It is agreed that the maximum adverse scenarios as defined in Tables 2-10 – 2-13, Volume 3, Chapter 2 of the ES, are clearly described, sufficiently justified and appropriate for assessing the potential Landscape and Visual impacts during all phases of the development.
- 4.34 It is agreed that the potential effects of any final layouts of the substation, IEC or unlicensed works at the existing National Grid Bicker Fen substation will be of no greater significance than those assessed in the ES.
- 4.35 It is agreed that the substation design envelope includes either an Air Insulated Switchgear (AIS) or Gas Insulated Switchgear (GIS) layout and that the worst case considered in the assessment and shown in the photomontages is the AIS option.
- 4.36 It is agreed that the limited duration that lighting will be required during the construction and operational phases will not give rise to significant night-time visual effects at each of the substation, IEC, and existing National Grid Bicker Fen substation sites, landfall and cable route.
- 4.37 It is agreed that there are no other scheme permutations, when considering the project details set out in Volume 3, Chapter 1, of the ES, which could lead to any greater landscape and visual effects than the maximum adverse scenarios set out in Tables 2-10 to 2-13.
- 4.38 It is agreed that Table 2-14, Volume 3, Chapter 2 of the ES describes the mitigation measures that have been embedded into the project design and demonstrate how the design has minimised harm to the environment.
- 4.39 It is agreed that the planting proposals set out in paragraphs 2.141 – 2.150, Volume 3, Chapter 2 of the ES and detailed in Section 7 of the Outline Landscape Strategy and Ecological Management Plan (LSEMP) (document reference 8.8) are appropriate for the purposes of mitigating potential significant adverse landscape and visual effects during operation.
- 4.40 It is agreed that the cable route mitigation strategy detailed in paragraphs 7.14 of the Outline LSEMP (document reference 8.8) is appropriate for the purposes of mitigating potential significant adverse landscape and visual effects during construction.

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- 4.41 It is agreed that the assessment of predicted residual landscape and visual impacts is appropriate in considering the embedded mitigation measures from the point that the proposed planting has reached maturity.
- 4.42 It is agreed that, as set out in paragraphs 7.6 and 7.11 of the Outline LSEMP, limited planting may be undertaken around the perimeter of the IEC site once the enabling works are complete to allow for some landscaping to become established whilst the construction work on the above ground infrastructure is underway within the compound.
- 4.43 It is agreed that the planting proposals set out in section 7 of the Outline LSEMP are appropriate mitigation in the landscape as there are local examples of similar planting schemes.
- 4.44 It is agreed that the Outline LSEMP (document reference 8.8) provides a suitable indicative form of the Written Landscaping Scheme that is required to be submitted and signed off by the relevant authority.

Assessment of Impacts

- 4.45 It is agreed that paragraphs 2.151 – 2.745 of Volume 3, Chapter 2 of the ES present an assessment of the potential landscape and visual impacts arising from all stages of development, in accordance with the requirements of relevant policy and legislation.

IEC

- 4.46 It is agreed that the predicted residual **landscape** and **visual** effects at the IEC, as set out Table 2-32 in Volume 3, Chapter 2, of the ES are **Neutral** during the construction and decommissioning phases, which is **Not significant**.
- 4.47 It is agreed that the predicted residual **landscape** effects at the IEC as set out in Table 2-32 in Volume 3, Chapter 2, of the ES are **Neutral** and **Not significant** during the operational phase.
- 4.48 It is agreed that predicted residual **visual** effects at the IEC during the operational phase as defined in Table 2-32 in Volume 3, Chapter 2 of the ES are **Slight adverse** from Viewpoints 4 and 5, which is **Not significant**.
- 4.49 It is agreed that all other predicted residual **visual** effects at the IEC during the operation phase as defined in Table 2-23 in Volume 3, Chapter 2 are **Neutral**, which is **Not significant**.
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Substation

- 4.50 It is agreed that the predicted residual **landscape** and **visual** effects at the substation as set out Table 2-33 in Volume 3, Chapter 2 of the ES, are **Neutral** during the construction and decommissioning phase, which is **Not significant**.
- 4.51 It is agreed that the predicted residual **landscape** effects at the substation during the operational phase as defined in Table 2-33 in Volume 3, Chapter 2, of the ES are **Neutral**, which is **Not significant**.
- 4.52 It is agreed that the predicted residual **visual** effects at the substation during the operational phase as defined in Table 2-25 in Volume 3, Chapter 2 of the ES are **Neutral**, which is **Not significant**.

Unlicensed Works

- 4.53 It is agreed that the residual **landscape** effects at the Unlicensed Works at the Existing Bicker Fen Substation during the construction phase are predicted to be **Minor Adverse**, which is **Not significant**.
- 4.54 It is agreed that the predicted residual **visual** effects of the Unlicensed Works at the Existing Bicker Fen Substation during construction phase are **Minor Adverse** or below, which are **Not Significant**.
- 4.55 It is agreed that the predicted residual **landscape** effects of the Unlicensed Works at the Existing Bicker Fen Substation during operational phase as set out in paragraph 2.688 in Volume 3, Chapter 2, of the ES are **Minor Adverse**, which is **Not Significant**.
- 4.56 It is agreed that the predicted residual **visual** effects of the Unlicensed Works at the Existing Bicker Fen Substation during operational phase as set out in in Volume 3, Chapter 2, of the ES are **Minor Adverse** or below, which are **Not Significant**.
- 4.57 It is agreed that the residual **landscape** and **visual** effects at the Unlicensed Works at the Existing Bicker Fen Substation during the decommissioning phase are predicted to give rise to **no significant** effects.

Cable route and landfall

- 4.58 It is agreed that the predicted residual landscape and visual effects of the cable route and landfall, as set out Table 2-35 in Volume 3, Chapter 2, of the ES are **Neutral** during the construction phase, which is **Not significant**.
- 4.59 It is agreed that landscape and visual effects of the cable route and landfall during operation have been appropriately scoped out of the assessment as the cables will be below ground.

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- 4.60 It is agreed that the landscape and visual effects of the cable route and landfall during decommissioning will be limited and not significant, as set out Table 2-35 in Volume 3, Chapter 2 of the ES.

Mitigation and Monitoring

- 4.61 With respect to further applied mitigation measures it is agreed that in accordance with paragraph 2.780 of Volume 3, Chapter 2 of the ES, given there are no residual significant adverse effects predicted on landscape and visual no further specific mitigation is required beyond that which is already embedded into the project design and secured through the management plans required by the DCO.

Cumulative Impacts

- 4.62 It is agreed that the projects scoped into the cumulative impact assessment, as detailed in Table 2-28, Volume 3, Chapter 2 of the ES are appropriate and reasonable in order to undertake the cumulative assessment for landscape and visual.
- 4.63 It is agreed that enabling works at the existing National Grid Bicker Fen substation to be undertaken by National Grid are appropriately considered in the assessment.
- 4.64 It is agreed that the design impact scenario considered within the assessment of potential cumulative landscape and visual impacts, as presented in Tables 2-29 to 2-31, Volume 3, Chapter 2, of the ES is appropriate for assessing the maximum likely cumulative effects on landscape and visual receptors.
- 4.65 It is agreed that the project has sufficiently considered all of the potential cumulative impacts. In addition, the outcome of the cumulative assessment presented in paragraph 2.763 to 2.778 of Volume 3, Chapter 2, of the ES which concludes that there are unlikely to be any significant effects, is accurate.

Inter-related Effects

- 4.66 It is agreed that the assessment undertaken and detailed in Table 12-6 of Volume 3, Chapter 12 *Inter-related Effects* (onshore) of the ES (document reference 6.2.3.12) is appropriate, accurate, and no significant effects on the landscape and visual context are predicted beyond those identified in Volume 3, Chapter 2, of the ES.

Socio-economics, Tourism and Recreation

4.67 This section of the SoCG sets out those aspects of the Application that are agreed in relation to socio-economics, tourism and recreation.

Scope and Methodology

4.68 It is agreed that Applicant has consulted LCC with respect to the scope and methodology of the socio-economic, tourism and recreation assessment, as detailed in the EIA Evidence Plan (document reference 8.16).

4.69 It is agreed that the study area defined in paragraphs 3.25 – 3.30 of Volume 3, Chapter 3 of the ES is appropriate for the purposes of describing the baseline environment and understanding the potential impacts on socio-economics, tourism and recreation as a result of the proposed development.

4.70 It is agreed that the impact assessment methodology presented in Table 3-3 and paragraphs 3.36 – 3.54 of Volume 3, Chapter 3 of the ES is based on appropriate methodologies for the assessment of impacts on socio-economics, tourism and recreation, and that it is fit for purpose for use in the assessment process.

Existing Environment

4.71 It is agreed that the project specific data and reports provided in paragraphs 3.31 – 3.35 of Volume 3, Chapter 3, of the ES are up to date and appropriate for the purposes of establishing the existing environment.

4.72 It is agreed that the descriptions given in paragraphs 3.56 – 3.94 of Volume 3, Chapter 3, of the ES provide an accurate and appropriate characterisation of the socio-economic, tourism and recreation baseline based on the existing data available and site specific surveys.

Key Parameters for Assessment and Embedded Mitigation

4.73 It is agreed that the maximum adverse scenarios as defined in Table 3-7 of Volume 3, Chapter 3, of the ES, are clearly described, sufficiently justified and appropriate for assessing each of the potential impacts on socio-economics, tourism and recreation during all phases of development.

4.74 It is agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater socio-economic, tourism and recreation effects than the maximum adverse scenarios set out in Table 3-7 of Volume 3, Chapter 3, of the ES.

4.75 It is agreed that paragraphs 3.99, 3.100 and Table 3-8 of Volume 3, Chapter 3, of the ES describe the mitigation measures that have been embedded into the project design

and demonstrate how the design has minimised socio-economic, tourism and recreation impacts.

- 4.76 It is agreed that Section 3 of the Outline Construction Method Statement (document reference 8.7.1) sets out an appropriate approach on how public rights of way (PRoW) diversions will be managed, and the broad principles that will ensure the use of PRoWs during construction is managed safely and that any disruption caused to the general public is minimised.
- 4.77 It is agreed that Section 3 of the Outline Construction Method Statement (document reference 8.7.1) is a suitable form of the final Construction Method Statement that is required to be submitted and approved by the relevant authority.
- 4.78 It is agreed that Table 3-8 of Volume 3, Chapter 4 of the ES sets out a range of appropriate measures to minimise socio-economic, tourism and recreation effects including burial of cable under the sand dunes, minimising the use of artificial light and informing local tourism businesses of construction activities.
- 4.79 It is agreed that Table 3-8 of Volume 3, Chapter 4 of the ES sets out a range of appropriate measures to maximise positive effects on employment and the local supply chain by informing local employers and suppliers of construction opportunities.

Assessment of Impacts

- 4.80 It is agreed that paragraphs 3.102 – 3.170 of Volume 3, Chapter 3 of the ES present an assessment of the potential impacts on socio-economics, tourism and recreation arising from the construction and operation of the development, in accordance with the requirements of relevant policy and legislation.
- 4.81 It is agreed that the decommissioning phase has been appropriately scoped out of the assessment.
- 4.82 It is agreed that the assessment of the proposed development on quality of life and specific health issues of identified receptors in paragraphs 3.111 – 3.116 of Volume 3, Chapter 3 of the ES is appropriate.

Mitigation

- 4.83 With respect to further applied mitigation measures it is agreed that in accordance with paragraph 3.204 – 3.206 of Volume 3, Chapter 3 of the ES, given there are no significant adverse effects predicted on socio-economic, recreation and tourism no further specific mitigation is required beyond that which is already embedded into the project design and secured through the management plans required by the DCO.

Cumulative Impacts

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- 4.84 It is agreed that the projects scoped into the cumulative impact assessment, as detailed in Table 3-10 of Volume 3, Chapter 3 of the ES are appropriate and reasonable in order to undertake the cumulative assessment for socio-economics, tourism and recreation.
- 4.85 It is agreed that the design impact scenario considered within the assessment of potential cumulative impacts on socio-economics, tourism and recreation, as presented in Tables 3-11 of Volume 3, Chapter 3 of the ES, is appropriate for assessing the maximum likely cumulative effects on socio-economics, tourism and recreation.
- 4.86 It is agreed that the project has sufficiently considered all of the potential cumulative impacts to inform the assessment and that the outcome of the cumulative assessment presented in paragraphs 3.188 – 3.202 of Volume 3, Chapter 3 of the ES, which concludes that there are unlikely to be any significant impacts, is appropriate.

Inter-related Effects

- 4.87 It is agreed that the assessment undertaken and detailed in Table 12-7 of Volume 2, Chapter 12 of the ES is appropriate, accurate, and that no significant inter-related impacts relative to socio-economics, tourism and recreation are predicted.

Terrestrial Ecology

4.88 This section of the SoCG sets out those aspects of the Application that are agreed in relation to terrestrial ecology.

Scope and Methodology

4.89 It is agreed that Applicant has consulted LCC with respect to the scope and methodology of the terrestrial ecology assessment, as detailed in the EIA Evidence Plan (document reference 8.16).

4.90 It is agreed that the study area defined in paragraphs 4.24 – 4.26 and Table 4-3 of Volume 3, Chapter 4 of the ES is acceptable for the purposes of describing the baseline environment and understanding the potential impacts on terrestrial ecology from the proposed development.

4.91 It is agreed that the impact assessment methodology presented in paragraphs 4.27 – 4.47 of Volume 3, Chapter 4 of the ES is based on appropriate methodologies for the assessment of impacts on terrestrial ecology, and that it is fit for purpose for use in the assessment process.

4.92 It is agreed that the use of aerial Phase 1 surveys for areas where survey access was not provided by landowners, as set out in paragraphs 4.46 – 4.48 of Volume 3, Chapter 4 of the ES, is an appropriate technique to identify the existing environment.

4.93 It is agreed that the project specific data sources and field surveys for all habitats and species within the study area presented in Tables 4-7 – 4-8 and paragraphs 4.48 – 4.50 of Volume 3, Chapter 4 of the ES are appropriate for the purposes of establishing the existing terrestrial ecology environment.

4.94 It is agreed that the approach to assessing potential impacts on designated sites, including Local Wildlife Sites as set out in paragraphs 4.51 – 4.54 of Volume 3, Chapter 4 of the ES, is appropriate.

4.95 It is agreed that the approach to assessing potential ecological impacts on the Lincolnshire Coastal Country Park (LCCP) as set out in Table 4-2 of Volume 3, Chapter 4 of the ES, that the habitats are included in the existing environment but that they are not specifically assessed as the LCCP is not designated specifically for reasons of nature conservation importance, is appropriate .

Existing Environment

4.96 It is agreed that the methodology undertaken to characterise the existing environment, as set out in Volume 5, Annex 4.1 Ecology Baseline Report of the ES (document reference 6.2.5.4.1), provides an appropriate approach to describing the baseline

environment It is agreed that the methodology undertaken to characterise the existing environment, as set out in Volume 5, Annex 4.1 Ecology Baseline Report of the ES (document reference 6.2.5.4.1), provides an appropriate approach to describing the baseline environment.

- 4.97 It is agreed that the descriptions given in paragraphs 4.51 – 4.98 of Volume 3, Chapter 4 of the ES provide an accurate characterisation of the terrestrial ecology baseline appropriate to inform the assessment.

Key Parameters for Assessment and Embedded Mitigation

- 4.98 It is agreed that the maximum adverse scenarios as defined in Table 4-16 of Volume 3, Chapter 4 of the ES, are clearly described, sufficiently justified and appropriate for assessing the potential impacts on terrestrial ecology during all phases of development.
- 4.99 It is agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater terrestrial ecology effects than the maximum adverse scenarios set out in Table 4-16.
- 4.100 It is agreed that paragraphs 4.101 – 4.105 and Table 4-17 of Volume 3, Chapter 4 of the ES describe the mitigation measures that have been embedded into the project design and demonstrate how the design has minimised harm to the environment.
- 4.101 It is agreed that the Outline Landscape Strategy and Ecological Management Plan (LSEMP) (document reference. 8.8) provides overarching principles and a suitable basis for the Ecological Management Plan (EMP) required to be submitted and approved pre-construction under the draft DCO (document reference 3.1).
- 4.102 It is agreed that the ecological receptors set out in paragraphs 4.106 – 4.108 and Table 4-18 of Volume 3, Chapter 4 of the ES have been appropriately scoped out of the assessment and that should Great Crested Newt be identified during pre-construction surveys that the provisions within the OLSEMP will ensure that no significant effects would arise on this species.

Assessment of Impacts

- 4.103 It is agreed that paragraphs 4.109 – 4.162 of Volume 3, Chapter 4 of the ES present an assessment of the potential impacts on terrestrial ecology arising from the construction, operation and decommissioning of the development, in accordance with the requirements of relevant policy and legislation.
- 4.104 It is agreed that all potential impacts are predicted to be **Minor Adverse** or below and are therefore **Not Significant** as summarised in Table 4-33 of Volume 3, Chapter 4 of the ES.

Mitigation and Monitoring

- 4.105 With respect to mitigation measures, excluding the Lincolnshire Coastal Grazing Marsh (LCGM), it is agreed that given the generally low level of significance ascribed to the predicted changes to terrestrial ecology as a result of the construction, operation and decommissioning of the project, no further specific applied mitigation is required.
- 4.106 In relation to LCGM Sites A to E, it is agreed that applied mitigation is being developed through consultation with Natural England and Lincolnshire Wildlife Trust and that LCC defer to these organisations with respect to the LCGM.
- 4.107 It is agreed that the matters set out in the Outline LSEMP are appropriate for the management of potential terrestrial ecology impacts.
- 4.108 With respect to monitoring measures, it is agreed that given the generally low level of significance ascribed to the predicted changes to terrestrial ecology as a result of the construction, operation and decommissioning of the project, no specific monitoring is required.

Cumulative Impacts

- 4.109 It is agreed that the projects scoped into the cumulative impact assessment, as detailed in Table 4-31, Volume 3, Chapter 4 of the ES are appropriate and reasonable in order to undertake the cumulative assessment for terrestrial ecology.
- 4.110 It is agreed that the design impact scenario considered within the assessment of potential cumulative terrestrial ecology impacts on, as presented in Tables 4-32 of Volume 3, Chapter 4, of the ES, is appropriate for assessing the maximum likely cumulative effects on terrestrial ecology.
- 4.111 It is agreed that the project has sufficiently considered all of the potential cumulative impacts to inform the assessment and that the outcome of the cumulative assessment presented in paragraph 4.180 – 4.183 of Volume 3, Chapter 4, of the ES which concludes that there are unlikely to be any significant effects is appropriate.

Inter-related Effects

- 4.112 It is agreed that the assessment undertaken and detailed in Table 12-7 of Volume 2, Chapter 12, of the ES is appropriate, accurate, and that no significant inter-related effects relative to terrestrial ecology.

Geology, Hydrogeology and Ground Conditions

4.113 This section of the SoCG sets out those aspects of the Application that are agreed in relation to Geology, Hydrogeology and Ground Conditions.

Scope and Methodology

4.114 It is agreed that the study area defined in paragraphs 6.34 – 6.36 and shown in Figures 6-1 – 6-2 of Volume 3, Chapter 6 *Geology, Hydrogeology and Ground Conditions* of the ES (document reference 6.2.3.6), is acceptable for the purposes of describing the baseline environment and understanding the potential geology, hydrogeology and ground conditions impacts resulting from the proposed development.

4.115 It is agreed that the impact assessment approach presented in paragraphs Volume 3, Chapter 6 of the ES is based on appropriate methodologies for the assessment of impacts on geology, hydrogeology and ground conditions and that it is fit for purpose for use in the assessment process.

Existing Environment

4.116 Characterisation of the existing environment in the study area was informed by available project specific data and other publically available information. An overview of Project specific data and reports is provided in Section 2 of Volume 5, Annex 6.1 *Geology and Ground Conditions Baseline Study* of the ES.

4.117 It is agreed that the methodology undertaken to characterise the existing environment around the proposed development with respect to Geology, Hydrogeology and Ground Conditions, provides an appropriate approach to describing the baseline environment.

4.118 It is agreed that the descriptions given in paragraphs 6.49 – 6.81 of Volume 3, Chapter 6 of the ES provide an accurate and appropriate characterisation of Geology, Hydrogeology and Ground Conditions based on the existing data available from literature and site specific surveys.

Key Parameters for Assessment and Embedded Mitigation

4.119 It is agreed that the maximum adverse scenarios, as defined in Table 6-6 of Volume 3, Chapter 6 of the ES, are clearly described, sufficiently justified and appropriate for assessing the maximum likely impacts on the geology, hydrogeology and ground conditions during all phases of the development.

4.120 It is agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater effect on geology, hydrogeology and ground conditions than the realistic maximum adverse scenarios set out in Table 6-6.

4.121 It is agreed that table 6-7 of Volume 3, Chapter 6 of the ES describes the mitigation measures that have been embedded into the project design and demonstrate how the design has sought to minimise harm to the environment.

Assessment of Impacts

4.122 It is agreed that paragraphs 6.94 – 6.146 of Volume 3, Chapter 6 of the ES present an assessment of the potential impacts on Geology, Hydrogeology and Ground Conditions arising from all stages of development, in accordance with the requirements of the relevant policy and legislation.

Mitigation

4.123 With respect to mitigation measures, it is agreed that given the generally low level of significance ascribed to the predicted changes to geology, hydrogeology and ground conditions as a result of the construction, operation and decommissioning of the project, no further specific mitigation is required beyond that which is already embedded into the project design and secured through the management plans required by the DCO.

Cumulative Impacts

4.124 It is agreed that cumulative effects have been adequately considered in paragraphs 6.147 – 6.151 of Volume 3, Chapter 6 of the ES and that it is appropriate and reasonable to scope out cumulative impacts on Geology, Hydrogeology and Ground Conditions.

Inter-relationships

4.125 It is agreed that the assessment undertaken and detailed in Table 12-10 of Volume 3, Chapter 12 *Inter-related Effects (onshore)* of the ES is appropriate, accurate, and with respect to inter-related impacts, geology, hydrogeology and ground conditions impacts of no greater effect than those identified in individual assessments are predicted from the project.

Hydrology and Flood Risk

4.126 This section of the SoCG sets out those aspects of the Application that are agreed in relation to Hydrology and Flood Risk.

Scope and Methodology

4.127 It is agreed that Applicant has consulted LCC with respect to the scope and methodology of the hydrology and flood risk assessment, as detailed in the EIA Evidence Plan (document reference 8.16).

4.128 It is agreed that the study area defined in paragraphs 7.32 – 7.34 of Volume 3, Chapter 7 *Hydrology and Flood Risk* of the ES (document reference 6.2.3.7) is acceptable for the purposes of describing the baseline environment and understanding the potential hydrology and flood risk impacts resulting from the proposed development.

4.129 It is agreed that the data sources listed in Table 7-5 of Volume 3, Chapter 7 of the ES are adequate and appropriate for the purpose of informing the assessment of hydrology and flood risk impacts.

4.130 It is agreed that the impact assessment approach presented in paragraphs 7.47- 7.55 of Volume 3, Chapter 7 of the ES is based on appropriate methodologies for the assessment of impacts on hydrology and flood risk, and that it is fit for purpose for use in the assessment process.

Existing Environment

4.131 Characterisation of the existing environment in the study area was informed by available project specific data and other publically available information. An overview of the data and reports used to inform the baseline is provided in Paragraph 2.1.4 of Volume 5, Annex 7.1 *Hydrology and Flood Risk Baseline* (document reference 6.2.5.7.1).

4.132 It is agreed that the methodology undertaken to characterise the existing environment around the proposed development with respect to Hydrology and Flood Risk, as set out in Section 2 of Volume 5 Annex 7.1, is an appropriate approach to describing the baseline environment.

4.133 It is agreed that the descriptions given in Paragraphs 7.57 – 7.72 of Volume 3, Chapter 7 of the ES provide an accurate and appropriate characterisation of the hydrological features and environment based on the existing data available from literature and site surveys.

Key Parameters for Assessment and Embedded Mitigation

- 4.134 It is agreed that the realistic maximum adverse scenarios relating to each phase of the development, as defined in Table 7-9 of Volume 3, Chapter 7 of the ES, are clearly described, sufficiently justified and appropriate for assessing the maximum likely impacts on hydrology and flood risk.
- 4.135 It is agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater realistic maximum adverse effect on the hydrological environment.
- 4.136 It is agreed that Table 7-10 of Volume 3, Chapter 7 of the ES describes the mitigation measures that have been embedded into the project design and demonstrates how the design has sought to minimise impacts on hydrology and flood risk.
- 4.137 It is agreed that the approach to the surface water drainage strategy, detailed in Section 6.2 of Volume 5, Annex 7.3 *Flood Risk Assessment* of the ES (document reference 6.2.5.7.3), is adequate and appropriate for the management of flood risk across all of the onshore works of the proposed development.
- 4.138 It is agreed that the responsibility for surface water management has now transferred from the EA to the relevant LLFA as detailed in paragraph 2.14.
- 4.139 It is agreed that the use of trenchless techniques for the construction of the cable beneath sensitive assets such as major watercourses and flood defences, as detailed in the Crossing Schedule (document reference 8.3) submitted with the application, appropriately minimises the impacts on the hydrological environment.
- 4.140 It is agreed that the Outline Construction Method Statement (CMS) (document reference 8.7.1) secured under the DCO, adequately ensures that construction methodologies necessary for the protection of the hydrological environment and relevant to the proposed development are secured.

Assessment of Impacts

- 4.141 It is agreed that paragraphs 7.77 – 7.323 of Volume 3, Chapter 7 of the ES present a robust and appropriate assessment of the potential impacts on hydrology and flood risk arising from all stages of development, in accordance with the requirements detailed in the relevant policy and legislation.
- 4.142 It is agreed that Volume 5, Annex 7.2, *Water Framework Directive (WFD) Assessment* of the ES (document reference 6.2.5.7.2), gives adequate consideration to the WFD in relation to the proposed development and appropriately assesses the potential for non-temporary effects on WFD parameters of freshwater waterbodies. It is

also agreed that there will be no significant impacts or physical disruption to any of the waterbodies during any phase of the proposed development.

- 4.143 It is agreed that Volume 5, Annex 7.3, *Flood Risk Assessment* of the ES, is accurate and appropriate for the assessment of risks of flooding associated with the proposed development from all sources. In addition it proposes suitable mitigation measures that will reduce the risk of flooding which have been secured in the application as part of the embedded mitigation.
- 4.144 It is agreed that paragraphs 7.82 – 7.220 of Volume 3, Chapter 7 adequately consider the hydrology and flood risk impacts during the construction phase of the proposed development and appropriately conclude that these are **minor** or **negligible** and therefore **not significant**.
- 4.145 It is agreed that paragraphs 7.221 – 7.291 of Volume 3, Chapter 7 adequately consider the hydrology and flood risk impacts during the operational phase of the proposed development and appropriately conclude that that these are **minor** or **negligible** and therefore **not significant**.
- 4.146 It is agreed that paragraphs 7.292 – 7.323 of Volume 3, Chapter 7 adequately consider the hydrology and flood risk impacts during the decommissioning phase of the proposed development and appropriately conclude that that these are **minor** and therefore **not significant**.

Mitigation

- 4.147 With respect to mitigation measures, it is agreed that given the generally low level of significance ascribed to the predicted changes to hydrology and flood risk as a result of the construction, operation and decommissioning of the project, no further specific mitigation is required beyond that which is already embedded into the project design and secured through the management plans required by the DCO.

Cumulative Impacts

- 4.148 It is agreed that the projects scoped into the cumulative impact assessment, as detailed in Table 7-13 of Volume 3, Chapter 7 of the ES are appropriate and reasonable in order to undertake the cumulative impact assessment for hydrology and flood risk.
- 4.149 It is agreed that the Design Envelope scenario considered within the assessment of potential cumulative impacts on hydrology and flood risk, as presented in Table 7.14 of Volume 3, Chapter 7, of the ES is appropriate for assessing the maximum likely cumulative impacts on hydrology and flood risk.

4.150 It is agreed that the project has sufficiently considered all of the potential cumulative impacts to inform the assessment and that the outcome of the cumulative assessment presented in Paragraphs 7.341 – 7.372 of Volume 3, Chapter 7, of the ES, which concludes that there are unlikely to be any significant impacts, is accurate.

Inter-relationships

4.151 It is agreed that the assessment undertaken and detailed in Table 12-11 of Volume 3, Chapter 12 of the ES is appropriate and accurate. It is agreed that in respect to inter-related impacts, hydrology and flood risk impacts of no greater effect than those identified in individual assessments are predicted from the project.

Historic Environment (onshore)

4.152 This section of the SoCG sets out those aspects of the Application that are agreed in relation to the Historic Environment (both archaeology and cultural heritage).

Scope and Methodology

4.153 It is agreed that Applicant has consulted LCC with respect to the scope and methodology of the historic environment assessment, as detailed in the EIA Evidence Plan (document reference 8.16).

4.154 It is agreed that the impact assessment approach presented in paragraphs 8.32 – 8.39 of Volume 3, Chapter 8, *Historic Environment* of the ES (document reference 6.2.3.8) is based on appropriate methodologies for the assessment of historic environment impacts and that it is suitable for use in the assessment process.

Existing Environment

4.155 It is agreed that the descriptions given in paragraphs 8.49 – 8.90 of Volume 3, Chapter 8 of the ES provide an accurate and appropriate characterisation of the historic environment based on the existing data available from literature and site specific surveys.

Key Parameters for Assessment and Embedded Mitigation Assessment of Impacts

4.156 It is agreed that all known archaeological and cultural heritage assets within the study area have been identified, as summarised in paragraph 8.28 – 8.31 of Volume 3, Chapter 8 of the ES.

4.157 It is agreed that there will be no direct physical impacts on the one designated heritage asset (RSK ID 699) identified in the onshore study area (which is located outside of the proposed development boundary) during construction.

4.158 It is agreed that, given the temporary nature of construction activities, indirect effects on the settings of the above ground designated heritage assets are correctly identified as being **not significant** and have therefore not been considered further in the EIA.

4.159 It is agreed that the onshore works will not have any direct or indirect impacts on built heritage during the operation of the proposed development, and that, as no further excavation of undisturbed ground will occur in the operational phase there are no significant effects anticipated on the historic environment during operation.

4.160 It is agreed that indirect effects on the setting of above ground designated heritage assets from the substation and IEC during operation have been appropriately

considered, and that no significant adverse impacts are predicted, as described in paragraph 8.122 of Volume 3, Chapter 8 of the ES.

4.161 It is agreed that the assessment accurately identifies no significant adverse effects on the setting of Gunby Hall, or its associated features, as set out in paragraph 8.122 of Volume 3, Chapter 8 of the ES.

4.162 It is agreed that further consideration of impacts during decommissioning have been appropriately scoped out as there will be no additional direct physical impacts to the historic environment.

Cumulative Impacts

4.163 It is agreed that the specific projects scoped into the cumulative impact assessment, as detailed in Table 8.9 of Volume 3, Chapter 8 of the ES are appropriate and reasonable in order to undertake the cumulative assessment for impacts on the historic environment.

4.164 It is agreed that the design impact scenario considered within the assessment of potential cumulative impacts on the historic environment, as presented in Table 8.10 Volume 3, Chapter 8, is appropriate for assessing the maximum likely cumulative impacts on the historic environment.

4.165 It is agreed that the project has sufficiently considered all of the potential cumulative impacts to inform the assessment and that the outcome of the cumulative assessment presented in paragraph 8.151 of Volume 3, Chapter 8 of the ES, which concludes that there are unlikely to be any significant effects, is accurate.

Draft Development Consent Order (DCO)

- 4.166 This section of the SoCG sets out those aspects of the Application that are agreed in relation to the draft DCO (document reference 3.1).
- 4.167 It is agreed that, in relation to the agreed scope of this SoCG, the articles of the draft DCO are appropriate and reasonable for the proposed development.
- 4.168 It is agreed that the approach taken in **Requirement 1** of the draft DCO (document reference 3.1) to separate the onshore works into stages, and of discharging the requirements in relation to those stages, is appropriate.
- 4.169 It is agreed that the wording of **Requirement 6** of the draft DCO (document reference 3.1) adequately secures the provision of landscaping at the IEC and substation, and if necessary the unlicensed works at the National Grid Bicker Fen substation, for which Written Landscaping Schemes in accordance with the principles set out in the Outline LSEMP (document reference 8.8) must be submitted and approved by the relevant planning authority.
- 4.170 It is agreed that the wording of **Requirement 10** of the draft DCO (document reference 3.1) adequately secures surface water drainage schemes for the IEC, substation and unlicensed works which accord with the surface water drainage strategy submitted as part of the Flood Risk Assessment (document reference 6.2.5.7.3), including specifically the surface water run-off requirements set out in **Requirement 10(3)**.
- 4.171 It is agreed that the wording of **Requirement 13** Ecological Management Plan of the draft DCO adequately secures an Ecological Management Plan (EMP), which accords with the principles set out in the Outline LSEMP (document reference 8.8).
- 4.172 It is agreed that the wording of **Requirement 14** of the draft DCO (document reference 3.1) adequately secures a Code of Construction Practice (CoCP) which accords with the Outline CoCP (document reference 8.7); a Soil Management Plan (SMP) which accords with the Outline SMP (document reference 8.7.5); and the relevant specific plans listed in Requirement 14(2)(a) which accord with the suite of Outline plans submitted with the application (document references 8.7.1 – 8.7.10).

5. MATTERS UNDER DISCUSSION

- 5.1 This section sets out the matters which remain under discussion or where LCC has not been able to confirm its position.
- 5.2 The Applicant and LCC agree to continue to discuss these matters with a view to reaching further agreement or clarification of where agreement cannot be reached.

Development Consent Order (DCO)

- 5.3 It is not yet agreed that the wording of **Requirement 8** of the draft DCO (document reference 3.1) ensures that any highways works are appropriately signed off and adequately secures an Access Management Plan (AMP), which accords with the principles set out in the Outline AMP (document reference 8.13).
- 5.4 It is not yet agreed that the wording of **Requirement 16** of the draft DCO (document reference 3.1) adequately secures appropriate restrictions to the working hours permitted under the Order.
- 5.5 It is not yet agreed that the wording of **Requirement 18** of the draft DCO (document reference 3.1) adequately secures a construction phase Traffic Management Plan (TMP), which accords with the principles set out in the Outline TMP (document reference 8.9) and includes a Contractor Travel Plan (CTP).
- 5.6 It is not yet agreed that the wording of **Requirement 20** of the draft DCO (document reference 3.1) adequately secures the reinstatement of any land used temporarily for construction of the onshore works.

Traffic and Access

- 5.7 The Parties have are still discussing matters relating to Traffic and Access as LCC have not been able to review this section to date. We expect to review this by Deadline 2.
- 5.8 This section of the SoCG sets out those aspects of the Application that are not yet agreed in relation to Traffic and Access.

Scope and Methodology

- 5.9 It is not yet agreed that Applicant has consulted the County Council with respect to the scope and methodology of the Traffic and Access assessment, as detailed in the EIA Evidence Plan (document reference 8.16).

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- 5.10 It is not yet agreed that the study area described in paragraph 1.2 of Volume 5, Annex 9.1, *Traffic and Access Baseline* of the ES (document reference 6.2.5.9.1) is acceptable for the purposes of describing the existing environment and understanding the potential impacts upon traffic and access as a result of the proposed development.
- 5.11 It is not yet agreed that the impact assessment approach presented in paragraphs 9.26 – 9.30 and Tables 9.3 – 9.5 of Volume 3, of Volume 3, Chapter 9 of the ES is based on appropriate methodologies for the assessment of impacts on traffic, and is fit for purpose for use in the assessment process.
- 5.12 It is not yet agreed that relevant IEMA guidance has been used to inform the methodology for assessing impacts on Traffic and Access and the assessment has been undertaken in compliance with Department for Transport methodologies, as detailed in paragraphs 9.14 – 9.15 of Volume 3, Chapter 9 of the ES.
- 5.13 It is not yet agreed that the appropriate data sources have been used to inform the baseline study, as listed in paragraph 9.23 and shown in Figure 9.2 of Volume 3, Chapter 9 of the ES.

Existing Environment

- 5.14 It is not yet agreed that appropriate and adequate new traffic counts were undertaken, as detailed in paragraph 9.24 and presented in Figure 9.2 of Volume 3, Chapter 9 of the ES in order to inform understand the existing environment.
- 5.15 It is not yet agreed that the methodology undertaken to characterise the existing environment around the proposed development with respect to traffic and access, as set out in section 1.3 of Volume 5 Annex 9.1 of the ES, has provided an appropriate approach to describing the baseline environment.
- 5.16 It is not yet agreed that the description given in paragraphs 9.35 – 9.36 of Volume 3, Chapter 9 of the ES provides an accurate and appropriate characterisation of traffic and access in the study area based on the existing data available and the data collected to inform the assessment.

Key Parameters for Assessment and Embedded Mitigation

- 5.17 It is not yet agreed that the key parameters appropriate for the assessment have been adequately identified as detailed in paragraphs 9.48 – 9.136 of Volume 3, Chapter 9 of the ES.
- 5.18 It is not yet agreed that the maximum adverse scenarios relating to each of the potential impacts on traffic and access during all phases of development, are clearly described and sufficiently justified in Table 9.15 of Volume 3, Chapter 9 of the ES, and are appropriate for assessing the maximum likely impacts on traffic and access.

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- 5.19 It is not yet agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater effect on traffic and access than the maximum adverse scenarios set out in Table 9.15.
- 5.20 It is not yet agreed that Table 9.16 of Volume 3, Chapter 9 of the ES describes the mitigation measures that have been embedded into the project design and demonstrate how the design has sought to minimise the impacts on the transport environment.
- 5.21 It is not yet agreed that the inclusion of a temporary haul road within the cable corridor for use during the construction of the onshore works, as described in paragraph 9.59 of Volume 3, Chapter 9 of the ES, is robust embedded mitigation and will reduce the impacts of construction traffic on the local road networks.
- 5.22 It is not yet agreed that the commitment to cross all classified roads using trenchless techniques, as set out in paragraph 9.8 of Volume 3, Chapter 9 of the ES, is an appropriate approach for minimising impacts and road closures in the local areas.
- 5.23 It is not yet agreed that the implementation of a Traffic Management Plan (TMP) will secure appropriate routing of construction traffic, and that the approach set out in the Outline TMP (document reference 8.9) is adequate to manage the potential impacts of construction traffic.
- 5.24 It is not yet agreed that the implementation of an Access Management Plan (AMP) will secure acceptable design and location of accesses to temporary working areas, and the that Outline AMP (document reference 8.13) sets out acceptable proposals for accesses to the site.
- 5.25 It is not yet agreed that the implementation of a Contractor Travel Plan, which will form a part of the final TMP, is adequate for encouraging sustainable travel and minimising the impact on the road network.

Assessment of Impacts

- 5.26 It is not yet agreed that paragraphs 9.141 – 9.167 of Volume 3, Chapter 9 of the ES present an assessment of the potential impacts on the transport environment arising from all stages of development, in accordance with the requirements of relevant policy and legislation.
- 5.27 It is not yet agreed that the impacts on traffic and access during the construction phase have been appropriately assessed as **negligible**, as detailed in Volume 3, Chapter 9 of the ES.

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- 5.28 It is not yet agreed that the impacts on traffic and access during the operational phase have been appropriately scoped out of the assessment as the onshore cable route will require less than one visit per month and the IEC and substations(s) will require only up to two visits per week, no significant impacts are therefore anticipated.
- 5.29 It is not yet agreed that the impacts on traffic and access during the decommissioning phase have been appropriately assessed as **negligible** on the basis that the level of traffic associated with the decommissioning will be less than encountered for the construction, as detailed in Volume 3, Chapter 9 of the ES.

Mitigation

- 5.30 With respect to further applied mitigation measures it is not yet agreed that in accordance with paragraph 9.189 of Volume 3, Chapter 9 of the ES, given there are no significant adverse effects predicted on traffic and access no further specific mitigation is required beyond that which is already embedded into the project design and secured through the management plans required by the DCO.

Cumulative Impacts

- 5.31 It is not yet agreed that the specific projects scoped into the cumulative impact assessment, as detailed in Table 9.18 Volume 3, Chapter 9 of the ES (document reference 6.2.3.9), are appropriate and reasonable in order to undertake the cumulative assessment for Traffic and Access.
- 5.32 It is not yet agreed that the project has sufficiently considered all of the potential cumulative impacts to inform the assessment and that the outcome of the cumulative assessment presented in paragraphs 9.186 – 9.187 of Volume 3, Chapter 9 of the ES, accurately concludes that *'cumulative impacts will be no worse than those already assessed for during construction and will therefore be negligible'*.

Inter-related Effects

- 5.33 It is not yet agreed that the assessment undertaken and detailed in Volume 3, Chapter 12 of the ES is appropriate and that interrelated effects in relation to traffic and access have been correctly appropriately screened out of the assessment on the basis noise and air quality are an inherent part of the traffic and access assessment itself.

Land Use, Agriculture and Soils

- 5.34 This section of the SoCG sets out those aspects of the Application that are agreed in relation to Land Use, Agriculture and Soils.

Policy Context

- 5.35 It is agreed that Volume 3, Chapter 5 *Land Use, Agriculture and Soils* (document reference 6.2.3.5) of the ES has considered and referred to relevant guidance
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documents and appropriate national and international legislation in relation to the potential impacts on Land Use, Agriculture and Soils identified.

- 5.36 It is agreed that the ES contains a complete assessment of all the potential direct and indirect impacts on Land Use, Agriculture and Soils that ought to be included for this type of development within the project area, and as defined by the NPS and other relevant policy and guidance.

Scope and Methodology

- 5.37 It is agreed that the study area defined in paragraph 5.15 of Volume 3, Chapter 5 of the ES is acceptable for the purposes of describing the baseline environment and understanding the potential impacts upon land use, agriculture and soils as a result of the proposed development.
- 5.38 It is agreed that, given the limited access granted by landowners for the purpose of pre-application site investigations, an appropriate suite of data sources, listed in paragraph 5.16 of Volume 3, Chapter 5, have been used to inform the baseline.
- 5.39 It is agreed that the impact assessment approach presented in paragraphs 5.17 – 5.22 of Volume 3, Chapter 5 the ES is based on appropriate methodologies and is fit for purpose for use in the assessment of land use, agriculture and soils impacts.

Existing Environment

- 5.40 It is agreed that the methodology, set out in Volume 5, Annex 5.1 *Land Use, Agriculture and Soils Baseline Study* (document reference 6.2.3.5) of the ES and undertaken to characterise the existing environment around the proposed development, provides an appropriate approach to describing the land use, agriculture and soils baseline environment.
- 5.41 It is agreed that the descriptions given in paragraphs 5.23 – 5.48 of Volume 3, Chapter 5 of the ES provide an accurate and appropriate characterisation of Land Use, Agriculture and Soils based on the existing data available from literature and site specific surveys.

Key Parameters for Assessment and Embedded Mitigation

- 5.42 It is agreed that the maximum adverse scenarios as defined in Table 5-6 of Volume 3, Chapter 5 of the ES, are clearly described, sufficiently justified and appropriate for assessing the potential impacts on land use, agriculture and soils during all phases of development.

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- 5.43 It is agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater effect on land use, agriculture and soils than the realistic maximum adverse scenarios set out in Table 5-6.
- 5.44 It is agreed that table 5-7 of Volume 3, Chapter 5 of the ES describes the mitigation measures that have been embedded into the project design and demonstrate how the design has sought to minimise harm to the environment.
- 5.45 It is agreed that the implementation of a Soil Management Plan (SMP), and the employment of a qualified Agricultural Liaison Officer (ALO), will ensure appropriate protection, conservation and reinstatement of the land during and following the construction phase.
- 5.46 It is agreed that the commitment that soil handling, placing, compaction and management will be undertaken in accordance with best practice (Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, DEFRA, 2009) as set out in paragraph 5.1 of the Outline Soil Management Plan (SMP) (document reference 8.7.5), in addition it is agreed that this is appropriate mitigation for the management of best and most versatile agricultural land.
- 5.47 It is agreed that the Outline SMP (document reference 8.7.5) provides a suitable indicative form for the final SMP required to be submitted and approved under the draft DCO (document reference 3.1)..

Assessment of Impacts

- 5.48 It is agreed that paragraphs 5.53 – 5.96 of Volume 3, Chapter 5 of the ES present an assessment of the potential impacts on land use, agriculture and soils arising from all stages of development, as per the requirements detailed in the relevant policy and legislation.

Construction

- 5.49 It is agreed that effects of **moderate significance** have been appropriately predicted in relation to the temporary disruption to agricultural land use during the construction phase, where receptors are of very high sensitivity, and following full reinstatement of areas impacted by construction activities the effect on agricultural operations has been appropriately assessed as **negligible**.
- 5.50 It is agreed that impacts on Agricultural Land Classification (ALC) Grades 1, 2, 3 and 4 land through soil disturbance during the construction phase have been adequately assessed presented in paragraphs 5.67 – 5.73 of Volume 3, Chapter 5 of the ES and following the implementation of a SMP, effects of **minor significance** have been appropriately predicted.

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- 5.51 It is agreed that the impacts on soil resources during the construction phase have been adequately assessed and effects of **negligible significance** have been appropriately identified in paragraphs 5.72 – 5.73 of Volume 3, Chapter 5 of the ES.
- 5.52 It is agreed that the impacts on land subject to agri-environmental schemes during the construction phase have been adequately assessed in paragraphs 5.74 – 5.77 of Volume 3, Chapter 5 of the ES and effects of **negligible significance** have been appropriately identified.

Operation

- 5.53 It is agreed that the impacts on land use, agriculture and soils during the operational phase have been adequately assessed in paragraphs 5.78 – 5.93 of Volume 3, Chapter 5 of the ES.
- 5.54 It is agreed that effects of no greater than **minor significance** have been appropriately identified in relation to permanent change to agricultural land use, impacts on ALC land, permanent restriction of land use within the cable easement, impacts on land subject to agri-environmental schemes and impacts on crops as a result of heat dispersion from buried cables.

Decommissioning

- 5.55 It is agreed that the decommissioning phase impacts on land use, agriculture and soils have been adequately considered in paragraphs 5.94 – 5.96 of Volume 3, Chapter 5 of the ES.
- 5.56 It is agreed that potential adverse impacts on land use, agriculture and soils as a result of the cable decommissioning would relate to specific areas within the cable corridor for which mitigation would be designed and agreed with the relevant planning authority prior to decommissioning taking place.

Mitigation and Monitoring

- 5.57 With respect to mitigation measures, with the exception of the potential impact on the Lincolnshire Coastal Grazing Marsh (LCGM), it is agreed that given the generally low level of significance ascribed to the predicted changes to land use, agriculture and soils as a result of the construction, operation and decommissioning of the project, no further specific mitigation is required beyond that which is already embedded into the project design and secured through the management plans required by the DCO.
- 5.58 In relation to LCGM Sites A to E, it is agreed that applied mitigation is being developed through consultation with Natural England and Lincolnshire Wildlife Trust and that LCC defer to these organisations with respect to the LCGM.

Cumulative Impacts

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- 5.59 It is agreed that the projects scoped into the cumulative impact assessment, as detailed in Table 5-8 of Volume 3, Chapter 5 of the ES are appropriate and reasonable in order to undertake the cumulative assessment for land use, agriculture and soils.
- 5.60 It is agreed that the scenarios considered within the assessment of potential cumulative impacts on land use, agriculture and soils, as presented in Table 5-9 of Volume 3, Chapter 5 of the ES are appropriate.
- 5.61 It is agreed that the project has sufficiently considered all of the potential cumulative impacts to inform the assessment and that the outcome of the cumulative assessment presented in paragraphs 5.116 – 5.119 of Volume 3, Chapter 5 of the ES, which concludes that there a lack of any predicted significant effects, is accurate.

Inter-related Effects

- 5.62 It is agreed that the assessment undertaken and detailed in Table 12-9 of Volume 3, Chapter 12 of the ES is appropriate, accurate, and there is very limited scope for significant inter-related impacts relative to land use, agriculture and soils.

Cumulative Impacts

- 5.63 It is not yet agreed that the cumulative assessment appropriately considers all other projects with the potential to interact with the proposed development.
- 5.64 It is not yet agreed that there is currently insufficient information about the design, location or stage of development of the National Grid Viking Link Ltd.'s Interconnector project for it to be considered in any detail within any of the cumulative assessments.

Socio-economics, Tourism and Recreation

- 5.65 It is not yet agreed that all potential impacts on socio-economics, tourism and recreation are predicted to be **Minor adverse** or below and are therefore **Not Significant** as summarised in Table 3-12 of Volume 3, Chapter 3 of the ES.

6. MATTERS NOT AGREED

Development Consent Order (DCO)

- 6.1 It is not yet agreed that the wording of **Requirement 12** of the draft DCO (document reference 3.1) adequately secures an archaeological Written Scheme of Investigation (WSI) which accords with the principles set Outline Onshore WSI (document reference 8.11).

Historic Environment (Onshore)

- 6.2 The parties have been unable to reach agreement on the following matters as Lincolnshire County Council's Archaeologist has raised concerns that "*field evaluation has not been undertaken, the results of which are required to understand the impact upon surviving but currently unknown archaeology and to inform effective mitigation*".

Scope and Methodology

- 6.3 It is not yet agreed that the study area identified in paragraphs 1.2.3 – 1.2.5 and shown in Figure 1.1, Maps 1 – 11 of Volume 3 Annex 8.1 *Historic Environment Baseline* of the ES (document reference 6.2.5.8.1) is acceptable for the purposes of describing the baseline environment and understanding the potential impacts upon known and potential heritage assets as a result of the proposed development.
- 6.4 It is not yet agreed that the data sources used to inform the baseline study, listed in paragraph 1.2.6 of Volume 3, Annex 8.1, of the ES are adequate for the purposes of informing the existing historic environment.

Existing Environment

- 6.5 It is not yet agreed that the methodology undertaken to characterise the existing environment around the proposed development with respect to the historic environment, as set out in Volume 3, Annex 8.1 of the ES provides an appropriate approach to describing the baseline environment.

Key Parameters for Assessment and Embedded Mitigation

- 6.6 It is not yet agreed that the maximum adverse scenarios, as defined in Table 8-6 of Volume 3, Chapter 8 of the ES, are clearly described, sufficiently justified and appropriate for assessing the maximum likely impacts on the historic environment during all phases of the development.

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- 6.7 It is not yet agreed that there are no other scheme permutations, when considering the project details, which could lead to any greater effect on the historic environment than the maximum adverse scenarios set out in Table 8-6.
- 6.8 It is not yet agreed that Table 8.7 of Volume 3, Chapter 8 of the ES describes the mitigation measures that have been embedded into the project design and demonstrate how the design has minimised harm to the terrestrial historic environment.
- 6.9 It is not yet agreed that the Outline Onshore Written Scheme of Investigation (WSI) (document reference. 8.11) provides a suitable indicative form for the final onshore archaeological WSI that is required to be submitted and signed off pre-construction by the relevant authority under the draft DCO (document reference 3.1).
- 6.10 It is not yet agreed that the Outline Onshore WSI adequately secures appropriate measures for further archaeological investigation, in order to ensure appropriate mitigation is applied during construction.

Assessment of Impact

- 6.11 It is not yet agreed that paragraphs 8.101 – 8.192 of Volume 3, Chapter 8 of the ES present an assessment of the potential impacts on historic environment arising from all stages of development, in accordance with the requirements of relevant policy and legislation. It is not yet agreed that the historic environment impacts arising from the construction of the proposed development have been appropriately assessed for all heritage assets within the project development boundary, as set out in Table 8-8 of Volume 3, Chapter 8 of the ES.
- 6.12 It is not yet agreed that the application will not affect the significance of any heritage assets, as summarised in Table 8-11 of Volume 3, Chapter 8 of the ES.

Mitigation and Monitoring

- 6.13 With respect to mitigation measures, it is not yet agreed that the embedded mitigation measures have minimised potential impacts to the historic environment from the construction, operation and decommissioning of the project. In addition, it is agreed that the Onshore WSI sets out robust approach to ensuring potential impacts on the historic environment are mitigated.

Inter-related Effects

- 6.14 It is not yet agreed that the assessment undertaken and detailed in Volume 3, Chapter 12 of the ES is appropriate, accurate, and that no significant effects on archaeological resources and cultural heritage are predicted from the project with respect to inter-related impacts.

Applicant's Position

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- 6.15 It is the Applicant's position that geophysical survey and trial trenching were not considered necessary prior to determination of the application because the baseline study is considered sufficiently robust to develop a mitigation strategy which can accommodate the discovery of any archaeological remains.
- 6.16 Previous comparable nationally significant infrastructure projects (NSIPs) such as East Anglia One Onshore Cable have been determined without pre-determination geophysical survey and trial trenching investigations. This approach has been tested and found suitable in the NSIP process.
- 6.17 It was captured in the EIA Evidence Plan logs for onshore Historic Environment (document reference 8.16) following the Historic Environment Review Panel meeting in Lincoln on 7 August 2014 that pre-determination geophysical survey and trial trenching of targets across the Proposed Development Boundary, ahead of determination of the application, was not an option. The range of reasons, including limited access available, cost and timing are further set out below:
- Access constraints for environmental survey in relation to land within the Order Limits is set out in paragraphs 6.10 – 6.29 in the Statement of Reasons (document reference 4.1).
 - The cost of undertaking geophysical survey and trial trenching is considerable over a 60 km linear project and is not proportionate to the potential impact on the historic environment. This is confirmed by the fact that any risk to the historic environment can be appropriately quantified and mitigated post consent through the application of a written scheme of investigation (WSI).
 - The time required to undertake a full suite of geophysical survey and trial trenching would have delayed the consent submission date and the applicant considers that it would not reduce the potential impact on the historic environment.
 - The Applicant considers that undertaking geophysical survey and trial trenching pre-consent does not reduce the potential impact on the historic environment or improve the efficacy of mitigation measures as the implementation of a WSI is secured through Requirement 12 of the draft DCO (document reference 3.1).
 - Further, undertaking geophysical survey and trial trenching pre-consent does have a material impact on cost due to the early nature of the expenditure and the fact that it is at risk.
- 6.18 Following further discussion and agreement on a range of historic environment issues, Tim Allen of English Heritage (now Historic England) set out in its Section 42 (S42) consultation response that *"in the light of the work already done on desk and aerial survey assessment and route refinement, commitments to post consent geophysical survey and intrusive investigation and crucially RWE's commitment to a suite of mitigation measures (including where appropriate preservation in situ through*
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Horizontal Direct Drilling alongside archaeological mitigation solutions), we are satisfied that we can proceed on the basis RWE put forwards.”

- 6.19 Please refer to paragraph 4.7 of the SoCG with Historic England (Appendix 20 of the Applicant's Response to Deadline I), which states that *“It is agreed that the Applicant’s approach to establishing the historic environment baseline to inform the impact assessment without undertaking geophysical survey and trial trenching pre-application, when combined with the implementation of measures set out in the Outline WSI (document reference 8.11) is a structured substitute approach to ensuring potential historic environment impacts are appropriately mitigated.”*
- 6.20 The Applicant can confirm that it does not intend to undertake trial trenching of targets during the period of the Examination. However, it should be noted that there are plans for site investigation works, to inform the early stage engineering design, which may take place toward the end of the examination phase. Negotiation with landowners is ongoing in relation to providing access for pre-construction site investigation.

