# AQUIND Limited

# AQUIND INTERCONNECTOR

## Planning Statement

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

Document Ref: 5.4

PINS REF.: EN020022

# AQUIND Limited

# AQUIND INTERCONNECTOR

## Planning Statement

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# CONTENTS

# TABLES



# PLATES



# APPENDICES

# EXECUTIVE SUMMARY

AQUIND Limited (the 'Applicant') is a company registered in England and is a promotor of AQUIND Interconnector.

Development consent is sought for the construction of a 2,000 MW bi-directional electrical power transmission link (an Interconnector) which will run from Normandy in France to Lovedean in Hampshire, with Landfall at Eastney in Portsmouth. As a linear project, the Onshore Components of the Proposed Development cross the following administrative boundaries: Winchester City Council ('WCC'), East Hampshire District Council ('EHDC'), Havant Borough Council ('HBC') and Portsmouth City Council ('PCC'). Hampshire County Council ('HCC') is the Highway Authority covering WCC, EHDC and HBC. A map showing these boundaries can be found at page 2-7 of this Statement.

The Proposed Development comprises the following elements:

- High Voltage Direct Current ('HVDC') Marine Cables from the boundary of the UK Exclusive Economic Zone ('EEZ') to the UK at Eastney in Portsmouth;
- Jointing of the HVDC Marine Cables and HVDC Onshore Cables at the Landfall;
- HVDC Onshore Cables;
- Optical Regeneration Station(s) ('ORS'). These are structural unit(s) housing telecommunication equipment for the Proposed Development and responsible for optical signal amplification purposes. They will be located at the Landfall Eastney within a triangular car park;
- A Converter Station;
- High Voltage Alternating Current ('HVAC') Onshore Cables and associated infrastructure connecting the Converter Station to the UK Grid at the existing National Grid substation at Lovedean; and
- Smaller diameter Fibre Optic Cables ('FOC') installed together with the HVDC and HVAC Cables and associated infrastructure ('FOC Infrastructure').

This Planning Statement includes a description of the proposals for which development consent is sought in Section 3. It should be read in conjunction with the other submission documents, particularly the Consultation Report (document reference 5.1) which describes the process by which the design of the Proposed Development has evolved and been the subject of public consultation and engagement. Section 2 sets out a description of the Proposed Development applied for.

On 19 June 2018, the Applicant submitted a request to the Secretary of State ('SoS') for a direction pursuant to Section 35 of the Planning Act 2008 (the 'PA 2008') that the Proposed Development is to be treated as development for which development consent is required.

The SoS, being satisfied that the relevant legal requirements were met and of the view that the Proposed Development is by itself nationally significant, issued a direction on 30 July 2018 directing that the Proposed Development, together with any development associated with it, is to be treated as development for which development consent is required.

The SoS further directed in accordance with section 35ZA(3)(b) and (5) of the PA 2008 that:

> *"An application for a consent or authorisation mentioned in section 33(1) or (2) of the PA 2008 for development identified in, or similar to that described in, the request to the Secretary of State for Business, Energy and Industrial Strategy [BEIS] for a Direction under Section 35 of the Planning Act 2008 made by the Applicant is to be treated as a proposed application for which development consent is required"; and*
>
> *"That the Overarching National Policy Statement for Energy (EN-1) has effect in relation to an application for development consent under this direction in a manner equivalent to its application to development consent for the construction and extension of a generating station within section 14(a) of the Act of a similar capacity as the proposed project so far as the impacts described in EN-1 are relevant to the Proposed Development".*

This Planning Statement is intended to assist the Examining Authority ('ExA') by making the case as to why development consent should be granted.

Section 104 (3) of the PA 2008 provides that the SoS must decide an application for development consent in accordance with any relevant National Policy Statement ('NPS'). The SoS directed that the relevant NPSs for this Application would be the 'Overarching National Policy Statement for Energy', referred to as EN-1 in this document. EN-1 sets out the Government's policy for delivery of nationally significant energy infrastructure. As the NPS is the primary policy reference for the SoS, it sets the scope of matters for this Planning Statement to consider.

Section 5 of this Planning Statement establishes the need for the Proposed Development, having regard to the policy context in the relevant NPSs. Decision makers should, according to EN-1 paragraph 3.1.3 '*assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure …'.* EN-1 paragraph 3.1.4 goes on to state that decision makers *'…should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008.*

Paragraph 4.1.2 of EN-1 goes further to state that '*Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the (decision maker) should start with a presumption in favour of granting consent to applications for energy NSIPs.* Paragraphs 3.3.32 to 3.3.33 of EN-1 refer explicitly to the interconnection of electricity systems and paragraph 3.3.34 states that:

> *'The Government believes that although all of the above measures* [including interconnectors] *should and will be actively pursued their effect on the need for new large scale energy infrastructure will be limited, particularly given the likely increase in need for electricity for domestic and industrial heating and transport as the UK moves to meet its 2050 targets.'*

Section 4 of this Planning Statement describes the policy framework context for the Proposed Development, as a basis for the subsequent assessment of the planning issues raised by the Proposed Development in light of EN-1 and other relevant national and local planning policies.

The Application seeks to authorise the compulsory acquisition of rights over land forming part of a common, open space or fuel or field garden allotment (as those terms are defined at section 132(12) of the PA 2008). In all circumstances where the compulsory acquisition of rights over such land is sought, the right will authorise the laying and operation of the HVDC Onshore Cable Circuits in the land, beneath its surface. Accordingly, the Applicant is satisfied that the land, when burdened with the rights sought under the Development Consent Order ('DCO'), will be no less advantageous than it was before to the persons in whom it is vested, to other persons (if any) entitled to rights over the land, and to the public.

There will be temporary impacts during construction of the Proposed Development. However, given the proposed mitigation and temporary nature of these construction impacts, the Applicant considers the need for the Proposed Development clearly outweighs these impacts and mechanisms, including embedded mitigation, have been put in place to mitigate them, including measures that will require the approval of the highway and planning authorities prior to the commencement of development.

There will be limited permanent impacts arising from the Proposed Development, namely the Converter Station Area and the FOC. Taking the Proposed Development as a whole, this Statement concludes that the overriding need for the Project would outweigh any conflict between the project and policy. Given that post-construction, the Proposed Development will comprise predominantly an underground electricity cable, with very few above ground installations other than the Converter Station and ORS, the long-term operational impacts are very small when compared with the scale of the Project. Whilst not dismissing these impacts, the Applicant notes that paragraph 5.9.8 of EN-1 indicates that "*Virtually all nationally significant energy infrastructure projects will have effects on the landscape.*"

The Proposed Development accords as far as is relevant and practicable with Government policy set out in EN-1. Given Section 104(7) of the PA 2008, and, having regard to the benefits of the Proposed Development set out in Section 9, the need for the Proposed Development significantly outweighs the adverse effects and accordingly, development consent should be granted.

# 1. INTRODUCTION

## 1.1. GENERAL OVERVIEW

1.1.1.1. This Planning Statement is submitted on behalf of AQUIND Limited (the 'Applicant') to accompany an application (the 'Application') for a Development Consent Order ('DCO') submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy ('BEIS'). The application relates to the UK elements of AQUIND Interconnector which constitutes the Proposed Development.

## 1.2. THE APPLICANT

1.2.1.1. AQUIND Limited, the Applicant, is a company registered in England and created in accordance with the laws of England and Wales, with company number 06681477 and registered address at OGN House, Hadrian Way, Wallsend, NE28 6HL.

## 1.3. THE PROJECT AND PROPOSED DEVELOPMENT

1.3.1.1. AQUIND Interconnector consists of the construction of a 2,000 MW bi-directional electrical power transmission link between the South Coast of England and Normandy in France and would facilitate the import and export of electricity between the UK and France, helping to meet the electricity needs of both countries (the 'Project'). The Project will have the capacity to transmit up to 16,000,000 MWh of electricity, which equates approximately to 5% and 3% of the total consumption of the UK and France respectively.

1.3.1.2. The Project is in the third list of Projects of Common Interest ('PCI') of the European Union, in accordance with the TEN-E Regulation. To be selected as a PCI, a project must have a significant impact on energy markets and market integration in the UK and France, boost competition on energy markets and help the EU's energy security by diversifying sources as well as contribute to the EU's climate and energy goals by integrating renewables.

1.3.1.3. Chapter 3 (Description of the Proposed Development) of the Environmental Statement ('ES') Volume 1 (document reference 6.1.3) contains a detailed description of the Proposed Development for which development consent is sought by the Applicant.

1.3.1.4. In broad terms the, the Proposed Development includes the following elements:

- High Voltage Direct Current ('HVDC') Marine Cables from the boundary of the UK exclusive economic zone ('EEZ') to the UK at Eastney in Portsmouth;
- Jointing of the HVDC Marine Cables and HVDC Onshore Cables;
- HVDC Onshore Cables;

- Optical Regeneration Station(s) ('ORS'). These are structural unit(s) housing telecommunication equipment for the Proposed Development and responsible for optical signal amplification purposes. They will be located at the Landfall at Eastney, within a triangular car park;
- A Converter Station;
- High Voltage Alternating Current ('HVAC') Onshore Cables and associated infrastructure connecting the Converter Station to the UK Grid at the existing National Grid substation at Lovedean; and
- Smaller diameter Fibre Optic Cables ('FOC') to be installed together with the HVDC and HVAC Cables and associated infrastructure ('FOC Infrastructure') (which would comprise Associated Development for the purposes of the PA 2008).

1.3.1.5. A description of these elements is provided below.

### 1.3.2. HVDC MARINE CABLE

1.3.2.1. The two HVDC Marine Cable Circuits consist of four 320 kilovolt ('kV') high voltage submarine Cables, which may be installed as two bundled pairs. Each Cable will be capable of transferring 1000 MW of electricity. The length of the Marine Cable Corridor in UK Waters is approximately 109 km.

### 1.3.3. HVDC ONSHORE CABLE

1.3.3.1. The HVDC Onshore Cable Circuits run between the Landfall at Eastney where they are jointed to the Marine Cables and the Converter Station at Lovedean. The HVDC Onshore Cable Circuits also consist of two pairs of 320 kV Cables capable of transferring 1000 MW of electricity. The HVDC Onshore Cable Corridor is approximately 20 km in length. The Onshore Cable Corridor will be buried underground, primarily within existing highways or road verges, though in some instances in other land which is not highway or road verge.

### 1.3.4. CONVERTER STATION

1.3.4.1. The Converter Station consists of a range of buildings and equipment, similar to that found in the adjacent Lovedean Substation, that converts Direct Current electricity from the HVDC Onshore Cables to Alternating Current or vice versa. The largest buildings are the two Converter Buildings, which each have dimensions of up to 90 m x 50 m and up to 26 m in height. The buildings are set within an area of approximately 4 ha, including landscaping.

1.3.4.2. The Converter Station will be accessed via a new Access Road to be laid from Broadway Lane, in the vicinity of Day Lane. This will be a permanent access to be used during construction for Heavy Goods Vehicles ('HGVs') and Abnormal Indivisible Loads ('AILs') and will form the permanent access once the Proposed Development is operational.

### 1.3.5. HVAC CABLES

1.3.5.1. Two 400 kV HVAC Cable Circuits are required to connect the Converter Station with the existing Lovedean Substation. Each Cable will consist of three Cables, including an earth continuity conductor.

### 1.3.6. FIBRE OPTIC DATA TRANSMISSION CABLES AND ASSOCIATED INFRASTRUCTURE

1.3.6.1. The FOC Infrastructure consists of two smaller diameter FOC which will be installed with each of the HVDC and HVAC Cable Circuit for data transmission. Up to two ORS will be located within the vicinity of the Landfall and up to two Telecommunications Buildings will be located within the Converter Station Area.

1.3.6.2. FOCs are required to control and monitor the HVDC and HVAC Cable Circuits using Distributed Temperature Sensing ('DTS') technology. It is also the intention that, as there is spare FOC capacity, that this capacity may be used for commercial telecommunications purposes. The industry standard for the amount of fibres within a single FOC is currently upto 192, however this may increase as technology develops. For this reason, the FOC Infrastructure would constitute Associated Development for the purposes of Section 115 of the Planning Act (2008) ('PA 2008').

## 1.4. PURPOSE OF THIS DOCUMENT

1.4.1.1. This Planning Statement is part of the suite of documents which accompany the Application made pursuant to Section 37 of the PA 2008 and is submitted under Regulation 5(2)(q) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations'). The APFP Regulations do not require the preparation and submission of a Planning Statement, however, it is considered that it will assist the decision maker (in this case the SoS) in their determination of the Application.

1.4.1.2. On 19 June 2018, the Applicant submitted a request to the SoS for a direction pursuant to Section 35 of the PA 2008 that the Proposed Development is to be treated as development for which development consent is required.

1.4.1.3. The SoS, being satisfied that the relevant legal requirements were met and of the view that the Proposed Development is by itself nationally significant, issued a direction on 30 July 2018 directing that the Proposed Development, together with any development associated with it, is to be treated as development for which development consent is required.

1.4.1.4. The SoS further directed in accordance with Sections 35ZA(3)(b) and (5) of the PA 2008 that:

- *"An application for a consent or authorisation mentioned in section 33(1) or (2) of the PA 2008 for development identified in, or similar to that described in, the request to the SoS for BEIS for a Direction under Section 35 of the Planning Act 2008 made by the Applicant is to be treated as a proposed application for which development consent is required"; and*
- *"That the Overarching National Policy Statement for Energy (EN-1) has effect in relation to an application for development consent under this direction in a manner equivalent to its application to development consent for the construction and extension of a generating station within section 14(a) of the Act of a similar capacity as the proposed project so far as the impacts described in EN-1 are relevant to the Proposed Development".*

1.4.1.5. Accordingly, EN-1 will be the primary policy against which the Proposed Development will be assessed. However, the PA 2008, Section 104 states that local policy can be an important and relevant consideration but that the NPSs prevail in decision making for development for which development consent is required.

1.4.1.6. This Planning Statement reflects the direction that EN-1 is to have effect in relation to the Application.

### 1.4.2. STRUCTURE OF THIS DOCUMENT

1.4.2.1. This Planning Statement is structured as follows:

- An Executive Summary is provided at the beginning of the Planning Statement.
- Section 1 provides an introduction to the Planning Statement.
- Section 2 provides an overview of the Proposed Development and the Application Site and surrounding environment. A full description can be found in Chapter 3 (Description of the Proposed Development) of the ES.
- Section 3 sets out the consenting framework for the Proposed Development including the international, national, regional and local policy framework.
- Section 4 sets out the needs case for the Proposed Development.
- Section 5 analyses and assesses the onshore components of the Proposed Development against the relevant policy framework and in Section 5.3 of this document assesses the Generic Impacts.
- Section 6 analyses and assesses the marine components of the Proposed Development against relevant policy framework.
- Section 7 contains the likely benefits and dis-benefits of the Proposed Development in recognition of the decision-making framework set out in Section 104 of the PA 2008.
- Section 8 provides the overall conclusion of the planning analysis.

1.4.2.2. The Planning Statement contains the following Appendices:

- Appendix 1 – Onshore Section drawings (document reference 5.4.1)
- Appendix 2 – Planning History (document reference 5.4.2)
- Appendix 3 – Section 35 Direction (document reference 5.4.3)
- Appendix 4 – Local Planning Policy (document reference 5.4.4)
- Appendix 5 – The Assessment of the South Marine Plan (document reference 5.4.5)

1.4.2.3. The Application Guide (document reference 1.3) explains where this Planning Statement sits within the wider suite of Application documents. The Planning Statement has been prepared as a Category 5 document (reports).

1.4.2.4. The Planning Statement should be read in conjunction with the other documents submitted with the Application, in particular:

- The Glossary (document reference 1.6).
- The Plans (document references 2.1 – 2.12).
- The draft DCO (document reference 3.1).
- The Consultation Report (document reference 5.1).
- Other Consents and Licences (document reference 5.2).
- The Design and Access Statement (document reference 5.5).
- The Environmental Statement - Volumes 1 – 4 (document references 6.1 – 6.4).
- The Transport Assessment (document reference Appendix 22.1).
- The Outline Onshore Construction Environmental Management Plan ('CEMP') (document reference 6.9).

# 2. THE APPLICATION SITE

## 2.1. INTRODUCTION

2.1.1.1. This section of the Planning Statement provides a description of the physical characteristics of the area where the Proposed Development is to be located within the Order Limits (the 'Site'), as well as setting out in high level the relevant planning history for the Site.

## 2.2. THE SITE ONSHORE

2.2.1.1. The Onshore Components of the Proposed Development within the Site are shown on the Site Location Plan (document reference 2.1) submitted with the Application.

2.2.1.2. Chapter 3 (Description of the Proposed Development) contains a detailed description of the Site.

2.2.1.3. The Site (onshore) is located within the administrative boundaries of the local authorities set out in Table 2-1:

**Table 2-1 - Proposed Development Works in each Local Authority**

| Local Authority | Works forming part of the Proposed Development |
|---|---|
| **Winchester City Council (WCC)** | Substation connection works and HVAC Cables; Converter Station and Converter Station works including but not limited to Access Road, retention ponds and mitigation measures; Telecommunications Buildings and associated infrastructure and works, Works Compound and Laydown Area and other Temporary Works areas; Onshore Cables and works |
| **East Hampshire District Council ('EHDC')** | Substation connection works and HVAC Cables; Converter Station works including but not limited to Access Road and associated haul roads and mitigation measures; Works Compound and Laydown Area and other Temporary Works areas |
| **Havant Borough Council ('HBC')** | Onshore Cables and works, Temporary Works areas |
| **Portsmouth City Council ('PCC')** **(unitary authority)** | Onshore Cables; Laydown Area; Connection between Onshore Cables and Marine Cables; Marine Cables within the Intertidal Area, Optical Regeneration Stations and associated infrastructure and works, Temporary Works areas, |
| **Hampshire County Council ('HCC')** | Substation connection works and HVAC Cables; Converter Station and Converter Station works including but not limited to Access Road, retention ponds and mitigation measures; Telecommunications Buildings and associated infrastructure and works, Works Compound and Laydown Area and other Temporary Works areas; Onshore Cables and works. |

2.2.1.4. South Downs National Park ('SDNP'), administered by the South Downs National Park Authority ('SDNPA'), is located to the north-west of the proposed Converter Station.

2.2.1.5. Plate 1 below shows the Site (onshore) in the context of the administrative boundaries of the local authorities.

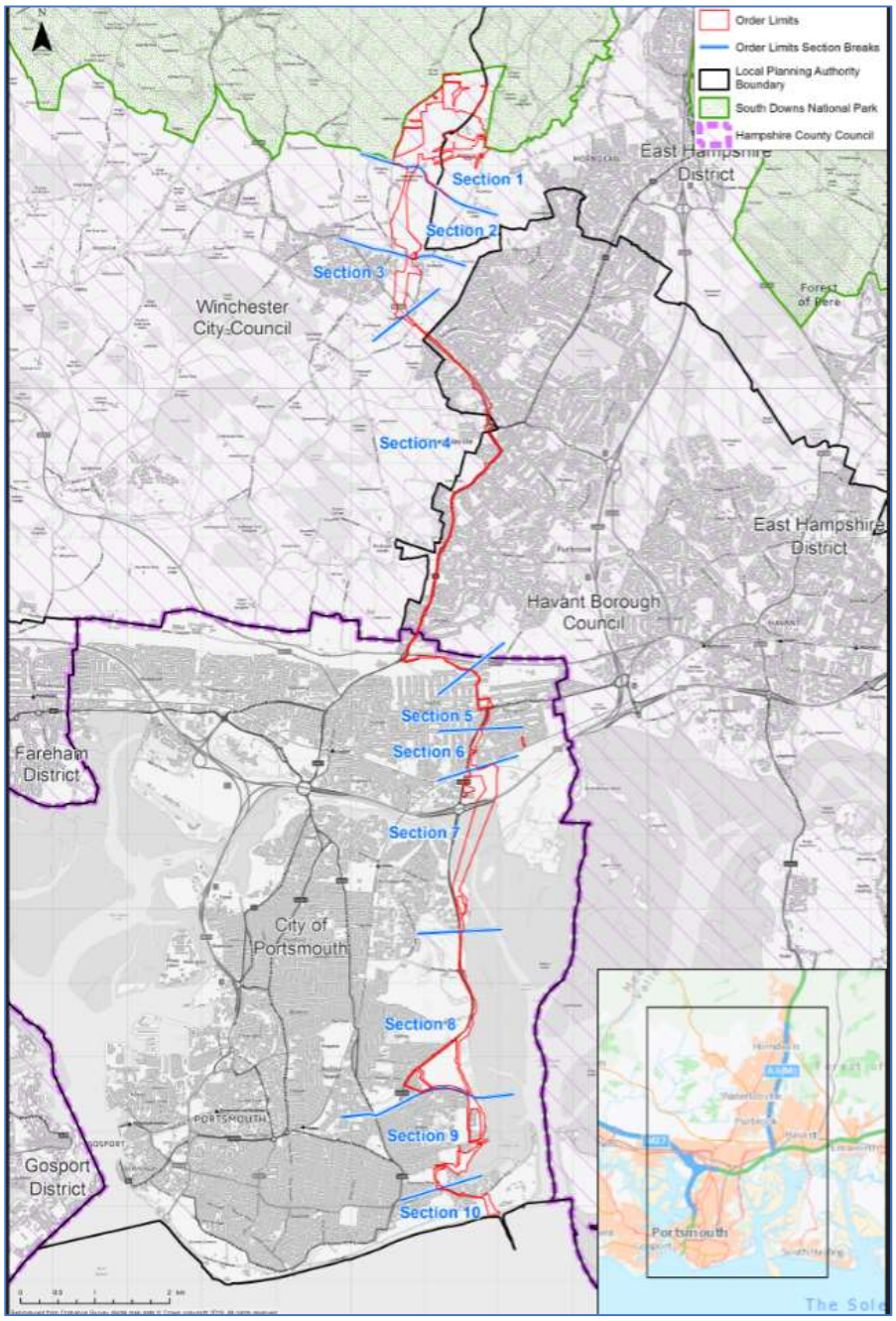


**Plate 2.1 - The Order Limits in Relation to the Local Authority Boundaries**

2.2.1.6. The linear nature of the Proposed Development results in the Site being located across different local planning authorities with varying Land Uses and differing physical characteristics. A description of the Land Uses within and adjacent to the Site is given below for each of the ten onshore Sections of the Onshore Components comprising the Proposed Development below. These are illustrated in Appendix 1 to this Planning Statement (document reference 5.4.1).

### 2.2.2. SECTION 1 – LOVEDEAN (CONVERTER STATION AREA)

2.2.2.1. This northernmost part of the Converter Station Area is located within a predominantly rural area on the edge, but outside of, the SDNP, and to the north west of Waterlooville. Section 1 is within the jurisdiction of both WCC and EHDC, with HACC as the highway authority. The predominant land use is agricultural, with scattered residential uses and commercial uses present in the surrounding area. The area also includes a number of existing infrastructure uses including the existing Lovedean Substation, which is in close proximity to the proposed Converter Station Area and an existing solar farm. The Converter Station will be located within WCC.

2.2.2.2. There are two options (B (i) and B (ii)) for the siting of the Converter Station, shown on the Parameter Plans submitted as part of the DCO Application (document reference 2.6). The siting of the Converter Station is subject to discussions with National Grid regarding the land on which Option B(ii) would be located, with part of the compound proposed on land which forms part of the operational land for the existing National Grid Substation at Lovedean, and will be confirmed following the Order being made.

2.2.2.3. The approach to the siting, layout and orientation of the proposed buildings, electrical and telecommunications equipment within the Converter Station Area, including the maximum parameters for the built form, and the principles for the design are discussed in detail in the Design and Access Statement (document reference 5.5) submitted with the Application.

### 2.2.3. SECTION 2 – ANMORE ROAD

2.2.3.1. Section 2, where the Onshore Cable begins to run from the Converter Station to the Landfall, runs south through a rural area in agricultural use, comprised of large arable fields surrounded by hedgerows. A farmstead is located to the west of the Onshore Cable Corridor. It is located within WCC and EHDC as planning authorities and HCC as highway authority.

### 2.2.4. SECTION 3 – ANMORE ROAD / KINGS POND MEADOWS

2.2.4.1. Section 3 runs from arable land north of Anmore Road, crossing Anmore Road near Kings Pond, to Hambledon Road through the fields known as Kings Pond Meadow, via ducts installed by Horizontal Directional Drilling ('HDD'). The field immediately to the south of Anmore Road is designated as a Site of Nature Conservation Interest ('SINC'). The field below the south-east corner of the SINC is not designated. Section 3 is within the administrative boundary of WCC and HCC.

### 2.2.5. SECTION 4 – HAMBLEDON ROAD TO FARLINGTON AVENUE

2.2.5.1. Section 4 runs alongside the B2150, a main road that currently forms the western boundary of the Waterlooville built up area. The land use within the area is mixed, with a combination of residential, commercial and open space uses. To the west of the cable route is the West of Waterlooville Major Development Area, a new urban extension which is currently under construction to the west of Waterlooville. Toward the south of this section turns to the east running through an area of open space separating Drayton and Widley, two residential areas along the B2177. The section then runs to the south of Fort Purbrook, a Grade II listed fortification. Section 4 is within the administrative boundaries of WCC, HBC, HCC and PCC.

### 2.2.6. SECTIONS 5 AND 6 – FARLINGTON, ZETLAND FIELD AND SAINSBURY'S CAR PARK

2.2.6.1. The Land Uses in sections 5 and 6 are largely residential, comprising built up areas of Farlington and Drayton. At the southern end of this section, the Land Use is more commercial and industrial in character, including a large Sainsbury's supermarket and industrial uses. The section crosses the Portsmouth-Havant railway line, forming the southern boundary to section 6. Sections 5 and 6 are entirely within PCC's administrative boundary.

### 2.2.7. SECTION 7 – FARLINGTON JUNCTION TO AIRPORT SERVICE ROAD

2.2.7.1. Section 7 south of the railway line is characterised by industrial and commercial uses to the west of the A2030 and open space to the east. A Holiday Inn, car park and Shell petrol filling station are to the east of the A2030. The section crosses the A27 road, a large dual carriageway. South of the A27, section 7 crosses Portsea Island. To the west of Eastern Road on Portsea Island section 7 includes residential and commercial uses, while the eastern side is open land adjacent to Farlington Marshes. Other Land Uses within this area include a caravan park, a public house and Portsmouth Golf Centre. Section 7 is entirely within the administrative boundary of PCC.

### 2.2.8. SECTION 8 – EASTERN ROAD (ADJACENT TO GREAT SALTERNS GOLF COURSE) TO MOORINGS WAY

2.2.8.1. Section 8 continues to run along Eastern Road, in an area characterised by large areas of open space on both sides of Eastern Road. The southern end of this section runs adjacent to Milton Common, a historic area of open space and early 20th century housing estates. Section 8 is entirely within PCC's administrative boundary.

### 2.2.9. SECTION 9 – VELDER AVENUE / MOORINGS WAY TO BRANSBURY ROAD

2.2.9.1. Section 9 is entirely located within the boundary of PCC. Land Uses within this Section are predominantly residential to the west, with open space and the University of Portsmouth Langstone Campus to the east. The eastern side of the section also includes an area of allotments.

### 2.2.10. SECTION 10 – EASTNEY (LANDFALL)

2.2.10.1. Section 10, Landfall, is situated at Eastney within the administrative boundary of PCC. The parking spaces within the Fort Cumberland Car Park affected by the Works are currently not marked out with an unfinished surface. Land Uses within this area include permanent residential uses to the north and west of the car park, and a caravan park to the south-west. Fraser Range, a historic military installation, is located approximately 180 m to the south-east with the Grade II* listed and Scheduled Ancient Monument Fort Cumberland located approximately 200 m to the north-east of the car park.

## 2.3. PLANNING HISTORY OF THE SITE ONSHORE, WIDER AREA AND COMMITTED DEVELOPMENTS

2.3.1.1. A detailed planning history for the Site (onshore) and the wider area is set out within Appendix 2 to this Planning Statement (document reference 5.4.2).

2.3.1.2. Of particular note is the existing National Grid substation at Lovedean, which is located to the east of the proposed Convertor Station. This was first developed during the 1960s with a number of more recent planning applications having been identified in relation to it.

2.3.1.3. There are a large number of other minor and major developments proposed or currently being developed within, along or near the Site. Chapter 29 (Cumulative Effects) of the ES Volume 1 (document reference 6.1.29), lists the key committed developments relevant to the Proposed Development. Where relevant, the impacts of the Proposed Development in combination with those committed developments have been assessed in Chapter 29 (Cumulative Effects).

## 2.4. MARINE COMPONENTS

2.4.1.1. The Marine Components of the Proposed Development are all of that part below the Mean High Water Springs (MHWS).

2.4.1.2. The Marine Cable Corridor is shown on the Works Plans (document reference 2.4). The total length of the Marine Cable Corridor in UK waters is approximately 109 km from the Landfall at Eastney to the UK / France EEZ boundary line.

2.4.1.3. The Inshore Marine Cable Corridor runs from Mean High Water Springs (MHWS) through UK Territorial Waters, out to the 12 nautical mile ('nmi') limit. The Marine Components of the Proposed Development are all of that part below the Mean High Water Springs (MHWS). The Offshore Marine Cable Corridor refers to the section of the Marine Cable Corridor from the UK 12 nautical mile limit out to the UK / France EEZ Boundary Line,

2.4.1.4. The Marine Cable Route will consist of four 320 kV HVDC cables, installed for the majority of the route as two HVDC Circuits. There is the potential that the Marine Cables will be installed as four individual cables for up to approximately 200 m between the point where the Marine Cables exit from the Landfall Horizontal Directional Drilling ('HDD') ducts on the seabed and the location where the trenching starts for the Marine Cables. Each HVDC Circuit will be capable of facilitating the transfer of up to 1000 MW, resulting in a total net power transfer capacity of up to 2000 MW, net of losses.

# 3. THE CONSENTING FRAMEWORK

## 3.1. INTRODUCTION

3.1.1.1. The PA 2008 provides the legal framework for applying for examination and determination of applications for development consent.

3.1.1.2. This section of this Planning Statement provides an introduction to the PA 2008, the policy context set by applicable NPS, and the role of other national and local planning policies in decision making for DCO applications.

## 3.2. THE CONSENTING FRAMEWORK PROVIDED BY THE PLANNING ACT 2008 (AS AMENDED)

### 3.2.1. SECTION 35 OF THE PA 2008

3.2.1.1. The PA 2008 defines certain thresholds for large-scale development in the fields of energy, transport, water or waste. These are listed in Part 3 of the PA 2008 and are defined as Nationally Significant Infrastructure Projects ('NSIPs').

3.2.1.2. Electricity interconnectors are not listed in Part 3 of the PA 2008 and are therefore are not NSIPs by definition.

3.2.1.3. Under Section 35(1) of the PA 2008, *"[t]he Secretary of State may give a direction for development to be treated as development for which development consent is required"*. This is subject to the provisions of Sections 35 and 35ZA.

3.2.1.4. On 19 June 2018, the Applicant submitted a request for a direction pursuant to Section 35 to the SoS for BEIS for the Proposed Development to be treated as development for which development consent is required.

3.2.1.5. On 30 July 2018, the SoS directed that "*the proposed Development, together with any development associated with it, is to be treated as development for which development consent is required".*

3.2.1.6. The SoS further directed *"in accordance with sections 35ZA(3)(b) and (5) of the Act that:*

- *"An application for a consent or authorisation mentioned in section 33(1) or (2) of the Act for development identified in, or similar to that described in, the Request to the Secretary of State for Business, Energy and Industrial Strategy for a Direction under Section 35 of the Planning Act 2008 made by AQUIND Limited on 19 June 2018 is to be treated as a proposed application for which development consent is required; and*

- *That the Overarching National Policy Statement for Energy (EN-1) has effect in relation to an application for development consent under this Direction in a manner equivalent to its application to development consent for the construction and extension of a generating station within section 14(a) of the Act of a similar capacity as the proposed project so far as the impacts described in EN-1 are relevant to the proposed Development."*

3.2.1.7. In making his decision to issue the direction, the SoS confirmed his view that the Proposed Development is of national significance:

- *"The two giga-watt capacity of the proposed Development is similar in terms of electrical capacity to a generating station that would qualify to be considered under the Planning Act 2008 process as nationally significant.*
- *By progressing the proposed Development through the Planning Act 2008 development consent process, it would provide the certainty of a single, unified consenting process and fixed timescales.*
- *It will reduce the need to apply for separate consents from the Marine Management Organisation and local planning authorities."*

3.2.1.8. A copy of the direction given by the SoS is appended to this Planning Statement at Appendix 3 (document reference 5.4.3).

3.2.1.9. As the direction confirms that EN-1 is to have effect "*in a manner equivalent to its application to development consent for the construction and extension of a generating station within section 14(a) of the Act*" in so far as the impacts are relevant to the Proposed Development, the SoS will be required to consider the Application under Section 104 of the PA 2008 (decisions in cases where a NPS has effect).

3.2.1.10. The Applicant has considered the extent to which NPS EN-5 (National Policy Statement for Electricity Networks Infrastructure – Department of Energy and Climate Change ('DECC') (now BEIS), July 2011) may have effect in relation to the Proposed Development and is of the view that it does not have effect. The reasons for this are as follows:

- The direction issued does not direct that EN-5 is to have effect in relation to the Proposed Development.
- The Proposed Development is not of a type that would require development consent but for the direction and therefore would not fall within the scope of EN-5.
- Irrespective of not being development that would otherwise require development consent, EN-5 when confirming the type of infrastructure that it applies to states at paragraph 1.8.2:

"*This NPS covers above ground electricity lines whose nominal voltage is expected to be 132kV or above. Any other kind of electricity infrastructure (including lower voltage overhead lines, underground or sub-sea cables at any voltage, and associated infrastructure as referred to above) will only be subject to the Planning Act 2008 – and so be covered by this NPS – if it is in England, and it constitutes associated development for which consent is sought along with an NSIP such as a generating station or relevant overhead line*."

- The Proposed Development is not an above ground electricity line, nor is it associated development for which consent is sought along with an NSIP such as a generating station or relevant overhead line. As stated above, the SoS has directed that the Proposed Development is nationally significant and should be treated as development for which development consent is required.

3.2.1.11. Accordingly, the policies provided for in EN-5 have not been considered for the purpose of assessing the planning merits of the Proposed Development.

### 3.2.2. SECTION 104 OF THE PA 2008

3.2.2.1. Section 104(2) of the PA 2008 provides that in deciding an application for an order granting development consent where a NPS has effect, the SoS must have regard to:

- *"Any national policy statement which has effect in relation to the development of description to which the application relates (a 'relevant national policy statement);*
- *The appropriate marine policy documents (if any), determined in accordance with Section 59 of the Marine and Coastal Access Act 2009;*
- *Any local impact report (within the meaning given by Section 60(3) submitted to the SoS before the deadline specified in a notice under section 60(2);*
- *Any matters prescribed in relation to development of the description to which the application relates; and*
- *Any other matters which the SoS thinks are both important and relevant to their decision."*

3.2.2.2. Section 104(3) states that the decision maker must decide the application in accordance with any relevant NPS subject to certain exceptions (set out at sections 104(4) to (8) of the PA 2008), namely where (in summary):

- To do so would lead to the United Kingdom being in breach of any of its international obligations.
- To do so would lead the SoS to be in breach of any duty imposed upon them by or under any enactment.

- To do so would be unlawful by virtue of any enactment.
- The adverse impact of the proposed development would outweigh its benefits.
- Any condition prescribed for deciding an application otherwise than in accordance with a national policy statement is met.

### 3.2.3. LOCAL IMPACT REPORTS

3.2.3.1. Under Section 60 (2) of the PA 2008, the SoS must give notice to each of the relevant local authorities inviting them to submit a Local Impact Report ('LIR'). LIRs are reports in writing giving detail on the likely impact of the Proposed Development on the authority's area.

## 3.3. ASSOCIATED DEVELOPMENT

3.3.1.1. As outlined above at paragraph 1.3.6.2, the Applicant intends to use the spare FOC capacity within the FOC for commercial telecommunications purposes. Development consent is sought for this use to be permitted to be carried on by virtue of such use constituting associated development in accordance with Section 115 of the PA 2008.

3.3.1.2. Section 115(2) of the PA 2008 provides that associated development is development which:

- Is associated with development for which development consent is required;
- Does not consist of or include the construction or extension of one or more dwellings; and
- for the purpose of the associated development associated with the Proposed Development is to be carried out wholly in England and the waters adjacent to England.

3.3.1.3. The FOC, and more particularly its use for commercial telecommunications purposes, satisfies all of the above requirements.

3.3.1.4. The Applicant's intention to seek development consent to use the spare FOC capacity for the provision of commercial telecommunications services was outlined in the request to the SoS for the direction pursuant to Section 35 of the PA 2008 that the Proposed Development be treated as development for which development consent is required.

3.3.1.5. In light of this information in the request the SoS directed "*that the Proposed Development, **together with any development associated with it** is to be treated as development for which development consent is required*" (Applicant's emphasis).

## 3.4. SPECIAL CATEGORY LAND

3.4.1.1. The Application seeks to authorise the compulsory acquisition of rights over land forming part of a common, open space or fuel or field garden allotment (as those terms are defined at Section 132(12) of the PA 2008). In all circumstances where the compulsory acquisition of rights over such land is sought, the right will authorise the laying and operation of the HVDC Onshore Cable Circuits in the land, beneath its surface.

3.4.1.2. Section 132(2) provides that "*an order granting development consent is to be subject to special parliamentary procedure, to the extent that the order authorises the compulsory acquisition of a right over land to which this section applies by the creation of a new right over land, unless—*

- *the Secretary of State is satisfied that one of subsections (3) to (5) applies, and*
- *that fact, and the subsection concerned, are recorded in the order or otherwise in the instrument or other document containing the order."*

3.4.1.3. Subsection 132(3) provides that "*this subsection applies if the order land, when burdened with the order right, will be no less advantageous than it was before to the following persons:*

- *the persons in whom it is vested;*
- *other persons, if any, entitled to rights of common or other rights; and*
- *the public."*

3.4.1.4. There will be no physical infrastructure on the land which is to be subject to the compulsory acquisition of such rights, and the acquisition of those rights over that land will not affect the character of the land in any way following construction of the Proposed Development, with the surface of the land required to be restored to its former state in accordance with the DCO applied for. Accordingly, the SoS can be satisfied that subsection 132(3) applies in relation to the special category land over which rights are sought by the Order.

## 3.5. POLICY FRAMEWORK OVERVIEW

### 3.5.1. THE PRIMARY POLICY FRAMEWORK: NATIONAL POLICY STATEMENTS

**Overview**

3.5.1.1. DECC, now BEIS, published a number of NPSs in relation to energy infrastructure, which were designated by the SoS in July 2011.

3.5.1.2. NPSs are the principal policy document used in the determination of applications for development consent. As discussed above, Section 104 of the PA 2008 requires DCO applications to be determined in accordance with any applicable NPSs.

3.5.1.3. NPSs include the Government's objectives for the development of NSIPs in a particular infrastructure sector (e.g. energy). They state how the development of NSIPs will contribute to sustainable development, how the objectives contained within the NPSs have been integrated with other Government policies, and how actual and projected capacity of and demand for infrastructure have been taken into account. The NPSs also consider relevant issues in relation to safety or technology as well as the circumstances where it would be particularly important to address the adverse impacts of development. They may also specify locations, where appropriate, in order to provide a clear framework for investment and planning decisions.

3.5.1.4. As stated above, in the direction given under Section 35 of the PA 2008 on 30 July 2018, the SoS has directed that the Overarching NPS for Energy ('EN-1') is to have effect in relation to the Proposed Development in a manner equivalent to its application to development consent for the construction and extension of a generating station within Section 14(a) of the PA 2008, in so far as the impacts are relevant to the Proposed Development.

### 3.5.2. OVERARCHING NATIONAL POLICY STATEMENT FOR ENERGY (EN-1)

3.5.2.1. EN-1 sets out the Government's policy for delivery of major energy infrastructure, which includes ensuring the security of supply and decarbonising the UK's energy network to meet the UK's 2050 climate targets.

3.5.2.2. Part 2 of EN-1 outlines the policy context for the development of NSIPs, emphasising the importance of ensuring that the UK has secure and affordable energy, it being vital to economic prosperity and social well-being.

#### Need for New Energy NSIPs

3.5.2.3. Part 3 of EN-1 relates to the need for new energy NSIPs.

3.5.2.4. The NPS explicitly identifies the urgent need for new (and particularly low carbon) electricity NSIPs in the UK within the 10 years to 15 years following publication, i.e. 2011 to 2025. It outlines the challenges facing the UK's energy security in light of the Government's carbon reduction objectives and notes that the UK not only needs a secure, diverse and reliable supply of electricity, but needs it in the context of reducing greenhouse gas emissions by at least 80% by 2050 under the Climate Change Act 2008 (EN-1, paragraphs 3.3.14 - 3.3.15).

3.5.2.5. Paragraph 3.3.12 of EN-1 recognises that the interconnection of electricity systems can be used to compensate for the intermittency of renewable generation, such as electricity storage, interconnection and demand-side response, without building additional generation capacity.

3.5.2.6. Paragraph 3.3.29 goes on to state that:

*"interconnection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere."*

3.5.2.7. Paragraph 3.3.31 of EN-1 provides that "*Government expects that demand side response, storage and interconnection, will play important roles in a low carbon electricity system.*"

3.5.2.8. The need for Interconnector projects and their contribution to meeting low carbon targets and delivering energy security is addressed in detail in the Needs and Benefits Report submitted with the Application (document reference 5.6) with a summary provided in section 5 of this Planning Statement.

**Assessment Principles**

3.5.2.9. Part 4 of EN-1 sets out certain general policies in accordance with which energy applications are to be decided that do not relate only to the need for new energy infrastructure (covered in Part 3 of the EN-1) or to particular physical impacts of its construction or operation (covered in Part 5 of the EN-1).

3.5.2.10. This section states that given the level and urgency of need for infrastructure, the SoS should start with a presumption in favour of granting consent to applications for energy NSIPs. This presumption applies unless any more specific or relevant policies set out in EN-1 clearly indicate that consent should be refused. Whilst the Proposed Development is not an NSIP, this presumption equally applies to this Application for development consent for the Proposed Development which the SoS acknowledges to be of national significance.

3.5.2.11. In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, paragraph 4.1.3 of EN-1 states that the SoS should take into account its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term wider benefits and its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. In this context, the SoS should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels.

3.5.2.12. Paragraph 4.1.6 of EN-1 requires the SoS to have regard to the Marine Policy Statement ('MPS') and applicable marine plans in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area. It also provides that in the event of a conflict between any of these marine planning documents and an NPS, the NPS prevails for purposes of SoS decision making given the national significance of the infrastructure. The MPS, the applicable marine plans and their application to the Proposed Development are described further below in section 4.6.

3.5.2.13. Part 4 of EN-1 also sets out the relationship between the NPS and local planning policy. EN-1 states that consideration may be given to planning policy outside the NPSs where it is important and relevant to the SoS's decision. Paragraph 4.1.5 of EN-1 confirms that this may include development plan documents or other documents in the local development framework. Matters of importance and relevance might also include relevant policies in the National Planning Policy Framework ('NPPF'), relevant Marine Plans, and relevant policies in the local development plan documents as well as emerging national and local planning policy. Those that are relevant are set out and considered below.

3.5.2.14. In the event of a conflict between local policies or any other documents and an NPS, the NPS prevails for the purposes of decision making, given the national significance of the infrastructure (paragraph 4.1.5 of EN-1).

**Generic Impacts**

3.5.2.15. Part 5 of EN-1 sets out how generic (physical) impacts (i.e. those impacts most likely to arise from the development of any type of energy infrastructure) and the means of mitigation will be considered. An assessment of the Generic Impacts of the Proposed Development in relation to both the Onshore and Marine Components of the Proposed Development are considered in Sections 5.3 and 6.2 of this Planning Statement respectively.

## 3.6. MARINE PLANNING LEGISLATION AND POLICY

### 3.6.1. MARINE AND COASTAL ACCESS ACT 2009

3.6.1.1. The Marine and Coastal Access Act 2009 introduced the marine planning system, including the creation of the Marine and Management Organisation ('MMO') and the need to obtain licences for specified marine activities. The Marine and Coastal Access Act 2009 also sets out the framework for the creation of Marine Policy Statements which will regulate the objectives and priorities for the marine planning system.

3.6.1.2. Under Section 104 (2) of the PA 2008, the SoS must have regard to the appropriate marine policy document when determining an application. The UK Marine Policy Statement (March 2011) ('MPS') and South Inshore and South Offshore Marine Plans constitute the appropriate marine policy documents for the purposes of Section 104(2).

## 3.7. UK MARINE POLICY STATEMENT (2011)

3.7.1.1. The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment. This policy aims to contribute to the achievement of sustainable development in the UK marine area and was adopted for the purposes of section 44 of the Marine and Coastal Access Act 2009 ('MCAA').

3.7.1.2. The MPS builds on the shared UK wide high-level marine objectives, and provides an overview of relevant national policy, including the National Planning Policy Framework ('NPPF') and associated NPS.

3.7.1.3. The MPS is generally supportive of subsea cable development and identifies that given the increased human activity in the UK marine area, damage to subsea cables can occur through fishing trawlers and anchors. Accordingly, paragraph 3.7.4 of the MPS states:

> *"Through the marine planning process, marine plan authorities should help facilitate the co-ordination of marine activities, a better understanding among relevant industries and the communication of guidelines to ensure both the safety of these installations and safe access to them for maintenance purposes."*

3.7.1.4. Paragraphs 3.7.1 and 3.7.3 of the MPS highlights the importance of subsea cables to the UK economy stating that:

> *"Submarine cables are part of the backbone of the world's power, information and international telecommunications infrastructure, and socially and economically crucial to the UK…"*
>
> *"The importance of telecommunication and power cabling as vital infrastructure for the domestic and global economy should be recognised in Marine Plans and for integrating across marine plan boundaries. This includes the potential for any detrimental impact on the maintenance and operation of these cables, the functioning and prosperity of the UK economy and on worldwide telecommunications, for example the Internet. The potential for other uses of the sea bed to impede the ability of cable owners to maintain and repair damaged cables should be taken into account."*

3.7.1.5. In relation to electricity Interconnector cables in particular, the MPS states in paragraph 3.3.28:

> *"Electricity interconnections between parts of the UK and other European countries to allow for import and export of electricity will also become increasingly important to ensure that the UK continues to have a secure and stable network, particularly as the penetration of renewables rises and develops capacity to allow export of energy from parts of the UK to Europe."*

3.7.1.6. As such, the Proposed Development is broadly supported by this policy. This policy also forms the framework for the MMO management of the marine area and informs the marine plans that the MMO develop within England which set out how the MPS will be implemented in specific geographic areas.

3.7.1.7. Marine plans in UK coastal areas overlap slightly with the area of jurisdiction of local authorities. Marine plans cover the area up to the Mean High Water Springs ('MHWS') tide whereas local authorities' responsibilities extend to the Mean Low Water Springs ('MLWS'). The Proposed Development is within the South Marine

Plan ('SMP') area and as such, the application must include detail of how regard has been given to the SMP.

3.7.1.8. An assessment of the Proposed Development accordance with the relevant policies of the MPS is contained in section 6.4.2 of this Planning Statement.

**South Inshore and South Offshore Marine Plan – The South Marine Plan**

3.7.1.9. The South Inshore and South Offshore Marine Plans set out the strategic approach to marine planning within the inshore and offshore waters between Folkestone in Kent and the River Dart in Devon, within which the Proposed Development is located. Due to the commonalities and dependencies between the inshore and offshore areas, a single document has been produced referred to as the SMP. The Plan acknowledges that they remain two separate plans - the South Inshore Marine Plan and the South Offshore Marine Plan.

3.7.1.10. The Plans provide certainty about where activities can best take place and provides guidance on the determination of application for marine licences. The Plans also provide guidance on the determination of applications for development consent where a marine element is included.

3.7.1.11. Specific guidance is provided by the SMP on the consideration of applications for new submarine cables. Policy S-CAB-1 of the SMP confirms that submarine cabling is important to the growth and sustainability of electrical transmission and telecommunications. The policy encourages the use of a buried or protected cable installation methods in order to reduce conflict with other marine uses, while confirming that it may be appropriate for schemes to proceed without these measures where burial or protection measures are not appropriate.

3.7.1.12. The relevant objectives and policies from the SMP along with an assessment of how the Proposed Development accords with the SMP is set out in full in Appendix 5 to this Planning Statement (document reference 5.4.5). A summary is also provided in Section 7 of this Planning Statement.

## 3.8. OTHER RELEVANT INTERNATIONAL, NATIONAL, REGIONAL AND LOCAL POLICY

3.8.1.1. Whilst EN-1 forms the primary basis for determining DCO applications to which it relates, paragraph 4.1.5 of EN-1 is clear that other matters that the SoS can consider "*important and relevant*" in decision making can include Development Plan documents or other documents in the Local Development Framework. It is also clear, however, that where there is any conflict, the NPS prevails for the purposes of decision making given the national significance of infrastructure.

### 3.8.2. INTERNATIONAL POLICY AND OBLIGATIONS

**Project of Common Interest**

3.8.2.1. PCIs are cross-border infrastructure projects that link the energy systems of EU countries. They are selected by twelve regional groups composed of representatives of Member States, the Transmission Systems Operators, the EU Commission, the Agency for the Cooperation of Energy Regulators and the European Network of Transmission Systems Operators. PCIs are intended to support the EU's Trans-European Networks for Energy ('TEN-E') and help the EU achieve its energy policy and climate change objectives: affordable, sustainable and secure energy for all citizens and the long-term decarbonisation of the economy in accordance with the Paris Agreement. The PCI process is governed by Article 3(4) of the Regulation (EU) 347/2013, referred to as the TEN-E Regulation. The Project was awarded PCI status by the European Commission in 2018. The PCI list is updated every two years in accordance with Regulation (EU) 347/2013.

3.8.2.2. To become a PCI, a project must have a significant impact on energy markets and market integration in at least two EU countries, boost competition on energy markets and help the EU's energy security by diversifying sources as well as contribute to the EU's climate and energy goals by integrating renewables.

3.8.2.3. The selection process for a PCI gives preference to projects in priority corridors identified in the TEN-E strategy as requiring urgent infrastructure development in electricity, gas or oil. A priority electricity corridor has been identified in the North Seas offshore grid. This relates to integrated offshore electricity grid development and integrated interconnectors in the North Sea, Irish Sea, English Channel and Baltic Sea and neighbouring waters to transport electricity from renewable offshore energy sources to centres of consumption and storage and to increase cross-border electricity exchange.

3.8.2.4. The TEN-E Regulation establishes that PCIs are necessary to take forward EU energy networks policy and should be given the most rapid consideration in the permitting process that is legally possible. It provides a series of measures to support the implementation of projects, including strengthened transparency and public consultation, accelerated and streamlined permit granting procedures including a three and a half year limited, improved and faster environmental assessment, the potential to gain access to funding, and the determination by a single National Competent Authority ('NCA') acting as a one-stop-shop for permit granting procedures. The NCA will co-ordinate and facilitate the decision on a PCI and provide a single point of contact for developers. PCIs which are in more than one member state will have a designated NCA in each member state.

3.8.2.5. The NCA for the Proposed Development is the SoS for BEIS who will determine the Application. The NCA has delegated tasks relating to the facilitation and co-ordination of the permit granting process to PINS for PCIs for which a DCO will be the primary consent required.

3.8.2.6. The TEN-E Regulation does not change the consenting regimes applicable to energy infrastructure in the UK and a project being a PCI does not mean that consent will necessarily be granted. Any permit required for a PCI to be constructed must be determined according to the requirements of the relevant consenting regime, i.e. the PA 2008. The PCI status establishes the need for the proposed infrastructure and is a factor that the SoS may consider as important and relevant to the decision on whether or not to grant the DCO.

3.8.2.7. A document entitled the TEN-E Regulation EU347/2013 Manual of Procedures: The permitting process for Projects of Common Interest in the UK (Department for Energy and Climate Change, 2014) sets out practical guidance on the process.

**The Paris Agreement**

3.8.2.8. The Paris Agreement is an agreement within the United Nations Framework Convention on Climate Change that seeks to address greenhouse gas emissions ('GHGs') mitigation, adaptation and finance. The Paris Agreement came into force on 4 November 2016 and was ratified by 185 of the 197 parties to the convention, including the UK.

3.8.2.9. The agreement is a main global climate change policy. It seeks to put into place measures for reducing global greenhouse gas emissions associated with human activity that would prevent global temperatures from rising above certain thresholds (1.5-2 $^{o}$C and their removal from the atmosphere by the second half of this century (i.e. a 100 % reduction in net global emissions by 2050-2100).

3.8.2.10. Only elements of the Paris Agreement are legally binding; but all countries, including the UK, must prepare national plans to achieve their intended greenhouse gas reduction targets (or 'contributions'). They must also report regularly on their emissions and the implementation of associated mitigation measures. The Needs and Benefits Report (document reference 5.6) which accompanies this application considers EU renewables targets in more detail.

## 3.8.3. NATIONAL POLICY AND REGULATIONS

### National Planning Policy Framework

3.8.3.1. The NPPF sets out the Governments planning policy for England and details how these policies should be applied. The revised NPPF was adopted in February 2019, superseding preceding versions. It provides a framework for the preparation of local plans and is a material consideration in planning decisions under the Town and Country Planning regime. The policies contained within the NPPF are expanded upon and supported by the Planning Practice Guidance ('PPG'), a web-based resource which was first published in March 2014 and is subject to periodic review and updates.

3.8.3.2. Paragraph 5 of the NPPF makes it clear that the document does not contain specific policies for NSIPs and that applications in relation to NSIPs are to be determined in accordance with the decision-making framework set out in the PA 2008 and relevant NPSs (where applicable), as well as any other matters that are relevant, which may include the NPPF.

3.8.3.3. The NPPF is built around the concept of sustainable development, with paragraph 10 stating that a presumption in favour of sustainable development is *"at the heart of the framework"*. As detailed in NPPF paragraph 8, the achievement of sustainable development has three (economic, social and environmental) interdependent objectives which should be delivered through the preparation and implementation of plans and the application of policies in the NPPF.

3.8.3.4. Chapters 5 to 17 of the NPPF deal with specific subjects / policy areas (e.g. housing supply, green belt, the natural environment). Of these 13 chapters, the following are considered to be the most relevant to the Proposed Development:

- Chapter 6: Building a strong, competitive economy;
- Chapter 8: Promoting healthy and safe communities;
- Chapter 9: Promoting sustainable transport;
- Chapter 12: Achieving well-designed places;
- Chapter 14: Meeting the challenge of climate change, flooding and costal change;
- Chapter 15: Conserving and enhancing the natural environment; and
- Chapter 16: Conserving and enhancing the historic environment.

### 3.8.4. LOCAL POLICY

3.8.4.1. As the Proposed Development is a linear project which is located within four local planning authority areas, and is in close proximity to the SDNPA, there is a large amount of local policy and guidance that the SoS may consider relevant and important to the determination of Application. As set out previously, EN-1 confirms that the NPS is the primary policy document for the determination of the Application. Whilst local policy will not be determinative, it may be an important consideration that defines local mitigation measures where considered relevant.

3.8.4.2. The relevant local policies are not listed in this Planning Statement in detail but are set out within Appendix 4 to this Planning Statement (document reference 5.4.4). Where local policy is considered relevant and important, notably in relation to the development of local mitigation, this is set out in section 5 and 6 of this Planning Statement.

## 3.9. SUMMARY

3.9.1.1. The SoS has directed that the Proposed Development should be treated as a proposed application for which development consent is required, and that EN-1 has effect in a manner equivalent to its application to development consent for a generating station with a similar capacity to the Proposed Development, so far as the impacts described in EN-1 are relevant to the Proposed Development

3.9.1.2. EN-1 therefore represents the primary planning policy for the Proposed Development. EN-1 aims to deliver the Government's key aims of security of supply and transitioning to a low-carbon economy, and highlights the level and urgency of the need for the types of energy infrastructure covered. It establishes that the NPS and the decision maker should start with a presumption in favour of granting consent.

3.9.1.3. There are a range of other national and local policies that may be important and relevant to the SoS's decision making process, in accordance with s104 of the PA 2008. However, EN-1 confirms that in the event of a conflict between EN-1 and other local or national policy, EN-1 will prevail due to the overwhelming need to deliver new energy infrastructure.

# 4. THE NEED FOR THE PROPOSED DEVELOPMENT

4.1.1.1. A full discussion on the need for the Project is included in the Needs and Benefits Report (document reference 5.6) submitted with the Application. It presents the overarching need for increasing electricity interconnection between the UK and the neighbouring countries, and the positive contribution that AQUIND Interconnector brings in terms of the socio-economic benefits, energy security and wider benefits of the Proposed Development.

4.1.1.2. This section sets out a summary of why the Project is needed, as a viable proposal to contribute materially towards improving the reliability of electricity supply in the UK and how this complies with EN-1.

### 4.1.2. NPS EN-1

4.1.2.1. Whilst interconnectors are not within the list of development types identified by the PA 2008 as NSIPs, the SoS has directed that EN-1 should apply to the Proposed Development, which was considered by the SoS in their Direction Notice (Appendix 3, document reference 5.4.3) to be nationally significant and that "*EN-1 should apply to the application as it would to a generating station of a similar generating capacity as the capacity of the interconnector."* As such, the Proposed Development "*is to be treated as development for which development consent is required*".

4.1.2.2. EN-1 highlights that the UK's transition to a low-carbon economy can pose security of supply challenges:

- Meeting the UK's legally binding targets to cut greenhouse gas emissions will require, amongst other measures, the electrification of much of UK's heating, industry and transport, which will in turn increase demand for electricity.
- To continue to have secure and reliable supply of electricity, the UK needs to have sufficient generation capacity to meet demand at all times including a 'safety margin' to accommodate fluctuations in supply or demand.
- The main objective of the UK energy regulator (Ofgem) is to protect the interest of UK consumers, including their interest in reducing carbon emissions and in security of energy supply.
- A key security of supply challenge for the UK during the transition to a low carbon economy, is the "requirement for substantial and timely private sector investment" including in electricity networks.

4.1.2.3. The Proposed Development can help address all four challenges above, because it provides an additional source of electricity supply to meet growing demand, it enhances security of supply by providing additional source of electricity when it is needed in the UK and it enables renewable integration (and thereby reduces carbon emissions). The Applicant also represents substantial private-sector investment in electricity networks in the UK.

4.1.2.4. EN-1 also establishes the fundamental principles that the SoS should apply in relation to NSIPs (which would also apply to the Proposed Development). This is summarised in Box 5.1 below:

**Box 4.1 - Decision making on new NSIPs**

"*The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions.*

*It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies.*

*The [SoS] should therefore assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need is as described for each of them in this Part.*

*The [SoS] should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the PA 2008.*"

4.1.2.5. In addition, EN-1 notes that the SoS should "*start with a presumption in favour of granting consent to applications for energy NSIPs.*"

4.1.2.6. The SoS is required to assess the Proposed Development on the basis that there is an established need for the project and this should be accorded considerable weight in the decision-making process.

4.1.2.7. EN-1 emphasises that electricity is a critical and increasingly important component of the UK's overall energy needs, and that this drives an "urgent need for new electricity NSIPs". These are summarised in Box 5.2 below:

**Box 4.2 - Urgent need for new electricity NSIPs**

EN-1 sets out five key drivers of the urgent need for new electricity NSIPs:

**Meeting energy security and carbon reduction objectives:** there are benefits of having a significant surplus in capacity over demand ensuring resilience of the system in dealing with unexpected events and lowering the risk of a supply interruption, which helps protect consumers. There are also benefits of having a diversified mix of generation sources.

**The need to replace energy generating capacity:** there is a need to replace existing electrical generating capacity as a result of environmental regulation and ageing power stations. At the time of publication of EN-1 it was estimated that at least 22 GW of capacity would need to be replaced in the period to 2020.

**The need for more electricity capacity to support an increased supply from renewables:** whilst an increase in renewables is essential to meeting the UK's climate change commitments, some renewable sources such as wind, solar and tidal are intermittent and cannot be adjusted to meet demand. More flexible generating capacity is needed to provide backup at times when availability of intermittent sources is low.

**Future increases in electricity demand:** Electricity demand will continue growing as industry, heating and transport move away from fossil fuels to using electricity. Total consumption of electricity could "double by 2050" and the capacity of electricity generation "could need to triple" in order to be robust to intermittent electricity generation.

**The urgency of the need for new electricity capacity:** Based on the Updated Energy and Emissions Projections published by DECC (now BEIS) in 2010, the NSP EN-1 estimated that a minimum of 59 GW of new electricity capacity would need to be built by 2025 (based on the capacity of 85 GW in 2011 for a total of at least 113 GW capacity in 2025).

4.1.2.8. EN-1 is now eight years old and the exact figures are likely to be out of date, but the qualitative findings still hold: there is a growing need to deliver additional supply source to meet growing UK electricity demand and to help balance the potential fluctuation in supply from renewables. AQUIND Interconnector can provide UK consumers access to an additional source of electricity and, due to its flexibility, can help balance the growing renewable generation in the UK.

4.1.2.9. EN-1 notes that new large-scale electricity generation capacity is not the only way to meet growing electricity demand. Alternative (or complementary) measures include reducing demand, smarter use of electricity and the interconnection of electricity systems.

4.1.2.10. Specifically, on interconnection, EN-1 notes that the UK only had 4 GW of interconnection capacity (as of 2011), but new projects, including to Norway and Belgium, could increase this capacity to "*over 10 GW by around 2020*". While this projection has not materialised, the Nemo Interconnector between the UK and Belgium has been completed and a further nine Interconnector projects (excluding AQUIND) are in the pipeline in various stages of the development.

4.1.2.11. As a complement to the generation capacity, EN-1 also notes that network infrastructure "*will add to the reliability of the national energy supply*" and "*provide crucial national benefits, which are shared by all users of the system*". The Proposed Development would be an example of cross-border network infrastructure that delivers these benefits to the UK.

## 4.2. CONCLUSION

4.2.1.1. Recognising the benefits that electricity Interconnectors can bring, both the UK Government and EU policy-makers strongly support further increases in existing Interconnector capacity through regulatory arrangements (e.g. Cap and Floor in the UK and the Cross-Border Cost Allocation process in the EU) as well as explicit EU targets for electricity interconnection and financial support (e.g. Connecting Europe Facility).

4.2.1.2. Interconnectors are a well-established feature of electricity markets in Europe. The GB is currently connected by four existing interconnectors to France, Ireland, the Netherlands and Belgium with a combined capacity of 4,500 MW, with an additional connection between Scotland and Northern Ireland (with a capacity of 500 MW). A further nine Interconnectors (in addition to AQUIND Interconnector) are currently being planned to be developed by 2025 between the UK and the neighbouring countries, amounting to more than 10 GW of additional capacity.

4.2.1.3. Once operational, the Proposed Development would add to the existing capacity by providing an additional 2,000 MW of net interconnection capacity between France and GB. It will have the capacity to transmit up to 16,000,000 MWh of electricity per year, which equates to approximately 5 % of the UK's current annual total electricity consumption, enough to meet the electricity needs of over 5 million households each year.

4.2.1.4. The Project will have a total upfront investment cost of €1.4bn and will be designed, manufactured and installed for a minimum service life of 40 years. During the first 25 years of its operation, it is expected to deliver net socio-economic welfare benefits to Europe of €1.3bn (in present value terms and net of the development, capital and operating costs associated with the Project). The Project will benefit GB on all aspects of the energy trilemma by reducing wholesale electricity prices (delivering a total benefit of €2.2bn for GB consumers), by enhancing the security of supply (€333m benefit from reduced Expected Energy Non-Served), by helping renewables integration and by expected CO2 emissions reductions due to the Proposed Development over its lifespan are expected to be approximately -1,529,000 tCO2e. In addition, it is expected to support the System Operator by providing ancillary services, generate tax revenue for the Treasury and create new employment opportunities during the construction and operation of the asset.

# 5. POLICY ANALYSIS – ONSHORE

## 5.1. OVERVIEW

5.1.1.1. Section 3 of this Planning Statement sets out the principal considerations under Section 104 of the PA 2008 for the SoS in their decision making.

5.1.1.2. This section of the Planning Statement assesses the Onshore Components of the Proposed Development against relevant policy, primarily in the EN-1, but also against local planning policy which can be an important and relevant matter.

5.1.1.3. This section sets out the applicable policy from EN-1 and where relevant from other planning policy and the extent to which the Proposed Development accords with these.

## 5.2. ASSESSMENT PRINCIPLES FROM EN-1

5.2.1.1. Part 4 of EN-1 sets out Assessment Principles against which applications relating to energy infrastructure are to be determined, that do not relate only to the need for new energy infrastructure (considered in Part 3 of EN-1) or the particular physical Generic Impacts of its construction or operation (Part 5 of EN-1).

5.2.1.2. This section of the Planning Statement sets out the Assessment Principles in Part 4 of EN-1, and confirms whether they are relevant to the consideration of the Proposed Development.

5.2.1.3. Where particular Assessment Principles are relevant to the Proposed Development, their accordance with these are considered in detail in Sections 5.2.2.1 to 5.2.14.1 below.

### 5.2.2. ENVIROMENTAL STATEMENT

5.2.2.1. Paragraph 4.2.1 of EN-1 states that nationally significant energy developments that are subject to the European Environmental Impact Assessment ('EIA') Directive 2014/52/EU must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the project.

5.2.2.2. The Proposed Development is considered a development subject to Environmental Impact Assessment ('EIA') under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations').

5.2.2.3. Section 4.2 of EN 1 provides policy in relation to the ES submitted by the Applicant. Paragraph 4.2.4 of EN-1 states: *"When considering a proposal the IPC [SoS] should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed. In doing so the IPC [SoS] should also examine whether the assessment distinguishes between the project stages and identifies any mitigation measures at those stages. The IPC should request further information where necessary to ensure compliance with the EIA Directive."*

5.2.2.4. The Application is supported by an ES (document reference 6.3) which has been prepared in accordance with the above EIA Regulations, assessing the Likely Significant Effects of the Proposed Development taking into account the proposed mitigation measures, distinguishing the stages of the Proposed Development as follows:

- Construction;
- Operational; and
- Decommissioning.

5.2.2.5. The ES (document reference 6.3) has been informed by the Scoping Report which identified the environmental topics where there is potential for significant impacts. The Scoping Report (document reference 6.3.5.2) was issued to PINS on 29 October 2018 and was consulted upon with the relevant LPAs. A Scoping Opinion was received from PINS, on behalf of the SoS, on 7 December 2018 (document reference 6.3.5.3).

5.2.2.6. An explanation of how the scope of the EIA has taken into account the PINS Scoping Opinion is provided in Appendix 5.3 (Scoping Opinion Responses) of the ES Volume 3 (document reference 6.3.5)

5.2.2.7. Paragraph 4.2.7 of EN-1 notes that it may not be possible at the time of the application for all aspects of the proposal to have been settled in precise detail and that ES should set out, to the best of the applicant's knowledge, what the maximum extent of the proposed development may be.

5.2.2.8. The ES has therefore sought to define the principles of the Proposed Development in sufficient detail to allow the likely significant effects on the environment to be assessed and the mitigation measures to be identified. For some aspects, flexibility has been sought to allow the Proposed Development to be delivered within the requirements of contractors delivering it with sufficient scope for value engineering through innovative design and / or construction techniques.

5.2.2.9. PINS Advice Note nine: 'Using the 'Rochdale Envelope' (PINS, 2018) provides guidance regarding the degree of flexibility that may be considered appropriate within an application for development consent under the PA 2008. The Advice Note acknowledges that there may be parameters of a proposed developments design that are not yet fixed and, therefore, it may be necessary for the ES to assess likely worst-case variations to ensure that the likely significant effects of the Proposed Development have been assessed.

5.2.2.10. Where this approach is adopted the assessments in the ES (document reference 6.3) are undertaken on the basis of the relevant design parameters included within the Design and Access Statement (document reference 5.5). The assessment establishes those parameters likely to result in the maximum adverse effect (i.e. the worst-case scenario) and be undertaken accordingly to determine Significance.

5.2.2.11. The conclusions of the ES as they relate to the assessment of how the Proposed Developments accords with the policies in Part 5 of EN-1 (Generic Impacts) are discussed further in Section 5.3 below.

**Conclusion with regards to EN-1**

An ES informed by the Scoping Opinion received from PINS which assesses the likely potentially significant effects of the Proposed Development on the environment in all stages accompanies the Application. The Proposed Development is therefore in accordance with the above paragraphs of Section 4 of EN-1.

### 5.2.3. HABITATS AND SPECIES REGULATIONS

5.2.3.1. Section 4.3 of EN-1 confirms that in their decision-making, the SoS must consider whether a project may have a Significant Effect on a European Site, or any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans and projects. This consideration must be made under the Conservation of Habitats and Species Regulations 2017 (as amended).

5.2.3.2. Paragraph 4.3.1 of EN-1 also requires applicants to seek the advice of Natural England ('NE') and provide the SoS with such information as may be reasonably required to determine whether an Appropriate Assessment ('AA') is required. In the event that an AA is required, the applicant must provide the SoS with such information as may reasonably be required to enable it to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely adverse effects.

5.2.3.3. The Application is supported by a Habitats Regulation Assessment ('HRA') report (document reference 6.8.1 – 6.8.3) that allows the competent authorities to discharge their functions under regulations 7 and 61 of the Conservation of Habitats and Species Regulations 2017 (as amended) in connection with the Proposed Development. The HRA report provides the information that will be required by the competent authority to enable it to undertake HRA Screening to determine whether an Appropriate Assessment ('AA') is required, and where one is required, to undertake an AA in accordance with regulation 63(2)(2) of the Habitats Regulations and, 28(3) of the Offshore Habitats Regulations.

5.2.3.4. The HRA report (document reference 6.8.1-6.8.3) and the Marine Conservation Zone Assessment (document reference 6.3.8.5) also submitted have determined there would be no significant adverse effects as a result of the Proposed Development.

**Conclusion with regards to EN-1**

A HRA report informed by the Scoping Opinion and the advice received from NE assessing any potentially significant effects on European Sites accompanies the Application. The Proposed Development is therefore in accordance with the above paragraphs of Section 4 of EN-1.

## 5.2.4. ALTERNATIVES

5.2.4.1. Paragraph 4.4.1 of EN-1 states that there is no general requirement to consider alternatives or to establish whether the proposed project represents the best option.

5.2.4.2. However, paragraph 4.4.2 of EN-1 states that:

- "*applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility;*
- *in some circumstances there are specific legislative requirements, notably under the Habitats Directive, for the IPC to consider alternatives. These should also be identified in the ES by the applicant; and*
- *in some circumstances, the relevant energy NPSs may impose a policy requirement to consider alternatives*"

5.2.4.3. EN-1 does this in Sections 5.3, 5.7 and 5.9 in relation to avoiding significant harm to biodiversity and geological conservation interests, flood risk and development within nationally designated landscapes, respectively.

5.2.4.4. It is important to note that paragraph 4.4.3 of EN-1 makes it clear that alternatives not among the main alternatives studied by the Applicant should only be considered to the extent the decision maker thinks they are important and relevant, and that alternative proposals that could not proceed for reasons of commercial viability or physical suitability would not be important and relevant.

5.2.4.5. The Applicant has provided details on the consideration of alternatives within the Chapter 2 (Consideration of Alternatives) of the ES Volume 1 (document reference 6.1.2). This provides an overview of the process undertaken to identify electricity grid connection points in England and France, site selection for the UK Landfall and Onshore and Marine Cable Corridors and the location for the Converter Station. This includes the identification, appraisal and selection of options used to refine the Proposed Development.

5.2.4.6. In summary, the Proposed Development, having taken into account the consideration of the reasonable alternatives explained in Chapter 2 (Consideration of Alternatives) is considered by the Applicant to be the most suitable and appropriate form of development.

**Conclusion with regards to EN-1**

Chapter 2 (Consideration of Alternatives) provides a comparison of the environmental effects of the reasonable alternatives considered by the Applicant, whilst also providing information on the rationale behind the design and explaining the decision-making process that has been followed. The Proposed Development is therefore compliant with the above paragraphs of Section 4 of EN-1.

## 5.2.5. CRITERIA FOR "GOOD DESIGN" FOR ENERGY INFRASTRUCTURE

5.2.5.1. Paragraph 4.5.1 of EN-1 states that when applying high quality inclusive design, this:

> *"…goes far beyond aesthetic considerations. The functionality of an object — be it a building or other type of infrastructure — including fitness for purpose and sustainability, is equally important. Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area".*

5.2.5.2. EN-1, paragraph 4.5.3, recognises that the opportunities to demonstrate good design may differ depending upon the type of infrastructure proposed, in that there may be

*"very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation."*

5.2.5.3. Paragraph 4.5.3 is also clear that the applicant should take into account functionality, including fitness for purpose and sustainability, as well as aesthetics as far as possible.

5.2.5.4. Paragraph 4.5.4 of EN-1 seeks to ensure that applicants demonstrate how the design process was conducted and how the proposed design evolved and explain *"the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy".*

5.2.5.5. A Design and Access Statement ('DAS') (document reference 5.5) has consequently been prepared to accompany this Application, demonstrating how the design process was conducted and how the design evolved.

5.2.5.6. Article 9(3) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 confirms that a DAS is not necessary for engineering works. Consequently, the DAS concentrates on the Converter Station Area at Lovedean and the ORS infrastructure located at the Landfall of the Proposed Development

5.2.5.7. The DAS explains how the assessment of the existing character of the areas, design development, functionality of the buildings and consultation have all informed the proposed parameters and Design Principles for the buildings, that will guide the detailed design. The DAS also provides an illustrative example of how the design could be manifested in accordance with these parameters and principles, and how these respond and accord with the policies of EN-1 as set out above.

5.2.5.8. As noted above, Chapter 2 (Consideration of Alternatives) sets out the alternatives that have been considered before arriving at the options for the Proposed Development.

5.2.5.9. The Consultation Report (document reference 5.1) submitted with the Application sets out what consultation has been undertaken in relation to the Proposed Development particularly in relation to the Converter Station and the Landfall, including the ORS. Section 3 of the DAS sets out how the key issues and comments raised have or have not been taken into account, and the reasons for doing so.

### The Converter Station

5.2.5.10. As described in Chapter 2 (Consideration of the Alternatives), the location of the Converter Station is constrained by a requirement to be within 2 km of the agreed grid connection point at the existing National Grid substation at Lovedean in Section 1 of the Proposed Development.

5.2.5.11. In summary, within this search area, five options (A to E) for the Converter Station were considered. The Applicant conducted further detailed assessments to ensure the technical viability and environmental constraints of each of these options with each discussed in a series of design meetings with the relevant consultees (EHDC, WCC and the SDNPA). Based on the analysis and assessment undertaken for both Converter Station options, option B was identified as the preferred option. The preference for option B was strongly related to its more positive environmental outcomes from a noise, ecology and visual perspective. In addition, this option also performed best from a technical engineering perspective.

5.2.5.12. It was considered that landscape and visual impacts were one of the most important distinguishing factors between the five site options due to the relative sensitivity of the location, including but not exclusive to their proximity to sensitive features such as SDNP.

5.2.5.13. Option B benefited from existing topography, which provided natural screening of the Converter Station Area, however the associated Access Road would be of greater visibility in the landscape due to the route's longer length. Overall, option B was considered to be better screened from key receptors including the urban area, public highway and Public Right of Ways ('PRoW') by virtue of existing topography and vegetation to provide screening and provided the opportunity of being mitigated by the introduction of additional landscaping. Overall, it was assessed that option B had the potential to result in the least landscape and visual impacts.

5.2.5.14. Further ecological and arboricultural surveys were undertaken in relation to option B, which resulted in the location of the Converter Station to avoid or reduce potential impacts on ecology and habitats in the area, and in doing so identified a potential to microsite the Converter Station to the east of the wider site (approximately 40 m east and 11 m north). This resulted in Option B(i) and Option B(ii) being established.

5.2.5.15. A full assessment of the landscape and visual impacts of the Converter Station is provided in Chapter 15 (Landscape and Visual) of the ES Volume 1 (document reference 6.1.15) with a summary of the impacts provided below in section 5.3.10 as they relate to the Landscape and Visual Generic Impact as set out in Section 5.9 of EN-1.

5.2.5.16. The siting of the Converter Station has been carefully designed to respond to the extensive engagement undertaken with the public, SDNPA and the relevant host local authorities. A summary of the Design Principles which have been developed to mitigate the landscape and visual impacts of the Converter Station Area are set out in section 5.3.10.18 below as they relate to the Generic Landscape and Visual Impacts set out in Section 5.9 of EN-1. In summary, embedded mitigation measures have been incorporated in the form of landscape planting throughout the proposed Converter Station Area. The mitigation design includes native mixed woodland, scrub, hedgerows and grassland plus the retention and management of existing hedgerows within the Order Limits. The siting of the proposed Converter Station which will be cut into a natural slope will reduce potential views taken from the surrounding area. The Outline Landscape and Biodiversity Strategy specifies the landscape measures that would mitigate the effects and enhance the value of landscape and biodiversity features with management prescription with reference to monitoring, management responsibilities and review requirements.

**Landfall and ORS**

5.2.5.17. The concept of an ORS within 1 km of Landfall at Eastney beach in Section 10 of the Proposed Development within the administrative area of PCC was identified in the Consultation Documents presented at the statutory consultation stage. A series of design team meetings were held with PCC confirming location of the ORS within the car park at Landfall in Eastney.

5.2.5.18. Two potential locations have been considered:

- Option A – 8 m clearance between diesel generator wall and fence; and
- Option B – 2 m clearance between diesel generator wall and fence.

5.2.5.19. The Converter Station Parameter Plans (document reference 2.6) enable some flexibility in the siting of the ORS within the Landfall and is based on a worst-case scenario option A.

5.2.5.20. The indicative design for the ORS is functional with limited opportunity to alter the aesthetics. The siting of the ORS has been selected to minimise the impact upon the area with the parameters controlling the limited mass and footprint of the facility.

5.2.5.21. The ORS would be located within a securely fenced compound, which would also potentially contain auxiliary power generation equipment and a fuel tank.

**Effects and Mitigation**

5.2.5.22. Paragraph of 4.5.2 of EN-1 states that:

> *"Good design is also a means by which many policy objectives in the NPS can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies can help mitigate adverse impacts such as noise".*

5.2.5.23. The Proposed Development and how its design development has taken into account the constraints and specifically how they relate to the Generic Impacts set out in Part 5 of EN-1 are discussed in detail in Section 5.3 below. Noting that the Converter Station Area and ORS offer the greatest opportunities for demonstrating good design, the following Generic Impacts as set out in Part 5 of EN-1 are considered most relevant, with the below noted sections of this Planning Statement discussing them in detail:

- Section 5.3 of EN-1 (Biodiversity and geological conservation) (addressed in Section 5.3.3 of this Planning Statement);
- Section 5.7 of EN-1 (Flood Risk) (addressed in Section 5.3.7 of this Planning Statement);
- Section 5.8 (Historic Environment) (addressed in Section 5.3.9 of this Planning Statement);
- Section 5.9 (Landscape and visual) of EN-1 (addressed in Section 5.3.10 of this Planning Statement);
- Section 5.11 of EN-1 (Noise) (addressed in Section 5.3.12 of this Planning Statement);
- Section 5.13 of EN-1 (Traffic & Transport) (addressed in Section 5.3.14 of this Planning Statement); and
- Section 5.14 of EN-1 (Waste Management) (addressed in Section 5.3.15 of this Planning Statement).

5.2.5.24. An assessment of Likely Significant Effects related to the Converter Station, the Converter Station Area and the ORS, along with topic specific mitigation are set out in each of the above noted sections of this Planning Statement.

**Additional Post Consent Controls under the DCO**

5.2.5.25. The final design and appearance of the Converter Station, its related infrastructure and the ORS will be determined post development consent with the submission and approval by the relevant host authority, and in the case of the Converter Station the SDNPA, as required by Requirement 6 of the draft DCO submitted with this application (document reference 3.1). This will provide the relevant host authority, and in the case of the Convertor Station the SDNPA, with additional controls over the final location as well as the design and external appearance of the Converter Station, its related infrastructure and the ORS within the defined parameters set out in the parameter plans (document reference 2.6, 2.7, 2.8 and 2.9 for the Converter Station Area and 2.10 and 2.11 for the ORS), and in accordance with the Design Principles contained within the DAS (document reference 5.5) submitted with this Application.

**Conclusion with regards to EN-1**

The DAS shows how the design process for the Converter Station, the Converter Station Area and the ORS were conducted and how alternatives have been considered and how the proposed designs have evolved in response to consultation feedback.

The Sections of the ES noted above show how good design, in terms of siting and use of appropriate technologies has mitigated as far as reasonably possible any adverse impacts on ecology, flood risk, historic environment, landscape and visual, noise, traffic and transport and waste mitigate.

It is therefore considered that the Proposed Development is sensitively designed and minimises adverse effects and so is in accordance with Section 4.5 of EN-1

### 5.2.6. CONSIDERATION OF COMBINED HEAT AND POWER

5.2.6.1. Section 4.6 of EN-1 provides policy in respect of the assessment of the potential for thermal generating stations to deliver Combined Heat and Power. As the Proposed Development is not a thermal generating station, this section is not relevant to the consideration of the Application.

### 5.2.7. CARBON CAPTURE AND STORAGE AND CARBON CAPTURE READINESS

5.2.7.1. Section 4.7 of EN-1 relates to Carbon Capture and Storage and Carbon Capture Readiness. As the proposed Development is not a thermal generating station, this section is not relevant to the consideration of the Application.

### 5.2.8. CLIMATE CHANGE ADAPTATION

5.2.8.1. Paragraph 4.8.1 of EN-1 advises that applicants and the SoS should ensure that new energy infrastructure is sufficiently resilient to the possible impacts of climate change.

5.2.8.2. Paragraph 4.8.6 of EN-1 states that the SoS should be

> *"satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptations measures. This should cover the estimated lifetime of the new infrastructure".*

5.2.8.3. Paragraph 4.8.4 of EN-1 states that development should take account of flood risk and coastal change. Section 4.8. of EN-1 notes that the SoS should be satisfied that the design of the infrastructure would not be seriously affected by climate change.

5.2.8.4. The Applicant's assessment of the adaptability of the Proposed Development to climate change (i.e. its climate resilience) is set out in Chapter 28 (Carbon and Climate Change) of the ES Volume 1 (document reference 6.1.28). The assessment confirms that the Proposed Development would not be significantly impacted by likely climate and coastal change processes.

5.2.8.5. The Applicant's assessment also includes an assessment of flood risk in Chapter 20 (Surface Water Resources and Flood Risk) of the ES Volume 1 (document reference 6.1.20). The assessment confirms that the Proposed Development meets the requirements of the EN-1 in relation to flood risk with the Sequential and Exception Tests having been passed. The proposed mitigation measures incorporated into the design parameters for the Proposed Development will ensure that flood risk is satisfactorily managed in terms of being resilient to climate adaption.

5.2.8.6. Requirement 12 of Schedule 2 of the draft DCO requires the approval of details in relation to the management of surface water drainage for the construction and operation of the Proposed Development and, where necessary, for these to be in accordance with the Construction Environmental Management Plan ('CEMP') during construction. An Onshore Outline CEMP (document reference 6.9) has been prepared by the Applicant and submitted as part of the Application. The final CEMP would include appropriate measures to ensure that construction does not result in an unacceptable increase to flood risk within the Site and to surrounding property. The approval and implementation of the Onshore CEMP is also secured by Requirement 15 of Schedule 2 to the draft DCO. A Mitigation Schedule also accompanies the Application (document reference 6.6) setting out the mitigation controls and other best practice measures identified in the ES and identifies the means by which those controls and measures will be secured.

**Conclusion with regards to EN-1**

The Proposed Development therefore accords with the above noted paragraphs of Section 4.8 of EN-1.

### GRID CONNECTION

5.2.8.7. Section 4.9 of EN-1 provides policy in respect of the connection of a proposed generation plant to the grid network, and the consideration of proposals which do not have a grid connection. The Applicant has completed a grid connection agreement with National Grid Electricity Transmission ('NGET'). As such, policy relating to Proposed Developments that do not have a grid connection is not relevant to the consideration of the Application.

## 5.2.9. POLLUTION CONTROL AND OTHER ENVIRONMENTAL REGULATORY REGIMES

5.2.9.1. Paragraph 4.10.1 of EN-1 states that:

> *"issues relating to discharges or emissions which affect air quality, water quality, land quality or noise and vibration may be subject to separate regulations under the pollution control framework or other consenting and licensing regimes."*

5.2.9.2. Paragraph 4.10.3 of EN-1 also states that the SoS:

> *"should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator"*

5.2.9.3. Paragraph 4.10.7 of EN-1 notes that the SoS:

> "*should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, the Countryside Council for Wales, Drainage Boards, and water and sewerage undertakers, the IPC should be satisfied before consenting any potentially polluting developments, that:*
>
> - *the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and*
> - *the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable particularly in relation to statutory environmental quality limits."*

5.2.9.4. Importantly paragraph 4.10.8 of EN-1 states that the SoS should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits or licences, or other consents, will not subsequently be granted.

**Conclusion with regards to EN-1**

Through consultation with the relevant pollution control authorities, the Applicant has sought to ensure that potential effects can be adequately regulated under the pollution control framework in accordance with paragraph 4.10.7 of EN-1. The Applicant notes that the Proposed Development will require a series of other consents and licenses and has submitted an Other Consents and Licenses Document (document reference 5.2) with this Application which sets out in detail what other consents are likely to be required during the construction, operation and decommissioning stages.

### 5.2.10. SAFETY

5.2.10.1. Section 4.11 of EN-1 relates to the consideration of safety where a proposed development is subject to the Control of Major Accident Hazards ('COMAH') Regulations 1999. The Proposed Development would not be subject to the COMAH Regulations, consequently this policy is not relevant to the determination of the Application.

### 5.2.11. HAZARDOUS SUBSTANCES

5.2.11.1. Section 4.12 of EN-1 relates to proposals that contains stocks of certain hazardous substances above the threshold that requires Hazardous Substances Consent (HSC)

5.2.11.2. HSC may be required for substances storage within the Converter Station, as set out in Table 3.2 in Appendix 3.5 (Additional Supporting Information for Onshore Works) of the ES Volume 3 (document reference 6.3.3.5).

5.2.11.3. This consent will be sought post-submission of the Application with consultation to be undertaken with the Health and Safety Executive and WCC.

### 5.2.12. HEALTH

5.2.12.1. Paragraph 4.13.1 of EN-1 confirms that the impact of energy production on human health should be considered within the ES. Paragraph 4.13.5 of EN-1 notes that generally those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation which will constitute effective mitigation, so that *"it is unlikely that health concerns will either constitute a reason to refuse consents or require specific mitigation under the PA 2008".*

5.2.12.2. A Human Health assessment has been undertaken as part of the accompanying EIA and is included within Chapter 26 (Human Health) of the ES Volume 1 (document reference 6.1.26). The health of construction workers, operational workers, local residents and users of adjacent land has been considered and appropriately assessed on a topic-by-topic basis. The assessment has been informed by the findings of the other relevant assessments undertaken as part of the EIA and included within the ES (document reference 6.1) as submitted with this Application:

- Air Quality (document reference 6.1.23),
- Noise and Vibration (document reference 6.1.24),
- Ground Conditions (document reference 6.1.18),
- Soils and Land Use (document reference 6.1.17),
- Traffic and Transport (document reference 6.1.22),
- Socio-economics (document reference 6.1.25), and consideration of Electro Magnetic Field within the Description of the Proposed Development (document reference 6.1.3).

5.2.12.3. Mitigation is proposed in each of the relevant chapters noted.

5.2.12.4. The assessment concludes that the only significant adverse effects on human health will be due to the generation of noise emissions during the construction stage for Sections 2 to 10 of the Proposed Development resulting in annoyance and anxiety, leading to adverse effects on psychological health and sleep disturbance.

5.2.12.5. Paragraph 4.13.5 of EN- 1 acknowledges that the aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refuse consent or require specific mitigation. However, the SoS will want to take account of health concerns when setting requirements relating to a range of impacts.

5.2.12.6. Mitigation, through the implementation of the Onshore Outline CEMP (document reference 6.9) which includes construction hours and the use of best practice construction methods, will mitigate these adverse effects as far as practicable.

5.2.12.7. An Onshore Outline CEMP has been prepared by the Applicant and submitted as part of the Application. The final Onshore CEMP would include measures to ensure that construction does not result in an unacceptable level of noise within the Site. The approval and implementation of the Onshore CEMP is also secured by Requirement 15 of Schedule 2 to the draft DCO.

5.2.12.8. Requirement 18 of Schedule 2 of the draft DCO (document reference 3.1) sets out the construction hours, with Requirement 19 also requiring the Applicant to submit for approval a written scheme for noise management including monitoring and attenuation by the relevant planning authority.

5.2.12.9. Chapter 22 (Traffic and Transport) of the ES Volume 1 (document reference 6.1.22) concludes that the Proposed Development will give rise to temporary impacts during construction, including severance, pedestrian and cycle amenity, fear and intimidation, accidents and safety, traffic delay and abnormal loads. The Onshore Outline CEMP (document reference 6.9) seeks to mitigate these temporary impacts as far as is practicable.

5.2.12.10. Chapter 23 (Air Quality) of the ES Volume 1 (document reference 6.1.23) concludes that adverse effects of the Proposed Development would be not significant and particularly that effects on the Air Quality Management Area within PCC would be negligible.

5.2.12.11. Chapter 24 (Noise and Vibration) of the ES Volume 1 (document reference 6.1.24) concludes that significant residual effects are anticipated in some areas during construction, where weekend daytime and limited weekend nigh time working will be necessary to minimise traffic construction. Embedded mitigation and best practice measures will be used during construction. Embedded mitigation at the Converter Station includes building layout/orientation and mitigation to individual items of plant (for example enclosures or silencers

5.2.12.12. Chapter 29 (Cumulative Effects) of the ES also concludes that the Proposed Development would not result in combined effects on human health.

5.2.12.13. A Mitigation Schedule also accompanies the Application setting out the mitigation controls and other best practice measures identified in the ES and identifies the means by which those controls and measures will be secured.

**Conclusion with regards to EN-1**

The Proposed Development accords with Part 4.13 of EN-1, as the Applicant has taken all applicable matters into account to provide appropriate mitigation for potential impacts to human health.

## 5.2.13. COMMON LAW NUISANCE AND STATUTORY NUISANCE

5.2.13.1. Section 4.14 of EN-1 relates to statutory nuisance, and the relationship between applications for Development Consent under the PA 2008 and the Environmental Protection Act (1990) ('EPA') and common law nuisance.

5.2.13.2. Paragraph 4.14.2 of EN-1 states that it is very important that possible sources of nuisance under Section 79(1) of the EPA and how they may be mitigated or limited are considered, so that appropriate requirements can be included in any subsequent Order granting development consent. There is also a requirement to provide such a statement under APFP Regulation 5(2)(f).

5.2.13.3. This Application is accompanied by a Statutory Nuisance Statement (document reference 5.3) which provides an explanation of matters set out in Section 79(1) of the EPA in respect of statutory nuisances which may occur as a result of the Proposed Development. The Statutory Nuisance Statement identifies the sources where there is the potential for the Proposed Development to result in nuisance and the measures to prevent and mitigate such nuisance occurring.

5.2.13.4. Article 9 (Defence to proceedings in respect of statutory nuisance) of the draft DCO contains a provision that would provide a defence, subject to certain criteria, to proceedings in respect of statutory nuisance falling within Section 79(1)(x) of the EPA.

5.2.13.5. The draft DCO also includes a number of requirements that would mitigate and limit nuisance, including the following Requirements:

- 15 Construction Environmental Management Plan
- 18 Construction hours,
- 20 Control of noise during operational phase

**Conclusion with regards to EN-1**

The assessment in the ES concludes that with the implementation of mitigation, which will be secured through the Requirements set out in the draft DCO, that claims for statutory nuisance are unlikely to arise.

The Proposed Development is therefore considered to accord with the above paragraphs of Section 4.14 of EN-1.

### 5.2.14. SECURITY CONSIDERATIONS

5.2.14.1. Section 4.15 of EN-1 relates to security considerations and sets out the circumstances under which security issues will be considered, and the consideration of security where public disclosure of security or defence interests would not be in the national interest. The Proposed Development will not form part of the UK's critical national infrastructure consequently, security considerations are not considered to be relevant to the determination of this Application. The Proposed Development does however include appropriate security measures that would ensure the security of the Proposed Development.

## 5.3. GENERIC IMPACTS

5.3.1.1. This section provides an assessment of the Onshore Components of the Proposed Development against each of the Generic Impacts as set out in Part 5 of EN-1. Under each Generic Impact heading, EN-1 provides relevant introductory context as well as policy in relation to the 'applicant's assessment', 'decision making' and 'mitigation'. This section replicates these headings, setting out the applicable policy from EN-1 and then provides an assessment of how the Applicant has sought to comply with each.

5.3.1.2. As set out in the Section 35 direction, attached as Appendix 3 to this Planning Statement, EN-1 has effect as far as the impacts described are relevant to the Proposed Development. Where policy within EN-1 is not relevant to the Proposed Development, this is confirmed in the assessment below.

5.3.1.3. Whilst EN-1 represents the primary policy basis for the consideration of the Application, local planning policies from the relevant authorities can be "*important and relevant",* particularly in providing an understanding of the local issues and in helping to define the scope of appropriate mitigation. The extent to which the Proposed Development may conflict or support local policy can be informative. Appendix 4 to this Planning Statement has identified what it considers to be the relevant local planning policies taken with a high-level summary assessment related to each of the Generic Impact headings from EN-1 provided below where relevant.

## 5.3.2. AIR QUALITY AND EMISSIONS

### Applicable Policy from EN-1

5.3.2.1. Paragraph 5.2.1 of EN-1 recognises that infrastructure development can have adverse effects on air quality and states that *"the construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside".*

5.3.2.2. Paragraph 5.2.2 relates to certain types of energy infrastructure where significant adverse impacts from $CO_2$ emissions cannot be avoided. This is not applicable to the Proposed Development and consequently has not been assessed in the ES (document reference 6.3). The remainder of the introduction section (paragraphs 5.2.3 – 5.2.5 of EN-1) generally relates to generating stations and is not directly applicable to the Proposed Development.

5.3.2.3. Paragraph 5.2.6 of EN-1 states that projects likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts, with paragraph 5.2.7 setting out what the ES should describe:

- *"any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project;*
- *the predicted absolute emission levels of the proposed project, after mitigation methods have been applied;*
- *existing air quality levels and the relative change in air quality from existing levels"*

5.3.2.4. With regard to decision making, paragraph 5.2.8 of EN-1 notes that many activities involving air emissions are subject to pollution control and refers back to section 4.10 of EN-1 which advises that the decision maker, in considering an application for development consent, should focus on the acceptability of the land use and work on the assumption that relevant pollution control regimes will be properly applied.

5.3.2.5. Paragraph 5.2.9 of EN-1 states that the decision maker should generally give air quality substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits. It also states that air quality will be an important issue even where a proposed development does not lead to any breaches in national air quality limits.

5.3.2.6. Paragraph 5.2.10 of EN-1 advises that in the event that a project will lead to non-compliance with a statutory limit, with appropriate mitigation place, the decision maker should refuse consent.

5.3.2.7. With regard to mitigation, paragraph 5.2.11 of EN-1 states that the decision maker should consider whether any additional mitigation measures are needed for the operational and construction emissions over and above any that may form part of the application (i.e. embedded mitigation). In this regard, paragraph 4.13.5 of EN-1 states that generally, those aspects of energy infrastructure which are most likely have a significantly detrimental impact on health are subject to separate regulation (for example, for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refuse consents or require specific mitigation.

**Assessment Against EN-1**

5.3.2.8. The Applicant's assessment of Air Quality and Emissions impacts is set out within Chapter 23 (Air Quality)

5.3.2.9. The Scoping Opinion received from PINS scoped out operational traffic emissions on the basis that the Converter Station and the Onshore Cable do not cause any emissions to air as part of their operation. Operational traffic effects were also scoped out on the basis that traffic flows will not be affected by the operation of the Onshore Cable..

5.3.2.10. The assessment therefore considered the following potential impacts related to the Proposed Development:

- Construction at the converter station area, including all construction and earthworks, access road and telecoms buildings;
- Horizontal Directional Drilling ('HDD'), and trenching and ducting for the Onshore Cables which will emit fugitive dust and exhaust gases from on-site vehicles and plant, and on-road vehicles for the entire Proposed Development;
- The use of on-road construction vehicles as a source of exhaust gas emissions;
- Road closures and diversions which will cause the redistribution of non-Proposed Development diverted traffic during construction;
- Combustion emissions from diesel fuelled local power generation plant required in connection with HDD operations for drilling, mud recycling and pumping along the Onshore Cable Route; and
- Temporary combustion emissions from backup diesel fuelled local power generation plant in connection with the operation of the Proposed Development at Eastney (Landfall).

### Construction Stage

5.3.2.11. The assessment concluded that there would be no significant adverse effects associated with the dust during the Construction Stage related to construction works. Such impacts would also be considered temporary and can be mitigated as far as practicable through the implementation of the measures found within the Onshore Outline CEMP (document reference 6.9).

5.3.2.12. Additionally, pollutants from local power generation at the construction sites (diesel fuel and exhaust gas) were assessed against relevant national air quality limits and objective values as prescribed in the National AQS (Defra) 2007. The assessment concluded that the temporary adverse effects were likely but were not considered significant.

5.3.2.13. The assessment also considered the impacts associated with construction traffic and the closure of roads due to the Proposed Development. Such impacts are considered temporary and can be mitigated as far as practicable through the implementation of the Onshore Outline CEMP (document reference 6.9). Further mitigation will be set out in a Construction Traffic Management Plan ('CTMP') (document reference 6.3.22.2) which will be implemented in accordance with the Framework Construction Traffic Management Plan (ES Vol 3 Appendix 22.2) and approved by the relevant host authority as required by the draft DCO Requirements submitted with this Application. One new junction bellmouth is proposed for the Converter Station Access, as shown in section 3.4.2 of the TA (document reference 6.3.22.1) where road realignment is proposed. Traffic associated with the Operational Stage of the Converter Station is not expected to be significant Following mitigation, no significant adverse effects were considered likely.

5.3.2.14. The assessment also considered the impacts associated with non-construction traffic from the use of alternative routes as a result of diversions, road closures and other traffic management associated with the Construction Stage of the Proposed Development.

5.3.2.15. The assessment concluded that air quality impact related to non-construction traffic may potentially occur at Stakes Road, Purbook Way and Hurstville Drive in Waterlooville, and along Silvester Road in Waterlooville (to the east of Section 4).

5.3.2.16. Concentrations over the limit value for NO2 have been predicted in the Portsdown Hill and Paulsgrove areas adjacent to the M27 motorway under the Do-Minimum Scenario. The DS1 and DS2 scenario predict improvements these concentrations, however they remain over the limit value of 40µg/m³.

5.3.2.17. These adverse effects were however assessed as not being significant noting the temporary natures of these works and on balance the overall beneficial effects on other nearby areas resulting from similar diversions and road closures.

5.3.2.18. The Proposed Development is not predicted to impact on the ability of the City of Portsmouth to meet its obligations under Air Quality EU Directive 2008/50/EC (Ambient Air Quality Directive).The effects on Air Quality Management Areas ('AQMA') within the City of Portsmouth were considered negligible.

### Operational Stage

5.3.2.19. Again, operational effects in relation the Converter Station and Onshore Cable Route were scoped out as part of the Scoping Opinion received from PINS.

5.3.2.20. Therefore, during the Operational Stage the assessment considered impacts associated with back-up generators for the FOC at the Landfall in the event of a power failure. No significant adverse effects were considered likely.

5.3.2.21. There would be no significant adverse effects on human health anticipated from the operation of the Proposed Development.

### Decommissioning Stage

5.3.2.22. During decommissioning, the impacts are likely to be the same as the Construction Stage.

### Mitigation

5.3.2.23. Mitigation will be implemented through the Onshore Outline CEMP (document reference 6.9) with further operations and dust risk specific mitigation to be developed by the contractor as part of a Dust Management Plan for the Construction Stage.

5.3.2.24. Further mitigation in relation to traffic related impacts will be set out in the Framework Construction Traffic Management Plan (ES Vol 3 Appendix 22.2) which will be approved by the relevant host authority as required by Requirement 17 of the draft DCO submitted with this Application.

### Air Quality Impacts on Ecology

5.3.2.25. Chapter 16 (Onshore Ecology) of the ES Volume 1 (document reference 6.1.16) and the HRA Report (document reference 6.8.1) submitted with the Application assesses the Significance of air quality impacts on ecological receptors such as protected species or habitats. These are considered in section 6.3.3 below in relation to the Biodiversity and Geological Conservation Generic Impact. In summary, no significant adverse air quality effects on protected species or habitats were considered likely as part of the assessment.

**Conclusion with regards to EN-1**

An assessment of potential air quality impacts has been undertaken by the Applicant in accordance with paragraphs 5.2.6 and 5.2.7 of EN-1.

Appropriate mitigation including the implementation of the Onshore Outline CEMP and a future CTMP will also mitigate air quality impacts as far as practicable. The Proposed Development is therefore in accordance with 5.2.11.

Non-construction traffic related to the Proposed Development was not predicted to impact on the ability of the Compliance Risk Road Network applicable to the Proposed Development to meet its obligations in respect of the Air Quality Divertive EU Directive 2008/50/EC and so is in accordance with paragraph 5.2.10 of EN-1.

Significant effects related to dust and exhaust emissions during the construction stage were assessed as not being significant. Adverse effects relating to non-construction traffic may potentially occur, however these were assessed as not being significant. The Proposed Development would not give rise to any significant adverse effects during the operational stage. No significant adverse effects on protected species or habitats were considered likely as part of the assessment. The Proposed Development therefore accords with Section 5.2 and the wording of para 5.2.9 of EN-1 in that *"no substantial changes in air quality are expected".*

### Assessment Against Other Policy

5.3.2.26. Other national and local planning policy similarly contribute to sustaining compliance with relevant air quality limit values and national objectives for pollutants (for example paragraph 181 of the NPPF and various local planning policies in the applicable adopted and emerging Development Plans. As concluded above in relation to the relevant EN-1 policies, with mitigation in place the Proposed Development would not lead to any significant air quality impacts during the construction, operational or decommissioning stages and so is considered in accordance with these policies.

## 5.3.3. BIODIVERSITY AND GEOLOGICAL CONSERVATION

### Applicable Policy from EN-1

5.3.3.1. Paragraph 5.3.3 of EN-1 states that the ES should clearly set out

> "…*any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity".*

5.3.3.2. Paragraph 5.3.4 of EN-1 also requires the Applicant to show how a project has taken advantage of opportunities to conserve and enhance biodiversity and geology conservation interests.

5.3.3.3. As a general principle, development should aim to avoid significant harm to biodiversity and geological interests, including through mitigation and consideration of reasonable alternatives (paragraph 5.3.7 of EN-1). It recognises that where significant Harm cannot be avoided, appropriate compensation measures should be sought.

5.3.3.4. Paragraph 5.3.8 of EN-1 requires that the SoS to ensure that appropriate weight is attached to designated sites of international, national and local importance; protected Species, Habitats and other Species of Principal Importance ('SPI') for the conservation of Biodiversity, and to Biodiversity and geological interests within the wider environment.

5.3.3.5. Paragraph 5.3.13 of EN-1 states that sites of regional and local Biodiversity interest have a fundamental role to play in meeting overall national Biodiversity targets and the decision maker should give due consideration to such designations. It states, however, that *"given the need for new infrastructure, these designations should not be used in themselves to refuse development consent".*

5.3.3.6. Noting the presence of two areas of Ancient Woodland to the south-east of the proposed Converter Station (Stoneacre Copse, Crabden's Copse) and a further area to the east (Crabden's Row) it is noteworthy that paragraph 5.3.14 of EN-1 states that *"Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland".* Whilst these areas of Ancient Woodland are adjacent to the Converter Station Area, they are outside the Order Limits.

5.3.3.7. In addition to designated sites, paragraph 5.3.17 of EN-1 states that other Habitats and Species are protected from the adverse effects of development.

5.3.3.8. Paragraph 5.3.18 of EN-1 requires appropriate mitigation measures to be incorporated as an integral part of a proposed development. Paragraph 5.3.15 also notes that opportunities to maximise opportunities for building in beneficial Biodiversity features should be maximised.

**Assessment Against EN-1 - Biodiversity Conservation**

5.3.3.9. The Applicant's assessment of the impact on onshore ecology is set out within Chapter 16 (Onshore Ecology).

5.3.3.10. Potential effects on designated sites are set out in the Chapter 16 (Onshore Ecology) with relevant justification for those that have been scoped out (for example where the Proposed Development will have no effect on its qualifying features). Notably, potential effects on internationally designated sites, namely the Chichester and Langstone Harbour Special Protection Area ('SPA') / Ramsar and the Solent and Isle of Wight Lagoons and Solent Maritime Special Area of Conservation ('SAC') will be avoided and accordingly both sites have been scoped out of the assessment. This conclusion is supported by the HRA Report (document reference 6.8.1).

5.3.3.11. The following nationally, regionally or locally designated sites set out in Table 5-1 have been assessed as part of the ES:

**Table 5-1 Designated Sites assessed**

| Designated Site | Level of Importance |
|---|---|
| **Denmead Meadows SINC** | County importance |
| **Milton Common SINC** | County importance |
| **Kings Pond Meadow SINC** | County importance |
| **Crabden's Copse SINC** | County importance |
| **Crabden's Row SINC** | County importance |
| **Great Salterns Lake SINC** | County importance |

5.3.3.12. Table 5-2 below sets out the ecological features which have been assessed within Chapter 16 (Onshore Ecology). Section 16.3.5 of Chapter 16 (Onshore Ecology) of the ES sets out those that have been scoped out with justification for this provided.

**Table 5-2 Important Ecological Features**

| Important Ecological Feature | Level of Importance |
|---|---|
| **Bats** | County importance |
| **Species-rich hedgerows, with and without trees** | District importance |
| **Species-poor hedgerows, with and without trees** | District importance |
| **Semi-improved neutral and calcareous grassland** | District importance |
| **Badgers** | Local Importance |
| **Reptiles** | Local Importance |
| **Breeding birds** | Local Importance |

### Onshore Cable Corridor

5.3.3.13. The Onshore Cable will run under Denmead Meadows, an area of nature conservation value, comprising unimproved meadows supporting important colonies of green winged orchid and adder's tongue. For this reason, Denmead Meadows has been considered on a precautionary basis to be important at the national scale as part of the ES.

5.3.3.14. Embedded mitigation in the form of Trenchless techniques such as HDD will avoid the need for Trenching within Denmead Meadows SINC and Kings Pond Meadow SINC and will minimise impact on these areas. Works during the Construction Stage in Denmead Meadows will also avoid the plant growing season and winter wet season as both seasons are important for maintaining the conditions within the habitat. Additional mitigation including the preservation of turves so that they can be replaced, the collection of seeds to be reseeded when work is finished and the use of ground protection to prevent compaction of soils will be employed. Following these mitigation measures, the ES concludes that the effect on Denmead Meadows SINC to be slight adverse and therefore not significant.

5.3.3.15. Mitigation in the form of replanting to preserve habitat within Kings Pond SINC, Denmead Meadows, Milton Common SINC and semi-improved grassland sites during the Construction Stage and decommissioning stage of the Onshore Cable Corridor will mitigate effects on these features, however some short to medium term impacts are likely when growth periods are taken into account.

5.3.3.16. Additionally, measures have been included to mitigate impacts associated with the construction and decommissioning stage and their effects on ecological features, including the use of HDD to avoid the need for open Trenching and to preserve habitats. The replanting of hedgerows to repair gaps is also proposed where required.

### Converter Station Area

5.3.3.17. At the Converter Station Area, additional landscape planting, which will incorporate ecologically important Habitats is proposed to offset those lost due to construction work. The botanical diversity of the semi-improved calcareous grassland in this area will be improved by application of green hay sourced from Denmead Meadows to ensure native plants of local provenance are used to colonise and increase the value of the grassland. Sections of hedgerows removed to make way for the Onshore Cable Corridor at the Convertor Station Area will be replanted.

5.3.3.18. There are two areas of Ancient Woodland to the south-east of the proposed Converter Station (Stoneacre Copse, Crabden's Copse) and a further area to the east (Crabden's Row). As stated above, all of these are outwith the Order Limits.

5.3.3.19. Section 5.3.10 (Landscape and Visual) of this Planning Statement sets out how the site selection process avoided impacts on these areas of Ancient Woodland. Additional mitigation in the form of a 15 m buffer between the proposed site Options (B (i) and (ii)) for the Converter Station and these areas of Ancient Woodland is

proposed with no deterioration or loss resulting in either the Construction or Operational Stages.

5.3.3.20. The site selection process also avoided impacts on protected species within the Converter Station Area.

5.3.3.21. To mitigate impacts and their effects on ecological features at the Converter Station Area during its operational stage, the buildings will not be lit at night to mitigate impacts on the important ecological features set out in Table 5-2 above.

### Landfall

5.3.3.22. The timing of construction works to avoid the bird nesting season will avoid adverse effects on breeding birds at the Landfall. As the breeding bird community is composed of common and widespread species acclimated to the human influences found in suburban and agricultural areas, it is not sensitive to indirect Impacts. Breeding birds will therefore not be affected by the Construction Stage of the Proposed Development in this location.

5.3.3.23. No other adverse effects are considered likely at the Landfall.

### Site Wide Mitigation

5.3.3.24. Site wide mitigation measures have been included within the Onshore Outline CEMP, the Outline Landscape and Biodiversity Strategy (document reference 6.10) and the Design Principles within the DAS (document reference 5.5) in addition to those embedded within the design to mitigate impacts associated with the Construction Stage and their Effects on ecological features. A full description of the proposed mitigation measures is contained within Chapter 16 (Onshore Ecology) and the Mitigation Schedule (document reference 6.6).

5.3.3.25. The Mitigation Schedule (document reference 6.6) sets out the mitigation controls and other best practice measures identified in the ES and identifies the means by which those controls and measures will be secured.

**Conclusion with regards to EN-1**

The ES concludes that the significance of adverse effects during the Construction Stage and Decommission Stage (no Effects were considered likely within the operational stage), with the above mitigation measures in place, on all of the identified designated sites and ecological features ranges from Neutral to Slight. Therefore, no significant adverse effects are considered likely. The project is also in receipt of a letter of no impediment from Natural England (document reference 6.7)

The HRA (document reference 6.8.1) details where Likely Significant Effects (LSE's) have been identified through the screening process and are summarised in Section 9.2 with respect to onshore components of the Proposed Development. LSE's were identified for Chichester and Langstone Harbours SPA which are assessed in Section 10.4 of the HRA. Impacts on supporting habitats of all other

European sites were not considered likely. Section 10.4 of the HRA assesses the impacts on Chichester and Langstone Harbours SPA which concludes impacts on supporting habitats do not result in an effect on site integrity as a result of any activity from onshore components of the Proposed Development.

The Proposed Development is therefore in accordance with paragraphs 5.3.7, 5.3.11 (in so far as it is applicable) 5.3.13, 5.3.14, 5.3.17 and 5.3.18 of EN-1.

### Geological Conservation

5.3.3.26. The Applicant's assessment of the Impact on Geology and Geomorphological features is set out in Chapters 17 (Soils and Agricultural Land Use) (document reference 6.1.17) and 18 (Ground Conditions) (document reference 6.1.18) of the ES.

5.3.3.27. The assessment in these chapters concludes that the Proposed Development will not result in significant Effects on any regionally or locally important geological sites.

**Conclusion with regards to EN-1**

An assessment has been undertaken as part of the ES and concludes that the Proposed Development will not result in significant adverse Effects on any regionally or locally important geological sites and so is in accordance with paragraphs 5.3.4, 5.3.7 and 5.3.8 of EN-1.

### Assessment Against Other Policy

5.3.3.28. A number of policies adopted by the relevant host local authorities relate to ecology and Biodiversity and are considered relevant to the Proposed Development. A full list of these polices is set out in Appendix 4 to this Planning Statement (document reference 5.4.4) Those that are considered important and relevant are summarised below.

5.3.3.29. WCC and SDNPA Local Plan Part 1 – Joint Care Strategy Policy CP16 Biodiversity states that development which maintains, protects and enhances Biodiversity across the district will be supported.

5.3.3.30. EHDC and SDNPA Policy CP21 Biodiversity requires new development to maintain, enhance and protect the Biodiversity and its surrounding environment.

5.3.3.31. Policy CS11 of HBC Core Strategy seeks to protect and where possible enhance the Borough's statutory and non-statutory Designated Landscape, Habitats and features of biological, hydrological or geological interest.

5.3.3.32. The Proposed Development has been assessed for its potential to affect priority Species, Habitats and features of importance.

5.3.3.33. Chapter 16 (Onshore Ecology) concludes that the Proposed Development will have no significant adverse Effects on either the designated sites noted or on the ecological important features including Habitats and Species noted in the chapter. The HRA report (document reference 6.8) undertaken as part of the DCO application determined there would be no significant adverse effects as a result of the Proposed Development.

5.3.3.34. The Proposed Development includes both embedded mitigation in the design as well as proposed mitigation as part of the Operational Stage to ensure these features are protected.

5.3.3.35. Additional mitigation during the Construction Stage will be secured through the implementation of the Onshore Outline CEMP, the Outline Landscape and Biodiversity Strategy (document reference 6.10) and the Design Principles within the DAS (document reference 5.5). A Mitigation Schedule (document reference 6.6) also accompanies the Application setting out the mitigation controls and other best practice measures identified in the ES and identifies the means by which those controls and measures will be secured.

5.3.3.36. The Proposed Development has been assessed against these policies and it is concluded that it would not be in conflict with individual policies or with the Development Plan as a whole. Whilst Effects, although not considered significant within the ES, may occur, these are suitably mitigated through the embedded design and additional mitigation proposed. Enhancements have also been proposed which should ensure that the Proposed Development can be constructed and can operate satisfactorily in line with the above policies.

### 5.3.4. CIVIL AND MILITARY AVIATION AND DEFENCE INTERESTS

#### Applicable Policy from EN-1

5.3.4.1. Paragraph 5.4.1. of EN-1 states that new energy development may affect civil and military aerodromes, with paragraph 5.4.14 stating that the decision maker should be satisfied that the effects of the Proposed Development on these have been addressed by the applicant.

**Conclusion with regards to EN-1**

The Onshore Cable Corridor will be buried underground and neither the Converter Station or Landfall are located near to any defence or aviation facilities, and as such would not give rise to Impacts on these. It is also noted that impact of the Proposed Development on civil and military aviation and defence interests has not been raised by respondents to the Applicant's public consultation. The Applicant has had regard to the Ministry of Defence / Defence Infrastructure Organisation's response to PINS consultation on the Scoping Opinion (document reference 6.3.5.3) in

respect of the Proposed Development and notes that the Cable Corridor would not pass through any statutory safeguarding zones.

Accordingly, the Proposed Development would not give rise to any impacts on civil and military aviation and defence interests and therefore accords with paragraph 5.4.1 of EN-1.

**Assessment Against Other Policy**

5.3.4.2. It is again noted that the Proposed Development would not give rise to Impacts on such interests and so no further assessment against local or national policy is provided.

## 5.3.5. COASTAL CHANGE

**Applicable Policy from EN-1**

5.3.5.1. Section 5.5 of EN-1 recognises that the construction of an onshore energy project on the coast may involve a number of processes which could result in Effects on the coastline, seabed and marine ecology and Biodiversity.

5.3.5.2. Paragraph 5.5.4 notes that "coastal change" means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.

5.3.5.3. Whilst this section only refers to onshore works, the assessment requires the consideration of how the onshore works will impact on the coastline and seabed areas.

5.3.5.4. Paragraph 5.5.5 of EN-1 also notes that the following sections of EN-1 may be relevant to an assessment of impacts on coastal change:

- Section 4.8 on adaptation to climate change including the increased risk of coastal erosion;
- Section 5.3 on Biodiversity and Geological Conservation;
- Section 5.7 on Flood Risk;
- Section 5.8 on Historic Environment
- Section 5.10 on Land use on Access to Coastal Recreation Sites

**Assessment Against EN-1**

5.3.5.5. A full assessment of how the Proposed Development may impact on the coastline and seabed areas (Marine Component) is included in Section 6 of this Planning Statement.

5.3.5.6. With regard to the additional sections of EN-1 noted in paragraph 5.5.5, each of these is assessed in relation to the Onshore Components of the Proposed Development under the relevant headings in this Planning Statement.

### Adaptation to Climate Change Including the Increased Risk of Coastal

5.3.5.7. In relation to coastal erosion the Applicant's assessment is contained within Chapter 20 (Surface Water Resources and Flood Risk) and Chapter 28 (Carbon and Climate Change) of the ES. The Proposed Development was assessed to result in no significant adverse Effects in terms of coastal erosion and impacts related to climate change.

### Biodiversity and Geological Conservation

5.3.5.8. Given the temporary nature of the scheme, any deposition impacts resulting from traffic were scoped out. Geological conservation is not affected by air quality and so designated geological sites are not considered in air quality assessments.

### Flood Risk

In relation to flood risk the Applicant's assessment is contained within Chapter 20 (Surface Water Resources and Flood Risk). The Proposed Development was assessed to result in no significant adverse Effects in terms of flood risk in relation to coastal areas.

### Historic Environment

5.3.5.9. An assessment of the Effects of the Proposed Development upon onshore Heritage Assets and their setting is provided within Chapter 21 (Heritage and Archaeology) of the ES Volume 1 (document reference 6.1.21). The assessment concluded that no adverse Effects would result in relation to the historic environment on the coastline.

### Land Use on Access to Coastal Recreation Sites

5.3.5.10. Chapter 25 (Socio-economics) of the ES Volume 1 (document reference 6.1.25) includes an assessment of Impacts on tourist destinations including those on the coast. Tourism receptors identified in the baseline include leisure or recreational facilities within 500 m of the Order Limits (Southsea Leisure Park to the west of the Landfall in Section 10 and Harbourside Leisure Park in Section 8) in addition to a number of tourist attractions within 5 km and annual events that are likely to bring in visitors.

5.3.5.11. Construction Stage Effects on Southsea Leisure Park in Section 10 would include changes to the view through existing trees screening the site, in particular the drilling equipment and construction of the ORS at the Landfall. Although the trenchless techniques, such as HDD, will avoid the holiday park, the associated drilling in the Fort Cumberland Road Car Park is anticipated to be for a period of duration of 66 weeks at this location. Occupants of the holiday lodges on the north-eastern side of the park, in particular, are likely to experience a combination of significant adverse amenity effects as a result of construction traffic, noise, vibration and changes to the views although these will be short term and temporary.

5.3.5.12. Temporary access and disruption impacts to Harbourside Park in Section 8 related to the Onshore Cable Corridor are considered likely during Construction Stage while

Trenching is undertaken on the adjacent Eastern Road. However, the adverse Effects are noted as not Significant and of temporary duration.

5.3.5.13. The Proposed Development will not affect access to Coastal Recreation Sites during its Operational Stage.

### Landscape and Visual

5.3.5.14. In the Scoping Opinion, PINS agreed that an assessment of seascape character and coastline was not required as effects were considered to be negligible. This is set out in the consultation responses appendix of the ES (document reference 6.1.15.1). This was agreed on the basis that the HDD at the Landfall would drill surface to surface boreholes under the intertidal area, thus limiting disturbance to the environment including Eastney Beach.

**Conclusion with regards to EN-1**

The Proposed Development would result in limited adverse Effects on tourist attractions during the Construction Stage. These are however noted to be temporary with Effects mitigated as far as practicable through the implementation of the Onshore Outline CEMP (document reference 6.9).

The assessment process described in Chapter 16 (Onshore Ecology) identified that there would be no significant residual effects on ecological features as a result of the construction, decommissioning and operation (including repair and maintenance) of the Proposed Development. The Proposed Development therefore accords with section 5.3 of EN-1. No adverse Effects on costal erosion, increased flood risk or the historic environment on the coast related to the Proposed Development were assessed as likely and is therefore in accordance with paragraph 5.5.5 of EN-1.

## 5.3.6. DUST, ODOUR, ARTIFICIAL LIGHT, SMOKE, STEAM AND INSECT INFESTATION

### Applicable Policy from EN-1

5.3.6.1. Paragraph 5.6.1 of EN-1 states that during the construction, operation and decommissioning of energy infrastructure there is potential release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestations of insects, which could have a detrimental impact on amenity or cause a common law nuisance under Part III of the Environmental Protection Act 1990.

5.3.6.2. Paragraph 5.6.7 of EN-1 requires the SoS to be satisfied that an assessment of the potential for these emissions to a detrimental Impact on amenity has been carried out and that all reasonable steps have been taken and will be taken, to minimise such detrimental Impacts.

**Assessment Against EN-1**

5.3.6.3. The Proposed Development will not have Impacts in terms of insect infestation, which are a more relevant consideration to waste processing facilities and have not been assessed further as part of the EIA process.

5.3.6.4. Similarly, impacts related to odour and smoke are not considered relevant noting the Converter Station, Onshore Cable Corridor and the Landfall do not cause any emissions to air during the Operational Stage. In particular, the implementation of embedded mitigation for the ORS building back-up generators at the Landfall and the frequency of use results in a not significant impact on local air quality (document reference 6.1.23, paragraph 23.6.8.6).

5.3.6.5. Therefore, the assessment carried out as part of Chapter 23 (Air Quality) focuses on construction Impacts on amenity resulting from Dust and construction traffic.

5.3.6.6. Construction Impacts from dust will be controlled as far as practicable through the implementation of the Onshore Outline CEMP (document reference 6.9). As part of the construction stage, the Onshore Outline CEMP (document reference 6.9) will guide the development of construction compounds layout, placing dust-causing activities / machinery away from receptors, with barriers around dusty activities provided where practicable. Water sprays will be used to manage Dust and prevent it drifting from construction sites to surrounding areas where sensitive Habitats are present.

5.3.6.7. As part of the Scoping Opinion from PINS (document reference 6.3.5.3) operational Effects relating to traffic were scoped out on the basis that traffic flows will not be affected by the installation of the Onshore Cable Corridor. One new junction bellmouth is proposed for the Converter Station Access, as shown in section 3.4.2 of the TA (document reference 22.1). Traffic associated with the maintenance and operation of the Converter Station is not expected to be significant.

5.3.6.8. Pollution from artificial light during the construction stage for all works will be mitigated through restrictions on night time working except in specific locations and instances to be agreed with the local planning authorities with directional lighting used on Works Compounds, Laydown Areas and Temporary Works areas. This will be secured through the Onshore Outline CEMP (document reference 6.9), the Outline Landscape and Biodiversity Strategy (document reference 6.10) and Requirement 16 of the DCO (document reference 3.1).

5.3.6.9. With respect to permanent impacts from artificial light during operation, paragraph 15.3.6.8 of Chapter 15 (Landscape and Visual Amenity) states *"During the night there would be limited or no impacts from the operation of the Converter Station, including the Telecommunications Buildings, except for occasional vehicle lights and security lighting. Lighting would only be used in the event of unauthorised access to the site or if emergency repair work was required on the outdoor equipment. Light fittings will be appropriately designed to ensure that light is only directed downward to the necessary areas".* The ORS will not be lit at night.

**Conclusion with regards to EN-1**

The implementation of the Onshore Outline CEMP (document 6.9) will ensure that detrimental Impacts in relation to Dust and lighting during the Construction Stage are managed as far as practicable.

Operational Impacts in relation to the Converter Station, Telecommunications Buildings and the ORS will be mitigated through directional lighting which will only be used at night during exceptional circumstances.

The Proposed Development is therefore in accordance with paragraphs 5.6.1 and 5.6.7 (in so far as it is applicable) of EN-1.

## Assessment Against Other Policy

5.3.6.10. Policy PCS14 of the Portsmouth Local Plan (PCC, 2012) states that *"The council will work to create a healthy city and improve the health and well-being of its residents by… improving air quality in the city through implementing the councils [sic] Air Quality and Air Pollution SPD (Supplementary Planning document) and Air Quality Action Plan".*

5.3.6.11. The Air Pollution SPD (Portsmouth City Council, 2006) outlines the requirement for an air quality assessment where a development may have an effect on local air quality. The SPD specifically refers to the development phase where the effects of demolition and construction may have a temporary effect on local air quality. As paragraph 5.3.2.17 states "The effects on the Air Quality Management Areas ('AQMA') within the City of Portsmouth were considered negligible." The Proposed Development therefore accords with Policy PCS14 and the SPD.

5.3.6.12. HBC Core Strategy (2011) Policy DM10 Pollution reads:

*"Development that may cause pollution of water, air or soil or pollution through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, heat, electromagnetic radiation and other pollutants will only be permitted where all of the following relevant criteria can be met:*

*1. The health and safety of existing and future users of the site, or nearby occupiers*

*and residents is not put at risk.*

*2. National air quality standards or objectives would not be breached.*

*3. The water environment would not be detrimentally affected.*

*4. It would not lead to an unacceptable deterioration in the quality or potential yield of coastal, surface and ground water resources.*

*5. External lighting is of the minimum level of illumination and duration required for security and operational purposes.*

*6. External lighting would not interfere with safe navigation"*

5.3.6.13. The Onshore Outline CEMP (document 6.9), the Outline Landscape and Biodiversity Strategy (document reference 6.10) and the Requirements (document reference 3.1) will ensure conformity with Policy DM10, Pollution.

5.3.6.14. The East Hampshire Joint Core Strategy (East Hampshire District Council and the South Downs National Park Authority, 2014) refers to air quality specifically in relation to traffic pollutants. As part of Policy CP27 Pollution, any development that may have a negative effect on an EU designated ecological site should be subject to an appropriate assessment under the Habitats Regulations (HM Government, 2017), and will require a monitoring programme to be set up as part of the mitigation measures. As set out above, implementation of the Onshore Outline CEMP (document 6.9) will ensure that detrimental Impacts in relation to Dust and lighting during the Construction Stage are managed as far as practicable. Consequently, the Proposed Development accords with Policy CP27.

5.3.6.15. The Adopted WCC Local Plan comprises the Joint Core Strategy (2013), excluding the area that lies in the South Downs National Park (SDNP) and the Local Plan Part 2 – Development Management and Site Allocations (2017). Policy DM19 Development and Pollution relates to odour, light intrusion, ambient air quality, water pollution, contaminated land and construction phase impacts for large or prolonged developments. As set out above, implementation of the Onshore Outline CEMP (document 6.9) will ensure that detrimental Impacts in relation to Dust and lighting during the Construction Stage are managed as far as practicable. Consequently, the Proposed Development accords with Policy DM19.

5.3.6.16. The Application is accompanied by a Statutory Nuisance Statement (document reference 5.3) which provides an explanation of matters set out in Section 79(1) of the EPA in respect of statutory nuisances which may occur as a result of the Proposed Development. The Statement identifies the sources where there is the potential for the Proposed Development to result in nuisance and the measures to prevent and mitigate such nuisance occurring.

5.3.6.17. Article 9 (Defence to proceedings in respect of statutory nuisance) of the draft DCO (document reference 3.1) contains a provision that would provide a defence, subject to certain criteria, to proceedings in respect of statutory nuisance falling within Section 79(1)(x) of the EPA.

## 5.3.7. FLOOD RISK

### Applicable Policy from EN-1

5.3.7.1. Paragraph 5.7.4 of EN-1 requires that applications for developments of 1 ha or greater in Flood Zone 1 and all proposals in Flood Zones 2 and 3 should be accompanied by a Flood Risk Assessment ('FRA'), with paragraph 5.7.5 setting out the minimum requirements for the FRA.

5.3.7.2. Paragraph 5.7.9 states that an applicant should satisfy the SoS that where relevant:

- "*the application is supported by an appropriate FRA;*
- *the Sequential Test has been applied as part of site selection;*
- *a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk;*
- *the proposal is in line with any relevant national and local flood risk management strategy;*
- *priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and*
- *in flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development.*"

5.3.7.3. Paragraph 5.7.13 of EN-1 sets out how the Sequential Test should be applied with Paragraph 5.7.14 to 5.7.16 setting out how the related Exception Test should be applied if applicable.

5.3.7.4. Paragraph 5.7.18 to 5.7.25 sets out arrangements to manage flood risk.

### Assessment Against EN-1

5.3.7.5. Based on the Environment Agency Flood Map for Planning, the majority of the Proposed Development including the Converter Station Area are located within Flood Zone 1. Part of the Onshore Cable Corridor passes through Flood Zones 2 and 3.

5.3.7.6. As per paragraph 5.7.7 and 5.7.8 of EN-1 the Applicant has discussed the flood Impacts with both the Environment Agency and the host local authorities with responses provided in the Scoping Opinion received from PINS. Key engagement that has informed the FRA was undertaken as part of the Flood Risk Workshop held by the Applicant on 23 July 2019 with the Environment Agency, Portsmouth City Council Lead Local Flood Authority ('LLFA') Hampshire County Council LLFA.

5.3.7.7. Accordingly, a FRA has been submitted with the Application (document reference 6.3.20.4 of the ES) which was informed by a Flood Risk Workshop that was held by the Applicant on 23rd July 2019 with the Environment Agency, Portsmouth City Council Lead LLFA and Hampshire County Council LLFA. Impacts on surface water including flood risk are assessed in Chapter 20 (Surface Water Resources and Flood

Risk). The ES assesses the construction Effects of flooding on human Receptors including construction workers and residents and occupants of the surrounding areas (the public). It also assesses the operational flooding Effects on staff (e.g. site users) and the public.

### Sequential and Exception Tests

5.3.7.8. In terms of the applying the Sequential Test, preference should be given to locating projects in Flood Zone 1. If there is no reasonably available site in Flood Zone 1, then projects can be located in Flood Zone 2. If there is no reasonably available site in Flood Zones 1 or 2, then nationally significant energy infrastructure projects can be located in Flood Zone 3 subject to the Exception Test (paragraph 5.7.13 of EN-1).

5.3.7.9. Evidence used in examining whether there are reasonably available sites to allow the SoS to consider whether the Sequential Test has been met as part of site selection is provided in Chapter 2 (Consideration of Alternatives) of the ES. This concluded that the Onshore Cable Corridor (some of which is located within Flood Zones 2 and 3) is the most preferable route for the Proposed Development.

5.3.7.10. Part of the Onshore Cable Corridor passes through Flood Zone 3. Government has identified a need for Interconnectors as a key element of the UK electricity network. In doing so, an Interconnector is considered to form 'essential infrastructure'. Based on the NPPF 'flood risk vulnerability and flood zone compatibility' matrix, (refer to paragraphs 155 to 165 of the NPPF) 'essential infrastructure' is appropriate within Flood Zone 1 and Flood Zone 2 with the Exception Test required for projects located within Flood Zone 3. The Exception Test has also been applied.

5.3.7.11. Table 5-3 below demonstrates how the Exception Test as set out in paragraph 5.7.16 of the EN-1 has been applied and passed.

**Table 5-3 – Application of the Exception Test**

| Requirement from Paragraph 5.7.16 of EN-1 | Response |
|---|---|
| *"the development would provide wider sustainability benefits to the community that outweigh the flood risk"* | Government has identified a need for Interconnectors as a key element of the UK electricity network. In doing so, an Interconnector is considered to form essential infrastructure, providing significant benefits to the UK as a whole, and thus the local community which outweighs the flood risk. |
| *"the project should be on developable, previously developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any* | The main infrastructure elements are located in either Flood Zone 1 (Converter Station) or Flood Zone 2 (ORS) with the Onshore Cable Corridor in a range of Flood Zone 1, 2 and 3 where it would not be feasible to avoid all Flood Zone 3 |

| Requirement from Paragraph 5.7.16 of EN-1 | Response |
|---|---|
| *exceptions set out in the technology-specific NPSs"* | areas due to the layout of the River Basin Catchment and associated watercourses. |
| *"the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall"* | The risk of flooding has been considered in respect of the Onshore Components and appropriate mitigation has been put in place to ensure the development will be safe over its lifetime with regards to the current understanding of flood risk profile and future climate change predictions. |

5.3.7.12. All three elements of the Exceptions Test are therefore considered to have been passed. The Proposed Development therefore accords with the NPPF mitigation.

5.3.7.13. The Proposed Development incorporates several temporary construction mitigation measures which have been reflected in the Onshore Outline CEMP submitted with this Application. Notably the implementation of a flood warning plan during construction will be employed to manage any potential residual risks from flooding.

5.3.7.14. Permanent mitigation measures including raised building thresholds for the Convertor Station Area and the ORS have also been included as part of the Design Principles.

5.3.7.15. All surface water generated within the Converter Station Area is captured and managed through an on-site surface water drainage system. A surface water drainage strategy incorporating SuDS potentially including swales, filter drains, detention / infiltration ponds and soakaways discharging to groundwater is proposed to be implemented for the operation of the Converter Station as part of the embedded design.

### Conclusion on Paragraph 5.7.9 of EN-1

5.3.7.16. Paragraphs 5.3.7.5-5.3.7.16 of this Statement demonstrate that the Applicant has met the tests of paragraph 5.7.9 of EN-1.

### Climate Change

5.3.7.17. The issue of future extreme flood events as a result of climate change has also been considered as part of the FRA. Through consultation it has been agreed with the EA that climate change impacts do not need to be assessed for construction activities and that a new assessment will be required at the time of decommissioning.

5.3.7.18. In terms of the Operational Stage, the Converter Station Area is located on high ground and away from any watercourse and is located within Flood Zone 1 with a surface water drainage strategy designed to cater for surface water events up to the 1 in 100 yr rainfall event plus an allowance for climate change and consideration to maintain any existing surface water overland flow routes. The drainage strategy includes SuDS, swales, infiltration drains, detention ponds and soakaways discharging to groundwater to manage surface water generated for any impermeable land areas. Specific details of the proposed water quality treatment measures prior to the discharge into the settlement pond and subsequent proposed infiltration to ground are also included.

**Conclusion with regards to EN-1**

The FRA (document reference 6.3.20.4) confirms that the Proposed Development meets the requirements of the EN-1 in relation to flood risk with the Sequential and Exception Tests having been applied and the requirements met. The Proposed Development therefore accords with paragraphs 5.7.13 to 5.7.16 of EN-1.

Construction Effects will be managed as far as practicable through the implementation of the Onshore Outline CEMP. The proposed mitigation measures incorporated into the Converter Station and ORS design, in accordance with the Design Principles will ensure that flood risk is satisfactorily managed during the operational stage.

The Proposed Development therefore accords with Paragraphs 5.7.4, 5.7.5, 5.7.9 and 5.7.18 to 5.7.25 (in so far as it is applicable) of EN-1.

## Assessment Against Other Policy

5.3.7.19. The NPPF requires local planning authorities to appraise the risk of flooding in their areas by undertaking a Strategic Flood Risk Assessment ('SFRA') which looks at flood risk at a strategic level on a local planning authority scale. Each of the host local authorities have undertaken a SFRA.

5.3.7.20. A number of local planning policies adopted by the relevant host local authorities relate to Flood Risk. These include:

- PCC's PCS12 Flood Risk which outlines the measures that will be taken to reduce flood risk when considering planning applications. Details requirement for sequential and exception tests and the requirement for site-specific flood risk assessment,

- HBC's CS15 Flood and erosion risk which details requirement for sequential and exception tests and requirement for site-specific flood risk assessment. Incorporation of flood protection, resilience and resistance and flood warning measures. Outlines requirements for SuDS. Development that does cause unacceptable deterioration to water quality or have an unacceptable impact on water quantity will be supported;
- WCC's CP17 Flooding, flood risk and the water environment which details requirement for sequential and exception tests. Safeguards land, structures and features required for flood management. Outlines requirements for SuDS. Development that does cause unacceptable deterioration to water quality or have an unacceptable impact on water quantity will be supported; and
- EHDC's CP25 Flood risk, which sets out the requirement for sequential and exception tests and site-specific flood risks assessments for development in areas at risk of flooding. Requires all new development to ensures there is no net increase in surface water runoff. Sets out requirement for SuDs.

5.3.7.21. Consequently, the Proposed Development accords with local flood risk management strategies.

5.3.7.22. The FRA confirms that the Proposed Development meets the requirements of the relevant SFRA and local planning policies in relation to flood risk when taking into consideration the proposed mitigation measures incorporated into the design parameters for the Proposed Development.

5.3.7.23. Where activities are being undertaken in areas at risk of flooding the Applicant and their appointed contractor will need to obtain relevant environmental permits from the relevant regulatory bodies, as set out in the Other Consents and Licences document (document reference 5.2). These permits are likely to include:

- Flood Risk Activities Permit;
- Ordinary Watercourse Consent;
- Temporary de-watering; and
- Other relevant approvals from highways authority or statutory undertaker who maintains any watercourse / sewer assets.

## 5.3.9. HISTORIC ENVIRONMENT

### Applicable Policy from EN-1

5.3.9.1. Section 5.8 of EN-1 acknowledges that the construction, operation and decommissioning of energy infrastructure has the potential to result in adverse Impacts on the historic environment.

5.3.9.2. Paragraph 5.8.8 of EN-1 states that an applicant should provide a description of the Significance of the Heritage Assets affected by a proposed development and the contribution of their setting to that Significance. As part of this, the Applicant should consult the relevant Historic Environment Record ('HER'). Where a development site affects, or possibly includes Heritage Assets with an archaeological interest, the applicant should carry out an appropriate desk-based assessment.

5.3.9.3. Paragraph 5.8.10 of EN-1 states that an application should ensure that the extent of the Impact of the proposed development on the Significance of any Heritage Assets affected can be adequately understood.

5.3.9.4. Paragraph 5.8.11 of EN-1 states that the SoS should assess the Significance of any Heritage Asset that may be affected by a proposed development, taking account of:

- Evidence provided with the application;
- Any designation records;
- The HER;
- The Heritage Assets themselves;
- The outcome of consultations with interested parties; and
- Where appropriate, expert advice.

5.3.9.5. Paragraph 5.8.20 of EN-1 requires an applicant to record and advance understanding of the Significance of the Heritage Asset before it is lost if applicable.

### Assessment Against EN-1

5.3.9.6. An assessment of the Effects of the Proposed Development upon onshore Heritage Assets and their setting is provided within Chapter 21 (Archaeology and Heritage). The extent of the study area was set out in the EIA Scoping Report and has been accepted by Historic England and the host local authorities with a Scoping Opinion received from PINS. Further consultation was undertaken as part of the Preliminary Environmental Information Report ('PEIR') consultation with Historic England. In summary the following effects were scoped out of the assessment:

- Construction Stage Effects on Above-Ground Heritage Assets along the Onshore Cable Corridor were scoped out due to the temporary nature of the works and distance to Heritage Assets;

- Construction Stage Effects on Designated Heritage Assets around the Converter Station Area and at the Landfall due to distance from Heritage Assets;
- Operational Stage Effects on Above-Ground Heritage Assets along the Onshore Cable Corridor were scoped out due to the below ground nature of the works; and
- Operational Stage impacts on buried archaeological remains were not considered on the basis that there would be no further ground disturbance following completion of the Construction Stage and hence no additional archaeological impact.

5.3.9.7. A Historic Environment Desk Based Assessment was compiled (document reference 6.1.21.2) with reference to the relevant HER, in order to identify known or potential heritage assets that may potentially be impacted by the Proposed Development and describe the significance of the heritage assets.

5.3.9.8. Therefore, the following impacts were considered to have the potential to give rise to likely significant Effects:

- During the Construction Stage, impacts to buried Heritage Assets may be caused by the excavation of the Trench for the Onshore Cable Corridor in all sections as well as construction activities at the Landfall and the Converter Station Area. Excavation of the Trench for the Onshore Cable Route along with the removal of topsoil at the Converter Station Area may impact hedgerows considered to be historically 'important' under the Historic Hedgerow Regulations 1997; and
- During the Operational Stage permanent changes to the setting of Above Ground Designated Assets within the vicinity of the Converter Station Area and Landfall, due to the presence of permanent above ground structures may occur;
- During the decommissioning stage, excavation for the removal of the Cable or dismantling the Converter Station is not anticipated to give rise to any additional effects on the historic environment and so was not considered further.

5.3.9.9. Mitigation of these construction Impacts in relation to buried Heritage Assets at the Converter Station Area, Onshore Cable Corridor and Landfall is proposed to include archaeological evaluation to establish the Significance of any archaeological remains, with the results enabling the Applicant to formulate with the relevant statutory consultees an appropriate mitigation strategy post-consent. Mitigation could take the form of a targeted archaeological excavation (preservation by record) and / or an archaeological watching brief (a programme of 'strip, map and sample) ensuring that archaeological remains will not be removed without being recorded, in accordance with paragraph 5.8.20 of EN-1. No significant adverse Effects are therefore considered likely in relation to the construction stage of the Proposed Development.

5.3.9.10. In terms of the Operational Stage only Scotland (Cottage), a Grade II listed building was identified as having the potential to have its setting impacted by the Converter Station, it being located approximately 800 m to the north-west. Embedded mitigation measures have been incorporated in the form of landscape planting on the northern boundary of the proposed Converter Station Area as established in the Outline Landscape and Biodiversity Strategy (document reference 6.10). The mitigation design includes native mixed woodland (up to 25 m high) with a line of native hedgerow approximately 80 m north of the proposed Converter Station Area. The siting of the proposed Converter Station which will be cut into a natural slope will reduce potential views taken from Scotland (Cottage). In combination with the proposed landscape planting will result in no significant effect on this Heritage Asset.

5.3.9.11. It is also noted that the designated Catherington Conservation Area lies to the west of the Converter Station Area. However, this would largely be screened by a mature vegetation belt with most of the views of the landscape and the internal views of the village not being affected. The Converter Station Area would also not impact on the relationship of any Designated Heritage Assets located within the Conservation Area to each other. Therefore, significant Effects are considered unlikely in the Operational Stage in relation to this Conservation Area.

5.3.9.12. In relation to the Landfall, potential Impacts on the setting of the Fort Cumberland Scheduled Ancient Monument were considered. However, the retention of existing native trees and hedgerows surrounding the ORS within the Landfall which in themselves are low-level buildings (up to 4.3 m in height) would result in no significant effects on this Heritage Asset.

5.3.9.13. Chapter 21 (Archaeology and Heritage) concludes that no adverse Effects would be experienced at all other Heritage Assets.

5.3.9.14. The cumulative effects of the Proposed Development when combined with other major development proposals within the vicinity of the proposed Converter Station and the Landfall were also considered as part of the assessment, with no significant Effects considered likely.

**Conclusion with regards to EN-1**

Therefore, following consultation, the undertaking of an assessment of the heritage assets affected by the proposed development has been undertaken as part of the ES, setting out the significance of the assets and the contribution made by their setting. In conclusion with the development of suitable mitigation, no significant adverse Effects on the historic environment during the construction, operational or decommissioning stages Effects are considered likely. The Proposed Development is therefore in accordance with paragraphs 5.8.8, 5.8.10. 5.8.11 and 5.8.20 of EN-1.

## Assessment Against other Policy

5.3.9.15. It is noted that the Proposed Development would not give rise to Impacts on such interests and so no further assessment against local or national policy is provided in accordance with paragraph 196 of the NPPF.

## 5.3.10. LANDSCAPE AND VISUAL

### Applicable Policy from EN-1

5.3.10.1. Paragraph 5.9.1 of EN-1 states that "*landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development*".

5.3.10.2. Paragraphs 5.9.5 to 5.9.7 requires an applicant to carry out a landscape and visual assessment setting out construction and operational impacts on landscape components and character as well as impacts on views and visual amenity.

5.3.10.3. Paragraphs 4.5.1-4.5.6 of EN-1 relate to the criteria for good design for energy infrastructure, noting at paragraph 4.5.1 that "*high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object — be it a building or other type of infrastructure — including fitness for purpose and sustainability, is equally important. Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area".*

### Landscape Impacts

5.3.10.4. In terms of landscape impacts paragraph 5.9.8 of EN-1 confirms that virtually all nationally significant energy infrastructure projects will have an Effect on the landscape. Having regards to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.

5.3.10.5. Paragraph 5.9.12 relates to developments that are outside nationally designated areas, but may affect them. EN-1 confirms that such projects should be sensitively designed to avoid compromising the purposes of designation but that the fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent. Paragraph 5.9.13 goes on to state that:

> *"The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent"*.

5.3.10.6. Paragraph 5.9.14 states that outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation and so should be paid particular attention but should not be used in themselves to refuse consent, as this may unduly restrict acceptable development. This is of particular relevance noting the Converter Station Area location south of the SDNP.

### Visual Impacts

5.3.10.7. In terms of visual impact paragraph 5.9.18 states that "*All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites".*

5.3.10.8. Paragraph 5.9.18 of EN-1 states that the SoS should judge whether the visual Effects outweigh the benefits of the project.

5.3.10.9. Paragraphs 5.9.21 to 5.9.23 confirms that the landscape and visual Impact of a proposed development can be mitigated through appropriate siting, design and landscaping schemes.

**Assessment Against EN-1**

5.3.10.10. Paragraph 5.9.21 recognises that reducing the scale or amending the design of a proposed energy infrastructure project may result in a significant operational constrain and reduction in function (reflecting the guidance on good design in relation to functionality at section 4.5 of EN-1). Paragraph 5.9.21 also notes that only in exceptional circumstances mitigation that could have a very significant benefit could warrant a small reduction in function. Chapter 15 (Landscape and Visual Amenity) provides an assessment of the effects of the Proposed Development on landscape character (as a resource in its own right) and visual amenity.

5.3.10.11. The extent of the study area for the landscape and visual assessment was agreed as part of the Scoping Opinion received from PINS. In summary the Scoping Opinion resulted in a number of elements being scoped out resulting in the assessment focusing on the elements of the Proposed Development within each stage as set out in Table 5-4 below:

**Table 5-4 - Effects Considered During Each Stage of Proposed Development**

<table>
<tr><th rowspan="2">Element of Proposed Development</th><th colspan="3">Stage of Proposed Development</th></tr>
<tr><th>Construction</th><th>Operation</th><th>Decommissioning</th></tr>
<tr><td>Convertor Station Area</td><td colspan="3">Effects on landscape character within 3 km</td></tr>
<tr><td></td><td colspan="3">Effects on visual amenity within 8 km</td></tr>
<tr><td rowspan="2">Onshore Cable Corridor</td><td>Effects on landscape and townscape character and features</td><td colspan="2" rowspan="2">Due to the very limited above ground features proposed, permanent significant operational Effects on landscape and visual receptors are not expected and therefore were scoped out.</td></tr>
<tr><td>Effects on visual Receptors within the 120 m buffer on either side of the Onshore Cable Route</td></tr>
</table>

| Element of Proposed Development | Stage of Proposed Development | | |
|---|---|---|---|
| | Construction | Operation | Decommissioning |
| **Landfall** | As part of the Scoping Opinion, PINS agreed that an assessment of seascape character and coastline was not required as Effects were considered to be negligible (Appendix 15.1 (Consultation Responses) of the ES Volume 3 (document reference 6.1.15.1) provides further detail). This was agreed on the basis that the HDD at the Landfall would drill surface to surface boreholes under the intertidal area, thus limiting disturbance to the environment including Eastney Beach. | | |
| | Effects on townscape character | Effects on townscape of the construction and decommission of two ORSs and associated compound within the 300 m study area. | |
| | Effects on visual amenity of surrounding visual receptors within 300 m study area of the Landfall. | Effects of the two ORSs and siting and removal on the visual amenity of surrounding receptors within the 300 m study area. | |

### Converter Station Area

5.3.10.12. The assessment of the Converter Station Area has principally been based on a parameter envelope defined by the Converter Station and Telecommunications Buildings Parameter Plans Sheet 1 to 3 (document Reference 2.6). The Parameter Plans allow for some flexibility in the siting and massing of the Converter Station which accords with the DCO environmental parameters.

5.3.10.13. The two potential location options for the Converter Station considered were:

- Option B(i); and
- Option B(ii) – which would be situated approximately 40 m to the east and 11 m to the north of Option B(i).

5.3.10.14. The proposed Converter Station is situated to the east of the existing substation at Lovedean and will be visible from within the SDNP. The boundary of the SDNP runs along the edge of Old Mill Lane to the west of the Converter Station Area, north along an unnamed road (U218) and east along part of Broadway Lane and Day Lane.

5.3.10.15. In terms of Landscape Character, the ES assessed the landscape values of the Converter Station Area itself as being of low value. The area is undesignated (although within the setting of the SDNP) with some landscape features of significance (hedgerows and trees) but with substantial modifications including man-made features such as the existing Lovedean Substation and 400 kV overhead lines. As such, the landscape is assessed as having a high ability to accommodate change.

5.3.10.16. In terms of visual amenity short-distance views are limited to views from the edge of Old Mill Lane, Broadway Lane (east) / Anmore Road, Broadway Lane (south) and an unnamed road connecting the two, to the north. In middle and long-distance views, mature vegetation and the undulating topography screens the area within which the Converter Station Area sits. Notably the Converter Station Area would be visible from the SDNP and Monarch's Way long distance PRoW.

5.3.10.17. Mitigation is proposed during the construction stage at the Converter Station Area through the implementation of the Onshore Outline CEMP including the design and layout of construction areas to reduce adverse Impacts arising from temporary security fencing and lighting as well as measures to control working hours in specific locations to avoid disturbance to residential Receptors both in terms of light and noise.

5.3.10.18. Chapter 15 (Landscape and Visual Amenity) concludes that during the Construction Stage the adverse Effects on both Landscape Character and features from the development of both options of the Convertor Station area would range from minor to moderate and so are considered significant. However, these Effects are by their nature temporary and will be reduced as far as practicable through the implementation of the Onshore Outline CEMP.

5.3.10.19. In terms of the Operational Stage it is considered that the siting of the Converter Station has been carefully designed through a staged process to respond to the extensive engagement undertaken with the public, SDNPA and the relevant host local authorities. The DAS (document reference 5.5) submitted with the Application sets out in detail the design evolution of the Converter Station. In summary the following Design Principles have been developed to mitigate the landscape and visual Impacts of the Converter Station Area:

- Building massing will be designed to rationalise the different functions required and avoid visual clutter which could result from different sized buildings scattered across the site;
- Where practicable and subject to environmental constraints the Converter Station construction platform would be cut into the hill slope to reduce the ridge level of the building;
- Curved corners will be included, where practicable, to soften the visual impact and attention will be applied to relationships between the component parts of the main structures to add interest and further reduce the perceived mass of the building;
- Heating and ventilation air conditioning will be located within the buildings or at ground level within the defined building site plan. There will be no plant on the roofs of the highest buildings;
- The wall cladding be comprised of narrow vertical elements of varied colours to break up the mass of the building;
- Colours will be selected from a palette of autumnal colours within the ranges below chosen to complement the surrounding landscape.

  RAL 1013 -1015; 8001- 8015; 8023 – 8028

  (RAL is a universal colour system used for metal cladding and other building materials)

  Colour grading across the building from dark to light will be considered to relate to adjoining land usage and visual impacts, including the Monarch's Way long distance footpath to the north of the site. The roofing will be in a dark recessive non-reflective colour to minimise visual impact;

- A set of landscape mitigation principles were agreed with the LPAs and SDNPA including the retention of existing screening (including Ancient Woodland and significant hedgerows) and the provision of new planting within the Converter Station Area to reduce potential landscape and visual effects and create positive new habitats as well as improving connectivity and creating links to existing Ancient Woodland

5.3.10.20. As stated above, paragraph 5.9.8 of EN-1 confirms that virtually all nationally significant energy infrastructure projects will have an Effect on the landscape. Having regards to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate. There are many technical, engineering and operational constraints associated with the options for the Converter Station that restrict its overall design, scale, layout and form, as set out in the DAS and the general principles therein. However careful consideration has been given to the design parameters and the siting of the building to reduce the visual Impact and assist with its setting in the landscape.

5.3.10.21. Chapter 15 (Landscape and Visual Amenity) concludes that both options for Converter Station Area would result in significant landscape and visual Effects during its Operational Stage in the short to medium term. However, it is noted that as the embedded landscape mitigation matures that the significance of these Effects would be reduced to minor over a 10 to 20 year period.

5.3.10.22. The Converter Station will be visible from within the SDNP and therefore paragraph 5.9.12 of EN-1 is considered relevant as it sets out policy in relation to developments outside nationally designated areas which might affect them.

5.3.10.23. Paragraph 4.5.3 of EN-1 (Criteria for “good design” for energy infrastructure) is relevant here as it notes that an applicant may not have any or very limited choice in the physical appearance of some energy infrastructure. However, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Furthermore, the design and sensitive use of materials in any associated development will assist in ensuring that such development contributes to the quality of the area.

5.3.10.24. The Converter Station, including the Telecommunications Buildings have been designed sensitively and have responded to the consultation undertaken with the SDNPA and host local authorities (summary of which is included section 3 of the DAS. The options proposed mitigate as far as reasonably possible landscape and visual impacts on the SDNP through its siting which has sought to retain existing screening (including ancient woodland and significant hedgerows) and also utilised opportunities to construct the building into the slope to reduce its perceived height and thus visual Impact. Additional mitigation in the forms of new planting and reinforcement of existing planting in the surrounding area are also proposed.

### Onshore Cable Route

5.3.10.25. Chapter 15 (Landscape and Visual Amenity) concludes that significant adverse landscape and visual Effects will occur during the Construction Stage of the Onshore Cable Corridor. These will be mitigated as far as practicable through the implementation of the Onshore Outline CEMP. It is important to note that these Effects by their nature will be temporary.

5.3.10.26. Due to the very limited above ground features proposed as part of the Onshore Cable Corridor significant adverse landscape and visual amenity Effects during the Operational Stage are not considered likely.

### Landfall

5.3.10.27. The assessment of the Landfall has also been based on a parameter envelope as defined by the Optical Regeneration Station(s) Parameter Plan (Application Document Reference 2.11). Two potential locations have been considered:

- Option A – 8 m clearance between diesel generator wall and fence; and
- Option B – 2 m clearance between diesel generator wall and fence.

5.3.10.28. The Parameter Plan enables some flexibility in the siting of the ORS within the Landfall.

5.3.10.29. The ES concludes that during the Construction Stage there will be significant adverse townscape and visual Effects as a result of construction works at the Landfall. These will be mitigated as far as practicable through the implementation of the Onshore Outline CEMP. These Effects again by their nature will be temporary.

5.3.10.30. During the Operational Stage Impacts associated with the Landfall and specifically the ORS have been identified as part of the assessment. Whilst there would be no significant Effects on Landscape Character there would be significant adverse Effects in terms Impacts on the sense of openness in the area i.e. the ORS buildings would be prominent in an otherwise open landscape.

5.3.10.31. These impacts will be mitigated as far as practicable through the provision and maintenance of hedgerows. The ORS would also be low level buildings, would be unmanned and unlit (unless in the case of an emergency), further mitigating impacts.

5.3.10.32. However, the ORS would be intrusive and prominent in an otherwise open landscape and so would have a significant Effect in terms of landscape features in the area. Due to the proximity of the Landfall to nearby residential dwellings and the use of the area by recreational users there would also be significant localised visual Effects in the medium terms. However, adverse Effects on residential Receptors would diminish in the long term as landscape planting matures reducing these Effects to non-significant.

**Conclusion with regards to EN-1**

Again, it is important to note that paragraph 5.9.8 of EN-1 confirms that virtually all nationally significant energy infrastructure projects will have an Effect on the landscape and visual amenity. Having regards to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.

Overall, while it is acknowledged that the Proposed Development would result in adverse landscape / townscape and visual amenity Effects during the Construction Stage, these have been mitigated as far as practicable, through the Outline Landscape and Biodiversity Strategy (document reference 6.10) and will be temporary by their nature.

During the Operational Stage, adverse Effects related to the Converter Station Area and Landfall will occur in the short to medium term, but these will be reduced to non-significant once landscape mitigation in the form of planting matures.

Specifically impacts on the SDNP resulting from the development of the Converter Station have been carefully considered, with the design and proposed landscape planting mitigating as far as reasonably practicable the landscape and visual amenity Impacts.

The Proposed Development is therefore consistent with Part 5.9 of EN-1 (and Part 4.5 of EN-1 (Criteria for "good design" for energy infrastructure) as it has been sensitively sited and designed and uses appropriate landscape and visual mitigation to reduce as far as possible the impacts of the Converter Station and Landfall.

## Assessment against other policy

5.3.10.33. A number of local policies relating to the landscape and visual amenity have been adopted by the relevant local authorities and have been considered with regards to the siting and design parameters of the proposed Converter Station and associated works.

5.3.10.34. WCC's Local Plan Part 1 includes Policy CP19, requires new development to be in keeping with the context and setting of the landscape and settlements of the SDNP. Development that has a significant detrimental Impact on the rural character and setting of settlements and the landscape should not be permitted, unless it is of over-riding national importance or its impact can be mitigated. Policy CP20 requires new development which recognises, protects and enhances the District's distinctive landscape and heritage assets and their settings will be supported. EHDC and

SDNPA's Joint Core Strategy Part 1 includes Policy CP20 Landscape, which requires new development to conserve and enhance the districts' natural environment.

5.3.10.35. With regards to design chapter 12 of the NPPF, Policies CP19, CP28 and CP29 of the EHDC and SDNP Joint Core Strategy and Policies CP13 and CP15 of the WCC and SNPDA Joint Core Strategy support the creation of high quality buildings in ensuring they add to the quality of the area and are sympathetic to the environment and landscape setting which includes the protection and enhancement of green infrastructure. In accordance with these policies, alongside the technological and engineering requirements, significant consideration has been given to the siting of the Converter Station with regards to reducing the landscape impact of the proposal from key receptors and avoiding key landscape features including woodland and hedgerows (and thus according with chapter 15 of the NPPF insofar as recognising the intrinsic character beauty of the countryside and protecting key wildlife habitats) where possible to assist in reducing the impact in the area.

5.3.10.36. In terms of the Landfall, Policy PCS23 Design and Conservation of the Portsmouth Core Strategy adopted January 2012 requires all new development to be well designed and to respect the character of the city. The siting of the options for the ORS has been selected to minimise the impact upon the area with the parameters controlling the limited mass and footprint of the facility. The ORS would be located within a securely fenced compound, which would also potentially contain auxiliary power generation equipment and a fuel tank. Section 5.2 of the DAS (document reference 5.5) contains further information regarding the ORS Parameter Plan and Design Principles.

## 5.3.11. LAND USE INCLUDING OPEN SPACE, GREEN INFRASTRUCTURE AND GREEN BELT

### Applicable Policy from EN-1

5.3.11.1. Section 5.10 of EN-1 notes that Proposed Developments may have direct or indirect Effects on existing or planned land uses such as open space, green infrastructure, agricultural land and mineral resources.

5.3.11.2. Paragraph 5.10.3 of EN-1 notes that:

> *"Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure".*

5.3.11.3. Paragraph 5.10.5 of NE-1 also requires the applicant to "*assess any effects of precluding a new development or use proposed in the development plan*".

5.3.11.4. Paragraph 5.10.7 of EN-1 states that Impacts on land use, having regard to the Development Plan and relevant applications should be considered.

5.3.11.5. Paragraph 5.10.8 of EN-1 states that applicants should identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. Paragraph 5.10.8 goes on to state that applicants should ensure that they considered the risk posed by land contamination where development is proposed on previously developed land.

5.3.11.6. Paragraph 5.10.9 of EN-1 states that applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.

5.3.11.7. Paragraph 5.10.14 of EN-1 avers that the decision maker should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the decision maker determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.

5.3.11.8. Paragraph 5.10.15 of EN-1 states that the decision maker should ensure that the applicant do not site proposed development on the Best and Most Versatile ('BMV') agricultural land without justification. Limited weight should be given to the loss of poor agricultural land, except area where agricultural practice may contribute to the quality and character of the environment or local economy.

5.3.11.9. Paragraph 5.10.24 of EN-1 requires applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way.

### Assessment against EN-1

5.3.11.10. The Applicant's assessment in relation to Section 5.10 of EN-1 is set out in Chapters 15 (Landscape and Visual), 16 (Ecology), 17 (Soils and Land Use) and 25 (Socio-economics).

#### Permanent Land Take

5.3.11.11. The Converter Station is located within the administrative area of WCC with the wider Converter Station Area, including part of the existing Lovedean Substation, located within EHDC. The Converter Station Area is located in the countryside outside any settlement boundary policies in either of the local development plans for WCC or EHDC. The Converter Station Area has gone through a site selection process which is set out in Chapter 2 of the ES (Consideration of Alternatives) with a number of constraints on its location considered.

5.3.11.12. A major consideration in this is the need for the Converter Station to be within 2 km of the grid connection point at the existing Lovedean Substation. Within this radius a number of sites were considered with additional site-specific constraints informing the final site selection to the west of the exiting Lovedean Substation. The Converter

Station location is constrained by the requirement to be located in close proximity to the existing Lovedean Substation. Its location has been decided upon through a detailed site selection process and has been subject to public consultation in January 2018 (see Consultation Report - document reference 5.1). The Converter Station Area is located in an area where similar uses are already in existence, and would not affect or preclude any new development or use proposed in the Development Plan.

5.3.11.13. The Onshore Cable Corridor runs through a number of administrative areas. However, once completed the Trenching will backfilled with land above reinstated. The only evidence of the presence of the Onshore Cable Corridor will be Link Boxes or Link Pillars at certain points along the route thus limiting the Effects on Land Use.

5.3.11.14. The Landfall is located within the administrative area of PCC and is covered by Policy PCS9 - The Seafront from the Portsmouth Core Strategy (adopted January 2012). This policy outlines how new development will be expected to contribute to the revitalisation of the seafront, tourism and wider regeneration strategy for Portsmouth. Further guidance is provided by the PCC Seafront Masterplan Supplementary Planning Document. The ORS will occupy a small area within the Fort Cumberland Road Car Park. This car park is utilised by users of the adjacent Open Space SINC and can also be used to access Eastney Beach however the overall Impact has been assessed as not significant.

### Impacts on Recreational and Open Spaces

5.3.11.15. Chapter 25 (Socio-economics) includes an assessment of Impacts to recreational and open spaces. These are considered likely to be impacted if they are located within the Proposed Development, lie within 500 m of the Order Limits, or have the potential to be affected as a result of changes to access arrangements by road or footway.

5.3.11.16. Table 25.15 of Chapter 25 (Socio-economics) sets out the construction Impacts on areas of recreation and open space within the Order Limits. These Impacts are noted as temporary with mitigation proposed to ensure that negative Effects on amenity value and disruption in terms of access are reduced as far as practicable, as evidenced in the Onshore Outline CEMP.

5.3.11.17. In terms of permanent land take, no informal or formal areas of recreation or open space will be required for the Operational Stage at the Converter Station Area or at the Landfall. As such, there are no Impacts on recreation and open space during operation of the Proposed Development.

### Land Contamination

5.3.11.18. The Applicant's assessment of the Impact of the Proposed Development on land contamination is set out in ES Chapter 18 (Ground Conditions) of the ES Volume 1 document reference 6.1.18). The Chapter concludes that, subject to the identified mitigation, there would be no risk of contamination impact on human health, the environment and ground and surface water. The Proposed Development therefore accords with EN-1 in terms of the Impact on land contamination.

### Safeguarding of Mineral Resources

5.3.11.19. In terms of the safeguarding of mineral resources it is noted that the Onshore Cable Corridor in Sections 3 (Denmead / Kings Pond Meadow) and 8 (Eastern Road (adjacent to Great Salterns Golf Course) to Moorings Way) pass through clay Mineral Safeguarding Areas as set out in the Hampshire Minerals and Waste Local Plan Policies Map (Hampshire Authorities, 2013). The Applicant's ES Chapter 18 (Ground Conditions) and Chapter 27 (Waste and Material Resources) of the ES Volume 1 (document reference 6.1.27) assesses the Impact of the Proposed Development on mineral resources. It is concluded that given the proximity of these area to existing urban development, that the proposed Onshore Cable Corridor will not adversely impact upon or further sterilise these protected sites.

### Agricultural Land

5.3.11.20. ES Chapter 17 (Soils and Agricultural Land Use) of the ES Volume 1 (document reference 6.1.17) assesses the impact of the Proposed Development on agricultural land. The ES confirms that there would be no permanent Impacts associated with the Construction Stage of the Onshore Cable Corridor. This is because the Cables would be buried sufficiently deep to allow agriculture to occur following the construction of the cable. Temporary impacts have been assessed as being negligible in terms of Significance.

5.3.11.21. In relation to the Converter Station Area the ES confirms that the soil quality from grades 3 to 4, with a limited amount of subgrade 3a land lost to the construction of the Access Road to the south of the Converter Station. As such, the Impact on agricultural land in this area is assessed as being minor to moderate in terms of Significance.

5.3.11.22. The loss of grades 3b and 4 agricultural land does not give rise to any conflict with EN-1, which confirms at paragraph 5.10.15 that limited weight should be given to the loss of these types of soils.

5.3.11.23. The Applicant's assessment of alternatives is set out within Chapter 2 (Consideration of Alternatives) of the ES. The location of the Converter Station Area adjacent to the existing Lovedean Substation was determined following a rigorous site selection process that took account of environmental and operational considerations. The design of the Proposed Development has sought to minimise the loss of BMV agricultural land through the siting and design of the Converter Station, subject to other relevant planning and engineering considerations.

5.3.11.24. As such, the anticipated loss of grade 3a agricultural land is fully justified in line with Paragraph 5.10.15 of EN-1 as the loss of BMV land has been minimised and justified.

### Impact on Rights of Way

5.3.11.25. The Applicant's ES Chapter 25 (Socio-economics) includes an assessment of Impacts to rights of way. No PRoW will be subject to permanent diversions or closures during the operational stage, although diversions will be required during the Construction Stage.

5.3.11.26. Existing routes would be retained where possible, and where they are crossed by the construction of the Onshore Cable Corridor or Converter Station Area an alternative proper means of access would be provided to prevent severance during the Construction Stage.

**Conclusion with regards to EN-1**

It is concluded that the Proposed Development would not preclude new development or uses proposed in a development plan and so is in compliance with paragraph 5.10.5 of EN-1.

In relation to open and recreational space as well as PRoW, it is concluded that only temporary impacts will result during the construction stage and these will be mitigated as far as reasonably practicable through the implementation of the Onshore Outline CEMP. The Proposed Development therefore accords with paragraphs 5.10.14 and 5.10.24 of EN-1. No impacts during the Operational Stage are considered likely.

A Soil Resources Management Plan will be prepared prior to the commencement of construction and confirms the different soil types and depths (based on the soil surveys already undertaken); the most appropriate re-use for the different types of soils within the detailed design; and the proposed methods for handling, storing and replacing soils on site. An Outline SRP has already been prepared and is provided as Appendix 5 of the Onshore Outline CEMP.

It is concluded that the Proposed Development will not result in Impacts on soil quality, mineral resources or result in potential Impacts from contamination and so accords with paragraphs 5.10.8 and 5.10.9 of EN-1.

Whilst it is acknowledged that the Converter Station would give rise to permanent (operational) Impacts related to the loss of grade 3a agricultural land, this is fully justified in line with paragraph 5.10.15 of EN-1 as the loss of BMV land has been minimised and justified.

**Assessment Against Other Policy**

5.3.11.27. Policies CS11 and DM8 of the Havant Borough Core Strategy seek to protect and enhance natural soil resources; and Policy CS11 also seeks to protect BMV agricultural land that has the greatest potential for local food security. Policy E19 of the Draft Havant Borough Local Plan 2036 seeks the protection of BMV agricultural land. Policy CP20 part (d) of the East Hampshire District Local Plan Joint Core Strategy seeks to protect and enhance soils.

5.3.11.28. Part of the proposed Onshore Cable Route runs through areas identified in the Hampshire Minerals and Waste Plan (2013) as being safeguarded for the extraction

of minerals. The Hampshire Minerals and Waste Plan (2013) Policy 15 Safeguarding – mineral resources – identifies mineral safeguarding areas for sand and gravel, silica sand and brick making clay to prevent the needless sterilisation of mineral resources by non-mineral development.

5.3.11.29. EN-1 states in paragraph 5.10.9 that applicants should safeguard any minerals resources on the proposed site as far as possible. Where a proposed development has an impact on a mineral safeguarding area, the SoS should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.

5.3.11.30. The Applicant's assessment of the Impact of the Proposed Development on minerals is set out within ES Chapter 18 (Ground Conditions). The Chapter confirms that subject to mitigation, the Impacts would be negligible. The Proposed Development is therefore in accordance with EN-1 as it safeguards mineral resource and uses appropriate mitigation. The Proposed Development also accords with Hampshire Minerals and Waste Plan Policy 15.

## 5.3.12. NOISE AND VIBRATION

### Applicable Policy from EN-1

5.3.12.1. Section 5.11 of EN-1 requires a noise assessment for development that is likely to cause noise Impacts to noise sensitive Receptors. Paragraph 5.11.4 sets out the requirements for this noise assessment.

5.3.12.2. Paragraph 5.11.5 of EN-1 requires that the noise Impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation, should also be considered.

5.3.12.3. Paragraph 5.11.8 of EN-1 states that projects should demonstrate good design through the selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible, optimisation of plant layout to minimise noise and use of landscaping, bunds or noise barrier to reduce noise transmission.

5.3.12.4. Paragraph 5.11.9 on EN-1 goes on to state that developments should:

- *"avoid significant adverse impacts on health and quality of life from noise;*
- *mitigate and minimise other adverse impacts on health and quality of life from noise; and,*
- *where possible contribute to improvements to health and quality of life through the effective management and control of noise".*

5.3.12.5. Paragraphs 5.11.11 to 5.11.13 of EN-1 sets out the considerations that should be undertaken in terms of mitigation for both the construction and operational noise.

### Assessment Against EN-1

5.3.12.6. The Applicant's assessment of the noise Impacts of the Proposed Development is set out within the Chapter 24 (Noise and Vibration).

5.3.12.7. It is noteworthy that as part of the Scoping Opinion received from PINS, Impacts associated with the Onshore Cable Corridor were scoped out as the Cables are buried, and so noise Effects during the Operational Stage are expected to be negligible.

### Converter Station Area

5.3.12.8. The Converter Station Area is located in a sparsely populated area, and therefore it is feasible to predict the noise level from each stage of the construction works at specific surrounding sensitive Receptors, of which six were noted within 300 m of construction activities. The ES concludes that no significant Impacts will occur at the Converter Station Area during the Construction Stage noting the distances to the six sensitive Receptors and the temporary nature of the construction works. The implementation of the Onshore Outline CEMP will ensure that Impacts are reduced as far as practicable through the imposition of standard construction working hours and best practice construction methods including screening of works.

5.3.12.9. In terms of the Operational Stage of the Converter Station Area the Converter Station options (Options B (i) and B (ii)) are laid out such that the plant with the highest noise levels are screened from the nearest sensitive Receptors by the Converter Station. The control buildings have been positioned along the western edge of the Converter Station Area, providing an uninterrupted screen between the valve converter cooling fan banks and Millfield Farm to the west. Acoustic mitigation measures have also been applied to the necessary plant to reduce operational impacts further, as set out in the Design Principles. The ES concludes that no significant Effects will be experienced at sensitive receptors during the Operational Stage of the Converter Station Area.

5.3.12.10. In relation to the decommissioning stage the ES concludes that predicted noise Impacts would be negligible at all surrounding sensitive receptors and so no significant Effects will result.

5.3.12.11. Negligible vibration Effects associated with piling works at the Converter Station are predicted in the ES at all sensitive Receptors. This is because there are no sensitive receptors within 130 m of the works, which is the threshold at which greater than a negligible magnitude of level is predicted.

### Onshore Cable Route

5.3.12.12. The construction activities for the Onshore Cable Corridor have been divided into the following activities:

- Trenching;
- Joint Bays;
- HDD sites.

5.3.12.13. The undertaking of the above construction activities has been assessed during weekday, night time out of hours and weekend daytime working periods.

5.3.12.14. No significant noise Effects are predicted in relation to any of the above construction activities within Sections 2, 3, 6, 7, 9, 10.

5.3.12.15. Significant noise Effects during the weekend daytime Trenching works in Section 4 (A3 London Road between Stakes Road and Ladybridge Road), the weekend daytime and night-time Trenching works in Section 5 (Havant Road between Farlington Avenue and Eastern Road), and the weekday evening, weekend daytime and night-time Trenching works in Section 8 (c1.5k m section of Eastern Road between Airport Service Road and north of Milton Common). The Applicant has sought to limit the extent of out-of-hours working (and in particular night-working), as much as possible whilst balancing other constraints.

5.3.12.16. Mitigation already includes that provided in the Onshore Outline CEMP which will mitigate noise impacts as far as reasonably practicable. Additionally, at the locations detailed in paragraph 5.3.12.15 a 2m high solid screening around the working compounds, and the exclusion of the loudest equipment used for the Trenching works (road surface breakers / cutters and road re-surfacing equipment) is proposed.

5.3.12.17. The above Effects are dependent on the timing of the works (daytime or night-time) works, the period of the works (works over a single or consecutive weekends) or the time of year where works are undertaken (significant effects could be reduced if the works outside the Harbourside Caravan Park in Section 8 are completed outside of holiday season when the caravan park has lower occupation levels).

5.3.12.18. Until a contractor is appointed, and detailed work plans are produced, it is not feasible to identify further specific physical mitigation measures that could be employed. However, the contractor appointed will engage with local residents affected by the works and the environmental health department at the LPA to agree additional mitigation to reduce the significant Effects as far as reasonably practicable.

5.3.12.19. No significant vibration effects are predicted in relation to construction works within Sections 2, 3, 4, 5, 6, 7, 8, 9, 10.

5.3.12.20. Again, as the Cables associated with Onshore Cable Corridor will be buried underground, no noise Effects during the Operational Stage are expected and were scoped out of the assessment in the ES.

**Landfall**

5.3.12.21. No significant noise or vibration Effects are considered likely at the Landfall during the Construction Stage. All works will be temporary and the implementation of the Outline CEMP will ensure that Impacts are reduced as far as practicable through the imposition of standard construction working hours and best practice construction methods, including screening of works.

5.3.12.22. No significant Effects are considered likely in relation to the telecommunications infrastructure at the Landfall during the Operational Stage.

**Construction Traffic Noise**

5.3.12.23. As required by paragraph 5.11.5 of EN-1, the ES assesses the noise Impact of ancillary construction traffic movements.

5.3.12.24. Significant noise Impacts are considered likely in Section 10 along Park Avenue in Purbrook due to increased traffic during the construction works. Whilst the predicted noise increase represents a large adverse magnitude of change, the absolute noise level from a road with approximately 3,000 vehicles in the 18-hour period will still be relatively low, added to this the impacts will be short-term and temporary in nature.

**Conclusion with regards to EN-1**

An assessment of potential noise and vibration Impacts has been undertaken by the Applicant. The Proposed Development is therefore considered to accord with paragraph 5.11.4 of EN-1.

Whilst it is acknowledged receptors within Sections 4, 5 and 8 will experience noise Impacts during the construction stage of the Onshore Cable Corridor, these are considered short-term and temporary in nature.

Significant noise Effects are considered likely in Section 10 along Park Avenue in Purbrook due to increased traffic during the construction works, these are considered short-term and temporary. The Proposed Development is therefore considered to accord with paragraph 5.11.5 of EN-1.

Mitigation will be implemented as part of the Onshore Outline CEMP with additional mitigation in the form of compound screening and choice of equipment also proposed in relation to the construction works in Sections 4, 5 and 8 noted above. The contractor will engage with local residents affected by these works and the environmental health department at the LPA to agree additional mitigation to reduce the significant effects as far as reasonably practicable. The Proposed Development is therefore considered to accord with paragraphs 5.11.11 to 5.11.13 of EN-1

The siting, layout, as controlled by the Parameter Plans/Design Principles and engineering technology employed at the Converter Station and Landfall will ensure that operational noise Impacts will not be significant. No vibration Effects are considered likely noting the proposed operational uses. No noise or vibration Effects are considered likely during the Operational Stage for the Onshore Cable Route or ORS at the Landfall. The Proposed Development is therefore considered to accord with paragraph 5.11.8 of EN-1.

The Proposed Development is therefore considered to accord with Section 5.11 of EN-1.

**Assessment Against other Policy**

5.3.12.25. Significant adverse temporary effects are anticipated in some areas where weekend daytime and limited weekend night-time activities will be necessary during construction of the Proposed Development. The out-of-hours working is necessary to minimise traffic impacts resulting from road closures which are required to complete the works. It is not possible for the road closures to be implemented during the day due to predicted significant traffic impacts on the surrounding road network. No other significant effects are anticipated relating to noise and vibration of the Proposed Development and accordingly, no further assessment against local or national policy is provided.

## 5.3.13. SOCIO-ECONOMICS

### Applicable Policy from EN-1

5.3.13.1. Paragraph 5.12.3 of EN-1 requires that an assessment of all relevant local and regional level socio-economic Impacts should be undertaken.

5.3.13.2. Paragraph 5.12.4 states that applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.

5.3.13.3. Paragraph 5.12.8 states that the SoS should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise.

### Assessment Against EN-1

5.3.13.4. Parts 2 and 3 of EN-1 sets out national level socio-economic impacts. A full Needs and Benefits Report (document reference 5.6) addressing the national level impacts of the proposed Development is submitted with this Application with a summary of the benefits set out in Section 7.2 of this Planning Statement.

5.3.13.5. It is considered that the construction, operation and decommissioning stages of the Proposed Development could have the following potential socio-economic Impacts at a regional and local level:

- Generation of direct, indirect and induced employment opportunities during construction. The additional direct, indirect and induced employment opportunities associated with the Proposed Development would principally relate to the maintenance of the Onshore Cable Route and Converter Station and are considered to be minimal and were therefore not considered further within the assessment;
- Disruption, including change in access to local residences, commercial businesses (including shops and other services) during the Construction Stage;
- Disruption, to users of community facilities, including potential impacts on community severance, during the Construction Stage;

- Disruption, including change of access and amenity value for users of leisure facilities, recreational and open space, PRoW, and cycle routes during construction;
- Disruption and changes in amenity value for users of recreational and open space, PRoW and cycle routes during operation; and
- Disruption to tourism, including change of access to tourist attractions and events during construction; and
- Generation of direct, indirect and induced employment opportunities during construction.

### Generation of Direct, Indirect and Induced Employment Opportunities During Construction

5.3.13.6. The construction of elements of the Proposed Development, due to their specialist nature require specialist contractors. Depending on their place of residence, they may commute, but more commonly, stay in temporary accommodation for the duration of their employment, returning to their place of residence at weekends and / or holidays. Some aspects of construction can be undertaken by local contractors such as earthworks, landscaping and Onshore Cable Trenching.

5.3.13.7. The Applicant will put measures in place, where possible, to maximise the potential for the workforce and supply chain to be sourced locally. These measures could include:

- Working with local people and local business to ensure that, wherever possible, investment in the South East, stays in the South East.
- Engaging with Jobcentre Plus to ensure local job opportunities are advertised to local unemployed people and identifying opportunities to help people get back into employment through work placements, education and skills training.
- Upskill people working on the Proposed Development, where possible through experience, training and development programmes

5.3.13.8. The assessment set out in Chapter 25 (Socio-economics) of the ES concludes that Proposed Development would result in the creation of 590 jobs. This figure takes into account reduced output or employment elsewhere (displacement) as well as induced employment (further jobs associated with additional local income and local supplier purchases). 93 of these jobs will be located within the South East region with the remaining 497 jobs being outside.

5.3.13.9. On this basis, there is considered to be a minor beneficial Effect on the labour market during the Construction Stage.

### Disruption to Residences and Local Businesses During Construction Stage

5.3.13.10. Where residences and businesses are situated adjacent to Temporary Works, there is potential for temporary disruption from construction, including:

- Direct vehicular and pedestrian access;
- Noise, dust and visual annoyance; and
- Traffic congestion.

5.3.13.11. Access to properties and businesses along the Onshore Cable Corridor has been considered in the FTMS. Pedestrian and cycle access will be maintained at all times. Vehicular access will be maintained wherever possible, albeit with different traffic management approaches applied depending on specific circumstances. A proposed communications strategy is set out in the FTMS, residents will be informed of the construction works proposed in their area and encouraged to make alternative arrangements where possible. For residential driveway access steel plating over the trench will be available during working hours in the case of emergencies. Where the construction zone falls on the opposite side of the carriageway to driveways access will be maintained at all times. Access to business premises will be maintained using either three-way traffic signals with excavation of the trench taking place in two phases or through use of road plates. Side road access will be considered on an individual basis with traffic management used dependent on the characteristics of the road and junction.

5.3.13.12. Any disruption to residential or business access will be temporary (approximately one to two weeks per HVDC Circuit). Chapter 3 of the ES (Description of the Proposed Development) provides more detail on cable installation methods. It is anticipated that the cable duct installation will take place in 100m sections, taking approximately five working days to complete each section per HVDC Circuit.

5.3.13.13. With regards to noise, Dust and visual annoyance, these are considered to combine with reduced access to increase disruption to residents and local businesses during the Construction Stage. An assessment of these Effects is set out in the relevant Chapters of the ES (Chapter 15 (Landscape and Visual Amenity), Chapter 22 (Traffic and Transport), Chapter 23 (Air Quality) and Chapter 24 (Noise and Vibration). In particular, businesses or residences adjacent to the Temporary Works will be affected. These include the front gardens of residential properties in close proximity to the Temporary Works and the following businesses – the Great Salterns Mansion Harvester (Section 8), the Thatched House Public House (Section 9) and the Southsea Leisure Centre (Section 10). The Southsea Leisure Park (Section 10) is likely to be indirectly affected due to the Temporary Works at the Landfall which will include HDD drilling and the construction of the ORS compound in the Fort Cumberland Road Car Park.

5.3.13.14. These adverse Effects would be considered significant but temporary with the Cable works undertaken in a rolling sequence of works and will be mitigated as far as practicable through implementation of the Onshore Outline CEMP with core working hours restricted in accordance with those set out in Requirement 18 of Schedule 2 to the draft DCO.

5.3.13.15. The Temporary Works may also result in the loss of car parking to businesses but these again are noted to be temporary.

**Disruption, to Users of Community Facilities, Including Potential Impacts on Community Severance, During the Construction Stage**

5.3.13.16. The assessment set out in Chapter 25 (Socio-economics) of the ES identifies a number of community facilities (medical and emergency services, schools and education, Homes for the Elderly and religious buildings).

5.3.13.17. Direct Effects on community facilities would be limited to 1-2 weeks for each Cable Circuit, although the duration of other disruption such as congestion is likely to last up to several weeks as the Cable installation progresses, depending on the location.

5.3.13.18. The Applicant will ensure access to emergency services will be maintained during the Construction Stage. Access to schools will also be maintained with works being undertaken during the school holidays where they have the potential to affect these.

5.3.13.19. The Temporary Works will therefore have significant adverse Effects on community facilities but these are noted as temporary, with additional mitigation in terms of the timing and prioritisation of maintaining certain accesses as far as reasonably possible mitigating these Effects further.

**Disruption, Including Change of Access and Amenity Value for Users of Leisure Facilities, Recreational and Open Space, PRoW, and Cycle Routes During Construction**

Leisure Facilities, Recreation and Open Space

5.3.13.20. The assessment set out in Chapter 25 (Socio-economics) of the ES identifies areas of recreation and open space where significant adverse Effects will temporarily arise in the short term during the Construction Stage:

- Goodmans Field in Section 3 - the south-east corner of the field will be required for the construction of the Joint Bays for period of up to 8 weeks;
- Zetland Field in Section 6 - reduced access and Impacts on the amenity of recreational users of the field for a period of up to 10 weeks;
- Baffins Rovers Football Ground and Langstone Sports Ground in Section 7 - The Onshore Cable Corridor has been designed to avoid the Football Club's main pitch but training areas will be temporarily restricted during the construction works for a period of up to 8 weeks;
- Great Salterns Golf Course in Section 8 - Disruption to access, amenity impacts and disturbance due to construction works for up to 8 weeks;

- Milton Common in Section 8 - Portions of the common on the western and eastern sides are within the Order Limits, in addition to an area for HDD in the northwest corner. Construction works will result in the loss of open space for a period of 23 weeks;
- University of Portsmouth Playing Fields and Langstone Sports Site in Section 9 - The football pitches to the east of the University of Portsmouth Langstone Campus included within the Order Limits will temporarily be restricted for up to 8 weeks;
- Open Space, Kingsley Road in Section 9 - The Cable Corridor crosses this informal open space resulting in partial temporary loss of land required for up to 24 weeks; and
- Bransbury Park in Section 9 - reduced open space, although this will not preclude use of the key features of the park.

5.3.13.21. The assessment also identifies three areas where medium term (for a period of one to five years) significant adverse Effects will arise during the Construction Stage:

- Farlington Playing Fields in Section 7 - areas within the Playing Fields will be restricted by compounds for two areas of work by trenchless techniques such as HDD, cable Trenching and a portion of the car park will be used as a temporary Laydown Area. In total works will be undertaken for 52 weeks within a 78 week period, although this will not be continuous and includes periods when works will not be undertaken (for example, allowing for wintering birds).
- Fort Cumberland SINC, its related Car Park and Eastney Beach in Section 10 – no direct impacts on the open space but the partial loss of Fort Cumberland Road Car Park for a period of up to 72 weeks

5.3.13.22. The above Effects are noted to be temporary with construction works not continuous. To ensure that negative Effects on amenity value and disruption are reduced as far as practicable measures would be incorporated and implemented in the Onshore Outline CEMP. Additional mitigation will include:

- Community groups who utilise the above will be informed of the nature, timing and duration of particular activities; and
- If alternative routes or spaces are required to be utilised in and around areas of open and recreational space, directions would be clearly communicated at the appropriate places.

### PRoW, Long Distance Walking Routes and Cycle Routes

5.3.13.23. There are 56 PRoW within 500 m of the Order Limits seven of which are anticipated will be severed by the Onshore Cable Corridor and would need to be temporarily diverted. The proposed diversions are not considered to add substantial distance to the journey length with the exception of PRoW 4 in Section 1 which is farm track

between Broadway Farm and Little Denmead Farm. This would be for short period of time (1-2 weeks for works related to each Cable Circuit).

5.3.13.24. There are four Long Distance Walking Routes (high sensitivity) that are within the Order Limits (Monarchs Way in Section 1, Wayfarers Walk in Section 3- 4, The Solent Way in Sections 7-10, and Shipwrights Way in Section 10) will need to be diverted.

5.3.13.25. Sections of off-road cycle routes have also been identified at National Route 222 alongside Eastern Road and along the coast path in Milton Common (Section 8).

5.3.13.26. The assessment concluded that the diversion of these would result in significant adverse Effects during the Construction Stage. However, these are noted as temporary with the related diversions being in place for not more than one to two weeks for each Cable Circuit.

5.3.13.27. Chapter 15 (Landscape and Visual Amenity) of the ES also assesses Effects on amenity for recreation and visitor receptors on individual PRoW, Long Distance Walking Routes and cycle route, within 8 km of the Converter Station and 120 m along the Onshore Cable Corridor. The Effects on these related to the Temporary Works were assessed as significant adverse but will be temporary in nature.

**Disruption and Changes in Amenity Value for Users of Recreational and Open Space, PRoW and Cycle Routes During Operation**

5.3.13.28. During Operational Stage none of the Onshore Cable Route be visible above the ground with no open and recreation space being located within 500 m of the Convertor Station Area. Therefore, no significant Effects on amenity in relation to leisure facilities, recreational and open space are considered likely to arise due to the Operational Stage.

5.3.13.29. No permanent diversions of PRoW will be required relating to the Converter Station Area or the ORS during the Operational Stage. The development of these elements of the Proposed Development will however result in Effects on the amenity value of the nearby PRoW, although with proposed landscape mitigation (Outline Landscape and Biodiversity Strategy, document reference 6.10) these will be reduced over time to negligible.

5.3.13.30. The ORS will, however, occupy a small area within the Fort Cumberland Road Car Park. This car park is utilised by users of the adjacent Open Space SINC. The car park can also be used to access Eastney Beach. Operational Effects from the loss of car parking will therefore occur.

**Disruption to Tourism, Including Change of Access to Tourist Attractions and Events During Construction**

5.3.13.31. For the majority of tourism receptors (SDNP, Southsea Leisure Park, Southsea Marina and Boatyard, and Harbourside Leisure Park), Construction Stage Impacts will be limited to traffic congestion. It is not considered that congestion will increase to such a degree that it has discourages people from visiting the area (i.e. will not reduce visitor numbers). The Framework Traffic Management Strategy (FTMS) (

Chapter 22 (Traffic and Transport), Appendix D) programmes road work outside key periods as far as is practicable, such as Christmas shopping.

5.3.13.32. It is considered unlikely that either the construction or the operation of the Converter Station will affect visitor numbers, given the relatively small proportion of the National Park that would be affected by landscape and visual impacts associated with Construction Stage. A set of landscape mitigation principles were agreed with the LPAs and SDNPA in relation to the Convertor Station. These principles have been used to inform indicative landscape mitigation plans, and are also included in the Design Principles detailed in the DAS (document reference 5.5).

5.3.13.33. In relation to the Southsea Leisure Park in Section 10, the HDD will avoid the park, but the associated drilling in the Fort Cumberland Road Car Park is anticipated to be for a period of duration of up to 72 weeks. Occupants of the holiday lodges on the north-eastern side of the park, in particular, are likely to experience a combination of project Effects.

5.3.13.34. The Victorious festival, a three day music festival taking place in August year, which uses Farlington Playing Fields in Section 7 as a campsite, significant adverse Effects are noted during the Construction Stage due to loss of open space and access, and as such these effects will be temporary.

5.3.13.35. Prior to construction, the contractor will review the events programme to determine where it may be possible for construction of key routes to avoid one-off events as part of the FTMS. Where this is not possible, the contractor will liaise with event organisers to implement additional traffic management or other measures to minimise disruption and congestion as far as is practicable.

5.3.13.36. The above Effects are noted to be temporary with construction works not continuous. To ensure that adverse Effects on amenity value and disruption are reduced as far as practicable mitigation measures would be incorporated and implemented in the Onshore Outline CEMP and Outline Construction Traffic Management Plan.

**Conclusion with regards to EN-1**

With regard to the creation of jobs and training opportunities, the Proposed Development will result in 102 jobs within the South East region with an additional 477 jobs in the wider economy during the Construction Stage.

The Construction Stage is considered to result in temporary Effects on business and residences along the route of the Temporary Works resulting from Impacts on access as well as from noise, dust and visual annoyance and traffic congestion. These Effects are noted as temporary and will be mitigated as far as practicable through the implementation of the Onshore Outline CEMP including the use of best practice construction techniques and the approval of a CTMP as part of Requirement 17 of the draft DCO submitted with this application.

The Construction Stage will result in significant adverse Effects on community facilities but these are noted as temporary, with additional mitigation in terms of the timing and prioritisation of maintaining certain accesses especially as they relate to emergency facilities as far as reasonably possible mitigating these Effects further.

Significant adverse Effects leisure facilities, recreational and open space, PRoW, and cycle routes relating to disruption, change of access and amenity value are likely during the Construction Stage but are assessed as generally to be temporary with construction works not continuous. To ensure that adverse Effects are reduced as far as practicable mitigation measures would be incorporated and implemented in the Onshore Outline CEMP including maintenance of accesses, temporary diversions and best practice construction techniques.

The Proposed Development's Effects on tourism will generally relate to congestion Impacts. It is not considered that congestion will increase to such a degree that it has discourages people from visiting the area (i.e. will not reduce visitor numbers. Adverse Effects will be mitigated as far as reasonably possible through the avoidance of major key periods through the development of the FTMS (document reference 6.3.22.2)

Significant Effects from the Converter Station and ORS in relation to the amenity value of the nearby PRoW during the Operational Stage will be mitigated over time through proposed landscape mitigation.

Whilst acknowledged that the Proposed Development will have significant adverse socio-economic Effects during the Construction Stage Effects, these are considered generally to be short-term and temporary. The national benefits of the Proposed Development (discussed in Section 5.2 of this Planning Statement) as well as those in relation to the creation of jobs in the region and wider economy are also considered relevant and important.

The Proposed Development is therefore considered to accords with Section 5.12 of EN-1.

## Assessment Against other Policy

5.3.13.37. A number of local policies relate to socio-economics, as set out in Appendix 4, including:

- EHDC and SDNPA Joint Core Strategy policies including CP5 Employment and Workforce Skills
- EHDC saved policy T4 Pedestrians and cyclists, cycling, walking / horse-riding
- EHDC emerging policies S4 Health and wellbeing, S13 Planning for economic development, S15 Rural economy
- WCC and SDNPA policies from the Local Plan Part 1: Joint Core Strategy including MTRA1 Development strategy market towns and rural areas and CP21 Infrastructure and community benefit
- HBC Local Plan (Core Strategy) policies including CS3 Skills and Employment, CS6 Regeneration of the Borough and DM1 Recreation and Open Space
- HBC emerging policies including E2 Health and wellbeing
- PCC Portsmouth Plan (Portsmouth Core Strategy) policies including PCS11 Employment Land

5.3.13.38. The Proposed Development has been assessed against the above policies. As stated above in the assessment against EN-1, as the significant adverse socio-economic Effects are temporary only and, taking into account the benefits of the Proposed Development including job creation, considered to be acceptable in planning policy terms.

## 5.3.14. TRAFFIC AND TRANSPORT

### Applicable Policy from EN-1

5.3.14.1. Paragraph 5.13.1 of EN-1 states that the transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks.

5.3.14.2. Paragraph 5.13.3 of EN-1 states if a project is likely to have significant transport implications, the applicant's ES should include a transport assessment and that applicants should consult the Highways England and Highways Authorities as appropriate on the assessment and mitigation.

5.3.14.3. Paragraph 5.13.4 of EN-1 states that where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts.

5.3.14.4. Paragraph 5.13.6 of EN-1 states that new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the decision maker should therefore ensure that the applicant has sought to mitigate these impacts. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the decision should consider requirements to mitigate adverse impacts on transport networks arising from the development.

5.3.14.5. Paragraph 5.13.8 of EN-1 states that where mitigation is needed, possible demand management measures must be considered.

5.3.14.6. Paragraph 5.13.11 states that decision may attach requirements to a consent where there is likely to be substantial HGV traffic.

### Assessment Against EN-1

5.3.14.7. The Applicant's assessment of the Traffic and Transport impacts associated with the Proposed Development is set out within the Chapter 22 (Traffic and Transport).

5.3.14.8. Marine transport is covered in Chapter 13 (Shipping, Navigation and Other Marine Users) of the ES Volume 1 (document reference 6.1.13).

5.3.14.9. Highways England and the relevant Highways Authorities (PCC and HCC) were consulted through the DCO process (see sections 23.3.2 to 23.3.4 of Chapter 22 (Traffic and Transport) for a summary of these.

5.3.14.10. The Scoping Opinion received from PINS scoped the assessment of operational traffic impacts out of the ES noting the low number of staff employed at the Converter Station when operational. The options for de-commissioning are not yet fully known and will be evaluated before the decommission stage. Taking this into account, the Decommissioning stage of the Proposed Development has not been considered specifically within Chapter 22 (Traffic and Transport) of the ES.

5.3.14.11. The assessment considers the construction of the Proposed Development to have the potential to give rise to likely significant effects due to the following impacts:

- Severance;
- Traffic delay;
- Pedestrian and Cyclist Amenity;
- Fear and Intimidation;
- Accidents and Safety; and
- Hazardous and Dangerous/ Abnormal Loads.

5.3.14.12. The assessment was undertaken assuming the following embedded mitigation

- An Outline Construction Traffic Management Plan ('CTMP') has been developed (document reference 6.1.22.2) and consists of measures designed to manage vehicular movements, site accesses, highway crossings, highway interventions, road safety and implementation / monitoring.
- A Framework Traffic Management Strategy ('TMS') (document reference 6.1.22.1) has been developed which provides details of traffic management needed to facilitate construction of the Onshore Cable Route.

5.3.14.13. The following Requirements in Schedule 2 to the draft DCO (document reference 3.1) secure the above mitigation

- Requirement 17 secures the approval and implementation of a CTMP in order to manage the effects of traffic during construction;
- Requirement 19 secures the approval and implementation of a TMS in relation to the works to lay the onshore HVDC cables which must be in line with the Framework TMS in order to manage the effects of traffic during construction;
- Requirement 21 also requires a travel plan for the contractor's workforce, which must include details of the expected means of travel to and from construction works at the Converter Station and the Landfall.

**Conclusion with regards to EN-1**

The Applicant has consulted Highways England and the Highways Authorities regarding the Proposed Development and the Application includes a TA, as required by paragraph 5.13.3 of EN-1.

The Applicant has prepared an Outline Onshore CTMP (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2) and Outline Framework TMS in order to ensure that demand management measures to mitigate transport impacts are included, in accordance with paragraph 5.13.4 of EN-1.

The Proposed Development will give rise to temporary impacts during construction, including to some extent on the surrounding transport infrastructure. Through the Framework TMS and the Outline Onshore CTMP (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2)), the Applicant has sought to mitigate these impacts, in accordance with paragraph 5.13.6 of EN-1.

The Framework TMS and the Outline Onshore CTMP (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2)) seek to ensure that demand management is embedded, in accordance with paragraph 5.13.8 of EN-1.

Requirement 17 ensures that no phase of onshore development may commence until the CTMP (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2)), has been submitted to and approved by the relevant highway authorities, in accordance with paragraph 5.13.11.

## Assessment Against other Policy

5.3.14.14. A number of local policies relate to the management of traffic and transport, as set out in Appendix 4. Policy PCS17 “Transport” of the Portsmouth Plan, Portsmouth’s Core Strategy (2012) states that the council will work collaboratively with partners to deliver a sustainable and integrated transport network, that reduces the need to travel. The Applicant has and will continue to work with PCC to help meet the challenges identified by PCC:

- Managing the existing transport network to ensure that journey time reliability is maintained and improved; and
- Mitigating the adverse impacts of transport activity on people, communities and habitats.

5.3.14.15. It is not anticipated that the Proposed Development will impact upon the current function of the highway network once operational. All predicted impacts are temporary in nature, particularly along the Onshore Cable Corridor where construction may only last a few weeks in any particular location. Therefore, while an effect of the Proposed Development may be considered significant this may only occur for a very short period of time.

5.3.14.16. Embedded mitigation contained in the Outline Construction Traffic Management Plan ('CTMP') (Appendix 22.2) of the ES Volume 3 (document reference 6.3.22.2)) and the Framework Traffic Management Strategy (document reference Appendix 22.1, Traffic Assessment- Appendix D)) will seek to reduce impacts and effects during construction. For residential driveway access, residents will be informed of construction works and encouraged to make alternative arrangements where possible, such as parking on-street, steel plating over the trench will be available during working hours (see Chapter 3 (Description of the Proposed Development)) in the case of emergencies. Where practicable, road plates may be installed outside of these times and construction fences removed to allow access over the construction zone.

5.3.14.17. During construction, access to businesses will be maintained using either three-way traffic signals, with excavation of the trench taking place in two phases to allow a 3.0 m access to be maintained at all times, or through use of road plates. This will be considered on an individual basis and will depend on the business and access arrangements.

5.3.14.18. Consequently, the Applicant considers that the Proposed Development accords with Policy PCS17.

5.3.14.19. The Portsmouth Local Transport Plan 3 (2011) is a sub-regional strategy, produced by PCC, HCC and Southampton City Council. It contains 14 policies, including Policy C which seeks to *"optimise the capacity of the highway network and improve journey time reliability for all modes"* through improved network management. The Framework Traffic Management Strategy (document reference Appendix 22.1, Traffic Assessment- Appendix D) seeks to reduce impacts and effects during construction.

5.3.14.20. The Hampshire Local Transport Plan (2013) sets five priorities to 2031:

- Supporting the economy through resilient highways
- Management of traffic
- The role of public transport
- Quality of life and place
- Transport and growth areas

5.3.14.21. As stated in paragraph 5.3.14.16 above, the Proposed Development will cause significant but temporary impacts on the highway, and the impacts will be mitigated through embedded mitigation.

5.3.14.22. WCC, HBC and EHDC are not highway authorities, although containing spatial planning policies for growth, as set out in ES Chapter 22 (Traffic and Transport).

5.3.14.23. EN-1 acknowledges in paragraph 5.13.6 that a new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the decision makers should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. The Applicant has sought to mitigate the temporary, significant effects and the Proposed Development therefore accords with Section 5.13 of EN-1.

## 5.3.15. WASTE MANAGEMENT

### Applicable Policy from EN-1

5.3.15.1. Paragraph 5.14.7 of EN-1 states that the decision maker should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the Proposed Development. The SoS should be satisfied that waste will be properly managed, both on-site and off-site, waste can be appropriately managed by waste infrastructure available and not have an Impact on existing capacity and adequate steps have been taken to minimise the volume of waste arising and sent to disposal.

5.3.15.2. Paragraph 5.14.17 notes that the decision maker should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. The SoS should be satisfied that:

- *"any such waste will be properly managed, both on-site and off-site;*
- *the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and*
- *adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome."*

### Assessment Against EN-1

5.3.15.3. The Applicant's assessment of waste Impacts is set out within the Chapter 27 (Materials). The assessment in the ES concludes that the Proposed Development would have no significant Effects in relation to waste generation and disposal to landfill.

5.3.15.4. As stated in paragraph 5.3.15.2 above, HSC may be required for substances storage within the Converter Station, as set out in Table 3.2 in Appendix 3.5 (Additional Supporting Information for Onshore Works). This consent will be sought post-submission of the Application with consultation to be undertaken with the Health and Safety Executive and WCC.

5.3.15.5. Paragraph 5.14.6 of EN-1 requires that applicants prepare a Site Waste Management Plan ('SWMP') (document reference Appendix 3 to document reference 6.9) to include information on how waste generated from the Proposed Development will be managed and disposed.

5.3.15.6. The Onshore Outline CEMP (document reference 6.9) along with an Outline SWMP (Appendix 3 of the CEMP, document reference 6.9) and an Outline Materials Management Plan ('MMP') (Appendix 4 of the CEMP, document reference 6.9) have been produced in draft for submission.

5.3.15.7. These plans present the approach to and application of environmental waste management and mitigation of the construction of the Proposed Development.

**Conclusion with regards to EN-1**

The Proposed Development would have no significant Effects in relation to waste generation and disposal to landfill with the draft SWMP (appendix 3 of document reference 6.9) having been produced in compliance with paragraphs 5.14.7 and 5.14.17 of EN-1.

## Assessment Against other Policy

5.3.15.8. The Waste Framework Directive (European Commission, 2008) establishes the Waste Hierarchy (Department for Environment, Food and Rural Affairs2011), the main principles of which are:

- Prevention - using less material in design and manufacture; keeping products for longer; re use; using less hazardous materials;
- Preparing for reuse - checking, cleaning, repairing, refurbishing, whole items or spare parts;
- Recycling - turning waste into a new substance or product; includes composting if it meets quality protocols;
- (other types of) Recovery - anaerobic digestion; incineration with energy recovery; gasification and pyrolysis which produce energy (fuels, heat and power); recovering materials from waste; some backfilling; and
- Disposal - landfill and incineration without energy recovery.

5.3.15.9. The Hampshire Minerals and Waste Plan (Hampshire Authorities, 2013) has been adopted by the host local authorities (PCC, HBC, WCC and EHDC). This document sets out how the necessary waste management infrastructure required so that Hampshire's environment will be protected, its communities maintained and the local economy supported.

5.3.15.10. The assessment in the ES concludes that the Proposed Development would have no significant Effects in relation to waste generation and disposal to landfill with the development of a SWMP (appendix 3 of document 6.9) and a MMP (appendix 4 of document 6.9 being prepared to ensure the Waste Hierarchy is implemented and impacts to the environment are minimised.

## 5.3.16. WATER QUALITY AND RESOURCES

### Applicable Policy from EN-1

5.3.16.1. Section 15.5 of EN-1 states that infrastructure development can have adverse Effects on the water environment, including groundwater, inland surface water, transitional waters and coastal waters.

5.3.16.2. Paragraph 5.15.3 of EN-1 requires the Applicants ES to describe:

- "*The existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;*
- *Existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Catchment Abstraction Management Strategies);*
- *Existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and*
- *Any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source.*"

5.3.16.3. Paragraphs 5.15.5 and 5.15.6 of EN-1 notes that the decision maker generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive. The proposal should have regard to the River Basin Management Plans and meets the requirements of the Water Framework Directive.

5.3.16.4. Paragraph 5.15.7 of EN-1 states that the decision maker should consider whether appropriate requirements should be attached to any development consent and / or planning obligations entered into to mitigate adverse Effects on the water environment.

5.3.16.5. Paragraph 5.15.9 of EN-1 notes that the risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice, with paragraph 5.15.8 noting that a construction management plan may help in codifying mitigation during the Construction Stage.

**Assessment Against EN-1**

5.3.16.6. The following chapters of the ES (document reference 6.1) consider the Impacts on water quality, quantity and resources:

- Chapter 18 (Ground Conditions) considers potential contamination from existing or past sources into the ground that might affect controlled waters (rivers, streams, estuaries, canals, lakes, ponds, ditches and groundwater).
- Chapter 19 (Groundwater) of the ES Volume 1 (document reference 6.1.19) considers measures included for the protection of groundwater from site pollutants during the construction and operational stages of the Proposed Development. It also assesses groundwater as a resource for abstraction; and
- Chapter 20 (Surface Water Resources and Flood Risk) considers surface water and flood risk including potential impacts related to the Onshore Water Framework Directive ('WFD') Assessment (document reference 6.3.20.2).

**Pollution Impacts on Water Resources**

5.3.16.7. Chapter 18 (Ground Conditions) of the ES assessed potential impacts on sensitive receptors including controlled waters (rivers, streams, estuaries, canals, lakes, ponds, ditches and groundwater) from pollution. In the main, mitigation measures adopted through the implementation of the Onshore Outline CEMP (document reference 6.9), Appendix 3.6 (Aquifer Contamination Mitigation Strategy) of the ES Volume 3 (document reference 6.3.3.6) and the application of the additional mitigation measures were assessed to result in no significant Effects during the Construction or Operational Stages.

5.3.16.8. The additional mitigation measures required relate to the Onshore Cable Corridor which passes through Milton Common (Section 8) as this is a recorded historical landfill. The following additional mitigation have therefore been proposed:

- The works will need to be carefully and sensitively managed with community engagement;
- The excavated waste will need to be carefully segregated and handled so as not to contaminated areas away from the works themselves;
- The Trench will need to be excavated in short lengths to minimise odour risk;

- All waste will need to be exported from site to a suitably licensed landfill or treatment facility;
- The reinstatement of an engineered landfill cap; and
- Clay stanks will be required at intervals along the Trench to prevent migration of landfill gas along the route.

5.3.16.9. The implementation of the mitigation measures set out above will ensure that water pollution during construction and operation is minimised to an acceptable level.

### Water Quality and Quantity

5.3.16.10. Chapter 19 (Groundwater) of the ES assesses the potential Impacts on Groundwater quantity and quality arising from the construction of the Converter Station and the Onshore Cable Corridor (related to HDD or Trenching). Once the Proposed Development has been constructed, there are no proposed operation activities that will have a significant impact upon groundwater and so this has been scoped out of the assessment as confirmed in the Scoping Opinion (document reference 6.3.5.3) received from PINS.

5.3.16.11. The assessment concludes that noting the embedded mitigation (grouting of the surface karst prior to any earthworks movements, removing the primary pathway to underlying aquifer) and the implementation of the Onshore Outline CEMP (document 6.9) at the Converter Station Area, that no significant Effects on groundwater quantity or quality are likely during the Construction Stage.

5.3.16.12. In terms of the Trenching works related to the Onshore Cable Corridor works will be undertaken in line with the Onshore Outline CEMP (6.9) and will be programmed (e.g. at the end of the summer) to ensure groundwater is at its lowest elevation. This is of particular relevance to the works in Sections 2 and 3, since if the Trenches were to be installed during the peak winter months, groundwater dewatering would likely be required, and this could impact upon Kings Pond Meadow. Significant Effects are considered likely in relation to the groundwater quantity in Sections 4, 5, 6, and 7 during the construction stage. This however is based on a worst-case scenario where should groundwater be proven to within 1.3 m of the surface during the construction stage. If this scenario is encountered, dewatering may be required. Following the implementation of the above mitigation no significant Effects on groundwater quantity in the remaining sections or on quality in any sections related to Trenching works are considered likely during the construction stage in relation to the Onshore Cable Corridor works.

5.3.16.13. The HDD process will involve the use of drilling fluids which have the potential to impact groundwater. To ensure that drilling fluids do not break out into the groundwater a mud engineer will be present at all times during the HDD drilling process to monitor works. Specifically relating to works in Sections 2 and 3 near Kings Pond HDD will avoid chalk karst features. Noting the proposed presence of a mud engineer on the construction site, no significant effects on groundwater quantity or on quality in any sections related to HDD are considered likely during the Construction Stage.

5.3.16.14. Chapter 20 (Surface Water Resources and Flood Risk) of the ES concludes that there will be no significant Effects on the water quality related to surface water features.

### Onshore Water Framework Directive

5.3.16.15. An Onshore WFD assessment (document 6.3.20.2) of the Proposed Development has been undertaken and is included as a technical appendix to the ES (document reference 6.3.20.2).

5.3.16.16. Through consultation with the Environment Agency it was agreed that the Proposed Development may potentially impact the Potwell Trib and Langstone Harbour surface water bodies as the Onshore Cable Corridor crosses these water bodies. These water bodies lie within the Environment Agency's South-East River Basin District. Adjacent and downstream surface water bodies were screened out of this study through agreement with the Environment Agency due to distance from the Site.

5.3.16.17. The Onshore WFD assessment (document reference 6.3.20.2) does not specifically require assessment of potential construction impacts on a water body. This is because the Impacts are temporary and do not permanently affect the water body. However, due to the potential duration of the Construction Stage, construction impacts are considered in this section with particular focus on hydromorphology and ecology. During operation, the design of the Proposed Development would neutralise any potential Impacts on the Onshore WFD status of the water body.

5.3.16.18. Overall, the Onshore WFD assessment (document reference 6.3.20.2) has indicated that if mitigation measures and best practices were implemented during the detailed design, the Impact of the Proposed Development on the three Onshore WFD water bodies would be assessed as compliant with Onshore WFD.

### Mitigation

5.3.16.19. Mitigation principles have been embedded into the Onshore Outline CEMP (document reference 6.9) which will outline the principles that the appointed contractor will be required follow to ensure that the predicted Impacts are managed as far as practicable to reduce any Residual Effects during the Construction Stage.

5.3.16.20. Additional mitigation in relation to the HDD and Trenching Construction Stage works are discussed above.

5.3.16.21. The Converter Station Area includes both a comprehensive pollution prevention system and a surface water drainage system. This consists of a hydrocarbon interceptor for the transformer drainage system (to remove rainfall falling within these) to ensure hydrocarbons are captured before the water is released to an attenuation pond prior to discharge to ground. This water is deemed clean water and therefore will not have a negative Impact to the groundwater during the operational stage.

### Abstraction

5.3.16.22. Should groundwater dewatering be substantial, an abstraction licence and discharge consent will be required from the EA. At present the requirement for a groundwater abstraction for Trench installation is unknown, the quantities of groundwater removal will be determined at detailed design stage. All groundwater abstraction licensing and discharge permits will not be disapplied but obtained during the detailed design phase

5.3.16.23. As part of the Application it is not proposed to disapply consents and permits in relation to the surface water resources as detailed site specific detailed design and specific contractor methodologies will be required to provide sufficient information to disapply these permits and consents.

**Conclusion with regards to EN-1**

The Applicant's ES has assessed the existing quality of waters affected by the Proposed Development and its potential Impacts on water quality and quantity noting relevant discharges abstractions. The ES concludes that with the embedded and additional mitigation proposed significant Effects have been reduced as far as is reasonably possible during the Construction or Operational Stages. The Proposed Development is therefore considered to accord with Paragraph 5.15.3 of EN-1.

Impacts on water bodies or protected areas under the WFD have been assessed as part of the ES and are considered to be compliant. The Proposed Development is therefore in compliance with paragraphs 5.15.5 and 5.15.6 of EN-1.

Detailed design and specific contractor methodologies will be required to provide sufficient information to disapply permits and consents. The draft DCO does not seek to disapply this and so is in compliance with paragraph 5.15.7 of EN-1. The application includes an 'Other Consents and Licences' document which includes an indicative list of other consents that the Applicant may need to obtain to enable the construction, operation, maintenance and decommissioning of the Proposed Development, but which cannot be obtained as part of a DCO. This includes permits relating to temporary dewatering, discharges to surface and groundwater and abstraction licences.

The Proposed Development includes embedded mitigation throughout its design with additional mitigation proposed notably in relation through the Construction Stage through the implementation of the Onshore Outline CEMP. The Proposed Development is therefore considered in compliance with paragraphs 5.15.9 and 5.15.8 of EN-1.

# 6. POLICY ANALYSIS – MARINE

## 6.1. THE MARINE ELEMENTS

This section of the Planning Statement assesses the Impacts of the Marine Components of the Proposed Development against relevant policy.

6.1.1.1. The Marine Components of the Proposed Development are all of that part below the Mean High Water Springs (MHWS) (as this comprises the Proposed Development) as described in section 2.4 of this Planning Statement.

## 6.2. RELEVANT POLICY

6.2.1.1. EN-1 does not include specific policies in relation to the marine elements of energy projects although references are made to marine elements in different sections of the NPS.

6.2.1.2. Therefore, where EN-1 remains silent on the marine elements of projects, these have been assessed in this Planning Statement in terms of how they accord with the MPS. and the SMP.

6.2.1.3. The following topics are considered both important and relevant matters in relation to the Marine Components of the Proposed Developments as described in section 3.4 of this Planning Statement. The Marine topic Chapters from the ES (document reference 6.1) are used as the basis to assess the Proposed Development accordance with EN-1, MPS and SMP in relation to the Marine Components.

## 6.3 PHYSICAL PROCESSES

### 6.2.2. ASSESSMENT AGAINST EN-1

6.2.2.1. Paragraphs 5.5.1-5.5.17 of EN-1 deals with coastal change as a result of development, either directly or indirectly, on the coast and whilst this section only refers to onshore works, the assessment requires the consideration of how the onshore works will impact on the coastline and seabed areas (Paragraph 5.5.3 of EN-1).

6.2.2.2. The Applicant's assessment of how the physical processes related to the Marine Components of the Proposed Development including tides, currents and sediment transport processes may impact the coastline and seabed is set out in Chapter 6 (Physical Processes) of the ES Volume 1 (document reference 6.1.6).

**Conclusion with regards to EN-1**

The Applicant's assessment confirms that no that no significant adverse Effects were predicted to arise on the physical environment as a result of the Proposed Development.

The Proposed Development is therefore considered to accord with Paragraph 5.5.3 of EN-1 in so far as it relates to physical processes and their Impacts on the coastline and seabed.

### 6.2.3. ASSESSMENT AGAINST OTHER POLICY

#### Marine Policy Statement

6.2.3.1. The MPS does not include a specific section on physical processes however, this topic could fall under section 2.6.8 (Coastal Change and flooding) of the MPS. Sub-paragraph 2.6.8.1 of the MPS acknowledges the impact on coastal morphology as a result of developments on or around the coastline. The MPS refers to marine plans, Shoreline Management Plans and Flood Directive Flood Risk Management Plans, acknowledging that a precautionary and risk-based approach in line with developing policies should be taken in terms of understanding the emerging evidence on coastal processes.

6.2.3.2. The Applicant's assessment of how the physical processes related to the marine elements of the Proposed Development including tides, currents and sediment transport processes may impact the coastline and seabed is set out in Chapter 6 (Physical Processes).

**Conclusion with regards to the MPS**

The Applicant's assessment confirms that no significant adverse Effects are predicted to arise on the physical environment assessed as a result of the Proposed Development.

The Proposed Development is therefore considered to accords with Section 2.6.8 of the MPS.

#### South Marine Plan

6.2.3.3. The SMP also includes relevant policies in respect to physical processes. Policy S-CC-2 of the SMP requires proposals to be resilient to the effects of climate change and to avoid, minimise or mitigate significant adverse Impacts on upon climate change adaptation measures elsewhere.

6.2.3.4. Policy S-CC-3 of the SMP states that proposals that will have a significant adverse Impact on coastal change should not be supported.

6.2.3.5. The assessment of these Policies is provided in full Appendix 5 to this Planning Statement with a summary set out below.

6.2.3.6. With regard to Policy S-CC2 of the SMP, the Applicant's assessment of the Proposed Developments resilience to climate change can be found in Chapter 28 (Carbon and Climate Change) and the accompanying Climate Vulnerability Assessment set out in Appendix 28.2. The assessment concludes that climate change Impacts including sea level rise, storm surge and storm tide would not have significant adverse Effects on the Marine Components of the Proposed Development.

6.2.3.7. The Effect of the Proposed Developments on those climate change adaption measures such as costal defences which are most likely to be affected has been assessed in Chapter 20 (Surface Water Resources and Flood Risk) of the ES with no significant Effects considered likely.

6.2.3.8. With regards to Policy S-CC-3 Chapter 6 (Physical Processes) assessed the possible Effect of the Proposed Development on the physical processes including tides, currents and sediment transport processes, and concluded there to be no significant effects.

**Conclusion with regards to SMP**

The Proposed Development is therefore considered to accord with Policies S-CC-2 and S-CC-3 of the SMP in so far as it relates to physical processes and their Impacts on the coastline and seabed.

## 6.3. MARINE WATER AND SEDIMENT QUALITY

### 6.3.1. ASSESSMENT AGAINST EN-1

6.3.1.1. Section 5.15 of EN-1 includes marine policy with regards to water quality and resources. It states that, where a project is likely to have Effects on the water environment, an assessment of the existing status and the potential impacts on water quality, water resources and physical characteristics of the water environment should be undertaken (Paragraph 5.15.2).

6.3.1.2. Section 5.5 of EN-1 on Coastal Change is also of relevance to this topic as changes to the seabed (paragraph 5.5.3) as a result of the Proposed Development could have indirect Impacts to sediment transport and as a consequence, water quality.

6.3.1.3. Alongside the assessment in Chapter 7 (Marine Water and Sediment Quality) of the ES Volume 1 (document reference 6.1.7), the Applicant has undertaken a Marine WFD assessment (Appendix 7.1 (Water Framework Directive Assessment) of the ES Volume 3 (document reference 6.3.7.1)).

**Conclusion with regards to EN-1**

The Applicant's assessment concluded that no potentially significant Effects are predicted to arise on marine water and sediment quality within or beyond WFD jurisdiction as a result of the Proposed Development.

The Proposed Development is therefore considered to accord with Sections 5.5 and 5.15 of EN-1 in so far as they relate to Impacts on marine water and sediment quality.

## 6.3.2. ASSESSMENT AGAINST OTHER POLICY

### Marine Policy Statement

6.3.2.1. Section 2.6.8 of the MPS sets out the marine policy in respect of the Impact on ecological and chemical water quality and resources. When assessing against the MPS, consenting authorities need to be satisfied that the proposed development will not cause a deterioration in the status of any water body to which WFD the applies. Under this section of the MPS, regard should also be had to the Marine Strategy Framework Directive ('MSFD'). The MSFD outlines a transparent, legislative framework for an ecosystem-based approach to the management of human activities which supports the sustainable use of marine goods and services. The overarching goal of the Directive is to achieve 'Good Environmental Status' (GES) by 2020 across Europe's marine environment.

6.3.2.2. Alongside the assessment in Chapter 7 (Marine Water and Sediment Quality), the Applicant has undertaken a WFD assessment (Appendix 7.1 (Water Framework Directive Assessment)).

**Conclusion with regards to the MPS**

The Applicant's assessment concluded that no potentially significant effects are predicted to arise on marine water and sediment quality within or beyond WFD jurisdiction as a result of the Proposed Development. It also concluded that the Proposed Development would not prevent the water bodies from meeting the environmental objectives specified within the South-East River Basin Management Plan, and will not impact current status of water bodies, or prevent improvement of WFD status in the future.

The Proposed Development is therefore in accordance with Section 2.6.8 the MPS as it relates to marine water and sediment quality.

## South Marine Plan

6.3.2.3. The SMP also includes policies which relate to non-native invasive species (S-NIS-1), marine litter (S-ML-1 and S-ML-2) and water quality (S-WQ-1) and all require projects to avoid, minimise or mitigate against significant adverse Impacts.

6.3.2.4. The full assessment of the Proposed Development against these policies is provided in Appendix 5 (document reference 5.4.5) of this Planning Statement with a summary set out below.

6.3.2.5. With regards to the introduction of non-native invasive species (S-NIS-1), the introduction of invasive non-native species was scoped out as part of the Scoping Opinion received from PINS and is therefore not considered further. The Applicant has committed to implementing a biosecurity plan as part of the Outline Marine CEMP (document reference 6.5).

6.3.2.6. With regards to marine litter (S-ML-1 and S-ML-2) the Applicant has committed to the implementation of a SWMP (Appendix 3 of the Onshore Outline CEMP (document reference 6.9) and to waste management measures implemented through the Marine Outline CEMP (document reference 6.5) to document 6.9) to control all site waste in order to avoid, amongst other waste, marine litter. Furthermore, the Application is supported by a Disposal Site Characterisation Report (Appendix 6.5 (Disposal Site Characterisation Report) of the ES Volume 3 (document reference 6.3.6.5)) which considers that the possible effects of disposal of dredged material on the marine environment and determines the effects are not significant.

6.3.2.7. The HRA Report (document reference 6.8.1) undertaken by the Applicant also includes consideration of Invasive Non-Native Species, pollution events and marine litter where relevant, and determines there will be no adverse Effects on any designated sites.

6.3.2.8. With regards to water quality (S-WQ-1) the Marine WFD assessment (document number 6.3.7.1) considered the impact of Marine Components associated with all stages of the Proposed Development on water bodies meeting the environmental objectives specified within the South-East River Basin Management Plan.

**Conclusion with regards to the SMP**

The Applicant's assessment concluded that no adverse effects are considered likely in relation to Marine Water and Sediment Quality as a result of the Proposed Development.

The Proposed Development is therefore assessed to be in accordance with Policies S-NIS-1, S-ML-1 and S-ML-2 of the SMP.

The Marine WFD (document reference 6.3.7.1) assessment concluded that the Proposed Development accords with the Onshore WFD and so is in accordance with Policy S-WQ-1 of the SMP.

## 6.4. INTERTIDAL AND BENTHIC ECOLOGY

### 6.4.1. ASSESSMENT AGAINST EN-1

6.4.1.1. EN-1 does not have a dedicated section on intertidal and benthic ecology (ecology at the lowest level of a body of water). This topic can however be addressed through other means. The Applicant's Marine WFD assessment has taken into account any benthic Habitats protected through the directive.

6.4.1.2. These Habitats can also be covered by Section 5.3 of EN-1 which references the protection of designated sites and their features. The protection of these sites can also be addressed under the assessment of designated sites such as through an assessment of Marine Conservation Zones ('MCZ') as noted in paragraph 5.3.12 of EN-1 or an assessment under the Habitats Regulations.

6.4.1.3. The Applicant's assessment of this topic is set out in Chapter 8 (Intertidal and Benthic Habitats) of the ES (document reference 6.1.8) and through the undertaking of a HRA (document 6.8.1), Marine WFD (document reference 6.3.7.1) and MCZ Assessment (document reference 6.3.8.5) in relation to intertidal and benthic factors.

6.4.1.4. The HRA (document reference 6.8.1) also assesses the possible impacts on designated sites including SAC and determined no adverse Effects were likely to arise.

6.4.1.5. The MCZ Assessment (document reference 6.3.8.5) assesses the possible impacts on the MCZ features, or any supporting ecological or geomorphological processes on which the conservation of any protected feature of an MCZ is (wholly or in part) dependent.

**Conclusion with regards to EN-1**

The Applicant's assessment as set out above concludes that no potentially significant adverse Effects are predicted to arise in relation to intertidal or benthic ecology features assessed as a result of the Construction, decommissioning and Operational Stages. The Proposed Development is therefore considered to accord with paragraph 5.3.12 of EN-1 in so far as it relates to impacts on intertidal and benthic ecology.

## 6.4.2. ASSESSMENT AGAINST OTHER POLICY

### Marine Policy Statement

6.4.2.1. Section 2.6.1 of the MPS sets out the marine policy in respect of marine ecology and biodiversity which states that as a general principle, development should aim to avoid harm to marine ecology, biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, then appropriate compensatory measures should be sought.

6.4.2.2. Section 3.1 of the MPS sets out the marine policy in respect of Marine Protected Areas.

**Conclusion with regards to the MPS**

The Applicant's assessment of this topic can be found within Chapter 8 (Intertidal and Benthic Habitats) and confirms that no potentially significant effects are predicted to arise on the Intertidal or benthic environment assessed as a result of the Construction, decommissioning and Operational (including repair and maintenance) Stages of the Proposed Development. The Proposed Development is therefore in accordance with Section 2.6.1 of the MPS.

No significant Effects on Intertidal and benthic ecology were concluded for the Proposed Development as part of the HRA (document reference 6.8.1), Marine WFD (document reference 6.3.7.1) and MCZ assessments (document reference 6.3.8.5).

The Proposed Development therefore accords with Section 3.1 of the MPS in so far as it relates to intertidal and benthic ecology.

### South Marine Plan

6.4.2.3. The SMP includes policies relating to Intertidal and benthic Habitats and Species in Policy S-BIO-1 and with regard to Marine Protection Areas ('MPA') in Policies S-MPA-1 to 4 of the SMP. These policies require the demonstration of avoidance, minimisation or mitigation against significant adverse Impact and where possible enhancement of important Habitats.

6.4.2.4. The full assessment of the Proposed Development against these policies is provided in Appendix 5 (document reference 5.4.5) of this Planning Statement with a summary set out below.

6.4.2.5. With regard to Policy S-BIO-1 of the SMP, a full assessment of the likely Impacts from the Proposed Development on each habitat type is contained within Chapter 8 (Intertidal and Benthic Habitats) of the ES (document reference 6.1.8). These are accompanied by both an MCZ assessment (document reference 6.3.8.5) and the HRA report (document reference 6.8.1) further assessing the impacts of the Habitats of importance

6.4.2.6. It is concluded that habitats located within the Marine Cable Corridor are highly dynamic and wide spread. They are therefore assessed as being capable of recovery in a short space of time following the completion of the Construction Stage.

6.4.2.7. The Marine Cable Corridor avoids all MPAs apart from the Solent Maritime SAC, though the use of HDD results in the cable passing under the SAC and no activities are proposed within the SAC. The use of HDD at Langstone Harbour will result in no direct impacts to the Habitat in this area.

**Species**

6.4.2.8. An assessment of the species present is presented in Chapter 9 (Fish and Shellfish) of the ES Volume 1 (document reference 6.1.9), Chapter 10 (Marine Mammals and Basking Sharks) of the ES Volume 1 (document reference 6.1.10) and Chapter 11 (Marine Ornithology) of the ES Volume 1 (document reference 6.1.11). These are also accompanied by both an MCZ assessment (document reference 6.3.8.5) and the HRA Report (document reference 6.8.1), further assessing the impacts on Species of importance.

6.4.2.9. With regard to potential impacts on MPAs, the assessment in the ES is accompanied by an MCZ Assessment (document reference 6.3.8.5) and the HRA Report (document reference 6.8.1).

**Conclusion with regards to the SMP**

The Applicant's concludes that no significant impacts to assessment provided by the ES (document reference 6.1), MCZ (document reference 6.3.8.5) and HRA (document reference 6.8.1) concludes that no significant Impacts to Marine Ecology habitats or Species or on MPAs will result from the Proposed Development.

The Proposed Development therefore accords accordance with Policies S-BIO-1 and S-MPA-1 to 4 of the SMP in so as far as they relate to Intertidal and benthic ecology.

## 6.5. FISH AND SHELLFISH

### 6.5.1. ASSESSMENT AGAINST EN-1

6.5.1.1. EN-1 does not have a dedicated policy related to the topic of fish and shellfish. Paragraph 5.3.12 of EN-1 references the protection of designated sites and their features such as MCZ. There are designated sites within the vicinity of the Proposed Development with fish as a designated feature. Whilst the Proposed Development does not overlap with any of the identified designated sites it is within the migratory route for a number of the Species identified in Annex II of the Habitats Directive.

6.5.1.2. The Applicant's assessment of this topic is set out in Chapter 9 (Fish and Shellfish) through the undertaking of the HRA (document reference 6.8.1), Marine WFD (document reference 6.3.7.1) and MCZ assessment (document reference 6.3.8.5) in relation to fish and shellfish features.

6.5.1.3. The potential for cumulative Effects on Fish and Shellfish has also been assessed in relation to Effects from other projects including aggregate sites and other Interconnector projects.

6.5.1.4. Potential transboundary Effects were not predicted to be significant for Fish and Shellfish. The potential Effects on French designated sites with which there is potential connectivity have been considered as part of the HRA Report (document reference 6.8.1).

**Conclusion with regards to EN-1**

The Applicant's assessments (HRA (document reference 6.8.1), Marine WFD (document reference 6.3.7.1) and MCZ assessment (document reference 6.3.8.5)) conclude that no significant adverse Effects are predicted to arise in relation to Fish and Shellfish as a result of the Proposed Development.

The Proposed Development is therefore considered to be in accordance with paragraph 5.3.12 of EN-1 in so far as it relates to impacts on fish and shellfish.

### 6.5.2. ASSESSMENT AGAINST OTHER POLICY

**Marine Policy Statement**

6.5.2.1. The MPS does not have a dedicated Section for fish and shellfish. However, these would fall under section 2.6.1 of the MPS (Marine ecology and biodiversity) which states that as a general principle, development should aim to avoid harm to marine ecology, Biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, then appropriate compensatory measures should be sought.

6.5.2.2. Impacts to Fish as a result of cable installations are also covered under Sections 3.3.30 and 3.7.2 of the MPS where it acknowledges that impacts tend to be of short duration but that the main Impacts come from the use of Cable protection, particularly if the Cable route travels through areas of importance.

6.5.2.3. The Impacts to fish and shellfish have been considered both Chapter 9 (Fish and Shellfish) and also as part of the HRA, WFD and MCZ assessments. (HRA (document reference 6.8.1), Marine WFD (document reference 6.3.7.1) and MCZ assessments (document reference 6.3.8.5).

6.5.2.4. The assessments conclude that no significant adverse Effects are predicted to arise on the Fish and Shellfish receptors assessed as a result of the Construction, decommissioning and Operational (including repair and maintenance) Stages of the Proposed Development.

**Conclusion with regards to the MPS**

The Applicant's assessment concludes that no adverse significant Effects are predicted to arise in relation to Fish and Shellfish as a result of the Proposed Development. T

he Proposed Development is therefore considered to accord with Sections 2.6.1, 3.3.30 and 3.7.2 of the MPS in so far as it relates to impacts on fish and shellfish.

**South Marine Plan**

6.5.2.5. The SMP includes a number of policies relating to natural fish and shellfish namely S-FISH-4 and S-FISH-4-HER. These policies require demonstration of the avoidance, minimisation or mitigation against significant adverse Impacts on essential fish habitat, and migratory routes as well as consideration of herring spawning mitigation within the Southern Bight and Downs spawning areas.

6.5.2.6. The full assessment of the Proposed Development against these policies is provided in Appendix 5 (document reference 5.4.5) of this Planning Statement with a summary set out below.

6.5.2.7. The full assessment of the Proposed Development against these policies is provided in Appendix 5 of this Planning Statement with a summary set out below.

6.5.2.8. Fish habitat and the migratory routes of species identified in Annex II of the Habitats Directive have been assessed as part of Chapter 9 (Fish and Shellfish) of the ES and as well as the HRA, WFD and MCZ assessments, (HRA (document reference 6.8.1), Marine WFD (document reference 6.3.7.1) and MCZ assessments (document reference 6.3.8.5).

**Conclusion in relation to the SMP**

The Applicant's assessment concludes that the Proposed Development would not have significant adverse Effects on fish and shellfish and therefore is in accordance with policies S-FISH-4, S-FISH-4-HER and S0DIST-1of the SMP.

## 6.6. MARINE MAMMALS AND BASKING SHARKS

### 6.6.1. ASSESSMENT AGAINST EN-1

6.6.1.1. EN-1 does not have a dedicated Section for marine mammals and basking sharks however, these would be assessed under generally under Sections 5.3 of EN-1 relating to impacts on biodiversity and paragraph 5.11.2 of EN-1 relating to noise impacts on wildlife and biodiversity.

6.6.1.2. The Applicant's assessment of marine mammals and basking sharks is set out in Chapter 10 (Marine Mammals and Basking Sharks) as well as in the HRA Report (document reference 6.8.1). In comparison with the rest of the UK, the diversity and number or large marine species in the study area is low.

6.6.1.3. Noise impacts were the only impact scoped in the EIS for marine mammals and basking sharks.

**Conclusion with regards to EN-1**

The Applicant's assessment concludes that no significant adverse Effects are predicted to arise in relation to Marine Mammals and Basking Sharks as a result of the Proposed Development.

The Proposed Development is therefore in accordance with Sections 5.3 and paragraph 5.11.2 of EN-1 in so far as it relates to Impacts on Marine Mammals and Basking Sharks.

### 6.6.2. ASSESSMENT AGAINST OTHER POLICY

**Marine Policy Statement**

6.6.2.1. The MPS does not have a dedicated section relating to Marine Mammals or Basking Sharks. However, Section 2.6.3 (Noise) of the MPS is considered relevant where it acknowledges that marine installations will emit noise energy and that this could Impact on a number of Receptors. Section 2.6.1 (Marine ecology and biodiversity) of the MPS would also be relevant in this case. This states that as a general principle, development should aim to avoid harm to marine ecology, biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, then appropriate compensatory measures should be sought.

6.6.2.2. The Applicant's assessment of marine mammals and basking sharks is set out in Chapter 10 (Marine Mammals and Basking Sharks – document reference 6.1.10) of the ES as well as in the HRA Report (document 6.8.1).

**Conclusion with regards to the MPS**

The Applicant's assessment concludes that no potential significant adverse Effects on marine mammals or basking sharks are predicated to arise as a result of the Proposed Development.

he Proposed Development is therefore considered to accord with Sections 2.61 and 2.63 of the MPS in so far as they relate to Marine Mammals and Basking Sharks.

**South Marine Plan**

6.6.2.3. The SMP includes policies relating to underwater noise (S-UWN-1 and S-UWN-2 as well as disturbance of mobile species (S-DIST-1). These policies require contribution to the Marine Noise Registry; avoidance, minimisation or mitigation against significant adverse Impacts on highly mobile species as a consequence of the generation of underwater noise (impulsive or ambient); avoidance, minimisation or mitigation against significant cumulative adverse disturbance or displacement impacts on highly mobile species.

6.6.2.4. The full assessment of the Proposed Development against these policies is provided in Appendix 5 of this Planning Statement with a summary set out below.

6.6.2.5. With regards to underwater noise (S-UWN-1 and 2) impulsive sound will not be generated through the construction of the Marine Components of the Proposed Development and a full assessment of any underwater noise has been undertaken in Chapters 10 (Marine Mammals and Basking Sharks) and 11 (Marine Ornithology) (document reference 6.1.11).

6.6.2.6. With regards to mobile species (S-DIST-1), a full assessment of how species have the potential to be disturbed from the Propose Development is presented in Chapter 10 (Marine Mammals and Basking Sharks).

**Conclusion with regards to the SMP**

The Applicant's assessment concludes that the Proposed Development will not result in significant adverse effects resulting from underwater noise or disturbance and is therefore considered to accord with policies S-UWN-1, S-UWN-2 and S-DIST-1 of the SMP in so far as it relates to Marine Mammals and Basking Sharks.

## 6.7. MARINE ORNITHOLOGY

### 6.7.1. ASSESSMENT AGAINST EN-1

6.7.1.1. EN-1 does not have a dedicated Section for the impacts to ornithology, marine or otherwise. However, paragraph 5.3.9 of EN-1 outlines the expectations of project impacts in relation to designated sites and so is considered relevant.

6.7.1.2. The Applicant has assessed the impacts on birds within Chapter 11 (Marine Ornithology) and 16 (Onshore Ecology) for intertidal birds) (document reference 6.1.16) of the ES, as well as within the HRA Report. The Applicant's assessment of the impact on birds also draws on conclusions from Chapters 8 (Intertidal and Benthic Habitats) and 9 (Fish and Shellfish) of the ES in order to fully assess the impacts to marine bird species as a result of the Impacts to fish populations and their Habitats.

**Conclusion with regards to EN-1**

The Applicant's assessment concludes that no significant effects were predicted for marine ornithology, with effects considered to be temporary and of a localised nature of when compared to the species abundance and distribution within the vicinity of the Proposed Development.

The Proposed Development is therefore considered to accord with paragraph 5.3.9 of EN-1 in so far as it relates to Marine Ornithology.

### 6.7.2. ASSESSMENT AGAINST OTHER POLICY

**Marine Policy Statement**

6.7.2.1. The MPS also does not have a dedicated Section on the impacts to ornithological receptors, however Section 2.6.1 (Marine ecology and biodiversity) and 3.1 (Marine Protected Areas) are considered relevant.

6.7.2.2. Section 2.6.1 (Marine ecology and biodiversity) of the MPS states that as a general principle, development should aim to avoid harm to marine ecology, Biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives.

6.7.2.3. 3.1 (Marine Protected Areas) of the MPS states that the construction and operation of offshore marine infrastructure, installations and activities, as well as policies on conservation designations and the health of the wider environment may impact on defence interests in certain areas.

6.7.2.4. An assessment of all stages of the Proposed Development on ornithological receptors has been undertaken by the Applicant in Chapters 11 (Marine Ornithology) and 16 (Onshore Ecology - for intertidal birds).

**Conclusion with regards to the MPS**

The Applicant's assessment concludes that no significant effects were predicted for marine ornithology, with Effects considered to be temporary and of a localised nature of when compared to the Species abundance and distribution within the vicinity of the Proposed Development.

The Proposed Development is therefore considered to accord with Sections 2.6.1 (Marine ecology and biodiversity) and 3.1 (Marine Protected Areas) in so far as they relate to marine ornithology.

## South Marine Plan

6.7.2.5. The SMP includes a number of policies that could relate to the Impact of a proposed development on ornithological receptors (S-FISH-4, S-MPA-2, S-UWN-2, S-BIO-1, S-DIST-1). These policies relate to both direct and indirect impacts to bird species from various factors and require the consideration of these factors in order to assess the full extent of the impacts to bird species.

6.7.2.6. A detailed assessment of the impacts on bird Species has been undertaken in Chapters 11 (Marine Ornithology) and 16 (Onshore Ecology - for Intertidal birds) of the ES as well as within HRA Report. Assessment of the indirect Impacts on bird Species is also contained within these documents.

6.7.2.7. The full assessment of the Proposed Development against these policies is provided in Appendix 5 of this Planning Statement with a summary set out below.

6.7.2.8. With regards Policy S-UWN-2, impulsive sound will not be generated through the Construction Stage with a full assessment of any underwater noise undertaken in Chapter 11 (Marine Ornithology).

**Conclusion with regards to the SMP**

The Applicant's assessment concluded that there would be no significant effects on Marine Ornithology as a result of the Proposed Development.

The Proposed Development is therefore considered to accord with Policies S-FISH-4, S-UWN-2, S-MPA-2 S-BIO-1 and S-DIST-1 of the SMP.

## 6.8. COMMERCIAL FISHERIES

### 6.8.1. ASSESSMENT AGAINST EN-1

6.8.1.1. EN-1 does not contain a dedicated Section relating to the Impacts on Commercial Fisheries, nor does it contain a Section of relevance. These Impacts have therefore been assessed against policies set out in the MPS and SMP.

### 6.8.2. ASSESSMENT AGAINST OTHER POLICY

**Marine Policy Statement**

6.8.2.1. Section 3.8 of the MPS includes policy relating to fisheries, discussing the potential impacts on fisheries from marine developments whilst recognising that fishing activities can co-exist with other users.

6.8.2.2. A full assessment of the impacts to commercial fish has been undertaken in Chapter 12 (Commercial Fisheries) of the ES Volume 1 (document reference 6.1.12).

**Conclusion with regards to the MPS**

The Applicant's assessment concluded that no significant adverse effects are predicted to arise on commercial fisheries as a result of the Proposed Development.

The Proposed Development is therefore considered to accord with Section 3.8 of the MPS.

**South Marine Plan**

6.8.2.3. The SMP includes policies relating to commercial fishing activities namely, S-CO-1 and S-FISH-2.

6.8.2.4. Policy S-CO-1 requires consideration of co-existence with other activities and Policy S-FISH-2 requires avoidance, minimisation or mitigation against significant adverse Impacts related to projects.

6.8.2.5. The Applicant has undertaken an assessment of the Impacts on commercial fisheries in Chapter 12 (Commercial Fisheries) using all available data as well as holding consultations with relevant fishermen's organisations such as the Fisheries Stakeholder UK groups of Portsmouth, Selsey and Isle of Wight.

**Conclusion with regards to the SMP**

The Applicant's assessment concluded that no significant adverse effects are predicted to arise on Commercial Fisheries as a result of the Proposed Development.

Proposed Development is therefore considered to accord with Policies S-CO-1 and S-FISH-2 of the SMP.

## 6.9. SHIPPING, NAVIGATION AND OTHER MARINE USERS

### 6.9.1. ASSESSMENT AGAINST EN-1

6.9.1.1. EN-1 does not contain a specific Section on Shipping, Navigation and other marine users. These Impacts have therefore been assessed against policies set out in the MPS and SMP.

### 6.9.2. ASSESSMENT AGAINST OTHER POLICY

**Marine Policy Statement**

6.9.2.1. The MPS sets out marine policy in respect of the Impact on ports and shipping. Section 3.4.1 of the MPS confirms that ports and shipping are an essential part of the UK economy transporting 95 % of international trade by volume.

6.9.2.2. Section 3.4.7 of the MPS notes that increased competition for marine resources may affect the sea space available for the save navigation of ships, and states that decision makers should seek to minimise any negative Impacts on shipping activity, freedom of navigation and navigational safety, and ensure that their decisions are in compliance with international maritime law. Marine planning authorities will also need to take account of the need to protect the efficiency and resilience of continuing port operations, as well as future port developments.

6.9.2.3. The Applicant's assessment of the impact of the Proposed Development on shipping, navigation and other users is set out within ES Chapter 13 (Shipping, Navigation and Other Marine Users).

6.9.2.4. The assessment confirms that the proposed Marine Cable will not impact shipping activity, freedom of navigation and navigational safety.

**Conclusion with regards to the MPS**

The Applicant's assessment concludes that no significant effects are predicted to arise in relation to shipping activity, freedom of navigation, and navigational safety as a result of the Proposed Development.

Proposed Development is therefore considered to accord with Sections 3.4.1 and 3.4.7 of the MPS.

**South Marine Plan**

6.9.2.5. The SMP similarly includes policy relating to shipping, navigation and marine users, noting that the SMP areas are home to Southampton and Portsmouth ports, contain some of the busiest shipping lanes in the world and the home of the Royal Navy's surface fleet. The proposed Marine Cable Corridor and Landfall are situated on the

south-west of Langstone Harbour, which his heavily used by both commercial and recreational shipping, and to the south-east of Portsmouth Harbour.

6.9.2.6. Policy S-PS-1 of the SMP states that proposals that may have a significant adverse Impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference a) avoid, b) minimise, c) mitigate significant adverse Impacts.

6.9.2.7. Policy S-CAB-1 of the SMP relates to Cable installation and states that the preferred method of installation is burial. Where this is not achievable, decisions should take account of protection methods for the Cable.

6.9.2.8. The Applicant's assessment of the Impact of the Proposed Development on shipping, navigation and other users is set out within Chapter 13 (Shipping, Navigation and Other Marine Users).

6.9.2.9. The assessment sets out a number of mitigations including: minimising the period of time the Marine Cables are left exposed, where possible; targeted circulation of information about the Proposed Development to ports and harbours and regular commercial operators (e.g. ferries) prior to marine works commencing; circulation of information to relevant local sailing clubs along the south coast of the UK to increase the likelihood that sailors are made aware of the temporary installation work and; scheduling of any marine cabling works to avoid significant races (e.g. Cowes Week, Round the Island Race) if possible, for these temporary Effects. Discussions are ongoing with the relevant interested parties to ensure disruption is kept to a minimum.

6.9.2.10. Due to the location of the HDD under Langstone Harbour and cable being installed at sufficient distance from the harbour entrance, the Proposed Development is assessed as not affecting future port expansion.

**Conclusion with regards to the SMP**

The Applicant's assessment concludes that temporary disruption to shipping, navigation and other marine users may occur during the construction stage, but that these will be temporary, with mitigation proposed to ensure adverse Impacts are minimised or reduced as far as reasonably possible. The Proposed Development is therefore in accordance with Policy S-PS-1 of the SMP.

The Applicant's assessment confirms that, as part of the project design (see Chapter 3 (Description of the Proposed Development) the preferred cable protection measure will be buried and therefore, is in accordance with Policy S-CAB-1 of the SMP

## 6.10. MARINE ARCHAEOLOGY

### 6.10.1. ASSESSMENT AGAINST EN-1

6.10.1.1. Section 5.8 of EN-1 relates to the Impacts to the historic environment as a result of a Proposed Development.

6.10.1.2. Paragraphs 5.8.8 to 5.8.10 of EN-1 refer to the assessment expected to be undertaken by an applicant. The expected assessment includes a description of the Significance of the Heritage Assets, consultation with the relevant Historic Environment Record and / or Statutory Body, a desk-based assessment and, if required, a field assessment. The assessment should be proportionate and have regard to the value they hold for this and future generations.

6.10.1.3. Paragraph 5.8.10 of EN-1 states that the application should ensure that the extent of the impact of the proposed development on the Significance of any Heritage Assets affected can be adequately understood.

6.10.1.4. A full assessment of Marine Archaeology has been undertaken in Chapter 14 (Marine Archaeology) of the ES Volume 1 (document reference 6.1.14).

6.10.1.5. A number of features relating to historic environment have been identified within the Marine Cable Corridor and in assessing the potential impacts to these features a number of mitigation measures have been proposed during the construction phase including: : a protocol will be agreed to mitigate construction effects in the event of any unexpected archaeological discoveries during installation and; infrastructure will be micro-sited and temporary Archaeological Exclusion Zones will be implemented to prevent activities impacting identified locations of cultural heritage interest. These measures will be secured through the Written Scheme of Investigation (which is included as a deemed Marine Licence condition) setting out the methodology for all proposed mitigation strategies which is prepared in consultation with Historic England and requires approval from the MMO

**Conclusion with regards to the EN-1**

The Applicant's Assessment concludes that once mitigation is taken into account that no significant adverse effects will arise as a result of the Proposed Development.

The Proposed Development therefore accords with paragraphs 5.8.8 to 5.8.10 of EN-1 in so far as they relate to Marine Archaeology.

## 6.10.2. ASSESSMENT AGAINST OTHER POLICY

### Marine Policy Statement

6.10.2.1. The MPS includes various policies for the assessment of impacts to historical features with Section 2.6.6, Historic Environment being the main section. However, it is also referenced in Section 2.6.5 of the MPS in the context of their importance to the seascape.

6.10.2.2. The impacts on submarine cabling on archaeological interests is also referenced in Sections 3.3.30 and 3.7 of the MPS.

A full assessment of Marine Archaeology has been undertaken in Chapter 14 (Marine Archaeology) **Conclusion with regards to the MPS**

The Applicant's assessment concluded that following the implementation of mitigation set out in section 6.14.1.6 above that no significant adverse effects would arise as a result of the Proposed Development.

The Proposed Development is therefore in accordance with Sections 2.6.5, 2.6.6, 3.3.30 and 3.7 of the MPS in so far as they relate to Marine Archaeology.

### South Marine Plan

6.10.2.3. The SMP sets out the policy relating to the Marine Historic Environment through policy S-HER-1 which requires proposals to avoid, minimise or mitigate significant adverse Impacts on marine and coastal heritage assets.

6.10.2.4. The assessment of the Proposed Development against the SMP polices is provided in Appendix 5 to this Planning Statement

**Conclusion with regards to the SMP**

The Applicant's assessment concludes that, following the implementation of mitigation set out in section 6.14.1.6 above, no significant adverse effects are considered to arise as a result of the Proposed Development.

The Proposed Development therefore accords with Policy S-HER-1of the SMP.

# 7. LIKELY BENEFITS AND DISBENFITS

7.1.1.1. A consideration of the balance of likely benefits and disbenefits of the Proposed Development is provided below in recognition of the decision-making framework set out in Section 104 of the PA 2008.

7.1.1.2. In considering any Proposed Development, and in particular when weighing its adverse Impacts against its benefits, Paragraph 4.1.3 of EN-1 states that the decision maker "*should take into account:*

- *its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and*
- *its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts."*

7.1.1.3. These are considered in turn below.

## 7.2. LIKELY BENEFITS OF THE PROPOSED DEVELOPMENT

7.2.1.1. The Proposed Development consists of the construction of a 2,000 MW bi-directional electrical power transmission link between the South Coast of England and Normandy in France and would facilitate the import and export of electricity between the UK and France, helping to meet the electricity needs of both countries. The Project will have the capacity to transmit up to 16,000,000 MWh of electricity, which equates to approximately 5% and 3% of the total consumption of the UK and France respectively.

7.2.1.2. It is relevant to note that EN-1 notes that the SoS should "*start with a presumption in favour of granting consent to applications for energy NSIPs."*

7.2.1.3. When weighing a proposed development's adverse Impacts against its benefits, the SoS should take into account environmental, social and economic benefits and adverse Impacts, at national, regional and local levels, with these being balanced against the potential adverse impacts.

7.2.1.4. EN-1 also states that *"The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions"*

7.2.1.5. Considerable weight therefore needs to be attributed to the contribution that the Proposed Development will make to improving the UK's security of electricity supply and achieving greater affordability by improving competition, making the UK energy market more efficient and enabling greater energy flexibility.

7.2.1.6. The Project will raise investment from the market sources and have a total upfront investment cost of €1.4 bn and an expected operational lifetime of 40 years. During the first 25 years of its operation, it is expected to deliver net socio-economic benefits to Europe of €1.3 bn (in present value terms and net of the development, capital and operating costs associated with the Project).

7.2.1.7. The Project will benefit the UK on all aspects of the "energy trilemma" by reducing wholesale electricity prices (delivering a total benefit of €2.2 bn for GB consumers), by enhancing the security of supply (€333 m benefit from reduced Expected Energy Non Served)[1] and by helping renewables integration (reducing renewables curtailment due to the lack of demand by 6.2 Terawatt hours ('TWh') ). In addition, it is expected to support the System Operator by providing ancillary services

7.2.1.8. The Proposed Development would benefit the national, regional and local economies resulting in the creation of 579 jobs in the Construction Stage. This figure takes into account reduced output or employment elsewhere (displacement) as well as induced employment (further jobs associated with additional local income and local supplier purchases). 102 of these jobs will be located within the South-East region with the remaining 477 jobs being outwith the region.

7.2.1.9. The Project will also generate significant tax revenues estimated at around €101 m of tax transfers to HM Treasury over the first 25 years of operation.

7.2.1.10. The Converter Station Area and Landfall at Eastney demonstrates good design whilst also remaining functional and durable being safe, accessible and of sustainable construction, as explained in the DAS (document reference 5.5), the outline Landscape and Biodiversity Strategy (document reference 6.10) and the Consultation Report (document reference 5.1) demonstrates Consultation Report (document reference 5.1) submitted with the Application sets out how the key issues and comments raised have or have not been taken into account as part of the design process, and the reasons for doing so.

7.2.1.11. The Proposed Development will use well-tested and reliable Cable technology. Burying the cable along the whole route avoids the need for the construction of overhead lines and their associated visual impact.

[1] Expected Energy Not Served represents is the amount of electricity demand that is expected not to be met by generation in a given year, and is used to therefore measure security of supply in the electricity sector.

## 7.3. LIKELY DISBENEFITS OF THE PROPOSED DEVELOPMENT

7.3.1.1. EN-1 identifies that infrastructure development can have adverse impacts in relation to the following Generic Impacts: air quality and emissions; biodiversity and geological conservation; coastal change; flood risk; historic environment; landscape and visual amenity; land use; noise and vibration; socio-economics; traffic and transport; waste management; and water quality and resources.

7.3.1.2. The Proposed Development may result in adverse impacts in relation to the above, but as demonstrated in Sections 6 and 7 of this Planning Statement, as well as in the ES (Document References 6.1. to 6.4) and summarised below, the likely impacts have been minimised wherever possible, and other effects avoided through appropriate mitigation in order to minimise the likely adverse impacts as far as reasonably practicable.

7.3.1.3. Chapter 30 (Summary and Conclusions) of the ES Volume 1 (document reference 6.1.30) summarises the likely significant effects of the Proposed Development.

7.3.1.4. Taking account of mitigation, no significant residual adverse effects were considered likely in relation to the Generic Impacts as set out in EN-1 as they relate to the Marine Component of the Proposed Development during the construction, operation and decommissioning stages.

7.3.1.5. Moreover, in relation to the Onshore Component of the Proposed Development taking account of mitigation, no significant residual effects were considered likely in relation to the following Generic Impacts from EN-1: air quality and emissions; biodiversity and geological conservation; costal change; dust, odour and artificial light; flood risk; historic environment; and contamination (in relation to land use, waste management and water quality and resources), during the Construction, Operation and Decommissioning stages.

7.3.1.6. Likely significant adverse effects are however predicted in relation to the following elements of the Proposed Development as they relate to the Generic Impacts set out in EN-1.

## 7.4. LANDSCAPE AND VISUAL

7.4.1.1. The Proposed Development will result in likely significant adverse landscape and visual amenity effects relating to the construction and decommissioning stages of the Convertor Station Area, the Onshore Cable Corridor and the Landfall at Eastney.

7.4.1.2. The construction of the Convertor Station in combination with nearby committed developments (Land South of Lovedean Electricity Substation (57524/001) and Land to the south of Old Mill Lane and east/south-east of The Haven (19/01071/FUL) would also result in significant cumulative adverse landscape and visual amenity effects.

7.4.1.3. These effects will be temporary in nature and will be mitigated through the implementation of the Onshore Outline CEMP (document reference 6.9) and the phased timings of works to avoid / reduce significant adverse cumulative effects as far as practicable.

7.4.1.4. The introduction of the permanent structures (ORS at the Landfall) as part of the operational stage will result in likely significant adverse landscape and visual amenity effects, however these will be reduced to non-significant as the proposed landscaping matures after 10 years (see Outline Landscape and Biodiversity Strategy (document reference 6.10)).

7.4.1.5. The introduction of permanent structures (Convertor Station) as part of the operational stage will result in likely significant adverse effects, with some being reduced to non-significant as the proposed landscaping matures. However significant adverse effects on the landscape character of the area, on the immediate residents within a 1.2 km radius, and on some recreational and transport users over very localised sections of PRoW and roads within a 3-km radius of the will remain after 20 years.

7.4.1.6. Significant cumulative adverse landscape and visual amenity effects would result from the development of the Convertor Station in combination with nearby committed developments (Land South of Lovedean Electricity Substation (Planning reference 57524/001) and Land to the south of Old Mill Lane and east/south-east of The Haven (Planning reference 19/01071/FUL).

7.4.1.7. It is important to note that paragraph 4.5.3 of EN-1 recognises that the opportunities to demonstrate good design may differ depending upon the type of infrastructure proposed, in that there may be

7.4.1.8. *"very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation."*

7.4.1.9. It is also relevant to note that Paragraphs 5.9.8 and 5.9.18 of EN-1 state that by their nature all nationally significant infrastructure projects are likely to have landscape and visual amenity effects

7.4.1.10. It is considered that the Converter Station, including the Telecommunications Buildings have been designed sensitively and have responded to the consultation undertaken with the SDNPA and host local authorities. The options proposed mitigate as far as reasonably possible significant adverse landscape and visual effects through its siting, which has sought to retain existing screening and also utilised opportunities to construct the building into the slope to reduce its perceived height and thus visual Impact. Additional mitigation in the forms of new planting and reinforcement of existing planting in the surrounding area are also proposed (see Outline Landscape and Biodiversity Strategy (document reference 6.10)).

## 7.5. LAND USE

7.5.1.1. In terms of land use significant adverse effects are anticipated due to the loss of agricultural land and impacts on five farm holdings during the construction stage. These adverse effects will be temporary in nature.

7.5.1.2. Construction works within or close to a number of areas of recreation and open space within the Order Limits will result in significant adverse effects during this stage (see paragraph 5.3.13.19 above). These Impacts are noted as temporary with mitigation proposed to ensure that significant adverse effects on amenity value and disruption in terms of access are reduced as far as practicable, as evidenced in the Onshore Outline CEMP (document reference 6.9).

7.5.1.3. Significant adverse effects on three of the five farm holdings noted above during the operational stage are also considered likely.

7.5.1.4. The anticipated loss of agricultural land as part of the operational stage is fully justified in line with Paragraph 5.10.15 of EN-1 as the loss of BMV land has been minimised and justified.

## 7.6. TRAFFIC AND TRANSPORT

7.6.1.1. The Proposed Development will result in likely significant adverse traffic and transport effects due to changes to the pedestrian and cycle amenity and traffic delay at the Converter Station Area and Onshore Cable Corridor during the construction stage.

7.6.1.2. Through the Framework TMS and the Outline Onshore CTMP (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2)), the Applicant has sought to mitigate these impacts as far as practicable, in accordance with paragraph 5.13.6 of EN-1.

## 7.7. NOISE AND VIBRATION

7.7.1.1. The Proposed Development will result in likely significant adverse noise and vibration effects during the construction stage due to Trenching works in Section 4 (A3 London Road between Stakes Road and Ladybridge Road), Section 5 (Havant Road between Farlington Avenue and Eastern Road), and Section 8 (c1.5k m section of Eastern Road between Airport Service Road and north of Milton Common).

7.7.1.2. These adverse effects are dependent on the timing of the works (daytime or night-time) works, the period of the works (works over a single or consecutive weekends) or the time of year where works are undertaken (significant effects could be reduced if the works outside the Harbourside Caravan Park in Section 8 are completed outside of holiday season when the caravan park has lower occupation levels).

7.7.1.3. In relation to the assessment of Health as required in Section 4.13 of EN-1 significant adverse effects are predicted during the construction stage due to the generation of noise emissions during the construction of the Onshore Cable Route.

7.7.1.4. The contractor appointed will implement mitigation in the form of the Onshore Outline CEMP (document reference 6.9) and will engage with local residents affected by these works and the environmental health department at the LPA to agree additional mitigation to reduce the significant adverse effects as far as reasonably practicable.

## 7.8. SOCIO-ECONOMIC

7.8.1.1. The Proposed Development will result in the following likely significant adverse socio-economic effects.

7.8.1.2. Bransbury Park in Section 9 will be impacted through reduced open space during the construction stage although this will not preclude use of the key features of the park.

7.8.1.3. Areas within the Farlington Playing Fields in Section 7 will be restricted by compounds for two trenchless techniques, cable Trenching and a portion of the car park will be used as a temporary Laydown Area although works will not be continuous and includes periods when works will not be undertaken (for example, allowing for wintering birds).

7.8.1.4. The construction works will also result in temporary disruption from changes to access, traffic, noise, air and visual amenity for tourist receptors for visitors to Southsea Leisure Park in Section 10.

7.8.1.5. The construction works would also impact the Victorious Festival and South-Central Festival although prior to construction, the contractor will review the events programme to determine where it may be possible for construction of key routes to avoid one-off events as part of the Framework TMS (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2)). Where this is not possible, the contractor will liaise with event organisers to implement additional traffic management or other measures to minimise disruption and congestion as far as is practicable.

7.8.1.6. Significant adverse effects are also anticipated from the operation of the Proposed Development due to loss of amenity for pedestrians on PRoW at the Converter Station and reduced car parking for recreational open space at Eastney Beach and Fort Cumberland SINC in Section 10.

## 7.9. WASTE MANAGEMENT

7.9.1.1. The Proposed Development will result in likely significant adverse waste management effects during the construction stage due to the requirement for imported specialist rock material for the Marine Cable Corridor. This is required for non-burial protection, temporary and permanent fill and cable crossing bund; power and FOC, and concrete weights as part of these works and would usually be sourced from the European mainland.

7.9.1.2. The Proposed Development may also result in significant cumulative adverse waste management effects during the construction stage when taken in combination the committed Southsea Seafront flood and coastal erosion management scheme (Planning Reference 19/01097/FUL). Construction material types may require similar materials, specifically in relation to rock armouring of the quay wall as part of this committed development although information is currently unavailable to the final requirements and so this adverse effect represents a wort-case scenario.

## 7.10. WATER QUALITY AND RESOURCES

7.10.1.1. The Proposed Development will result in likely significant adverse associated with the potential requirement for dewatering of groundwater aquifers in Sections 4, 5, 6 and 7 during the construction stage of the Onshore Cable Corridor (see Chapter 19 (Groundwater).

7.10.1.2. Should groundwater dewatering be substantial (greater than or equal to 20m3/day) an abstraction licence and discharge consent will be required from the EA. At present the requirement for a groundwater abstraction for trench installation is unknown, the quantities of groundwater removal will be determined at detailed design stage. The contractor will be responsible for acquiring the relevant consents and adhering to the conditions of said consents. All groundwater abstraction licensing and discharge permits will not be disapplied but obtained during the detailed Design Stage post consent.

## 7.11. SUMMARY

7.11.1.1. In summary, whilst the Proposed Development will result in the above significant adverse effects, they are of a nature that are inherently likely to result from a nationally significant infrastructure project and as such are anticipated in relevant guidance and policy such as EN-1.

7.11.1.2. The ES (document reference 6.1 to 6.4) along with a number of supporting documents including the HRA report (document reference 6.8), the Onshore and Marine WFD assessments (document reference 6.3.7.1 and 6.1.20.1 and ) and the FRA (document reference 6.1.20.4) have fully assessed the likely significant environmental effects of the Proposed Development throughout the pre-application process, with extensive consultation also undertaken to date (see Consultation Report document reference 5.1).

7.11.1.3. All reasonable mitigation has been identified in the Outline Offshore and Onshore CEMPs (document references 6.5 and 6.9 respectively), Outline CTMP (Appendix 22.2 of the ES Volume 3 (document reference 6.3.22.2) and the Outline Landscape and Biodiversity Strategy (document reference 6.10).

7.11.1.4. The Mitigation Schedule (document reference 6.6) submitted with the Application also identifies appropriate mitigation measures. and will be secured through the Requirements as set out in the draft DCO (document reference 3.1).

# 8. CONCLUSION

## 8.1. THE PLANNING BALANCE

8.1.1.1. In determining this application for the Proposed Development, which the SoS has directed is nationally significant, the wider benefits of low carbon energy generation and transmission must be reviewed against local issues and concerns. This balancing exercise must also consider the context of national, UK and European policies and obligations that seek to tackle climate change, deliver security of the UK's energy supply, and promote a shift to renewable energy.

8.1.1.2. The fundamental test to be applied in the decision-making process is whether, on balance, the project is in accordance with the EN-1 (as directed by the SoS) (except to the extent that one or more of the matters set out in Section 104(4) to 104(8) applies).

8.1.1.3. The Proposed Development would significantly contribute to achieving the goals of affordability, sustainability and security of energy supply.

8.1.1.4. CO2 emissions reductions due to the Proposed Development over its lifespan are expected to be approximately -1,452,000 tCO2e.

8.1.1.5. This Planning Statement has drawn together the necessary relevant information to assist decision-makers in their determination of the extent to which the Project accords with EN-1 and any other matters considered to be important and relevant, referring to the outcomes of environmental and other assessments reported elsewhere in the DCO application.

8.1.1.6. It is clear from this Planning Statement, together with the accompanying ES, that the application fully accords with EN-1. Consequently, the Applicant considers that Development Consent should be granted and the Development Consent Order made.

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