The Planning Inspectorate

Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS)	
Project name:	AQUIND Interconnector
Address/Location:	Development of AQUIND Interconnector with a nominal net capacity of 2000MW between the UK and France. The marine aspect of the Proposed Development is defined as the marine cable corridor from the Mean High Water Springs (MHWS) mark within the UK at Portsmouth to the UK/France EEZ boundary in the English Channel. Onshore the interconnector makes landfall at Eastney, Hampshire and terminates at the Lovedean substation in Hampshire.
Planning Inspectorate Ref:	EN020022
Date(s) screening undertaken:	First screening – 02 April 2019 following the Applicant's request for a scoping opinion. Second screening – 23 January 2020 following the submission of the Applicant's DCO application
EEA States identified for notification:	First screening: EEA states to be consulted – France; Belgium; Denmark; Germany; the Netherlands, and Spain Second screening: EEA states to be consulted – France; Belgium; the Netherlands, and Spain

FIRST TRANSBOUNDARY SCREENING	
Document(s) used for transboundary Screening:	AQUIND Limited Scoping Report ('the Scoping Report') October 2018
Screening Criteria:	**The Inspectorate's Comments:**

Characteristics of the Development	The Scoping Report provides an indicative envelope for the Proposed Development, which it states will be subject to revision as the Environmental Statement (ES) develops and technical studies progress. The Proposed Development will comprise an electricity interconnector between Normandy in France and Hampshire in the UK, with a with a nominal net capacity of 2000MW. The Proposed Development has the following key components: *Offshore* • Two pairs (ie four) of 320kV High Voltage Direct Current (HVDC) cables to be located between Mean High Water Springs (MHWS) at the UK landfall site in Eastney, Hampshire and the UK/France EEZ boundary, covering a distance of approximately 109km. • Two data transmission fibre optic cables (FOC), each approximately 35-40mm in diameter, laid together alongside the HVDC cables within a shared trench. • Route preparation works including: o clearance of obstacles and seabed features such as seabed debris (out of service (OOS) cable, wires, abandoned fishing gear); o removal of boulders potentially using ploughs or grabs; o clearance of sandwaves and large ripples, and uneven seabed (gulleys, slopes, pits and free spans) potentially using Mass Flow Excavation (MFE) or dredging options; and o construction of crossing structures over in-service cables. • The Proposed Development may also require the use of non-burial protection measures, such as rock placement and/or concrete mattresses. *Onshore* • Two pairs (ie four) of cables between the existing National Grid substation at Lovedean, Hampshire and Mean Low Water Springs (MLWS) at Eastney, Hampshire, covering a distance of approximately 20km. The cables are to be located within agricultural land and existing highways or road verges, where practicable, and will comprise: o Two pairs of High Voltage Alternating Current (HVAC) between the existing National Grid substation at Lovedean, Hampshire and a new Convertor Station to be located less than 2km from the Lovedean substation

	○ Two pairs of HVDC cables upward of MLWS at Eastney, Hampshire to the Convertor Station (approximately 20km) ○ Two pairs of FOC cables to be laid alongside the HVDC cables • A Convertor Station, to be located within 2km of the existing substation at Lovedean • A new permanent access road to the Convertor Station • Temporary laydown areas of approximately 4-5 hectares (ha) • Additional electrical infrastructure at the Lovedean substation • Four Transition Joint Bays (TJBs) located to the north of Eastney beach • Excavation of trenches and installation of cable ducts to allow cable laying • Joint bays positioned at approximately 600-2,000m intervals along the route • Horizontal Directional Drilling (HDD) installation at five potential locations along the cable route, including at the Eastney landfall The Scoping Report provides a programme of marine construction works in Table 2.1 and onshore construction works in Table 2.3. Construction is anticipated to begin in 2020 and be completed in 2023. The works may take place at any time of year, although marine cable installation is typically limited to a six month window between April – October due to weather conditions. The proposed options for decommissioning the interconnector include the marine and fibre optic cables remaining in-situ, or the entire or part removal of the cables. The substations would be decommissioned, disposing of waste materials as appropriate and where possible, recycled. The current favoured decommissioning option is for the cables to remain in-situ but this would be reviewed at the end of the Proposed Development's lifetime, which is stated to be 40 years.
Location of Development (including existing use) and Geographical area	The Proposed Development would extend from the Lovedean substation in Hampshire, UK to the UK/France EEZ boundary in the English Channel and is divided into offshore/marine and onshore extents. The cable makes landfall at Eastney in Hampshire. The Scoping Report marine study area identifies a number of different users/receptors in the vicinity of the Proposed Development, including: commercial shipping (including shipping lanes); fishing vessels and fishing activities; recreational vessels; military uses; aggregates; offshore wind farms; other cables; designated and protected sites; ecological

	receptors; and marine archaeology and cultural heritage receptors. The extent of the offshore/marine aspect of the Proposed Development is presented on Figure 1.2 of the Scoping Report. Bathymetry data for the area is shown on Figure 6.1. Onshore, the existing land uses include agricultural land and farm buildings within the vicinity of the Convertor Station and access road. The onshore cable route mainly follows existing highways and is described in the Scoping Report as utilising residential roads and green space. The proposed landfall area is within a car park to the north of Eastney beach. The onshore extent of the Proposed Development is presented on Figures 1.3 and 4.1 of the Scoping Report. Figure 4.1 also depicts known environmental constraints present in the surrounding area. The Scoping Report identifies projects which may cumulatively be affected by the development. These are listed in Appendix F of the Scoping Report and include National Grid's IFA2 HDVC Interconnector from France to the UK landfall at Lee-on-the-Solent; Southern Water Services Ltd Flood defence improvement scheme stretching for 4.5 km from Old Portsmouth to Eastney; and Rampion Wind Farm. The Proposed Development is in part located within France, another European Economic Area (EEA) State. The Scoping Report also identifies other relevant developments in France with the potential to result in cumulative effects. These include: Fécamp Offshore Wind Farm; Dieppe Le Tréport Offshore Wind Farm; and the elements of the AQUIND Interconnector project located in France. The Scoping Report states that the potential for transboundary effects will be considered more fully on a topic by topic basis in the ES, but currently concludes that the Proposed Development is not likely to have significant effects on another EEA State. The Scoping Report confirms that it intends to confirm this conclusion through the EIA process.
Environmental Importance	*Offshore* **Marine Water and Sediment Quality** (Chapter 7 of Scoping Report) • Waterbodies designated under the Water Framework Directive (WFD) and other designated or protected areas are yet to be identified by the Applicant **Benthic Ecology** (Chapter 8 of the Scoping Report) • Solent Marine Special Area of Conservation (SAC), designated for benthic habitats, is located within the Proposed Development • Eastney Beach Local Wildlife Site (LWS), located within the Proposed Development

	• Chichester and Langstone Harbour Ramsar sites, approximately 0.1km from the Proposed Development • Langstone Harbour Site of Special Scientific Interest (SSSI), approximately 0.1km from the Proposed Development • Offshore Overfalls Marine Conservation Zone (MCZ), approximately 1.15km from the Proposed Development • Utopia MCZ, approximately 1.3km from the Proposed Development • Table 8.1 of the Scoping Report lists other protected areas with benthic features located beyond 2km but within 50km of the marine cable corridor • Benthic habitats within and adjacent to the Proposed Development are listed in Table 8.2 of the Scoping Report Invasive Non-Native Species (INNS) have also been recorded in the vicinity of the Proposed Development **Fish and Shellfish** (Chapter 9 of the Scoping Report) • Commercial fish and shellfish species likely to be present
Potential impacts and Carrier	The Scoping Report confirms that the potential for transboundary effects will be considered more fully by individual aspect chapter in the ES. Chapter 17 (Marine Cumulative and Transboundary Impacts) of the Scoping Report identifies the potential transboundary impact pathways for the following aspects: • Marine water and sediment quality (Chapter 7 and 17) • Benthic ecology (Chapter 8 and 17) • Fish and shellfish (Chapter 9 and 17) • Commercial fisheries (Chapter 12 and 17) • Intertidal and Marine ornithology (Chapter 10 and 17) The potential impact pathways identified for these aspects are listed in greater detail below. **Marine Water and Sediment Quality** (Table 17.1) • Potential increase in suspended sediment • Sediment deposition/smothering • Habitat loss **Benthic Ecology** (Table 17.1) • Potential increase in suspended sediment • Sediment deposition/smothering • Habitat loss **Fish and Shellfish** (Table 17.1) • Potential increase in suspended sediment • Sediment deposition/smothering • Habitat loss **Commercial Fisheries** (Table 17.1) • The loss or restricted access to fishing grounds

	• Temporary displacement of fishing activity • Temporary increase in steaming times. **Intertidal and Marine Ornithology** (Table 17.1) • Disturbance and displacement impacts • Habitat loss resulting in changes to prey availability • Collision risk and barrier effects (although also states that these impacts are not relevant to subsea cables) The Scoping Report does not at this stage identify any likely significant transboundary effects relating to the following offshore aspect chapters: • Marine Mammals and Basking Sharks (Chapter 10 of the Scoping Report) • Shipping and Navigation (Chapter 13 of Scoping Report) • Marine Archaeology (Chapter 14 of the Scoping Report) • Other Marine Users (Chapter 16 of the Scoping Report) *Onshore* Chapters 18 to 32 of the Scoping Report identify features of environmental importance associated with the onshore elements of the Proposed Development. It is considered that transboundary impacts are not likely to arise from the onshore elements of the Proposed Development and therefore, onshore elements are not discussed further in this transboundary screening.
Extent	The information provided in the Scoping Report indicates that while impact pathways could exist, the impacts that are anticipated to occur would be unlikely to result in significant effects on the environment in other EEA States. However, at this stage, the Scoping Report contains limited information to support the statements made with regards to the extent, duration and magnitude of potential impacts, together with information on proposed mitigation measures and potential sensitive receptors in other EEA States. The Scoping Report confirms that the potential for transboundary effects will be considered more fully by individual aspects within the ES. Some information has been provided with regards to the likely extent of the potential impacts identified above and these are summarised below. **Marine Water and Sediment Quality; Benthic Ecology; and Fish and Shellfish Ecology** (Table 17.1) The Scoping Report states that the spatial extent of potential impacts on other EEA States is considered to be limited. **Intertidal and Marine Ornithology** (Table 17.1) Effects on bird species that range widely is recognised by the Applicant in the Scoping Report. A 100km study area has been initially selected as appropriate to identify sites designated for

	relevant ornithological features. The Scoping Report at Table 17.1 concludes that disturbance and displacement impacts from the presence of installation plant and vessels are expected to be negligible due to the restricted spatial area of the marine cable corridor and the comparatively large extent of the bird species' foraging areas. Habitat loss impacts leading to changes in prey availability are expected to be negligible. However, limited information has been provided and further studies are anticipated to inform the findings of the ES and HRA for the Proposed Development. **Commercial Fisheries** (Table 17.1) The Scoping Report confirms that vessels from other EEA States are known to fish both within the 6-12 nm zone and from 12 nm to the EEZ, hence these vessels may be impacted by the Proposed Development. The Applicant intends to obtain and analyse the most recent data to determine the commercial fisheries receptors and likely impacts in the ES. However, at this stage the Scoping Report states that the magnitude of the impacts is expected to be relatively small due to the restricted spatial area of the marine cable corridor and the short duration of the installation work (temporary rolling exclusion zones are proposed) and therefore significant transboundary effects are not anticipated.
Magnitude	As above, some information has been provided with regards to the likely magnitude of potential impacts and these are summarised below. **Marine Water and Sediment Quality; Benthic Ecology; and Fish and Shellfish Ecology** (Table 17.1) The Scoping Report states that the potential impacts identified above are considered most likely to occur during the construction stage of the Proposed Development, and any similar impacts that may occur during operation (ie maintenance and repair) or decommissioning are considered to be of a lesser or similar magnitude and duration as that of the construction stage. **Commercial Fisheries** (Table 17.1) The Scoping Report states that the greatest magnitude of the potential impacts identified above are predicted to occur during the construction phase due to the potential displacement of fishing activity. In respect of temporary impacts, the Scoping Report states that the magnitude of the impacts is expected to be relatively small due to the restricted spatial area of the marine cable corridor and the short duration of the installation work (as temporary rolling exclusion zones are proposed). In respect to loss of fishing grounds, the Scoping Report states that the magnitude of impacts are relatively small and will be mitigated where possible and as such, residual impacts expected to be limited due to the small

	spatial area of the marine cable corridor where non-burial protection is proposed. The Scoping Report confirms that any similar potential impacts that may occur during operation (maintenance and repair only) or during decommissioning are considered to be of lesser magnitude and shorter duration as those anticipated for the construction stage. The duration of the impacts are considered to be short term in nature and temporary in nature and therefore, significant transboundary effects are not anticipated. **Intertidal and Marine Ornithology** (Table 17.1) The Scoping Report states that all impacts are predicted to be negligible during the construction and operation phases due to the limited spatial extent of the Proposed Development in relation to the large foraging areas of bird species potentially affected
Probability	The Scoping Report identifies potential impact pathways but concludes in Table 17.1 that it is unlikely that significant transboundary effects would occur as a result of the Proposed Development. At this stage, the Scoping Report contains limited information with regards to likelihood of impacts, mitigation and receptors in other EEA States. It is also acknowledged in the Scoping Report that further work would be undertaken to inform any potential transboundary impacts in the ES and HRA, in respect of ornithology and effects on European (Natura 2000) sites. Further studies are also anticipated in respect of aspects such as commercial fisheries and shipping and navigation. Given the potential impact pathways and on a precautionary basis, it is considered that impacts to receptors of marine water and sediment quality, benthic ecology, fish and shellfish ecology, birds and commercial fisheries and shipping and navigation have the potential to generate significant transboundary effects.
Duration	As above, some information has been provided with regards to the likely duration of potential impacts and these are summarised below. **Marine Water and Sediment Quality; Benthic Ecology; and Fish and Shellfish Ecology** (Table 17.1) The Scoping Report states that the duration of the potential impacts is considered to be relatively short term in nature, and any impacts would be temporary and reversible. **Commercial Fisheries** (Table 17.1) The Scoping Report states that the duration of the installation work is expected to be short (stating that temporary rolling exclusion zones are proposed). **Intertidal and Marine Ornithology** (Table 17.1)

	The Scoping Report states that impacts are considered to be short term in nature and temporary.
Frequency	The frequency of any potential transboundary impacts has not been identified at this stage.
Reversibility	As above, some information has been provided with regards to the likely reversibility of potential impacts and these are summarised below. **Marine Water and Sediment Quality; Benthic Ecology; Fish and Shellfish** (Table 17.1) Potential impacts are stated in the Scoping Report to be temporary and reversible. **Commercial Fisheries** (Table 17.1) The Scoping Report does not expand on the reversibility of the potential impacts identified, although it is anticipated that impacts of displacement to fishing activity and increases in steaming times would be temporary and reversible. Impacts relating to the loss or restricted access to fishing grounds may be permanent.
Cumulative impacts	**Marine Cumulative and Transboundary Impacts** (Chapter 17 of the Scoping Report) The Scoping Report identifies other major developments in France that have the possibility to give rise to cumulative effects cumulatively with the Proposed Development: • The French side of the AQUIND Project – development of this element of the Project is running in tandem with the UK element • Fécamp Offshore Wind Farm • Dieppe Le Tréport Offshore Wind Farm The cumulative impact assessment is yet to be undertaken and the Applicant has therefore not identified any likely significant cumulative transboundary effects at this stage.

Transboundary screening undertaken by the Inspectorate on behalf of the SoS

Under Regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development **is likely** to have a significant effect on the environment in another EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts) and taken into account the information currently supplied by the Applicant.

Action:

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified:

France (marine water and sediment quality; benthic ecology; fish and shellfish ecology; commercial fisheries; shipping and navigation; and intertidal and marine ornithology) Belgium; Denmark; Germany; and the Netherlands (commercial fisheries)

Spain (shipping and navigation)

Date: 02 April 2019

Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

SECOND TRANSBOUNDARY SCREENING	
Document(s) used for transboundary Screening:	Environmental Statement (14 November 2019) and Habitats Regulations Assessment (14 November 2019)
Date screening undertaken:	Re-screened on 23 January 2020 on receipt of application documents

Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS

Following submission of the DCO application which included the Environmental Statement and the Applicant's HRA report, the Inspectorate has reconsidered the transboundary screening decision made on 02 April 2019.

The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision.

- Changes and refinements to the description of the Proposed Development; and

Identification of the likely significant effects (LSE) on European Sites in other EEA States;

Changes in the Description of the Proposed Development

- Target burial depth of the cable has been refined from 0.6m – 4.9m to 1m – 3m;
- Trench widths not previously defined are defined as ranging from 0.35 to 3m;
- Spacing between the cables was originally up to 50m but it is now considered that this spacing may need to be increased between Kilometre Points (KP) 42 – 50 to minimise impacts at a section of particularly uneven bathymetry. This increase is not currently defined but will be confirmed in the final design pursuant to conditions of the Deemed Marine Licence;
- A cable crossing has been identified at KP 72.5 where a subsea telecommunications cable linked USA with three European countries must be crossed by the marine cable – a cable crossing agreement will be put in place with the cable owners and non-burial methods will likely be employed;
- The decision was made that between 8 – 12 individual in-line joints per HVDC circuit will be placed in a pre-dredged trench and/or placement of rock protection/mattress will be required;
- The number and types of vessels involved in construction has been defined in ES Volume 1, Chapter 3, Table 3.2;

- HDD has been refined to comprise four bores ranging between 1,400m and 2,000m in length with depths of 20m and up to 20m apart. A bentonite-based drilling fluid approved by Centre for Environment, Fisheries and Aquaculture Science (CEFAS) will be used;
- Repair timeframes are defined as every 10- to 12years;
- Further definition on repair works where one anchored barge would be anchored in shallow water (<10 – 15m) or a dynamically positioned vessel in deeper water (>10 – 15m);
- The converter station location and associated refinement of the site boundary has been confirmed;
- It has been confirmed that the HDD method will be used under Milton and Eastney Allotments therefore Milton Road is no longer included within the draft DCO boundaries of the Proposed Development
- It has been confirmed that the HDD method will be used under Denmead Meadows therefore highways options for cable installation through Denmead have been discounted;
- Landscape mitigation and design principles for the converter station have been prepared in consultation with Winchester City Council, East Hampshire District Council and South Downs National Park Authority including additional landscape mitigation;
- Amendments have been made to the draft management plans for construction traffic and the onshore and marine Outline Construction Environmental Management Plan (OCEMP) taking into account consultation responses; and
- Increases and reductions in various site boundaries have been made to account for the above changes

The Inspectorate considers that it is unlikely that these changes will give rise to any additional significant effects on the environment in another EEA State which were not previously identified. The changes listed above are minor refinements made to the Proposed Development at a time after the first transboundary screening decision.

Identification of LSE on European Sites including bird species and marine mammals in other EEA States

The HRA Report (Document 6.8.1) pre-screened in 20 European sites where there is potential for likely significant effects. This included pre-screening eight French European designated sites due to their potential for connectivity between the Proposed Development and features of the sites. The sites with potential for LSEs are:

- Solent Maritime SAC;
- South Wight Maritime SAC;
- River Itchen SAC
- River Avon SAC
- Littoral Cauchois ZSC
- Estuaries et Littoral Picards (Baies de Somme et d'Authie) ZSC;
- Baie de Seine Orientale;
- River Axe SAC;

- Plymouth Sound and Estuaries SAC;
- Ridens et dunes hydrauliques du Detroit du Pas-de-Calais ZSC;
- Baie de Canche et couloir des trois estuaires ZSC;
- Estuaires de la Seine ZSC;
- Recifs Gris-Nez Blanc-Nez ZSC;
- Littoral-Seino Marin SPA;
- Alderney West Coast and Burhou Islands Ramsar;

Potential effects would be caused by disturbance and displacement, indirect effects, accidental spills, litter, increased sediment suspension, pollution events, invasive species and sediment smothering through deposition.

The Applicant considers that any potential LSE can be mitigated through the application of standard best practice measures and subsequently, the HRA Report concludes that there will be no LSE on these sites as a result of the Proposed Development either alone or in-combination with other plans and projects.

Other potential LSE on EEA States

The ES considered the potential for transboundary effects on a topic by topic basis in the marine technical chapters (chapters 6 to 14). The ES only considers the potential transboundary effects of the UK elements of the Proposed Development (as stated in ES Chapter 4, section 4.5); it does not consider the effects from the project elements within French territory. The UK onshore elements of the Proposed Development are not considered as the Applicant does not consider that there are any pathways which could lead to significant effects on another EEA state.

ES Volume 1

- **Chapter 6 Physical Processes –** potential transboundary effects include suspended plumes generated by activities near the EEZ boundary line and where structures are located on the seabed within 500m of the EEZ boundary line. The Applicant considers these to be of low magnitude, of small scale, short duration and transient nature therefore would not cause significant effects;
- **Chapter 7 Marine Water and Sediment Quality –** potential transboundary effects include sediment plumes extending into French waters. This would be temporary, transient in nature and of low magnitude therefore no significant effects are expected to occur;
- **Chapter 8 Intertidal and Benthic Habitats –** potential transboundary effects include sediment plumes extending into French waters. This would be of transient nature and because of the low SSC and the HRA concluded there was no connectivity with any identified French sites, the effects would not be significant;
- **Chapter 9 Fish and Shellfish –** potential transboundary impacts include sediment plumes, noise and vibration and impacts to Annex II migratory fish. Fish and shellfish in UK and French waters are similar in composition and no significant effects were identified through assessment in UK waters. It is considered that transboundary effects would not be significant;
- **Chapter 10 Marine Mammals and Basking Sharks –** potential transboundary effects include anthropogenic noise and disturbance and impacts to French SACs/Ramsars. These impacts are considered to be restricted to small zones of potential impact and there are low numbers and species diversity likely to be present

in the Channel. Additionally, the HRA concluded there were no adverse effects on site integrity therefore the effects were concluded to be not significant;

- **Chapter 11 Marine Ornithology –** potential transboundary effects include sediment plumes affecting prey and effects on designated sites in France and the Channel Islands through connectivity. The HRA and the ES conclude that effects were not significant;
- **Chapter 12 Commercial Fisheries and Chapter 13 Shipping and Navigation –** potential transboundary effects include disruption to scallop dredgers, seine netters, pelagic trawlers, beam trawlers, demersal trawlers and static gear that operate in the central Channel in the vicinity of the French and UK EEZ. These vessels have large ranges extending to the North Sea, Atlantic and Irish Sea and operate freely across various territorial waters therefore it is concluded there would be no significant effects;
- **Chapter 14 Marine Archaeology –** potential transboundary effects include potential disturbance to French archaeology and local hydrodynamic and sediment transport and plumes. The ES concludes that these would not lead to significant effects.

Secretary of State's Comments

Under Regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) and on the basis of the current information available from the Applicant there is no change to the previous conclusion, and the Inspectorate remains of the view that the Proposed Development **is likely** to have a significant effect on the environment in another EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note twelve: Transboundary Impacts); and taken into account the information currently supplied by the Applicant.

Action:

No new EEA States have been identified as being likely to have significant effects on their environment.

On a precautionary basis, notification letters will be re-sent to those States who did not respond to the previous Regulation 32 notification; France, Belgium and the Netherlands. Spain will also be consulted as they responded wishing to participate as an interested party in the Environmental Impact Assessment procedure. States to be notified:

France (marine physical processes; marine water and sediment quality; benthic ecology; fish and shellfish ecology; commercial fisheries; shipping and navigation; marine mammals; and intertidal and marine ornithology)

Belgium and the Netherlands (commercial fisheries and shipping and navigation)

Spain (shipping and navigation)

Date: 23 January 2020

Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

Note:

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/