



## The Planning Inspectorate Yr Arolygiaeth Gynllunio

### **Application by AQUIND Ltd for the AQUIND Interconnector**

#### **The Examining Authority's first written questions**

The following table sets out the Examining Authority's (ExA's) first written questions (ExQ1).

Responses are due by Deadline 1 in the Examination Timetable. The provisional date for this on the draft Examination Timetable is Tuesday 6 October 2020 at 11.59pm, but it will not be confirmed until after the close of the Preliminary Meeting. To make best use of the time available, parties should not delay considering the questions, although responses should not be submitted prior to the commencement of the Examination (which is the day after we close the Preliminary Meeting).

The list of questions is set out in a topic-based framework, which is generally based on the ExA's Initial Assessment of Principal Issues provided as Annex B to the ExA's Rule 6 letter, which was published alongside this list.

Column 1 of the table provides a unique reference which starts with a topic code, then a '1' (denoting ExQ1), followed by a section number (for that topic), and finally an individual question number. When answering a question, please quote this unique reference number.

Column 2 indicates the party (or parties) that the question is directed to. The ExA requests that all named parties answer all questions directed at them, providing either a clear and suitably substantive response, or reasons why the question cannot be answered or is not relevant to them. This does not preclude an answer being provided by any other party, if that party believes they have information on that specific topic or point that would be useful to the Examination.

Where a question has been or will imminently and definitely be fully answered in a Statement of Common Ground or other submission, then a detailed cross-reference to the relevant document and section or paragraph will suffice.

If you are answering a limited number of questions, responses in a letter format are appropriate. If you are answering several or many questions, it will assist the ExA if you use a table based on that used below. An editable version of this table in Microsoft Word is available from the Planning Inspectorate. Please email your request to the case team at [aquind@planninginspectorate.gov.uk](mailto:aquind@planninginspectorate.gov.uk) and include 'Editable ExQ1 Table' in the subject line of your email.

Reference	Respondent(s)	Question	Response
1. Miscellaneous and General			
MG1.1.5	The Applicant Local planning authorities	The Consultation Report [APP-025] describes a great deal of discussion and progress with a range of interested planning authorities on the concept design of the Converter Station buildings. What certainty does each of the local authorities have that its views and the agreements that have been made with them would be incorporated into the final design?	East Hampshire District Council (EHDC) is broadly content that its views on the concept design have been accommodated. EHDC has been party (along with the South Downs National Park Authority (SDNPA) and Winchester City Council (WCC) to ongoing discussions with the applicant and their architects and is satisfied that its views will be incorporated into the final design. More recent discussions have confirmed that no plant, masts, solar panels or other paraphernalia will be attached to the roof,

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			which should be reflected/confirmed through the DCO process.
3. Compulsory Acquisition			
CA1.3.64	Environment Agency Relevant local authorities	At section 20.9.2 [APP-135] and elsewhere, the ES notes that the contractor appointed to undertake the construction works would need to apply for various environmental permits, discharge and other consents once detailed design is complete. Given that such applications have not been made, the Examining Authority and Secretary of State cannot be sure from the information provided if adequate avoidance or mitigation of environmental effects are possible, and therefore if all of these consents are achievable. Could the Environment Agency and the relevant local authorities with responsibilities in this area please provide an opinion on the likelihood of all such permits and consents being achieved.	From EHDC's perspective, we are satisfied that it is possible to mitigate environmental noise sufficiently through a Construction Environmental Management Plan, to ensure that construction does not give rise to significant adverse impacts.
5. Draft Development Consent Order			
DCO1.5.17	The Applicant Local planning authorities	In dDCO [APP-019] draft Requirement 14, a Written Scheme of Investigation is needed for activities prior to commencement of works including onshore site preparation works, but the definition of 'commence' in Article 2 does not identify this exclusion. Is this satisfactory or is an amendment required?	No amendment is considered necessary purely insofar as the scheme relates to areas within the

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			EHDC authority area.
DCO1.5.42	Local planning authorities	A number of Articles in the dDCO [APP-019] contain provisions deeming consent to have been granted in the absence of a response from the consenting authority. Are the local planning authorities content with the provisions and the responsibilities on them as the relevant consenting authority?	EHDC is broadly content with the provision for deeming consent noting that a longer period may be agreed (Article 1.2(c) Schedule 3). However, having regard to the scale of the development and the level of information required in dealing with a number of the requirements eg. drainage/groundwater contamination necessitates high levels of technical information with consultation with various parties, it is likely that further time may be needed but it is noted that a longer period may be agreed. It is, however, our view that all periods set out in the DCO should be consistent at 40 working days.

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9. Landscape and Visual Amenity			
LV1.9.1	South Downs National Park Authority Winchester City Council East Hampshire District Council Havant Borough Council	Do you agree with the selection of representative viewpoints used for the LVIA of the Converter Station and associated infrastructure [APP-250]? If not, why not? Do you have any comments on the presentation of baseline photographs and visualisations ([APP-251] to [APP-270])?	EHDC are satisfied with the selection of representative viewpoints used in the LVIA. The viewpoints were agreed between Aquind and the EHDC Landscape Officer at an early stage.  In terms of the baseline photographs and visualisations, the wire frame visualisations depict the building in two-dimensional form, so give a false representation of the depth/massing of the buildings that a three-dimensional depiction would.
LV1.9.2	South Downs National Park Authority	Do you have any comments on the appearance of the proposed 30m-high lighting columns as seen during daylight and at night-time from vantage points within the South Downs National Park and	Schedule 1 of the DCO, work number 2 (p) states up to 8 masts.

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	<p>Winchester City Council</p> <p>East Hampshire District Council</p> <p>Havant Borough Council</p>	<p>elsewhere, and should these columns have been considered in the modelling of the ZTVs?</p>	<p>Discussions with Aquind have recently stated that only two masts are necessary. If that is the case, then it is accepted that, provided also that there are no flashing lights at the top of these, (which Aquind have advised will not be required) then these are not considered necessary for inclusion in the ZTVs. As the DCO currently is, however, eight 30m high masts would result in a cluster of masts that should be included in the modelling of the ZTVs. Subject to there being no lights on the masts, there is not considered to be an impact on the night-time appearance and impacts would be day light only. The appearance of 8 masts would likely have a harmful impact and would contribute</p>

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			<p>towards visual clutter and negate the clean lines/profile of the buildings. They also would likely be visible at distant receptor points including Old Winchester Hill and Portsdown Hill.</p>
LV1.9.5	<p>South Downs National Park Authority                      Winchester City Council                      East Hampshire District Council                      Havant Borough Council</p>	<p>With reference to the dDCO [APP-019], there would be potential for rooftop plant and machinery to be placed on the roof of the Converter Station and associated telecoms building. Do you have any comments on the landscape and visual effects of such equipment, if installed?</p>	<p>EHDC consider that the provision of rooftop plant and machinery would have a harmful visual impact on the area and the integrity of the building design. This is allied with the lightning masts above. There is also concern that such plant may result in glare or glimmer from metallic surfaces from the plant. The roof of the building would be visible from higher ground to the north and potentially from other view points depending on the position and nature of the plant. Rooftop plant/machinery may</p>

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			<p>also result in additional noise impacts that have not been accounted for, which may unacceptably impact amenity of surrounding property.</p> <p>. Aquind have advised that no plant/machinery will be added, but until the DCO is formally amended, there is concern at the potential impacts of plant and machinery.</p>
11. Noise			
N1.11.2	Relevant local authorities	<p>Is each affected local authority content with the approach and methodology used for undertaking the construction and operational noise assessments, particularly the location of survey points at the Converter Station and Optical Regeneration Station sites relative to the identified noise-sensitive receptors?</p>	<p>Having reviewed the survey location points and discussed them with the acoustic consultants to understand why they were chosen, we are satisfied that they have identified the most sensitive receptors.</p>
N1.11.5	Relevant local authorities	<p>In ES Tables 24.4 and 24.6 [APP-139], the allocation of a category for the magnitude of impact is wholly dependent on how many 'consecutive' periods would be involved. Do the local authorities</p>	<p>Having reviewed Tables 24.4 and 24.6, it</p>



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		believe this is an appropriate approach, or should some account be taken of the overall, total length of time (perhaps with breaks) that the noise or vibration affects a particular receptor?	is agreed that additional clarity is required, in particular to confirm what the period is, and also it is agreed that the approach currently in place could lead to some receptors' "experience" being under-represented, because there are "breaks" in between noisy periods. We will be asking for clarity on this matter from the Consultant.
N1.11.7	The Applicant Relevant local authorities	Do you believe that the application of definitions of magnitude of impact to the noise environment as set out in Table 24.13 of the ES [APP-139] is unclear? For example, what would constitute 'a total loss' of key elements or features of the baseline? Would an alternative set of definitions be more appropriate, and if so, would the noise assessment need to be re-run?	It is considered further clarity is required and this might lead to a requirement for the assessment to be rerun. We will be asking for clarity on this matter from the Consultant.

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N1.11.10	The Applicant Relevant local authorities	<p>For all of the impact assessment sections that follow ES paragraph 24.6.1.14 in Chapter 24 [APP-139], in converting the noise level magnitudes to impacts, allowance is made for the temporary nature of the effect, thus ameliorating the severity (from 'medium' to 'low' in 24.6.2.2, for example). However, does not the methodology adopted for the assessment already build duration into the calculation of magnitude (e.g. 24.4.2.36), and thus is there not an element of 'double-counting' of duration in reducing the severity of effects?</p> <p>If so, what are the implications of this for the assessment findings? For example, if trenching impacts for section 4 were recalculated without the 'double-counting', would these become significant (ES 26.4.5.3 ff)?</p>	<p>We are satisfied that the impact assessment does not double count the impacts – it does follow the agreed and accepted methodology which is derived from the national guidance and recognised standards for assessing construction noise impact.</p>
13. Planning Policy			
PP1.13.1	Local Planning Authorities	<p>Could each of the local planning authorities please provide comments and any updates in relation to the Applicant's summary of the Development Plan position, including any emerging plans and plan documents. (The Planning Statement Appendix 4 [APP-112] refers.)</p>	<p>Paragraph 1.2.1.3 of the Planning Statement Appendix 4 (APP-112) states that the new East Hampshire Local Plan will be adopted in September 2020. This is no longer the case. The Local Development Scheme was amended in September 2019 and</p>

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			<p>sets out that Regulation 19 consultation would be carried out in March-May 2020 with adoption envisaged for March 2021. However, there have been further delays and it is now anticipated that Regulation 19 consultation will be carried out in early 2021. Furthermore, however, in light of the 'Planning for the Future' White Paper August 2020, there is further uncertainty about the progression of the Local Plan and no decision has yet been made about its future. In short, it carries no weight and the Development Plan remains that as stated in 1.2.1.1.</p>

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			<p>The East Hampshire Joint Core Strategy remains the adopted Plan for the areas of East Hampshire not within the South Downs National Park now that the South Downs Local Plan (adopted July 2019) is the Local Plan in place for whole of the National Park.</p>
16. Traffic and Transport			
TT1.16.3	The Applicant Local planning authorities	With reference to paragraphs 22.2.3.10 to 22.2.3.39 of Chapter 22 of the ES [APP-137], are there any pertinent updates in respect of the local planning policy framework?	<p>The applicant notes at 22.2.3.33 the large housing site at Land East of Horndean. There is a Planning Committee resolution to grant outline planning permission for a mixed-use development of 800 dwellings, 2ha of employment land (B1 &amp; B2), a local centre, primary school and</p>

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			community facilities and is currently pending completion of a Section 106 legal agreement (application ref: 55562/005). Otherwise, please see comments in response to PP1.13.1.
TT1.16.9	Local planning authorities Highway authorities	Are the baseline traffic surveys set out in the Transport Assessment sufficient (Appendix 22.1: sections 1.5.3 for the Converter Station; 1.5.4 for the onshore cable corridor; and 1.5.5 for the routes that may be affected by traffic redistribution in the wider transport network) [APP-448], or is there a need for data from a wider spread of months to present a more representative view and to take account of festivals and events?	EHDC defers to the County Highway Authority on highway matters.