

**From:** [Jones, Rachel](#)  
**To:** [Aquind Interconnector](#)  
**Subject:** EN020022\_ AQUIND Interconnector - Natural England's Response to Examining Authority's First Written Questions  
**Date:** 06 October 2020 20:50:36  
**Attachments:** [EN020022 AOJIND - Examining Authority Written Questions \(ExO1\) Natural England's Response.pdf](#)

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Dear Planning Inspectorate

Planning Inspectorate Reference: EN020022

Natural England Reference: 284313

Natural England is the statutory adviser to government on nature conservation in England and promotes the conservation of England's wildlife and natural features. Please find attached Natural England's comments in relation to the Examining Authority's First Written Questions (ExQ1). Please note that Natural England has registered as an interested party on the website here. I would be grateful to receive confirmation that our response has been received.

Kind Regards

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## 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			
MG1.1.1	The Applicant	What was the rationale and justification for confining the siting search for the converter station to 2km from the existing Lovedean substation? (Planning Statement [APP-108] refers.)	
MG1.1.2	The Applicant	The application documents report that the siting of Converter Station is subject to ongoing discussions. Is there any progress and when can the ExA expect a conclusion for the purposes of the EIA and any DCO?  If the optionality between B(i) and B(ii) was not concluded prior to the end of the Examination, would you expect the ExA to make a recommendation based on the worst-case in respect of each environmental factor associated with the two options (paragraph 3.6.3.32 of the ES [APP-118] refers)?	
MG1.1.3	The Applicant	Explain the design approach and design credentials of the Converter Station buildings and structures. Reference should be made to the objectives in section 4.5 of NPS EN-1 and how the proposed development seeks to address or exceed the expectations of good design set out in the National Design Guide.	

Reference	Respondent(s)	Question	Response
MG1.1.4	The Applicant	Explain the design approach and design credentials of the Optical Regeneration Stations. Reference should be made to the objectives in section 4.5 of NPS EN-1 and how the proposed development seeks to address or exceed the expectations of good design set out in the National Design Guide.	
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?	
MG1.1.6	The Applicant	Please describe how the final finished floor level for the Converter Station was arrived at, and how this is dealt with in the design principles and parameter plans and tables ([APP-012] and [APP-019]).  Confirm that the EIA used the 'worst case' within the Rochdale envelope that is set for this, especially LVIA and in relation to impacts on groundwater.	
MG1.1.7	The Applicant	In the Onshore Outline CEMP [APP-505], there are numerous references to SINCS, but these do not seem to appear on the constraint maps in Appendix 1. Please can the Applicant clarify.	
MG1.1.8	The Applicant	In Table 2.1 of the Onshore Outline CEMP [APP-505], please could the Applicant explain why: <ul style="list-style-type: none"> <li>not all receptors addressed later in the document are included in this summary list (for example, hedgehogs and Wildlife and Countryside Act Schedule 9 plants);</li> </ul>	

Reference	Respondent(s)	Question	Response
		<ul style="list-style-type: none"> <li>• '<i>semi-improved negligible and calcareous grassland</i>' appears twice in the onshore ecology entry: and please clarify what is meant here by 'negligible';</li> <li>• the list in the heritage and archaeology entry is restricted to below-ground archaeological assets and excludes built heritage assets.</li> </ul>	
MG1.1.9	The Applicant	At paragraph 4.1.1.1 of the Onshore Outline CEMP [APP-505], the list of legislation referred to at Appendix 2 includes the Environmental Protection Act 1990 and the Control of Pollution Act 1974. Does the Applicant believe any caveats need to be added here to acknowledge the powers that would be introduced by Article 9 of the dDCO [APP-019]?	
MG1.1.10	The Applicant	<p>In the Onshore Outline CEMP [APP-505], at 6.2.1.1, could the Applicant please clarify the following:</p> <ul style="list-style-type: none"> <li>• the meaning of the acronym 'SWBGS';</li> <li>• the relevance of the list of SWBGS sites in Principle 3;</li> <li>• what is considered a 'notable' level of background noise, and whether a specific average background noise level should be specified here;</li> <li>• whether Principles 7 and 8 should apply to SWBGS sites as well as the SPA itself.</li> </ul>	
MG1.1.11	The Applicant	In the Onshore Outline CEMP [APP-505], is there a missing heading to introduce a new section following 6.2.1.3? (The following paragraphs do not seem to relate to winter SPA restrictions.)	

Reference	Respondent(s)	Question	Response
MG1.1.12	The Applicant	Section 6.2.1.7 of the Onshore Outline CEMP [APP-505] appears to relate to a specific location on the cable installation route. Could the Applicant advise if this should be a general measure in relation to bats and lighting across the construction area? If not, why not?	
MG1.1.13	The Applicant	Please could the Applicant clarify paragraph 6.3.2.1 of the Onshore Outline CEMP [APP-505], ( <i>'The Outline Strategy will be prepared in accordance with the outline Strategy'</i> ).	
MG1.1.14	The Applicant	In the Onshore Outline CEMP [APP-505] at 6.3.5.9, a 'Temporary Site Water Management Plan' is 'proposed' to be developed and approved prior to commencement of construction work. Does the Applicant believe that this paragraph would be sufficient to secure its production through the DCO?  Should an outline management plan be provided as an Appendix (similar to those at Appendices 3, 4 and 5 for the Outline Site Waste Management Plan, Outline Materials Management Plan and Outline Soils Resources Plan respectively) or, as a minimum, a framework to clarify the intended content?	
MG1.1.15	The Applicant	Could the Applicant explain why the restrictions set out in the Onshore Outline CEMP [APP-505] at 6.3.5.11 and 6.3.5.12 are not applied to subsequent rural sections of the cable installation route.	
MG1.1.16	The Applicant	For the avoidance of doubt, please could the Applicant re-word paragraph 6.10.1.1 of the Onshore Outline CEMP [APP-505] to	

Reference	Respondent(s)	Question	Response
		clarify the meaning in particular of 'minimising' 'significant constraints' on tree groups.	
MG1.1.17	The Applicant	The Outline Landscape and Biodiversity Strategy [APP-506] summarises impacts on existing vegetation features through all phases of the Proposed Development and suggests mitigation, mostly through replacement planting for affected features. However, the replanting and management prescriptions in part 1.6 of the Plan appear to be restricted to sections 1 (Converter Station) and 10 (Optical Regeneration Station and landfall). Could the Applicant identify where the landscape management plans and outline management prescriptions for affected features along the cable route in sections 2 to 9 are set out.	
MG1.1.18	The Applicant	Does the Applicant believe any updates are required to sections 1.1.2.4, 1.1.3.9, 1.6.1.3, 1.6.1.4 and 1.6.2.12 of the Outline Landscape and Biodiversity Strategy [APP-506]?	
MG1.1.19	The Applicant	At 1.4.5 of the Outline Landscape and Biodiversity Strategy [APP-506], habitat enhancements are proposed at the Converter Station site. Can the Applicant confirm these to be enhancements rather than the mitigation of identified impacts of the Proposed Development, and detail what rights and powers are sought through any DCO to implement and maintain them?	
MG1.1.20	The Applicant	In the Outline Landscape and Biodiversity Strategy [APP-506], please could the Applicant identify by cross-reference where the drawings mentioned in 1.6.1.12 can be seen?	
MG1.1.21	The Applicant	With reference to section 1.6.2 of the Outline Landscape and Biodiversity Strategy [APP-506], could the Applicant confirm	

Reference	Respondent(s)	Question	Response
		that the proposed management prescriptions for the Converter Station area are intended to run for the full duration of the life of the Proposed Development.	
MG1.1.22	The Applicant Portsmouth City Council	Does Portsmouth City Council accept that it would take responsibility for the maintenance of the proposed landscape planting at the landfall after 5 years of establishment, as suggested at 1.6.4.1 of the Outline Landscape and Biodiversity Strategy [APP-506]?  Does the Applicant have a fallback proposal if agreement was not reached?	
MG1.1.23	The Applicant	Could the Applicant review entry 28.3 of the Mitigation Schedule [APP-489] and make any amendments that may be necessary. It is unclear if the information referred to is found within the Onshore Outline CEMP [APP-505] as suggested, and thus where and how the measure is secured.	
MG1.1.24	The Applicant	Could the Applicant review entry 28.6 of the Mitigation Schedule [APP-489] and make any amendments that may be necessary. Text appears to be missing or misplaced.	
MG1.1.25	The Applicant	The Indicative Converter Station Area Layout Plans appear to lack scale bars and it is not clear on the face of the drawings what scale they should be printed or viewed at. Could the Applicant please check each of the submitted plans to ensure a scale bar is included.	
MG1.1.26	The Applicant	The proposed cable route includes a number of areas with known contamination issues, especially at Milton Common. Has the Applicant provided sufficient evidence to demonstrate that,	



Reference	Respondent(s)	Question	Response
	Environment Agency Portsmouth City Council	should the cable be installed at these locations, contamination could be dealt with appropriately and in such a way that there would be no significant adverse effects on human health, the water environment or biodiversity?	
MG1.1.27	The Applicant	A number of Relevant Representations have raised the issue of the need for the Proposed Development in the context of the UK's withdrawal from the European Union. Could the Applicant please outline any implications of this for the Proposed Development in terms of national policy and need.	
MG1.1.28	The Applicant	The UK has left the European Union since the submission of the Application. Does Brexit have any implications for the nature or funding of the Proposed Development or for the economic and environmental assessments that are set out in the application documents?	
MG1.1.29	The Applicant	In relation to carbon and climate change, and with respect to ES paragraphs 28.12.1, 28.12.2, 28.12.2.3, 28.12.25, 28.14.1 and 28.14.2 [APP-143], please could the Applicant clarify how and where each of the 'embedded' mitigation measures (and 'features') listed in Tables 28.17, 28.19, 28.21, 28.23 and 28.25 and in 28.14.2.1 are secured through the dDCO [APP-019].  Where measures would be reliant on the further development and approval of the Onshore and Marine Outline CEMPs ([APP-505] and [APP-488]) following any making of a DCO, please identify how and where the outline documents ensure that such measures would be included in the final versions.	

Reference	Respondent(s)	Question	Response
MG1.1.30	The Applicant	How has the loss of best and most versatile land been minimised and justified (paragraph 7.5.1.4 of the Planning Statement [APP-108] refers)?	
MG1.1.31	The Applicant	It is noted in the operational assessments for Sections 2, 3 and 4 to 10 in Chapter 17 of the ES [APP-132], soils that are excavated and subsequently replaced to facilitate the installation of the infrastructure may deteriorate in quality and thus not retain their pre-existing ALC classification. How has the assessment addressed this possibility when reaching conclusions, particularly in respect of pre-existing best and most versatile agricultural land?	
MG1.1.32	The Applicant	The proposal is subject to the TEN-E Regulations. At the time of submission there was no agreement or otherwise in place from the French authorities in this regard. Could the Applicant please provide an update on the situation.	
MG1.1.33	The Applicant	Arrangements for various types of monitoring are said to be set out and secured through the Onshore Outline CEMP [APP-505] and dDCO [APP-019], including, <i>inter alia</i> , landscape planting, ancient woodland, badger setts, soils and waste management, contamination, archaeology and air quality. In each case where monitoring is offered and secured, please can the Applicant explain what remedial measures would be taken should non-compliance occur and what the triggers would be for such remedial measures to require implementation.	
2. Air Quality			

Reference	Respondent(s)	Question	Response
AQ1.2.1	The Applicant	Paragraph 23.2.3.2 of ES Chapter 23 [APP-138] appears to suggest that NPS EN-1 is not relevant to the air quality assessments of the Proposed Development. Could the Applicant review this assertion and comment on whether any additional evaluation may be necessary. In doing so, please take account of the Direction from the Secretary of State to treat this project as an NSIP (using the same thresholds applicable to energy generation) and the detail of sections 4 in relation to human health and 5 in relation to air quality impacts (including generated traffic) of NPS EN-1 in particular.	
AQ1.2.2	Portsmouth City Council	<p>In relation to the Air Pollution SPD referred to by the Applicant in paragraph 23.2.3.7 of the ES [APP-138], what is expected of developments and against what criteria should a scheme be assessed? Has an independent assessment been made against the SPD?</p> <p>The ES [APP-138] states that the effect on air quality would be 'negligible beneficial'. It reaches this conclusion by weighing totalled receptor deteriorations against totalled receptor improvements. Does Portsmouth City Council believe that this is a suitable approach and conclusion?</p> <p>Has the Applicant demonstrated through evidence that the Proposed Development would not adversely affect air quality or cause a failure to meet air quality objectives in the City?</p>	
AQ1.2.3	Hampshire County Council	Are there any updates or results emerging from the Inquiry commissioned into air quality at this stage or will findings be available to the ExA during the Examination period? (Paragraph 23.2.3.14 of the ES [APP-138] refers.)	

Reference	Respondent(s)	Question	Response
AQ1.2.4	The Applicant	<p>Can you fully explain the requirements of the air quality Ministerial Directives relating to parts of the Portsmouth City Council area in terms of levels, timescales, and so on?</p> <p>Can you explain the mitigation measures that are being pursued by the Council at present to achieve these aims, and comment on any implications of the Proposed Development for the Directives and for the Council's proposed measures?</p>	
AQ1.2.5	The Applicant	<p>Please provide a separate assessment of effects for each of the relevant Air Quality Management Areas (paragraph 23.4.3.7 of the ES [APP-138]) and conclude whether, and to what extent, air quality would deteriorate or improve within each.</p>	
AQ1.2.6	The Applicant	<p>Why is sulphur hexafluoride referenced in Table 23.3 of the ES [APP-138] under odour emissions?</p> <p>Table 23.3 states that emissions of sulphur hexafluoride (SF6), used in gas insulated switchgear, are addressed in Chapter 28 Carbon and Climate Change [APP-143]. This does not appear to be the case. Could the Applicant please clarify.</p> <p>Given the requirement of Government policy and the EIA Regulations to address the impact of any emissions of greenhouse gases on climate change, could the Applicant please provide a robust assessment of the likely effect of the use of sulphur hexafluoride in the proposed gas insulated switchgear.</p>	
AQ1.2.7	The Applicant	<p>What assumptions have been made in the ES [APP-138] when re-assigning traffic during construction works in Air Quality Management Area 9 at Eastern Road?</p>	

Reference	Respondent(s)	Question	Response
		How were construction emissions factored into the NO <sub>2</sub> equation?	
AQ1.2.8	The Applicant Portsmouth City Council	In relation to the assumptions made when re-assigning traffic during construction works in Air Quality Management Area 9 at Eastern Road [APP-138], is it likely that vehicles would not divert but would instead wait at the traffic lights operating for the single lane closures with engines idling, leading to a deterioration in air quality rather than improving it as suggested in the ES?	
AQ1.2.9	The Applicant	Could the Applicant please properly reference the guidance that is referred to in ES 23.2.4.1 [APP-138] and ensure that all necessary documents are included in the reference list for ES Chapter 23.	
AQ1.2.10	The Applicant	ES Chapter 23 [APP-138] includes numerous technical terms and acronyms that are not included in the glossary. Please could these be explained for the benefit of the lay reader.	
AQ1.2.11	The Applicant	It is unclear throughout ES Chapter 23 [APP-138] what metrics have been used to describe the predicted emissions data (in respect of whether the figures are hourly, weekly or annual; means or maxima; for example), or whether these are appropriate. Please could the Applicant elaborate on the approach taken, and in doing so comment on whether the measurements used are appropriate in relation to the application of guidance used, especially the IAQM risk assessment methodology, which <i>'is only designed to be used with annual mean concentrations.'</i>	

Reference	Respondent(s)	Question	Response
AQ1.2.12	The Applicant	In relation to ES 23.4.3.14 [APP-138], please explain and provide evidence for the conclusion that at <i>'this stage it is not considered that the smaller drilling operations would constitute a significant change in local air pollutant concentrations, and therefore this approach to the assessment is considered robust. Therefore, two locations were not assessed.'</i>	
AQ1.2.13	The Applicant	At ES 23.4.6.6 [APP-138], the list of receptors and their allocated sensitivity values does not seem to include ecological receptors. The bases of the following risk and impact assessments in respect of these receptors are therefore unclear. Please explain.	
AQ1.2.14	The Applicant	Please can the Applicant explain why ecological receptors are not considered in relation to temporary non-construction related traffic effects, and construction stage local power generation (ES 23.6.4 and 23.6.6 [APP-138]).	
AQ1.2.15	The Applicant	This summary of effects in ES Table 23.79 [APP-138] does not seem to include consideration of any ecological receptors. Could the Applicant please explain why.	
AQ1.2.16	The Applicant	The derivation of significance of effect for the construction stage local power generation and for the operational stage back-up power generation does not seem to include an appraisal of receptor sensitivity in accordance with the methodology set out in Table 23.9. Could the Applicant please explain. (ES 23.6.6.16 and 23.6.7.16 [APP-138] refer.)	
AQ1.2.17	The Applicant	With reference to ES 23.7 [APP-138], have the potential intra-project cumulative effects associated with all sources of	

Reference	Respondent(s)	Question	Response
		emissions to air associated with the proposals been addressed, and if so where is the assessment set out for the identified sensitive receptors?	
AQ1.2.18	The Applicant	Please check paragraph 23.3.7.3 of the ES [APP-138] for typos and clarify as necessary.	
3. Compulsory Acquisition			
CA1.3.1	The Applicant	<p>The Funding Statement [APP-023] suggests the scheme is 'bankable' and there is 'strong interest.' Can the Applicant provide updates and reassurances that funding would be available, in accordance with the Planning Act 2008 requirements, and provide evidence to the ExA of any funding commitments made by any party to bankroll the Proposed Development and any agreements in place that provide security for the funding.</p> <p>Could the Applicant also comment on whether the Coronavirus pandemic has had any impact on the availability of funding.</p>	
CA1.3.2	The Applicant	<p>The Relevant Representation from Judith Clementson [RR-048] raises the following:</p> <p><i>'Aquind Limited applied for an "exemption" under Article 17(1) of Regulation (EC) No 714/2009. OFGEM and France's Commission de Regulation de L'energie (CRE) could not agree and it was passed to the Agency for the Co-operation of Energy Regulators (ACER) for a decision. They agreed with the CRE and it was refused. Aquind Limited had indicated "without an exemption, the Aquind interconnector cannot progress through construction and to commercial operation" because "a regulated regime with financial underpinning is not available to Aquind in</i></p>	

Reference	Respondent(s)	Question	Response
		<p><i>France". I am therefore concerned that the project may commence, the costs escalate (as have those for HS2) and Aquind will be unable to complete the project through lack of funding.'</i></p> <p>Could the Applicant please provide detailed information as to the process that AQUIND went through in this regard, the results of the process, and the implications for the current DCO application. Please also provide an update or clarification of the position on this matter and confirm the mid- and longer-term status of the project and its deliverability.</p>	
CA1.3.3	The Applicant	<p>The Needs and Benefits Assessment [APP-115] makes no reference at all to the use (or otherwise) of fibre optic cables. Can the need and benefits of the fibre optic cables be explained in greater detail and whether the commercial use of the operational fibre optic cables is part of revenue stream taken into account within the Funding Statement.</p>	
CA1.3.4	The Applicant	<p>The Funding Statement [APP-023] makes an assumption that there would not be any claims made in respect of blight and does not apportion funds to manage this. Can explanation be given as to why this assumption is made?</p>	
CA1.3.5	The Applicant	<p>The Statement of Reasons [APP-022] states there would be direct acquisition of subsoil beneath the highway without negotiation and without compensation. Is there sufficient legal justification for not negotiating or contacting landowners whose rights extend to the subsoil beneath the highway? Is there precedent for this?</p>	



Reference	Respondent(s)	Question	Response
CA1.3.6	The Applicant	<p>Whilst it is acknowledged that the Rochdale Envelope approach allows flexibility, the onshore cable routing includes a number of options at several stages, requiring various pieces of land to be subject to Compulsory Acquisition provisions (for example Milton Common and Hillcrest Children Services Ltd land). Can you explain how these varying routes are compatible with the requirements of section 122(2) and 122(3) of PA2008?</p> <p>At what point during the Examination will information be available to the ExA to confirm the 'option' that is being taken forward in the dDCO?</p>	
CA1.3.7	The Applicant	At various junctures on the Lands Plans [APP-008] (for example plot 7-06), there are isolated pockets of land included within the Order limits. Can each of these be explained as to its purpose, need and why it is in the public interest to acquire such land?	
CA1.3.8	The Applicant	There is no mention in the Funding Statement [APP-023] of any European grants or funding being allocated to the Proposed Development. Is there a reason for this?	
CA1.3.9	The Applicant	Please provide the ExA with a copy of the audited accounts for the previous year said to be available from March 2020 (at paragraph 4.7 of the Funding Statement [APP-023]), together with any update to the funding position following the publication of these accounts.	
CA1.3.10	The Applicant	The Funding Statement [APP-023] states that the development would be paid for in part through operational profits during the early lifetime of the Proposed Development. What levels of revenue are to be generated from the project? Can the revenue (operational profits) generated by the project be explained,	

Reference	Respondent(s)	Question	Response
		given numerical clarity and a timeline shown for when such funds would be available? How are these profits derived and how much annual profit is arising? When would the Proposed Development stop using its operational profit to pay off debt?	
CA1.3.11	The Applicant	Has an agreement been made and signed with regards to the Atlantic Crossing cable crossing? Can the ExA be provided with a copy of said agreement and details provided of any financial implications of doing this work.	
CA1.3.12	The Applicant	Why do the Order limits shown on the Land Plans [APP-008] extend to include a large proportion of best and most versatile agricultural land (49% of the agricultural land implicated by the Order)? What would the actual effects on availability and productivity on such land be taking a realistic approach to cable routing and Compulsory Acquisition?	
CA1.3.13	The Applicant Statutory Undertakers	The Book of Reference (BoR) [AS-011] includes a number of Statutory Undertakers with interests in land. i) Provide a progress report on negotiations with each of the Statutory Undertakers listed in the Book of Reference, with an estimate of the timescale for securing agreement from them. ii) State whether there are any envisaged impediments to the securing of such agreements. iii) State whether any additional Statutory Undertakers have been identified since the submission of the Book of Reference as an Application document.	
CA1.3.14	The Applicant	The Relevant Representations from Mr and Mrs Carpenter [RR-054] and Little Denmead Farm [RR-055] raise significant	

Reference	Respondent(s)	Question	Response
		objections with regards to Compulsory Acquisition of farmland and the rights for landscaping around the Converter Station. Notwithstanding the response to Relevant Representations required at Deadline 1, please provide detailed justification as to the approach to Compulsory Acquisition with respect these landholdings, and respond to the Compulsory Acquisition concerns raised by the landowners, including the concerns of limited consultation and engagement with them despite their land appearing critical to the success of the Proposed Development.	
CA1.3.15	The Applicant	In the context of s127 of the Planning Act 2008 and the submitted Relevant Representations from these affected Statutory Undertakers, how would each of these Statutory Undertakers avoid serious detriment to the carrying on of their undertakings? [Refer to paragraph 1.5.6 of the Statement of Reasons [APP-022].)	
CA1.3.16	The Applicant	With reference to paragraph 1.5.7 of the Statement of Reasons [APP-022], please provide details of discussions with any other bodies, apart from the Crown Estate Commissioners and the Ministry of Defence, regarding land subject to Crown Interests.	
CA1.3.17	The Applicant	Provide details of any DCO precedents in terms of the width and extent of the 'onshore cable corridor' within the application. (Refer to paragraph 5.2.2 of the Statement of Reasons [APP-022].)	
CA1.3.18	The Applicant	With reference to paragraph 5.2.3 of the Statement of Reasons [APP-022], how is the remaining 'uncertainty' as to the	

Reference	Respondent(s)	Question	Response
		suitability of the preferred cable route through Milton Common for cable installation addressed in the application?	
CA1.3.19	The Applicant	With reference to paragraph 5.2.4 of the Statement of Reasons [APP-022], please provide details of any made DCO precedents in terms of the number of alternative route options within the application.	
CA1.3.20	The Applicant	<p>Provide details and a full justification as to why the choice of cable route options in the vicinity of each of the following locations cannot be made at the present time:</p> <ul style="list-style-type: none"> <li>i) Anmore Road (Statement of Reasons [APP-022] paragraph 5.3.5);</li> <li>ii) Portsdown Hill Road (Statement of Reasons [APP-022] paragraph 5.3.8);</li> <li>iii) Farlington Avenue (Statement of Reasons [APP-022] paragraph 5.3.9);</li> <li>iv) Zetland Field (Statement of Reasons [APP-022] paragraph 5.3.10);</li> <li>v) the Baffins Milton Rovers FC (Statement of Reasons [APP-022] paragraph 5.3.1 - paragraph numbering out of sequence);</li> <li>vi) Milton Common (Statement of Reasons [APP-022] paragraph 5.3.4 - paragraph numbering out of sequence);</li> <li>vii) Moorings Way and Eastern Avenue (Statement of Reasons [APP-022] paragraph 5.3.5 - paragraph numbering out of sequence);</li> </ul>	

Reference	Respondent(s)	Question	Response
		<p>viii) the University of Portsmouth Langstone Campus (Statement of Reasons [APP-022] paragraph 5.3.6 - paragraph numbering out of sequence); and</p> <p>ix) Bransbury Park (Statement of Reasons [APP-022] paragraph 5.3.2 - paragraph numbering out of sequence).</p> <p>The response must refer to the different characteristics of each of the alternative routes at each location which would be relevant to such a future choice and the 'flexibility' sought. The response must also refer to relevant aspects of detailed design and construction at each location.</p> <p>For each location, which of the alternative routes would be preferable over the other and how do the alternatives relate to each other in terms of the importance of their availability to the Proposed Development?</p> <p>Is the mutual exclusivity of works on one or other of each of the alternative routes secured under the dDCO [APP-019]?</p> <p>If not, why not.</p> <p>If so, how?</p> <p>If the ExA wished to recommend one of the alternative cable routes in its report, how, in principle, would the dDCO [APP-019] need to be amended?</p> <p>Could the Applicant please provide a view on the following document extracts from the Thanet Extension Offshore Wind Farm Nationally Significant Infrastructure Project Examination, and any relevant matters surrounding these extracts, in relation to each of the above locations where the application includes alternative cable routes:</p>	

Reference	Respondent(s)	Question	Response
		<ul style="list-style-type: none"> <li data-bbox="696 264 1503 368">Draft DCO Article 19(5) and Schedule 1 Part 3 Requirement 12 from Appendix D of the Examining Authority's Recommendation Report;</li> </ul> <p data-bbox="645 389 1375 469"><a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-002100-D8_Appendix7_TEOW_DCO_RevI.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-002100-D8_Appendix7_TEOW_DCO_RevI.pdf</a></p> <p data-bbox="645 491 1507 571"><a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-003108-TEOW%20%E2%80%93%20Final%20Recommendation%20Report.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-003108-TEOW%20%E2%80%93%20Final%20Recommendation%20Report.pdf</a></p> <ul style="list-style-type: none"> <li data-bbox="696 593 1585 663">Explanatory Memorandum paragraph 4.17 onwards from Examination document [REP8-015].</li> </ul> <p data-bbox="645 686 1375 766"><a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-002107-D8_Appendix8_TEOW_EM_RevH.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-002107-D8_Appendix8_TEOW_EM_RevH.pdf</a></p>	
CA1.3.21	The Applicant	<p data-bbox="645 804 1585 1050">Provide details and a full justification as to why the choice of location for a southern compound in Section 3 cannot be made at the present time (refer to Statement of Reasons [APP-022], paragraph 5.3.7). The response must refer to the different characteristics of each of the two locations that would be relevant to such a future choice. The response must also refer to relevant aspects of detailed design and construction.</p> <p data-bbox="645 1072 1585 1142">Which of the alternative locations would be preferable over the other?</p> <p data-bbox="645 1165 1585 1235">How do the alternatives relate to each other in terms of the importance of their availability to the Proposed Development?</p> <p data-bbox="645 1257 1608 1327">Is the mutual exclusivity of works on one or other of each of the alternative routes secured under the dDCO [APP-019]?</p> <p data-bbox="645 1350 819 1372">If so, how?</p>	

Reference	Respondent(s)	Question	Response
		If not, why not.	
CA1.3.22	The Applicant	Why is, what appears to be, the grass track within the Milton Piece Allotment Gardens included within the Order limits when other accesses would appear to be available within other parts of Plot 10-13 (Land Plans Sheet 10 of 10 Plot 10-13 [APP-008])?	
CA1.3.23	The Applicant	Why is part of the rear gardens of Kingsley Court on Kingsley Road included within the Order limits (Land Plans Sheet 10 of 10 Plot 10-20 [APP-008])?	
CA1.3.24	The Applicant	Why are two separate Optical Regeneration Station buildings required in the car park to the south of Fort Cumberland Road? (Refer to the Statement of Reasons [APP-022] paragraph 5.3.6 - paragraph numbering out of sequence.) Was a single building explored, and if so, what comparative design benefits and disbenefits were determined from the technical and aesthetic perspectives?	
CA1.3.25	The Applicant	What are the particular 'complexity and scale' aspects of the Proposed Development that justify a 7-year period for the exercise of compulsory acquisition powers and temporary use? (Sections 6.5 and 6.2.2 of the Statement of Reasons [APP-022] refer).	
CA1.3.26	The Applicant	Why is the land subject to dDCO [APP-019] Article 32 not subject to the Compulsory Acquisition of a right to occupy the land and how can a permanent power to occupy and exclude others such as this be classed as temporary? (Refer to the Statement of Reasons [APP-022] paragraph 6.2.3.)	

Reference	Respondent(s)	Question	Response
CA1.3.27	The Applicant	To what parts of the table at paragraph 6.3.1 of the Statement of Reasons [APP-022] does the sub-heading ' <i>Work No. 2 (converter station)</i> ' relate and why are there no other headings in the table?	
CA1.3.28	The Applicant	With reference to paragraph 6.4.1 of the Statement of Reasons [APP-022], how does Article 23 of the dDCO [APP-019] ensure that the proposed powers to impose restrictive covenants are proportional to the impact that they could have on landowners or occupiers?	
CA1.3.29	The Applicant	How does the power to impose restrictions over ' <i>so much of the Order land described in the Book of Reference</i> ' in dDCO [APP-019] Article 23 follow the guidance in paragraph 24.3 of the Planning Inspectorate Advice Note 15 relating to such DCO provisions not being broadly drafted and identifying the related land and the nature of the covenant? (Refer to paragraph 6.4.3 of the Statement of Reasons [APP-022].)	
CA1.3.30	The Applicant	Please could the Applicant provide direction to evidence of the ' <i>careful consideration</i> ' of the onshore land required to ' <i>take the minimum amount of land possible</i> ' mentioned in paragraph 7.2.3 of the Statement of Reasons [APP-022]?	
CA1.3.31	The Applicant	Where and how in the dDCO [APP-019] is the payment of compensation excluded from highway subsoil? (Refer to paragraphs 7.5.4 and 7.5.5 of the Statement of Reasons [APP-022].)	



Reference	Respondent(s)	Question	Response
CA1.3.32	The Applicant	What is the latest position on the unknown interest relating to a path, noted in the Statement of Reasons [APP-022] at paragraph 7.7?	
CA1.3.33	The Applicant	How would construction and any maintenance be regulated in order that any impact on those entitled to rights over Special Category Land remain in a ' <i>no less advantageous</i> ' position ' <i>when burdened with the Order right</i> ', including construction, in respect of the land? (Refer to paragraph 8.1.3 of the Statement of Reasons [APP-022].) The response should include any restrictions secured in the dDCO [APP-019] that would limit the impact of construction and other impacts.	
CA1.3.34	The Applicant	<p>Does the absence of physical infrastructure on the surface of Special Category Land mean that the proposed development would be constructed by a sub-surface method, such as horizontal directional drilling, within the Special Category Land (Statement of Reasons [APP-022] paragraph 8.1.4)?</p> <p>If so, how is the use of such a construction method secured by the dDCO [APP-019]?</p> <p>If not, how would construction take place without anything on the surface of the Special Category Land?</p> <p>Are rights sought over the surface of the Special Category Land? If so: what are they for; over what period of time are they envisaged to be required; and is such a period of time regulated under the dDCO [APP-019]?</p> <p>If so, how.</p> <p>If not, why not.</p>	

Reference	Respondent(s)	Question	Response
CA1.3.35	The Applicant	With reference to paragraph 8.2.1 of the Statement of Reasons [APP-022], why is the Environment Agency not listed in the text, but is included in Appendix B?	
CA1.3.36	The Applicant The Crown Estate Commissioners	<p>What are the current positions of the Applicant and the Crown Estate Commissioners in respect of discussions relating to s135 of the Planning Act 2008 (Statement of Reasons [APP-022] paragraphs 1.5.7 and 8.3.3)? Please provide details of any such discussions.</p> <p>In the context of Planning Act 2008 guidance related to procedures for the Compulsory Acquisition of land (September 2013) Annex B Paragraph 2, when does the Applicant expect to receive any relevant consent?</p> <p>If the relevant consent is not received, would the project be able to proceed and, if so, in what form?</p> <p>Would a reassessment of environmental effects be necessary?</p>	
CA1.3.37	The Applicant The Ministry of Defence	<p>What are the current positions of the Applicant and the Ministry of Defence in respect of discussions relating to s135 of the Planning Act 2008 (Statement of Reasons [APP-022] paragraphs 1.5.7 and 8.3.3)? Provide details of any such discussions.</p> <p>In the context of Planning Act 2008 guidance related to procedures for the Compulsory Acquisition of land (September 2013), Annex B Paragraph 2, when does the Applicant expect to receive any relevant consent?</p> <p>Are there other bodies that should be the subject of such discussions?</p>	

Reference	Respondent(s)	Question	Response
		<p>If the relevant consent is not received, would the project be able to proceed and, if so, in what form?</p> <p>Would a reassessment of environmental effects be necessary?</p>	
CA1.3.38	The Applicant	Over what corridor width would restrictions be sought within land coloured blue, purple and green in the Book of Reference [APP-024]? (Refer to Appendix A of the Statement of Reasons [APP-022].)	
CA1.3.39	The Applicant	Could the Applicant please provide an update to the summary and status of negotiations tables in Appendices B, C and D to the application Statement of Reasons [APP-022], with both a clean and track changed version.	
CA1.3.40	The Applicant	<p>Does the dDCO [APP-019] include powers to extinguish any rights belonging to the following Statutory Undertakers (Statement of Reasons [APP-022] Appendix B)?</p> <p>If so, why are these powers included, as it is not envisaged that they would be required?</p> <ul style="list-style-type: none"> <li>i) ESP Utilities Group Ltd.</li> <li>ii) GTC Infrastructure Ltd (GTC Electricity).</li> <li>iii) GTC Infrastructure Ltd (GTC Gas).</li> <li>iv) Hampshire County Council.</li> <li>v) the Environment Agency.</li> <li>vi) National Grid Electricity Transmission plc.</li> <li>vii) Network Rail Infrastructure Ltd.</li> <li>viii) Portsmouth City Council.</li> </ul>	

Reference	Respondent(s)	Question	Response
		ix) Portsmouth Water Ltd. x) Southern Gas Network PLC. xi) Southern Water Services Ltd. xii) SSE PLC (Gas). xiii) SSE PLC (High Voltage). xiv) SSE PLC (Low Voltage).	
CA1.3.41	The Applicant Statutory Undertakers	Has any contact been made with the following Statutory Undertakers to consult over and agree protective provisions? (Appendix B of the Statement of Reasons [APP-022] refers.) If so, what are the current positions of the Applicant and each of the following. If not, why not? If agreement has not been reached on protective provisions, what is the envisaged timescale for such an agreement? i) ESP Utilities Group Ltd. ii) GTC Infrastructure Ltd (GTC Electricity). iii) GTC Infrastructure Ltd (GTC Gas). iv) Hampshire County Council. v) National Grid Electricity Transmission plc. vi) Portsmouth City Council. vii) Southern Water Services Ltd – Sewers. viii) SSE PLC (Gas).	

Reference	Respondent(s)	Question	Response
CA1.3.42	The Applicant Environment Agency	What are the current positions of the Applicant and the Environment Agency in terms of its rights relating to watercourses? (Appendix B to the Statement of Reasons [APP-022] refers.)	
CA1.3.43	The Applicant Network Rail Infrastructure Ltd Portsmouth Water Ltd Southern Gas Network PLC SSE PLC (High Voltage) SSE PLC (Low Voltage)	<p>What are the current positions of the Applicant and the following Statutory Undertakers in terms of protective provisions? (Appendix B of the Statement of Reasons [APP-022] refers.)</p> <p>If agreement has not been reached on protective provisions, what is the envisaged timescale for such an agreement?</p> <p>i) Network Rail Infrastructure Ltd. ii) Portsmouth Water Ltd. iii) SGN - Southern Gas Network PLC. iv) SSE PLC (High Voltage). v) SSE PLC (Low Voltage).</p>	
CA1.3.44	The Applicant	Could the Applicant please provide an updated version of Appendix C to the application Statement of Reasons [APP-022], with both a clean and track changed version.	
CA1.3.45	The Applicant CityFiber Holdings Ltd	Has any contact been made with the following apparatus owners to consult with and agree protective provisions? (Appendix C to the Statement of Reasons [APP-022] refers.)	

Reference	Respondent(s)	Question	Response
	Openreach (BT) Virgin Media Ltd Vodafone Ltd	If so, what are the current positions of the Applicant and each of the following. If not, why not? If agreement has not been reached on protective provisions, what is the envisaged timescale for such an agreement? i) CityFiber Holdings Ltd. ii) Openreach Ltd (BT). iii) Virgin Media Ltd. iv) Vodafone Ltd.	
CA1.3.46	The Applicant Highways England	What are the current positions of the Applicant and Highways England in terms of protective provisions and National Roads Telecommunications Services? (Appendix B to the Statement of Reasons [APP-022] refers.) If agreement has not been reached on protective provisions, what is the envisaged timescale for such an agreement?	
CA1.3.47	The Applicant	Please provide a Compulsory Acquisition and Temporary Possession Objection Schedule in the form appended to the ExA's Procedural Decision dated 26 March 2020. This document should be updated in accordance with the Examination timetable, and both a clean and track changed version, showing the updates following the previous submission, should be submitted at the requisite times.	
CA1.3.48	The Applicant	With reference to paragraph 2.3.1.6 of the Book of Reference [APP-024], what limits have been used to identify Category 3 persons?	

Reference	Respondent(s)	Question	Response
CA1.3.49	The Applicant	With reference to paragraph 2.3.1.6 of the Book of Reference [APP-024], why does the Applicant ' <i>not expect that any person will be able to make a successful claim under Part 1 of the Land Compensation Act 1972 in respect of the operation of the Proposed Development</i> '?	
CA1.3.50	The Applicant	With reference to paragraph 4.3 of the Funding Statement [APP-023], please could the Applicant provide details of the shareholder's commitment and any security in respect of the funding of the Proposed Development.	
CA1.3.51	The Applicant	What date has been given to the cost estimate for the project? (Refer to paragraph 5.2 of the Funding Statement [APP-023].)	
CA1.3.52	The Applicant	Has any allowance been made for inflation in the cost estimate for the project? [Refer to paragraph 5.2 of the Funding Statement [APP-023].] If so, what is it? If not, please provide an estimate of such an allowance.	
CA1.3.53	The Applicant	In paragraph 7.2.1 of the Funding Statement [APP-023], should the reference to paragraph 7.4.3 be to 7.2.3?	
CA1.3.54	The Applicant	What is the estimated cost of the Crown Estate seabed licence? (Refer to paragraph 7.2.3 of the Funding Statement [APP-023].)	
CA1.3.55	The Applicant	Relating to the Executive Summary of the Needs and Benefits Report [APP-115], briefly describe the Cap and Floor regulatory arrangements and explain what elements of them would be relevant to the Proposed Development.	

Reference	Respondent(s)	Question	Response
CA1.3.56	The Applicant	Relating to the Executive Summary of the Needs and Benefits Report [APP-115], briefly describe the Cross-Border Cost Allocation process and explain what elements of it would be relevant to the Proposed Development.	
CA1.3.57	The Applicant	Relating to the Executive Summary of the Needs and Benefits Report [APP-115], briefly describe the Connecting Europe Facility, and explain what elements of it would be relevant to the Proposed Development.	
CA1.3.58	The Applicant	Provide a table or tables to show what all of the Euro figures in the Needs and Benefits Report [APP-115] and the Planning Statement [APP-108] represent in Pounds Sterling in the context of the text that they relate to.	
CA1.3.59	The Applicant	Has the AQUIND interconnector been submitted for inclusion the Cap and Floor regime (paragraph 2.2.1.2 of the Needs and Benefits Report [APP-115] refers)? If so, at what stage is the project at, and why is Ofgem minded not to make a Cap and Floor award to the AQUIND interconnector?	
CA1.3.60	The Applicant	In relation to paragraph 2.3.2.7 of the Needs and Benefits Report [APP-115], how much of the existing interconnector capacity and target capacity has and will have this Voltage Sourced Converter ('VSC') technology?	
CA1.3.61	The Applicant	Please explain the Vision 3 and Vision 4 scenarios mentioned in paragraph 2.3.4.4 of the Needs and Benefits Report [APP-115].	



Reference	Respondent(s)	Question	Response
CA1.3.62	The Applicant	How does the 15.5GW (10.5 plus 5) total capacity of existing and planned GB interconnectors relate to the optimal and socially beneficial capacities of 6.8 and 8.8GW to France and the December 2018 15% of generation target of 12.4GW (4 plus 8.4) in respect of the sufficiency of existing and planned capacity outside of AQUIND at 2030? (Paragraph 2.2.1.3 and Appendix 1 of the Needs and Benefits Report [APP-115] refer.)	
CA1.3.63	The Applicant	Since the application, what progress has been made on obtaining the other necessary consents, licences or permits that are necessary for the Proposed Development, as identified in paragraph 1.1.1.5 of the Other Consents and Licences report [APP-106]?	
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.	
CA1.3.65	The Applicant	For the other consents, licences and permits required for the Proposed Development (Table 2-1 of the Other Consents and Licences report [APP-106]), what is the Applicant's view on the likelihood of each of them being obtained, including evidenced	

Reference	Respondent(s)	Question	Response
		reference to any discussions with the relevant body concerned (in addition to the details already provided)?	
CA1.3.66	The Applicant	<p>On the basis that the draft Order would include the Compulsory Acquisition of a right over Special Category Land where the right would include the ability to undertake construction activities, would this right, and any subsequent maintenance rights, burden each plot of the relevant land in any way, including by construction or maintenance? (Paragraph 3.4.1.3 of the Planning Statement [APP-108] refers.)</p> <p>If so, how would this land be burdened, and how would this be '<i>no less advantageous than it was before</i>' to those concerned?</p> <p>If not, why would it not?</p>	
CA1.3.67	The Applicant	Could the Applicant please provide direction to the evidence that demonstrates that all of the ' <i>reasonable alternatives to acquisition</i> ' have been explored, as asserted in paragraph 2.3.1.2 of ES Chapter 2, Alternatives [APP-117].	
CA1.3.68	The Applicant	What maintenance disruption is envisaged along the onshore cable route? (Table 2.1 of the ES Chapter 2, Alternatives [APP-117], refers.)	
CA1.3.69	The Applicant	With reference to paragraph 2.4.2.7 of ES Chapter 2, Alternatives [APP-117], where are the ' <i>wider network reinforcements</i> ' required for Chickerell substation option?	
CA1.3.70	The Applicant	In relation to the Chickerell substation option that was considered, was the option of building a new and larger substation alongside the existing substation explored to reduce	

Reference	Respondent(s)	Question	Response
		<p>the '<i>significant disruption to the existing network</i>' (ES Chapter 2 Alternatives [APP-117], paragraph 2.4.2.7)?</p> <p>If so, what was the outcome?</p> <p>If not, why not?</p>	
CA1.3.71	The Applicant	<p>The construction of the Proposed Development requires a number of facilities that are mentioned throughout the application documents. Could the Applicant please provide plans to indicate and explain the locations and envisaged extent of the following:</p> <ul style="list-style-type: none"> <li>• the 'primary contractor compound' at the Lovedean Converter Station (ES Appendix 22.2 [APP-450], paragraph 2.4.1.1);</li> <li>• each of the 'satellite contractor's compounds along the Onshore Cable Corridor' (ES Appendix 22.2 [APP-450], paragraph 2.4.1.2);</li> <li>• each of the 'laydown areas' for the storage of materials (paragraph 2.4.1.3 of ES Appendix 22.2 [APP-450] and ES 3.6.3.50 [APP-118]);</li> <li>• each of the envisaged joint bays along the Onshore Cable Corridor (ES Appendix 22.2 [APP-450], paragraph 2.4.1.5).</li> </ul> <p>Please indicate how is each of these controlled through the dDCO [APP-019] and outline management plans, and how and where are their effects set out in the ES?</p>	
CA1.3.72	The Applicant	<p>Plate 2 of ES Appendix 22.2 [APP-450] shows two permanent land take widths of 3.0m at jointing bays. How do these widths relate to the envisaged permanent land take widths along the Onshore Cable Corridor?</p>	

Reference	Respondent(s)	Question	Response
CA1.3.73	The Applicant	How do the widths on Plate 3 of ES Appendix 22.2 [APP-450] relate to the envisaged permanent land take?	
CA1.3.74	The Applicant	On Plate 3 of ES Appendix 22.2 [APP-450], where are the fibre optic cables situated?	
CA1.3.75	The Applicant	<p>Plate 4 of ES Appendix 22.2 [APP-450] shows a permanent easement width of 11m and a construction corridor of 23m '<i>within fields and open land</i>'. Would such a construction corridor be the extent of rights sought '<i>within fields and open land</i>' outside compounds and access areas?</p> <p>If not, what would be sought, and why and how is this regulated under the dDCO [APP-019]?</p> <p>What is the envisaged extent of construction and permanent rights sought elsewhere?</p>	
CA1.3.76	The Applicant	Are the construction elements required in France and the UK similar in nature and complexity? Would the construction costs be less, more or equivalent?	
CA1.3.77	Southern Gas Networks	Is the SGN Relevant Representation [RR-012] made in relation to s127 or s138 of the Planning Act 2008, or both?	
CA1.3.78	RWE Renewables UK Limited	Is the RWE Renewables UK Limited Relevant Representation [RR-018] made in relation to s127 or s138 of the Planning Act 2008?	
CA1.3.79	The Applicant	What is the landward limit of the ' <i>Option Agreement from The Crown Estate</i> ' mentioned in [RR-037]?	

Reference	Respondent(s)	Question	Response
		<p>Does this agreement relate to the '<i>lease to the Aquind Limited for the construction of the project</i>'?</p> <p>If so, how?</p> <p>If there are no limits in this agreement, what is the envisaged landward limit of the '<i>lease</i>'?</p>	
CA1.3.80	Blake Morgan LLP on behalf of The Owners of Little Denmead Farm	Who are the owners of Little Denmead Farm who are represented? ([RR-055] refers.)	
CA1.3.81	This should be a question for Savills on behalf of West Waterlooville Development Ltd/Grainger Plc	<p>Does the Savills Relevant Representation [RR-141] include any concerns in relation to the seeking of rights within the areas of adopted highway?</p> <p>What are the Land Plan [APP-008] plots, or parts of plots, referred to in the Relevant Representation that lie outside the adopted highway?</p>	
CA1.3.82	Ian Judd and Partners on behalf of Peter and Geoffery Carpenter, Michael and Sandra Jefferies,	In Relevant Representation [RR-168], should Mr Carpenter be 'Geoffrey' and not 'Geoffery', should 'Hill Crest' be 'Hillcrest' and should 'Mill Farm' be 'Mill View Farm'?	

Reference	Respondent(s)	Question	Response
	Robin Jefferies and Joe Tee		
CA1.3.83	Ian Judd and Partners on behalf of Peter and Geoffery Carpenter, Michael and Sandra Jefferies, Robin Jefferies and Joe Tee	To what Land Plan [APP-008] plot numbers does Relevant Representation [RR-168] refer?	
CA1.3.84	Ian Judd and Partners on behalf of Peter and Geoffery Carpenter, Michael and Sandra Jefferies, Robin Jefferies and Joe Tee	What land interest does Joe Tee have in respect of Relevant Representation [RR-168]?	
CA1.3.85	Ian Judd and Partners on behalf of The Landowners of land at Kings Pond, Denmead	In respect of Relevant Representation [RR-194], do the parties listed make any representation in respect of Land Plans [APP-008] Plots 3-06 and 3-11?	

Reference	Respondent(s)	Question	Response
	being Julie Elliott, Robin Elliott, Richard Elliott and Phillip Elliot		
CA1.3.86	Ian Judd and Partners on behalf of Peter and Geoffery Carpenter, Michael and Sandra Jefferies, Robin Jefferies and Joe Tee	<p>Peter and Geoffery Carpenter appear to be represented by both yourselves and Blake Morgan LLP ([RR-168] and [RR-055]). Is this the case?</p> <p>If so, should these Relevant Representations be taken as one.</p> <p>If not, what are the differences between the Relevant Representations?</p>	
CA1.3.87	Blake Morgan LLP on behalf of The Owners of Little Denmead Farm	<p>Peter and Geoffrey Carpenter appear to be represented by both yourselves and Ian Judd and Partners ([RR-055] and [RR-168]). Is this the case?</p> <p>If so, should these Relevant Representations be taken as one.</p> <p>If not, what are the differences between the Relevant Representations?</p>	
CA1.3.88	Ian Judd and Partners on behalf of Peter and Geoffery Carpenter, Michael and Sandra	<p>Michael Edwin and Sandra Helen Jefferies appear to be represented by both yourselves and Blake Morgan LLP ([RR-168] and [RR-070]). Is this the case?</p> <p>If so, should these Relevant Representations be taken as one?</p>	

Reference	Respondent(s)	Question	Response
	Jefferies, Robin Jefferies and Joe Tee	If not, what are the differences between the Relevant Representations?	
CA1.3.89	Blake Morgan LLP on behalf of The Owners of Hillcrest	Michael Edwin and Sandra Helen Jefferies appear to be represented by both yourselves and Ian Judd and Partners ([RR-168] and [RR-070]). Is this the case? If so, should these Relevant Representations be taken as one. If not, what are the differences between the Relevant Representations?	
CA1.3.90	Ian Judd and Partners on behalf of Peter and Geoffery Carpenter, Michael and Sandra Jefferies, Robin Jefferies and Joe Tee	Robin Jefferies appears to be represented by both yourselves and Blake Morgan LLP ([RR-168] and [RR-067]). Is this the case? If so, should these Relevant Representations be taken as one. If not, what are the differences between the Relevant Representations?	
CA1.3.91	Blake Morgan LLP on behalf of Robin Jefferies	Robin Jefferies appears to be represented by both yourselves and Ian Judd and Partners ([RR-168] and [RR-067]). Is this the case? If so, should these Relevant Representations be taken as one. If not, what are the differences between the Relevant Representations?	



Reference	Respondent(s)	Question	Response
CA1.3.92	Stantec on behalf of Investin Portsmouth Limited):	Does Investin Portsmouth Limited have any specific land interest, including any rights, over the car park (Land Plans Plots 10-30 and 10-32) [APP-008] referred to in its Relevant Representation [RR-098]?	
CA1.3.93	The Applicant	For each of the areas of Special Land within the Order land, why is no replacement land being offered under s132 of the Planning Act 2008 (refer to paragraph 2.7 of [RR-185])? The response should include reference to any relevant provisions in the Growth and Infrastructure Act 2013.	
CA1.3.94	The Applicant	Why are Compulsory Acquisition powers being sought over and above the statutory framework that exists in the New Roads and Street Works Act 1991, and why does the dDCO [APP-019] not include protective provisions to protect highway interests? (Refer to paragraph 2.10 of [RR-185].)	
CA1.3.95	The Applicant	With reference to paragraph 10.4 of [RR-185] and paragraph 6.3 of the Funding Statement [APP-023], what <i>'Market engagement has been undertaken'</i> ?	
CA1.3.96	The Applicant	With reference to paragraph 10.4 of Portsmouth City Council's Relevant Representation [RR-185] and paragraph 6.4 of the Funding Statement [APP-023], what evidence is there <i>'that there is a strong interest in the provision of finance for the Project'</i> and what level of finance would this evidenced <i>'strong interest'</i> provide?	

Reference	Respondent(s)	Question	Response
CA1.3.97	The Applicant	How has the Proposed Development been found to be viable (paragraph 10.13 of [RR-185] and Funding Statement [APP-023])? Provide details of the most recent of any appraisals undertaken.	
CA1.3.98	The Applicant	What interaction between the Authorised Development and apparatus belonging to statutory undertakers would require the removal or repositioning of such apparatus? (Paragraph 9.32 of the Explanatory Memorandum [APP-020] refers.)	
CA1.3.99	The Applicant	With reference to paragraph 11.2 of the Explanatory Memorandum [APP-020], why is Article 39 required in this particular dDCO [APP-019]?	
CA1.3.100	The Applicant	The s51 meeting note dated 9/8/19 (available on the Planning Inspectorate's National Infrastructure project web page at <a href="https://infrastructure.planninginspectorate.gov.uk/projects/south-east/aquind-interconnector/?ipcsection=advice&amp;ipcadvice=329e4c36ae">https://infrastructure.planninginspectorate.gov.uk/projects/south-east/aquind-interconnector/?ipcsection=advice&amp;ipcadvice=329e4c36ae</a> records that the Applicant's approach for highway subsoil interests (being not to negotiate the private acquisition for the rights or pay compensation because the owner has no use or enjoyment of it, its use is not prejudiced by the proposed development and the highway subsoil has no market value) has precedent in relation to High Speed Two. Provide details of this precedent and the relationship of the Applicant's approach with Government guidance on Compulsory Acquisition. This guidance includes Planning Act 2008, Guidance related to procedures for the compulsory acquisition of land, dated September 2013.	

Reference	Respondent(s)	Question	Response
		The response should also refer to any potential for provisions under the New Roads and Street Works Act 1991 to be used for works in the highway. (Point 2.10 in [RR-185] refers.)	
CA1.3.101	The Applicant	Provide an explanation of how the application Book of Reference [APP-024] accords with the Government guidance, Planning Act 2008, Guidance related to procedures for the compulsory acquisition of land, dated September 2013, particularly Annex D paragraph 10.	
CA1.3.102	The Applicant	Has the use of a power under a separate article which would allow the Applicant to exclude a particular private right from the blanket extinguishment power included in Article 24 been considered (see paragraph 9.13 of the Explanatory Memorandum [APP-020])? If so, how has this been considered? If not, why not? The response should include reference to Planning Inspectorate Advice Note 15 Drafting Development Consent Orders dated July 2018, especially paragraph 23.4.	
CA1.3.103	The Applicant	Provide a breakdown of the ' <i>Land acquisition costs</i> ' (refer to paragraph 5.4 of the Funding Statement [APP-023]). The response could include reference to land acquisition, land rights, disturbance compensation, injurious affection or professional fees.	
CA1.3.104	The Applicant	Provide details of the envisaged levels of interest, ' <i>other debt servicing</i> ' and ' <i>revenues generated</i> ' referred to in paragraph 5.5 of the Funding Statement [APP-023].	

Reference	Respondent(s)	Question	Response
CA1.3.105	Winchester City Council	For the alternative cable routes shown in the application at Anmore Road (Paragraph 5.3.5 of the Statement of Reasons [APP-022]), which route would the Council prefer to see utilised, or have the least objection to, and why?	
CA1.3.106	Portsmouth City Council	<p>For each of the alternative cable routes shown in the application at the locations listed below, which route would the Council prefer to see utilised, or have the least objection to, and why?</p> <ul style="list-style-type: none"> <li>i) Portsdown Hill Road (Statement of Reasons [APP-022] paragraph 5.3.8);</li> <li>ii) Farlington Avenue (Statement of Reasons [APP-022] paragraph 5.3.9);</li> <li>iii) Zetland Field (Statement of Reasons [APP-022] paragraph 5.3.10);</li> <li>iv) the Baffins Milton Rovers FC pitch (Statement of Reasons [APP-022] paragraph 5.3.1 - paragraph numbering out of sequence);</li> <li>v) Milton Common (Statement of Reasons [APP-022] paragraph 5.3.4 - paragraph numbering out of sequence);</li> <li>vi) Moorings Way and Eastern Avenue (Statement of Reasons [APP-022] paragraph 5.3.5 - paragraph numbering out of sequence);</li> <li>vii) the University of Portsmouth Langstone Campus (Statement of Reasons [APP-022] paragraph 5.3.6 - paragraph numbering out of sequence); and</li> <li>viii) Bransbury Park (Statement of Reasons [APP-022] paragraph 5.3.2 - paragraph numbering out of sequence).</li> </ul>	

Reference	Respondent(s)	Question	Response
CA1.3.107	Winchester City Council	<p>For the alternative cable routes shown in the application at Anmore Road (Paragraph 5.3.5 of the Statement of Reasons [APP-022]), what are the Council's views on whether the regulation provided by dDCO [APP-019] Requirement 6(2), together with the addition of an article similar to Article 19(5) and a requirement similar to Schedule 1 Part 3 Requirement 12 at Appendix D of the Examining Authority's Recommendation Report for the Thanet Extension Offshore Wind Farm Nationally Significant Infrastructure Project</p> <p><a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-003108-TEOW%20%E2%80%93%20Final%20Recommendation%20Report.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-003108-TEOW%20%E2%80%93%20Final%20Recommendation%20Report.pdf</a></p> <p>would provide sufficient clarity at an appropriate time in respect of the chosen cable route, notwithstanding any other concerns that the Council may have?</p>	
CA1.3.108	Portsmouth City Council	<p>For each of the alternative cable routes shown in the application at the locations listed below, what are the Council's views on whether the regulation provided by dDCO [APP-019] Requirement 6(2), together with the addition of an article similar to Article 19(5) and a requirement similar to Schedule 1 Part 3 Requirement 12 at Appendix D of the Examining Authority's Recommendation Report for the Thanet Extension Offshore Wind Farm Nationally Significant Infrastructure Project Examination document [REP8-013]</p> <p><a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-003108-TEOW%20%E2%80%93%20Final%20Recommendation%20Report.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-003108-TEOW%20%E2%80%93%20Final%20Recommendation%20Report.pdf</a></p>	

Reference	Respondent(s)	Question	Response
		<p>would provide sufficient clarity at an appropriate time in respect of the chosen cable route, notwithstanding any other concerns that the Council may have?</p> <p>i) Portsdown Hill Road (Statement of Reasons [APP-022] paragraph 5.3.8);</p> <p>ii) Farlington Avenue (Statement of Reasons [APP-022] paragraph 5.3.9);</p> <p>iii) Zetland Field (Statement of Reasons [APP-022] paragraph 5.3.10);</p> <p>iv) the Baffins Milton Rovers FC pitch (Statement of Reasons [APP-022] paragraph 5.3.1 – paragraph numbering out of sequence);</p> <p>v) Milton Common (Statement of Reasons [APP-022] paragraph 5.3.4 - paragraph numbering out of sequence);</p> <p>vi) Moorings Way and Eastern Avenue (Statement of Reasons [APP-022] paragraph 5.3.5 - paragraph numbering out of sequence);</p> <p>vii) the University of Portsmouth Langstone Campus (Statement of Reasons [APP-022] paragraph 5.3.6 - paragraph numbering out of sequence); and</p> <p>viii) Bransbury Park (Statement of Reasons [APP-022] paragraph 5.3.2 - paragraph numbering out of sequence).</p> <p><sup>1</sup> <a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-002100-D8_Appendix7_TEOW_DCO_RevI.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010084/EN010084-002100-D8_Appendix7_TEOW_DCO_RevI.pdf</a></p>	
4. Cultural Heritage			

Reference	Respondent(s)	Question	Response
CH1.4.1	The Applicant	Please detail which assets were surveyed using Google Streetview rather than a site visit by the expert. (ES 21.4.3.4 [APP-136] refers.)	
CH1.4.2	The Applicant	From ES section 21.6.2 [APP-136], the hierarchy of headings is confusing, and it is unclear what paragraphs 21.6.2.1 to 21.6.2.44 refer to. Please clarify. Please confirm if these paragraphs refer only to the soil strip stage across the proposals.	
CH1.4.3	The Applicant	With reference to ES paragraph 21.6.2.42 [APP-136], what assumptions have been made when making this assessment in relation to the local and size of fencing, hoarding, site compounds and welfare facilities? How and where do the dDCO [APP-019] and ES ensure that these would be worst-case assessments?	
CH1.4.4	The Applicant Historic England Relevant local authorities	For Section 1 of the Proposed Development (from ES paragraph 21.6.4.5 [APP-136]), the assessment of effects on the settings of assets appears to focus exclusively on views, and relies, in some cases, on established or proposed planting to mitigate effects. Could the Applicant, Historic England and the relevant local authorities comment on the adequacy of this, or whether other factors that contribute to setting should have been considered. To what extent should the ExA and Secretary of State take established vegetation and proposed mitigation planting into account in the assessment of setting?	

Reference	Respondent(s)	Question	Response
CH1.4.5	The Applicant	<p>In relation to paragraphs 21.6.4.30 to 21.6.4.31 of the ES [APP-136], could the Applicant please clarify the locations and geographical interrelationship between Fort Cumberland and the historic ravelin, and the associated 'fields of fire'.</p> <p>How do the proposed Optical Regeneration Station buildings relate to this?</p>	
CH1.4.6	The Applicant	<p>Given the constraints on the final finished floor level in the design principles and parameter plans and tables, how would the potential mitigation described in paragraph 21.8.1.6 of the ES [APP-136] in relation to the location and formation levels for the Converter Station be achievable?</p>	
CH1.4.7	The Applicant	<p>Please could the Applicant clarify the assessment of effects on Scotland (Cottage). The preliminary assessment at ES paragraph 21.6.4.21 [APP-136] would seem to take into account 'embedded' mitigation planting (see paragraphs 21.6.4.4 and 21.6.4.20). The finding is of an '<i>effect on the significance of Scotland (Cottage) of minor adverse significance prior to the implementation of additional mitigation measures</i>' (ES paragraph 21.6.4.33) [APP-136]. At paragraph 21.8.2.2, the same mitigation is used again, and is said to offset the minor effect. Does 'offset' actually mean reduce, but the effect remains significant?</p> <p>How should this be interpreted by the Examining Authority and the Secretary of State in terms of NPS 'harm'?</p>	
CH1.4.8	The Applicant	<p>Is the '&lt;' symbol in ES paragraph 21.4.1.4 [APP-136] a typo?</p>	
5. Draft Development Consent Order			



Reference	Respondent(s)	Question	Response
DCO1.5.1	The Applicant	<p>Explain in greater detail the technical and environmental reasons why Hayling Island was discounted as an alternative landfall and cable route option for the Proposed Development when it appears to share largely similar natural constraints with the selected route to Eastney (paragraph 2.4.11.14 of ES Chapter 2, Consideration of Alternatives [APP-117]).</p> <p>With reference to paragraph 2.4.3.8 and Table 2.3 of ES Chapter 2 [APP-117], please explain in more detail how the decision to choose Eastney as the landfall was reached on the basis of a site visit. What factors made Eastney a more viable option than the other beaches studied?</p> <p>Were impacts on the human population and traffic flows part of the optioneering process, including the discounting of Hayling Island during the assessment of alternatives?</p> <p>If so, please provide evidence.</p> <p>In paragraph 2.4.11.14 of the ES [APP-117], a number of reasons for excluding the cable route option through Hayling Island are listed. Expand on each of these reasons giving comparative explanation as to why such factors were or were not considered prohibitive.</p> <p>Was a comparison made between the ability to HDD between the two islands (Portsea and Hayling) and the mainland?</p> <p>If so, what was the comparative outcome.</p> <p>If not, why not?</p>	
DCO1.5.2	The Applicant	<p>The application Planning Statement [APP-108 para 1.3.6.2] suggests that the fibre optic cable and associated infrastructure constitutes Associated Development, including the spare</p>	

Reference	Respondent(s)	Question	Response
		<p>capacity that would be used for commercial telecommunications purposes. Please provide a more detailed explanation as to why the Applicant thinks that this would be the case.</p> <p>Please detail the envisaged degree of spare capacity in the cables and the corresponding proportion of associated buildings, cubicles and other infrastructure related to the surplus that would be used for commercial telecommunications purposes.</p> <p>Would the separate Telecommunications Building at the Converter Station site be necessary if there were no commercial usage of the surplus fibre optic cable capacity, and thus no requirement for access by third parties? (i.e. could the interconnector monitoring functions be accommodated within the main Converter Station buildings?)</p> <p>Is the ORS at the landfall needed if the fibre optic cable is required only for interconnector monitoring and not commercial data usage?</p> <p>If the Optical Regeneration Station is required nevertheless, what difference to building dimensions would the removal of commercial surplus capacity make?</p> <p>The more detailed explanation must include reference to;</p> <ul style="list-style-type: none"> <li>• the guidance that Associated Development should be subordinate to the NSIP, but necessary for the Proposed Development to operate effectively to its design capacity, in paragraph 2.9 of The Planning Inspectorate's Advice Note 13: Preparation of a draft order granting development consent and explanatory memorandum, February 2019, Version 3;</li> <li>• s115 of the Planning Act 2008 together with paragraph 199 of the Explanatory Notes;</li> </ul>	

Reference	Respondent(s)	Question	Response
		<ul style="list-style-type: none"> <li>the Department for Communities and Local Government Guidance on associated development applications for major infrastructure projects April 2013, particularly paragraph 5;</li> <li>any case law that the Applicant wishes to reply upon in support of its position.</li> </ul>	
DCO1.5.3	The Applicant MMO	Given that there is some uncertainty about whether the surplus capacity in the proposed fibre-optic cable that would be used for commercial telecommunications purposes can constitute Associated Development, would the Secretary of State be able lawfully to include the fibre-optic cable or this surplus capacity in a Deemed Marine Licence in this DCO?	
DCO1.5.4	The Applicant	Paragraphs 3.6.3.21 of the ES [APP-118] and 3.4.1.20 of the HRA report [APP-491] report that fibre-optic cables are needed between the two converter stations. Paragraph 3.6.2.8 of the ES [APP-118] states that fibre-optic cables are included in the HVAC section beyond the converter station (i.e. between the converter station and the existing substation). Which is correct, and if they are included with both the HVDC and HVAC cables, is there a difference in design, function and use?	
DCO1.5.5	The Applicant	<p>Please provide the following information with reference to the ('up to 6') locations where ducts would be installed by horizontal directional drilling (HDD) or a similar trenchless technique, and the definition of HDD given on page 6 of the dDCO [APP-019]:</p> <p>i) Explain the maximum possible technical length that a trenchless section or crossing can be.</p>	

Reference	Respondent(s)	Question	Response
		<p>ii) Explain the circumstances that would prevent or restrict the use of trenchless sections or crossings.</p> <p>iii) Explain the longest length of trenchless section or crossing currently proposed and where it is, and also provide the length of the crossing proposed at Farlington Marshes.</p> <p>iv) How large do the HDD compounds need to be for successful operation?</p> <p>v) To enable 24-hour operation, what lighting is needed at the HDD compounds and how would such lighting be perceived by human and ecological receptors?</p> <p>vi) In Schedule 1, Works No. 4, 5 and 6 all include the term 'up to 4' HDD pits (total of 12 across all three works). However, the ES discusses the possibility of up to six HDD areas. Why and what flexibility is sought in respect of 'HDD usage'? Can the ExA be reassured that the locations the technique is proposed and assessed for would indeed be carried through into the construction? Is this secured through the dDCO [APP-019]? If so, where and how? If not, why not?</p> <p>vii) Identify on a plan the '<i>adjacent land within the Order Limits</i>' which is '<i>proposed to be used to facilitate the HDD</i>' or trenchless construction works (paragraph 2.8.3.2 of ES Appendix 22.2 [APP-450] refers). The response must include a diagrammatic representation of the envisaged construction-related use of this land that has led to the identification of the scope of the land sought within the Order limits together with images of the envisaged type of construction plant to be used at these locations.</p> <p>viii) Indicate on a plan the envisaged points at which the proposed stretches and crossings of HDD or trenchless</p>	

Reference	Respondent(s)	Question	Response
		<p>technique would start and end. (Paragraph 2.8.3.1 of ES Appendix 22.2 [APP-450] refers.)</p> <p>ix) Noting that the use of HDD or trenchless techniques in particular locations is critical to mitigation relied on in the EIA and HRA, are the specific locations and approach secured through the dDCO [APP-019]? If so, where? If not, why not?</p>	
DCO1.5.6	The Applicant	<p>Table WN2 of the dDCO [APP-019] (parameters) sets a maximum length of 3.4m for the security perimeter fence – should this be maximum height?</p> <p>Where are the dDCO parameters for the security perimeter fence at the Optical Regeneration Station (Table WN6 of the dDCO [APP-[APP-019])?</p> <p>Where in the dDCO [APP-019] are controls over temporary and permanent fencing around other buildings, compounds and other above-ground structures?</p>	
DCO1.5.7	The Applicant	<p>In the dDCO [APP-019], no parameters are provided for buildings or structures at the converter station site other than the converter halls and lighting columns. Why?</p> <p>What are the implications for visual prominence and massing of structures?</p>	
DCO1.5.8	The Applicant	<p>The dDCO [APP-019] aims to disapply the Hedgerows Regulations 1997 and protected hedges, trees and other trees that are of sufficient quality for protection are affected by the Proposed Development. Please could the Applicant update the application documentation as necessary to ensure that the dDCO [APP-019] and Explanatory Memorandum [APP-020] fully comply with the Planning Inspectorate's Advice Note 15, section</p>	

Reference	Respondent(s)	Question	Response
		<p>22 (<i>'hedgerows and trees'</i>), including the full and detailed identification of the specific trees and hedgerows.</p> <p>Please properly quantify the numbers and extent to which hedgerows and trees are affected and advise whether the assessment needs to be updated.</p>	
DCO1.5.9	The Applicant Local planning authorities	<p>In Article 42 of the dDCO [APP-019], is the precision around TPOs sufficient? (TPO plans [APP-018] and Schedule 11 refer.)</p> <p>The Applicant seeks powers over any tree in the Order limits rather than providing a schedule (as per model provisions and as is usual in other recently made DCOs). Schedule 11 of the dDCO [APP-019] (TPO trees) only lists <i>'potential removal'</i> and <i>'indicative works to be carried out'</i>. How can this be specific enough to understand the impact of the Proposed Development on trees?</p> <p>If this remains unchanged, should the ExA in weighing the benefits and disbenefits of the Proposed Development therefore assume the loss all of the trees within the Order limits during construction and throughout the lifetime of the Proposed Development, given that 42(2)(b) of the dDCO [APP-018] removes any duty to replace lost trees?</p>	
DCO1.5.10	The Applicant	<p>Paragraph 3.6.4.57 of the ES [APP-118] suggests that the two cable circuits may be laid at different times by different contractors. How can the programme and therefore the period of disruption and noise be controlled? How was this variability assessed in the EIA?</p>	
DCO1.5.11	The Applicant	<p>In relation to paragraphs 7.20, 7.37 and 8.20-8.24 of the MMO Relevant Representation [RR-179] and the description of</p>	

Reference	Respondent(s)	Question	Response
		authorised development at Schedule 1, paragraph 2 of the dDCO [APP-019] (further Associated Development for marine works (Works 6&7)), when will the dredged sediment disposal site be defined and submitted into the Examination?	
DCO1.5.12	The Applicant	In relation to the authorised development in Schedule 1 of the dDCO [APP-019], future references to the lists set out in paragraph 2 will be confusing as there are duplicates of (a) to (e). Does the Applicant think that the paragraph needs to be split into two, or alternatively should the list continue sequentially from Works 1-5 to Works 6-7 (i.e. the second set of (a) to (e) should be changed to (l) to (p))?	
DCO1.5.13	The Applicant	In draft requirement 7 of the dDCO [APP-019], why is the requirement for landscape scheme approval restricted to Works 2 and part of Works 5? Why are works 1, 3, 4 and the rest of 5 not included?	
DCO1.5.14	The Applicant	In relation to dDCO [APP-019] draft Requirement 7: <ul style="list-style-type: none"> <li>• 2a - what is the relevance of the Hedgerow Regulations here?</li> <li>• Delete 'and' in line (a);</li> </ul> Should finished ground levels for the landscape areas be specified?	
DCO1.5.15	The Applicant	In dDCO [APP-019] draft Requirement 9: <ul style="list-style-type: none"> <li>• Why is Works 3 excluded?</li> <li>• Should '<i>biodiversity management strategy</i>' (lines 1-2) be '<i>biodiversity management plan</i>'?</li> </ul>	

Reference	Respondent(s)	Question	Response
DCO1.5.16	The Applicant Environment Agency MMO	With reference to draft Requirement 13 in the dDCO [APP-019], should works halt in the circumstances where contamination is discovered pending the approval and implementation of the remediation scheme? Should this be written into the Requirement?	
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?	
DCO1.5.18	The Applicant MMO Natural England	In dDCO [APP-019] Schedule 15, the Deemed Marine Licence: <ul style="list-style-type: none"> <li>• Is the definition of cable protection acceptable, especially the reference to 'unlikely'?</li> <li>• 4(a) should be MMO Head Office not 'Local Office'?</li> <li>• 4(f) is the contact address for Natural England in Exeter correct?</li> </ul>	Natural England believes that the definition is partially acceptable in this particular case however we are not comfortable with the use of the term "unlikely." We would recommend the words "which are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement;" be removed from the definition to give certainty on what is to be deployed. We advise that



Reference	Respondent(s)	Question	Response
			<p>it would be preferable to word the condition so that it is clear that any cable protection measures proposed must fall within the window of those assessed within the ES. Should there be any materially new or materially different environmental effects from those assessed in the environmental statement, however unlikely, these should be assessed accordingly and any changes to the license made if required.</p> <p>In addition Natural England's preference would be for the use of cable protection which could be decommissioned at the end of the lifetime of the project.</p> <p>The correct address for Natural England is Natural England</p>

Reference	Respondent(s)	Question	Response
			4th floor, Eastleigh House, Upper Market Street, Eastleigh, Hampshire, SO50 9YN
DCO1.5.19	The Applicant MMO	<p>In the Deemed Marine Licence in the dDCO [APP-019], at Part 1, 10 '<i>Details of Licensed Marine Activities</i>', does the inclusion of the modifier 'likely' add a subjective test and room for argument? Should it be deleted, or the wording changed to make it more precise?</p> <p>The corresponding paragraphs for the authorised development section of the dDCO [APP-019] at Schedule 1 (2) (e) says '<i>such other works as may be necessary or expedient for the purpose of or in connection with the construction or use of the authorised development and which do not give rise to any materially new or materially different environmental effects from those assessed as set out in the environmental statement.</i>' Would this wording be preferable in the Deemed Marine Licence?</p>	
DCO1.5.20	The Applicant MMO	<p>With reference to the Deemed Marine Licence Part 2 conditions in the dDCO [APP-019]:</p> <p>2(b) this is usually 28 days rather than the 20 days included here – what is the justification and is MMO content?</p> <p>5(2) Is this wording acceptable to the MMO? Could it permit damaging works not in accordance with the EIA?</p> <p>8. Is the MMO happy with the extent of Construction Monitoring proposals and the ability to secure them?</p>	

Reference	Respondent(s)	Question	Response
DCO1.5.21	The Applicant MMO	<p>The location of the HDD exit (marine) (Work 7b) is shown as parameter box on Figure 3.3 of the ES [APP-148], and some aspects of the EIA and HRA were carried out on this basis, including those in respect of the interest features of the Solent Maritime SAC (for example, on Table 7.1, HRA Report [APP-491]). Where and how are this location and these parameters secured?</p> <p>Does the MMO believe that the reference in dDCO [APP-019] draft condition 4(1)(a) is sufficient to ensure that the detailed design falls within the assessed scheme?</p> <p>The Deemed Marine Licence at paragraph 6 suggests that the extent of Works 6 and 7 are shown on the Land Plans [APP-008]. This does not appear to be the case, so could the Applicant clarify this reference.</p>	
DCO1.5.22	The Applicant	<p>Could the Applicant please correct the inconsistency at various points in the dDCO [APP-019] between '<i>Order Limits</i>' and '<i>Order limits</i>', noting that the convention is the more recently made DCOs such as the Cleve Hill Solar Park Order 2020 is '<i>Order limits</i>'.</p>	
DCO1.5.23	The Applicant	<p>Could the Applicant rectify the typographical error in the dDCO [APP-019] definition of MHWS. (...springs "or...)</p>	
DCO1.5.24	The Applicant	<p>The Office of the Parliamentary Counsel Drafting Guidance document advises against the use of 'shall' in statutory drafting (see paragraph 1.2.9). The draft Order [APP-019] uses 'shall' in numerous locations. Could these occurrences be reworded as per the guidance?</p>	

Reference	Respondent(s)	Question	Response
DCO1.5.25	The Applicant	In dDCO [APP-019] Article 16(4)(a), is the reference to Schedule 12 correct? Please clarify.	
DCO1.5.26	The Applicant	In dDCO [APP-019] Schedule 1, 3, please rectify the typographical error by deletion of the second 'is'.	
DCO1.5.27	The Applicant	In dDCO [APP-019] Schedule 2: 1(1), please rearrange the entries into alphabetical order.	
DCO1.5.28	The Applicant	dDCO [APP-019] Requirement 1(2)(6)(b) states that, for the purposes of Requirement 5, the height of the Converter Station (and other buildings) is to be measured as the vertical dimension from existing ground level to the top of the highest part of the structure. Could the Applicant advise if this is accurate?	
DCO1.5.29	The Applicant	Please check dDCO [APP-019] Requirement 20 and advise if words are missing.	
DCO1.5.30	The Applicant	In the Explanatory Memorandum [APP-020] 11.4, should 'article 41' be 'article 42' in the last line?	
DCO1.5.31	The Applicant	Paragraph 2.3.15 of the Planning Inspectorate's scoping opinion [APP-366] raises concerns about the parameters of the development being 'wide-ranging' and encourages every attempt to narrow the options. However, significant parameters and routing options are present in the application. Why are there still broad parameters, numerous options and outstanding uncertainties at this Examination stage?	

Reference	Respondent(s)	Question	Response
DCO1.5.32	The Applicant	<p>The Land Plans [APP-008] and the Works Plans [APP-009] provided with the application are quite broad in terms of scale and the composition of the Order limits. Taking account of above-ground and known underground constraints, can the Applicant provide a set of detailed plans that covers the entire onshore cable route, to show an actual corridor for the cable (as opposed to whole fields and highways) and to narrow down the extent of the Order sought. The construction limits to either side of the cable should also be shown, as on the example cross sections, such as those on Plate 4 of ES Appendix 22.2 [APP-450].</p>	
DCO1.5.33	The Applicant	<p>Article 2(3) of the dDCO [APP-019] relates to distances and dimensions but does not explicitly reference deviation limits in a horizontal or vertical plane for the laying of the cable. Please explain whether the dDCO [APP-019] includes limits of deviation in either the vertical or horizontal plane (dDCO [APP-019] Article 6(5))?</p> <p>If so, where?</p> <p>If not, why not?</p> <p>If the cable burial depth is not set in the parameters, what was the worst case assessed for the purposes of the EIA in relation to timescales, noise, waste, disruption, and so on?</p>	
DCO1.5.34	The Applicant	<p>In Articles 10 and 11 of the dDCO [APP-019], please explain what is meant by '<i>whether or not within the Order Limits</i>'? Does this imply powers to the applicant extending beyond the extent of the Order limits?</p>	

Reference	Respondent(s)	Question	Response
DCO1.5.35	Portsmouth City Council Hampshire County Council	Across Articles 10, 11 and 13 (in particular) of the dDCO [APP-019], numerous provisions are made in respect of highway works. Are the Highway Authorities content with the scope and level of rights empowered to the applicant by the dDCO [APP-019]? Are these Articles (and the full scope of powers sought within them) necessary for the type of development proposed?	
DCO1.5.36	The Applicant	Schedule 2 Article 4 of the dDCO [APP-019] raises the prospect of further rooftop equipment and paraphernalia, which would potentially raise the development higher than its maximum parameter (height) and could give rise to different visual effects. Has the worst-case scenario (i.e. the converter station plus rooftop apparatus) been considered in the assessment and if not, why not?	
DCO1.5.37	The Applicant National Grid	Schedule 2 of the dDCO [APP-019] provides two options for the siting of the Converter Station, dependent upon negotiations with National Grid around the Lovedean substation. Can the ExA be updated as to the current position of the negotiations and if such discussions could be concluded during the Examination period, thus confirming an actual location for the Proposed Development.	
DCO1.5.38	The Applicant	In some of the draft Requirements in the dDCO, in respect of several assessments cited within the dDCO [APP-019] (flood risk etc), the Proposed Development must be ' <i>substantially in accordance with...</i> ' What is meant by this and why should the development not be carried out ' <i>wholly</i> ' in accordance with? Should the word ' <i>substantially</i> ' be removed in each case?	

Reference	Respondent(s)	Question	Response
		<p>If not, why not?</p> <p>Some clauses in the dDCO [APP-019] have a '<i>reasonable satisfaction of</i>' tailpiece written into them. Please could these be removed, and more appropriate wording used?</p>	
DCO1.5.39	The Applicant	How would the dDCO [APP-019] secure appropriate noise control, management and mitigation across the Proposed Development? Should the reference to Work No.2 in Article 20 of Schedule 2 be extended to other Works to ensure effective noise management?	
DCO1.5.40	Statutory Undertakers	Please comment on whether the suite of protective provisions written into the dDCO [APP-019] would be sufficient to ensure respective undertakers are able to meet their statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.	
DCO1.5.41	The Applicant	<p>Explain why the anticipated 40-year service life of the development has not been used as a benchmark across the ES (for example, 25 years is cited in [APP-115] paragraphs 2.3.3.6 and 2.3.4.7).</p> <p>What does the difference between 25 and 40 years represent?</p> <p>How have these differences affected the EIA and HRA?</p> <p>Are the powers that would be provided by any DCO intended to be time limited?</p> <p>If not, why not?</p>	
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	

Reference	Respondent(s)	Question	Response
		response from the consenting authority. Are the local planning authorities content with the provisions and the responsibilities on them as the relevant consenting authority?	
DCO1.5.43	The Applicant	<p>A large proportion of the mitigation measures in the ES and the HRA Report [APP-491] that are needed to avoid adverse effects would not be secured directly through the draft DCO [APP-019]. Instead, reliance would be placed on the further development and securing through DCO Requirements (e.g. draft Requirements 12, 13, 14, 17 and 19) of final versions of a series of outline and framework management plans such as the Outline Landscape and Biodiversity Strategy [APP-506] and the Onshore and Marine Outline CEMPs ([APP-505] and [APP-488]).</p> <p>Could the Applicant review the proposals for such outline plans and frameworks, the dDCO, and corresponding detailed management plans and demonstrate that the ExA and Secretary of State can be confident that all necessary mitigation measures relied on in the EIA and HRA can be properly secured through this mechanism and provide adequate certainty that adverse effects on the integrity of European sites would be avoided?</p> <p>Please identify how and where the outline documents ensure that the necessary measures would be included in the final versions, especially where the framework or strategy is brief and does not include a full 'contents' list for the detailed plan.</p> <p>In order to provide a clearer audit trail for the ExA, the Secretary of State and the authorities that would have the responsibility for approving the final versions of any such plans, does the Applicant believe it would be useful to provide cross reference entries from the Mitigation Schedule [APP-489] to the specific relevant sections of the outline plans?</p>	



Reference	Respondent(s)	Question	Response
		<p>Could the Applicant also provide some further clarity in relation to Schedule 14 of the dDCO [APP-019]. There appear to be more outline management plans mentioned in the Application documents than those listed in Schedule 14, so could the Applicant explain why not all are intended to be certified?</p> <p>In doing so, could the Applicant check the names of plans mentioned in the dDCO and elsewhere against the titles on their covers. Any differences may explain some of the lack of clarity. For example, are the following the same:</p> <ul style="list-style-type: none"> <li>• Soils and Materials Handling Plan, Outline Materials Management Plan (appended to CEMP [APP-505]) and Outline Soils Resources Plan (appended to CEMP [APP-505])?</li> <li>• Aquifer Contamination Mitigation Strategy (draft Requirement 12) and the Surface Water Drainage and Aquifer Contamination Mitigation Strategy [APP-360]?</li> </ul> <p>Please check the list of outline plans and allied control documents set out in Schedule 14 of the dDCO and clarify if all of the documents that are mentioned in the ES and relied upon for mitigation, and are therefore require to be certified and subsequently approved in a final version, are listed.</p> <p>If not, please update.</p> <p>If any are mentioned in the ES that do not require to be listed in Schedule 14, please explain why (for example, if they are appended to, or an inherent part of a broader document that is listed).</p> <p>Would any plans that are relied on in the EIA or HRA to secure mitigation not be secured through a dDCO Requirement?</p>	

Reference	Respondent(s)	Question	Response
		<p>Please demonstrate how the written schemes set out in draft Requirements 13 and 14 are led by an outline or framework plan, and how and where these are secured.</p> <p>Explain the level of confidence that the ExA and host local authorities can have that secured measures would be capable of adequately mitigating the relevant matters. If necessary, provide outline documents listing measures that would be secured, drawings that would be prepared, and consultations that would be undertaken.</p>	
DCO1.5.44	The Applicant Relevant local planning authorities	<p>Could the Applicant and the local planning authorities please review the definitions of 'commence' and 'onshore site preparation works' set out in Article 2(1) of the dDCO [APP-019]? A number of site preparations are listed to be excluded from the definition of commencement.</p> <p>Does the Applicant believe that these definitions in Article 2 of the dDCO would allow such site preparation works to be carried out in advance of the choice of Converter Station option, and the discharge of Requirements, including approval of the CEMP, the landscape and biodiversity mitigation schemes and the surface water drainage system? On what basis does the Applicant believe this is acceptable?</p> <p>Does the Applicant believe that the onshore site preparation works include the creation of site accesses, and, if so, would this conflict with the need for design approval of 'vehicular access, parking and circulation areas' for Works 2 and 5 in Article 6 and Requirement 10?</p> <p>The definition of 'onshore site preparation works' includes 'diversion or laying of services', while Requirement 13 (contaminated land and groundwater) does not include an</p>	

Reference	Respondent(s)	Question	Response
		<p>exclusion from the preparation works similar to the one in Requirement 14(2). Does the Applicant believe that intrusive works such as the laying of services could be carried out on any contaminated land before a management scheme has been agreed?</p> <p>If so, is this acceptable?</p> <p>Should Requirement 13 include similar wording to Requirement 14(2)?</p> <p>Also, could the Applicant provide a detailed explanation as to why each of the elements of onshore site preparations works are excluded from the definition of commence, notwithstanding any commencement control through a Construction Environment Management Plan (Explanatory Memorandum [APP-020] paragraph 5.3.2)? The response must include details of the benefits implied in paragraph 5.3.7 of the Explanatory Memorandum.</p> <p>Could the local authorities comment on whether they are agreeable to these exclusions?</p>	
DCO1.5.45	Hampshire County Council	In respect of Article 8(3) of the dDCO [APP-019], please explain the relevance of the Traffic Management (Hampshire County Council) Permit Scheme Order 2019 and is it acceptable to disapply its terms in respect of this Proposed Development?	
DCO1.5.46	The Applicant	In Schedule 2 of the dDCO [APP-019], Article 1(4) lists of a number of items not included within the proposed parameter plans. This list of exclusions includes reference to solar panels. Is there an intention to have solar panels or other renewable	

Reference	Respondent(s)	Question	Response
		<p>energy apparatus on or at the Converter Station or Optical Regeneration Station?</p> <p>If yes, can it be evidenced where this has been assessed under the worst-case principles of the ES?</p>	
DCO1.5.47	The Applicant	<p>The Explanatory Memorandum [APP-020] refers extensively to Model Provisions. These are now out of date. Please update the Explanatory Memorandum including Schedule 1, so that, in each case, it refers to the source of the provision by reference to a previous made DCO or Transport and Works Act Order or states clearly whether it is a novel provision.</p> <p>Review the explanation provided in the Explanatory Memorandum [APP-020] so that it sets out why the wording from other made DCOs is relevant, detailing what is factually similar for both the relevant consented NSIP and the proposed development. This should include any divergence in wording from the consented DCO drafting.</p>	
DCO1.5.48	The Applicant	The dDCO [APP-019] Article 2 definition of ' <i>onshore preparation works</i> ' list starts c, d, e... Why not a, b, c..?	
DCO1.5.49	The Applicant	The ExA wants to be assured that dDCO [APP-019] Article 23 would not enable the creation of undefined new rights or restrictive covenants and must ensure that either a Schedule detailing each of these rights or restrictions is included in the draft DCO, or the description of each right and restriction is clearly set out in the Book of Reference [APP-024]. Provide this reassurance or amend accordingly.	
DCO1.5.50	The Applicant	With reference to paragraph 6.12 of the Explanatory Memorandum [APP-020], how is the absence of Secretary of	

Reference	Respondent(s)	Question	Response
		State consent ' <i>important for the delivery and use of the Authorised Development</i> ' and how would this absence specifically ensure its ' <i>timely delivery and operation</i> '?	
DCO1.5.51	The Applicant	<p>For each of the locations along the entire route of the Proposed Development in Sections 2 to 10 of the onshore components where the Order limits would be wider than the envisaged width of permanent rights to be sought, which is shown as 11m for non-highway situations on Plate 4 of the Framework Construction Traffic Management Plan ES Appendix 22.2 [APP-450], please explain in detail why this greater width would be required and how this is regulated under the dDCO [APP-019]. (Explanatory Memorandum [APP-020] paragraph 9.1 refers.)</p> <p>The response must include reference to the envisaged construction methodology if relevant to the width of the Order limits. In particular, the response must explain what specific operations or circumstances have led to the need for the full extent of this width and what specific rights are envisaged to be sought. The response must give evidence of the thought that has already gone into this process, in addition to that which is described in the application.</p> <p>The level of detail sought by this question arises from the conditions in s122(2) of the Planning Act 2008 that the full extent of each plot is required for the said purposes. It also arises from the need to demonstrate necessity and proportionality in terms of interference with the rights of those with an interest in the land and the demonstration of a clear idea of the intended use of the land concerned, as set out in paras 8 and 9 of the DCLG Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land September 2013. It also arises from the need to avoid any '<i>unnecessary</i></p>	

Reference	Respondent(s)	Question	Response
		<i>degree of flexibility and hence uncertainty'</i> , as set out on page 4 of the Planning Inspectorate's <i>Advice Note nine: Rochdale Envelope</i> .	
DCO1.5.52	The Applicant	What matters of ' <i>complexity and scale</i> ' have led to the extension of the 5-year model time limit to 7 years for the exercise of authority to acquire land compulsorily in dDCO [APP-019] Article 22 (Explanatory Memorandum [APP-020] paragraph 9.7 refers)?	
DCO1.5.53	The Applicant	Is the power of the temporary use of land for maintaining the Authorised Development, as provided by Article 32 of the dDCO [APP-019], only available during the maintenance period of 5 years not during the entire period that it is operational? (Paragraph 9.27 of the Explanatory Memorandum [APP-020] refers.)	
DCO1.5.54	The Applicant	Why has the maintenance period in dDCO [APP-019] Article 32(12) been amended to 5 years from that given in the model provisions (Explanatory Memorandum [APP-020] paragraph 9.30)?	
DCO1.5.55	The Applicant	Would the power given by dDCO [APP-019] Article 33(1)(c) be available under Article 33(1)(a)? (Refer to paragraph 9.31.1 of the Explanatory Memorandum [APP-020].)	
DCO1.5.56	The Applicant	With reference to paragraph 11.11 of the Explanatory Memorandum [APP-020], why, and in which Order land plots, is Article 48 necessary?	
DCO1.5.57	The Applicant	Are the relevant planning and highway discharging authorities and other relevant bodies content with their roles in the	

Reference	Respondent(s)	Question	Response
	Relevant local authorities	discharge of Requirements? (Refer to paragraph 12.4 of the Explanatory Memorandum [APP-020].)	
DCO1.5.58	The Applicant	With reference to paragraph 12.6.4 of the Explanatory Memorandum [APP-020], to whom would the undertaker confirm the selected option for the Converter Station under Requirement 4 of the dDCO [APP-019]?	
DCO1.5.59	The Applicant	In table WN2 of the dDCO [APP-019], it is stated that the maximum parameters of the telecommunications buildings would be 10x4x3 (m). However, throughout the ES, the maximum dimensions are cited as 10x4x4 (m) ([APP-118], paragraph 3.6.5.6). Can the Applicant explain the reason for this difference and the implications for the EIA?	
DCO1.5.60	The Applicant	Should the definition of ' <i>relevant highway authority</i> ' ([APP-019], Interpretation) be amended to include Highways England in view of works in the vicinity of the strategic road network?	
DCO1.5.61	Highways England	What protective provisions are requested to be incorporated within the dDCO [APP-019]?	
DCO1.5.62	The Applicant	dDCO [APP-019] Article 8(3) contains ' <i>in relation to of the works</i> ' – the ' <i>of</i> ' is erroneous. Please amend.	
DCO1.5.63	The Applicant	The time period by which a discharging authority (for example in dDCO [APP-019] Articles 11(4) and 13(8)) must respond to approve submitted details is shorter than the time periods used in other DCOs relied upon as precedent. Explain why this is the case.	

Reference	Respondent(s)	Question	Response
DCO1.5.64	The Applicant	Why is dDCO [APP-019] Article 11(5) required given the general definition of apparatus?	
DCO1.5.65	The Applicant	The use of the phrase ' <i>reasonable time</i> ' is ambiguous in Article 13(1) of the dDCO [APP-019]. Who would decide what is a reasonable time, and would not such a period be dictated by 'weekly' timetable set out in the Framework Traffic Management Strategy?	
DCO1.5.66	The Applicant	The implication of Schedule 8 of the dDCO [APP-019] is that the listed streets would be temporarily stopped up, although in most cases only one half of the carriageway would be affected. Can some clarity be given as to what streets would be fully stopped up (temporarily) and thus a diversion put in place, and where one half of the carriageway would remain open for the duration of the works?	
DCO1.5.67	The Applicant	Notwithstanding the answer to DCO1.5.66, should dDCO [APP-019] Article 13(5) be amended to include reference to 13(4) as well as 13(1) so that adequate notice and consultation with the relevant street authority takes place?	
DCO1.5.68	The Applicant	In respect of Article 14 of the dDCO [APP-019], provide a detailed description of the intentions at each of the access points shown in the Access and Rights of Way Plans (Sheets 1 to 10) [APP-011] stating the purpose, whether a new or altered access is being formed and by what arrangement, and, specifically in relation to AC/1/a, can a plan be provided detailing site specific remodelling and access formation.	



Reference	Respondent(s)	Question	Response
DCO1.5.69	The Applicant	Where strategies are referred to in dDCO [APP-019] Articles (for example Article 12(2)), please can the relevant requirement be cross-referenced for clarity?	
DCO1.5.70	The Applicant	Should dDCO [APP-019] Requirement 10 reference the Access and Rights of Way Plans [APP-011]?	
DCO1.5.71	The Applicant	The dDCO [APP-019], (at page 43, Interpretation) refers to 'phases' and these are to be defined by the Applicant, along with accompanying Construction Environmental Management Plans. How are these phases likely to be determined and how would consultation on them be co-ordinated?	
DCO1.5.72	The Applicant	<p>In Schedule 2 of the dDCO, draft Requirement 21 [APP-019] secures a 'travel plan' but does not state that it should be in accordance with a framework travel plan. The need for travel plans for each contractor is outlined in the Framework Construction Traffic Management Plan [APP-449] in Appendix 7 and secured via Requirement 17, where it states the plan must be in accordance with the framework plan. Explain the relationship between the travel plans in Requirements 21 and 17 and how the process to finalise and approve the travel plans would work in practice.</p> <p>Further, draft Requirement 17 refers to the approval of a construction traffic plan in the singular, whereas the Framework Construction Traffic Management Plan [APP-450] at 1.3.1.1 suggests that there would be multiple plans needed for each phase, one for each contractor: <i>'Individual CTMP documents will be provided to each contractor with further detail relating to their relevant work site locations. These will be prepared and</i></p>	

Reference	Respondent(s)	Question	Response
		<p><i>agreed with the relevant Local Highway Authority ahead of works commencing.'</i></p> <p>Can the Applicant also confirm if a separate Construction Traffic Management Plan would be produced for each of the 10 sections described in the ES?</p> <p>Does the Applicant believe that the wording of draft Requirement 17 is adequate in this respect?</p>	
DCO1.5.73	The Applicant	How does dDCO [APP-019] Requirement 18(1) relate operationally to Requirement 18(3)? Where should authorities look to ascertain the hours of working permitted bearing in mind the outline CEMP is prepared without reference to phases?	
DCO1.5.74	The Applicant	dDCO [APP-019] Requirement 18 (5) (c) states: ' <i>discernible light, noise or vibration outside the Order limits.</i> ' In order to be non-intrusive, should that also cover ' <i>within</i> ' the Order limits?	
DCO1.5.75	The Applicant	The Framework Traffic Management Strategy [APP-449] sets out mitigation measures for Section 10, which includes construction works between the junction of Henderson Road and Bransbury Road, and the landfall in the car park off Fort Cumberland Road. Construction works in this area fall under Works 4 and 5 in Schedule 1 of the DCO [APP-019]. However, draft Requirement 19 of the dDCO (Schedule 2) refers only to Works 4, and not Works 5. Please explain this apparent discrepancy between the two contiguous Works, one of which would be prevented from commencement until the Traffic Management Strategy is approved by the relevant highway authorities, while the other apparently would not.	

Reference	Respondent(s)	Question	Response
DCO1.5.76	The Applicant	In securing land restoration under dDCO [APP-019] Requirement 22, would there be a requirement on the applicant to inform the relevant local authorities that the development has been completed?  If so, how would such notice be served?	
DCO1.5.77	The Applicant	Does dDCO [APP-019] Requirement 23 need to be expanded to include lighting at the Optical Regeneration Stations near Fort Cumberland?	
DCO1.5.78	The Applicant	Should dDCO [APP-019] Articles 11 and 13 follow the general drafting of Article 10 in that the works specified are for ' <i>the purpose of constructing and maintaining</i> ' the Proposed Development?	
DCO1.5.79	The Applicant	Please explain whether or not the proposed approach to the use of ' <i>temporary stopping up</i> ' provisions by the Applicant is acceptable with regard to current policies and practices of Highways England in this regard in relation to its own recent DCO applications.	
DCO1.5.80	The Applicant	dDCO [APP-019] Article 10 relates to a very specific list of works, rather than conveying a general power to be an undertaker working in the highway. Please amend this to ensure only engineering works applicable and appropriate to the actual works intended are covered.	
DCO1.5.81	The Applicant	Measures to identify and protect retained trees under dDCO [APP-019] Requirement 7 only apply to Works No.2 and No.5	

Reference	Respondent(s)	Question	Response
		for the Converter Station and Optical Regeneration Station. Why are these controls not in place for Work No.4?	
DCO1.5.82	The Applicant	dDCO [APP-019] Articles 41 and 42 both use the phrase ' <i>it reasonably believes it to be necessary.</i> ' Can the applicant elaborate on the process for fair and impartial assessment of whether an action to lop or fell a tree is ' <i>reasonable</i> ', ' <i>necessary</i> ' and based on technical expertise, to reassure the ExA that such works would not be carried out following an arbitrary judgment.	
DCO1.5.83	The Applicant	dDCO [APP-019] Article 42 (2)(b) disapplies the duty to replace trees (in the case of TPO trees), with Articles 41 and 42 only seeking to pay compensation to the tree owners in each individual case. Why is the Applicant not seeking a landscape restoration programme whereby trees removed are replaced in commensurate scale, kind or location?	
DCO1.5.84	The Applicant	In dDCO [APP-019] Article 41, what is meant by ' <i>near any part of the authorised development</i> '? Does this mean the Order limits?	
DCO1.5.85	The Applicant	Does the Applicant believe that Article 45 of the dDCO [APP-019] should be amended in the light of a recent made Order (The Cleve Hill Solar Park Order 2020), in which the Secretary of State deleted the clause that proposed referral to the Centre for Effective Dispute Resolution should the Secretary of State fail to make an appointment of an Arbitrator within 14 days?	
DCO1.5.86	The Applicant	Please provide an index of where the dDCO [APP-019] has set out specified maximum and minimum parameters in relation to	

Reference	Respondent(s)	Question	Response
		extent of the works [Planning Inspectorate <i>Advice Note 9 - Rochdale Envelope</i> , April 2012, page 10].	
DCO1.5.87	The Applicant	<p>Notwithstanding ongoing discussions, the Applicant does not yet have any Crown Estate s135 consent. On that basis what is the Applicant's view about the inclusion of the following in the dDCO:</p> <p><i>'The undertaker may exercise any right under this Order to acquire compulsorily an interest in any land which is Crown land (as defined in the 2008 Act) forming part of The Crown Estate, provided that the interest to be acquired is—</i></p> <p><i>(a) identified in the book of reference;</i></p> <p><i>(b) for the time being held otherwise than by or on behalf of the Crown; and</i></p> <p><i>(c) in a plot that is expressly referred to in the letter provided by the Crown Estate Commissioners with regard to section 135 of the 2008 Act dated [xx].'</i></p>	
DCO1.5.88	The Applicant	In accordance with convention in recently made Orders, would the definition of 'watercourse' in the dDCO [APP-019] benefit from the addition of 'has the meaning given in the Land Drainage Act 1991(a)' with '(a) 1991 c.59, section 72(1)' as a referenced footnote?	
DCO1.5.89	The Applicant	Please check all references to 'Order' in the dDCO [APP-019] and ensure they begin with an upper case 'O'.	

Reference	Respondent(s)	Question	Response
DCO1.5.90	The Applicant	In accordance with convention in recently made Orders, would draft Article 5 of the dDCO [APP-019] benefit from the addition of: <i>'(3) This article only authorises the carrying out of maintenance works within the Order limits'</i>	
DCO1.5.91	The Applicant	In accordance with convention in recently made Orders, would draft Article 7 of the dDCO [APP-019] benefit from the addition of the following clause at its outset: <i>'7.—(1) Except as otherwise provided in this Order, the provisions of this Order have effect solely for the benefit of the undertaker.'</i>	
DCO1.5.92	The Applicant	In accordance with convention in recently made Orders, would draft Article 18(4)(b) of the dDCO [APP-019] benefit from the addition of the following terminal wording: <i>'... within the Order limits'</i> ?	
DCO1.5.93	The Applicant	In accordance with convention in recently made Orders, should all relevant references in the dDCO [APP-019] to Part 1 of the 1961 Act be to <i>'Part 1 (determination of questions of disputed compensation) of the 1961 Act'</i> ?	
DCO1.5.94	The Applicant	In accordance with convention in recently made Orders, should Part 6 of the dDCO [APP-019] read: <i>'37.—(1) The deemed marine licence set out in Schedule 15 (deemed marine licence under the 2009 Act) is deemed to be granted on the date this Order comes into force to the undertaker under Part 4 (marine licensing) of the 2009 Act for</i>	

Reference	Respondent(s)	Question	Response
		<i>the licensed marine activities set out in Part 1, and subject to the conditions set out in Part 2 of that Schedule'?</i>	
DCO1.5.95	The Applicant	In accordance with recently made Orders, should Article 47 of the dDCO [APP-019] be amended to include ' <i>take possession of</i> ' in the list of exclusions in 47(1)? (For example, 'to take possession of, use, enter upon or in any manner interfere with any land or rights of any description'.) (Explanatory Memorandum [APP-020] paragraph 11.10 also refers.)	
DCO1.5.96	The Applicant	Please correct the typographical error at the start of Article 48(1) of the dDCO [APP-019].	
DCO1.5.97	The Applicant	There are various uncertainties in relation to the parameters set out in the dDCO and assessed in the ES, as highlighted in other questions, and it is noted that the maximum parameters presented in Schedule 1 of the dDCO (APP-019) do not appear to fully align with some of the maximum parameters set out at a wide variety of locations in the ES.  Therefore, please can the Applicant provide a reconciliation document to aid understanding of where maximum parameters assessed in the ES are secured in the dDCO to ensure that what is permitted in the dDCO is not outside the scope of the assessment reported in the ES and HRA report.	
DCO1.5.98	The Applicant	In Article 7(7)(a) of the dDCO [APP-019], is the terminal 'or' necessary? If not, please delete.	
DCO1.5.99	The Applicant	Paragraphs 3.6.2.4 and 3.6.2.5 of the ES [APP-118] state that the HVAC cables between Lovedean and the Converter Station (Works 1) would be up to 1km in length. However, this is not	

Reference	Respondent(s)	Question	Response
		reflected in the dDCO, which states that they would be up to 800m (Works 1; dDCO Schedule 1, part 1(a)). Can the Applicant explain this apparent discrepancy and any implications for the EIA?	
6. Environmental Impact Assessment and Environmental Statement			
EIA1.6.1	The Applicant	Were any alternative locations or designs considered for the Optical Regeneration Station? If not, why not? If so, where are the relative environmental effects set out?	
EIA1.6.2	South Downs National Park Authority NGET	In its Relevant Representation [RR-049], the South Downs National Park Authority drew attention to National Grid's duties under s62 of the Environment Act as a Statutory Undertaker to have regard to the purposes of the South Downs National Park. It suggested that there is only limited evidence of how National Grid met these duties and that it would be seeking further information from National Grid:  <i>'National Grid is a Statutory Undertaker and therefore, as per section 62 of the Environment Act 1995, they are required to have regard to the purposes of the National Park in their decision making. It is not clear whether the assessment of alternatives (set out in the Environmental Statement Chapter 2: Consideration of Alternatives) by National Grid when preparing the NGET feasibility study in 2014 took into account the impact of the various options on the National Park. There is only limited information on how that duty has been met and the SDNPA will be seeking further information on this from National Grid.'</i>	



Reference	Respondent(s)	Question	Response
		<p>Have negotiations continued and is there any update to report?</p> <p>Could the South Downs National Park Authority explain if, in its view, the Proposed Development would affect the statutory purposes for which the National Park was designated?</p> <p>Further, does it believe that there any distinction between the effects of Option B (i) and B(ii) in relation to their effects on the statutory purposes of the National Park?</p> <p>Please could NGET explain if and how you had regard to the statutory purposes of the South Downs National Park designation in preparing the 2014 feasibility study referred to in Chapter 2 of the ES [APP-117].</p>	
EIA1.6.3	The Applicant	The Proposed Development includes the provision of services to the Converter Station, including water and electricity supply works and foul drainage provision (dDCO [APP-019] Schedule 1(2)(d) refers). These are said to ' <i>fall within the scope of the work assessed by the environmental statement</i> '. Where are the impacts of these set out in the ES?	
EIA1.6.4	The Applicant	In relation to ES 3.5.5.2 [APP-118], if UXO clearance or detonation was required, this would be subject to a separate Marine Licence application. Has this been considered in the assessment of cumulative effects (for example, for marine mammals) and if so, where?	
EIA1.6.5	The Applicant	ES plate 3.23 [APP-118] seems to show the two cable circuits at different depths with a different depth of cement-bound sand covering. Is this accurate?	

Reference	Respondent(s)	Question	Response
EIA1.6.6	The Applicant	In relation to ES table 3.7 [APP-118], working hours, what times does the 12hr shift for landfall installation correspond to?	
EIA1.6.7	The Applicant	<p>In ES Chapter 4 [APP-119], the approach to EIA and the determination of significance of effects, effects deemed to be significant for the purposes of the assessment are said to be those of moderate, moderate/ major and major significance. Noting that the EIA Regulations require the identification of all significant effects, and that effects of 'minor' significance are inherently significant, please explain <i>'In EIA terms, a moderate or major effect is considered significant'</i>.</p> <p>What weight should the ExA give to the significant effects that are said to be not significant?</p> <p>Paragraph 4.7.13 of the ES [APP-119] notes that mitigation measures have been identified to deal with any significant adverse effect. Does this include the effects that are classified as being of minor significance?</p> <p>If not, why not?</p> <p>Have effects found to be of major and moderate significance been dealt with more comprehensively than those found to be of minor significance?</p>	
EIA1.6.8	The Applicant	Does the approach to the classification of mitigation measures used in the EIA and set out in the ES [APP-119] (notably 'embedded' mitigation) accord with IEMA guidance, especially <i>Shaping Quality Development</i> , IEMA, November 2015?	

Reference	Respondent(s)	Question	Response
		Have all primary, secondary and tertiary mitigation measures (as defined in the IEMA guidance) been dealt with in accordance with that guidance?	
EIA1.6.9	The Applicant	At 20.7.5.16, the ES [APP-135] raises the unlikely possibility of the works causing a 'catastrophic failure' in coastal flood defences and blocked watercourses (fluvial). It is unclear from the ES if this is considered significant and how the requirements of Schedule 4 (parts 5 and 8) of the EIA Regulations have been addressed. Could the Applicant please clarify.	
EIA1.6.10	The Applicant	Please respond to RWE Renewables' Relevant Representation [RR-018]. How would the Proposed Development interact with or affect plans for the Rampion Extension offshore wind farm? Are there likely to be any cumulative construction or operation effects that would have a significant adverse effect on the marine environment?	
EIA1.6.11	The Applicant	In relation to the cumulative assessment in the ES [APP-144], additional mitigation (over and above that proposed for the proposed project's impact alone) is identified as necessary in Table 29.14 in relation to the following inter-project cumulative effects. Please can the Applicant identify how and where these measures are secured through the dDCO [APP-019]: <ul style="list-style-type: none"> <li>• ID 67/ Landscape character/ construction;</li> <li>• ID 67/ Land use and infrastructure/ construction;</li> <li>• ID 67/ Tranquillity/ construction;</li> <li>• ID 67/ Visual amenity/ construction;</li> <li>• ID 68/ Landscape character/ construction;</li> </ul>	

Reference	Respondent(s)	Question	Response
		<ul style="list-style-type: none"> <li>• ID 68/ Land use and infrastructure/ construction;</li> <li>• ID 68/ Tranquillity/ construction;</li> <li>• ID 68/ Visual amenity/ construction;</li> <li>• ID 68/ Loss of calcareous grassland/ construction;</li> <li>• ID 68/ Landscape character/ operation;</li> <li>• ID 68/ Visual amenity/ operation.</li> </ul>	
EIA1.6.12	The Applicant	<p>In ES Table 29.17 [APP-144], the entry for benthic habitats/ physical processes/ marine water and sediment quality suggests that as one of the potentially additive or synergistic effects is '<i>not predicted to be significant</i>', no significant additive or synergistic effects are predicted. This approach seems to conflict with the generally accepted tenet (as acknowledged at ES 29.1.1.2 [APP-144]) that, while the environmental effects of a particular activity considered in isolation on a single resource or receptor may not be significant, when considered in combination with other non-significant effects, the resulting cumulative effect may be significant. Could the Applicant please clarify and explain which of these two approaches has been taken to cumulative effects in the EIA generally.</p> <p>Similarly, in relation to the HRA, The footnotes to the integrity matrices in Appendix 1 to the HRA Report (Planning Inspectorate Screening and Integrity Matrices) [APP-501] state that the Proposed Development would not give rise to adverse effects on integrity alone, and accordingly there is no possibility for adverse effects in-combination (for example footnotes a and b of Integrity Matrix 1B). This approach overlooks the potential for minor effects from the Proposed Development to interact with the effects from other plans or projects resulting in adverse</p>	

Reference	Respondent(s)	Question	Response
		<p>effects on integrity overall. Can the Applicant provide further justification in support of excluding the possibility that such effects could occur?</p> <p>Are any EIA or HRA reassessments necessary?</p>	
EIA1.6.13	The Applicant	In paragraph 30.2.21.3 of the [APP-145], the inclusion in this context of the beneficial effect on regional and national employment generation could be taken as an indication that it is significant. Could the Applicant please clarify if this is the case.	
EIA1.6.14	The Applicant	ES Appendices 2.1 [APP-350] and 3.2 [APP-356] include acronyms/ abbreviations that are neither explained nor included in the glossary. Please could the Applicant provide clarification for the benefit of non-specialised readers.	
EIA1.6.15	The Applicant	At ES 2.4.5.2 [APP-117], bullet 1, sub-bullet 2, should 'appropriate' be 'inappropriate'?	
EIA1.6.16	The Applicant	Chapter 3 of the ES [APP-118] states that the onshore trenches would be backfilled with thermal resistant material such as cement bound sand, although this would vary subject to the spacing of the trenches. What alternative techniques may be used for backfilling the onshore trenches, and where are the environmental effects of the alternatives considered?	
EIA1.6.17	The Applicant	Please could the Applicant ensure that all sources of baseline data used in the ES are dated and provide the relevant information for any that are not. These may include, <i>inter alia</i> , data sets in Chapters 8, 9, 13, 19, 20 and 26 of the ES ([APP-124], [APP-128], [APP-134], [APP-135] and [APP-141]).	

Reference	Respondent(s)	Question	Response
EIA1.6.18	The Applicant	In Chapters 7, 8, 9, 10 and 11 of the ES ([APP-122], [APP-123], [APP-124], [APP-125] and [APP-126]), a significant effect is determined as an impact that is likely to result in a ' <i>change in the ecosystem structure and function</i> '. Please can the Applicant describe what constitutes such a change and how this relates to the assessment of significant effects.	
EIA1.6.19	The Applicant	Both receptor sensitivity and magnitude of impact have been determined in Chapter 11 of the ES [APP-126], but how they combine to determine the significance of effect does not seem to have been described. Can the Applicant explain how sensitivity and magnitude of impact have been combined to determine significance?	
EIA1.6.20	The Applicant	In various parts of the ES, such as Chapters 8 [APP-123] and 22 [APP-137], there are suggestions that the maximum footprint of direct impacts from the Proposed Development would be confirmed during the final route design. Can the Applicant explain what assumptions were applied in the EIA when determining the worst-case scenario and the maximum potential effect on receptors within the Proposed Development's zone of impact?	
7. Flood Risk			
FR1.7.1	Portsmouth City Council	Given the schedule, nature and extent of planned improvement works to the coastal flood defences on Portsea Island, do you have any concerns that the Proposed Development could have adverse implications or threaten the effectiveness and efficiency of the works? If so, please provide specific, evidenced reasoning.	

Reference	Respondent(s)	Question	Response
		<p>While the proposed HDD works pass below the coastal defences and avoid direct effects, do you believe that there is any potential for sea water to use the HDD channels and bypass the coastal defences?</p> <p>The ExA would encourage Portsmouth City Council to liaise with the East Solent Coastal Partnership in the formulation of a response to this question.</p>	
FR1.7.2	Environment Agency	<p>Is there any likely interaction between the Proposed Development and existing and proposed coastal flood defences on Portsea Island and do you envisage that the proposed works could compromise the integrity of the defences?</p> <p>Do you see any reason why you might not grant the relevant permits and consents for any of the proposed works over, under or adjacent to the coastal defences?</p>	
FR1.7.3	The Applicant	<p>The flood risk assessment [APP-439] refers to Flood Zone 3 and does not differentiate between Flood Zones 3a and 3b. Taking into account applicable policy (including that set out in NPS EN-1), does the Applicant believe that a more detailed map is necessary to show the distinction?</p>	
FR1.7.4	The Applicant Environment Agency	<p>If the flood risk assessment [APP-439] allowed differentiation between Flood Zones 3a and 3b, would there need to be any changes to the Proposed Development's approach to mitigation in the event that part of the development fell within Flood Zone 3b?</p>	
FR1.7.5	The Applicant	<p>In relation to flood risk assessment policy, would the Optical Regeneration Station fall within the definition of essential</p>	

Reference	Respondent(s)	Question	Response
		infrastructure if it is not of paramount importance for the operation of the interconnector?	
FR1.7.6	The Applicant	ES Appendix 3.5 [APP-359] notes at 1.2.3 that the design of the Converter Station includes provision for the installation of a deluge system to deal with fires. Could the Applicant provide more detail on how the drainage design for the site would deal with the operation of this system and indicate how and where this has been accounted for in the FRA and surface water drainage and contamination strategy in terms of water quantity.	
FR1.7.7	The Applicant	How would surface water be managed and disposed of at HDD compounds? How would these compounds be protected from a flood risk event and would such protection give rise to the potential for increased flood risk elsewhere?	
FR1.7.8	The Applicant	With reference to paragraph 20.9.2.8 of Chapter 20 of the ES [APP-135], whilst the flood warning evacuation plan would be in place for trained staff, would such a plan be published locally so that affected residents and businesses are aware of road closures, blockages etc? What measures could be put in place to inform and ensure the public are not prejudiced in the event of a flood evacuation requirement? How could such measures be controlled through any DCO?	
8. Habitats and Ecology (Onshore)			
HAB1.8.1	The Applicant	Why does Figure 3.13 in Volume 2 of the ES [APP-158], the Environmental Constraints Map, not show the various SINCs and Local Wildlife Sites referred to elsewhere in the application documentation?	



Reference	Respondent(s)	Question	Response
HAB1.8.2	The Applicant	<p>Paragraph 5.1.1.3 of the HRA Report [APP-491] states that all European sites within 10km of the onshore and intertidal Order limits were initially included within the Habitats Regulations Assessment. Could the Applicant explain why the distance of 10km was chosen?</p> <p>How does this distance relate to the zones of influence of the Proposed Development, including those set out in the ES?</p>	
HAB1.8.3	The Applicant Natural England	<p>The ES reports some difficulties gaining access to land for surveys. To what extent does this mean that the knowledge of onshore ecology is not comprehensive, and are the assumptions that have been made in lieu of full survey results fair and reasonable for an informed assessment?</p>	<p>Natural England is in broad agreement with the approach taken with respect to the ecological surveys and we consider that the assumptions are fair and reasonable.</p> <p>It is understood that surveys have been agreed with local planning authority where relevant.</p> <p>It is noted that there were some restrictions to land access for badger clan surveys, but specifically in relation to clan 2. Given that clan 2's territory includes land away from the proposed development, this</p>

Reference	Respondent(s)	Question	Response
			<p>approach is considered reasonable.</p> <p>It is noted that reptile surveys have been undertaken at the convertor station but their absence cannot be confirmed with confidence given the extensive area affected. Given this uncertainty, it is noted that clearance works will be undertaken under ecological supervision. This approach is supported, and we advise that this is agreed with the LPA's retained ecologist. We also advise that a similar approach is taken for the clearance of other suitable habitat along the terrestrial route, as necessary.</p> <p>At pre-application, Natural England advised the applicant that a comprehensive botanical survey of Denmead Meadows should be</p>

Reference	Respondent(s)	Question	Response
			<p>undertaken to include a botanical survey with population counts of green-winged orchids. This detailed botanical survey was not undertaken. However, it is accepted that the applicant has taken a worst case approach in the EIA as the meadows have been assessed as of national importance and Natural England agrees with this approach.</p> <p>The importance of a detailed survey of Field 3 at Denmead Meadow could have informed the exact location of the construction compound within this field. For example, to avoid areas with very high numbers of green-winged orchids. However, in subsequent discussions with the applicant, it is our understanding that any micro siting of the compound is not possible, and a detailed survey</p>

Reference	Respondent(s)	Question	Response
			<p>would not have resulted in the avoidance of parts of the field.</p> <p>As set out in the Statement of Common Ground, further discussion is on-going with regard to the mitigation and compensation measures proposed to address impacts to these meadows.</p> <p>It has also been agreed that a detailed botanical survey will be undertaken pre-commencement to ensure an appropriate baseline for future monitoring.</p>
HAB1.8.4	Natural England	Is Natural England satisfied there is reasonable justification for the final scope of assessment of ecological receptors as set in Table 16.1 of the ES [APP-131]?	<p>Natural England's advice is that Portsmouth Harbour SPA and Ramsar site is scoped into the assessment.</p> <p>The route of the terrestrial onshore cable runs through sites identified as supporting habitat.</p>

Reference	Respondent(s)	Question	Response
			<p>This land falls outside of the SPA boundaries but is frequently used by SPA species (including qualifying features and assemblage species), it supports the functionality and integrity of the designated sites for these features. The supporting habitat affected by the development is part of a network that joins Portsmouth Harbour to Langstone Harbour and would be used by qualifying features from both designated sites.</p> <p>Langstone Harbour SSSI and Portsmouth Harbour SSSI underpin the Portsmouth Harbour Special Protection Area and the Chichester and Langstone Harbour SPA. Both SSSIs include brent geese and other waders within the citations and it is Natural England's view</p>

Reference	Respondent(s)	Question	Response
			<p>that they should be scoped into the assessment.</p> <p>Given the nature and scale of the proposal and the distance of the Solent and Southampton Water SPA, Natural England agrees that it is appropriate to screen out this designated site in the assessment.</p>
HAB1.8.5	The Applicant	<p>Many of the entries on Table 16.1 of the ES [APP-131] (which is said to list elements scoped out of the assessment) include references to surveys being undertaken and a conclusion of no likely significant effect. Many then occur in the '<i>scope of assessment</i>' section (16.4.2) and the associated 16.3 (for example, great crested newt and hazel dormouse). Could the Applicant clarify if these matters have been scoped out of the assessment or not.</p>	
HAB1.8.6	The Applicant	<p>Paragraph 18.1.1.3 of the ES [APP-133] and the Onshore Ecology Chapter (16) [APP-131] include references to the possibility of accidental spillages of materials and surface runoff during construction works, but it is not clear where potential impacts associated with the possible establishment of pathways between existing ground contamination and ecological receptors (i.e. those listed at 18.1.1.2) are addressed. Please clarify.</p>	

HAB1.8.7	The Applicant Natural England	Should the ES include an assessment of potential effects of the EMF along the onshore cable route on terrestrial wildlife, and in particular protected species such as bats?	Natural England advises that an assessment of potential effects of the EMF does consider potential impacts to bats.  The applicant should review the evidence base, such as reviews from the Bat Conservation Trust, to confirm whether the EMF from the underground cable route is likely to affect bats and whether any further assessment is required.
HAB1.8.8	The Applicant	With reference to paragraph 16.6.2.20 of ES Chapter 16 [APP-131], were no alternative locations investigated for the HDD work compound proposed for the King's Pond Meadow SINC?  If so, where are the results of the alternatives assessment set out?  If not, why not?	
HAB1.8.9	The Applicant	Can the Applicant confirm that there are no additional mitigation measures relied on in the HRA that are not included in the ES and Mitigation Schedule [APP-489]?  If there are, please can they be added to the mitigation schedule.	
HAB1.8.10	The Applicant MMO	A 'worst-case' construction programme has been assumed in the HRA [APP-491] for both the marine and onshore works. Should this be secured through the DML	Natural England would agree that a worst case scenario for the project should be defined within the DCO/DML. Factors such as maximum areas of cable protection and maximum amount of sandwave

	Natural England	in the dDCO [APP-019]? At present, the DML sets out the need for an agreed programme at condition 4(1)(b) but this is not referenced to the HRA assumption.  Could the Applicant provide a parallel response in relation to the onshore works, referring to draft Requirement 3 of the dDCO [APP-019].	levelling or dredge and disposal (as an example) should be set out explicitly within the consent. These are important limitations that encompass the extent of works considered and granted, should the project gain consent. Any proposal that varies from these limitations should be subject to an appropriate variation process.
HAB1.8.11	The Applicant	Goss-Custard <i>et al.</i> , 2019, is referenced at a number of places in the HRA Report [APP-491] (e.g. Table 7.10, page 662, lines 4, 5). It does not appear in the list of references at the end of the HRA Report [APP-491]. Please could this be rectified, and the full source be detailed.	
HAB1.8.12	The Applicant	Table 3.1 of the HRA Report [APP-491] and Table 1 of Appendix 3.8 to the ES [APP-362] both refer to indicative worst-case scenarios for the construction timetable. However, they do not appear to match. For example, Table 3.1 shows transition joint bay installation taking place in Quarter 3 2023 while Table 1 shows installation taking place in Quarters 2 and 3. The Applicant is requested to check and explain any discrepancies.	
HAB1.8.13	The Applicant	In their Relevant Representations, Portsmouth City Council [RR-185] and Natural England [RR-181] have raised	



		<p>concerns about the adequacy of the HRA in relation to in-combination effects on the integrity of the Chichester and Langstone Harbours SPA, including effects on functionally linked land and the coastal flood defence works on Portsea Island and from Eastney to Old Portsmouth. The Applicant is requested to provide an updated in-combination assessment which responds to all of these concerns.</p>	
HAB1.8.14	Natural England	<p>In your Relevant Representation [RR-181], you indicate that you remain concerned about the effects on the Chichester and Langstone Harbours Special Protection Area (SPA) and the Portsmouth Harbour SPA. Please could you explain your concerns in relation to the impacts on the Portsmouth Harbour SPA.</p>	<p>The route of the terrestrial onshore cable runs through sites identified as supporting habitat.</p> <p>The supporting habitat affected by the development is part of a network that joins Portsmouth Harbour to Langstone Harbour and would be used by qualifying features from both designated sites.</p> <p>Given this network, it is Natural England's advice that Portsmouth Harbour SPA is scoped into the assessment and assessed accordingly for impacts.</p> <p>However, please note that the avoidance and mitigation measures to address impacts to this supporting habitat would apply equally to both Chichester and Langstone Harbours SPA and Portsmouth Harbour SPA and no additional measures would be required.</p>
HAB1.8.15	Natural England	<p>Natural England is requested to confirm if it agrees with the Applicant's conclusion in the HRA Report [APP-491]</p>	<p>Natural England agrees with the Applicant's conclusion that there will be no adverse effects on site integrity for the River Axe SAC, either from the</p>

		that adverse effects on the integrity can be excluded in relation to the River Axe Special Area of Conservation?	Proposed Development alone, or in combination with other plans or projects.
HAB1.8.16	Natural England Joint Committee for Nature Conservation	<p>Could Natural England and the Joint Committee for Nature Conservation confirm that they are satisfied with the scope of the Applicant's assessment of effects on European sites?</p> <p>Are there any other sites or site features that could be affected by the Proposed Development?</p>	<p>Natural England has advised that Portsmouth Harbour SPA and Ramsar site is included in the assessment due to the connection between designated sites using supporting habitat.</p> <p>Given the nature and scale of the proposal and the distance of the Solent and Southampton Water SPA and Ramsar site, Natural England agrees that it is appropriate to screen out this designated site in the assessment.</p>
HAB1.8.17	Environment Agency Natural England	<p>The Environment Agency's Relevant Representation [RR-165] raises concerns about the effects of offshore cable installation on the migratory fish features of Special Areas of Conservation. Please could the Environment Agency explain its concerns in more detail.</p> <p>Natural England is requested to explain why it is satisfied that effects on the migratory fish features of the relevant Special Areas of Conservation would not lead to adverse effects on the integrity of these sites (Relevant Representation [RR-181] refers).</p>	<p>Natural England has reviewed the approach taken to assess in-combination effects upon the Annex II migratory fish species, designated features, for the relevant UK SACs. Natural England agrees with the rationale of these assessments, as detailed in; but not limited to; the following documents: Habitats Regulations Assessment Report Document Ref: 6.8.1 and Habitats Regulations Assessment Report Appendix 1: Screening and Integrity Matrices Document Reference: 6.8.3.1, and the conclusion that no LSE will result from the Proposed Development in combination with other plans or projects upon Annex II migratory fish species.</p>

<p>HAB1.8.18</p>	<p>Natural England</p>	<p>In your Relevant Representation [RR-181], you provide links to the conservation objectives for the two SPAs which are of concern to you but not for any of the other sites. To avoid any issues with interpretation or outdated links, please could you provide electronic copies of the conservation objectives and where relevant, the supplementary advice on conservation objectives for the European sites listed below:</p> <ul style="list-style-type: none"> <li>• Solent and Dorset Coast SPA;</li> <li>• Chichester and Langstone Harbours SPA;</li> <li>• Portsmouth Harbour SPA;</li> <li>• Solent and Southampton Water SPA;</li> <li>• Pagham Harbour SPA;</li> <li>• River Itchen SAC;</li> <li>• River Avon SAC;</li> <li>• River Axe SAC;</li> <li>• Plymouth Sound and Estuaries SAC;</li> <li>• Solent Maritime SAC; and</li> <li>• South Wight Maritime SAC.</li> </ul> <p>Could you confirm if you think it appropriate to rely on the SPA conservation objectives for the assessment of effects on the Ramsar</p>	<p>For the most up to date and accurate information, Natural England would direct to the link as provided below for Conservation Objectives (CO) and Supplementary Advice on Conservation Objectives(SACOs) for the relevant European Sites.</p> <p><a href="https://designatedsites.naturalengland.org.uk/">https://designatedsites.naturalengland.org.uk/</a></p> <p>Natural England would agree that in this case it is appropriate to rely on the SPA conservation advice for the assessment of effects on the Ramsar sites. We also advise that SAC conservation objective principles are considered if there is overlap with the Ramsar site.</p> <p>The designation of UK Ramsar sites has generally been underpinned through prior notification of these areas as Sites of Special Scientific Interest (SSSIs) and accordingly receive statutory protection Wildlife &amp; Countryside Act 1981.</p> <p>Additionally, Ramsar sites also extend, under the same protection at policy level as Special Areas of Conservation or Special Protection Areas.</p> <p>In accordance with the Conservation of Habitats and Species Regulations 2017, where there is likely to be a significant effect, either alone or in combination, on a European site, as a result of a new plan(s) or project(s) that are not considered to be directly connected with or necessary to the management of the site, competent authorities are required to make an Appropriate Assessment in view of that site's conservation objectives. As an</p>
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		sites for which likely significant effects have been identified?	example, The Chichester and Langstone Harbours SPA and Ramsar Site protects overwintering and breeding bird species, together with the habitats that support them. The Conservation Objectives for the Chichester and Langstone Harbours SPA are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to the Wild Bird Directive.
HAB1.8.19	The Applicant	The principles that would inform the winter working restrictions designed to protect the integrity of the Chichester and Langstone Harbours Special Protections Area are set out in Appendix 16.14 to the ES [APP-422]. However, the wording of the principles in the Appendix appears to differ from the wording in the Outline Landscape and Biodiversity Strategy [APP-605], particularly in relation to Principle 3. The Applicant is requested to explain the apparent discrepancy.	
HAB1.8.20	The Applicant	Principle 2 of the winter working restriction principles listed in Appendix 16.14 to the ES [APP-422] states that no buffer zones would be applied to Solent Waders and Brent Goose Strategy sites and no working restrictions would apply	

		<p>to 'low use' sites. Could the Applicant explain:</p> <p>i) How would 'low use' Solent Waders and Brent Goose Strategy sites be defined?</p> <p>ii) The level of confidence the ExA can have in this approach and the findings reached in respect to adverse effects on the integrity of the Chichester and Langstone Harbours Special Protection Area?</p>	
HAB1.8.21	The Applicant	<p>How would the Applicant seek to restore the Solent Waders and Brent Goose Strategy sites that overlap with the Order limits to their condition prior to construction? How is this secured in the dDCO [APP-019]?</p>	
HAB1.8.22	The Applicant	<p>In its Relevant Representation [RR-181], Natural England has suggested amended wording in relation to Principle 7 of the winter working restriction principles. The Applicant is requested to comment on the amended wording.</p> <p>How can the ExA be confident that adverse effects on the integrity of the Chichester and Langstone Harbours SPA would be avoided if Natural England's wording is not adopted?</p>	

HAB1.8.23	The Applicant	<p>The footnotes to the screening and integrity matrices [APP-501] do not explain the sources of the evidence used to support the conclusions presented in the footnotes. The Applicant is requested to provide updated versions of the matrices to include:</p> <p>i) footnotes that include cross-references to the relevant sections/ paragraphs of the ES chapters that contain the supporting evidence.</p> <p>ii) separate matrices for Ramsar and SPA sites.</p> <p>iii) the features listed in the Natural England conservation objectives or on the Ramsar information sheets.</p>	
HAB1.8.24	The Applicant	<p>An Additional Submission from Mrs Musson [AS-045] draws attention to a colony of stag beetles in a hedgerow that is said to be lost to the Proposed Development. Is the Applicant aware of this, should this be included in the EIA as a significant effect, and what measures are proposed to mitigate any effect?</p>	
9. Landscape and Visual Amenity			
LV1.9.1	South Downs National	Do you agree with the selection of representative viewpoints used for the	

	<p>Park Authority Winchester City Council East Hampshire District Council Havant Borough Council</p>	<p>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])?</p>	
LV1.9.2	<p>South Downs National Park Authority Winchester City Council East Hampshire District Council Havant Borough Council</p>	<p>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 elsewhere, and should these columns have been considered in the modelling of the ZTVs?</p>	
LV1.9.3	<p>The Applicant</p>	<p>Paragraph 15.4.4.3 of the ES [APP-130] notes that the lighting columns and lightning masts have not been considered in the preparation of the ZTVs. Can the Applicant explain how lighting columns and lightning masts</p>	

		<p>have been assessed in the LVIA, in relation to both daytime and night-time views?</p> <p>At what range does the Applicant consider the lighting columns and lighting masts would be visible?</p>	
LV1.9.4	The Applicant	Can the Applicant confirm how the visual impacts from the proposed exterior cooling systems and staircases were assessed?	
LV1.9.5	<p>South Downs National Park Authority</p> <p>Winchester City Council</p> <p>East Hampshire District Council</p> <p>Havant Borough Council</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?	
LV1.9.6	South Downs National	With reference to paragraph 15.8.4.7 of the ES [APP-130], does the South Downs National Park Authority agree that the ' <i>sensitivity of the SDNP setting</i> '	



	Park Authority	is medium for the purposes of the landscape assessment?	
LV1.9.7	The Applicant	<p>What was the rationale for the selection of the three study areas (8km, 3km, 1.2km)? (ES Chapter 15 [APP-130] refers.)</p> <p>Was the 1.2km study area agreed with stakeholders, and is there evidence of this in the Consultation report or elsewhere?</p> <p>Why is the 1.2km study area not shown as being scoped into the EIA at 15.3.6 [APP-130]?</p>	
LV1.9.8	The Applicant	In terms of LVIA limitations, would the use of the updated LI guidance in TGN 06/19 ' <i>Visual representation of development proposals</i> ' have materially changed the approach and outcome of the LVIA (paragraph 15.4.72 of ES Chapter 15 [APP-130] refers)?	
LV1.9.9	The Applicant	Please confirm if the 'Valve Halls' referred to in paragraph 15.4.4.3 of ES Chapter 15 [APP-130] are the 'converter halls'.	
LV1.9.10	The Applicant Portsmouth City Council	Paragraph 15.4.4.6 of ES Chapter 15 [APP-130] tells us that the Applicant and the ' <i>landscape representative for Portsmouth City Council</i> ' agreed that no ZTV was required for the Optical	

		<p>Regeneration Station buildings at Fort Cumberland. Given the existence of sensitive visual receptors locally (community and historical), what was the rationale for this decision?</p> <p>Would the clarity of the assessment be improved by the production and presentation of wirelines for viewpoints 19 and 22 [APP-286] and [APP-289]?</p> <p>The photography prepared to represent the views of the proposed Optical Regeneration Station buildings ([APP-285] to [APP-289]) is limited to summer views only. Does this represent an accurate and adequate worst case?</p> <p>How do these exclusions and matters sit with the Planning Inspectorate's Scoping Opinion [APP-366] at entry ID 14.13.2?</p> <p>Are there any relevant updates from the ongoing consultation that is being undertaken in this respect?</p>	
LV1.9.11	The Applicant	<p>Please could the Applicant provide evidence that the matters scoped out of the assessment in Table 15.1 [APP-130] were agreed with key stakeholders?</p>	
LV1.9.12	The Applicant	<p>Section 15.4.6 of the ES [APP-130] tells us that the assessment of the converter station was '<i>principally based on a maximum parameter design envelope</i>'. Were any parts of the LVIA based on</p>	

		parameters outside the envelope, if so why, and what are the implications for the EIA, Rochdale envelope approach and dDCO powers?	
LV1.9.13	The Applicant	Can the Applicant explain how and why the three local viewpoints were selected to represent the Converter Station area (Table 15.5 [APP-130])? Were these agreed with the relevant local authorities?	
LV1.9.14	The Applicant	Please confirm how the visual assessments relating to identified residential receptors referred to in ES Chapter 15 [APP-130] were undertaken. Was professional judgement and the nearest or the most representative publicly accessible location used, or were individual occupants contacted for access and assessment?	
LV1.9.15	The Applicant	The ES [APP-130] suggests that the worst-case scenario is used in the LVIA. For the assessment at the landfall and for the onshore cable corridor, where a range of views would be experienced, this is said to be the situation where receptors have direct, open views of the Proposed Development. Could the Applicant explain how this worst-case scenario was defined?	

		How was it determined which receptors would experience direct, open views of the Proposed Development?	
LV1.9.16	The Applicant	<p>ES paragraphs 15.4.7.2, 15.4.7.3 and 15.4.7.4 [APP-130] list '<i>assumptions and limitations</i>.' It is unclear why bullets 2 to 7 of 15.4.7.2 (for example) are included as they do not appear to be either. Please clarify.</p> <p>Many would need to be secured through the dDCO [APP-019] and management plans, not simply assumed (e.g. bullets 4, 5, 6, 7 of 15.4.7.2). How can the ExA and Secretary of State be assured that all of the measures on which the LVIA is based would indeed be secured and implemented?</p>	
LV1.9.17	The Applicant	<p>Amongst the assessment limitations set out in section 15.4.7 of the ES [APP-130] is that the micro-siting of embedded landscape mitigation measures would be subject to the results of archaeological trial trenching. Please could the Applicant explain when the results of the trial trenching will be completed?</p> <p>If it has been completed, what implications does this have in terms of the LVIA?</p>	

LV1.9.18	The Applicant	<p>Could the Applicant please explain the 'offset' measures referred to in paragraph 15.5.3.46, incorporated to protect the ancient woodland? Is this the 15m buffer between the Proposed Development and the ancient woodland, referred to elsewhere in the ES?</p> <p>How is the delivery of these measures secured in the dDCO [APP-019]?</p> <p>Have these measures been agreed with Natural England and the relevant local authorities?</p>	
LV1.9.19	The Applicant	<p>Did the LVIA [APP-130] include an assessment of sequential views, for instance relating to users of the Public Rights of Way network?</p> <p>If so, where is this set out?</p> <p>If not, why not?</p>	
LV1.9.20	The Applicant	<p>In relation to the assessment methodology, can the Applicant explain why Tables 2 and 5 of Appendix 15.3 [APP-401] do not include 'negligible', despite the detailed description at paragraph 1.5.3.3 stating that receptor value and value of views were evaluated on a four-point scale that includes 'negligible'?</p>	

		What are the implications of this for the assessment as set out?	
LV1.9.21	The Applicant	<p>Paragraphs 15.7.1.1 and 15.7.1.2 of the ES [APP-130] refer to 'embedded' mitigation and assumptions that 'standard mitigation measures' are in place '<i>in line with GLVIA</i>'. However, guidance on mitigation from pages 57 to 68 of GLVIA suggests that there should be no such 'assumption' in relation to standard practice, indeed it requires evidence that it can be secured through a consent.</p> <p>Could the Applicant explain this apparent diversion from the guidance that is said to be followed.</p> <p>In doing so, does the Applicant believe that it would be useful to separate primary, standard and secondary mitigation in line with GLVIA, referring to how 'embedded' mitigation and best practice working methods are dealt with there?</p>	
LV1.9.22	The Applicant	<p>Explain how the assumptions listed at ES 15.7.1.2 and 15.7.1.3 [APP-130] can be assured. The outline CEMP [APP-505] does not seem to include many of these measures that have been assumed in the assessment. Please undertake a rigorous check and provide any updates</p>	

		necessary, together with any implications for the LVIA outcome.	
LV1.9.23	The Applicant	Please could the Applicant reconcile ground level descriptions in the ES. At paragraph 15.5.3.3 [APP-130], the data given are 97-67m AOD. Paragraph 15.7.1.15 refers to 4.5m cut and 4.5m fill to give a finished level of 84.8m AOD. On the OS map, the proposed sites for the Converter Station would appear to be around the 80m to 90m AOD contours. What feature or area does paragraph 15.5.3.3 refer to?	
LV1.9.24	The Applicant	Did the LVIA include an assessment of the 'raw edges' associated with the cut and fill associated with the Converter Station platform and the access road? If so, where is this set out? If not, why not?	
LV1.9.25	The Applicant	Paragraph 3.6.3.51 of the ES [APP-130] states that there would be up to 20 telescopic cranes on site each day during construction of the Converter Station. Can the Applicant explain the dimensions of these and how and where they are taken into account in the LVIA?	
LV1.9.26	The Applicant	ES Table 3.6 [APP-118] lists several locations for the siting of HDD compounds. Can the Applicant explain	

		<p>how landscape and visual impacts resulting from these, which would range in duration from two to 44 weeks, have been assessed?</p>	
LV1.9.27	The Applicant	<p>Could the location, size, scale and nature of the proposed attenuation ponds please be shown on a scaled plan in the context of the wider development and receiving landscape.</p> <p>What is the design brief or concept for the attenuation ponds and how would their design and appearance be compatible with local landscape character?</p>	
LV1.9.28	The Applicant	<p>From paragraph 15.7.1.24 of the ES [APP-130], there is a description of the proposed mitigation planting. This describes an intention to provide new woodland habitats, including at paragraph 15.7.1.36 the types of plants that would be introduced to the shrub and field layers of the woodland. Could the Applicant explain how this would be achieved in advance of a woodland canopy establishing.</p> <p>Assuming a reliance on a suitable seed mix for this proposal, how would the proposed ferns be introduced?</p> <p>Could the Applicant provide an opinion on the suitability of cleavers (<i>Galium</i></p>	



		<p><i>aparine</i>), as suggested, and whether this could become rampant on recently disturbed, planted, unshaded ground and whether it would inhibit the establishment of trees, shrubs and other flora.</p>	
LV1.9.29	The Applicant	<p>What is the rationale for including residential receptors in the visual assessment? [APP-130].</p> <p>How does this sit with guidance in GLVIA?</p> <p>What weight does the applicant think should be given to private views from residential properties in the Examination, in the ExA's considerations and in the Secretary of State's decision?</p>	
LV1.9.30	The Applicant	<p>With reference to section 15.8.3 of the ES (and generally in the LVIA) [APP-130], can the Applicant confirm if the definition and use of 'indirect' effects are in line with GLVIA guidance, noting that GLVIA says (at 3.22) that an '<i>indirect effect is a consequential change...</i>' A number of the 'indirect' effects described in the LVIA appear to be direct effects, but on receptors outside the main area of study (e.g. in paragraph 15.8.3.4, the setting of the South Downs National Park).</p>	

		If not, is there any implication for the findings of the LVIA in the ES?	
LV1.9.31	The Applicant	<p>Could the Applicant please provide further clarity in relation to section 15.8.6 of the ES [APP-130], the onshore cable route. Was the LVIA 'worst-case' in relation to the 'assumptions'? Where something is 'where practicable or uncertain', how can the ExA and Secretary of State rely on the assumption being implemented, and what would the implication be of such measures being not 'practicable' or incorrect in practice?</p> <p>Is it possible that the actual impacts could be greater than the assessed impacts in such cases?</p> <p>Similarly, could the Applicant comment on the following:</p> <ul style="list-style-type: none"> <li>• '<i>works should be avoided</i>' (e.g. 15.8.9.2) – how can these instances be assured and secured?</li> <li>• '<i>opportunities would be reviewed at detailed design stage</i>' (15.8.10.2) – what implications would there be if it turns out differently than expected?</li> <li>• '<i>loss, or partial loss</i>' (15.8.11.2) – these are quite different outcomes to an assessment, how should the ExA judge this?</li> </ul>	

		<ul style="list-style-type: none"> <li>• 15.8.14.2, first bullet: '<i>consideration should be given to whether works in these locations should be avoided</i>'; how can the ExA make a judgement on this when the outcome of the consideration is unknown?</li> </ul>	
LV1.9.32	The Applicant	<p>In its Adequacy of Consultation response [A0C-010], the South Downs National Park Authority drew attention to a Gypsy and Traveller community in close proximity to the Converter Station site. Has the effect of the Proposed Development on the visual amenity of this receptor been assessed, and if so, where?</p>	
LV1.9.33	The Applicant	<p>Table 15.3 of the ES [APP-130] and Appendix 15.3 [APP-401] explain how the assessment of the visual effects of the Converter Station and associated infrastructure was repeated for future years as the proposed mitigation planting matures. Can the Applicant confirm if this assessment related only to the summer position when the deciduous planting is in leaf?</p> <p>If so, how effective would this screening be in the winter months when trees are not in leaf?</p> <p>How has this been accounted for in the assessment of effects?</p>	

LV1.9.34	The Applicant	In the details of mitigation planting set out in Appendix 15.7 [APP-405], could the Applicant please advise the meaning of the asterisks used after the following tree species in Table 13: pedunculate oak, wych elm, alder, birch, whitebeam, rowan.	
LV1.9.35	South Downs National Park Authority	Your Relevant Representation [RR-049] notes that you are still reviewing the landscape and visual mitigation proposals for the Converter Station. Could you please confirm your updated position?  Are you satisfied with the Applicant's proposals [APP-130]?	
LV1.9.36	Winchester City Council	Does Winchester City Council believe that the proposed landscape and visual mitigation measures [APP-130] are adequate, and, if not, what further measures might be considered?	
LV1.9.37	The Applicant	Paragraph 15.7.1.39 of the ES [APP-130] explains that monitoring would take place to ensure that mitigation planting is successful and that this would take place over the life span of the Converter Station. The Outline Landscape and Biodiversity Strategy [APP-506] notes that this monitoring would take place for the first five years	

		<p>after the completion of landscaping works. Can the Applicant clarify the period of monitoring to ensure successfully establishment?</p> <p>For how long would any replacement planting itself be similarly monitored?</p> <p>Could the Applicant explain how these landscape planting monitoring arrangements are secured in the dDCO [APP-019]?</p>	
LV1.9.38	The Applicant	<p>Chapter 15 of the ES [APP-130] states that opportunities to maximise biodiversity have been incorporated in the indicative landscape mitigation plans. The Applicant is requested to provide a list of these opportunities.</p> <p>Given that the landscape mitigation plans are indicative, what confidence can the ExA and Secretary of State have that these proposals would be delivered and what weight should they therefore be given?</p>	
LV1.9.39	The Applicant	<p>Please can you clarify the information provided in Table 15.3 of ES Chapter 15 [APP-130]? This appears to suggest that the proposed visual mitigation reduces the extent of visibility of the Converter Station by no more than 3% when compared to the existing visual envelope of the site, even after 20 years.</p>	

		If this is the case, and in the context of the need for Compulsory Acquisition in order to provide the landscape planting, why is the proposed landscape planting scheme considered beneficial?	
10. Marine Environment			
ME1.10.1	The Applicant MMO	Is there agreement between the Applicant and the MMO that the table in paragraph 6.6 of the MMO Relevant Representation [RR-179] represents an accurate summary of the works sought through the DML?  What is the status of the Statement of Common Ground between the Applicant and the MMO?	
ME1.10.2	The Applicant	Could the Applicant provide detailed responses to the issues and questions raised by the MMO in its Relevant Representation [RR-179], including the following paragraphs: 6.7, 7.1, 7.2, 7.3/ 7.5/ 7.28/ 7.36, 7.4, 7.6, 7.7-7.9, 7.10-7.17, 7.18, 7.19, 7.20/ 7.37/ 8.20-8.24, 7.21, 7.22, 7.23/ 7.24, 7.25/ 7.26/ 7.27, 7.29, 7.30/ 7.39, 7.31, 7.32, 7.33, 7.34, 7.35, 7.38, 7.40, 7.41, 7.42, 7.43, 7.44, 7.45, 7.46, 7.47, 7.48, 7.49, 8.11, 8.17, 8.18, 8.19, 8.37, 8.38, 8.42-8.55/ 8.57-8.64, 8.68, 8.74, 8.77, 8.78, 8.79, 8.80, 8.81, 8.89, 8.91-8.95.	

ME1.10.3	The Applicant	With reference to the WFD sensitive sites listed in Table 8.4 of the ES [APP-123], could the Applicant please supply a figure to show the location of these sites.	
ME1.10.4	The Applicant	<p>Could the Applicant confirm whether the omission of biotope A5.24 Infralittoral muddy sand from Table 8.5 is a typographical error and if it is found within the marine cable corridor?</p> <p>If so, where and how has it been accounted for in the assessment of significance as a sensitive receptor?</p>	
ME1.10.5	The Applicant	For the information presented in Chapter 8 of the ES [APP-123], please could the Applicant define, justify and present the extent of the total study area based on the likely zone of influence and the relevant receptors identified at the regional level and above. Please refer to the Scoping Opinion [APP-366] in this regard, and provide updated figures, in particular Figure 8.1 [APP-160].	
ME1.10.6	The Applicant	In relation to section 8.4.4 of Chapter 8 of the ES [APP-123], can the Applicant explain what limitations and assumptions have been made in relation to the definition of the ZOI and sensitive receptors and how data was acquired for	

		the baseline, and how these influence the assessment (for example, the age of the data used to characterise the benthic environment).	
ME1.10.7	The Applicant	In relation to the assessment of significance methodology set out in Chapter 8 of the ES [APP-123], could the Applicant please explain how the sensitivity of receptors has been established? It is unclear what criteria or guidance have been used to determine whether receptors are sensitive or not.	
ME1.10.8	The Applicant	Please define 'short-', 'medium-' and 'long-term' in relation to the duration of impacts in Chapter 8 of the ES [APP-123].	
ME1.10.9	The Applicant MMO	In relation to paragraph 7.30 of the MMO Relevant Representation [RR-179], is there adequate assessment of additional cable protection during both laying and operation set out in the ES?	
ME1.10.10	The Applicant MMO	In relation to paragraph 7.33 of the MMO Relevant Representation [RR-179], and the information in the ES about pre-installation surveys and mitigation through micro-siting (8.8.2.2 [APP-123]), the avoidance of a significant effect on the <i>Ophiothrix fragilis</i> and/ or <i>Ophiocomina nigra</i> brittlestar beds on	Experience has shown that micro siting is not always possible. For example, on a recent cable project, cobble reef of medium quality has been identified in three locations covering the entire width of the cable corridor. The pre-construction survey will allow identification and discussion of such areas and consideration of other mitigations. Additionally, any areas where an impact is



		<p>sublittoral mixed sediment community is dependent on the findings of a pre-construction survey. The ES also recognises a high potential for encountering Annex 1 stony reef habitats and recommends a 500m buffer zone.</p> <p>Has adequate mitigation against finding and avoiding such habitats and communities been included, and can the ExA and Secretary of State be confident that the findings of a pre-construction survey would guarantee that micro-siting within the Order limits that provides an adequate buffer is possible?</p>	<p>permitted to happen to habitats of conservation importance, monitoring of recovery must be included and any monitoring plans, conditions and cable installation plans should reflect this.</p>
ME1.10.11	The Applicant MMO	<p>Tables 6.13 and 6.14 of the ES [APP-121] refer to 'embedded mitigation'. Where these measures are qualified by terms such as 'only where necessary' or 'minimised', it is unclear how they can be regarded as 'embedded'. Given these unknowns and that the measures are not inherent in the design of the Proposed Development, are they adequately secured through the dDCO?</p>	
ME1.10.12	The Applicant	<p>In the ES [APP-122], the assessment of marine water quality 'assumes' mitigation measures are embedded into the design (paragraph 7.8.1.1) - for example, ...'use of appropriate construction techniques' - or measures</p>	

		that constitute industry standard environmental plans would be in place. It is unclear where and how some of these measures (listed in section 7.6.2) are secured in the dDCO. Can the Applicant advise, such that the ExA and Secretary of State can rely on the assessment outcome?	
ME1.10.13	The Applicant	Paragraphs 8.6.3.1 and 8.8.1.1 of the ES chapter on the mitigation of effects on marine habitats [APP-123] note that, ' <i>Embedded mitigation measures are considered to be those included as part of the project design or which constitute industry standard plans or best practice</i> '. Just because they are best practice does not mean they would necessarily be followed in practice. How is this secured, so the ExA and Secretary of State can rely on the assessment outcome?	
ME1.10.14	The Applicant	Paragraph 9.6.2.1 of the ES chapter on mitigation of effects on fish and shellfish [APP-123] notes that, ' <i>Embedded mitigation measures are considered to be those included as part of the project design or which constitute industry standard plans or best practice</i> '. Just because they are best practice does not mean they would necessarily be followed in practice. How is this secured, so the	

		ExA and Secretary of State can rely on the assessment outcome?	
ME1.10.15	The Applicant MMO Natural England	In the Other Consents Report [APP-106], at 17, marine EPS licensing, should Natural England be the authority rather than MMO? Are Natural England and MMO happy that this licensing is deferred until later, or should it be addressed now on a precautionary basis and to demonstrate that such a licence is achievable?	Natural England advises that for Marine EPS licences, the MMO are the regulator. A letter of comfort or no impediment has usually been sought for Offshore Windfarm projects. To achieve this, the applicant should submit a draft application to the regulator for consideration. This would allow the regulator to say that, based on the information provided, they would be able to grant consent.  Natural England understands that EPS licences may only be granted for a duration of 1 year and therefore they would expire before works began should they obtain one now.
ME1.10.16	The Applicant	Chapter 3 of the ES [APP-118] notes the maximum footprint of non-burial protection includes a 10% contingency (0.33km <sup>2</sup> ) for maintenance and repair activities during a 15-year post-construction period. Considering the lifetime of the Proposed Development is anticipated to be 40 years and Table 8.6 of Chapter 3 considers that repairs would be needed every 10 to 12 years, can the Applicant explain how this contingency figure and timeframe have been estimated?	
ME1.10.17	The Applicant	It is not yet decided whether the landfall HDD at Eastney is on to off or off to on,	

		<p>or both [APP-121]. Would all three options have the same impacts?</p> <p>If not, what was assessed and is it the worst case in respect of all impacts and receptors?</p>	
ME1.10.18	MMO	<p>In relation to paragraph 6.6.4.10 of the ES [APP-121], Schedule 15 Part 2 of the dDCO (the DML) [APP-019] and the Atlantic cable crossing protection, are the parameters assessed appropriate and can reliance be placed on the Applicant's assessment of significance?</p>	
ME1.10.19	MMO	<p>In relation to paragraph 6.6.4.42 of the ES [APP-121], Schedule 15 Part 2 of the dDCO (the DML) [APP-019] and the proposals for HDD, are the parameters assessed appropriate and can reliance be placed on the Applicant's assessment of significance?</p>	
ME1.10.20	The Applicant	<p>Over the 15-year period proposed for a 10% contingency for further non-burial protection, there is potential for changes to designations in the marine cable corridor, specifically the Annex 1 reef. Consequently, there may be impacts of greater significance during operation [APP-123]. Since the ES considers the future baseline to be the same as the</p>	

		'Do Nothing' scenario, can the Applicant explain how this is assessed in the ES?	
ME1.10.21	The Applicant	Chapter 8 of the ES [APP-123] defines the worst-case scenario in terms of activities undertaken within the 'nearshore' and 'offshore' areas, with nearshore being from kilometre point (KP) 1 to 21 and offshore being KP 21 to 109 (the EEZ Boundary). To provide greater clarity could the applicant please update Figures 8.2 [APP-161] and 8.5 [APP-165] to show these KPs in relation to the locations of the habitats and sensitive receptors?	
ME1.10.22	The Applicant	With reference to the baseline and predicted suspended sediment data and parameters set out in Table 8.6 of the ES [APP-123], which appear to show predicted levels resulting from construction activities well in excess of the baseline, could the Applicant explain and provide evidence in support of the statement that species present within habitats from KP 21 to 109 already experience significant sediment transport? The explanation should address specifically what volume of material constitutes ' <i>significant sediment transport</i> ' in this instance.	

ME1.10.23	The Applicant	<p>Table 8.6 of the ES [APP-123] suggests that suspended sediment levels would vary between up to 2km, 5km and 6-10km from the marine cable corridor. To provide greater clarity please could the Applicant update a figure in the ES to depict the sensitive receptors and habitats within these impact zones.</p>	
ME1.10.24	The Applicant	<p>Please review information about the proximity of receptors to the Proposed Development set out in ES Tables 8.3 and 8.4, and the assessment of effects in section 8.6.4 of the ES [APP-123]. If there are discrepancies, how has this affected the assessment and conclusions?</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Maerl beds within the Bembridge MCZ are said to be located approximately 3.8km from the Proposed Development in Table 8.3 but are assessed as being located 10km from the Proposed Development in Table 8.4 and paragraph 8.6.4.60;</li> <li>• Stalked jellyfish within Bembridge MCZ are said to be located approximately 3.8km from the Proposed Development in Table 8.3 but are assessed as being located more than</li> </ul>	

		<p>5km from the Proposed Development in paragraph 8.6.4.73;</p> <ul style="list-style-type: none"> <li>Sheltered muddy gravels within Bembridge MCZ are said to be located approximately 3.8km from the Proposed Development in Table 8.3 but are assessed as being located more than 5km from the Proposed Development in paragraph 8.6.4.68.</li> </ul>	
ME1.10.25	The Applicant	A number of impacts are identified during construction and operation but are not assessed for every receptor identified in Table 8.5 of the ES [APP-123]. Can the Applicant explain the rationale for this selective assessment approach?	
ME1.10.26	The Applicant	In relation to paragraphs 8.6.4.98 and 8.6.4.30 of the ES [APP-123], what is the rationale behind the finding of no significant effect on the <i>Ophiothrix fragilis</i> and/ or <i>Ophiocomina nigra</i> brittlestar beds on sublittoral mixed sediment community in relation to habitat loss or disturbance, while finding a significant effect for the same receptor through deposition of sediment disturbed during cable installation?	
ME1.10.27	The Applicant	Should paragraphs 8.6.5.4 to 8.6.5.51 of the ES [APP-123] be part of the	

		<p>construction impact assessment rather than the operational impact assessment?</p> <p>Is the 'Habitat Loss' section relating to operational effects missing from the ES?</p> <p>If so, could a revised version please be produced to avoid any confusion, and does the cumulative assessment need to be revised as a result?</p>	
ME1.10.28	The Applicant	<p>With reference to paragraph 8.6.5.30 of ES Chapter 8 [APP-123], whilst there is reference to previous studies, it is also stated that the results are not directly comparable due to differences in baseline scenarios. No worst-cased scenario is specified in terms of heat emissions and therefore the conclusion is not supported. Can the Applicant provide the worst-case scenario for cable overheating, what temperatures might be reached in the surface sediments and seawater immediately above, and how the surrounding habitats, wildlife and environment would be affected.</p>	
ME1.10.29	The Applicant	<p>Is there a typographical error in ES paragraph 9.1.1.3 [APP-124]? Should the cumulative assessment for fish and shellfish refer to Section 9.7 rather than 8.7?</p>	



ME1.10.30	The Applicant	With reference to paragraph 10.1.2.2 of the ES [APP-125] in relation to marine mammals, it is unclear what assumptions are made in relation to location of HDD works. The map referred to (ES Figure 3.9) does not appear to show these, as is suggested. Please clarify.	
ME1.10.31	The Applicant Natural England	In relation to marine ornithology and protected areas [APP-126], the Minister classified the Solent and Dorset Coast Special Protection Area (SPA) on 16 January 2020, after the submission of the application. The EIA and HRA were undertaken in relation to the Solent and Dorset Coast potential Special Protection Area. Does the classification alter the findings of either assessment?	Natural England is content that the formal classification of the Solent and Dorset Coast, that came into place after the submission of the EIA and HRA, does not alter the findings of either assessment.
ME1.10.32	The Applicant	Table 7.9 of the HRA report [APP-491] states that disturbance effects on red-breasted merganser are considered to be negligible due to the rolling safe passage distance of 700m for associated vessel activities. However, Chapter 3 of that document refers to marine cable installation vehicles having a rolling 500m recommended safe passing distance that may increase to 700m where barges are used. Could the	

		<p>Applicant confirm which distance is the correct one?</p> <p>What are the implications for likely significant effects on SPAs where red-breasted merganser is a qualifying feature if the safe passing distance is 500m?</p>	
ME1.10.33	Natural England	<p>Does Natural England agree that likely significant effects from visual disturbance (see Table 7.10 of the HRA Report [APP-491]) on the qualifying features of the Chichester and Langstone Harbours SPA and Ramsar site can be excluded from the HRA?</p>	<p>Natural England advises that visual disturbance immediately adjacent to the SPA boundary or supporting habitat is a Likely Significant Effect in the Habitats Regulations Assessment if works are proposed during the over-wintering period. We advise that the HRA is updated if this is the case.</p> <p>Whilst it is unlikely that visual screening will be needed for works along road carriageways, screening may be required for works that abut the SPA boundary or supporting habitat during the over-wintering period.</p>
ME1.10.34	The Applicant	<p>In relation to commercial fisheries, there is some confusion in the ES chapter [APP-127] about the definition of the 'landfall' and the consequent findings of the assessment. The impact assessment (including table 12.7) appear to use the HDD exit/ entry area in the subtidal zone as the 'landfall' in common with most other chapters of the ES, while 12.1.2.6 seems to take the intertidal zone as the 'landfall' area, and suggests that the</p>	

		assessment is undertaken on this basis. Could the Applicant clarify?	
ME1.10.35	The Applicant	In ES paragraph 12.6.4.5 [APP-127], the exclusion zones are said to represent ' <i>a relatively small proportion of the fishing ground available and only for a limited time period.</i> ' While worst case times are set out, it is not clear what is meant by ' <i>a relatively small proportion</i> '. Similarly, 12.6.4.10, 12.6.4.16, 12.6.4.21, 12.6.4.25, 12.6.4.29, 12.6.4.36, 12.6.4.39 and 12.6.4.46 refer to 'small' proportions, and 12.6.4.43 to 'tiny'. Can the proportions be estimated quantitatively for each of the receptor types?	
ME1.10.36	The Applicant	In relation to EMF from cables buried in the seabed, the HRA report [APP-491] states that likely significant effects on migratory fish site features from EMF can be excluded because the predicted field strength for EMF around the HVDC interconnector cables would be 42µT at the minimum cable burial depth of 1m. What would the field strength be along the sections of cable where the target burial depth cannot be achieved? Would this change the conclusions of the assessment?	

		<p>What length and period of exposure would be required to cause significant effects?</p> <p>Does the Applicant believe that monitoring of EMF and the behaviour of relevant elasmobranchs and migratory fish during operation is necessary, and, if not, why not?</p>	
11. Noise			
N1.11.1	The Applicant	Does the Applicant believe that the implications of the inclusion of Article 9 (defence to proceedings in respect of statutory nuisance) in the dDCO [APP-019] should be explained at ES 24.2.2 [APP-139]?	
N1.11.2	Relevant local authorities	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?	
N1.11.3	The Applicant	With reference to paragraph 24.4.2.10 of the ES [APP-139], the construction noise assessment of activities associated with onshore cable installation is based on an illustrative alignment, as shown on Figure 24.2. Could the Applicant explain	

		how this is considered robust when in some stretches (especially in sections 1, 2, 5, 6 and 9) it would be possible for the route to come substantially closer to sensitive noise receptors than the illustrative route.	
N1.11.4	The Applicant	Which baseline noise monitoring location (or representative location) is used in the assessment of noise effects on the Gypsy and Traveller community identified by the South Downs National Park Authority in its Adequacy of Consultation response [AoC- 010]? Where is this described?	
N1.11.5	Relevant local authorities	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 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?	
N1.11.6	The Applicant	Please could the Applicant confirm if section 24.4.4 of the ES [APP-139] takes account of traffic diverting as a result of road closures and delays as well as	

		traffic directly associated with the construction of the project.	
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?	
N1.11.8	Portsmouth City Council	Does Portsmouth City Council consider the limited baseline noise monitoring data set out at ES 24.5.1.25 [APP-139] sufficient to set criteria for the operational noise associated with the Optical Regeneration Station?	
N1.11.9	The Applicant	Could the Applicant confirm if ES paragraph 24.6.1.14 [APP-139] is intended to be the start of section 24.6.2.	
N1.11.10	The Applicant Relevant local authorities	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	

		<p>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 <i>ff</i>)?</p>	
N1.11.11	The Applicant	<p>What consideration has been given to noise impacts from the HDD construction compounds on wildlife at the Milton Locks Nature Reserve, and any necessary mitigation?</p> <p>Is any information on this required in the ES?</p>	
N1.11.12	The Applicant	<p>In relation to section 24.7 of the ES [APP-139], have intra-project cumulative effects in relation to those receptors that would experience noise from more than one construction-related source been considered (such as construction plant noise and changes in traffic noise)?</p> <p>If so, where?</p>	
12. Onshore Water Environment			

OW1.12.1	The Applicant	Denmead Parish Council [RR-052] has raised a concern that the heat generating qualities of the cable once operating could cause 'clay shrinkage' and affect the drainage of the surrounding soil. Please comment on the likelihood of effects and whether there is potential for highways to be damaged in the long term due to changed soil conditions.	
OW1.12.2	The Applicant	Would the Proposed Development result in the disruption of any private water supplies used for agricultural purposes (including irrigation and water for animals) or to private residential properties ([RR-027] as an example)? If so, what alternative arrangements (e.g. tankering) are proposed to ensure water supplies would be maintained for the duration of any disruption and how are these secured in the dDCO?	
OW1.12.3	The Applicant	There are a number of terms used in ES Chapter 19 [APP-134] that may be considered technical and require explanation to a lay reader. Several are not included in the glossary that was submitted with the application (e.g. karst, clearwater flooding, dolines). Please could a suitable chapter glossary be provided, or the relevant terms added	



		to an updated version of the submitted glossary.	
OW1.12.4	The Applicant	Table 19.1 in ES Chapter 19 [APP-134] notes that the HDD works would introduce 4 x 36-inch diameter tubes that would act as small hydraulic barriers in the aquifers. Please justify the basis for scoping this out of the assessment.	
OW1.12.5	The Applicant	Paragraph 19.4.3.5 of the ES [APP-134] notes that the groundwater assessment is based on an assumption that the trenchless technique used for HDD-4 (Farlington railway crossing) would be designed in such a way that groundwater does not seep into, or drilling fluids seep out of, the micro tunnel annulus. How and where is this secured in the dDCO [APP-019]?	
OW1.12.6	The Applicant	Paragraph 19.6.1.2 of the ES [APP-134] confirms that the assessment includes important 'embedded' mitigation to grout the surface karst at the Converter Station site prior to any earthwork movements, to interrupt any pathway to the underlying Chalk aquifer. It refers to Appendix 3.6 [APP-360] for the details. However, this Appendix notes that these are strategic proposals by the Applicant's consultants, and that the information is	

		for information purposes only, it being ultimately the responsibility of the appointed contractor to develop the mitigation proposal. This mitigation is relied on in the assessment. Please could the Applicant explain how this mitigation is 'embedded' in the design of the proposals, and detail how and where it is secured in the dDCO [APP-019]. It is noted that there is no definition of an 'Aquifer Contamination Mitigation Strategy' in the dDCO [APP-019].	
OW1.12.7	The Applicant	Karst grouting is mentioned in paragraph 19.6.3 of the ES [APP-134], but general effects associated with the infiltration of any spilled contaminant through the soils and permeable geology does not seem to be addressed. Please clarify.	
OW1.12.8	The Applicant	Paragraph 19.6.3.4 of the ES [APP-134] states that the groundwater assessment is dependent on construction vehicles and plant tracking along designated routes only. Please could the Applicant explain where and how this measure is secured through the dDCO [APP-019].	
OW1.12.9	Portsmouth Water Environment Agency	Given the importance of groundwater in the vicinity of the Proposed Development, and especially the Converter Station site, are Portsmouth Water and the Environment Agency	

		content with the conclusion reached in paragraph 18.5.4.4 of the ES [APP-133] that there is no real risk to public water supply in Source Protection Zone 1 as a result of these proposals?	
OW1.12.10	The Applicant	In ES Table 19.7 [APP-134], there are several references to ' <i>mitigation measures outlined in... 19.8</i> '. Could the Applicant please explain what these are?	
OW1.12.11	The Applicant	ES Appendix 19.3 [APP-434], The Hydrogeology of Kings Pond and Denmead Meadows, appears to suggest that, despite the title, little is known about the hydrogeology of King's Pond. Could the Applicant please clarify which observations are referred to in 1.3.1.5 (' <i>Observations conflict slightly with the observations...</i> ') and explain the implications of any uncertainties for the impact assessment, taking account of the cable installation methodologies proposed in this area.	
OW1.12.12	The Applicant	How would the HDD works and other elements of the Proposed Development affect the drainage of the Farlington Playing Fields?  Could existing drainage problems be exacerbated?	

		Could measures be adopted during cable installation or restoration of the land to assist or improve the current drainage problems there? (Refer to [APP-306], document 20.1 sheet 4 of 7, and [APP-312], document 20.7 sheet 2 of 3.)	
OW1.12.13	The Applicant	ES Appendix 3.5 [APP-359] at 1.1.3.6 states that the transformers and diesel generators would be banded to ensure any oil leakage is safely contained. Could the Applicant advise where and how this mitigation is secured?	
OW1.12.14	The Applicant	Section 1.2.3 of ES Appendix 3.5 [APP-359] notes that the design of the Converter Station includes provision for the installation of a deluge system to deal with fires. Could the Applicant provide more detail on how the drainage design for the site would deal with the operation of this system and indicate how and where this has been accounted for in the ES and surface water drainage and contamination strategy in terms of water quality.	
OW1.12.15	The Applicant	ES Appendix 3.6 [APP-360] explains that the surface water drainage and contamination strategy is simply the Applicant's consultant's proposal and provided to the Examination for information only, with the Applicant's	

		<p>chosen contractor said to be being ultimately responsible for developing any detailed design. Given that the EIA relies on the strategy, could the Applicant please demonstrate how the assumptions and mitigation measures contained in the strategy could be incorporated into the final design, such that the ExA and Secretary of State can be assured that the built scheme provides at least the same protection for surface water drainage and the aquifer as the assessed scheme.</p> <p>Please also provide similar information in relation to the proposed SuDS maintenance plan that is assumed in 5.16.1.2 and the draft Code of Construction Practice mentioned in 8.1.1.7.</p>	
OW1.12.16	The Applicant	<p>How and where has the temporary car park for workers' cars (said to be for 150 vehicles in Work No.3 in Schedule 1 to the dDCO [APP-019]) been taken into account in the surface water drainage and contamination strategy?</p> <p>How would appropriate measures to control drainage from the car park be secured in any DCO?</p>	
OW1.12.17	The Applicant	<p>The surface water assessment in ES Chapter 20 [APP-135] assumes that the</p>	

	Environment Agency	<p>measures detailed in the Surface Water Drainage and Aquifer Contamination Mitigation Strategy are supported by the regulators and that these measures <i>'will be further developed during detailed design by the Appointed Contractor'</i> (construction and operation). To what extent can the ExA and Secretary of State rely on this assumption?</p> <p>Also, in the absence of a definition for this Strategy in the dDCO [APP-019], could the Applicant advise how and where can it be secured?</p>	
OW1.12.18	The Applicant	Please could the Applicant explain the repetition of entries in ES Table 19.6 [APP-134].	
OW1.12.19	The Applicant	<p>Please could the Applicant clarify if the reference to Section 3 in ES paragraph 19.5.2.22 [APP-134] is a typographical error or if incorrect information is presented.</p> <p>If the latter, please provide the correct information.</p>	
OW1.12.20	The Applicant	Please clarify and rectify an apparent <i>'cut-and-paste'</i> error in paragraph 20.8.1.13 of the ES [APP-135].	
13. Planning Policy			

PP1.13.1	Local Planning Authorities	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.)	
PP1.13.2	The Applicant	The Dorset Council and Bournemouth, Christchurch and Poole Council adopted a Waste Plan on 31 December 2019, after the submission of the Application for the proposed Development. Does this have any relevant policies or implications affecting the waste strategy for the Proposed Development?	
PP1.13.3	The Applicant	With reference to paragraph 3.9.1.3 of the Planning Statement [APP-108], could the Applicant please explain the applicability of National Policy Statement (NPS) EN-5 to the Proposed Development, given that the proposal is for an underground cable.  How does the Applicant believe that the Proposed Development performs when tested against NPS EN-5?	
PP1.13.4	The Applicant	Could the Applicant please review ES Chapter 24 [APP-139] and provide any updates that may be necessary in	

		relation to the topics that NPS EN-5 specifies as being necessary for inclusion in a noise assessment.	
PP1.13.5	The Applicant	<p>The Planning Statement [APP-108] emphasises benefits in relation to the policy shift to renewable, low carbon energy. Please explain how the Proposed Development delivers benefits in relation to this, the Government's pledge to achieve Net Zero by 2050 and the goals of the Paris Agreement.</p> <p>How is the CO<sub>2</sub> emission reduction of 1,452,000 tCO<sub>2</sub> derived?</p>	
PP1.13.6	The Applicant	<p>The report '<i>The Ofgem Decarbonisation Programme Action Plan</i>' was published in February 2020 after the submission of the application for the Proposed Development. Does the Applicant believe the report is relevant?</p> <p>Please explain the response.</p> <p>If so, please provide information on how the Proposed Development would meet the aims of decarbonisation as set out in the document. Does Chapter 3 of the ES need to be updated to reflect this, and how the proposal accords with the decarbonisation agenda?</p>	
PP1.13.7	The Applicant	The ES [APP-132] suggests at 17.6.2.7 and 17.2.3 that the loss of 5ha of best	



		and most versatile land is not significant. Could the Applicant please reconcile this with the relevant policy in NPS EN-1.	
PP1.13.8	The Applicant	With reference to paragraph 5.3.4 of NPS EN-1, could the Applicant explain how opportunities to enhance and conserve biodiversity and geological conservation interests have been addressed in the design and objectives for the Proposed Development.	
14. Shipping and Navigation			
SN1.14.1	The Applicant MoD	With reference to paragraph 13.6.2.44 of ES Chapter 13 [APP-128], in the event of an urgent military need (rather than just exercise), can the path be cleared for naval forces to deploy and would sufficient notice be available to allow cable installation works to cease to enable this to occur?	
SN1.14.2	The Applicant	At paragraphs 13.6.1.5 and 13.6.2.2, the ES [APP-128] lists 'embedded' mitigation measures that are ' <i>assumed to be in place</i> ' prior to the construction and decommissioning stages and the operational stage respectively. The assessment is reliant on these. Could the Applicant please clarify how and where these are secured in the dDCO [APP-019].	

SN1.14.3	The Applicant	There is a suggestion in paragraph 13.6.2.55 of the ES [APP-128] that post-installation monitoring of compass deviation effects is required, followed by consultation if the change exceeds agreed parameters. Could the Applicant please provide details of this and indicate how and where this is secured in the dDCO [APP-019].	
SN1.14.4	The Applicant	In its Relevant Representation [RR-021], the National Federation of Fishermen recommends the implementation of a Fisheries Liaison and Co-Existence Plan. What benefits does the Applicant believe this would have, over and above the measures secured through Part 2, Section 4(d) of the Deemed Marine Licence?  How could the dDCO and Deemed Marine Licence [APP-019] be amended to secure this?	
SN1.14.5	The Applicant Trinity House	With reference to paragraph 12.6.2.1 of ES Chapter 12 [APP-127], is there an exclusion margin to the east of the Isle of Wight and would this, in combination with the proposed exclusion zone around the marine cable corridor, lead to navigational concerns or conflict with ships entering or leaving the Solent?	

<p>SN1.14.6</p>	<p>The Applicant</p>	<p>The ES does not appear to address the possibility of 'stray' or 'lost' craft inadvertently entering the area of subsea cable laying works and associated activities (for example, a vessel with a disabled crew, or a small craft carrying illegal migrants). Has this been considered, and what measures would be put in place to deal with the possibility?</p>	
<p>SN1.14.7</p>	<p>The Applicant</p>	<p>In ES Chapter 13 [APP-128], the emphasis is on the potential risk of vessels snagging on the cable. In areas where non-burial protection is used, creating shallower water, is there a risk to vessels associated with snagging on the protection methods (e.g. on the edges of a concrete mattress)?  If so, where is this addressed in the ES?</p>	
<p>SN1.14.8</p>	<p>The Applicant</p>	<p>Chapter 13 of the ES [APP-128] notes that military vessels, fishing vessels less than 15m in length and recreational vessels are not required to carry automatic identification systems and are therefore under-represented in the data. Can the Applicant explain how the assessment has accounted for the potential under-representation of marine vessels and whether this may affect the</p>	

		outcome of the EIA in terms of significant effects?	
15. Socio-Economic Effects			
SE1.15.1	The Applicant	Please provide a detailed response to Sport England's Relevant Representation [RR-009] to explain and justify the extent, nature and permanence of effects on sports field provision in Portsmouth.	
SE1.15.2	The Applicant	With reference to Paragraph 7.1.2.2 of ES Chapter 7 [APP-122], could the Applicant confirm if any part of the beach or any access to the beach at Eastney would need to be closed off during the construction works, and if so for how long?  Have any such effects been considered in the socio-economic assessment in the ES [APP-140]?	
SE1.15.3	The Applicant	Two agricultural units mentioned at paragraph 17.5.1.8 of the ES [APP-132] would appear to be owner-occupied, but the allocated sensitivity of 'low' suggests (following ES Table 17.4) that the land in question comprises ' <i>off-lying areas that are not contiguous with main farm holdings</i> '. Other sections that follow seem to make similar assessments. Please clarify, explaining how this	

		influences the assessment of effect on the affected receptors.	
SE1.15.4	The Applicant	Please provide a reference for the ' <i>existing statutory consultation procedures with Natural England for the development involving the loss of agricultural land</i> ' (ES paragraph 17.4.4.2 [APP-132] refers). In doing so, please provide a rationale for the values quoted in ES Table 17.1 for the magnitude of impact on agricultural land.	
SE1.15.5	The Applicant	For clarity, please could the Applicant provide annotated maps at an appropriate scale to show the locations of each of the businesses and other enterprises within 500m of the Order limits, as listed in ES Appendix 25.2 [APP-341]?  Please provide a reasoned summary of the Proposed Development's likely effect on each business.	
SE1.15.6	The Applicant	Please clarify the scope of the socio-economic assessment set out in Chapter 25 of the ES [APP-140]. Paragraph 25.1.1.6 states that the ' <i>chapter assesses the impacts arising from the Proposed Development within the Onshore Components of the Order Limits and the Site only (above Mean Low Water Springs ('MLWS'))</i> .' However,	

		<p>later sections such as 25.7.2.6 and table 25.11 seem to include employment generated by the marine works.</p> <p>Could the Applicant please provide a comprehensive analysis of the coverage of the offshore socio-economic assessments in the ES, explaining which issues are covered where, confirm there is no double-counting, and indicate which, if any, socio-economic issues associated with the marine works were scoped out of the assessment.</p>	
SE1.15.7	The Applicant	<p>With reference to paragraph 25.7.2.1 of the ES [APP-140], could the Applicant please provide details of where and how the 'embedded' mitigation measures set out and relied upon in the assessment are secured in the dDCO [APP-019], especially where they are said to be '<i>where practicable</i>'.</p>	
SE1.15.8	The Applicant	<p>The Mitigation Schedule [APP-489] suggests that the proposed beneficial reinstatement of the Fort Cumberland car park set out at 25.9.5.5 (repeated at 25.9.7.1) is subject to the agreement of a s106 agreement with Portsmouth City Council. When will the Heads of Terms be available for the Examination?</p>	

SE1.15.9	The Applicant	<p>Could the Applicant please provide details about where and how the 'embedded' mitigation set out and relied upon in the assessment to commit to equivalent reinstatement of open spaces at ES paragraph 25.9.5.6 [APP-140] is secured. It is noted that the Mitigation Schedule [APP-489] suggests this is done through the Landscape and Biodiversity Strategy [APP-506], but the mitigation route mapping is not clear.</p>	
SE1.15.10	The Applicant	<p>With reference to paragraph 25.7.2.5 of the ES [APP-140], the headings and previous sections imply that the data set out here in relation to the assessment of effects on employment generation apply to decommissioning as well as construction. Could the applicant comment on the accuracy of this in relation to decommissioning if the cable is left <i>in situ</i>.</p>	
SE1.15.11	The Applicant	<p>Please could the Applicant confirm if the cross-reference in paragraph 25.7.2.20 of the ES [APP-140] is a typographical error and, if so, provide the correct reference.</p>	
SE1.15.12	The Applicant	<p>What consideration has the Applicant given to using planning obligations or contributions as part of the Proposed Development to secure benefits to the</p>	

		<p>local communities? (For example, for education, open space, local sourced workforce, apprenticeships, highways, healthcare.)</p> <p>Please explain your intentions in this regard and, if none are proposed or intended, provide justification for the approach and position.</p>	
SE1.15.13	The Applicant	<p>In the human health assessment methodology set out at ES paragraph 26.4.2.4 [APP-141], variation in sensitivity of receptors is acknowledged and the assessment methodology is said to take sensitivity into account as well as magnitude of change in determining significance (ES Table 26.3). Where is this done?</p> <p>Please clarify section 26.6, Predicted Impacts, to explain how and where sensitivity ratings have been used to conclude a measure of significance of effect.</p>	
SE1.15.14	The Applicant	<p>With reference to ES paragraph 18.5.4.11 [APP-133], in Sections 1 and 2, the presence adjacent to the Order limits of disused chalk pits that are potentially filled with unknown materials is noted. Similarly, the baselines for most of the other Sections include former contaminative land uses and</p>	



		hazardous materials in samples. In each case, a sensitivity of 'low' is concluded for human health. What was the rationale for allocating this 'low' sensitivity to the human health in relation to construction workers and adjacent land users?	
SE1.15.15	The Applicant	In relation to the health and safety of workers, the local community and the natural environment, could the Applicant explain the hazardous materials that would be used and stored at the Converter Station, what they are used for, how they are managed, and what the impacts would be in the event of an accidental release to the environment.	
SE1.15.16	The Applicant Environment Agency	Given the actual and perceived human health concerns around the potential disturbance of the former landfill at Milton Common, including ground instability, the mobilisation of contaminants and the release of landfill gas, is it possible in principle to design and engineer a 'safe' (acceptable level of risk) cable installation solution though the area?	
SE1.15.17	The Applicant	Given local health and safety concerns, were any alternatives to cable installation by trenching considered for	

		<p>the Milton Common stretch of the route, including HDD or overhead lines?</p> <p>If so, what were the conclusions of the optioneering?</p> <p>If not, why not?</p>	
SE1.15.18	The Applicant	<p>Could the Applicant please summarise how and where the assumptions and mitigation in relation to EMF set out in paragraph 26.5.8 of the ES [APP-141] and repeated in paragraph 26.6.1.9 are secured through the dDCO [APP-019].</p> <p>Similarly, how and where would the mitigation measures set out in paragraph 26.6.1.4 of the ES be secured?</p>	
SE1.15.19	The Applicant	<p>Appendix 3.7 of the ES [APP-361] states that, in the absence of a detailed design for the Converter Station infrastructure, the impact from AC magnetic fields is unknown and that '<i>the Converter Station reactors must be designed and positioned to limit AC magnetic fields at the compound perimeter to levels below the guideline levels</i>'. Where is the information provided to demonstrate that this would be the case, and that there would be no resultant impact on human health?</p>	

SE1.15.20	The Applicant	<p>Can the Applicant demonstrate or provide reassurance that there would not be any residual harmful effects on the health of those individuals living close to the proposed cable route that may be considered especially vulnerable to EMF, including those with a perception that they would be vulnerable to EMF?</p>	
SE1.15.21	The Applicant	<p>Amongst the assumptions explicitly included in the LVIA set out in the ES [APP-130] is that all public rights of way affected by the Proposed Development would be reinstated to the same condition and quality as previously. Can the Applicant explain how effective reinstatement of affected public rights of way has been secured in the dDCO?</p> <p>What would be the timescale for reinstatement?</p> <p>How would it be determined that the affected public rights of way had been reinstated to the same condition and quality for users as was present prior to construction?</p> <p>Has the Applicant given any consideration to enhancement?</p>	
16. Traffic and Transport			

TT1.16.1	The Applicant	Could the Applicant please provide an update on progress towards Statements of Common Ground and any other agreements on highways matters with Highways England, Hampshire County Council and Portsmouth City Council.	
TT1.16.2	The Applicant	Has Hampshire Police been consulted over the likely effects of the Proposed Development on traffic and the proposed mitigation measures?  If so, please provide direction to any responses received.	
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?	
TT1.16.4	The Applicant	Could the Applicant please describe and explain the sources used in the desk study of the highway system and how these influenced decisions in relation to setting the baseline for the wider study area. The answer should address the approach to determining highway capacity and the sensitivity of the receiving environment.	
TT1.16.5	The Applicant	The 'Study Area' section of ES chapter 22 (22.1.2) [APP-137] refers to many	

		street and place names that cannot be identified on the plates (22.1 to 22.15) provided in that chapter. The chapter also refers to the access into the Converter Station site, suggesting this can be seen on plate 22.1, but again this is not obvious. Could the Applicant please update Figure 22.7 [APP-322] and apply link names to the road network to aid understanding of the location of the affected links mentioned in the text, and clearly label the access into the Converter Station site.	
TT1.16.6	The Applicant	When discussing the magnitude of effects (section 22.6 of ES Chapter 22 [APP-137] and ES Appendix 22.4 [APP-452]), references are made to 'local factors' that have also been considered. Please describe these local factors and explain how they have influenced the determination of the magnitude of effects in relation to each link assessed.	
TT1.16.7	The Applicant	Could the Applicant please explain and justify why different methods have been used to assess effects on accidents and safety in the Onshore Cable Corridor and the Wider Study Area in Chapter 22 of the ES [APP-137].	
TT1.16.8	The Applicant	Please explain how the duration of impact (short-, medium- and long-term)	

		<p>has been determined with reference to the project schedule and relevant guidance.</p> <p>What assumptions have been applied in relation to sites where construction activities would extend over longer periods of time, for example HDD sites with up to 44 weeks of activity?</p>	
TT1.16.9	<p>Local planning authorities</p> <p>Highway authorities</p>	<p>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?</p>	
TT1.16.10	The Applicant	<p>The Western Link converter station has been used as a basis for the assessment of traffic that is likely to be generated by the construction of the Converter Station. (Paragraph 22.4.6.4 of Chapter 22 of the ES [APP-137] refers.) Explain the extent to which the assumed comparison is appropriate, having regard to the works required to prepare the Lovedean site, in particular the 'cut-and-</p>	

		fill' works and the scale and extent of the Proposed Development.	
TT1.16.11	The Applicant	<p>Paragraph 22.4.7.15 of Chapter 22 of the ES [APP-137] states that a number of potential joint bay locations have been included within the Order limits, but the final number would be determined by the contractor. Please could you explain the assumptions that have been applied in relation to the joint bay locations and the consequential impacts.</p> <p>Please clarify the meaning in this paragraph of the phrase <i>'these are considered to result in the same predicted impact and significance of effect as the proposed traffic management requirements.'</i></p>	
TT1.16.12	The Applicant	The definition of abnormal indivisible loads given in section 2.7.7 of the Framework Construction Traffic Management Plan [APP-450] does not appear to match the definition used in paragraph 22.4.5.37 of ES Chapter 22 [APP-137]. Can the Applicant explain this discrepancy and if this alters the assessment of significant effects?	
TT1.16.13	The Applicant	Paragraph 22.6.5.19 of Chapter 22 of the ES [APP-137] and the CTMP [APP-450] detail that pruning and tree works	

		<p>would need to take place along the routes of access for abnormal loads. What process would be used in relation to the necessary consents and any compensation, given that the powers under the Order would be limited to the Order limits?</p>	
<p>TT1.16.14</p>	<p>The Applicant</p>	<p>The Framework Transport Management Strategy [APP-449] contains several instances where works are for '<i>between x and x weeks</i>' depending on the chosen construction options. Some of these range from 1 day to 9 weeks. Can the Applicant explain the approach that the chosen contractor would be expected to take in formulating an approach, and if the works with the shortest duration and most limited environmental effects would be selected?</p> <p>In the event that multiple contractors were to be used in the construction of the Proposed Development, what measures would be put in place to ensure that their work is co-ordinated in line with the Framework Traffic Management Strategy [APP-449] and the Framework Construction Traffic Management Plan [APP-450]?</p> <p>How would this be secured in the dDCO?</p>	



TT1.16.15	The Applicant	<p>There are numerous mentions of '<i>weeks per circuit</i>' (<i>inter alia</i> paragraphs 6.2.2.6, 6.13.2.1 and 7.8.2.2 of the Framework Transport Management Strategy [APP449]). Was the option of undertaking all circuit works concurrently explored, and would such an approach limit the duration of works in a stretch of the route to 3 weeks in total rather than 3 weeks per circuit?</p> <p>If not, why not?</p> <p>If so, why has it not been adopted as the default approach?</p>	
TT1.16.16	Portsmouth City Council	<p>In your Relevant Representation [RR-185], you state planned works on traffic-sensitive routes are only allowed during off-peak hours and the City also operates works embargoes. Could you set out how the route and timing of the Proposed Development would be affected by these embargoes, and whether any such restrictions are reflected in the ES ([APP-137] and [APP-449])?</p>	
TT1.16.17	The Applicant	<p>There may be discrepancies in assigning magnitude and sensitivity between ES Volume 3, Appendices 22 (22.4 in particular) [APP-448] to [APP-453] and the assessment in ES Chapter 22, section 22.6.5 [APP-137]. Please check</p>	

		<p>for any discrepancies across the whole of these documents and provide clarifying information if necessary, including any necessary updates to the findings of the assessment.</p> <p>Some examples, <i>inter alia</i>, are:</p> <ul style="list-style-type: none"> <li>• In Appendix 22.4, traffic delay assessment, section 8, A2030 Eastern Road/ Burfields Road, the magnitude is determined to be low. In ES Chapter 22, paragraph 20.6.12.4 it is determined to be medium; and</li> <li>• In Appendix 22.4, traffic delay assessment section 4, B2150 Hambledon Road/ Ashton Road the sensitivity is determined to be medium. In ES Chapter 22, paragraph 22.6.8.19 it is determined to be low.</li> </ul>	
TT1.16.18	The Applicant	<p>No specific account appears to have been given to home football matches played by Portsmouth FC. Please describe the typical transport conditions associated with the football club's home games and where and how traffic moves through the City as a result.</p> <p>How would the Proposed Development affect or be affected by such traffic given there are limited routes onto Portsea Island and into Portsmouth?</p>	

TT1.16.19	The Applicant	It is not clear from [AS-016] what consultation has taken place with the relevant bus operators in coming to conclusions on providing temporary bus stops and diverted services. Explain what consultation has taken place and what the outcomes of this consultation were.	
TT1.16.20	The Applicant	<p>150 construction worker cars are assumed during the peak of construction [APP-137]. The dDCO [APP-019] allows for parking facilities for up to 150 vehicles in Work No 3. Please provide details (in written and diagram form) of the location, design parameters and scheduling of the parking provision for these vehicles and demonstrate that the car park would include capacity sufficient for the vehicles of the cable gangs, transfer vehicles and general visitors to the site.</p> <p>How would fly parking on and adjacent to the local highway network be prevented?</p>	
TT1.16.21	The Applicant Highways England	With reference to ES 22.4.6.10 [APP-137], the worst-case scenario for the A3 and the A27 might be considered to be all of the construction traffic using each road individually. Can the Applicant explain how a worst-case scenario has	

		been assessed when it is assumed there is an equal split of movements between the two roads?	
TT1.16.22	The Applicant	The traffic assessment relies on a worst-case maximum of six, simultaneous, 100m sections of cable installation (ES 22.4.7.3 [APP-137]). What is the basis for this assumption, and how and where is this controlled in the dDCO [APP-019]?	
TT1.16.23	The Applicant	With reference to the Relevant Representation of N Craise [RR-036], can you please provide details of any proposed mitigation measures relating to the works in the vicinity of Bransbury Park, Yeo Court and Godiva Lawn to allow for local traffic circumstances and access for service vehicles.	
TT1.16.24	The Applicant	In relation to the trenchless solution under the South Coast Railway, the Framework Construction Traffic Management Plan [APP-450] states that HGV movements would avoid peak traffic hours Monday to Friday but then states that there may be a requirement for some HGV movements to support 24-hour working. Given this caveat, what confidence can the Examining Authority have that the assumptions about onshore cable construction traffic	

		movements in paragraph 22.4.7.8 of the ES [APP-137] are correct?	
TT1.16.25	The Applicant	<p>Section 7 of the Framework Construction Traffic Management Plan [APP-449] states that SMART targets would be set, and monitoring surveys would be undertaken by the Travel Plan Coordinator at 6 months, 1 year and 2 years into the construction stage.</p> <p>Please clarify how many monitoring surveys would be undertaken and at what locations, how monitoring would trigger remedial action, and what form such action might take.</p>	
TT1.16.26	Portsmouth City Council	<p>Your Relevant Representation [RR-185] suggests that reliance on the agreement of tailored Construction Traffic Management Plans post-consent is unacceptable as the impacts of the Proposed Development should be understood in advance of consent.</p> <p>Please explain the approach that would normally be expected for projects such as this and detail any additional information you would like to see included in the Framework Construction Traffic Management Plan.</p>	
TT1.16.27	The Applicant	Can the Applicant explain what measures the chosen contractor would be expected to put in place to ensure	

		<p>road access for residents, businesses and emergency services is maintained during the construction of the Proposed Development?</p> <p>How are these expectations secured through the dDCO [APP-019]?</p>	
TT1.16.28	The Applicant	<p>Given the possibility of traffic build-ups and delays due to lane closures, can the Applicant explain why no monitoring is proposed for situations where there would be lane closures without shuttle working traffic signals?</p>	
TT1.16.29	The Applicant	<p>In ES 22.4.3.4 [APP-137], please clarify what 'IEMA topics' are, provide a reference and explain their relevance here.</p>	
TT1.16.30	The Applicant	<p>With reference to ES 22.6.5.13 [APP-137], please could the Applicant clarify which highway is referred to here (<i>'However, given the potential for a temporary stopping up of the highway...'</i>)</p>	
TT1.16.31	The Applicant	<p>Could the Applicant please identify where the assessment of intra-project cumulative effects of construction works at (up to) six simultaneous sites is addressed (in terms of matters such as driver delay, public transport disruption, pedestrian and cyclist amenity, etc on a</p>	

		<p>longer journey that would encounter multiple construction sites).</p> <p>What additional mitigation has been considered, discounted or employed to deal with any cumulative effects such as these?</p>	
TT1.16.32	Portsmouth City Council	<p>Please give further details of the bid to the 'Transforming Cities Fund' and the programme of works anticipated to take place up until 2023, including any decision made in March 2020 (as alluded to in [RR-185]).</p> <p>Is the Council able to submit into the Examination any maps or diagrams to show which parts of the City could be affected by the South East Hampshire Rapid Transit system?</p> <p>How would the Proposed Development impact on the proposed programme of works associated with the bid to the 'Transforming Cities Fund', if it was successful?</p>	
TT1.16.33	The Applicant	<p>Could the Applicant please review paragraph 22.4.9.6 of the ES [APP-137] and clarify.</p>	
TT1.16.34	The Applicant	<p>Please could the Applicant review paragraph 22.6.5.16 of the ES [APP-137] and revise as necessary.</p>	

TT1.16.35	The Applicant	ES 22.7.1.4 [APP-137]: This paragraph may be missing a 'not'? Please could this be clarified.	
17. Trees			
TR1.17.1	The Applicant	<p>What is the effect of Portsmouth City Council's stated policy not to apply TPOs to qualifying trees in its guardianship, as set out in the Council's Relevant Representation [RR-185]? (See Schedule 11 of the dDCO [APP-019].)</p> <p>Has any progress been made towards an agreement with Portsmouth City Council over how this matter can be accommodated in the assessment and the dDCO?</p>	
TR1.17.2	The Applicant	<p>ES Chapter 15 [APP-130] explains that the onshore cable corridor would result in the loss or partial loss of trees in Section 6 and Section 9. What are the Applicant's intentions for the replacement of these?</p> <p>Could the Applicant please confirm whether the LVIA set out in the ES [APP-130] relies on the replacement of trees and shrubs that are lost to the Proposed Development.</p> <p>Paragraph 15.8.11.2 states in relation to the trees in Section 6, '<i>The Onshore Cable Corridor would result in the loss or</i></p>	



		<p><i>partial loss of Category B tree groups or trees (G660, G910 and T73) and a Category C tree T74 within Zetland Field. Where practicable trees and shrubs would be replaced with like for like species, trees repositioned at least 5 m away from the Onshore Cable Route'. How is this secured through the dDCO [APP-019]?</i></p> <p>Paragraph 15.8.14.2 explains that there would be a loss of some Category B trees and shrubs within and edging Milton Lock Nature Reserve, but there is no explanation as to whether these trees and shrubs would be replaced. Could the Applicant explain if and how these losses would be mitigated and how this would be secured through the dDCO [APP-019]?</p>	
<p>TR1.17.3</p>	<p>The Applicant Relevant local authorities</p>	<p>The Government places importance on 'street trees' in the National Design Guide for the benefit of placemaking. Is the Applicant's approach to the identification, retention, protection, mitigation of impacts and compensation for any losses of such trees sufficiently unambiguous and is it appropriate?</p> <p>Could the Applicant please comment in detail on how the 'potential removal' of the TPO trees listed in dDCO [APP-019] Schedule 11 would be avoided.</p>	

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