

**Response from the South Downs National Park Authority to the Examining Authority's written questions and requests for information (ExQI)**

The South Downs National Park Authority's (SDNPA) response to the questions asked of it are contained in the table below, against the Examining Authority's original question for ease of reference. These responses are provided for Deadline 1 of the examination (6 November, 2020).

Question Reference	Examining Authority Question	SDNPA Response
MGI.1.5	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?	<p>Whilst the applicant has met with us and others on this (and we welcome this engagement) SDNPA considers that there is a lack of information in the DCO application about the design and appearance of the Converter Station (despite its size and scale). Requirement 6 leaves too much of this to post approval consideration, rather than being considered by the Examining Authority now.</p> <p>As it stands therefore the SDNPA has limited assurance that its views will be incorporated into the final design of the Converter Station buildings.</p>
CHI.4.4	For Section 1 of the Proposed Development (from ES paragraph 21.6.4.5 [APP136]), 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	<p>The applicant's approach does appear to be oversimplified but we do note that the Environmental Statement also generally considers the architectural quality of the listed building itself as the nature and character of the listed building is also an important factor in judging its setting. Some information is also provided on the nature and appearance of listed building's surroundings.</p> <p>In our view established vegetation can be taken into account in the</p>

	<p>have been considered.</p> <p>To what extent should the ExA and Secretary of State take established vegetation and proposed mitigation planting into account in the assessment of setting?</p>	<p>assessment of setting unless it is thought to be at risk (e.g. from development or on account of ash die back). Where the application relies on defined mitigation areas for planting the applicant should have control of these parcels of land to ensure long term management and that the mitigation continues to be provided for the lifetime of the project.</p> <p>SDNPA considers that proposed mitigation planting can be taken into account in the assessment of setting provided that it is secured by the DCO and provided that it is clear and recognised at what point in time the planting will be at when any judgements are made (planting will obviously be more established years after planting compared to the date of planting).</p>
DCO1.5.9	<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 'potential removal' and 'indicative works to be carried out'. 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,</p>	<p>SDNPA object to this as currently written, for the reasons set out in section 5 of our Local Impact Report.</p> <p>However, should this remain unchanged it is SDNPA's view that because the loss of trees cannot be quantified and because it would be possible to remove all trees within the Order Limits without replacing them the Examining Authority should, when weighing the application in the planning balance, assume the loss of all trees within the Order Limits.</p>

	<p>given that 42(2)(b) of the dDCO [APP-018] removes any duty to replace lost trees?</p>	
<p>DCO1.5.44</p>	<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 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</p>	<p>The SDNPA is concerned about the exclusions proposed from the commencement of development, especially in respect of how they might interact with the discharge of Requirements. The SDNPA would welcome sight of the applicant’s responses to these questions before considering whether to comment further.</p>

	<p>contaminated land before a management scheme has been agreed? 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>	
DCO1.5.57	<p>Are the relevant planning and highway discharging authorities and other relevant bodies content with their roles in the discharge of Requirements? (Refer to paragraph 12.4 of the Explanatory Memorandum [APP-020].)</p>	<p>SDNPA, as it is not the Local Planning Authority for the development site, will not be discharging any requirements itself but it will be inputting into a number in consultation with the relevant Local Planning Authority. SDNPA is happy to perform this role.</p> <p>SDNPA input currently applies to Requirements 6 (design), 7 (landscaping) and 16 (external construction lighting) where explicit reference is made to consultation with the SDNPA.</p> <p>SDNPA made a number of points in relation to discharging the Requirements in our Local Impact Report and these points are summarised below for ease of reference:</p> <ul style="list-style-type: none"> <li>• There is, in our view, a lack of information about the design</li> </ul>

		<p>and appearance of the Convertor Station buildings (despite the size and scale). Requirement 6 leaves much too much of this to post approval consideration rather than being considered by the Examining Authority now.</p> <ul style="list-style-type: none"> <li>• Regarding Requirement 17 (Construction Traffic Management Plan) we request that this document be submitted to and approved by the relevant Local Planning Authority (after consultation with the SDNPA in respect of the Convertor Station Area), rather than the relevant Highway Authority.</li> <li>• Regarding Requirement 20 (noise management) SDNPA request that this requirement is discharged, in respect of Work Area 2, after consultation with the SDNPA because of the potential impacts on tranquillity.</li> <li>• Requirement 23 (control of operational lighting) should, in our view, be expanded in a similar way to Requirement 16 to require written details of any external, permanent lighting to be installed in connection with the Convertor Station to be, after consultation with the SDNPA, submitted to and approved by the relevant local planning authority. This is to ensure that due consideration is given to the International Dark Sky Reserve of the National Park.</li> </ul>
EIA I.6.2	<p>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:</p>	<p>SDNPA have attempted to progress discussions on this but with no success. SDNPA understands that the applicant will be submitting further information on this matter at Deadline 1 and SDNPA will consider this and approach National Grid again if necessary.</p> <p>SDNPA considers that the proposed development, notably the Convertor Station buildings, fail to conserve the rural landscape setting of the National Park here and in this respect fails to comply with Purpose 1 of National Parks which is to conserve and enhance</p>

	<p>‘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.’</p> <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? 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>	<p>the natural beauty, wildlife and cultural heritage of the National Park.</p> <p>Without prejudice to our view that the Converter Station buildings cause harm to landscape character and the setting of the National Park the SDNPA prefers Option Bii) of the two options put forward by the applicant. This is because it retains a hedgerow and woodland to the west that we understand would be lost under option Bi).</p>
LVI.9.1	Do you agree with the selection of representative viewpoints used for the LVIA of the Converter Station and associated infrastructure [APP-250]?	<p>The SDNPA is happy with the selection of viewpoints with the exception of:</p> <ol style="list-style-type: none"> <li>I. Providing a viewpoint from east of Prews Hanger to the north of the proposed Interconnector building on a well used public</li> </ol>

	<p>If not, why not?</p> <p>Do you have any comments on the presentation of baseline photographs and visualisations ([APP-251] to [APP-270])?</p>	<p>footpath. The footpath is obscured in the maps provided within the LVIA by an enlargement box graphic. SDNPA has requested that this viewpoint is added to the viewpoint list. Whilst the route is 'only' a footpath, it is a well used connection between two rural lanes which in themselves are used as part of the PROW network. There is no other location which demonstrates the effects from this viewpoint.</p> <p>2. A further viewpoint is desirable at the entrance to the Interconnector site where a number of alterations are proposed to the road layout. Through discussion at design workshops with the applicant it is emerging that this is an area which requires careful consideration on the boundary of the SDNP due to the degree of change proposed to the existing rural character. An additional viewpoint to demonstrate this series of effects would be helpful in assessing this impact; there are no other viewpoints which demonstrate this effect. The SDNPA has supplied best practice guidance on industrial (quarry) entrances to the applicant and raised the issue during recent design team meetings.</p> <p>The baseline photos all need to be viewed at the correct scale to avoid an inaccurate perception of the proposals. There is, in our view, an over reliance on panoramic photography which distorts the perception of the proposals and relies on viewers enlarging the image to the correct size in order to achieve the appropriate viewing experience. In this case many of the photos require printing at A1 size to view in the field. To view electronically requires enlargement to A4 height which many screens will not accommodate. This limits the ability to accurately consider the effects of the proposals and has the effect of obfuscating the impacts through the combination of a wide field of vision coupled with the need for significant enlargement.</p>
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LVI.9.2	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>The SDNPA has requested further details from the applicant regarding the proposed lighting columns. The Authority would like to understand the technical specification (including angle, cowels, direction, lumens, light colour and design) for the proposed lighting, and under what circumstances the lighting would be used. The SDNPA notes that a specific Lighting assessment was recommended in the Scoping Opinion (page 97).</p> <p>The term ‘emergency only’ has been used to describe the operation of the external lighting but drilling down into this to understand how the lighting would work, be switched on and off, what event would trigger the lighting, restrictions on ambient usage, and so on would be helpful.</p> <p>The SDNPA would like to see a more robust Dark Night Skies assessment which includes night sky photomontages to fully understand the implications of these proposals.</p> <p>The design of the lighting columns could have additional effects on landscape and a query has been made at the last design team workshop to this effect and further details are awaited from the applicant.</p> <p>SDNPA has not requested inclusion of the lighting columns in the ZTV to date as this could distort the perception of the ZTV which is extensive anyway as it stands.</p>
LVI.9.5	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	<p>The SDNPA objects to the ability, that would be conferred by the DCO as it stands, to provide rooftop plant and machinery and similar on the roof of the Converter Station.</p> <p>Our biggest concern is that the potential for plant installation on the</p>



	equipment, if installed?	roof (in terms of quantum, scale and appearance) is currently unknown and, in any case, would be uncontrolled in the DCO. The landscape and visual impacts of such machinery are potentially significant and could interfere with the relatively simple roof profile. The installation of such machinery on the roof could also be prominent, would likely appear as ad hoc and piecemeal additions and would do nothing to add to the design quality of the Converter Station buildings.
LVI.9.6	With reference to paragraph 15.8.4.7 of the ES [APP-130], does the South Downs National Park Authority agree that the 'sensitivity of the SDNP setting' is medium for the purposes of the landscape assessment?	<p>No. The SDNPA considers that the sensitivity of the National Park setting is high for the purposes of the landscape assessment.</p> <p>This is because the National Park is a national resource and a protected landscape subject to the highest level of protection in relation to landscape and scenic beauty (Overarching National Policy Statement for Energy (EN-1), 2011, paragraph 5.9.9 and NPPF, 2019, paragraph 172). The Converter Station is also surrounded by the National Park on three sides at relatively close proximity. The existing largely rural landscape has a generally positive character supporting the setting of the National Park.</p>
LVI.9.35	<p>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?</p> <p>Are you satisfied with the Applicant's proposals [APP-130]?</p>	<p>We are not currently satisfied with the applicant's proposals on this matter but we are, and will continue to, work with the applicant to address these matters.</p> <p>Current issues we have with the landscape and visual mitigation proposals are:</p> <ul style="list-style-type: none"> <li>• In relation to the colour scheme for the proposed Converter Station buildings we do not consider the autumn spectrum to be sufficiently developed as a response to the context of</li> </ul>

		<p>proposed building. In our view the building as it stands is imposing and dominant in colour appearing over the top of mature tree and woodland belts. We have asked the applicant to carry out further work on this (which they have agreed to) thus this matter is still under discussion.</p> <ul style="list-style-type: none"><li>• It appears that not all of the proposed landscape mitigation areas are in the applicant's control so we question how it will ensure continued management for the purposes of mitigation.</li><li>• In addition no assessment appears to have been made of the age, condition or species of trees in the existing areas to be used for mitigation.</li><li>• There is a lack of a proactive strategy to deal with Ash die back</li><li>• The limitations on woodland planting along the perimeter security fence are acknowledged, however this does not preclude more significant woodland planting further away (which unfortunately has not been proposed).</li><li>• Hedgerows which accentuate the line of the proposed access drive (and which cut across field boundaries) should be more closely aligned with the existing field pattern.</li><li>• The treatment of the western/northern boundary is very rectilinear in contrast to the surrounding field patterns &amp; will not provide a seamless interface between the new and the existing landscape pattern.</li><li>• Regarding the sizes of tree nursery stock at planting – we consider that there is a need to have a much bigger range of planting sizes than currently proposed to achieve screening at an earlier stage.</li><li>• We also consider that standard, heavy standard and extra heavy standard trees should be included in the woodland blocks (not only as specimen trees) to broaden the age of the stand, increase the range of canopy height and provide</li></ul>
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		screening and structure planting during the early years of the project.
PPI.13.1	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.)	The development plan position for the South Downs National Park is reported correctly in the document referred to as we adopted our Local Plan in July, 2019. There are no emerging development plans or plan documents from the SDNPA that would affect the area of the National Park closest to the proposed Converter Station.
TTI.16.3	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?	The South Downs National Park is not referenced in this document at all, despite the impact that construction traffic for the Converter Station will have on the tranquillity of the National Park.  However, as you will see from our answer to question reference PPI.13.1 the Planning Statement reports the Development Plan position for the South Downs National Park accurately.
TTI.16.9	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?	The use of a set route for construction traffic for the Converter Station is welcomed. At this time SDNPA has no concern with the applicant's approach to baseline traffic surveys around the proposed Converter Station, however we defer to Hampshire County Council, as Local Highways Authority, on this matter.