

Aquind Interconnector - Response from Environmental Protection

Documents reviewed:

Document 3.1 – Draft Development Consent Order

Document 5.3 – Statutory Nuisance Statement

Document 5.4 – Planning Statement

Document 6.1.19 – Chapter 18 Ground Conditions – Volume 1

Document 6.1.23 – Chapter 23 – Air Quality – Volume 1 (Plus associated Volume 2 appendices)

Document 6.1.24 – Chapter 24 – Noise and Vibration- Volume 1 (Plus associated Volume 2 appendices)

Document 6.1.30 – Chapter 30 – Summary and Conclusions – Volume 1

Document 6.6 – Mitigation Schedule

Document 6.9 – Onshore Outline Construction Environmental Management Plan

Matters assessed:

Impacts relating to land within or immediately adjacent to land within the Winchester City Council's (WCC) area with reference to the following:

- Contaminated land
- Noise impacts –during both development and operation
- Air quality impacts – mainly relating to construction phase
- Light nuisance -dark sky/amenity impacts have been excluded as these are landscape issues.

The two key activities considered relevant to WCC were:

- The development and operation of the Converter Station
- The construction activity associated with the cable route installation – Sections 1 to 4.

Conclusions

Overall I am satisfied with the extent of the assessments performed and the conclusions/recommendations made. However, these are not then fully implemented within the proposed draft Development Consent Order (DCO)

I have considered blow separate areas of this draft DCO and provided comment to assist for consideration by our legal team to consider, where appropriate, suggested alterations to the relevant sections,

PART 2 – Principal Powers

9. Defence to proceedings in respect of statutory nuisance

Both the statutory nuisance assessment and the environmental statement consider that the development will not result in a statutory nuisance. I fail to understand why it is appropriate to include additional defences to that already provided by Section 80(7) – Best Practical Means. I therefore see no need to introduce a new test of “cannot reasonably be avoided” I therefore suggest that section 9 is deleted if it is considered this increases the statutory nuisance threshold.

If this section is to remain then it references paragraph (g) and (ga) of section 79(1) and then in brackets states (noise emitted from premises so as to be prejudicial to health or a nuisance). It should be noted that this relates to section (g) only as section g(a) relates to “noise that is prejudicial to health or a nuisance and is emitted or caused by a vehicle, machinery or equipment on a street”. Section (g) will therefore mainly relate to noise relating to the installation and operation of the Converter station and section g(a) to the installing of the cabling (development stage).

As the construction phase is temporary and section g(a) will relate mainly to such activity, I would find a rewording of section 9 to refer purely to section g(a) less of an issue due to its temporary nature.

SCHEDULE 2 – Requirements

15. Construction environmental management plan (CEMP)

I welcome inclusion of this requirement but as this requires each detail phase CEMP to be substantially in accordance with the outline CEMP I request that the following change is made to the draft CEMP (Document 6.9 – Onshore Outline Construction Environmental Management Plan):

Table 5.3 – This is titled “table of dust results per onshore cable corridor section”. There is however no comparable assessment for construction activities of the converter station itself. There needs to be a comparable table/entry for the Converter station construction which should categorise this activity as high risk (in accordance with paragraph 23.6.2.7 of the Air Quality Chapter 23 (Document 6.1.23))

18 Construction Hours

Again this is welcome. However exemption 4(b) should be amended to remove the exemption for receipt of oversize deliveries to the site. Such activity can have significant noise impacts and should therefore be identified as necessary “out of hours work” within the requirements of section 18(3) and be included within the required specific phase CEMPs.

Paragraph (5) states “core working hours” means the working hours stated in relation to the relevant operations at paragraphs (2) and (3)”. Should this not read paragraphs 18(1)a and 18(1)(b)?

20 Control of noise during the operation period.

I have serious concerns regarding the wording of this section as I do not consider this gives sufficient confidence in the level of noise mitigation that will be achieved for the Converter station will be as detailed in in Document 6.1.24 – Chapter 24 Noise and Vibration - Volume 1 (plus associated Volume 2 appendices).

Although it is appreciated that the final design and specific equipment has not been finalised there are significant assumptions made within the noise assessment to derive the conclusion that the impacts from the converter station are negligible. Specially in addition to the assumed embedded mitigation measures (section 24.6) additional mitigation measures are identified in section 24.8(proposed mitigation and enhancement) with regards to one exposure location.

It is therefore considered that this section needs to be reworded to ensure these specific requirements form part of the measures being proposed. This section needs to cross reference the measures identified within Documents 6.1.24 (sections 24.6 and 24.8) and this might also need to be added to Schedule 14 (Certified Documents).

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