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Our ref

Your ref

Date
3 November 2020

Dear Mr Mahon

Application by AQUIND Limited for an Order granting Development Consent for the AQUIND Interconnector project

Response to request for further information in relation to Proposed changes to the Order Limits and rights sought

Thank you for your letter of 15 October 2020 issued in relation to the Application of AQUIND Limited (the '**Applicant**') for an Order granting Development Consent for the UK elements of AQUIND Interconnector (the '**Application**'), requesting further information from the Applicant under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (the '**Request**').

This letter responds to the request number 3 only (Proposed changes to the Order limits and rights sought) in the Request. We will write separately in relation to request number 4 (Addendum to the Environmental Statement).

Specifically this letter addresses the following two issues raised by the ExA:

- (1) Confirmation of whether or not the Applicant's letter dated 6 October 2020 (Deadline 1 Submission) was intended to comprise a formal change request; and
- (2) How the process followed so far and the consultation that the Applicant has commenced complies with the Planning Act 2008 and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, including Regulation 9.

We apologise for any confusion caused by the Applicant's approach to proposed changes to the Order limits and rights sought.

We confirm that it was the Applicant's intention that the submission made for Deadline 1 should constitute a change to be accepted into the examination. We had intended to follow up with a supplement to the Environmental Statement reviewing the environmental impacts of the proposed changes at Deadline 2 to confirm that the proposed changes do not generate any new or different

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likely significant environmental effects, so as to assist the ExA in considering the materiality of the changes. However, after receiving your Rule 17 letter on 15 October, we have instead produced a composite document ("Proposed Non-material Changes to the Order Limits and Rights", enclosed) which we hope will best assist you in making the necessary determinations with regard to the materiality of the proposed changes and their acceptance into the examination.

With regard to our actions taken pursuant to the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, our intention was simply to expedite the process by complying with the requirements of these Regulations in parallel to the ExA's consideration of the proposed changes. We sought to engage with the Case Officer in relation to this approach, and also took advice from Simon Bird QC, who considers the approach taken to be lawful and appropriate with a view to expediting the process within the examination timetable.

However, we are content to await the ExA's decision in relation to the acceptance of the Proposed Changes into the examination and to then undertake the necessary notifications and publicity afresh under Regulations 7 and 8 in accordance with the ExA's instructions. Given that it is relatively early in the examination timetable we consider that there is sufficient time remaining for this process to be undertaken. We would of course also at the relevant time ensure compliance with Regulation 9.

Should any further information in relation to this letter be required to further assist the ExA in relation to the proposed changes or in respect of process to be followed in relation to the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, please would the Case Team contact Martyn Jarvis of this firm using the details provided at the top of this letter.

Yours faithfully,

Herbert Smith Freehills LLP

Herbert Smith Freehills LLP

Encl.

Proposed Non-material Changes to the Order Limits and Rights Statement



AQUIND Limited

AQUIND INTERCONNECTOR

Proposed Non-material Changes to the Order Limits and Rights

The Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

Document Ref: 7.7.15

PINS Ref.: EN020022

AQUIND Limited

AQUIND INTERCONNECTOR

**Proposed Non-material Changes to the Order
Limits and Rights**

PINS REF.: EN020022

DOCUMENT: 7.7.15

DATE: 3 NOVEMBER 2020

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DOCUMENT

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1. INTRODUCTION

1.1. OVERVIEW

- 1.1.1.1. On 14 November 2019, AQUIND Limited (the ‘**Applicant**’) made an application for an Order granting Development Consent for the UK elements of AQUIND Interconnector (the ‘**Application**’). At Deadline 1, the Applicant submitted material proposing a reduction to the land within the Order limits at a number of locations, and a small extension of the Order limits at one location (“**Proposed Changes**”). A description and justification for these changes was set out in a document submitted by the Applicant for Deadline 1, entitled ‘*AQUIND Interconnector: Position Statement in relation to the refinement of the Order limits*’ [REP1-133].
- 1.1.1.2. Advice Note 16¹ states that: “*Applicants will need to decide for themselves (taking their own legal advice) whether a proposed change to an application is material and therefore whether to request for the ExA to consider accepting a request to materially change the application.*”
- 1.1.1.3. In the view of the Applicant and their legal team, taking account of the criteria in Advice Note 16, the Proposed Changes are not material. However, we recognise that the ExA wishes to be able to:
- (i) satisfy itself as to the materiality of the Proposed Changes, and to be provided with sufficient information to do so;
 - (ii) satisfy itself as to whether there is a need for consultation on the Proposed Changes; and
 - (iii) make a formal decision whether to accept the Proposed Changes into the examination (regardless of whether they are material or non-material).
- 1.1.1.4. This document is provided in order to assist the ExA in making judgements and procedural decisions in relation to the above.

1.2. REASONS FOR THE CHANGES

- 1.2.1.1. Chapter 3 of this document describes the Proposed Changes to the Order limits, and the reasons for those changes. Chapter 4 describes the Proposed Changes to the rights sought within the Order limits. For ease of reference, the changes are referred to by alphabetical references set out in those Chapters.

¹ Advice Note 16: How to request a change which may be material (Planning Inspectorate, March 2018)

1.2.3. REDUCTIONS TO THE ORDER LIMITS

1.2.3.1. The Application as originally submitted contained a degree of optionality in respect to the onshore cable route. The ExA questioned the justification for this flexibility in Written Question CA1.3.20. As a response to this, and following further technical work carried out by the Applicant following submission of the Application, the Applicant concluded that it was able to reduce the optionality originally proposed (see Proposed Changes B, D, E, H and K).

1.2.3.2. The other proposed reductions in the Order limits relate to further refinements as a result of continued engagement with land owners and stakeholders (see Proposed Changes F, G, J and L), corrections of errors in the original Land Plans (see Proposed Changes C and M), and a change in the nature of the land (the removal of woodland) which makes it unsuitable for its intended purpose (see Proposed Change A).

1.2.4. EXPANSION OF THE ORDER LIMITS

1.2.4.1. In one location a need to expand the Order limits was identified following submission of the Application (Proposed Change I). This expansion relates to a small area of land (1457 square metres) towards the western edge of the football pitch at Baffins Milton Rovers FC (assigned plot number 8-03a). This Proposed Change has been the subject of positive engagement with the football club as occupier. This addition is required simply to ensure an adequate working area is maintained following the proposed removal of land to the west of the pitch as an option for the cable route (Proposed Change H).

1.2.5. CHANGES TO RIGHTS SOUGHT WITHIN THE ORDER LIMITS

1.2.5.1. Changes to the rights sought over Plots within the existing Order limits at three locations are also proposed (Proposed Changes N, O and P). In each case the rights now sought are less extensive than those originally sought. These changes relate to the reductions to the Order limits proposed to reduce route optionality from that sought in the original Application.

1.3. COMPULSORY ACQUISITION

1.3.1.1. One of Proposed Changes (Proposed Change I) will necessitate the compulsory acquisition of “additional land” as defined in The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations). In addition, Proposed Changes N, O and P relate to changes to the nature of the rights sought over land within the Order limits.

1.3.1.2. The Applicant notes that the ExA wishes to make a decision on the materiality of the Proposed Changes and whether to accept the Proposed Changes into the examination before considering whether the changes engage the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.

- 1.3.1.3. The Applicant made a submission to the Secretary of State on the 6 October 2020 pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010. That submission included:
- A Supplemental Book of Reference
 - An Order Limits Amendment Plan showing Plot 8-03a
 - A statement of reasons as to why rights over the Additional Land are required to be acquired in connection the Proposed Development; and
 - A statement to indicate how the Proposed Development for which the DCO is applied in relation to is proposed to be funded.
- 1.3.1.4. We do not propose to withdraw that submission, however we recognise that the Secretary of State may not wish to make a decision in relation to this submission until the ExA has made a decision whether to accept the Proposed Changes into the examination.
- 1.3.1.5. The Applicant also made notifications and carried out publicity pursuant to Regulation 7 and 8 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, requesting that any persons wishing to make representations in relation to the Proposed Changes should do so by 13 November 2020. However, further to the ExA's Rule 17 letter of 15 Oct 2020, we confirm that we will await the ExA's decision in relation to the acceptance of the Proposed Changes into the examination and will then carry out Regulation 7 and 8 notification and publicity afresh in accordance with the ExA's instructions and guidance.

1.4. ENVIRONMENTAL STATEMENT

- 1.4.1.1. A full review of the Environmental Statement (ES) submitted with the Application has been carried out to assess whether the Proposed Changes would result in new or different likely significant effects or affect the conclusions of any chapters in the ES. This assessment is presented in Chapter 6 of this document and its implications for the materiality of the Proposed Changes is set out in Chapter 7.

1.5. MATERIALITY AND CONSULTATION

- 1.5.1.1. The basis on which the Applicant considers the Proposed Changes to be non-material is set out in Chapter 7 of this document. Chapter 8 explains why the Applicant does not consider that consultation is required in order to satisfy the requirements of procedural fairness in this case.

2. DESCRIPTION OF THE PROPOSED CHANGES TO THE ORDER LIMITS

2.1. OVERVIEW

- 2.1.1.1. There are twelve proposed changes to the Order limits as provided for in the original Application submitted in November 2019. These were described in section 2 of the document submitted by the Applicant at Deadline 1, entitled ‘*AQUIND Interconnector: Position Statement in relation to the refinement of the Order limits.*’
- 2.1.1.2. Those Proposed Changes to the Order limits are summarised in the Table 2.1 below which, for ease of reference, refers to the Section of the Order limits affected, and attributes an alphabetical reference to each Proposed Change.

Table 2.1 - Overview of Proposed Changes to Order limits

Proposed Change Reference	Section of the Route	Nature of change
Proposed Change A: Removal of land south-west of Lovedean substation, no longer required for screening as woodland confirmed as removed.	1	Reduction of the Order limits to entirely remove Plot 1-78.
Proposed Change B: Refinement of Order limits affecting the area immediately north of Anmore Road, to remove this route option	2	Reduction of Order limits: Plots 3-03 (partly removed); 3-04 (partly removed); 3-05 (entirely removed); 3-06 (entirely removed) and 3-07 (entirely removed).
Proposed Change C: Removal of land east of Ladybridge roundabout, included within the Order limits in error	4	Reduction of Order limits to entirely remove Plot 5-13.

Proposed Change Reference	Section of the Route	Nature of change
<p>Proposed Change D: Refinement of Order limits to remove approximately 200m of Portsdown Hill Road, to remove this route option</p>	4	Reduction of Order limits affecting Plots 6-09 (partly removed) and 6-11 (partly removed)
<p>Proposed Change E: Reduction of the extent plots in connection with the removal of Eastern Road as a route option</p>	6	Reduction of Order limits affecting Plots 7-03 (partly removed), 7-04 (partly removed), 7-05 (partly removed) and 7-09 (partly removed).
<p>Proposed Change F: Durkins Yard removed as not required as a construction compound</p>	6	Reduction of Order limits to entirely remove Plot 7-06.
<p>Proposed Change G: Removal of area comprising trees around the car park at Farlington playing fields</p>	7	Reduction of Order limits: Plot 7-14 (partly removed)
<p>Proposed Change H: Removal of land in the vicinity of Baffins Milton Rovers FC, consisting of a row of trees, a section crossing the cricket pitch, the northern part of the Tudor Sailing Club boat yard and part of the Eastern Road.</p>	7	Reduction of Order limits: Plot 8-03 and 8-04 (partly removed).
<p>Proposed Change I: Proposed addition of land to the Order limits to ensure an adequate working width is available within the Baffins Milton Rovers FC pitch following the removal of other land (Proposed Change H)</p>	7	<u>Addition</u> of new land to the Order limits. This expansion relates to a small area of land (1457 square metres) towards the western edge of the football pitch at Baffins Milton Rovers FC (assigned plot number 8-03a).

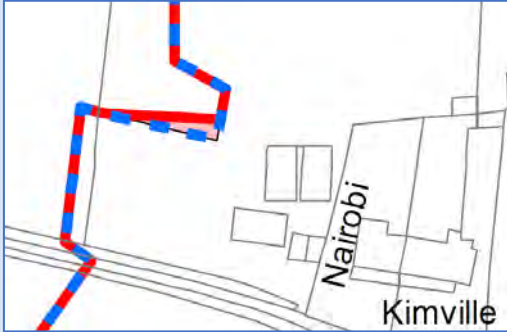
Proposed Change Reference	Section of the Route	Nature of change
Proposed Change J: Removal of land on which a substation is located, in the south west corner of Milton Common.	7	Reduction of Order limits: Plots 9-15 (entirely removed) and 9-17 (entirely removed).
Proposed Change K: Removal of land comprising Furze Lane, to remove this route option	9	Reduction of the Order limits: Plot 9-27 (partly removed) and removal of Plots 9-21, 9.22. 9-23, 9-24, 9-25, 9-29, 10-01, 10-04 and 10-07 entirely.
Proposed Change L: Removal of car parking spaces used by Two Saints Ltd and part of a car park and access to a slipway used by Langstone Harbour Fishermen’s Association	9	Reduction of the Order limits: Plot 10-06 (entirely removed) and Plot 10-05 (partly removed)
Proposed Change M: Reduction of areas shown within the Order limits at Eastney and Milton Allotments to reflect the fact that access is only required across the allotment paths (not the allotments themselves).	9	Reduction in the Order limits: Plot 10-13 (partly removed).

2.2. DETAILED EXPLANATION OF THE PROPOSED CHANGES TO THE ORDER LIMITS

2.2.1.1. A detailed explanation of Proposed Changes to the Order limits was provided to the ExA at Deadline 1, in the form of Table 2.1 to the Applicant’s submission entitled ‘*AQUIND Interconnector: Position Statement in relation to the refinement of the Order limits.*’ For ease of reference, we replicate that Table below (as Table 2.2). The only substantive amendment made to Table 2.1 as contained in the Position Statement is to include (in the second column) the alphabetical reference for each of the Proposed Changes as allocated in Table 2.1 above.

- 2.2.1.2. The first column in Table 2.2 below provides an extract from a comparison of the Order limits submitted in November 2019 and the updated Order limits submitted for Deadline 1. Plans showing a comparison of the Order limits as submitted with the Application to those submitted at Deadline 1 are included at Appendix 1 to this document.
- 2.2.1.3. The extent of the Order limits as proposed to be updated is shown by the red line, and the extent of the Order limits originally submitted with the Application is shown by the hatched blue line. Where these are the same (i.e. where there is no change), a hatched blue and red line is shown.
- 2.2.1.4. Areas removed from the Order limits are shown shaded in pink, and the single addition of a small area of land (at Baffins Milton Rovers FC) is shown shaded in green. An extract from the Land Plans is also provided in Column 1 for a number of the changes where this assists with understanding the change.
- 2.2.1.5. The changes are shown in the direction of north to south of the Order limits.

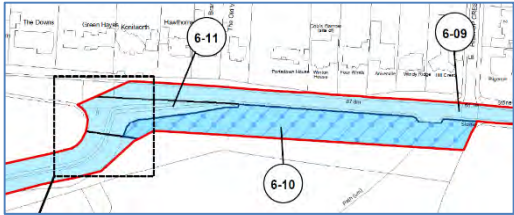
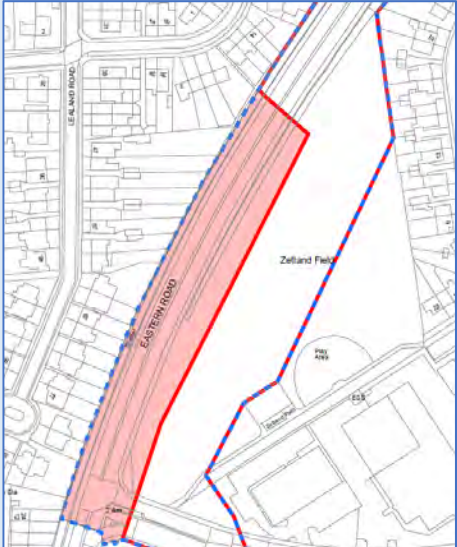
Table 2.2 - Explanation of the Proposed Changes to the Order limits

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
	<p><u>PROPOSED CHANGE A</u></p> <p>Plot 1-78, located approximately 660m south west of the Lovedean Substation, is proposed to be removed from the Order limits entirely.</p>	<p>Plot 1-78 consisted of an area of 39m² and, based on previous aerial photography used to inform optioneering, was understood to comprise woodland which would have provided a screening benefit. Newer aerial photography, combined with a site visit, has confirmed the woodland has been removed and, as such, it is no longer considered to be necessary or justified to seek rights and/or restrictions over it for screening purposes.</p>
<p>Extracts from the Land Plans (APP-008)</p>	<p><u>PROPOSED CHANGE B</u></p> <p>In the area immediately north of Anmore Road, the following changes are proposed to be made:</p> <ul style="list-style-type: none"> (i) Plot 3-03 (owned by Mr. Stanley): the majority of this plot is proposed to be removed with a strip of land retained at the 	<p>The Applicant has ruled out the option of running the cables via plot 3-05, as following further consideration, the alternative option is less impactful. This removes a construction length of approximately 65 metres along Anmore Road, a narrow road which would require a full highway closure of approximately one week per circuit for installation. As a result, a section of Plot 3-06, which provided an approach to Plot 3-05, can be removed entirely, and Plot 3-07, also highway to</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
	<p>eastern side of the property.</p> <p>(ii) Plot 3-04 (owned by Hillcrest Children’s Services): a section of the land is proposed to be removed from the northern part of this plot. A strip of land is retained along the western side of the property.</p> <p>(iii) Plot 3-05 (owned by Mr. Tee & Mr. and Mrs. Moore): this land is proposed to be removed entirely.</p> <p>(iv) Plot 3-06: the area associated with the cable route option via</p>	<p>the south of Plot 3-06, can also be removed entirely.</p> <p>Further discussions with the owners of Plot 3-03 and Plot 3-04 have provided additional clarity regarding proposed plans for future development on these Plots. In the interest of seeking to avoid prejudicing those plans, the Applicant has proposed to reduce the extent of the land of each Plot which is included in the Order limits, providing a more defined corridor in which the onshore cables will be located, whilst retaining a necessary level of flexibility to address constraints and successfully route through this land. By being closer to the border for each of these two Plots, the impact on the properties and their future development potential of the permanent easement required, which will prevent the land subject to it from being built over, will be lessened.</p> <p>Discussions remain ongoing with representatives of Hillcrest Children’s Services (Plot 3-04) and Mr. Stanley (Plot 3-03) to secure the necessary rights</p>


<p>Extract from Order limits (and in some cases the Land Plans) showing extent of change</p>	<p>Description of Proposed Change</p>	<p>Reason for the Proposed Change</p>
	<p>plot 3-05 is proposed to be removed.</p> <p>(v) Plot 3-07: this land is proposed to be removed entirely.</p>	<p>for the delivery and operation of the Proposed Development over this land by private voluntary agreement.</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
	<p><u>PROPOSED CHANGE C</u></p> <p>In the area east of Ladybridge roundabout, Plot 5-13 is proposed to be removed.</p> <p>This area forms part of a yard used for car parking.</p>	<p>This area was included as a result of a drafting error. The Order limits should have been drawn along the wall which forms the boundary between the highway and the land which Plot 5-13 forms part of.</p> <p>Accordingly, this land is not required and is therefore proposed to be removed from the Order limits.</p>
	<p><u>PROPOSED CHANGE D</u></p> <p>Approximately 200m of Portsdown Hill Road is proposed to be removed from the Order limits. This area forms part of Plots 6-09 and 6-11.</p>	<p>The Applicant has further considered the feasibility of routing the Onshore Cable Route through the car park at Portsdown Hill Road, and is now confident the cable route can be installed via the car park and/or the verge north of the car park.</p> <p>In addition, the Applicant has further considered the potential impacts associated with the options presented in this area, and in particular, the related traffic impacts where the Onshore Cable Route is routed along Portsdown Hill Road.</p>

<p>Extract from Order limits (and in some cases the Land Plans) showing extent of change</p>	<p>Description of Proposed Change</p>	<p>Reason for the Proposed Change</p>
 <p>Extract from the Land Plans (APP-008)</p>	<p><u>PROPOSED CHANGE E</u></p> <p>Approximately 235m of Eastern Road and the row of trees which runs parallel to Eastern Road on the western side of Zetland Field is proposed to be removed from the Order limits. This area forms part of Plots 7-03, 7-04, 7-05 and 7-09.</p>	<p>Accordingly, with the feasibility confirmed and taking into account the character of land to be affected and the impacts which arise as a result, the Applicant has determined that the 200m area of Portsdown Hill Road may be removed from the Order limits.</p>
	<p><u>PROPOSED CHANGE E</u></p> <p>Approximately 235m of Eastern Road and the row of trees which runs parallel to Eastern Road on the western side of Zetland Field is proposed to be removed from the Order limits. This area forms part of Plots 7-03, 7-04, 7-05 and 7-09.</p>	<p>A key reason why the Applicant preferred to route the Onshore Cables in the highway is because they are akin to many services in the highway also installed pursuant to New Roads and Street Works Act powers, and that by taking this approach the need to acquire, potentially by compulsion, land which is undeveloped and interference with which is likely to lead to material disadvantages is avoided. However, in a number of instances, having considered feasibility, likely impacts and consultation feedback received, the Applicant has determined it necessary and appropriate to route the Onshore Cables off of the highway.</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
		<p>Optionality was provided to allow for the Onshore Cables to be routed along Eastern Road in this location, in addition to optionality to route the Onshore Cables over Zetland Fields. Having further considered the impacts of each and their feasibility, it has been determined that as there will be no lasting impact on Zetland Fields, save for the potential for minimal maintenance requirements, and noting that Zetland Fields is special category land and therefore needs to be no less advantageous to persons as it was before being burdened with the Order right, following this option is preferable. This is particularly the case as the impacts of the construction will be less, and therefore the stretch of Eastern Road alongside is proposed to be removed (removing the associated impacts on traffic during construction).</p>

<p>Extract from Order limits (and in some cases the Land Plans) showing extent of change</p>	<p>Description of Proposed Change</p>	<p>Reason for the Proposed Change</p>
	<p><u>PROPOSED CHANGE F</u></p> <p>Plot 7-06, Durkin's Yard, is proposed to be removed entirely.</p>	<p>An area of land known as Durkin's Yard was included within the Order limits and proposed to be used for temporary use purposes in connection with the construction of the Proposed Development. The Applicant has discussed the use of this land further with the owners since the submission of the Applicant, in addition to considering the availability of land for laydown and compound areas within the Order limits elsewhere, and has determined that the Proposed Development can be delivered without the use of this Land.</p>
	<p><u>PROPOSED CHANGE G</u></p> <p>This area encompasses the trees around the car park at Farlington playing fields and forms Plot 7-14.</p> <p>The majority of this plot is proposed to be removed, save for a very small area at the southern end of the plot which has been retained as rights are</p>	<p>This area of land, comprising tree planting around the car park at Farlington Playing Fields, was included within the Order limits on the basis the Applicant may have needed to carry out works to the trees to support the temporary use of the car park in connection with the works which would take place in Farlington playing fields. The New Connection Works class of rights was mistakenly assigned to this plot, instead of Temporary Use. On further consideration, the Applicant has determined rights for temporary use are not</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
<p>Extract from the Land Plans (APP-008)</p> 	<p>required over it to egress from the car park to the highway.</p>	<p>required over this area and the majority of it, save for a very small area at the southern end of the plot, may be removed from the Order limits.</p>
	<p><u>PROPOSED CHANGE H</u></p> <p>A number of changes are proposed to be made to Plot 8-03 in the vicinity of Baffins Milton Rovers FC. Three areas are proposed to be removed, consisting of:</p>	<p>The Applicant has held positive discussions with the Occupier of the football ground at Baffins Milton Rovers FC. When the Application was submitted, the intention of the Applicant to minimise the impacts on the pitch, was to route alongside it in so far as is possible, whilst ensuring adequate flexibility to route around existing services known to be located in this area. The discussions with the Occupier have confirmed that seasonal re-turfing of the pitch occurs, which</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
	<p>(i) the row of trees located on the west side of the football pitches.</p> <p>(ii) the section crossing the cricket pitch (labelled as 'Sports Ground' on the image across).</p> <p>(iii) the northern part of the Tudor Sailing Club boat yard.</p> <p>Part of Plot 8-04 forming public road, footways and central reservation (Eastern Road, A2030) is also removed.</p> <p><u>PROPOSED CHANGE I</u></p>	<p>provides a window within which to install the Onshore Cables with minimal impacts on the pitch. As such, it is preferable to remove the area to the west of the pitch so as to eliminate the risk of any of the trees in this area being removed in connection with the Works.</p> <p>As a result of the positive discussions with the Occupier, the Applicant has determined it is also possible to remove the option to route the Onshore Cables east of the pitch through the Tudor Sailing Club boatyard or the access road to this. This decision has resulted in the proposal to remove a large section of the boatyard and the areas which would have been required to cross the cricket pitch. An area is proposed to be retained in the boatyard for Temporary Use to support laydown and parking associated with the works to drill under Langstone Harbour which will take place from the yard located north of the pitch (see Proposed Change P described in Chapter 4 of this document). The Applicant is in discussions with the sailing club with a view to securing the rights required by voluntary agreement.</p>

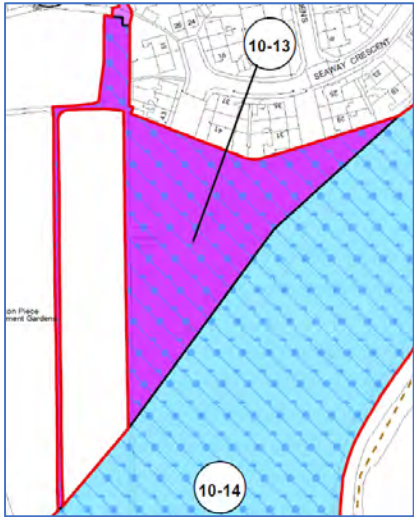
Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
	<p>The area shaded green is proposed to be added to the Order limits in this area.</p>	<p>To ensure an adequate working width is available within the Baffins Milton Rovers FC pitch, and in light of knowledge of the seasonal re-turfing, the area shown in green is proposed to be added to the Order limits to provide a sufficient space within which to install the Onshore Cables following the removal of the land shaded pink to the west. This also reflects discussions with the Occupier who advised there are a number of services laid along the western edge of the pitch (e.g. cabling for floodlights).</p>
	<p><u>PROPOSED CHANGE J</u></p> <p>Plots 9-15 and 9-17, which form a small electrical substation, have been removed from the Order limits entirely.</p>	<p>Southern Electric Power Distribution plc operates an electrical substation at the south west corner of Milton Common. The Applicant has concluded it would be unnecessary to retain the substation within the Order limits when it would likely be possible to route the Onshore Cables adjacent to but outside of the substation. As such, the substation is proposed to be removed from the Order limits.</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
	<p><u>PROPOSED CHANGE K</u></p> <p>The majority of Plot 9-27 and the entirety of Plot 10-01 which included Furze Lane is proposed to be removed.</p> <p>Plots 9-21, 9-24 and 9-25, which had been included to accommodate for consequential mitigation planting in relation to the impact on Lombardy Poplars along Furze Lane, is proposed to be removed entirely.</p> <p>Plots 9-22 and 9-23, which had been identified as being required temporarily to access 9-21, 9-24 and 9-25 are also proposed to be removed entirely.</p>	<p>The Applicant has further considered the position in relation to the optionality provided for in the locality of the University of Portsmouth, taking into account the potential impacts which may arise as a consequence of each option and the working constraints which each option is subject to.</p> <p>An impact which could not be ruled out for the Onshore Cable Route routed along Furze Lane is the removal of the Lombardy poplar trees. No such visual/arboricultural impacts would arise as a consequence of the Onshore Cables being routed through the playing fields to the east of the University of Portsmouth Langstone Campus. The Applicant considers the works in this area will not give rise to unacceptable construction impacts and the rights required for operation and maintenance would result in very minimal disturbance in the future (with maintenance being undertaken from single joint bay locations where required). Accordingly, whilst it is the Applicant's preference to utilise the highway so as to minimise the impacts on land in connection with the Proposed Development and therefore the</p>

<p>Extract from Order limits (and in some cases the Land Plans) showing extent of change</p>	<p>Description of Proposed Change</p>	<p>Reason for the Proposed Change</p>
	<p>At Locksway Road, parts of Plots 9-29 and 10-04 are proposed to be removed, and Plot 10-07 is proposed to be removed entirely.</p>	<p>need to potentially compulsorily acquire land, it has been deemed in the circumstances appropriate to remove the option for the Onshore Cable Route to be located along Furze Lane.</p> <p>The Applicant is continuing to engage with the University with a view to securing the rights necessary for the construction, operation and maintenance of the Onshore Cable Route in this area by agreement.</p>

<p>Extract from Order limits (and in some cases the Land Plans) showing extent of change</p>	<p>Description of Proposed Change</p>	<p>Reason for the Proposed Change</p>
	<p><u>PROPOSED CHANGE L</u></p> <p>Plot 10-06 which comprises a number of car parking spaces used by Two Saints Ltd. Is proposed to be removed entirely.</p> <p>Part of plot 10-05 which comprises a car park and access to a slipway used by Langstone Harbour Fishermen’s Association is also proposed to be removed.</p>	<p>The area located between Locksway Road / Longshore Way and the Thatched House Pub comprises a yard, with parking provided around its perimeter. The Applicant has determined the area included within the Order limits in this location can be refined by removing two parcels of land.</p> <p>On the west side of the car park, Plot 10-06 comprises several car parking spaces owned and used by Two Saints Ltd, a housing association who provide accommodation services in the adjacent hostel. The applicant has determined it is not feasible to install the cables in this area without impacting the trees north of the parking spaces, and that there is sufficient flexibility available to route the cables to Longshore Way without using the land in question. Accordingly, it is proposed that this plot be removed from the Order limits.</p> <p>On the east side of the car park an area which forms part of Plot 10-05 has been removed, as it would not be feasible to run the Onshore Cable</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
		Route through this area when it will need to turn east to Longshore Way. Accordingly, the part of Plot 10-05 which is not required is proposed to be removed from the Order limits.
	<p><u>PROPOSED CHANGE M</u></p> <p>Three sections of Plot 10-13 which provides New Access Rights to the Onshore Cable Route through Eastney and Milton Allotments, for clarity shown shaded red below, are proposed to be removed from the Order limits.</p>	<p>The Applicant will require access to the Onshore Cable Route in Plot 10-14 for inspection purposes during construction and operation. This access will be taken via the route set out in the Plot 10-13.</p> <p>Plot 10-13, as submitted in the Land Plans [APP-022] which formed part of the Application, is proposed to be corrected to remove any allotment gardens from the area over which access will be necessary. As such the access in Plot 10-13 will only be taken over the existing network of paths to avoid any impacts on any allotment holders.</p>

Extract from Order limits (and in some cases the Land Plans) showing extent of change	Description of Proposed Change	Reason for the Proposed Change
 <p data-bbox="235 978 763 1050">Extract from the Land Plans (APP-008)</p>		

3. DESCRIPTION OF THE PROPOSED CHANGES TO THE RIGHTS BEING SOUGHT WITHIN THE ORDER LIMITS

3.1. OVERVIEW

- 3.1.1.1. The three broad categories of rights and restrictions sought in the original Application are as follows:
- New Connection Works Rights (land coloured blue on the Land Plans)
 - New Access Rights (land coloured purple on the Land Plans)
 - New Landscaping Rights (land coloured green on the Land Plans)
- 3.1.1.2. These were broken down further into a number of specific sub-categories of rights and restrictions to enable the Applicant to seek only the rights and restrictions necessary for the Proposed Development over each plot of land.
- 3.1.1.3. An extract from the Statement of Reasons [APP-022] providing a breakdown of the sub-categories of rights and restrictions sought in each of the three broad categories of rights is provided at Appendix 2 to this document.
- 3.1.1.4. No change is proposed in relation to the descriptions or classes of right sought.
- 3.1.1.5. However, an update to the Book of Reference [APP-024 Rev 002] was submitted at Deadline 1 which provides further granularity regarding the rights and restrictions that may be acquired by the Applicant in relation to each parcel of land over which rights and restrictions are sought, assigning the relevant sub-categories of rights and restrictions in relation to each plot.
- 3.1.1.6. There are three instances where the class of rights sought over land as provided for in the original Application is proposed to change. These were described in section 3 of the document submitted by the Applicant at Deadline 1, entitled ‘*AQUIND Interconnector: Position Statement in relation to the refinement of the Order limits.*’ A summary of those three changes is set out in Table 3.1 below, and the full description as set out in the Position Statement is replicated in section 3.2 below.
- 3.1.1.7. For ease of reference, each Proposed Change has been given an alphabetical reference, which continues from those used to identify the changes explained in Chapter 2.

Table 3.1 - Overview of Proposed Changes to Rights Sought

Proposed Change Reference	Section of the Route	Nature of change
<p>Proposed Change N: Plots 3-12 and 3-13 (Soake Farm)</p>	<p>3</p>	<p>The original Application sought New Connection Works Rights over the entirety of Plots 3-12 and 3-13</p> <p>Proposed Change: New Connection Works Rights are now sought over part only of these two plots. New Access Rights (a less intrusive form of right) are required over the remainder, with those parts of those plots now identified as Plot 3-12a and 3-12b.</p>
<p>Proposed Change O: Plot 7-14 (Farlington Playing Fields Car Park)</p>	<p>7</p>	<p>Chapter 3 of this document describes Proposed Change G (the proposed removal of the majority of Plot 7-14 from the Order limits) which had been designated as a plot over which New Connection Work Rights were sought. However, a small area in the southern part of Plot 7-14 is to be retained.</p> <p>Proposed Change: Rather than seeking New Connection Works Rights over the retained part of Plot 7-14, only Temporary Use is now sought.</p>

Proposed Change Reference	Section of the Route	Nature of change
<p>Proposed Change P</p> <p>Plot 8-03 (Tudor Sailing Club Boat Yard)</p>	<p>7</p>	<p>Chapter 3 of this document describes Proposed Change H (the proposed removal of part of Plot 8-03) relating to the Baffins Milton Rovers FC. The majority of the land necessary to accommodate the cable route option in this area is proposed to be removed. However, a section is proposed to be retained along the access road and within the southern part of the boat yard.</p> <p>Proposed Change: Temporary Use of this retained element of Plot 8-03 is necessary to support laydown and parking associated with the works to drill under Langstone Harbour which will take place from the yard located north of the pitch. The parts of Plot 8-03 retained for Temporary Use are now identified as Plots 8-03b, 8-03c and 8-03d.</p>

3.2. DETAILED EXPLANATION OF THE PROPOSED CHANGES TO RIGHTS SOUGHT

3.2.1.1. The explanation set out below of the three proposed changes to rights sought is substantially replicated from section 3 of the document submitted by the Applicant at Deadline 1, entitled ‘AQUIND Interconnector: Position Statement in relation to the refinement of the Order limits’, with the addition of the alphabetical references assigned by Table 3.1 above.

3.2.2. PROPOSED CHANGE N - SOAKE FARM – PLOTS 3-12 AND 3-13

3.2.2.1. In the Application, the Land Plans [APP-008] identified that New Connection Works Rights would be required over the entirety of Plots 3-12 and 3-13, located at Soake Farm between Soake Road and Hambledon Road. This area is also referred to as Denmead Meadows in the Application.

- 3.2.2.2. As a result of further consideration of the flexibility required and the specific reasons why the land included in the Order limits is required in connection with the Proposed Development, the Applicant proposes to reduce the amount of land over which New Connection Works Rights are sought.
- 3.2.2.3. The ability to secure New Access Rights over the remainder of the land in question is proposed to be maintained, as this is required in connection with the works to be carried out on the land in this area which remains subject to the New Connection Works Rights designation.
- 3.2.2.4. This reflects that siting of the access routes between the fields comprising the plots, over which access will be required during construction and for monitoring during operations. These are located in the west side of the fields. The extent of the area now proposed to be included is considered to be necessary so as to provide the required flexibility to route around existing constraints which may be encountered, whilst also providing adequate width for the related haul roads to be established which are required to facilitate the installation.

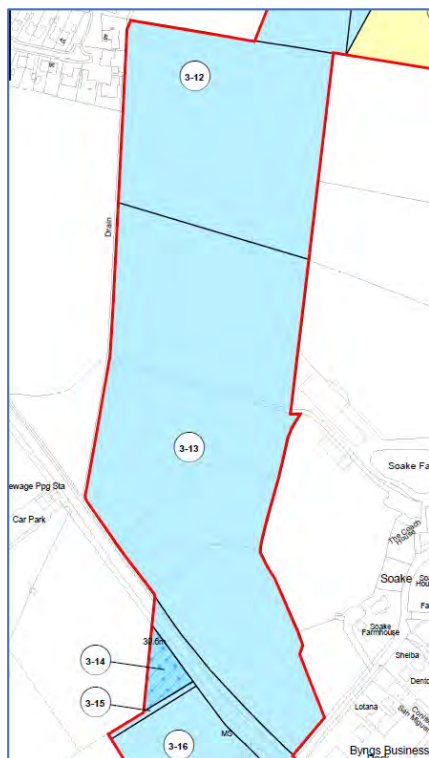


Plate 3.1 - Plots 3-12 and 3-13 as shown on Land Plan as at Application

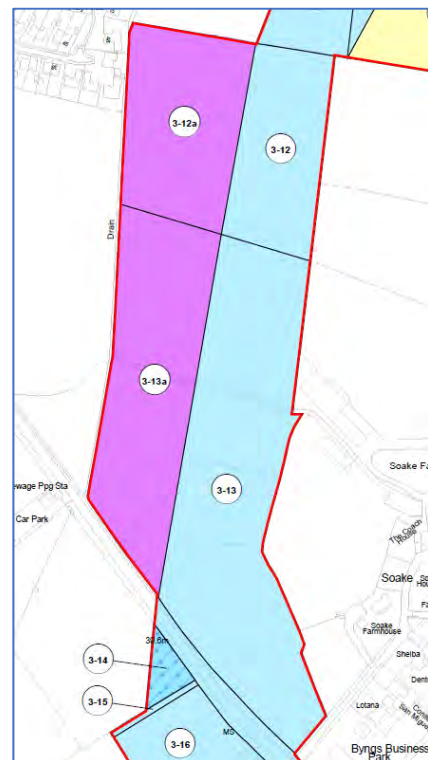


Plate 3.2 - Plots 3-12 and 3-13 as shown on Land Plan submitted at Deadline 1

3.2.3. PROPOSED CHANGE O - FARLINGTON PLAYING FIELDS CAR PARK – PLOT 7-14

3.2.3.1. Chapter 3 of this document explains the proposed removal of the majority of Plot 7-14 from the Order limits (Proposed Change G). A small area in the southern part of plot 7-14 is proposed to be retained and the class of rights sought over it changed from New Connection Works Rights to Temporary Use. This is to facilitate egress from the car park to the highway.



Plate 3.3 - Plot 7-14 as shown on Land Plans at Application



Plate 3.4 - Plots 7-14 as shown on Land Plan submitted at Deadline 1



Plate 3.5 - Plots 7-14 as shown on Land Plan submitted at Deadline 1

3.2.4. PROPOSED CHANGE P - TUDOR SAILING CLUB BOAT YARD – PLOT 8-03

3.2.4.1. Chapter 3 of this document also describes the proposed removal and addition of land in the area by Baffins Milton Rovers FC to facilitate the Cable Route option via the western side of the Baffins Milton Rover FC pitch, whilst also discounting the Cable Route option which would run across the cricket pitch and then through the Tudor Sailing Club boat yard or else along the access road east of the boat yard (Proposed Change H).

3.2.4.2.

Whilst the majority of the land necessary to accommodate the cable route option in this area is proposed to be removed, a section is proposed to be retained for Temporary Use along the access road and within the southern part of the boat yard. This is to support laydown and parking associated with the works to drill under Langstone Harbour which will take place from the yard located north of the pitch (shown labelled 8-03b, 8-03c and 8-03d below).

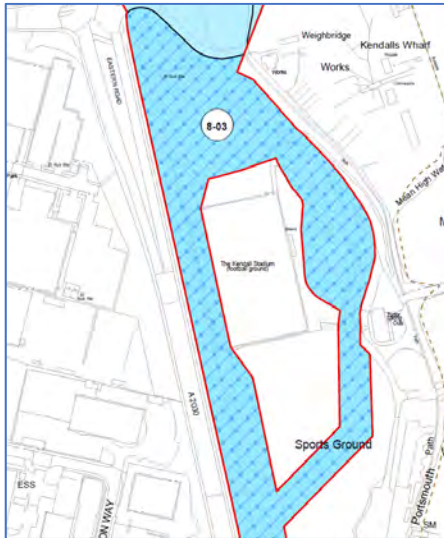


Plate 3.6 - Plot 8-03 as shown in Land Plans at Application

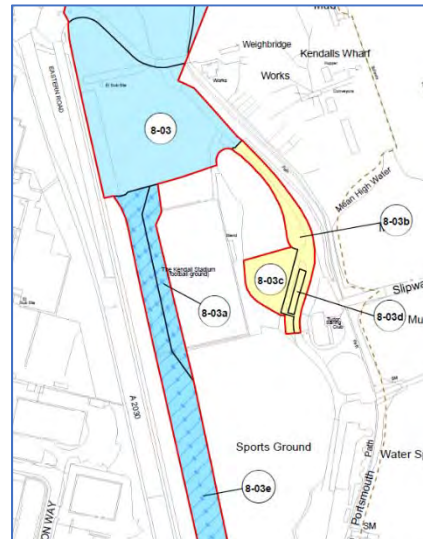


Plate 3.7 - Plots 8-03 as shown on Land Plan submitted at Deadline 1

4. SCHEDULE OF REVISED APPLICATION DOCUMENTS

4.1. INTRODUCTION

- 4.1.1.1. The Applicant submitted revised documentation at Deadline 1 of the Examination which reflected the changes proposed and described in Chapter 2 and 3 of this document. In order to assist the ExA in considering the Proposed Changes, Table 4.1 below sets out the application documents which were submitted at Deadline 1 to reflect the Proposed Changes.
- 4.1.1.2. In addition to the revision of documents made solely to reflect the Proposed Changes, the Applicant also submitted revised documentation at Deadline 1 of the examination which reflected the Proposed Changes, but which was also updated in response to Relevant Representations, to Written Questions and to reflect further information or data has been made available since submission of the Application, in light of further assessment carried out, in or as a result of ongoing consultation. These documents are set out below in Table 4.2, together with an explanation of the changes made.
- 4.1.1.3. The information contained in Tables 4.1 and 4.2 reflects the information included within the Schedule of Changes for Deadline 1 [REP1-089] submitted by the Applicant at Deadline 1.

Table 4.1 - Documents revised to reflect the Proposed Changes only

Doc No.	Document Title	Changes made since previous version
2.1	Site Location Plan	Incorporating Proposed Changes to the Order limits.
2.2	Land Plans	Incorporating Proposed Changes to the Order limits.
2.3	Crown land Plans	Incorporating Proposed Changes to the Order limits.
2.4	Works Plans	Incorporating Proposed Changes to the Order limits.
2.5	Access and Rights of Way Plans	Incorporating changes to the Order limits and consequential amendments, including: <ul style="list-style-type: none"> removal of access to works points 'AC/2/a' and 'AC/2/c' and decrease in

Doc No.	Document Title	Changes made since previous version
		<p>length of highway to be stopped up from points 'TSH/2/a' and 'TSH/2/b';</p> <ul style="list-style-type: none"> • removal of access to works point 'AC/8/b'; • new label 'TSH/9/d' added for the shortened temporary stopping up of highway at the northern end of Furze Lane that has been retained in the Order limits; and • label 'TSH/10/a' has been moved from the bottom of Furze Lane and applied to the stopping up of the footways at Bransbury Park that form part of the highway.
2.12	Hedgerow and Tree Preservation Order Plans	Incorporating and reflecting Proposed Changes to the Order limits.
7.7.3	HDD Position Statement Note	Following the updates to the Works Plans this document was updated to incorporate the Proposed Changes to the Order limits.

Table 4.2 - Documents revised to reflect the Proposed Changes and to incorporate other updates

Doc No.	Document Title	Changes made since the previous versions
3.1	Draft Development Consent Order	Updated in response to EXQ1 Written Questions, in relation to discussions with stakeholders and to reflect the Order limits following the Proposed Changes, for example amending Schedule 8 which details the streets and public rights of way to be temporarily stopped up.
4.1	Statement of Reasons	Updated in response to ExQ1 Written Questions and to provide an update in relation to negotiations with third parties and also to reflect Proposed Changes to the Order limits.

Doc No.	Document Title	Changes made since the previous versions
4.3	Book of Reference	Updated to reflect changes to the Order limits and to assign sub-categories of rights to all individual Plots.
6.3.22.1A	Framework Traffic Management Strategy	Updated in line with comments from Local Planning Authorities within ongoing discussions to agree Statements of Common Ground and also to remove highway no longer included in the Order limits following Proposed Changes.
6.9	Onshore Outline Construction Environmental Management Plan	Updated in line with comments from Local Planning Authority EHOs and Local Planning Authorities, the Environment Agency and Portsmouth Water, Natural England within ongoing discussions to agree Statements of Common Ground and in response to Written Questions, and also to update the descriptions of the measures to be employed along the onshore cable route including the removal of measures where relevant to the Proposed Changes.
6.10	Outline Landscape and Biodiversity Strategy	Updated in line with comments from Local Planning Authorities within ongoing discussions to agree Statements of Common Ground and in response to Written Questions, and also to update the descriptions of the measures to be employed along the onshore cable route including the removal of measures where relevant to the Proposed Changes.

5. IMPACT OF THE CHANGES ON THE ENVIRONMENTAL STATEMENT

5.1. INTRODUCTION

- 5.1.1.1. This chapter reviews the implications of the proposed changes to the Order limits and rights on the environmental assessments undertaken to date in the Environmental Statement submitted with the Application.
- 5.1.1.2. Effects of the Order Limits Changes on the Environmental Statement are detailed in Table 5.1 below.
- 5.1.1.3. In addition, proposed changes to the rights sought over land within the Order limits have been considered by the Applicant's environmental impact assessment (EIA) team with respect to the EIA of the Proposed Development, and it is confirmed that the proposed changes to rights sought at Soake Farm (Proposed Change N), Farlington Playing Fields car park (Proposed Change O) and Tudor Sailing Club Boat Yard (Proposed Change P) do not introduce new or different likely significant effects, nor do they change the outcome of the assessments as presented in the Environmental Statement (APP-116-145) and Environmental Statement Addendum (REP1-139).

Table 5.1 – Review of the changes to the Order limits and implications for the ES assessments

ES Chapter	Review of Assessment based on Order Limit Changes
15 - Landscape and Visual Amenity	<p>The following documents have been reviewed in the context of the Order limits and text underlined as required to clearly identify changes:</p> <ul style="list-style-type: none"> • Chapter 15 (Landscape and Visual Amenity) of the ES (APP-130); • Appendix 15.8 Assessment of Landscape and Visual Effects (APP-406); Updated Outline Landscape and Biodiversity Strategy (OLBS) (REP1-034 and 035); • Indicative landscape mitigation plans Figure 15.48 and 15.49 (REP1-036 and 037 respectively) Option B(i); and • Indicative landscape mitigation plans for Option B(ii) (REP1-137). <p>Section 1: Section of hedgerow north of Broadway Lane (south) removed at Plot 1-78 (PROPOSED CHANGE A)</p> <p>The removal of a small section of hedgerow to the north of Broadway Lane (south) does not change the conclusions of the assessment. Existing vegetation further north provides some screening function and is supplemented with new planting as referred to on the indicative landscape mitigation plans for both Option B(i) and B(ii).</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B)</p> <p>The ES Chapter 15 (APP-130) paragraph 15.8.7.3 states that “[T]here would be no significant effects on landscape character, landscape features and visual receptors.” This is reflected in ES Chapter 15 (APP-130) Tables 15.10 and 15.11 and Appendix 15.8 (APP-406) Section 1.6.</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>The updated OLBS (REP1-034 and 035) in Section 1.4 states that “[T]he preferred cable route would <u>need to avoid impacting on the TPO’d oak tree T393) (TPO - 2246 T1) to north of Anmore Road and a mature Category A oak tree (T409).</u>”</p> <p>Conclusion</p> <p>The removal of areas of land to the north of Anmore Road and a section of Anmore Road does not change the conclusions of the assessment.</p> <p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C)</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D)</p> <p>Chapter 15 of the ES (APP-130) paragraph 15.8.9.3 states that there would be “<i>moderate adverse, temporary short to medium term localised (significant) effect on landscape features namely specific walking routes, PRowS, mature trees, trees subject to TPO’s and locally designated open spaces.</i>” This is reflected in ES Chapter 15 Table 15.10 and 11 (APP-130) and Appendix 15.8 (APP-406) Section 1.8 which states that there would be no significant effects on visual receptors.</p> <p>The updated OLBS Section 1.4 has been revised to state that “[W]orks would take place within Portsdown Country Park car park on top of Portsdown Hill <u>and avoid trees to the north of Portsdown Hill Road.</u>”</p> <p>Conclusion</p> <p>The removal of the strip of highway on Portsdown Road does not change the conclusions of the assessment.</p> <p>The removal of the land forming part of a yard used for car parking and included in error also does not change the conclusion of the assessment.</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E)</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F)</p> <p>Chapter 15 of the ES (APP-130) paragraph 15.8.11.2 bullet point 1 states that “[T]he Onshore Cable Corridor would result in the loss or 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.”</p> <p>Chapter 15 of the ES (APP-130) paragraph 15.8.11.3 states that there would be “moderate adverse, temporary medium term localised (significant) effect on landscape features namely mature ornamental trees particularly within Zetland Field.” This is reflected in ES Chapter 15 Table 15.10 and 11 (APP-130) and Appendix 15.8 (APP-406) Section 1.10 which confirms that there would be no significant effects on visual receptors.</p> <p>In the updated OLBS (REP1-034) text has been revised in Section 1.4 to state: “<u>[T]he Onshore Cable Corridor would result in the partial loss of some Category A trees within group (G720) and Category B tree groups (G660 and G910) as well as the loss of one Category B tree T73 and Category C trees T71, T72 and T74 within Zetland Field. The installation works would avoid impacting on a willow, Category B T924. Trees and shrubs would be replaced with like for like species of a similar size where practicable and trees repositioned at least 5 m away from the Onshore Cable Route. An arboricultural method statement would be included in the Contractor’s Onshore CEMP to minimise risk to root protection areas.</u>”</p> <p>Conclusion</p> <p>The extent of vegetation loss would be reduced because of the revised Order limits. Whilst some existing vegetation would still be lost or pruned, the extent of loss would be relatively small, and therefore the magnitude of change would alter from medium to small. On this basis there would be minor adverse temporary short to medium-term localised (not significant) effect associated with</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>vegetation including mature trees. Localised significant effects on tranquillity and open space remain unchanged. There is no change in the assessment for the satellite compound Durkin's Yard as no landscape features were to be affected.</p> <p>Section 7: Area around car park at Farlington Playing Fields removed (PROPOSED CHANGE G)</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I)</p> <p>With reference to the two areas of change ES Chapter 15 (APP-130) paragraph 15.8.12.2 bullet point 1 states <i>“[T]he Onshore Cable Corridor would run through Farlington playing fields west of the hotel. It is assumed that the access track to the cricket pavilion and hotel car park is sufficient to withstand heavy vehicular loading and therefore not impact on adjacent Category B tree groups (G680, G783, G706, G671 and G582). The trees form strong landscape features and include individual trees within Farlington playing fields, mature avenue trees running to the pavilion, within the car park and around the northern and western edge of the hotel. If any trees are likely to be affected by construction work traffic, they should be pruned back, monitored and replaced where practicable with like for like species subject to agreement with PCC. Replacement trees should be repositioned at least 5 m away from the Onshore Cable Route.”</i></p> <p>Paragraph 15.8.12.2 bullet point 2 states <i>“[T]rees and shrub planting (Category B G695, G711 and T70) running to the west of the Baffins Milton Rovers Football Ground (Kendall Stadium) would be lost by the cable routing. Planting around Baffins Milton Rovers Football Ground (Kendall Stadium) is a key landscape feature which serves an important contribution to visual amenity and screening. Limited opportunity would be available to introduce replacement tree planting beyond 5 m of the cable route on the western side of the Stadium. The Order limits includes an access road to the east of the Baffins Milton Rovers Football Ground (Kendall Stadium) which runs to Andrew Simpson Watersports Centre passed Kendall's Wharf (a mineral aggregate wharf). Whilst the Onshore Cable Corridor would impact</i></p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p><i>on Category C trees and shrubs (a mix of poplar, willow, lime, pine and sycamore - G663, W885, W886, G908 and G909) these trees and shrubs serve a limited visual amenity function.”</i></p> <p>Paragraph 15.8.12.3 concludes that “[t]here would be moderate adverse, direct temporary short to medium term localised (significant) effects namely PRow, open space and associated trees.” This is reflected in ES Chapter 15 (APP-130) Tables 15.10 and 15.11 and Appendix 15.8 (APP-406) Section 1.11 which also states that there would be no significant effects on visual receptors.</p> <p>In the updated OLBS (REP1-034) text has been revised in Section 1.4 which refers to Baffins Milton Rovers Football Ground as follows: <u>“[T]rees and shrub planting (Category B G695, G711 and T70) and associated root protection areas running to the west of the Baffins Milton Rovers Football Ground (Kendall Stadium) would experience partial loss by the cable routing since the cable routing would run through the football ground rather than to the west. Planting around Baffins Milton Rovers Football Ground is a key landscape feature which serves an important contribution to visual amenity and screening. The Order limits includes an access road to the east of the Baffins Milton Rovers Football Ground which runs to Andrew Simpson Watersports Centre passed Kendall’s Wharf (a mineral aggregate wharf) and existing vegetation to the north. The Onshore Cable Corridor would impact on Category C trees and shrubs (a mix of poplar, willow, lime, pine and sycamore -G663, W885, W886, G908 and G909). All of these trees and shrubs serve a limited visual amenity function apart from G663 which visually connects with tree planting south of the access road to the Football Ground and Watersports Centre. “</u></p> <p>Conclusion</p> <p>The change to the area around the car park at Farlington Playing Fields will not change the conclusions of the assessment.</p> <p>Changes to the Order limits at Baffins Milton Rovers Football Ground, including both the removal and addition of land, move the Order limits further into the football pitch and away from the trees between the pitch and Eastern Road. The works affecting a larger area of the pitch will not change the landscape</p>

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	<p>impact. The amended Order limits now avoid the trees, but works may still affect the root protection areas (where roots may extend under the pitch). There is a substantially reduced risk of tree loss, but some risk of partial loss remains. Given the risk of partial loss, the assessment of significance has not been reduced, so remains at direct, temporary, medium-term localised moderate (significant).</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J)</p> <p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K)</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L)</p> <p>Section 9: Corrections in relation to access rights over Milton Allotments (PROPOSED CHANGE M)</p> <p>Chapter 15 of the ES (APP-130) paragraph 15.8.14.2 bullet point 2 states</p> <p><i>“[P]lants to the east and west of Furze Lane and south of University of Portsmouth Langstone Campus (along Locksway Road) may be impacted upon as a consequence of the Onshore Cable Corridor based on the Arboriculture Report these are predominately Category B trees. The trees which are subject to TPO’s (TPO 1 to 24) form an important visual screen, amenity and legibility function. Opportunities should be explored to replace the trees with other fastigate species on the eastern edge of sports grounds associated with the University in discussion with University and PCC. An allowance of 15 m has been made to the west of the lane for mitigation planting, if required.”</i></p> <p>Paragraph 15.8.14.4 concludes that there would be “moderate adverse short to medium term localised (significant) effects associated with open space, vegetation including mature trees subject to TPO’s and tranquillity.”</p>

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	<p>This is reflected in Chapter 15 of the ES (APP-130) Tables 15.10 and 15.11 and Appendix 15.8 (APP-406) Section 1.13 which also states that there would be no significant effects on visual receptors.</p> <p>In the updated OLBS (REP1-034 and 035) text which referring to Furze Lane has been removed from Section 1.4.</p> <p>Conclusion</p> <p>The extent of vegetation loss would reduce because of the removal of Furze Lane from the Order limits. Whilst there may still be existing vegetation lost as a consequence of the Onshore Cable Route (for instance trees within Bransbury Park and along Henderson Lane), and given the extent of the Onshore Cable Route within this section, this loss would be small and it is considered that the magnitude of change would alter from medium to small. On this basis there would be a minor adverse temporary short to medium-term localised (not significant) effect associated with vegetation including mature trees subject to TPO's. Localised significant effects on tranquillity and open space remain unchanged. There is no change in the assessment for the areas comprising the substation or as a result of the changes to the car park / slipway at the Thatched House Pub as no landscape features were to be affected.</p>
<p>16 – Onshore Ecology (with Arboriculture)</p>	<p>Ecology</p> <p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A)</p> <p>There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B)</p> <p>There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C) There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D) There is no implication for the ecological impact assessment as a result of this change. It should be noted that the botanical assessment in Section 10 of the ES Addendum (REP1-139) includes reference to this area.</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E) There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F) There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 7: Area around the car park at Farlington Playing Fields removed (PROPOSED CHANGE G) There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGE H) Regarding the removal of the three areas at the football ground there is no implication for the ecological impact assessment as a result of this change. There is one location where land is added to the Order limits at Baffins Milton Rovers Football Ground near Kendalls Wharf, which is a SWBGS site; this change has no impact on the ecological assessment with works in this location remaining subject to the same restrictions.</p>

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	<p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J) This a minor amendment to the Order limits (REP1-007) which does not result in any changes to the noise and vibration assessment because the Onshore Cable Route would not have passed through the areas that have been removed from the Order limits. There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K) The Solent Waders and Brent Goose Strategy (SWBGS) site at Furze Lane was assessed as a worst-case scenario. Following its removal, impacts of noise disturbance on wintering birds in this location are avoided.</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L) This a minor amendment to the Order limits (REP1-007) which does not result in any changes to the noise and vibration assessment because the Onshore Cable Route would not have passed through the areas that have been removed from the Order limits. There is no implication for the ecological impact assessment as a result of the removal of this land from the Order limits.</p> <p>Section 9: Milton Allotments correction (PROPOSED CHANGE M) There is no implication for the ecological impact assessment as a result of correction, as the assessment was undertaken on the basis of the position now reflected.</p> <p>Conclusion The changes to the Order limits as mentioned above in the main, lead to a reduction in the overall area of habitat to which would be removed temporarily in connection with the construction of the Proposed Development. Thus, the changes are beneficial in terms of biodiversity both at specific locations along the route where the changes are made, and for the Proposed Development overall. There is one area</p>

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	<p>at the Baffins Milton Rovers Football Ground where a small area of land has been added to the Order limits, however this, along with the other changes, has no impact on the outcome of the assessment.</p> <p>Arboriculture</p> <p>Following a review of the changes to the Order limits overall there is a reduction in the number of trees to be potentially lost and impacted. An updated assessment of the impacts to trees and hedgerows has been prepared and can be found in Appendix 10 of the ES Addendum ‘Tree Survey Schedule and Constraint Plans’ (REP1-101) as submitted at Deadline 1.</p>
<p>17 – Soils and Agricultural Land Use</p>	<p>A review of the changes to the Order limits in relation to Chapter 17 (Soils and Agricultural Land Use) of the ES (APP-132) has been undertaken and the only change that would affect the soils and agricultural land use assessment is the removal of land to the north of Anmore Road (PROPOSED CHANGE B) due to its Agricultural Classification. However, this is classified as non Best and Most Versatile land and was scoped out of the farm holding assessment previously, and as such there is no change to the assessment in Section 2.</p> <p>The other changes, including the addition of land at Baffins Milton Rovers Football Ground (PROPOSED CHANGE I), to the Order limits have no implications for Chapter 17 (Soils and Agricultural Land Use) and these areas do not feature within the soils and agricultural land use assessment.</p>
<p>18 - Ground Conditions</p>	<p>A review of the changes to the Order limits in relation to Chapter 18 (Ground Conditions) of the ES (APP-133) has been undertaken and is detailed below:</p> <p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A)</p> <p>A reduction in the Order limits in this location does not change the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this</p>

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	<p>Section, therefore reducing the Order limits does not change the assessment. The Impacts remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B) A reduction in the Order limits in this location does not change the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section, therefore reducing the Order limits does not change the assessment. The Impacts remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C)</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D) The reductions in the Order limits In respect of both of the above changes do not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section, therefore reducing the Order limits will not change the assessment. The Impacts remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E) A reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section, therefore reducing the Order limits does not change the assessment. The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F) A reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section, therefore reducing the Order limits does not change the assessment. The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 7: Area around the car park at Farlington Playing Fields (PROPOSED CHANGE G) A reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section of the original Order limits, therefore reducing the Order limits does not change the outcome of the assessment. The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGE H and I) The reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section, therefore reducing the Order limits does not change the assessment. The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects). This same applies to the area added to the Order limits at Baffins Milton Rovers Football Ground.</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J) A reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K) A reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). There are no contaminative sources within this Section of the original Order limits, therefore reducing the Order limits will not change the assessment. The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L) A reduction in the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Section 9: Milton Allotments correction (PROPOSED CHANGE M) The correction to the Order limits in this location does not impact on the assessment undertaken (Chapter 18 of the ES (APP-133), Section 18.7), as this assessed potential contamination within the Order limits and also within 500m of the Order limits (Section 18.1.2). The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects). The Impacts will remain the same as stated in Section 18.7 (Predicted Impacts) and 18.10 (Residual Effects).</p> <p>Conclusion Following a review of the changes to the Order limits it is concluded that the changes do not affect the conclusions of the assessment detailed in Chapter 18 of the ES (APP-133) and Section 11 of the ES Addendum (REP1-139).</p>

ES Chapter	Review of Assessment based on Order Limit Changes
19 - Groundwater	<p>A review of the changes to the Order limits in relation to Chapter 19 (Groundwater) of the ES (APP-134) has been undertaken and is detailed below:</p> <p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A)</p> <p>The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134).</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B)</p> <p>Paragraph 12.2.3.1 of the ES Addendum (REP1-139) states that “<i>A potential option where risk of the karst dissolution feature acting as a pathway for potential contaminants during construction is identified would be to alter the course of the Onshore Cable Route within the Order limits to avoid the dissolution feature</i>”. Whilst the reduction in the Order Limits reduces the available area within which the course of the Onshore Cable Route could be altered, other mitigation options are available and are more likely to be implemented than altering the Onshore Cable Route. The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.6 to 19.6.4.8 and paragraph 19.6.5.3 (Trenched Onshore Cable Corridor Groundwater Quality Impacts).</p> <p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C)</p> <p>The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.14 to 19.6.4.22 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts).</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D)</p> <p>The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>(Groundwater) of the ES (APP-134), paragraphs 19.6.4.14 to 19.6.4.22 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts).</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E) The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.29 to 19.6.4.35 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts), paragraph 19.6.5.3. (Trenched Onshore Cable Corridor Groundwater Quality Impacts).</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F) The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134) as no effects were identified in relation to it.</p> <p>Section 7: Area around the car park at Farlington Playing Fields (PROPOSED CHANGE G) The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134).</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I) Neither the addition nor the reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.36 to 19.6.4.41 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts), paragraph 19.6.5.3. (Trenched Onshore Cable Corridor Groundwater Quality Impacts).</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J) The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.47 to 19.6.4.53 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts), paragraph 19.6.5.3. (Trenched Onshore Cable Corridor Groundwater Quality Impacts).</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K) The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.47 to 19.6.4.53 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts), paragraph 19.6.5.3. (Trenched Onshore Cable Corridor Groundwater Quality Impacts).</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L) The reduction in the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), paragraphs 19.6.4.47 to 19.6.4.53 (Trenched Onshore Cable Corridor Groundwater Quantity Impacts), paragraph 19.6.5.3. (Trenched Onshore Cable Corridor Groundwater Quality Impacts), paragraphs 19.6.6.17 to 19.6.6.18 (HDD Onshore Cable Corridor Groundwater Quantity Impacts) and paragraph 19.6.7.8 (HDD Onshore Cable Corridor Groundwater Quality Impacts).</p> <p>Section 9: Milton Allotments correction (PROPOSED CHANGE M) The correction to the Order limits does not impact on the assessment undertaken in Chapter 19 (Groundwater) of the ES (APP-134), as it was assessed on the basis now reflected on the updated plans.</p> <p>Conclusion Following a review of the changes to the Order limits, as discussed above, it is concluded that the Order limits changes do not affect the conclusions of the assessment as detailed in Chapter 19 of the ES (APP-134) and Section 12 of the ES Addendum (REP1-139).</p>
20 - Surface Water Resources and Flood Risk	A review of the changes to the Order limits in relation to Chapter 20 (Surface Water Resources and Flood Risk) of the ES (APP-135) has been undertaken and is detailed below:

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	<p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A)</p> <p>The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B)</p> <p>The reduction in the Order limits at Anmore Road reduces the available land for watercourse crossing, however mitigation measures could still be implemented and would not impact or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C)</p> <p>The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D)</p> <p>The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E) The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F) The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 7: Area around the car park at Farlington Playing Fields (PROPOSED CHANGE G) The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I) The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>The addition in the Order limits in this location does not impact or change the assessment, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The addition to the Order limits does not change the sensitive receptors being assessed and the addition to the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J)</p> <p>The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K)</p> <p>The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L)</p> <p>The reduction in the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The reduction to the Order limits does not change the sensitive receptors being assessed and</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>reducing the Order limits does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Section 9: Milton Allotments correction (PROPOSED CHANGE M) The correction to the Order limits in this location does not impact on or change the assessment undertaken, as set out in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139). The correction to the Order limits does not change the sensitive receptors being assessed and the Order limits correction does not change the proposed mitigation, therefore resultant impacts remain unchanged.</p> <p>Conclusion Following a review of the changes to the Order limits, as discussed above, it is concluded that the changes do not affect the conclusions of the assessment as detailed in Chapter 20 of the ES (APP-135) and Section 13 of the ES Addendum (REP1-139).</p>
<p>21 - Heritage and Archaeology</p>	<p>A review of the changes to the Order limits in relation to Chapter 21 (Heritage and Archaeology) of the ES (APP-136) has been undertaken and is detailed below:</p> <p>It is concluded that there are no changes to the impact assessment as presented in Chapter 21 of the ES (Heritage and Archaeology), due to the nature and small extent of the areas added/removed. Two features have been removed from Section 2 (detailed below), however their removal does not affect the assessment. General amendments to the text within the chapter are outlined below:</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE A)</p> <ul style="list-style-type: none"> • Chapter 21 (Heritage and Archaeology) (APP-136): <ul style="list-style-type: none"> ○ Paragraph 21.5.3.2 – The Grade II listed Shafter Farm Barn (A1a) is no longer located within the Order limits within this Section.

ES Chapter	Review of Assessment based on Order Limit Changes
	<ul style="list-style-type: none"> ○ Paragraph 21.5.3.5 – Unlisted building the Homestead (A1b) is no longer located within the Order limits. ● Appendix 21.2: Historic Environment Desk Based Assessment (APP-442): <ul style="list-style-type: none"> ○ The proposed changes to the Order limits do not affect the baseline assessment, which remains valid and robust, however general amendments to the text within the appendix are outlined below: <ul style="list-style-type: none"> ▪ Section 6.2, Table 4: Assets A1a and A1b are no longer located within the Order limits of Section 2. <p>Conclusion</p> <p>There are no changes to conclusions of the heritage and archaeology assessment as a result of the Order limits changes.</p>
<p>22 – Traffic and Transport</p>	<p>Following a review of the changes to the Order limits, the following changes to the assessments presented in Chapter 22 of the ES (Traffic and Transport) (APP-137) and Chapter 15 of the Environmental Statement Addendum (REP1-139) are identified.</p> <p>It should be noted that the Framework Traffic Management Strategy (REP1-068) and the Construction Traffic Management Plan (REP1-070 and 071) have both been updated (submitted at Deadline 1) to reflect the updated Order limits and as such additional detail can be found within these documents.</p> <p>Chapter 22 (Traffic and Transport) of the ES has been reviewed in the context of the Order Limit changes and the following text amendments are set out below:</p> <ul style="list-style-type: none"> ● Paragraphs 22.1.2.10, 22.1.2.11 and Plate 22.3: Removal of options for the Onshore Cable Route to cross Anmore Road in Section 3 (PROPOSED CHANGE B);

ES Chapter	Review of Assessment based on Order Limit Changes
	<ul style="list-style-type: none"> • Plate 22.7 and 22.8: Removal of a section of Portsdown Hill Road (PROPOSED CHANGE D); • Paragraph 22.1.2.21 and Plate 22.9: Removal of Eastern Road and part of Fitzherbert Road options for the Onshore Cable Route (PROPOSED CHANGE E); • Plate 22.10 and 22.11: Update to reflect Order Limit changes; • Paragraphs 22.1.2.32 and Plate 22.13: Update to remove Furze Lane and bus link (PROPOSED CHANGE K); • Plate 22.14: Update to reflect Order Limit changes; • Paragraph 22.5.3.20 (Section 9 description): Removal of Furze Lane bus link as part of the transport network affected by the Onshore Cable Route; • Paragraph 22.6.7.3 Update of the text to reflect reduction in road closure period on Anmore Road. Predicted impacts on Anmore Road remain unchanged due to the road closure requirement; • Paragraphs 22.6.10.5 and 22.6.10.9: Change of wording required to show Zetland Field as the Onshore Cable Route rather than an option. No changes to predicted impacts on Eastern Road or Zetland Field; • Paragraph 22.6.13.2: Paragraph is no longer relevant as it refers to the Furze Lane option; • Paragraph 22.6.13.11 (public transport predicted impact): Paragraph is no longer relevant as it refers to the Furze Lane option, as such this see the removal of an Moderate adverse effect, of a temporary and short-term nature from Chapter 22 of the ES, the removed impact was considered to be Significant;

ES Chapter	Review of Assessment based on Order Limit Changes
	<ul style="list-style-type: none"> • Paragraph 22.6.13.14 (pedestrian and cycle amenity impact: Paragraph is no longer relevant as it refers to the Furze Lane option; and • Table 22.10: References to Furze Lane bus link removed as these are no longer relevant, this includes the removal of the following residual effects: <ul style="list-style-type: none"> ○ Minor to Moderate, temporary, direct and short term (Not Significant) impact on traffic delay on Furze Lane bus link; ○ Minor to Moderate, temporary, direct and short term (Not Significant) impact on pedestrian and cycle amenity on Furze Lane bus link. <p>Conclusion</p> <p>There are no material changes to the traffic and transport assessment as a result of the Order limits changes. There are reductions to the areas of the transport network which are to be affected which are detailed above. These reductions result in the removal of adverse impacts associated with construction of the Onshore Cable Route.</p>
<p>23 – Air Quality</p>	<p>Following a review of the changes to the Order limits in relation to Chapter 23 (Air Quality) of the ES (APP-136), it is concluded that there are no changes to the outcome of the construction dust risk assessment, further detail is provided below:</p> <p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A)</p> <p>This change has no effect on the construction dust risk assessment.</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B)</p> <p>No properties affected by the changes (this may also affect properties within 350 m of Section 3, however no properties are affected).</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C)</p> <p>This does not affect the number of properties affected in the dust risk assessment.</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D)</p> <p>This does not affect the number of properties affected in the dust risk assessment.</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E)</p> <p>The change to the Order limits on Eastern Road removes 23 properties from the dust risk assessment, however this does not affect the overall risk assessment (also affects Section 5).</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F)</p> <p>The removal of the satellite compound removes 738 receptors from the construction dust risk assessment, however this does not affect the overall risk assessment result (also affects Section 5).</p> <p>Section 7: Area around the car park at Farlington Playing Fields (PROPOSED CHANGE G)</p> <p>This change has no effect on the construction dust risk assessment as the changes do not affect input parameters of the assessment in such a way as to affect the overall risk rating.</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I)</p> <p>These changes, including both the addition and reductions of land from the Order limits, have no effect on the construction dust risk assessment as the changes do not affect input parameters of the assessment in such a way as to affect the overall risk rating.</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J)</p> <p>This change has no effect on the construction dust risk assessment as the changes do not affect input parameters of the assessment in such a way as to affect the overall risk rating.</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K)</p> <p>This change has no effect on the construction dust risk assessment as the changes do not affect input parameters of the assessment in such a way as to affect the overall risk rating.</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L)</p> <p>This change has no effect on the construction dust risk assessment as the changes do not affect input parameters of the assessment in such a way as to affect the overall risk rating.</p> <p>Section 9: Milton Allotments correction (PROPOSED CHANGE M)</p> <p>This change has no effect on the construction dust risk assessment as the changes do not affect input parameters of the assessment in such a way as to affect the overall risk rating.</p> <p>Conclusion</p> <p>Given that the areas in Section 2, 4, 6, 7 and 9 of the Order limits are either small in size or located in such a way that the number of receptors remains unaffected by the Order limits changes this does not have any impact on the overall dust risk ratings. In addition, that the changes to the Order limits have no impact on any of the traffic related air quality assessments.</p>
<p>24 - Noise and Vibration</p>	<p>The Noise and Vibration assessment has been reviewed to determine any changes to the assessment detailed in Chapter 24 (Noise and Vibration) of the 2019 ES (APP-139) or Section 17 of the ES Addendum (REP1-139). The outcomes of the review are set out below:</p> <p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A)</p> <p>This amendment to the Order limits (REP1-007) does not result in any changes to the noise and vibration assessment.</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B) The Order limits have been amended such that the Onshore Cable will not be laid within the land to east of Hillcrest Children’s Services or along Anmore Road (though it will still cross Anmore Road). The revision of the Order limits in this location has also reduced the area for Works No. 4 to the west of Hillcrest Children’s Services. Adverse noise effects from trenching and duct installation in Section 2 are predicted to occur at receptors that are located within 22m of the Onshore Cable Route. These Order Limit changes will mean the Onshore Cable Route in this area will not be laid within 22m of any sensitive receptors other than Hillcrest Children’s Services, which is already assessed in Paragraph 24.6.3.2 of the ES, and the Onshore Cable Route will not come substantially closer to this receptor than the illustrative Onshore Cable Route used in the noise and vibration assessment (Sheet 3 of Figure 24.2 (APP-336)). Therefore, there are no changes to the noise and vibration assessment resulting from this Order Limit amendment.</p> <p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C) This a minor amendment to the Order limits which does not result in any changes to the noise and vibration assessment.</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D) The illustrative Onshore Cable Route used in the noise and vibration assessment (Sheet 8 of Figure 24.2 (APP-336)) is located within the land adjacent to the south of Portsdown Hill Road, and not in the section of Portsdown Hill Road that has been removed from the Order limits. Therefore, there are no changes to the noise and vibration assessment resulting from this Order Limit amendment.</p> <p>Section 6: Strip of highway adjacent to Zetland Field and satellite compound area Durkin’s Yard removed (PROPOSED CHANGE E) The Order limits have been revised such that the Onshore Cable Route will be laid within Zetland Field, removing the option of installing along Eastern Road. As this is consistent with the illustrative Onshore</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Cable Route (Sheet 10 of Figure 24.2 (APP-336)), there are no changes to the noise and vibration assessment resulting from this Order Limit amendment.</p> <p>Section 6: Satellite compound at Durkins Yard removed (PROPOSED CHANGE F)</p> <p>This a minor change to the Order limits which does not result in any changes to the noise and vibration assessment because the cables were not to be installed in the area where the Order limits have been amended.</p> <p>Section 7: Area around car park at Farlington Playing Fields removed (PROPOSED CHANGE G)</p> <p>This a minor change to the Order limits which does not result in any changes to the noise and vibration assessment because the cables were not to be installed in the area where the Order limits have been amended.</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I)</p> <p>The Order limits have been revised such that the Onshore Cable Route will follow the option along the western side of Baffins Milton Rovers Football Ground, as presented in the illustrative route used for the noise and vibration assessment (Sheet 11 of Figure 24.2 (APP-336)). Whilst there are reductions and an addition to in the Order limits at Baffins Milton Rovers Football Ground, there are no material changes to the effects identified or to the assessment presented at paragraph 24.6.8.3 of the ES, as amended by paragraph 17.3.2.24 of the ES Addendum (REP1-139) because Baffins Milton Rovers Football Ground is considered a low sensitivity receptor with respect to noise.</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J)</p> <p>This is a minor amendment to the Order limits (REP1-007) which does not result in any changes to the noise and vibration assessment because the cables were not to be installed in the area where the Order limits have been amended.</p> <p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K)</p> <p>The Order limits have been refined such that the Onshore Cable Route will not be installed within Furze</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Lane, and instead will follow the eastern option through the University of Portsmouth playing fields and alongside or within Longshore Way. The illustrative Onshore Cable Route alignment used in Chapter 24 of the ES (Sheet 14 of Figure 24.2) assessed the Furze Lane option as the worst case due to the higher number of nearby sensitive receptors.</p> <p>For completeness, the amendments to the Order limits in this area have the following implications for the noise and vibration assessment (with the assessment previously undertaken on the worst-case basis using the indicative route through Furze Lane):</p> <p><u>Noise</u></p> <p>Following the removal of Furze Lane as the worst-case scenario in this location, a supplementary assessment of noise is provided below which considers the route through the University Playing Fields and Longshore Way:</p> <ul style="list-style-type: none"> • Direct, temporary, short-term negligible effects are predicted at all receptors during the trenching and duct installation (at an assumed installation rate of 30m per day) between the south of Milton Common and the northern end of Longshore Way. This is because there are no sensitive receptors within 22m of the Onshore Cable Route, which is the distance within which a greater than negligible noise level would be expected. • During the trenching and duct installation (at an assumed installation rate of 24m per day) between the northern end of Longshore Way and the HDD-2 compound: <ul style="list-style-type: none"> - A large adverse magnitude of level is predicted at 7 receptors for a period of 1-1.5 days per circuit. The same receptors are expected to experience medium and small adverse magnitudes of level for an additional 2-3 days per circuit. These impacts would be experienced for a second time (sequential or non-sequential depending on the respective timings of each circuit installation). However, a large adverse magnitude of level is expected to occur for no more than 2-3 days in total at any receptor, and, therefore, there

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>will be a medium impact, which is a direct, temporary, short-term, moderate adverse effect (not significant).</p> <ul style="list-style-type: none"> - A medium adverse magnitude of level is predicted at 8 receptors for a period of 2-2.5 days per circuit. Small adverse magnitudes of level may be experienced at the same receptors for an additional 1-2 days per circuit. These impacts would be experienced for a second time (sequential or non-sequential depending on the respective timings of each circuit installation). Based on the anticipated 4-5 day total exposure to a medium adverse magnitude of level, there will be a low impact which is a direct, temporary, short-term, minor adverse effect (not significant). - A small adverse magnitude of level is predicted at 20 receptors for a period of 3-4 days per circuit. These impacts would be experienced for a second time (sequential or non-sequential depending on the respective timings of each circuit installation). This 6-8 day total exposure to a small adverse magnitude of level represents a low impact, which is a direct, temporary, short-term, minor adverse effect (not significant). <p><u>Vibration</u></p> <p>Following the removal of Furze Lane as the worst-case scenario in this location, a supplementary assessment of vibration is provided below which considers the route through the University Playing Fields and Longshore Way:</p> <ul style="list-style-type: none"> • The following predicted impacts for Section 9 reflect the updated Order limits such that the Onshore Cable Route will be installed through the University of Portsmouth playing fields and alongside or within Longshore Way (instead of Furze Lane), and that cable and duct installation could occur along Kingsley Road should it not be possible to install both the cable ducts along Yeo Court (as explained in the ES Addendum (REP1-139)):

ES Chapter	Review of Assessment based on Order Limit Changes															
	<ul style="list-style-type: none"> • The predicted vibration impacts of trenching activities in Section 9 are presented in the table below and explained as follows: <ul style="list-style-type: none"> - A medium adverse magnitude of level is predicted at 50 receptors during road surface removal and at 9 receptors during re-surfacing in Section 9. Breaking activities are expected to be intermittent and transient in nature, and re-surfacing is expected to occur on the last day of each week for the section of cable installed. The anticipated duration of exposure at any given receptor would be up to three consecutive days per circuit. This is a low magnitude of impact, which is a direct, temporary, short-term, minor adverse effect (not significant). - A small adverse magnitude of level is predicted at 85 receptors during road surface removal and at 48 receptors during re-surfacing in Section 9. Breaking activities are expected to be intermittent and transient in nature, and re-surfacing is expected to occur on the last day of each week for the section of cable installed. The anticipated duration of exposure at any given receptor would be up to five consecutive days per circuit. Therefore, this small adverse magnitude of level is considered a negligible magnitude of impact, which is a direct, temporary, short-term, negligible effect (not significant). <table border="1" data-bbox="568 965 1854 1244"> <thead> <tr> <th data-bbox="568 965 853 1070" rowspan="2">Activity</th> <th colspan="3" data-bbox="853 965 1854 1018">Number of properties experiencing specified magnitude of level</th> </tr> <tr> <th data-bbox="853 1018 1173 1070">Large adverse</th> <th data-bbox="1173 1018 1512 1070">Medium adverse</th> <th data-bbox="1512 1018 1854 1070">Small adverse</th> </tr> </thead> <tbody> <tr> <td data-bbox="568 1070 853 1153">Breaker (road surface removal)</td> <td data-bbox="853 1070 1173 1153">0</td> <td data-bbox="1173 1070 1512 1153">50</td> <td data-bbox="1512 1070 1854 1153">85</td> </tr> <tr> <td data-bbox="568 1153 853 1244">Vibratory roller (re-surfacing)</td> <td data-bbox="853 1153 1173 1244">0</td> <td data-bbox="1173 1153 1512 1244">9</td> <td data-bbox="1512 1153 1854 1244">48</td> </tr> </tbody> </table>	Activity	Number of properties experiencing specified magnitude of level			Large adverse	Medium adverse	Small adverse	Breaker (road surface removal)	0	50	85	Vibratory roller (re-surfacing)	0	9	48
Activity	Number of properties experiencing specified magnitude of level															
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Breaker (road surface removal)	0	50	85													
Vibratory roller (re-surfacing)	0	9	48													

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>In summary, the new Onshore Cable Route option for Section 9 is a preferential route in terms of noise and vibration impacts. No effects which are categorised as Significant are predicted in the supplementary assessment above.</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L) This a minor amendment to the Order limits (REP1-007) which does not result in any changes to the noise and vibration assessment because the Onshore Cable Route would not have passed through the areas that have been removed from the Order limits.</p> <p>Section 9: Milton Allotments correction (PROPOSED CHANGE M) This correction to the Order limits (REP1-007) does not result in any changes to the noise and vibration assessment as it reflects the position already assessed, noting access only is to occur over this land.</p> <p>Conclusion The changes to the Order limits only affect the noise and vibration assessment in relation to the change at Furze Lane, with the impacts associated with the onshore cables in Furze Lane avoided as a result. The confirmation of the route through the University of Portsmouth Playing Fields has resulted in a beneficial change to the assessment, with no effects categorised as Significant predicted.</p>
<p>25 – Socio-economics</p>	<p>A review of the changes to the Order limits in relation to Chapter 25 (Socio-economics) of the ES (APP-140) has been undertaken and concludes that there are no changes to the assessment as a result of the changes to the Order limits. Further detail in relation to the individual locations are set out below:</p> <p>Section 1: Removal of Plot 1-78 (PROPOSED CHANGE A) The removal of this area included in the Order limits has no impact on the assessment.</p> <p>Section 2: Area immediately to the north of Anmore Road reduced (PROPOSED CHANGE B) The reduced land take from Lavender House (Hillcrest Children’s services) as listed in Table 25.9 does</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>not change the assessment as there is still some temporary loss of land so it remains minor to moderate (not significant).</p> <p>Section 4: Removal of land forming part of a yard used for car parking at Ladybridge Roundabout (PROPOSED CHANGE C)</p> <p>The removal of this area included in the Order limits in error has no impact on the assessment.</p> <p>Section 4: Strip of highway on Portsdown Hill Road removed (PROPOSED CHANGE D)</p> <p>Part of the road outside residential properties on Portsdown Hill Road (nine properties) is now outside/adjacent to the Order limits. Paragraph 25.5.5.6 states that these residents may experience access issues, but this is no longer the case. However, they are still likely to experience some disruption from construction including traffic and noise. Therefore, there is no change to the assessment (minor adverse, not significant).</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E)</p> <p>Temporary access disruptions may be reduced for some residents on Eastern Road, but this makes no change to the assessment as it likely some disruption will remain, for example from traffic or noise (minor adverse, not significant).</p> <p>Section 6: Satellite compound area Durkin’s Yard removed (PROPOSED CHANGE F)</p> <p>The removal of this area means will result in no impact on this business. The assessment is therefore reduced from ‘minor to moderate’ impact to ‘no impact’.</p> <p>Section 7: Area around the car park at Farlington Playing Fields removed (PROPOSED CHANGE G)</p> <p>The area outside the car park has been reduced. However, multiple sports pitches at Farlington Fields remain affected and the duration of the impacts remains unchanged. The overall magnitude of the impact is therefore unchanged and, there is no change to the assessment (moderate adverse, significant).</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I) There is a reduction in the Order limits at the Tudor Sailing Club car park. Table 25.15 of Chapter 25 (Socio-economics) states a minor to moderate (not significant) effect on the Tudor Sailing Club, but the removal of the Order limits means that there is now no impact (access will be maintained from the Eastern Road).</p> <p>There has been an additional area added to the Order limits within the football pitch at Baffins Milton Rovers Football Ground, following the removal of the land to the west of the pitch from the Order limits. There is also a reduction in the affected area within Langstone Harbour Sports Ground, as the eastern cable corridor is no longer included. However, there is no change to magnitude of the effect as sports pitches remain affected and the duration of the impact remains unchanged. Table 25.15 of Chapter 25 (Socio-economics) states a minor to moderate adverse (not significant) effect and there is no change to the outcome of the assessment as result of these changes.</p> <p>Section 9: Small area comprising a substation at Milton Common (PROPOSED CHANGE J) The removal of this area included in the Order limits in error has no impact on the assessment given that inclusion of this area did not preclude use of the entire open space. As such, removal has no impact on the use of the Common in a recreational context given the small size of the Order limits area remove.</p> <p>Section 9: Part of Furze Lane removed (PROPOSED CHANGE K)</p> <p>Section 9: Refinement of area between Locksway Road / Longshore Way and the Thatched House Pub (PROPOSED CHANGE L) The following businesses now fall outside of the Order limits due to the changes listed, but are still adjacent to the Order limits:</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<ul style="list-style-type: none"> • University Campus Accommodation Access (B50) – paragraph 25.5.6.10 states that the campus is adjacent to or within the Order limits – as the eastern corridor remains, there is no change to the ES. • Ye Old Oyster House (B53) - paragraph 25.5.6.10 states that the campus is adjacent to or within the Order limits – no change to the ES. • Thatched House Pub (B55) and Langstone Harbour Fisherman’s Association (B52)– paragraph 25.7.2.24 states that there is temporary loss of parking and outside access. This has not changed as a result of the change in Order limits and there is no change to the ES. • The Larder (B54) – in Appendix 25.2 (Socio-economic Receptors within 500m) (APP-470) The Larder is listed as adjacent to the Order limits but is now 120 m west of the Order limits. This results in a reduction of impact from ‘minor to moderate’ to a ‘minor’ impact; the impact remains not significant. <p>In addition, the residents on Locksway Road, including at Two Saints Hostel, will no longer be directly adjacent to the Order limits and off-street parking is now outside the Order limits. However, some disruption will remain, for example from traffic or noise and the assessment remains unchanged (minor adverse and not significant).</p> <p>Section 9: Milton Allotments corrections (PROPOSED CHANGE M) This correction (retaining the access tracks to allotment within the Order limits) in relation to land within the Order limits at Milton Allotments has no impact on the outcome of the assessment as the assessment reflects the corrected position.</p> <p>Conclusion The changes to the Order limits discussed above have no impact on the overall conclusions of the Socio-economic assessment, although some individual residences and businesses will experience a reduced impact.</p>

ES Chapter	Review of Assessment based on Order Limit Changes
<p>26 – Human Health</p>	<p>A review of the changes to the Order limits in relation to Chapter 26 (Human Health) of the ES (APP-141) has been undertaken and specific references to the land included in the Order Limit changes are detailed below:</p> <p>Relevant aspects of Paragraph 26.6.3.32 state: <i>“Green Space partly within the Onshore Cable Corridor and Landfall Order limits that will have temporary partial loss include:</i></p> <ul style="list-style-type: none"> • <i>Zetland Field (Section 6) – A large portion of the open area would be used during construction for cable trenching for approximately ten weeks (not continuous). The play area will be avoided and remain accessible for use;</i> • <i>Farlington Playing Fields (Section 7) – Various portions of the playing field would be required during construction for two HDD compounds and cable trenching for a total of 52 weeks (not continuous). A small portion of the associated car park is anticipated to be required for a portion of this construction stage. Access to St John’s College Farlington Pitches to the east will be available at all times;</i> • <i>Baffins Milton Rovers Football Ground and associated sports ground (Section 7) – A portion of the surrounding playing fields would be used during construction for up to eight weeks. The Onshore Cable Corridor has been designed to avoid the Football Club’s main pitch, but training areas will be temporarily restricted.</i> <p>The conclusion of the assessment of the effects on human health due to temporary changes to landscape and greenspace during construction was temporary, medium-term minor adverse (not significant) effect (paragraph 26.6.3.41).</p> <p>Section 6: Strip of highway adjacent to Zetland Field removed (PROPOSED CHANGE E)</p> <p>For Zetland Field, the small reduction in land forming part of Zetland Field adjacent to the section of Eastern Road removed does not change the outcome of the assessment, as only a small portion of</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	<p>open area will be removed from the Order limits. This portion of land is covered in trees / shrubs and is therefore not used for any formal sports or physical activity.</p> <p>Section 7: Area around the car park at Farlington Playing Fields removed (PROPOSED CHANGE G)</p> <p>The reduction to the land associated with Farlington Playing Fields to be included in the Order limits does not change the outcome of the assessment. This is a relatively small portion of land and covered with trees / shrubs therefore not used for organised sports.</p> <p>Section 7: Areas around Baffins Milton Rovers Football Ground (PROPOSED CHANGES H and I)</p> <p>The previous Order limits avoided the main pitch at the Baffins Milton Rovers Football Ground, however as a result of the addition of land the revised Order limits now run through a larger portion of the main pitch. Surrounding training areas are no longer included in the Order limits. This does not change the significance of the Human Health assessment.</p> <p>Consideration has been given to construction activity timing (and the football season) as well as to mitigation measures to ensure the football pitch is restored to a suitable playing condition. The discussions with the Occupier have confirmed that seasonal re-turfing of the pitch occurs which provides a window within which to install the Onshore Cables with minimal impacts on the pitch and it is expected further discussions and agreement will confirm this programme arrangement.</p> <p>Conclusion</p> <p>The changes to the Order limits do not change the conclusions of the human health assessment.</p>
<p>27 – Waste and Material Resources</p>	<p>The changes to the Order limits have been reviewed in the context of Chapter 27 (Waste and Material Resources) of the ES (APP-147). The changes to the Order limits do not alter the types and volumes of waste anticipated to be generated or the materials consumed as a result of the Proposed Development.</p> <p>Conclusion</p>

ES Chapter	Review of Assessment based on Order Limit Changes
	The changes to the Order limits have no effect on the conclusions of the Waste and Material Resources assessment.
28 – Carbon and Climate Change	<p>Greenhouse Gas Emissions (GHGs)</p> <p>The quantity of materials required has not altered, and therefore the GHG calculations and the conclusions of the GHG assessment do not change.</p> <p>Climate Resilience</p> <p>The climate resilience assessment has undertaken a risk and vulnerability assessment of the key Scheme assets. Changes to the Order limits do not change the outcomes of this assessment.</p> <p>Conclusion</p> <p>The changes to the Order limits have no impact on the outcome of the GHG or Climate Change assessments.</p>
29 – Cumulative Effects	<p>Following a review of the Order Limit changes it is concluded that these changes have no implication on the list of cumulative developments considered in both Chapter 29 (Cumulative Effects) of the ES (APP-144) or Section 20 of the ES Addendum (REP1-139) or the cumulative effects identified in the assessment.</p>

6. MATERIALITY OF THE PROPOSED CHANGES

6.1. INTRODUCTION

- 6.1.1.1. The decision on whether the changes are ‘material’ is to be made by the ExA. There is no definition of a ‘material’ change in the Planning Act 2008 or the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011. However, there is guidance provided in the Planning Inspectorate’s Advice Note 16 and guidance produced by the Department of Communities and Local Government (DCLG) regarding the criteria that may indicate whether a change is ‘material’. This guidance and its application to the Proposed Changes is reviewed below.
- 6.1.1.2. The Applicant and its legal team have reviewed the relevant guidance available and are of the opinion that the Proposed Changes are not material, which has informed the proposed approach to dealing with these changes.

6.2. ADVICE NOTE 16: REQUESTING CHANGES

- 6.2.1.1. Advice Note 16 provides advice on making changes to a DCO during the pre-examination and examination phases where those changes are considered to be material. Paragraph 2.1 states that whilst there is no legal definition of ‘material’, the appropriate considerations are: *‘whether the change is substantial or whether the development now being proposed is not in substance that which was originally applied for.’*
- 6.2.1.2. Advice Note 16 makes clear that whether a change is ‘material’ or not is a ‘question of planning judgment’ which may be based on criteria including:
- whether the change would generate new or different likely significant environment effect(s); and
 - whether (and if so the extent to which) a change request involves an extension to the order land, particularly where this would require additional compulsory acquisition powers e.g. for new plots of land and/or interests.

6.3. GUIDANCE ON CHANGES TO DEVELOPMENT CONSENT ORDERS (DCLG)

6.3.1.1. The DCLG Guidance was written to provide guidance on the processes available to change DCOs after consent, rather than during the pre-examination period. However, given that the DCLG Guidance provides more detailed advice on when changes may be material, the Applicant has had regard to it. The DCLG Guidance does not attempt to prescribe whether particular types of change would be material or non-material. However, it does suggest that changes are more likely to be treated as material if they (paragraphs 12-16):

- Require an updated environmental statement to take account of new, or materially different, likely significant effects on the environment. The guidance suggests that this includes significant effects that are positive.
- Require a Habitats Regulations Assessment.
- Require a new or additional licence for European Protected Species.
- Authorise the compulsory acquisition of any land, or an interest in or rights over land, that was not authorised previously.
- Would have an impact on local people and businesses sufficient to indicate that the change should be considered as material. The guidance states that ‘... *examples might include those relating to visual amenity from changes to the size or height of buildings; impacts on the natural or historic environment; and impacts arising from additional traffic.*’

6.4. ASSESSMENT OF THE MATERIALITY OF SCHEME CHANGES IN CONTEXT OF GUIDANCE

6.4.1. ARE THE CHANGES SUBSTANTIAL OR DO THEY ALTER THE DEVELOPMENT SUCH THAT IT IS NOT IN SUBSTANCE WHAT WAS ORIGINALLY APPLIED FOR?

6.4.1.1. The Proposed Changes do not alter the substance of the original Application. The proposed changes simply scale back some of the flexibility which the Applicant built into the Application in terms of the onshore cable route, and reduce the land take required in other areas in light of further technical work and engagement with stakeholders.

6.4.2. WOULD THE CHANGE GENERATE NEW OR DIFFERENT LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS?

6.4.2.1. The Applicant’s EIA team do not consider that the changes made to the Order limits (the single addition and the reductions) generate any new or different likely significant environmental effects.

- 6.4.2.2. The review of the Applicant’s EIA to assess the implications of the changes to the Order limits on the environmental assessments undertaken in relation to each of the assessment topics for the onshore components of the Proposed Development is set out in Chapter 5 of this document. The overall conclusion of that review is that the removal of land from the Order limits and the single addition of land do not change the outcomes of the assessments, save that in relation to the assessment of Landscape and Visual Impact, Ecology and Noise and Vibration effects, the likely significant effects previously identified are reduced.
- 6.4.2.3. Further, and as is confirmed at paragraph 5.1.1.3 above, the proposed changes to rights sought at Soake Farm (Proposed Change N), Farlington Playing Fields car park (Proposed Change O) and Tudor Sailing Club Boat Yard (Proposed Change P) do not introduce new or different likely significant effects, nor do they change the outcome of the assessments as presented in the Environmental Statement (APP-116-145) and Environmental Statement Addendum (REP1-139).
- 6.4.2.4. Accordingly, the changes to the Order limits and rights sought do not generate new or different likely significant environmental effects, they only avoid some effects previously identified, and it is considered that this supports the position put forward by the Applicant that from a perspective of the assessment of environmental effects, the Proposed Changes are not material.

6.4.3. WOULD THE CHANGE INVOLVE AN EXTENSION TO THE ORDER LAND AND/ OR AUTHORISE THE COMPULSORY ACQUISITION OF ANY LAND, OR AN INTEREST IN OR RIGHTS OVER LAND, THAT WAS NOT AUTHORISED PREVIOUSLY?

New Plot 8-03a

- 6.4.3.1. The Proposed Changes involve the addition of one small area of land (1457 square metres) towards the western edge of the football pitch at Baffins Milton Rovers FC. This has been assigned plot number 8-03a (the ‘**Additional Land**’).
- 6.4.3.2. The Applicant has held positive discussions with the occupier of the football ground at Baffins Milton Rovers FC, of which the Additional Land forms part. As explained in Chapter 3 (see explanation under heading Proposes Change H and I in Table 3.2), through engagement with the football club, the Applicant has been able to identify a window of opportunity to install the Onshore Cables through the pitch during the period of the year prior to seasonal re-turfing. For this reason, the Applicant is seeking to acquire rights over the land shaded green in the figure in Table 3.2, which will enable the removal of the land needed for the routes either side of the pitch which had originally been proposed in the Application.

6.4.3.3. The Additional Land directly abuts land which was included in the Order limits as set out originally in the Application. In the context of the Proposed Development as a whole, and in the context of the specific location where the Additional Land is located, it is not considered that the extent of this land is such that the addition is material.

Changes to rights sought within the existing Order limits

6.4.3.4. Similarly, the Applicant does not consider the three changes in relation to the rights sought as described in Chapter 4 to be material. In all three cases, the nature of the rights sought is less extensive and intrusive than the rights sought originally in the Application.

6.4.4. IS A HABITATS REGULATIONS ASSESSMENT OR NEW EUROPEAN PROTECTED SPECIES LICENCE REQUIRED?

6.4.4.1. None of the Proposed Changes would require amendments to the Habitats Regulations Assessment or a new Protected Species licence.

6.4.5. WOULD IT HAVE AN IMPACT ON LOCAL PEOPLE AND BUSINESSES SUFFICIENT TO INDICATE THAT THE CHANGE SHOULD BE CONSIDERED AS MATERIAL?

6.4.5.1. None of the changes would have a different impact on local people from those previously assessed. Where there was more than one cable route option in the Application, both had been assessed in the EIA submitted. The reduction in the Order limits, which seeks to reduce the Applicant's choice of route, simply means that one of the assessed routes (not both) will be authorised if the DCO is granted.

6.4.5.2. The other reductions in the Order limits agreed as a result of engagement with landowners and stakeholders will have no wider impact on the general public.

6.4.5.3. The expansion of the Order limits to include the Additional Land within the football club (new Plot 8-03a), will equally have no impact on the public or businesses, given the intention to lay the cable through the pitch at a time of year when it is not being used (in conjunction with seasonal re-turfing).

6.4.5.4. Similarly, we see no impact upon the public or businesses which could be caused by the reduction in the scope of rights sought in three locations to less extensive rights.

6.5. SUMMARY

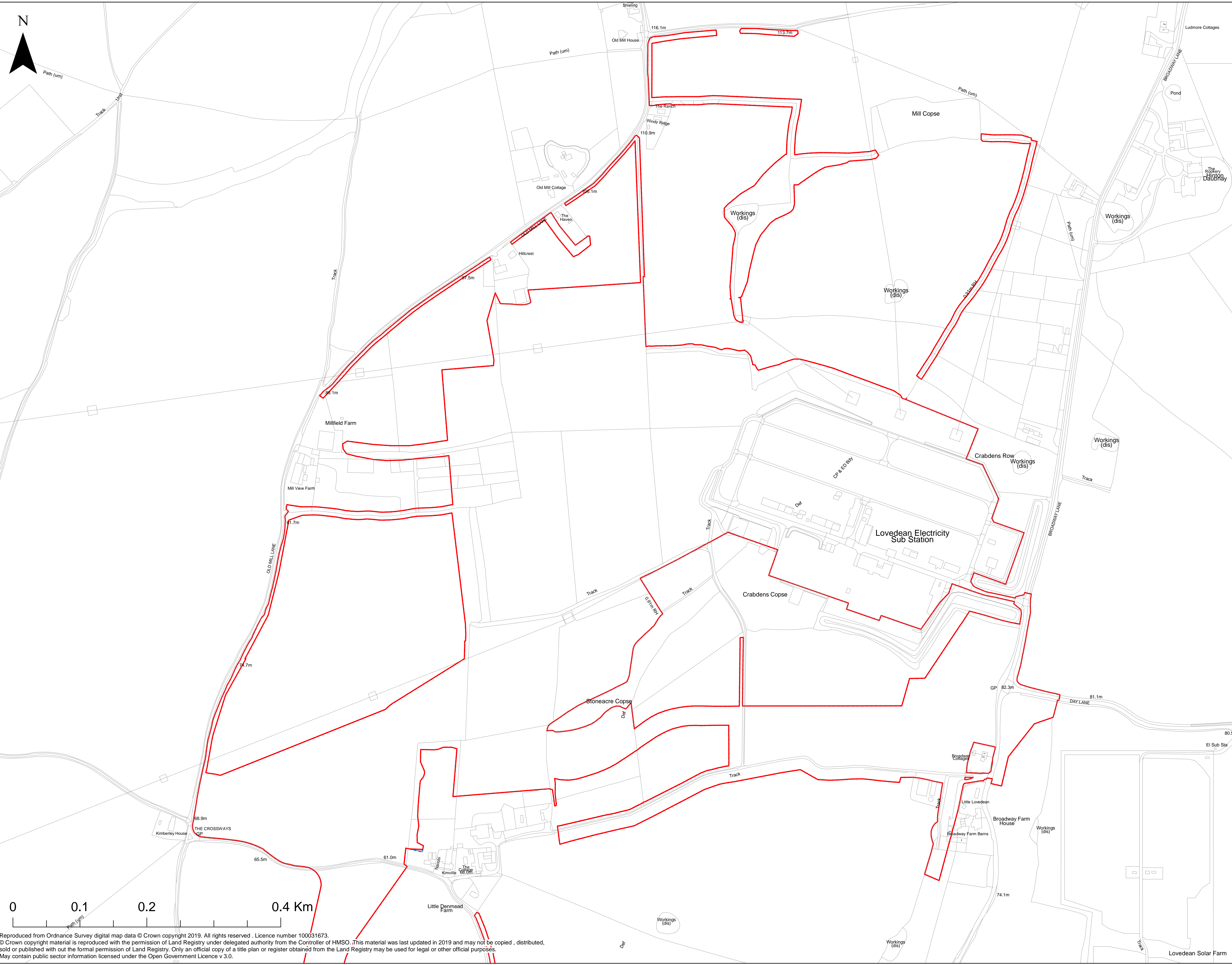
6.5.1.1. The Applicant is of the view that the changes are not material having regard to Advice Note 16, the Guidance, legal advice, and the conclusions of environmental and technical work. However, it is recognised that the final decision on materiality of the change rests with the ExA.

7. THE APPLICANT'S POSITION ON CONSULTATION

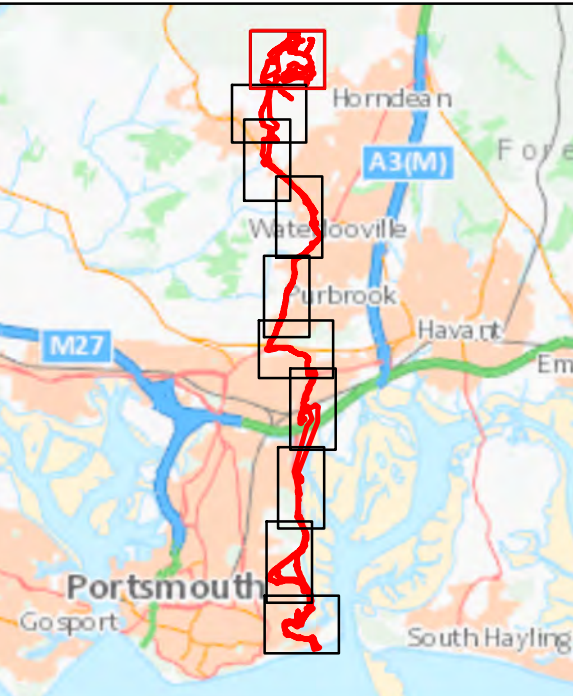
- 7.1.1.1. The Applicant has considered Advice Note 16 in relation to the potential need to consult on the Proposed Changes. Advice Note 16 is clear in recommending consultation where a request is to be made for a 'material' change.
- 7.1.1.2. Based on its own legal advice, the Applicant's view is that the Proposed Changes cannot properly be considered material. The Applicant, however, considered carefully whether it would nevertheless be appropriate to conduct a consultation exercise before submitting the Proposed Changes to the Examination.
- 7.1.1.3. We note that paragraph 2.5 of Advice Note 16 states: *"Note that even if a requested change is not considered to be material there may still be a need, in the interests of fairness, to carry out consultation. An applicant will still need to consider (and ultimately the ExA to decide) whether, without re-consultation on the requested change(s), any of those entitled to be consulted or who were consulted on the original application (including persons who are not an Interested Party in the Examination) would be deprived of the opportunity to make any representations on the changed application"*. A footnote to this statement in the Advice Note suggests reference to the judgement of John Howell QC in the case of *R. (on the application of Holborn Studios Ltd) v Hackney LBC* in assessing whether consultation is required in the interests of fairness.
- 7.1.1.4. Paragraph 79 of that judgement set out that in considering whether it would be unfair not to re-consult *"it is necessary to consider whether not doing so deprives those who were entitled to be consulted on the application of the opportunity to make any representations that, given the nature and extent of the changes proposed, they may have wanted to make on the application as amended"*.
- 7.1.1.5. In the case of the Applicant's Proposed Changes, we considered that the reduction in route options, removal of other small plots of land in response to land owner engagement, and the scaling back of rights sought from those set out in the original Application is a matter primarily affecting the Applicant (reducing flexibility) rather than something which could give rise to new opinions from the public or stakeholders which they would not already have had an opportunity to make through the pre-application and section 56 (relevant representation) process.

- 7.1.1.6. Taking the above into account, we consider that all such persons who would have wanted the opportunity to make any representations on the Application have been afforded the opportunity to do so. Therefore, the absence of a further public consultation process would not unfairly deprive any person of the opportunity to make a representation on the Application as amended.
- 7.1.1.7. In the case of the Additional Land the Applicant is already fully engaged with the owners and occupiers of the land (Portsmouth City Council and the football club, respectively), and the proposed amendment has been designed through the process of engagement with the club. Therefore, a further informal consultation exercise would not seem beneficial or necessary from the perspective of the affected land owners.
- 7.1.1.8. It is also noted that the examination process itself allows for representations to be made in relation to the changes which are submitted and can be viewed by all relevant interested parties. The Proposed Changes have been put forward at an early stage in the examination, which ensures there is sufficient opportunity for any representations to be made by those who have already been consulted on the proposals and who may wish to make representations in relation to them.
- 7.1.1.9. We are aware that some applicants seeking non-material changes have decided to carry out consultation. However, we trust that this does not mean that there is an expectation by the ExA that this is necessary in all cases. Particularly where changes are identified during the course of an examination which could benefit the project by reducing impacts and land take, it would seem important that the acceptance of those changes into the examination is expedited where no prejudice would be suffered by interested parties. The carrying out of a separate consultation exercise would unnecessarily delay the process of examining the Proposed Changes within the fixed statutory timescale for the examination.

Appendix 1 – Plans showing a comparison of the Order limits as submitted with the Application to those submitted at Deadline 1



- AQUIND Interconnector Sheet 1**
- Order Limits as at Deadline 1 of DCO Examination
 - Order Limits as at DCO submission
 - Removal From Order Limits



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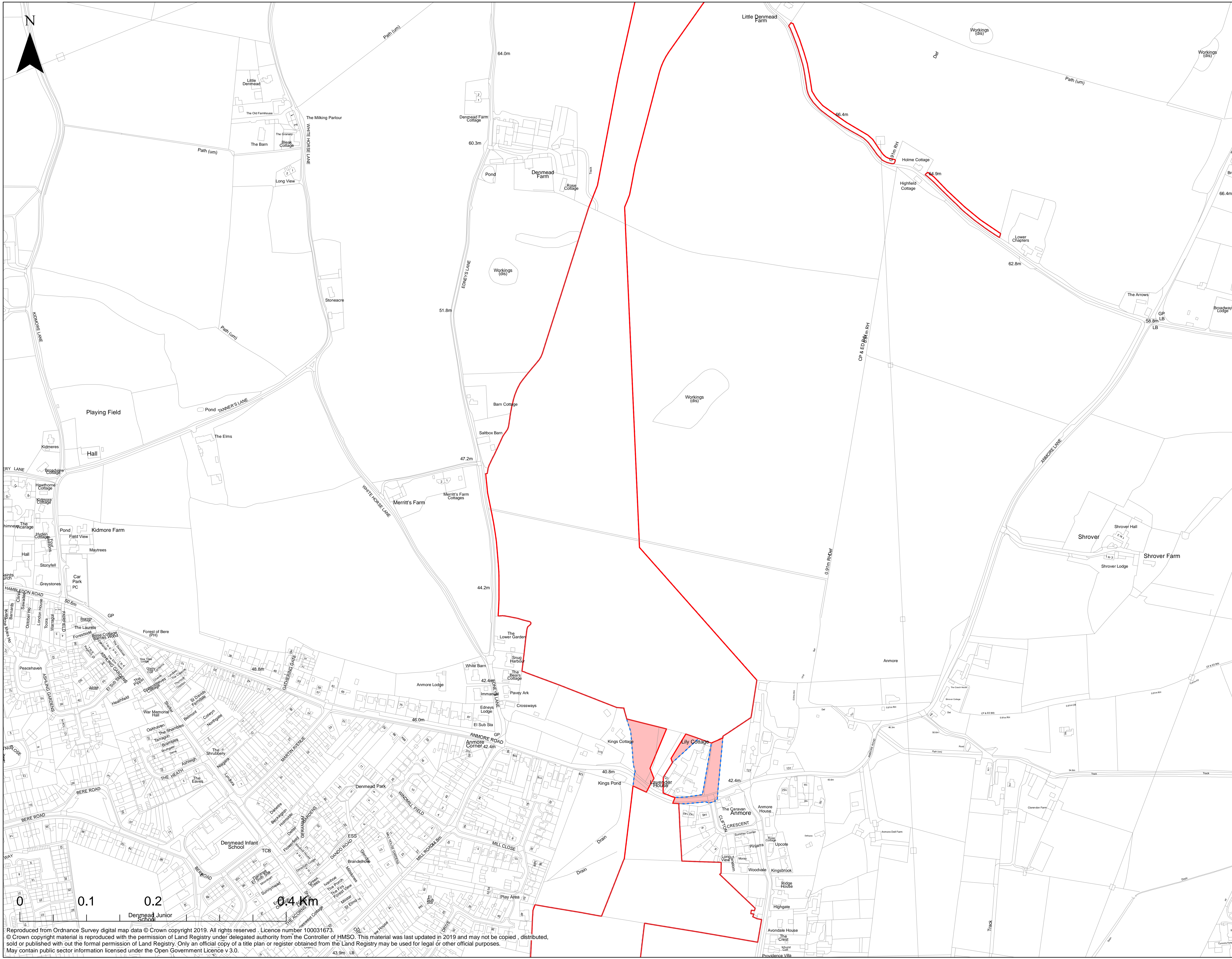
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PROJECT: AQUIND Interconnector

TITLE: AQUIND Interconnector Order Limits Amendments Plan Sheet 1

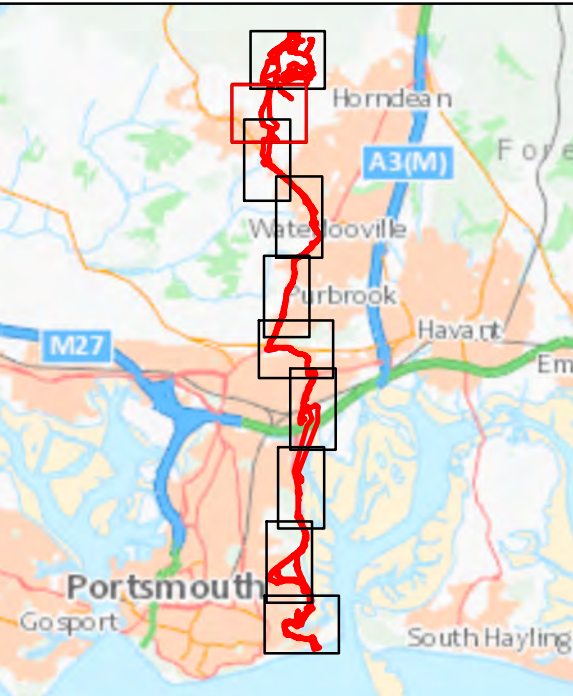
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AQUIND Interconnector Sheet 2

- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission
- Removal From Order Limits



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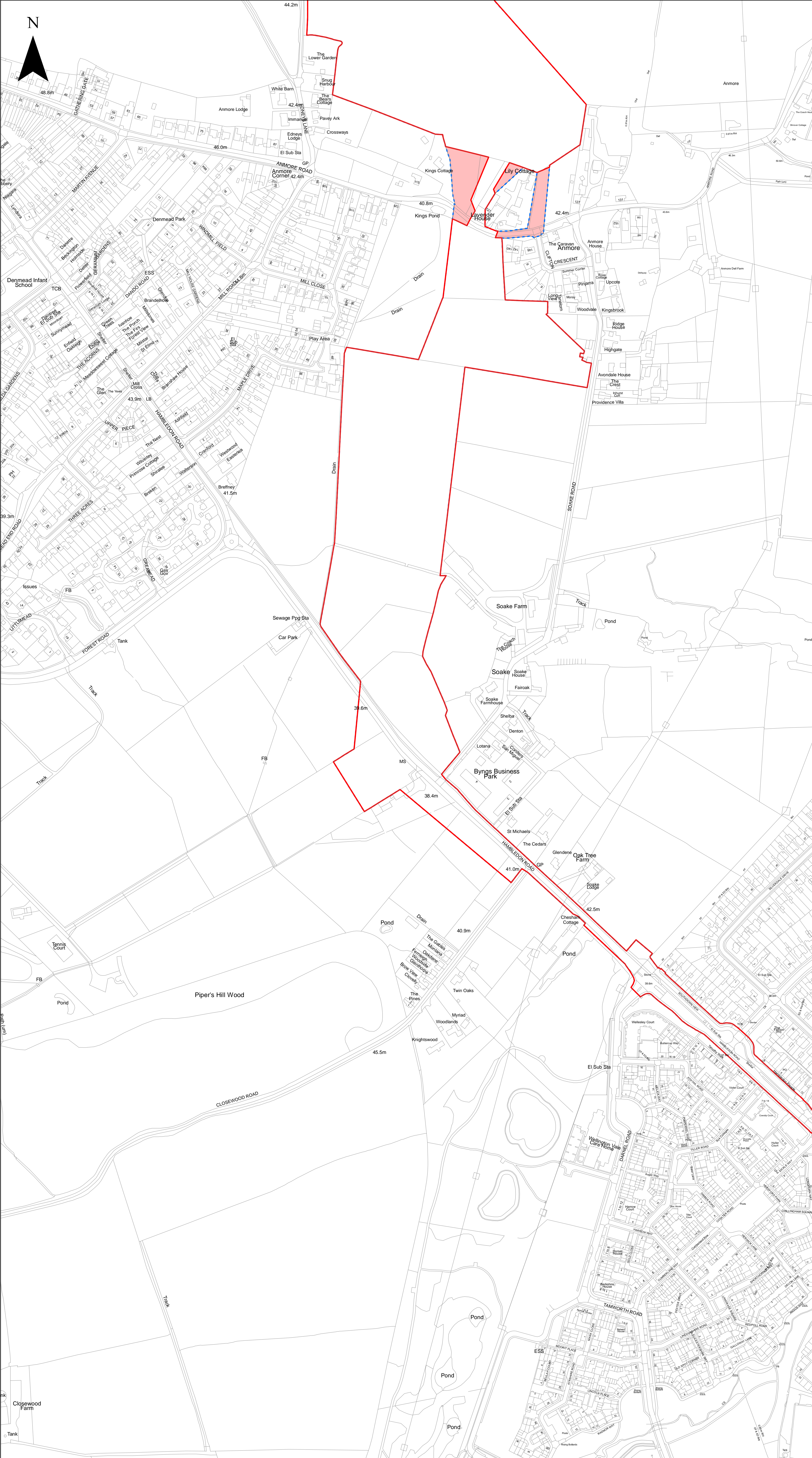


AQUIND Interconnector

AQUIND Interconnector Order Limits Amendments Plan Sheet 2

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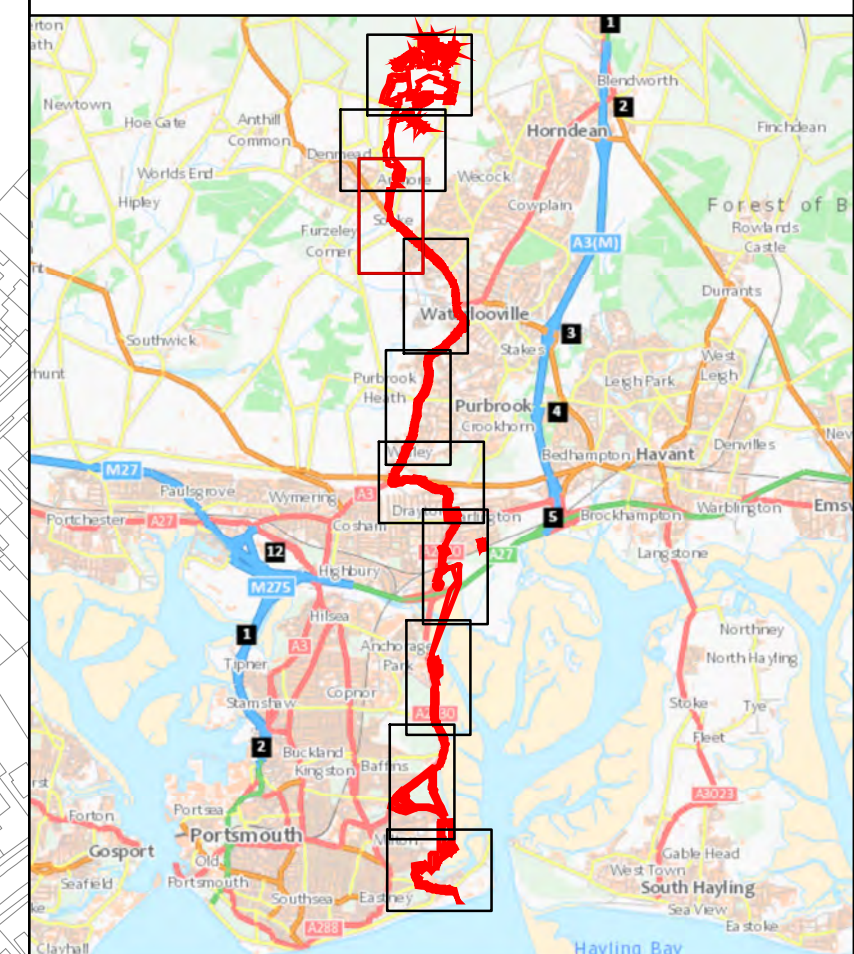


AQUIND Interconnector Sheet 3

- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission
- Removal from Order Limits



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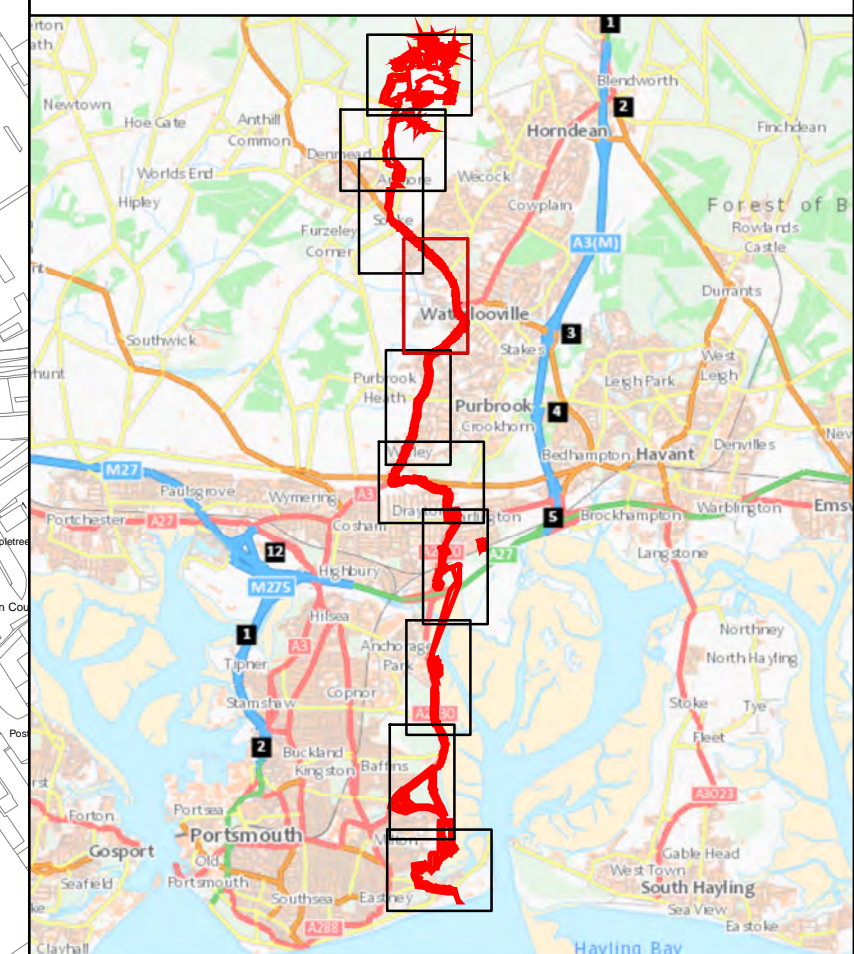


AQUIND Interconnector Sheet 4

- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission

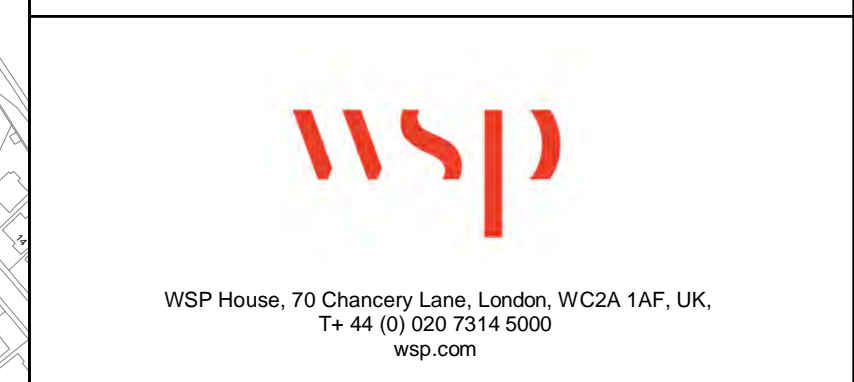


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AQUIND Interconnector Sheet 5

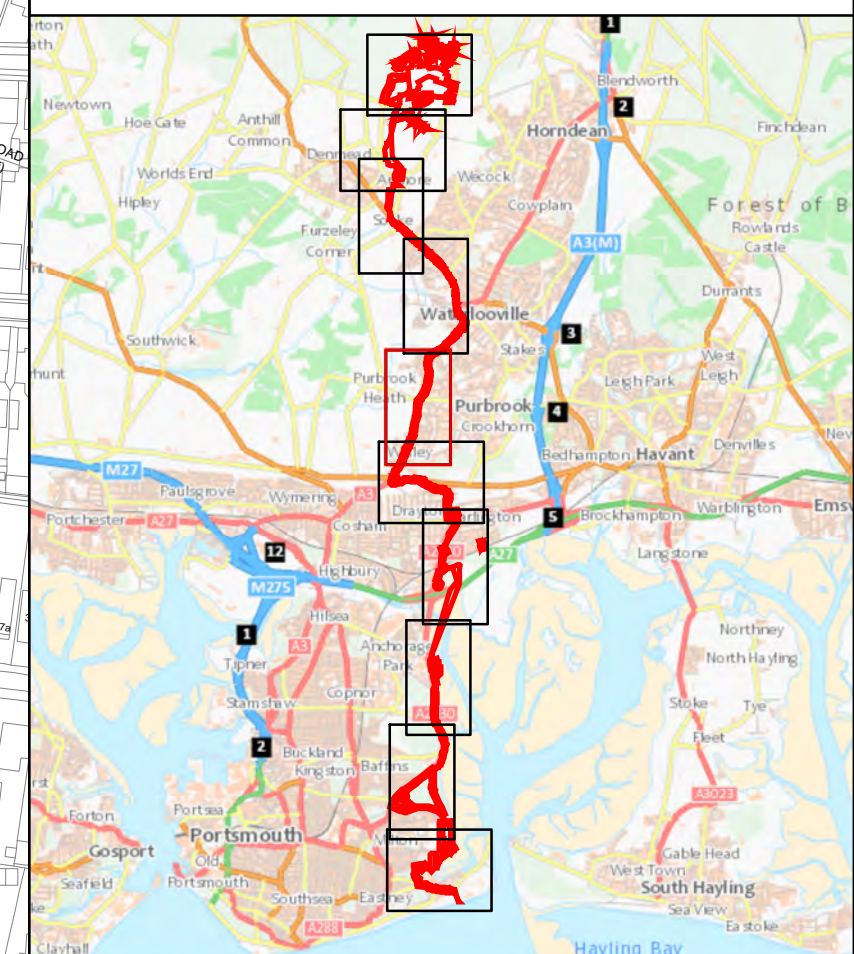
- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission
- Removal from Order Limits



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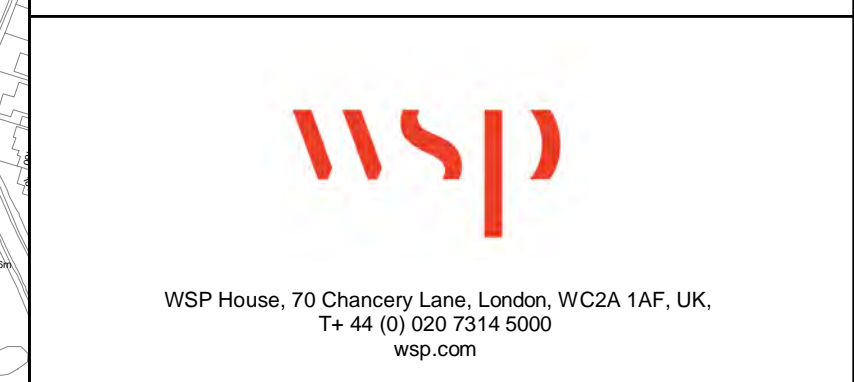
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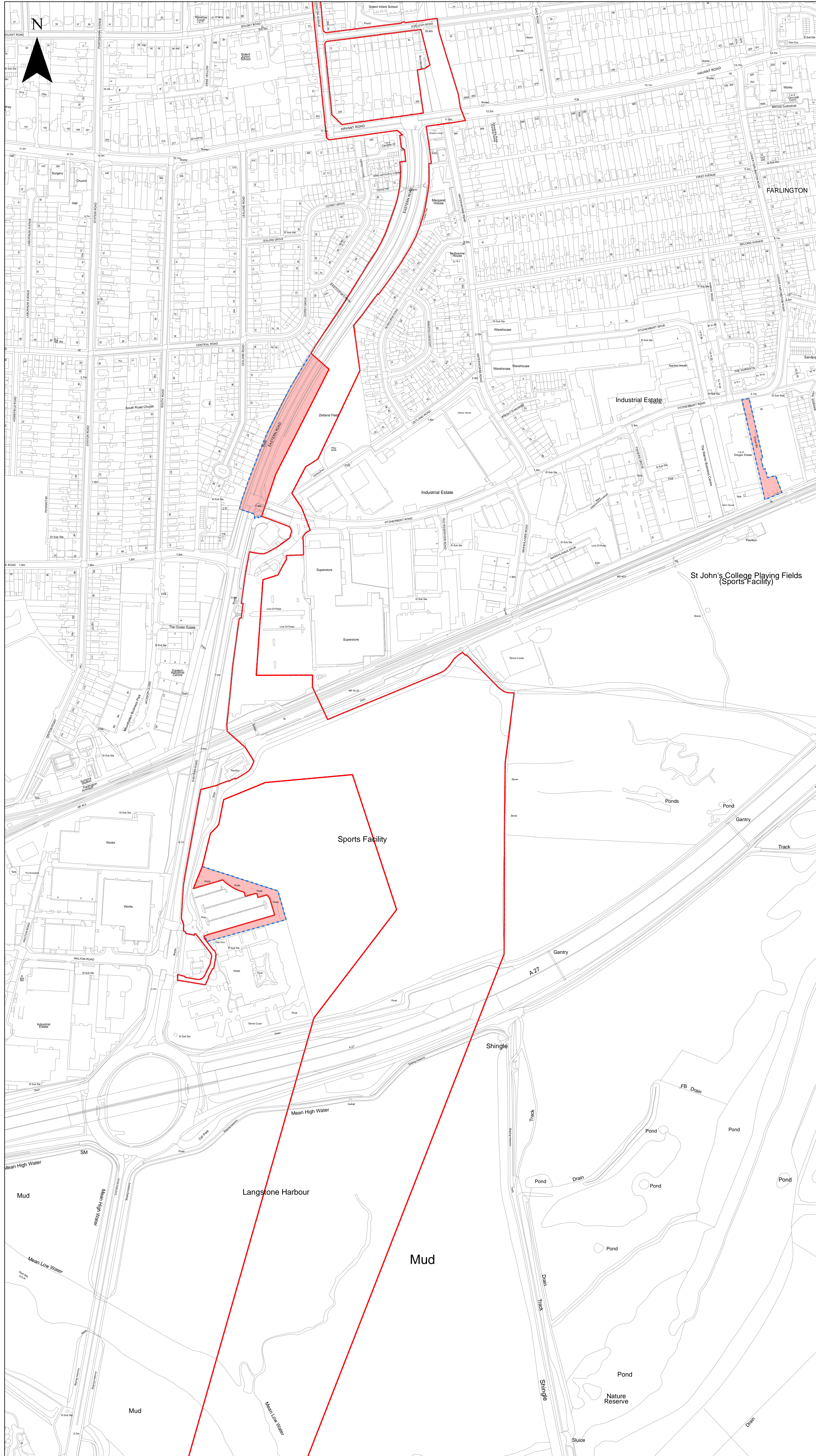
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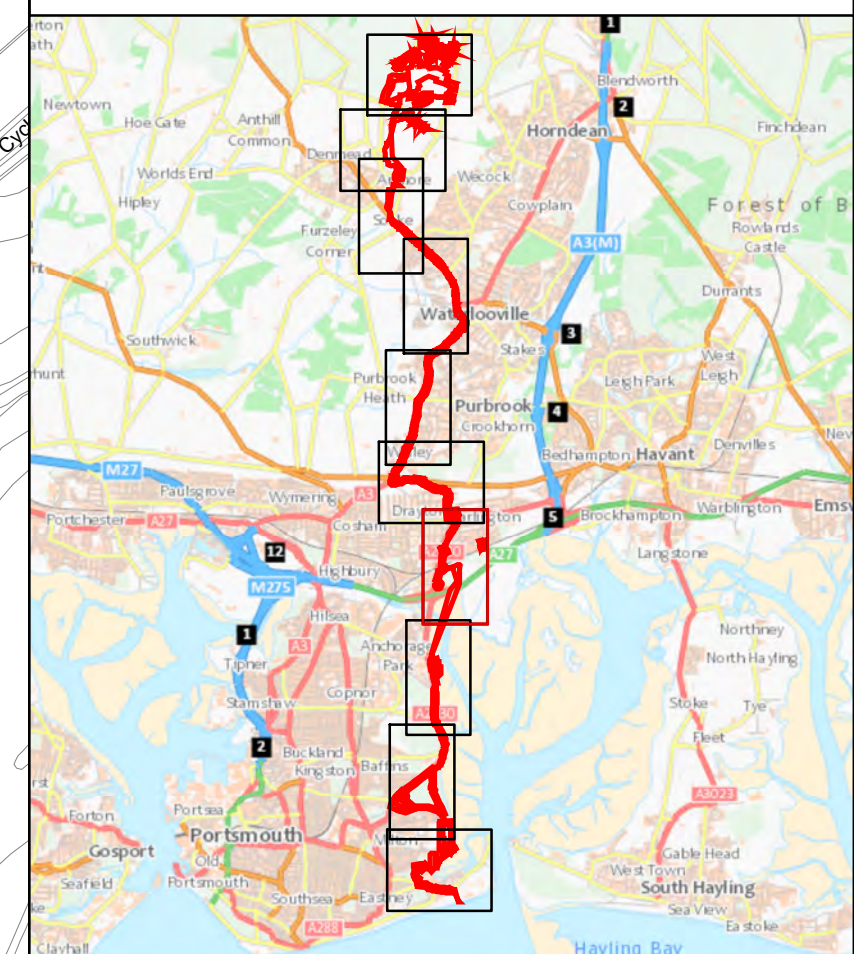


AQUIND Interconnector Sheet 7

- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission
- Removal from Order Limits



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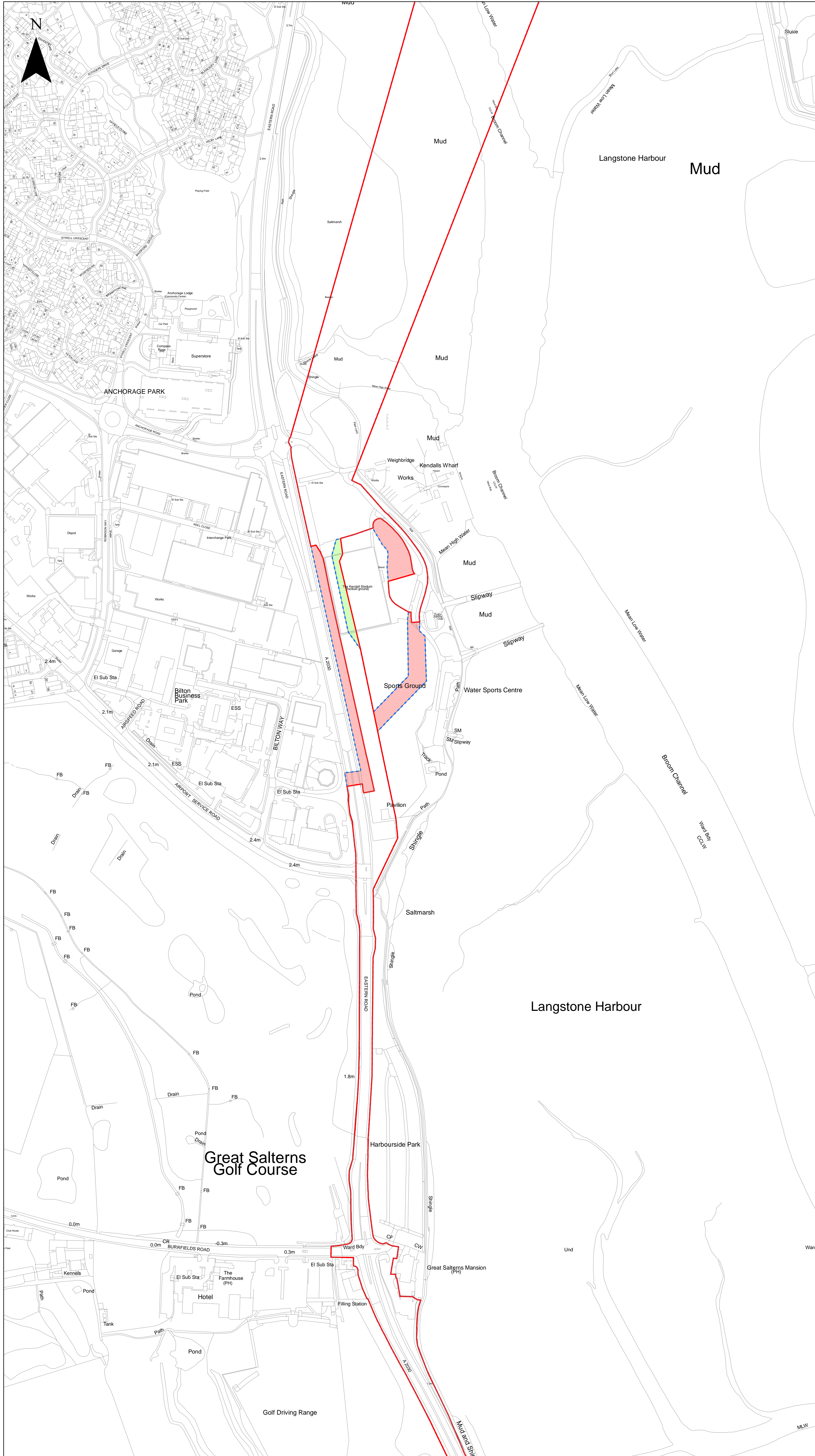
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AQUIND Interconnector Sheet 8

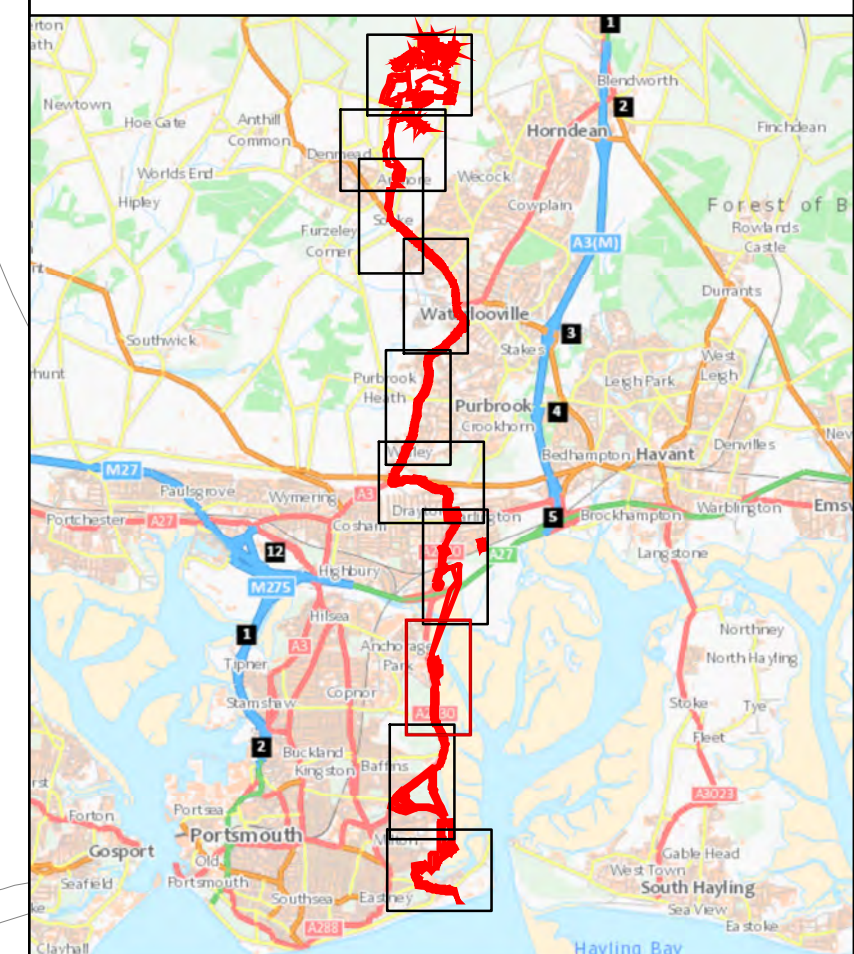
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- Order Limits as at DCO submission
- Addition to Order Limits
- Removal From Order Limits

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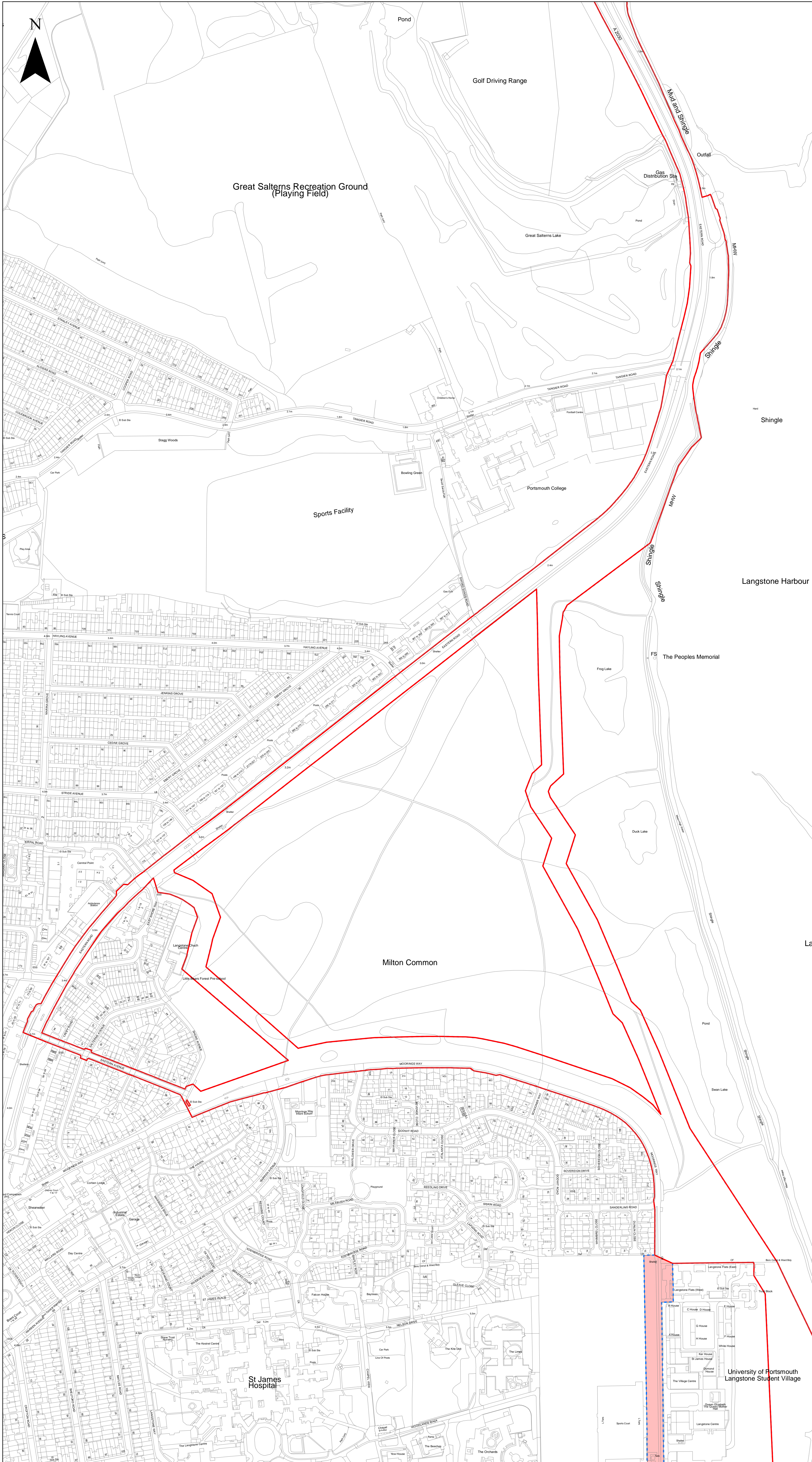
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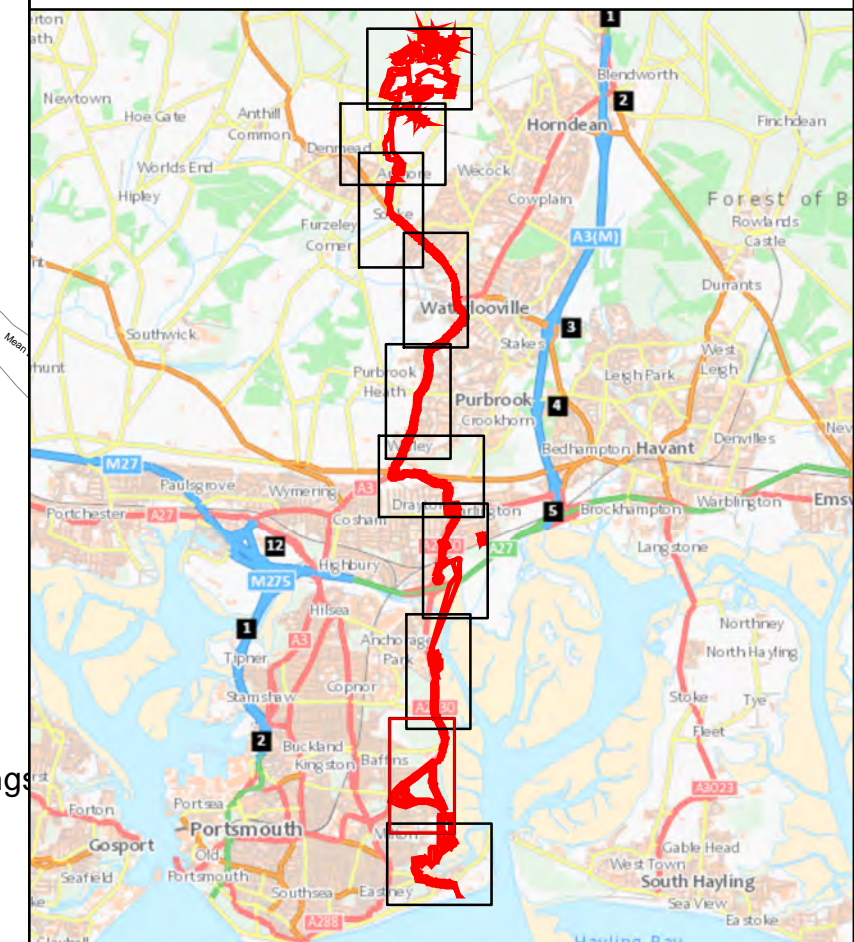


AQUIND Interconnector Sheet 9

- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission
- Removal from Order Limits



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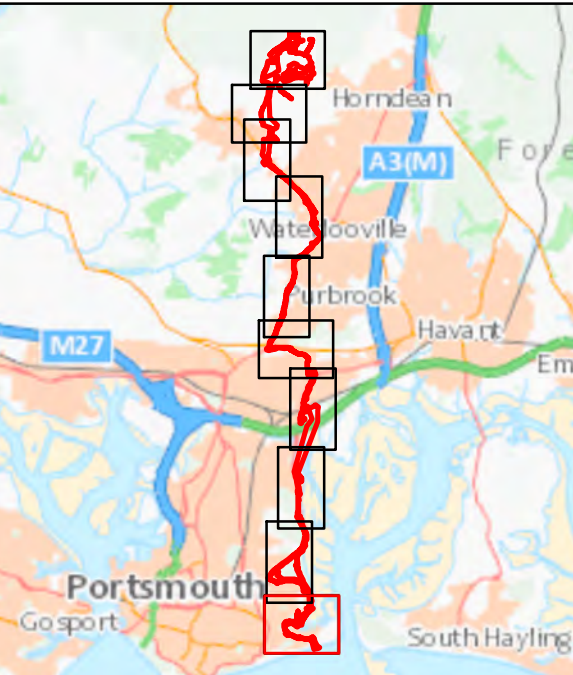
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AQUIND Interconnector Sheet 10

- Order Limits as at Deadline 1 of DCO Examination
- Order Limits as at DCO submission
- Removal From Order Limits



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Appendix 2 – Extract from the Statement of Reasons Description of Classes of Right Sought

Appendix 2

Extract from the Statement of Reasons

Description of Classes of Right Sought

Where listed in the Book of Reference (Document Reference 4.3), the following rights and restrictions are sought over the plots described in the Book of Reference:

New Connection Works Rights (land coloured blue):	
Means all rights and restrictions necessary for the undertaker and / or those authorised by the undertaker:	
(a)	To install, construct, operate, test, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, renew, upgrade, protect and improve the underground electricity cables, jointing bays, ducting, telecommunications apparatus (including but not limited to fibre optic cables) and other ancillary apparatus (including but not limited to access chambers, manholes and link pillar boxes) and any other works as necessary together with the right to fell, cut, trim or lop trees, bushes and roots which may obstruct or interfere with the underground electricity cables, telecommunications apparatus and other ancillary apparatus;
(b)	To remove any structures, buildings, material deposits, items or hazards on the land;
(c)	To pass and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) at all times and for all purposes in connection with the construction, use, maintenance, testing, upgrading, replacing and decommissioning of the Proposed Development;
(d)	Continuous vertical and lateral support for the Proposed Development;
(e)	To install, construct, operate, test, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, renew, upgrade, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues, fibre optic cables and other conducting media whatsoever and to drain into and manage water flows in any drains, watercourses and culverts;
(f)	To install, construct, operate, test execute, implement, retain, repair, improve, renew, remove, relocate and plant trees, woodlands, shrubs, hedgerows, seeding and other ecological measures together with the right to maintain, inspect and replant such trees, shrubs and landscaping and the right to pass and repass on foot, with or without vehicles, equipment, plant and machinery for all purposes in connection with the

	implementation and maintenance of landscaping and ecological mitigation or enhancement works;
(g)	To temporarily place and use on the land on or under which the underground electricity cables, jointing bays, ducting, telecommunications apparatus (including but not limited to fibre optic cables) and other ancillary apparatus is situated (including but not limited to access chambers, manholes and link pillar boxes) or land on which any part of it is situated, materials, equipment, plant or apparatus required in connection with the underground electricity cables, telecommunications apparatus and other ancillary apparatus or any part of it; and
(h)	Restrictions on constructing and erecting buildings, works or structures, excavation, altering ground cover or soil levels, planting or growing trees or shrubs or carrying out operations or actions which may obstruct, interrupt, or interfere with the exercise of the rights or damage the Proposed Development.
New Access Rights (land coloured purple)	
Means all rights and restrictions necessary for the undertaker and / or those authorised by the undertaker:	
(a)	To construct, build, use, maintain, surface and improve a permanent means of access including visibility splays;
(b)	To remove any structures, buildings, material deposits, vegetation, items or hazards on the land;
(c)	To install, execute, implement, retain, repair, improve, renew, remove, relocate and plant trees, woodlands, shrubs, hedgerows, seeding and other ecological measures together with the right to maintain, inspect and replant such trees, shrubs and landscaping and the right to pass and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) at all times and for all purposes in connection with the implementation and maintenance of landscaping and ecological mitigation or enhancement works;
(d)	To pass and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) for all purposes in connection with the construction, use, testing, upgrading, replacing, maintenance and decommissioning of the Proposed Development;
(e)	To pass and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) at all times and for all purposes in connection with

	the implementation and maintenance of landscaping and ecological mitigation or enhancement works;
(f)	Restrictions on constructing and erecting buildings, works or structures, altering ground cover or soil levels, planting trees or shrubs or carrying out operations or actions which may obstruct, interrupt, or interfere with the exercise of the rights; and
(g)	To install, construct, operate, test, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, renew, upgrade, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues and to drain into and manage water flows in any drains, watercourses and culverts.
New Landscaping Rights (land coloured green)	
Means all rights and restrictions necessary for the undertaker and / or those authorised by the undertaker:	
(a)	To install, execute, implement, retain, repair, improve, renew, remove, relocate and plant trees, woodlands, shrubs, hedgerows, seeding and other ecological measures together with the right to maintain, inspect and replant such trees, shrubs and landscaping and the right to pass and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) at all times and for all purposes in connection with the implementation and maintenance of landscaping and ecological mitigation or enhancement works;
(b)	To install, construct, operate, test, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, renew, upgrade, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues and to drain into and manage water flows in any drains, watercourses and culverts; and
(c)	Restrictions on constructing and erecting buildings, works, structures, excavation, altering ground cover or soil levels, or growing or planting trees or shrubs or carrying out operations or actions which may obstruct, interrupt, or interfere with the exercise of the rights.