



National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: aquind@planninginspectorate.gov.uk

Your Ref:

Our Ref: EN020022

Date: 9 November 2020

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended) – Rules 9 and 13**

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

Notification of Hearings

We write to advise you that the following Issue Specific Hearings will be held during the week commencing 14 December 2020.

The ExA is conscious of the continued threat of, and uncertainties around, COVID-19 and the latest Government guidance and restrictions. Equally, the Government has made it clear that the consenting processes for national infrastructure projects should progress. Therefore, we have decided to hold these Hearings by virtual means, through Microsoft Teams¹.

Date	Hearing	Time	Venue
Monday 14 December 2020	Issue Specific Hearing 2 into Traffic, Highways and Air Quality (ISH2)	10:00 Arrangements conference starts 09:30	By virtual means
Tuesday 15 December 2020	Issue Specific Hearing 3 into Environmental Matters (ISH3)	10.00 Arrangements conference starts 09:30	

¹ Further information is available in Advice Note 8.6, available at:
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

Agendas for the Hearings have been published to the project page of the Planning Inspectorate’s National Infrastructure website² and are also annexed to this letter.

The actual agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

Reserved Hearing dates

We intend to cover all necessary matters as set out above. However, notification is also made of reserved dates. These would be used only if ISH2 or ISH3 are disrupted by technical issues and run over. Participants for ISH2 and ISH3 should ensure that they are available for all dates listed above and below.

Date	Hearing	Time	Venue
Wednesday 16 December 2020	Issue Specific Hearing 2 into Traffic, Highways and Air Quality (ISH2) (if required)	10:00 Arrangements conference starts 09:30	By virtual means
Thursday 17 December 2020	Issue Specific Hearing 3 into Environmental Matters (ISH3) (if required)	10.00 Arrangements conference starts 09:30	

Reserved Hearings that are not required may be cancelled in the banner on the Planning Inspectorate’s National Infrastructure Planning website and no other notice is required.

Arrangements Conference

Invitees can join the Arrangements Conference using a joining link or telephone number that you will receive in a separate email shortly before the Hearings. This is solely for your use. Please join the Arrangements Conference at the appointed time shown above and wait until the Case Manager registers you, and then admits you to the Hearing. The Arrangements Conference allows procedures to be explained and enables the Hearing to start promptly.

If you do not wish to speak but would like to observe the Hearings in real time, rather than retrospectively as a recording, it is the Applicant’s intention to arrange a livestream of the Hearings. The link to the livestream will be published on the project page of the Planning Inspectorate’s National Infrastructure website. A full digital recording will be made available on the same web page as soon as possible after the close of the Hearing.

Due to the nature of these events, we can only accommodate participation on the day by those who register in advance with the Case Team, and numbers may need to be limited. We have listed those that we would specifically like to hear from on the agenda for each event. However, if you have not been listed and wish to speak at

² <https://infrastructure.planninginspectorate.gov.uk/projects/South%20East/AQUIND-Interconnector/>



ISH2 or ISH3, please notify the case team in writing by **Deadline 5**, which is Monday 30 November 2020, specifying which agenda items you specifically wish to speak on.

Notification in respect of the above should be sent separately from any other written submission, and appropriately titled to allow the Planning Inspectorate to identify quickly which event the notification relates to.

Procedure at Hearings

The procedure to be followed at Hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010³. Any oral representations must be based on either the Relevant Representation or Written Representation made by the person by whom, or on whose behalf, the oral representations are made.

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties⁴.

Our Examination will be principally undertaken through the exchange of written submissions, and the Examining Authority must decide whether a Hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important we consider an issue or topic to be.

Publicity for events

In accordance with the Infrastructure Planning (Examination Procedure) Rules 2010, the Applicant should send copies of any newspaper notices advertising each event to the Case Team by **Deadline 5**.

Accompanied Site Inspection

We would like to thank those that have taken the time to suggest locations for us to visit during the course of the Examination. Having considered these, we are content that we have either visited or will shortly be visiting all but one of the suggested locations on an unaccompanied basis. It is not our intention to revisit those locations as part of any Accompanied Site Inspection (ASI).

In view of this, we have taken a Procedural Decision to postpone any detailed planning of a possible ASI until early 2021. Therefore, we do not expect the Applicant to provide a draft ASI itinerary by Deadline 4 (17 November 2020) and Interested Parties' comments on the draft itinerary will not be necessary at Deadline 6 (21 December 2020).

The one suggested location that we have not been able to visit is the proposed site for the Converter Station and its access road, though we have been able to obtain some views from nearby highways and rights of way. We are continuing to consider our approach to this. An ASI can only go ahead if Government guidance on COVID-19 at that time permits. If it is possible to hold an ASI, our current thinking is that it is likely to be restricted to the proposed Converter Station site and access road, and it may be

³ Rule 14

⁴ Rule 14(5)

necessary to ensure COVID-safety by introducing appropriate measures such as social distancing, the use of PPE and a strict limit on the number of attendees.

The Applicant should continue to explore gaining access to the site and neighbouring, non-public areas to prepare for the eventuality that an ASI does take place. We also request that the Applicant considers other, digital means of demonstrating these areas virtually online as a back-up should a physical site inspection not be possible.

If you have any further queries, please do not hesitate the case team using the details at the top of this letter.

Yours faithfully

Andrew Mahon

Lead Member of the Panel of Examining Inspectors

Annex A: Agenda for Issue Specific Hearing 2.

Annex B: Agenda for Issue Specific Hearing 3.



The Planning Inspectorate

Planning Act 2008 – section 91

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

Agenda for Issue Specific Hearing 2 dealing with matters relating to Traffic, Highways and Air Quality (ISH2)

In its letter dated 9 November 2020, the Examining Authority notified Interested Parties of its decision to hold an Open Floor Hearing on the following date:

Hearing	Date and time	Location
Issue Specific Hearing 2 Traffic, Highways and Air Quality	14 December 2020 10.00 am Arrangements conference starts at 09.30 am	Online via Microsoft Teams invitation

Participation, conduct and management of the Hearing

This is the second Issue Specific Hearing to be held in this Examination. It is being held because the Examining Authority wishes to question the Applicant and hear from Interested Parties about matters concerning traffic, highways and air quality arising from documentation submitted with the application documents, together with any updates and responses at the preceding submission Deadlines.

Government restrictions relating to Coronavirus (COVID-19) are in force, requiring people to avoid non-exempt gatherings of more than six people and to work from home if possible. The Examining Authority will therefore conduct this Hearing using digital and telephone technology. Invited participants can join using a computer, laptop, tablet, mobile phone or landline telephone. It is the Applicant's intention to livestream the Hearing, and a recording will be made available on the Planning Inspectorate's National Infrastructure website.

The Examining Authority invites and would particularly like to hear from the following Interested Parties during this Hearing:

- The Applicant;
- Hampshire County Council;
- Portsmouth City Council;
- East Hampshire District Council
- Havant Borough Council
- South Downs National Park Authority;
- Winchester City Council;
- Highways England.

The named parties have been invited because they are:

- public bodies or other parties that are named in the draft provisions in the draft DCO;
- public bodies with policy and regulatory responsibilities associated with the subject matter;
- national and local authorities for the affected area; or
- persons or organisations with another related and relevant special interest.

Invitees will receive a joining link or telephone number through which you can join the Arrangements Conference in a separate email, shortly before the Hearing. This is solely for your use. Please join the Arrangements Conference at the appointed time shown above and wait until the Case Manager registers you, and then admits you to the Hearing. The Arrangements Conference allows procedures to be explained and enables the Hearing to start promptly.

Participation in the Hearing is subject to the Examining Authority's power to control the Hearing. Interested Parties may be invited to make oral representations at the Hearing⁵ (subject to the Examining Authority's power to control the Hearing). Oral representations should be informed by the Relevant Representations, Written Representations and Local Impact Reports made by the person by whom (or on whose behalf) the oral representations are made.

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the Examining Authority.

The Examining Authority may ask questions about representations or ask the Applicant or other parties to comment or respond. The Examining Authority will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by a member of the Panel, supported by other Panel members.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The Examining Authority may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration. In particular, it is noted that this agenda has been compiled in advance of written submissions for Deadlines 4 and 5. As such, matters may have progressed in the interim and any other information or updates provided at those Deadlines has not been taken into account. The detail of the agenda may be changed once these documents have been received.

Any lack of discussion of a particular issue at a Hearing does not preclude further examination of that issue, including through the inclusion of questions in the Examining Authority's Further Written Questions (ExQ2) (if issued).

Should the consideration of the issues take less time than anticipated, the Examining Authority may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

⁵ s91 Planning Act 2008

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day or at a subsequent sitting.

Breaks will be taken during the Hearing as directed by the Examining Authority. All parties should note that the agenda given below is to provide a framework for this Hearing and offer discussion points; it does not constrain the Examining Authority to specific topics. The Examining Authority may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

References in square brackets [] are to the unique document identification number in the Examination Library. This document is regularly updated and can be found on the Planning Inspectorate's National Infrastructure website at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-000996-Exam%20Library%20%E2%80%93%20Published%20Version.pdf>

The Hearing will have regard to submissions already set out in the following documents and any subsequent revisions or updates submitted for Deadlines 2, 3, 4 and 5 (amongst others). You may find it useful to have copies available on your screen or printed beforehand:

- Works Plans [APP-010] and [REP1-014];
- Access and Rights of Way Plans [APP-011] and [REP1-016];
- Onshore Outline CEMP [APP-505] and [REP1-087];
- Mitigation Schedule [APP-489] and [REP2-005];
- Environmental Statement Chapter 22 Traffic and Transportation [APP-137];
- Environmental Statement Chapter 23 Air Quality [APP-138 and REP1-033];
- Environmental Statement Addendum 7.8.1 [REP1-139];
- Transport Assessment [APP-448];
- Supplementary Transport Assessment [REP1-142];
- Framework Traffic Management Strategy [APP-449] and [REP1-070];
- Framework Construction Traffic Management Plan [APP-450] and [REP1-071];
- Portsmouth City Council Local Impact Report [REP1-173];
- Illustrative Cable Route, HDD sites and Joint Bays for noise and vibration assessment [APP-336].

During the Hearing, the Examining Authority may additionally refer to other documents and sources, and in particular:

- NPS EN-1, the Overarching National Policy Statement for Energy, DECC, 2011, available via a link on the 'Legislation and advice' page of PINS National Infrastructure website:
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/nationalpolicy-statements/>
- The National Planning Policy Framework, Ministry of Housing, Communities and Local Government, February 2019, Available on the UK Government website at:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

May we draw your attention to Deadline 5 on the Examination Timetable (Monday 30 November 2020). Please ensure that you submit a full transcript of any oral submission that you intend to make at this Hearing by that date. Note that any illustrative or supporting material that you wish to share must be submitted in advance with this transcript, as it will not be possible for you to show it on screen during your contribution to the Hearing.

Please contact the case team if you have any questions:

aquind@planninginspectorate.gov.uk



The Planning Inspectorate

Agenda

Title of meeting	AQUIND Interconnector Issue Specific Hearing on Traffic, Highways and Air Quality
Date	14 December 2020
Time	10.00 am
Venue	Online via Microsoft Teams invitation
Attendees	Invitees

1. Examining Authority's opening remarks

2. Purpose of the Hearing and speakers' introductions

3. Traffic, Highways and Transport

a) Additional survey work, omissions and clarifications

- With reference to the Applicant's response to ExQ1 TT1.16.18 at Deadline 1, please can the Applicant set out the assumptions and limitations made in respect of traffic generated from Fratton Park on football match days, and the predicted effects on the highways? Could Portsmouth City Council and Hampshire County Council confirm their positions in respect of the assumptions made?
- Can the Applicant briefly set out the results of the additional survey work undertaken to inform the Supplementary Transport Assessment, in particular the Technical Note at Appendix E [REP1-142]?
- In light of the additional data, and the newly identified likely significant environment effects (as tabulated in the Applicant's response to Rule 17 request in relation the ES Addendum), are the conclusions made on the significance of effects both pre- and post-mitigation robust?
- Can Portsmouth City Council explain its comment in the Local Impact Report that *'the whole exercise needs to be repeated'*?
- With reference to the Applicant's Responses to the Local Impact Reports ([REP2-013] page 3-24, 5.1.14), do the updated results for Portsdown Hill and Portsbridge Roundabout have any consequential effects on the modelled scenarios?
- The transport assessment [APP-448] and supplementary transport assessment [REP1-142] rely on the sub-regional transport model in order to understand the impact of traffic at a detailed level. Can the Applicant explain why this model is appropriate for such an assessment, what

assumptions have been applied to assess localised and detailed level effects (using the regional model) and what measures are in place to address any degree of uncertainty that may exist in outcome?

- For those residents who cannot access their driveways due to construction, what distance does the Applicant consider acceptable for residents to seek alternative parking arrangements? Would on-street parking arising from displacement affect the effectiveness of diversion routes?
- b) Abnormal Indivisible Loads (AILs)
- What are the intentions regarding routing, timing and management of deliveries via AILs?
 - What provisions will be made such as advance notice to residents and businesses along the AIL delivery route? How will this be managed, and how will services affected by the AIL deliveries be restored, including those affected areas that lie outside the Order limits?
 - Would the movements of AILs, and the consequential road restrictions in terms of access and parking, impact on the road diversions and traffic assumptions modelled on the highway network and, if so, have they featured in the assessment of cumulative effects?
 - In relation to AILs, the specialist report by Collett ([REP1-142] Appendix A, paragraph 1.11) makes reference to full structural reports being made of any affected properties near the AIL route and discussion with the relevant local authorities in advance to ensure the route is structurally suitable. Whose responsibility is this, how or where is it secured and what compensation is available if damage is caused to properties either within or outside the Order limits?
- c) Joint bays and laydown areas
- Given the Applicant's response to Local Impact Reports ([REP2-013], page 3-50, 5.5.2) regarding the position of joint bays, and noting that the construction of a joint bay takes 20 days, what confidence can the highway authorities have that the construction of joint bays will not take place within the highway?
 - Has the Applicant modelled the worst case of all joint bays needing to be constructed in the highway on Portsea Island? If not, why not?
 - Given the extent of the Order limits, how does the Applicant intend to provide laydown areas adjacent to construction works without encroachment onto the public highway?
- d) Day Lane and Broadway Lane
- During operation of the Proposed Development, how many and what sort of large or oversized vehicles will need to access the Converter Station site?

- At Day Lane and Broadway Lane, why can't normal construction vehicles (i.e. non-AILs) utilise the existing highway network without modification, especially since option 1 (shown in Appendix 5 to Appendix F of the Transport Assessment [APP-448]) shows that even AILs may be able to use the existing highway with minor modification? If option 1 (reference above) is not feasible, why not?
- Is there a compelling reason why option 1 cannot be pursued and that option 2 (with permanent acquisition of land) has to be followed?
- With respect to management of construction traffic on Day Lane, can the Applicant set out the predicted effectiveness of using banksmen to co-ordinate HGV movements? Apart from the purpose-built access on the corner with Broadway Lane, how does the Applicant intend to prevent HGVs meeting other non-construction traffic and potentially waiting within the public highway?
- Does the Applicant consider additional passing bays or waiting areas to be required on Day Lane and Lovedean Lane? If not, why not?

e) Construction programming

- With reference to the Framework Traffic Management Strategy, could the Applicant explain or provide insight as to whether any greater certainty can be applied to the 'weeks per circuit' construction programme? Why are there differences (1 day to 2 weeks per circuit for example) and what factors would influence prolonging the construction?
- What 'engineering challenges' does the Applicant envisage during onshore construction that would warrant the contractor deviating from the Applicant's own identified preferred working hours and routes? Is this purely down to the skill or ability of the contractor?

f) First Group and bus services

- In the Applicant's comments on D1 submissions from non-IPs ([REP3-015], 2.4.10) (and elsewhere) it is noted that there are ongoing discussions with the bus companies and that appropriate mitigation can be secured. Can the Applicant provide the minutes of the meetings with First Group into the Examination and confirm the status of discussions with both bus companies? What is the nature of the additional mitigation measures arising from the meetings with the bus companies to limit the impact on their services? Where and how would such measures be secured?

4. Air Quality and Emissions

g) Clean Air Zone

- How does Portsmouth City Council envisage the instigation of a Clean Air Zone would be affected by or have an effect on the Proposed Development?

- Would the implementation of the Clean Air Zone have a beneficial influence over the construction worker travel arrangements?

h) Air Quality Management Areas and the Air Quality Local Plan

- Can the Applicant clarify the conclusions made in respect of all the Air Quality Management Areas within and outside the Order limits?
- Whilst it is now recorded that AQMA No.9 would experience slight adverse effects following the recorded additional traffic data (as opposed to slight beneficial), are there implications for other parts of the route?
- With reference to the answer to question ExQ1 AQ1.2.4 and the Works Plans, can Portsmouth City Council clarify whether there are particular areas of concern relating to potential exceedances of NO₂ within the Order limits and whether such areas are covered either by Air Quality Management Areas or within the Air Quality Local Plan?

i) Construction Programming

- In terms of no more than six gangs working on the cable corridor at any one time, is there a prescription as to how far the gangs have to be away from each other? How is the management and separation of gang working secured?
- Has a scenario been tested whereby gangs, with associated laydown and works areas, combined with traffic management measures, would have a cumulative effect on air quality?
- Could gangs work in one area in succession for a continued effect?



The Planning Inspectorate

Planning Act 2008 – section 91

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

Agenda for Issue Specific Hearing 3 dealing with Environmental Matters (ISH3)

In its letter dated 9 November 2020, the Examining Authority notified Interested Parties of its decision to hold an Issue Specific Hearing on the following date:

Hearing	Date and time	Location
Issue Specific Hearing 3 Environmental Matters	15 December 2020 10.00 am Arrangements conference starts at 09.30 am	Online via Microsoft Teams invitation

Participation, conduct and management of the Hearing

This is the third Issue Specific Hearing to be held in this Examination. It is being held because the Examining Authority wishes to question the Applicant and hear from Interested Parties about various environmental matters arising from documentation submitted with the application documents, together with any updates and responses at the preceding submission Deadlines.

Government restrictions relating to Coronavirus (COVID-19) are in force, requiring people to avoid non-exempt gatherings of more than six people and to work from home if possible. The Examining Authority will therefore conduct this Hearing using digital and telephone technology. Invited participants can join using a computer, laptop, tablet, mobile phone or landline telephone. It is the Applicant's intention to livestream the Hearing, and a recording will be made available on the Planning Inspectorate's National Infrastructure website.

The Examining Authority invites and would particularly like to hear from the following Interested Parties during this Hearing:

- The Applicant;
- Hampshire County Council;
- East Hampshire District Council;
- Eastleigh Borough Council;
- Havant Borough Council;
- Portsmouth City Council;
- South Downs National Park Authority;
- Winchester City Council;
- Marine Management Organisation (MMO);

- Natural England;
- CPRE Hampshire.

The named parties have been invited because they are:

- public bodies or other parties that are named in the draft provisions in the draft DCO;
- public bodies with policy and regulatory responsibilities associated with the subject matter;
- national and local authorities for the affected area; or
- persons or organisations with another related and relevant special interest.

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Participation in the Hearing is subject to the Examining Authority's power to control the Hearing. Interested Parties may be invited to make oral representations at the Hearing⁶ (subject to the Examining Authority's power to control the Hearing). Oral representations should be informed by the Relevant Representations, Written Representations and Local Impact Reports made by the person by whom (or on whose behalf) the oral representations are made.

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the Examining Authority.

The Examining Authority may ask questions about representations or ask the Applicant or other parties to comment or respond. The Examining Authority will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by a member of the Panel, supported by other Panel members.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The Examining Authority may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration. In particular, it is noted that this agenda has been compiled in advance of written submissions for Deadlines 3, 4 and 5. As such, matters may have progressed in the interim and any other information or updates provided at those Deadlines has not been taken into account. The detail of the agenda may be changed once these documents have been received.

Any lack of discussion of a particular issue at a Hearing does not preclude further examination of that issue, including through the inclusion of questions in the Examining Authority's Further Written Questions (ExQ2) (if issued).

⁶ s91 Planning Act 2008

Should the consideration of the issues take less time than anticipated, the Examining Authority may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day or at a subsequent sitting.

Breaks will be taken during the Hearing as directed by the Examining Authority. All parties should note that the agenda given below is to provide a framework for this Hearing and offer discussion points; it does not constrain the Examining Authority to specific topics. The Examining Authority may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

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The Hearing will have regard to submissions already set out in the following documents and any subsequent revisions or updates submitted for Deadlines 2, 3, 4 and 5 (amongst others). You may find it useful to have copies available on your screen or printed beforehand:

- Works Plans [APP-010] and [REP1-014];
- Draft DCO [REP1-021];
- Portsmouth City Council Local Impact Report [REP1-173];
- Winchester City Council Local Impact Report [REP1-183].

May we draw your attention to Deadline 5 on the Examination Timetable (Monday 30 November 2020). Please ensure that you submit a full transcript of any oral submission that you intend to make at this Hearing by that date. Note that any illustrative or supporting material that you wish to share must be submitted in advance with this transcript, as it will not be possible for you to show it on screen during your contribution to the Hearing.

Please contact the case team if you have any questions:
aquind@planninginspectorate.gov.uk



The Planning Inspectorate

Agenda

Title of meeting	AQUIND Interconnector Issue Specific Hearing on Environmental Matters
Date	15 December 2020
Time	10.00 am
Venue	Online via Microsoft Teams invitation
Attendees	Invitees

5. Examining Authority's opening remarks

6. Purpose of the Hearing and speakers' introductions

7. Habitats Regulation Assessment

a) Visual disturbance

- Answers to ExQ1 ME1.10.33 suggest a difference of opinion between the Applicant and Natural England in relation to the inclusion of visual disturbance immediately adjacent to the Chichester and Langstone Harbours SPA/ Ramsar site boundary and its supporting habitat on qualifying SPA flock features as a Likely Significant Effect in the Habitats Regulations Assessment. Notwithstanding the proposed mitigation of works being avoided in such areas during the over-wintering period, should the HRA report be updated?
- With references to the Works Plans, are there any construction areas that Natural England is particularly concerned about in respect of this possible Likely Significant Effect?

b) Can the Applicant and Natural England provide an update on the HRA and the extent of progress towards common ground. The Statement of Common Ground submitted at Deadline 1 suggests all matters have been resolved, but the document is still labelled 'draft'.

c) In ExQ1 HAB1.1.18, the Examining Authority asked Natural England to provide electronic copies of the conservation objectives and, where relevant, the supplementary advice on conservation objectives for a list of European sites. We were referred in the answer to links to external websites. This raises a concern that the information is not in the Examination, that links could break, or the objectives might change during or after the Examination. Is it possible for the Applicant and Natural England to agree the information and for the Applicant to submit it into Examination, perhaps as an Annex to the HRA report, the Statement of Common Ground or in any other suitable submission?

8. Landscape, visual impacts and tranquillity

d) Lighting

- For clarity, can the Applicant confirm the number, height and construction of lighting columns and lightning masts at the Converter Station site, including any on the roofs of the buildings?
- We note the Applicant's comment at Deadline 2 that, '*The Applicant can confirm that there will be no flashing lights on the lightning masts.*' Could the Applicant please confirm whether this refers to aviation safety lighting, and if any part of the Proposed Development, including the cranes and other plant to be used during the construction at the Converter Station, will require aviation safety lights?
- What lighting will be used at the proposed telecommunications building and compound near to the Converter Station and will it be limited to emergency use only? If this building is intended to be accessed by third party commercial companies using the surplus fibre-optic cable capacity, what control will the Applicant have over its use and lighting?
- What are the various parties' conclusions with regards to the Proposed Development's likely effects on the International Dark Skies Reserve, and can common ground be confirmed between the Applicant and the relevant local authorities?

e) Landscape and Visual Impact Assessment

- Please could the Applicant summarise why the South Downs National Park is said to be of medium sensitivity for the landscape and visual assessment, and in particular how this relates to the usual EIA tenet that 'importance' is an inherent quality of the receptor irrespective of the potential effect that they are exposed to. Please explain how the approach taken accords with the guidance set out in GLVIA⁷, or, if it has been modified, how and why. Given the 'nationally important' status of the National Park and the purposes behind its designation, does the medium sensitivity rating undervalue its overall importance?
- Can South Downs National Park Authority confirm the relevance and importance of the additional viewpoints requested in answer to ExQ1 LV1.9.1? What additional benefits would there be in understanding the Proposed Development from those representative viewpoints? Is there an update on common ground with the Applicant on this matter?
- Can the Applicant explain why the cranes (including two 84-metre high telescopic cranes) to be used in the construction of the proposed Converter Station were not included in the LVIA? What effect will these have on landscape and views, and over what extent and period? Is an additional assessment necessary? Why does the Applicant consider that

⁷ Guidelines for Landscape and Visual Assessment, 3rd edition, Landscape Institute and IEMA, 2013.

the significance of construction stage effects at would not change as a result of their presence, and do the South Downs National Park Authority and other relevant local planning authorities agree?

- In the answer to OW1.12.16 in ExQ1, the Applicant notes that an indicative location and surface finish for the proposed car park in Work No. 3 has now been identified and that the capacity has been increased from 150 to 226. How was this feature assessed in the LVIA? Does this new information alter the assessment in any way?

f) Landscape Mitigation Proposals

- Could the South Downs National Park Authority provide an update on its suggestion in its Local Impact Report that some land required for landscape mitigation appears to be out of the Applicant's control? Has common ground been reached with the Applicant over this matter?
- Following the Applicant's submission of further information and detail at Deadline 1, does the South Downs National Park Authority have any remaining concerns or objections in relation to the updated landscape mitigation proposals for the Converter Station? Has common ground been reached with the Applicant over this matter?

g) Tranquillity

- Can the Applicant demonstrate how the predicted effects on tranquillity have been taken into account in the EIA for users of the South Downs National Park, including the potential effects of construction traffic, movements of HGVs, movement of AILs, car parking provision, access and haul roads?
- Please provide an update on any common ground between the Applicant and the South Downs National Park Authority on the predicted effects of the construction and operation of the Proposed Development in relation to tranquillity and any mitigation that has been proposed.

h) Design

- In terms of the design of the Converter Station building and the corresponding elements of the LVIA, is there any update on the design meetings held between the Applicant and the relevant local planning authorities and progress towards agreeing the design principles? What matters, if any, remain unresolved between the parties in terms of the design and colour palette proposed for the Converter Station buildings?
- Please could the Applicant briefly summarise how these design principles would be secured to ensure that the final building design would be in accordance with them, such that the views of each of the local planning authorities that participated in the process are taken into account?

9. Marine matters

i) The Deemed Marine Licence

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- Can the Marine Management Organisation (MMO) and Natural England confirm if the methods of non-burial protection for the cable are acceptable and adequately secured in the DCO and Deemed Marine Licence? Following the Applicant's response at Deadline 2, do you still consider that further detail needs to be added to the design parameters to confirm maximum amount of cable protection required?
- MMO previously noted that it was unclear and had concerns about the purpose of proposed Deemed Marine Licence Part 1, 4(5) that permits '*any other works as any be necessary or expedient.*' Is there any progress to report on achieving common ground on this matter? If not, what is the basis of outstanding differences?
- Are all the necessary Deemed Marine Licence conditions in place to satisfy the MMO that all of the mitigation required for the Proposed Development can be secured?
- Further to the Deadline 2 submissions from the parties, have the Applicant and MMO progressed discussions over the outstanding differences between them in relation to the assessment of the AQUIND Interconnector/ Atlantic Crossing interaction and protection? If not, what are the implications if agreement cannot be reached?

j) Marine habitats and assessments

- In ME1.10.3 and ME1.10.23 of ExQ1, we asked the Applicant to supply figures to show the location of the WFD sensitive sites and habitat locations (Table 8.4 of the ES [APP-123]) and suspended sediment levels (Table 8.6 of the ES [APP-123]) and sensitive habitats respectively. In response, the Applicant directed us to defra's MAGIC maps website. Are MAGIC maps a suitable option for this purpose, given that maps have to be constructed by users inputting data and that non-technical Interested Parties may not be familiar with their workings. At present, we do not consider the relevant information to be in the Examination. Please could the Applicant review its previous response and consider whether illustrative representations of the necessary data on a base map could be produced?
- Whilst it is stated that a precautionary approach was taken to determine the study areas for the baseline, could the Applicant provide reassurance that Figure 8.1 does not need updating to reflect the regional boundaries used in the ES? Are the MMO and Natural England content with the extent of the study area?
- With reference to the Applicant's answer to question ME1.10.6, could Natural England and the Marine Management Organisation confirm they are satisfied that the most appropriate and up-to-date environmental information has been used to inform and influence the definition of the Zone of Influence relating to benthic receptors?

10. Noise

k) Robustness of the assessment

- With reference to ExQ1 N1.11.3, could the Applicant clarify the meaning of its response: *'Within the onshore cable corridor, the relative distance between the illustrative cable route and the noise sensitive receptors influences the magnitude of noise level experienced by any receptor. The magnitude of impact and overall noise effect assigned to this magnitude of level is influenced by the duration, timing and frequency of exposure to that noise level, which is not altered by the alignment of the cable route.'* The first part suggests that the distance between the cable installation and a receptor does influence the impact perceived at the receptor, as might intuitively be expected as noise diminishes with distance from source. The second part could be taken to contradict this. Notwithstanding the ultimate judgement of whether such an impact is significant or not, could ExQ1 N1.11.3 be reconsidered in respect of the different effects that might be perceived at sensitive receptors near those stretches of the route where it would be possible for installation to come substantially closer than the illustrative route?
- How robust is the assessment of magnitude of change in the noise environment and the determination of significance in the light of this? How does it relate to the adopted EIA approach of assessing the worst case?
- Subsequent to all relevant parties' answers to ExQ N1.11.2, does the information provided in the noise assessment chapter of the Environmental Statement [APP-139] fully reflect the requirements of the stated methodology and standard BS 5288? Should it include information about daytime noise levels generated during construction? If so, does it include adequate information about this matter? Should it include details of noise levels for daytime work and relate these to a work programme for the number of days that noise-generating work will be carried out?
- Would the dDCO allow the breaking and cutting of road surface or resurfacing of roads during night-time? If so, is further noise assessment necessary to determine the worst-case impact on noise sensitive receptors?

l) Robustness of the methodology

- With reference to the Applicant's response at Deadline 2 to question ExQ1 N1.11.7, several relevant local authorities indicate that they remain unclear how magnitude of noise change has been assessed. Notwithstanding the Applicant's response that *'little reliance has been placed on the generic definitions in Table 24.13 of the ES'*, would the clarity of the noise assessment, especially for non-technical readers, be improved by a clearer explanation of how the magnitude of change, sensitivity of receptors and predicted significance of effect was dealt with in the noise assessment?
- For the Applicant's Deadline 2 response, please clarify with specific references what is meant by *'The magnitude categories adopted for each assessment element are underpinned by the appropriate British Standard*

or guidance document'. Do parties believe that the ExA and Secretary of State can have confidence that the method and conclusions of the noise assessment are reliable and robust?

- Would the alternative approach based on the Noise Policy Statement for England suggested at Deadline 1 by Portsmouth City Council in response to ExQ1 N1.11.7 be more appropriate?
- Following the Applicant's submission at Deadline 2 [REP2-014], does CPRE Hampshire have any remaining concerns from its Written Representation [REP1-253] regarding noise generated from both construction and operation of the Converter Station, the requirements of NPS EN-1, the use of BS 4142 as the assessment standard, the incorporation of 'uncertainties' in the assessment, and the interpretation of the technical note on BS 4142:2014+A1:2019 (prepared by members of the Association of Noise Consultants Good Practice Working Group)? Is there now common ground between the parties?

m) Continuous or periodic exposure to noise

- In relation to ExQ1 N1.11.5, the Applicant has provided further explanation at paragraph 17.3.2.3 of the ES Addendum [REP1-139] to explain how successive periods of noise have been treated in the noise assessment. Havant Borough Council and East Hampshire District Council had earlier expressed concern about the methodology. Does this update satisfy these concerns and is there now common ground between the parties on this matter?

n) Optical Regeneration Stations

- Does Portsmouth City Council have any further observations or concerns regarding the noise assessment presented in the Environmental Statement in respect of the construction and operation of the Optical Regeneration Station buildings at the Fort Cumberland car park? Has enough information been provided to satisfy the Council that any noise emanating from the buildings can be mitigated effectively?

o) DCO provisions

- In relation to Winchester City Council's Local Impact Report [REP1-183], can the Applicant clarify the use and meaning of the phrase '*cannot reasonably be avoided*' as incorporated into Article 9 of the dDCO, and how this could relate to any noise nuisance and any subsequent levels secured in the Requirements (for example, Requirement 20)? Could Winchester City Council please explain its concerns in relation to this, and the 'Best Practice documents' it refers to?
- What '*unreasonable impediment to the delivery of the Proposed Development*' could the Applicant foresee emerging if Winchester City Council's proposal to delete Article 9 was accepted by the Secretary of State?

- Could the Applicant explain how its proposed Article 9 varies from the model provision and explain why the variation is considered necessary.

11. Socio-economic assessment

- p) Could the Applicant clarify the answer to ExQ1 OW1.12.12 in relation to any existing subsurface land drainage systems that may exist in the Farlington Playing Fields? Does the submission in response that '*All existing drainage systems should be identified and plotted, incorporate into new drainage designs – if new drainage required*' allow for any damage and restoration of such systems? If so, what would the projected timescale be for effective restoration? What certainty can be expected that any damage will be made good when this statement is prefaced with '*should be*'? Please could Portsmouth City Council describe 'its own purpose-built drainage system' mentioned in its Local Impact Report?

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