

**From:** [Oliver, Lewis](#)  
**To:** [Aquind Interconnector](#)  
**Subject:** Application by AQUIND Limited for an Order Granting Development Consent - deadline 4 submission  
**Date:** 16 November 2020 18:02:12  
**Attachments:** [image001.png](#)  
[Table HBC Deadline 4 responses.pdf](#)

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Dear Sirs,

**Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6**

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

In accordance with the published Rule 6 letter, please find attached the following from Havant Borough Council to comply with deadline 4. The responses attached relate to the applicants submission Document ref: 7.9.6 - Applicant's Response to Deadline 2 Submissions.

I would be grateful if you could please confirm receipt of the attached documentation.

Regards

Lewis

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**Advance notice of leave:** 18<sup>th</sup> – 23<sup>rd</sup> November 2020



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Table 2.2 – Havant Borough Council

Para No.	Applicants response	HBC Comment
<b>Alternative Route Opportunities</b>		
4	<p>The consideration of a cable route in this location was first considered in 2017, however it was discounted at this stage because of the potential for environmental impacts on designated sites and the because the Applicant did not want to sterilise the land in this location, noting that it is an area allocated for housing development. Following the suggestion of the alternative countryside routes by HBC and WCC in responses provided at the AQUIND public consultation on 16th and 29th April 2019, respectively, the potential for a route in those location was further considered to confirm the previous conclusions made.</p> <p>A summary of how the HBC and WCC countryside routes have been considered by the Applicant is provided at section 2.6.4 of ES Chapter 2 (Consideration of Alternatives) (APP-117), submitted as part of the 2019 Application. Further to continued requests for additional information regarding how the Applicant considered these routes, a more detailed explanation of the countryside routes and the reasons why they were not pursued was provided in section 8 of the Supplementary Alternatives Chapter (REP1-152)</p>	<p>HBC notes these comments, however the evidence that the cable route was first considered and selected in 2017 is interesting, we have not seen any evidence that this was considered at this point in terms of a clear audit trail of these considerations. HBC are not prejudging that a countryside would be acceptable, however we do expect that these alternative options to see evidence that this route was considered at the time, rather than retrospectively ruling this potential option out, after the highway route had already been selected. This remains a concern to HBC.</p>
<b>Ecology</b>		
5	<p>Ecological features were identified and assessed to proportionately determine potential effects on them in connection with the options in this location, both the specific routes identified and more generally.</p> <p>The constraints and the likely level of mitigation that may have been required was considered having regard to the mitigation hierarchy approach, as is explained in the Supplementary Alternatives Chapter (REP1-152). Where there are sensitive habitats or potential for impacts on protected species, avoidance is the preferred approach in terms of design.</p> <p>The HBC route, for example, would likely have direct impacts on local SINCs and, as a consequence of fragmentation, may affect the protected species that are noted to be located within those habitats.</p>	<p>HBC notes these points, however with any robust site selection it is noted that discussion with Natural England on a potential alternative route and/or the County Ecology Team appear not to have been undertaken, which would have informed an appropriate routing, and thus avoiding the sensitive designated sites. Winchester City Council are the Local Planning Authority for this area and would have provided such information to the applicant, in addition to potential mitigation and enhancement measures.</p>

	<p>The Applicant confirms it is content with the approach taken to considering the Countryside Route in a proportionate manner, and with the reasons for the route it has selected when balancing the potential for impacts on the natural environment and the sterilisation of land for a significant period as opposed to the temporary impacts associated with installing utilities infrastructure in the highway.</p>	
<b>Sterilisation of land</b>		
6	<p>It is not possible to mitigate the sterilisation of land where the cable circuits are laid along the suggested Countryside Route. Taking into account that the Project has the operational life of 40 years from the start of operations, the suggestion of placing not insignificant constraints on the land with future development being laid out around this without issue is fanciful and shows a want of understanding of technical and commercial realities. It would be an unnecessary constraint to any future development coming forward in this location, which would potentially deter development and at best would be complicated to address. As can be seen from the long history of the West of Waterlooville MDA, the delivery of development is not an uncomplicated matter, and by including additional constraints such as this feasibility and viability of future development would undoubtedly be affected. It is, of course, best avoided.</p> <p>The Applicant also confirms that the sterilisation of land for future development is not the only reason for discounting any cable route. The Applicant has considered and balanced the relevant considerations in relation to the alternatives studied (as set out in the Supplementary Alternatives Chapter (REP1-152)) and has reached reasonable and logical conclusions.</p>	<p>HBC are one of two Local Planning Authorities which contains the West of Waterlooville MDA and fully understand the issues associated with this development. Elements of the scheme could have potentially been routed through the MDA, if it were timed appropriately with the ongoing infrastructure provision of this development. Again, HBC acknowledge that a route might not be possible for such a route to undertaken, however the evidence provided appears to retrospectively rule this matter out.</p>
7	<p>The constraints maps contained in Appendix 4 (Ecological Constraints Map of the Countryside Routes) of the Supplementary Alternatives Chapter (REP1-152) show similar environmental constraints, such as SINCs, woodland and grazing marshes, to the west of the Countryside routes that would also need to be considered in terms of balancing the various impacts against one another. The temporary adverse impacts of laying the cables in the highway are, in the Applicant's view, outweighed by the temporary and permanent impacts of laying the cables in the location of the Countryside Routes. Whilst mitigation could be deployed, the residual impacts of such a route mean it is not preferred, and for this reason it was</p>	<p>HBC are not suggested that any routing should jeopardise housing delivery, HBC are outlining that consideration should be given to the delivery of housing, however that are many routes to get towards the convertor station. We are having outlining that site selection can consider innovative ways to overcome the designations that have been highlighted.</p>

	not selected. The Applicant is unclear why the authority, which has strategic priorities for boosting housing supply, is content to suggest that works should be undertaken that jeopardise future housing delivery.	
<b>Minerals and waste</b>		
8	<p>The presence of the Onshore Cable Route above those deposits would limit the ability for those mineral deposits to be accessed in that location in the future, with or without mitigation.</p> <p>The Applicant acknowledges that it may be possible for measures to be put in place to mitigate this issue as far as practicable (albeit this has not been substantiated), but that in any event this would not avoid the issue. The Applicant can confirm that, as set out above, this is not the only reason for discounting the Countryside route.</p>	HBC notes these comments; however, no reference has been made with regard to consultation with the Minerals and Waster Authority about this matter, which would enable the applicant to reach a full and reasoned conclusion
9	<p>It is not clear what the 'suitable controls' suggested are, or how they would align with the technical feasibility of extracting minerals in proximity to electricity apparatus.</p> <p>In any event, the Applicant can confirm that, as set out above, this is not the only reason for discounting the Countryside route and that the various identified impacts have been balanced in relation to the alternatives studied. It is one of the factors that was taken into account, in a proportionate manner, when the alternatives were studied.</p>	HBC would advise that the Mineral and Waste Authority would be able to advise what the suitable controls would be to look at these alternatives.
<b>Environmental impact of proposed development – 8.1.12</b>		
11-14 Highway Matters		HBC note that these matters will be responded to by the Local Highway Authority to address these matters
15	The sterilisation of land, where not necessary, is contrary to the philosophy of the approach for the Proposed Development. Noting the existing development allocations for the land on which the Countryside Route is located, and the potential for this land to accommodate additional future development, principally housing, seeking to route the cable circuits along the Countryside Route would have presented a significant consenting risk, in addition to an avoidable unnecessary future constraint.	HBC still has concerns as to whether the alternatives routing have been adequately considered, whilst noting the additional information that has been submitted, we do have concerns as whether this was considered in the site selection at the time the highway route was selected in 2017.

	<p>It is acknowledged that mitigation measures could likely be adopted in order to reduce the environmental impacts, as is almost always the case, however it is not considered the impacts on ecology could be wholly avoided.</p> <p>The Applicant confirms it is content with the approach taken to considering this route in a proportionate manner, and with the reasons for the route it has selected when balancing the potential for impacts on the natural environment and the sterilisation of land for a significant period against the temporary impacts associated with installing utilities infrastructure in the highway.</p>	
HBC 4.12.2	Operative Provisions	

#### 4.12. DRAFT DEVELOPMENT CONSENT ORDER

Ref.	Description of matter	HBC Current position
HBC 4.12.2	Operative Provisions	<p>Article 9 - in respect to statutory nuisance HBC require a fully justified explanation as to why they need to effectively exempt themselves from the statutory nuisance process when their Statutory nuisance assessment assures us there will be not such issue.</p> <p>As a minimum we are justified in asking for a site-specific explanation - we need this for operational reasons as if during operation it does cause an issue the Council would have to explain to local residents why measures cannot be undertaken to address the issue. HBC Environmental Health Officers have held discussions with the applicant on the matter and requested a fuller and reasoned justification to ensure, we have discharged our duty to local residents. This point remains under discussion with the applicant.</p>