



AQUIND Limited

AQUIND INTERCONNECTOR

Statement of Common Ground Between
AQUIND Limited and East Hampshire District
Council

Agreed Draft

The Planning Act 2008

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AQUIND Limited

AQUIND INTERCONNECTOR

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1. INTRODUCTION AND PURPOSE

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

1.1.1.1. A Statement of Common Ground ('SoCG') is a written statement produced as part of the application process for an application for a Development Consent Order ('DCO') and is prepared jointly by the applicant and another party. A SoCG sets out the matters of agreement between both parties, matters where there is not agreement and matters which are under discussion.

1.1.1.2. In this regard paragraph 58 of the Department for Communities and Local Government's guidance entitled "Planning Act 2008: examination of applications for development consent" (26 March 2015) hereafter referred to as DCLG Guidance) describes a SoCG as follows:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.1.1.1. The aim of a SoCG is to assist the Examining Authority to manage the Examination of an application for a DCO by providing an understanding of the status of matters at hand and allowing the Examining Authority to focus their questioning. The effective use of SoCG is expected to lead to a more efficient Examination process.

1.1.1.2. A SoCG may be submitted prior to the start or during an Examination and updated as necessary or as requested during an Examination.

1.2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

1.2.1.1. AQUIND Limited ('the Applicant') submitted an application for the AQUIND Interconnector Order (the 'Order') pursuant to Section 37 of the Planning Act 2008 (as amended) (the 'PA2008') to the Secretary of State ('SoS') on 14 November 2019 (the 'Application').

1.2.1.2. The Application seeks development consent for those elements of the AQUIND Interconnector (the 'Project') located in the UK and the UK Marine Area (the 'Proposed Development').

1.2.1.3. The Project is a new 2,000 MW subsea and underground High Voltage Direct Current ('HVDC') bi-directional electric power transmission link between the South Coast of England and Normandy in France. By linking the British and French electric power grids it will make energy markets more efficient, improve security of supply and enable greater flexibility as power grids evolve to adapt to different sources of renewable energy and changes in demand trends such as the development of electric vehicles. The Project will have the capacity to transmit up to 16,000,000 MWh of electricity per annum, which equates to approximately 5 % and 3 % of the total consumption of the UK and France respectively.

1.2.1.4. The Proposed Development includes:

- HVDC Marine Cables from the boundary of the UK Exclusive Economic Zone to the UK at Eastney in Portsmouth;
- Jointing of the HVDC Marine Cables and HVDC Onshore Cables;
- HVDC Onshore Cables;
- A Converter Station and associated electrical and telecommunications infrastructure;
- High Voltage Alternating Current ('HVAC') Onshore Cables and associated infrastructure connecting the Converter Station to the Great Britain electrical transmission network, the National Grid, at Lovedean Substation; and
- Smaller diameter Fibre Optic Cables ('FOC') to be installed together with the HVDC and HVAC Cables and associated infrastructure.

1.3. THIS STATEMENT OF COMMON GROUND AND THE ROLE OF EHDC

1.3.1.1. This draft SoCG has been prepared jointly by the Applicant and East Hampshire District Council ('EHDC') to reflect the positions of the Parties at Deadline 5. This is an update of the drafts issued at deadlines 1 (REP1-120) and 4 (REP4-012). A summary of the changes made to this updated draft SoCG is contained in the Schedule of Changes submitted at Deadline 5. It has been prepared in accordance with the DCLG Guidance and precedent examples of SoCG available on the Planning Inspectorate's ('PINS') website.

1.3.1.2. EHDC is interested in the Proposed Development as a Local Planning Authority ('LPA') in respect of the parts of the Proposed Development located within their administrative boundary.

1.3.1.3. EHDC would be responsible for discharging some of the requirements of the Order associated with development in their administrative area should development consent be granted for the Proposed Development. EHDC would also be responsible for monitoring and enforcing some of the DCO provisions and requirements.

- 1.3.1.4. For the purpose of this SoCG the Applicant and EHDC will be jointly referred to as the 'Parties'.
- 1.3.1.5. Where matters are recorded as 'ongoing' the Parties will continue to progress discussions and provide a further updated draft of this SoCG in due course.

2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

2.1.1.1. The table below sets out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Development.

Table 2-1 – Schedule of Pre-application Meetings and Correspondence

Date	Form of Contact	Summary
03/03/2017	Meeting with EHDC and Winchester City Council ('WCC')	Introduction to Proposed Development and initial feedback.
02/08/2017	Meeting with WCC and EHDC	Project update and further information on optioneering process.
26/09/2017	South Downs National Park Authority ('SDNPA'), WCC, EHDC and Havant Borough Council ('HBC').	Landscape and visual discussion on approach to assessment and viewpoints.
03/01/2018	Briefing to EHDC Elected Members and Senior Planning Officers	Initial briefing on Converter Station (including location, audio, visual and construction impact, and the rationale behind selection of Lovedean).
13/02/2018	Meeting with EHDC, WCC, Portsmouth City Council ('PCC'), HBC, SDNPA	Project update; discussion of planning strategy and parameter based approach; Converter Station design, Cable Route and site selection
14/03/2018	Meeting with EHDC, WCC, PCC, Hampshire County Council ('HCC'), SDNPA	Meeting on Site selection and optioneering undertaken for the Proposed Development (Lovedean, Eastney and Onshore Cable Route) to respond to questions raised for more information on the process undertaken. feedback from HCC on utilising land proposed for the West of Waterlooville Major Development Area ('MDA') to minimise disruption to London Road; feedback from EHDC on optioneering undertaken to Site Converter Station adjacent to Lovedean Substation.

Date	Form of Contact	Summary
18/07/2018	Meeting (Acoustics)	Met with WCC and EHDC Environmental Health Officers ('EHOs') to discuss and agree methodologies for modelling and assessment of the Converter Station.
13/08/2018	Meeting with EHDC, WCC, PCC, HBC, SDNPA, HCC'	Briefing on Section 35 Direction and DCO process; update on proposed pre-application engagement and anticipated statutory consultation timescales.
15/10/2018	Meeting with EHDC, WCC and SDNPA	Initial briefing on progressed proposals for Converter Station Area.
27/11/2018	Project meeting with all host LPAs	Discussed EIA scoping report submitted to PINS; DCO process and pre-application period; Statement of Community Consultation ('SoCC') discussion; proposed timescales; updated Site boundary as presented in EIA Scoping Report; update on alternative Cable Route options being considered which are proposed for consultation at the Statutory Consultation, request for feedback; update on Converter Station optioneering and feedback sought on preference between Option A and B; update on land referencing and other engagement activity in the area.
04/12/2018	Meeting with WCC and EHDC	Converter Station optioneering update for Options A and B. WCC feedback that design should reflect site context.
11/12/2018	WCC, EHDC, HBC, PCC, HCC, SDNP	Project meeting with planning officers. Discussed SoCC update; update on emerging results of ground investigation work; update from Converter Station meeting; and discussion of Cable Route options being progressed.
08/01/2019	Meeting with WCC and EHDC	Update confirmation of preferred Converter Station location (Option B).
10/01/2019	Meeting (Planning and Highways, including WCC, EHDC, SDNPA, HCC	Preferred Converter Station location; Preliminary Environmental Information Report ('PEIR') for forthcoming statutory consultation; update on Onshore Cable Route options; land referencing (including Land Interest Questionnaires ('LIQ')); future engagement; SoCC.

Date	Form of Contact	Summary
22/01/2019	Meeting with WCC, EHC, HBC, PCC, HCC, SDNPA	Project meeting with planning officers. Discussed forthcoming statutory consultation and process; PEIR; consultation document; cable route options to be presented and rationale behind them, especially in Denmead. HBC highlighted West of Waterlooville MDA as an opportunity to limit impact of cable route. This was noted and it was confirmed a meeting with the landowner had been scheduled.
31/01/2019	Meeting with WCC, EHDC and SDNPA	Operational needs, requirements and constraints of a converter station; Approach to statutory consultation.
05/02/2019	Meeting with WCC, EHC, HBC, PCC, HCC, SDNP	Project meeting call with planning officers. Deposit locations for Consultation Documents. Level of detail on Converter Station design in PEIR from WCC.
17/06/2019	Meeting (Acoustics)	Met with WCC and EHDC EHOs to provide update on the noise assessment with particular focus on the Converter Station.
06/08/2019	Meeting (Acoustics)	Met with EHDC, HBC and PCC EHOs to discuss and agree methodology for construction noise and vibration assessment of the Onshore Cable Route.
22/10/2019	Email correspondence (Acoustics)	Following a telecon with EHO at WCC to discuss the octave band assessment methodology for the Converter Station, the proposed approach was circulated and agreed by email.
22/01/2020	Meeting with EHDC planning officer	Met with EHDC Planning Officer to discuss key Application documents, Examination procedures and structure of the SoCG.
08/04/2020	Call with planning officers and EHOs from EHDC and WCC	Call to discuss noise and vibration sections in the first draft of the SoCG with regard to the Converter Station Area.
29/04/2020	Call with EHDC planning officer	Call to discuss EHDC's initial comments on the first draft of the SoCG (issued on 28April 2020) primarily relating to need for the development LVIA with other matters subject to further review and comment.

Date	Form of Contact	Summary
03/06/2020	Call with EHDC planning officer	Call to progress second draft of the SoCG (issued on 2 June 2020), primarily in relation to ecology and landscape matters.
22/07/2020	Call with EHDC planning officer	Call to progress third draft of the SoCG (issued on 6 July 2020).
25/08/2020	Design group call with officers from EHDC, WCC and SDNPA	Call to discuss Converter Station and Access Road design.
02/10/2020	Via email exchange	Draft of this SoCG agreed between EHDC and the Applicant for submission into the Examination at Deadline 1.
05/11/2020	Call with EHDC planning officer	Call to discuss matters outstanding to be agreed in SoCG.
11/11/2020	Call with planning officers and environmental health officers from EHDC and WCC	Call to discuss outstanding matters on air quality and noise
25/11/2020	Call with Planning, Landscape and Design officers from SDNPA, WCC and EHDC	Design group call to discuss progress on Converter Station and Access Road design and Design Principles.

3. SUMMARY OF TOPICS COVERED BY THE STATEMENT OF COMMON GROUND

3.1. TOPICS COVERED IN THE STATEMENT OF COMMON GROUND

3.1.1.1. The following topics discussed between the Applicant and EHDC are discussed within this SoCG:

- Planning policy
- Need Case for the Proposed Development
- Landscape and visual amenity
- Ecology (including arboriculture)
- Traffic and transport
- Air quality
- Noise and vibration
- Cumulative effects
- Onshore Outline Construction Environmental Management Plan ('Onshore Outline CEMP')
- Draft DCO (including requirements to the draft DCO).

3.1.1.2. For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the Parties as they have not been raised by EHDC during the consultation undertaken to date between the Parties.

4. CURRENT POSITION

4.1. PLANNING POLICY

Table 4-1 – Planning Policy

Ref.	Description of matter	Current Position	RAG
Planning Policy			
EHDC 4.1.1	Role of NPS EN-1	It is agreed that the relevant National Policy Statement ('NPS') for the Proposed Development is the Overarching National Policy Statement for Energy (EN-1) (2011) and represents the primary policy basis for the determination of the Application (as set out in the Planning Statement, Examination Library reference APP-108).	Agreed
EHDC 4.1.2	EHDC Development Plan	Local planning policies from the relevant authorities can be 'important and relevant' considerations for the SoS in determining the Application. The Development Plan for EHDC comprises (as set out at Appendix 4 of the Planning Statement (Examination Library reference APP-112)): <ul style="list-style-type: none"> • East Hampshire District Local Plan Part 1: Joint Core Strategy, (EHDC and SDNPA, adopted June 2014). • East Hampshire District Local Plan Part 2: Housing and Employment Allocations, adopted April 2016; • Saved policies from The Local Plan Second Review 2006, adopted March 2006. 	Agreed

4.2. NEED FOR THE PROPOSED DEVELOPMENT

Table 4-2 – Need for the Proposed Development

Ref.	Description of matter	Current Position	RAG
Need for the Proposed Development			
EHDC 4.2.1	Need for the Proposed Development	The overarching need for the Proposed Development as set out in the Needs and Benefits Report (Examination Library reference APP-115) is a matter for consideration by the SoS as decision maker in considering applications for development consent under the PA2008.	Agreed

4.3. LANDSCAPE AND VISUAL AMENITY

Table 4-3 – Landscape and Visual Amenity

Ref.	Description of matter	Current Position	RAG
Landscape and Visual Amenity			
EHDC 4.3.1	Area of study relevant to EHDC	It is agreed that the part of the Landscape and Visual Amenity assessment set out in Chapter 15 of the ES (Landscape and Visual Amenity) (Examination Library reference APP-130) relevant to EHDC is the part of Section 1 (Lovedean (Converter Station Area)) which falls within EHDC's administrative boundary.	Agreed
EHDC 4.3.2	ES Methodology – Study area	It is agreed that the 8 km, 3 km and 1.2 km study areas for Section 1 (Lovedean – Converter Station Area) as set out in paragraphs 15.1.2.3 – 15.1.2.5 of ES Chapter 15 are appropriate. The 1.2 km radius of the Converter Station applies to residential receptors only. Remaining receptors who fall within a 1.2 km study area were considered as part of an assessment of effects within a 3 km radius of the Converter Station.	Agreed
EHDC 4.3.3	ES Methodology – Study Area	The viewpoint selection for the Converter Station as set out in section 15.4.4 of Chapter 15 is agreed.	Agreed
EHDC 4.3.4	ES Baseline	The landscape and visual baseline environment set out at section 15.5.3 of ES Chapter 15 is agreed.	Agreed
EHDC 4.3.5	Predicted impacts – Converter Station	It is agreed that the impacts identified at section 15.3.6 of Chapter 15 of the ES are accurate. It is agreed that the impacts considered by the Applicant have the potential to give rise to temporary and/or permanent significant effects during construction and operation of the Proposed Development in relation to the Converter Station. EHDC agrees with the scope of predicted temporary and operational impacts.	Agreed
EHDC 4.3.5a	Predicted impacts – Access Road	It is agreed that the proposed Access Road dissects fields and will result in moderate adverse impacts in year 0, and by year 10 minor adverse non-significant impacts, as identified within the ES. It is agreed that ES Chapter 2 (Alternatives) paragraph 2.6.5.8 to 2.6.5.13 (Examination Library reference APP-117) provides adequate further information in relation to the location of the Access Road and alternative locations and alignments considered.	Agreed

Ref.	Description of matter	Current Position	RAG
<p>EHDC 4.3.6</p>	<p>Mitigation - Outline Landscape and Biodiversity Strategy</p>	<p>It is agreed that the mitigation strategy secured in the Outline Landscape and Biodiversity Strategy ('OLBS') (Examination Library reference APP-506) submitted with the Application provides a reasonable approach to mitigation. EHDC is content with the OLBS and proposed level of mitigation.</p> <p>Requirement 7 of the draft DCO with regard to Works No. 2 (i.e. the Converter Station Area) requires a written detailed landscaping scheme to be submitted to an approved by the local planning authorities for the land on which the Converter Station is located, will include EHDC, prior to any works comprised in its construction being commenced. The written detailed landscaping scheme, which is required to be in accordance with the OLBS, will include a long-term monitoring plan with periodic reviews to determine the success of planting in terms of screening. Requirement 7 is agreed.</p> <p>With regard to hedgerows, EHDC considers that leaving hedgerows to mature (rather than keeping them at 2m height as proposed in the OLBS) would be preferable. The Applicant confirms that maintaining hedgerows to 2m in height refers to hedgerows within 5m of the Converter Station security fence to prevent its use as a climbing aid for unauthorised entry (OLBS paragraph 15.7.22). Paragraphs 1.6.2.17 – 1.6.2.19 of the OLBS refers to management practices of existing and proposed hedgerows which are maintained at different heights. Hedgerows not on the boundary of the OLBS security fence will be maintained higher (up to 4m) depending on their type. This is agreed.</p> <p>Requirement 8 of the draft DCO requires the landscaping works to be carried out in accordance with an approved written detailed landscaping scheme and also includes requirements relating to the replacement of planting which is removed, dies or becomes seriously damaged or diseased. Requirement 8 is agreed.</p> <p>With regard to the Access Road, the Applicant considers that the proposed mitigation contained within the OLBS is appropriate and mitigates the adverse impacts sufficiently. The Applicant refers to General Design Principle 7 contained within the Design and Access Statement ('DAS') (Examination Library reference APP-114) which states that "permanent surfacing and landscaping will take account of the local context and be detailed in accordance with the 'Landscape Design Principles'". This is agreed by EHDC.</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
EHDC 4.3.6	Mitigation - Outline Landscape and Biodiversity Strategy	<p>It is agreed that the mitigation strategy secured in the Outline Landscape and Biodiversity Strategy ('OLBS') (Examination Library reference APP-506) submitted with the Application provides a reasonable approach to mitigation. EHDC is content with the OLBS and proposed level of mitigation.</p> <p>Requirement 7 of the draft DCO with regard to Works No. 2 (i.e. the Converter Station Area) requires a written detailed landscaping scheme to be submitted to an approved by the local planning authorities for the land on which the Converter Station is located, will include EHDC, prior to any works comprised in its construction being commenced. The written detailed landscaping scheme, which is required to be in accordance with the OLBS, will include a long-term monitoring plan with periodic reviews to determine the success of planting in terms of screening. Requirement 7 is agreed.</p> <p>With regard to hedgerows, EHDC considers that leaving hedgerows to mature (rather than keeping them at 2m height as proposed in the OLBS) would be preferable. The Applicant confirms that maintaining hedgerows to 2m in height refers to hedgerows within 5m of the Converter Station security fence to prevent its use as a climbing aid for unauthorised entry (OLBS paragraph 15.7.22). Paragraphs 1.6.2.17 – 1.6.2.19 of the OLBS refers to management practices of existing and proposed hedgerows which are maintained at different heights. Hedgerows not on the boundary of the OLBS security fence will be maintained higher (up to 4m) depending on their type. This is agreed.</p> <p>Requirement 8 of the draft DCO requires the landscaping works to be carried out in accordance with an approved written detailed landscaping scheme and also includes requirements relating to the replacement of planting which is removed, dies or becomes seriously damaged or diseased. Requirement 8 is agreed.</p> <p>With regard to the Access Road, the Applicant considers that the proposed mitigation contained within the OLBS is appropriate and mitigates the adverse impacts sufficiently. The Applicant refers to General Design Principle 7 contained within the Design and Access Statement ('DAS') (Examination Library reference APP-114) which states that "permanent surfacing and landscaping will take account of the local context and be detailed in accordance with the 'Landscape Design Principles'". This is agreed by EHDC.</p>	Agreed
EHDC 4.3.7	Mitigation - Onshore Outline CEMP – General Environmental Control Measures	<p>The measures set out in the Onshore Outline CEMP (Examination Library reference APP-505) section 5.2 (Landscape and Visual Amenity) are agreed.</p> <p>EHDC requested specific changes to the text in the Onshore Outline CEMP for paragraph 5.2 changing the text from "the following measures may be considered" to "will be considered". It is agreed that these changes will be made.</p> <p>EHDC also requested further information on the compound areas. Further information on the compound and laydown areas can be found in the Framework Construction Traffic Management Plan (Examination Library reference APP-450), Section 2.4 Compound and Laydown Areas.</p> <p>The General Environmental Control Measures in the Onshore Outline CEMP in relation to landscape and visual amenity are agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.3.8	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures	<p>The measures set out in the Onshore Outline CEMP section 6.2.3 (Landscape and Visual Amenity) are agreed.</p> <p>It is agreed that section 6.3.2 (Section 1 – Lovedean (Converter Station Area) – Landscape and Visual Amenity) will be revised to read “<i>The written detailed landscaping scheme will be prepared in accordance with the Outline Landscape and Biodiversity Strategy. The written detailed landscape scheme will include detailed landscape mitigation plans reflecting the indicative landscape mitigation plans, together with management, maintenance and monitoring plans</i>”. Subject to this amendment, section 6.3.2 is agreed.</p> <p>The Location Specific Construction Environmental Control Measures are agreed.</p>	Agreed
EHDC 4.3.9	Mitigation - Onshore Outline CEMP – Onshore Monitoring Plan	<p>The measures set out in the Onshore Outline CEMP section 7.1 (Onshore Monitoring Plan - Landscape and Visual Amenity - Management of Vegetation) are agreed.</p> <p>EHDC questioned the purpose of including a section on monitoring in the Onshore Outline CEMP when the purpose of the document is aimed towards the protection of landscape during Construction Phase only. The Applicant can confirm that this monitoring plan only covers monitoring during construction and period during which the planting will mature. Long-term monitoring will be covered in the written detailed landscaping scheme. This is agreed.</p> <p>EHDC sought reassurance that management of landscaping would be secured beyond five years. The Applicant can confirm, as set out in 4.3.6. above, that this is covered in the Outline Landscape and Biodiversity Strategy and will be secured in the written detailed landscaping scheme. This is now agreed.</p>	Agreed
EHDC 4.3.10	Residual effects	The assessment of residual effects set out at Tables 15.10 and 15.11 of Chapter 15 of the ES is agreed.	Agreed
EHDC 4.3.11	Requirement – detailed landscaping scheme	<p>EHDC consider it imperative that a landscaping maintenance and management plan is agreed as part of the DCO Requirements to secure long-term landscaping features. The Applicant agrees with the principle of a scheme of maintenance (as set out in the draft DCO).</p> <p>The draft DCO (Examination Library reference APP-019) and its requirement (7 and 8) for a written detailed landscaping scheme, comprising hard and soft landscaping, and a scheme of implementation and maintenance (requiring LPA approval) are agreed.</p>	Agreed

4.4. ONSHORE ECOLOGY (INCLUDING ARBORICULTURE)

Table 4-4 – Onshore Ecology (including Arboriculture)

Ref.	Description of matter	Current Position	RAG
Onshore Ecology (including Arboriculture)			
EHDC 4.4.1	Area of study relevant to EHDC	It is agreed that the parts of the Onshore Ecology assessment set out in Chapter 16 of the ES (Onshore Ecology) (Examination Library reference APP-131) relevant to EHDC is the part of Section 1 (Lovedean (Converter Station Area)) which falls within EHDC's administrative boundary.	Agreed
EHDC 4.4.2	ES Methodology – Study area	It is agreed (as noted in section 16.1.2 of ES Chapter 16) that the study areas for the Preliminary Ecological Appraisal ('PEA') for ecological features are appropriate.	Agreed
EHDC 4.4.3	ES Baseline	<p>EHDC sought confirmation that no reptiles were found during the surveys, and clarification on when the surveys were undertaken. The Applicant confirmed that the surveys were undertaken in accordance with Herpetofauna Workers' Manual (1998) and the methodology within Frog Life's Reptile Survey Advice Sheet 10 (1999) guidance, as stated in Appendix 16.10 Reptile Survey Report of the ES. The surveys were conducted in June and July 2019. No reptiles or evidence of reptiles was recorded within the study area during the survey.</p> <p>The ecological baseline as set out at section 16.5 of ES Chapter 16 is agreed.</p>	Agreed
EHDC 4.4.4	Predicted impacts	The impacts with regards to ecological / environmental designations and species in relation to the Converter Station Area are identified (including mitigation) at section 16.6 of Chapter 16 of the ES are agreed.	Agreed
EHDC 4.4.5	Mitigation – embedded	<p>The embedded mitigation measures are set out in paragraphs 16.6.1.1 – 16.6.1.53 of Chapter 16 of the ES and are agreed.</p> <p>EHDC considers it imperative that sufficient working practices and forward mitigation are in place ahead of all preliminary works. The scheme puts forward minimal biodiversity enhancements. An ecological maintenance and management plan should form part of the DCO Requirements to secure biodiversity enhancements.</p>	Agreed
EHDC 4.4.6	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	<p>The Onshore Outline CEMP section 5.3 (Onshore Ecology), setting out measures to reduce ecological disturbance during construction, including precautionary methods of works and arboricultural measures (such as tree root protection zones), is agreed.</p> <p>In relation to reptiles and the query raised by EHDC about survey results (see 4.4.3), a precautionary approach is proposed for mitigation (Onshore OCEMP Section 5.3.3). No exclusion fencing is proposed.</p> <p>EHDC queries how the role of the Ecological Clerk of Works is defined, and when they will be present on site during construction. The Applicant can confirm that Roles and Responsibilities are defined in Table 3.1 of the Onshore Outline CEMP. This includes a definition of the Environmental Clerk of Works but also the Site Manager, Environmental Manager and other specialist roles. As stated in 4.1.2.1 regular inspections will be undertaken to ensure compliance with the CEMP with frequency of inspections set to ensure environmental objectives are achieved. In addition, as stated in 4.1.2.1, weekly audit inspections will be undertaken. The Outline CEMP also specifies activities where supervision and monitoring will be required by the Environmental Clerk of work (or other specialist Clerk or Works).</p>	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.4.7	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures	Section 6.3.3 (Section 1 Lovedean – Converter Station Area – Onshore Ecology) of the Onshore Outline CEMP is agreed.	Agreed
EHDC 4.4.8	Mitigation - Onshore Monitoring Plan	Section 7.1 (Onshore Monitoring Plan - Onshore Ecology – Construction impacts to the environment) of the Onshore Outline CEMP is agreed.	Agreed
EHDC 4.4.9	Residual effects	<p>The residual onshore ecology effects are set out at section 16.9 of ES Chapter 16.</p> <p>EHDC noted that the ES concludes that there would be a minor adverse landscape impact and asked for confirmation whether this is also the conclusion for habitats. The Applicant confirmed that Chapter 16 of the ES concludes the following in relation to landscape features (hedgerows and trees) in relation the ecological value:</p> <p><i>Replanting of hedgerows (both species-rich and species poor varieties) and broadleaved trees as embedded mitigation will offset long term effects of their removal to permit construction and decommissioning of the Onshore Cable Corridor. Hedgerow removal will result in a minor effect which will last into the medium term (i.e. the effect will extend beyond the works period, but regrowth to original condition of hedgerows is expected within three years of replanting). Therefore, this will result in a non-significant residual effect due to the small areas of hedgerow and relatively few trees concerned.</i></p> <p>This conclusion is reached by applying the methodology and significance criteria outlined in Section 16.4.4 and 16.4.5. This is now agreed by EHDC.</p> <p>EHDC also questioned the reported negligible residual effects on badgers (see table 16.9 of ES Chapter 16) considering the removal of the badger sett. The Applicant referred to the Letter of No Impediment issued by NE in relation to the proposed replacement of the sett in a different location in advance of its closure (APP-490). Therefore, the badgers can move into the replacement sett in advance of the proposed works. EHDC has no further concerns in this regard.</p> <p>The assessment of residual effects set out in section 16.9 and table 16.9 of Chapter 16 of the ES is agreed.</p>	Agreed
EHDC 4.4.10	Requirement - Biodiversity Management Strategy / Plan	Draft DCO Requirement 9 for a Biodiversity Management Strategy / Plan with mitigation and enhancement measures (requiring LPA approval) is agreed.	Agreed

4.5. TRAFFIC AND TRANSPORT

Table 4-5 – Traffic and Transport

Ref.	Description of matter	Current Position	RAG
Traffic and Transport			
EHDC 4.5.1	Engagement	It is agreed that engagement will be undertaken with HCC Highways, who have the remit for such matters in the District of East Hampshire.	Agreed
EHDC 4.5.2	Predicted Impacts	<p>EHDC noted that whilst this is within HCC Highways' remit, there were some concerns over closures of the A3 in the Horndean/Clanfield area.</p> <p>The Applicant acknowledges the concerns regarding temporary closure of the A3 / A3(M) given the volume of traffic which this route carries and the resultant diversion routes through the Horndean and Clanfield area. It is noted however that such temporary closures only occur as a result of a major accident or to accommodate overnight roadworks in reflection of the A3 / A3(M) forming part of the Strategic Road Network maintained by Highways England.</p> <p>In relation to temporary road closures resulting from an accident, the Applicant is currently in discussions with HCC Highways regarding the incorporation of protective provisions within the DCO which allows construction work on the Onshore Cable Route and associated traffic management to be suspended to alleviate the impacts of such unforeseen circumstances on the local highway network.</p> <p>Where overnight closures are required in relation to roadworks on the A3 / A3(M), these would often be programmed with adequate advance notice to ensure that construction works on the local highway network do not occur at the same time. Where roadworks are required without such notice, such as for emergency repairs, these would be subject to the same protective provisions as described above. It is also noted that traffic using overnight diversion routes would not interact with construction traffic associated with the Proposed Development, which only takes place during the day time.</p> <p>This section is now agreed.</p>	Agreed
EHDC 4.5.3	Mitigation – Framework Traffic Management Strategy	<p>EHDC considers that given the nature and type of traffic movements, including night time / abnormal load activity, many dwellings along the construction route are deemed to be sensitive to impacts. EHDC considers it imperative that there is effective pro-active communication with the local community in the Lovedean area in respect of work programmes, advance notice of any anticipated issues e.g. road closures and abnormal load deliveries and monitoring/active response to issues raised locally and secured through the Stakeholder Communication Plan.</p> <p>The Applicant agrees with the principle of EHDC's position and the Framework Traffic Management Strategy ('FTMS') (Examination Library reference APP- 449) includes as a key principle of mitigation, a communication strategy to allow stakeholders such as residents, businesses and community facilities to keep up to date with construction works.</p>	Agreed

4.6. AIR QUALITY

Table 4-6 – Air Quality

Ref.	Description of matter	Current Position	RAG
Air Quality			
EHDC 4.6.1	ES Methodology – Study area	The area of study is agreed (as noted at section 23.1.2 of ES Chapter 23 (Air Quality) (Examination Library reference APP-138)).	Agreed
EHDC 4.6.2	ES Methodology	It is agreed that use of the Institute of Air Quality Management ('IAQM') Dust Assessment methodology, aligned with the Transport Assessment (Examination Library reference APP-448) and modelling, is appropriate. It is also agreed that the assessment should include emissions related to traffic diversions, construction traffic, and the temporary and permanent emissions from backup power generation.	Agreed
EHDC 4.6.3	ES Baseline	The baseline as set out at section 23.5 of ES Chapter 23 for Section 1 is agreed.	Agreed
EHDC 4.6.4	Predicted impacts	It is agreed that the impacts as identified at section 23.6 of Chapter 23 of the ES represent an accurate reflection of the predicted impacts.	Agreed
EHDC 4.6.5	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	The measures set out in section 5.10 (Air Quality) of the Onshore Outline CEMP are agreed.	Agreed
EHDC 4.6.6	Mitigation – Onshore Outline CEMP – Onshore Monitoring Plan	The measures set out in section 7.1 (Onshore Monitoring Plan – Air Quality – Human and Ecological receptors) of the Onshore Outline CEMP are agreed.	Agreed
EHDC 4.6.7	Residual effects	The assessment of residual effects set out in table 23.79 of Chapter 23 of the ES is agreed.	Agreed

4.7. NOISE AND VIBRATION

Table 4-7 – Noise and Vibration

Ref.	Description of matter	Current Position	RAG
Noise and Vibration			
EHDC 4.7.1	ES Methodology – Study area	The study area for construction and operational impacts at the Converter Station Area, as set out in paragraphs 24.1.2.2 to 24.1.2.4 of ES Chapter 24 Noise and Vibration) (Examination Library reference APP-139) is agreed. The assessment elements outside of the Converter Station Area are not relevant to the noise and vibration section of this Statement of Common Ground because the respective study areas for these assessments lie outside of EHDC's administrative area.	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.7.2	ES Methodology	<p>The detailed methodology for the Converter Station Area operational assessment, as set out in section 24.4.5 of ES Chapter 24 is agreed.</p> <p>The detailed methodology for the Construction Stage elements relevant to the Converter Station Area set out in section 24.4.2 (noise) and 24.4.3 (vibration) of ES Chapter 24 is agreed.</p>	Agreed
EHDC 4.7.3	ES Baseline	<p>The methodology for the collection of baseline data for the Converter Station Area set out in section 24.4.1 of ES Chapter 24 is agreed.</p> <p>A query regarding the consideration of wind speeds during the survey data analysis was raised by EHDC during discussions post submission. Supplementary information in response to EHDC's query on wind speeds was issued to EHDC on 20 July 2020 and submitted in section 17.2 and Appendix 12 of the ES Addendum at Deadline 1. Following a call between the Applicant and EHDC on 11th November 2020, the ES baseline information is agreed</p>	Agreed
EHDC 4.7.4	Predicted impacts	<p>Predicted impacts of noise and vibration for the Proposed Development are set out in section 24.6 of Chapter 24 of the ES and Chapter 17 of the ES Addendum.</p> <p>Following the submission of supplementary information in the ES Addendum in response to EHDC's query on wind speeds during the baseline noise survey, the predicted impacts of the Operational Stage assessment at the Converter Station Area, detailed in paragraphs 24.6.2.15 to 24.6.2.24 of ES Chapter 24 and section 17.2 of the ES Addendum, are agreed.</p> <p>The predicted impacts of the noise and vibration Construction Stage assessment at the Converter Station Area, as set out in section 24.6.2 of ES Chapter 24, are agreed.</p>	Agreed
EHDC 4.7.5	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	<p>The mitigation measures relevant to construction at the Converter Station Area, as set out in section 5.12 of the Onshore Outline CEMP are agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.7.6	Requirement 20 – Control of noise during operation	<p data-bbox="750 300 2650 415">EHDC considers that there should be certainty that noise mitigation will achieve the desired effect. EHDC considers that it is important noise mitigation measures are incorporated and secured through the DCO Requirements including a mechanism by which noise levels are monitored and further noise mitigation measures incorporated if necessary.</p> <p data-bbox="750 457 2650 573">Draft DCO requirement 20 with regard to Works No. 2, (i.e. the Converter Station Area), sets out the requirement for a noise management plan, which should include the mitigation (and attenuation achieved by these measures) to minimise noise, and a scheme for noise monitoring to ensure compliance with the noise criteria, and a complaints procedure (requiring LPA approval).</p> <p data-bbox="750 615 2650 688">The principle of a noise management plan is agreed, and the principle of embedding the noise criteria (Chapter 24 of the ES and Chapter 17 of the ES Addendum) into the Converter Station design is agreed.</p> <p data-bbox="750 741 2650 814">During consultation discussions, EHDC requested that the noise criteria for the Converter Station Area, contained in Chapter 24 of the ES, and revised by section 17.2 of the ES Addendum, are explicitly secured through Requirement 20 of the dDCO.</p> <p data-bbox="750 825 2650 898">The Applicant provided a written response to EHDC on 19 June 2020, including proposed revised wording for Requirement 20 of the dDCO which addresses the requests made during consultation discussions.</p> <p data-bbox="750 909 2650 1066">The revised wording of Requirement 20 submitted in the updated draft DCO at Deadline 1 makes reference to the <i>Operational Broadband and Octave Band Noise Criteria Document</i> (REP1-129), which is a certified document that will be contained at Schedule 14 to the dDCO. The document will set out the operational daytime and night-time broadband and octave band noise criteria for the Converter Station Area, which are based on Chapter 24 of the ES, as revised by section 17.2 of the ES Addendum.</p> <p data-bbox="750 1119 1018 1150">This is now agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.7.7	Requirement 18 – Construction Hours	<p>Proposed working hours are a key consideration for noise and vibration as they determine the times of day that noise and vibration impacts may be experienced.</p> <p>The proposed core working hours for the Converter Station Area (i.e. Works No. 1 and 2) of between 0800 and 1800 hours on weekdays and 0800 and 1300 hours on Saturdays (except public holidays), except in the event of emergency unless otherwise agreed (requiring LPA approval) are agreed.</p> <p>Further clarity was requested from EHDC on the definition of a ‘start-up and shut-down activity’, which are stated in Requirement 18 of the draft DCO as potentially occurring up to an hour either side of the core working hours. The Applicant provided a written response to EHDC on 19 June 2020 confirming the proposed definition of a ‘start-up and shut-down activity’, and that the absence of this definition in Requirement 18 of the dDCO was an accidental omission. The proposed definition of a ‘start-up and shut-down activity’ is as follows: <i>“start-up and shut-down activities” means at the start of the working day the opening up of the site, the arrival of site staff & contractors, changing into appropriate PPE wear, pre-shift briefings, site inductions, tool box talks, and all associated site safety checks and at the end of the working day the cleaning and tidying of work areas, changing out of PPE wear, post-shift debrief, the departure of site staff and contractors, and closing and securing the sites”.</i></p> <p>Based on this definition, the Applicant considers start-up and shut-down activities to comprise standard practises which are not considered to give rise to noise or vibration effects that warrant separate assessment. This is now agreed.</p> <p>EHDC noted that the proposed working hours for Works No.3 (i.e. temporary works areas in the vicinity of the Converter Station) are not stated in requirement 18 of the draft DCO. Further information was requested by EHDC on how the temporary works areas will be used and what working hours will apply. The Applicant provided a written response to EHDC on 19 June 2020 as follows. <i>“The temporary work areas will be used in conjunction with Works No. 1 and 2 (the Converter Station Area) and Works No. 4 (the Onshore Cable Corridor). The core working hours that apply to the temporary work areas is the same as the core working hours for the works it is to be used in connection with. Therefore, the core working hours for the temporary work area will be Weekdays 0700-1800 hours and Saturday 0800-1300 hours.</i></p> <p><i>With respect to the use of the laydown areas outside of the core working hours, it has been confirmed that contractors for the HDD works (where different working hours apply) would not require use of these areas. With respect to the out-of-hours works required for cable duct laying for the Onshore Cable Corridor, it has been confirmed that access to the cable route laydown areas near the Converter Station would not be required outside of the core working hours stated above. Therefore, the use of the laydown areas outside of the core working hours would be limited to start-up and shut-down activities up to one hour either side of the core working hours.”</i></p> <p>This section is now agreed.</p>	Agreed

4.8. CUMULATIVE EFFECTS

Table 4-8 – Cumulative Effects

Ref.	Description of matter	Current Position	RAG
Cumulative Effects			
EHDC 4.8.1	Methodology	It is agreed that the approach taken to the assessment of cumulative effects, including the zone of influence set out in section 29.4 of ES Chapter 29 of the ES (Cumulative Effects) (Examination Library reference APP-144), is appropriate and proportionate, in accordance with PINS Advice Note 17 (Cumulative Effects Assessment).	Agreed
EHDC 4.8.2	Assessment	It is agreed that the Applicant has taken account of all relevant planned and consented projects within the administrative boundary for EHDC as set out within section 29.5 of ES Chapter 29.	Agreed
EHDC 4.8.3	ES Chapter	The assessment of Cumulative Effects for the Proposed Development as set out in table 29.14 of Chapter 29 of the ES is agreed.	Agreed

4.9. ONSHORE OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Table 4-9 – Onshore Outline Construction Environmental Management Plan

Ref.	Description of matter	Current Position	RAG
Onshore Outline Construction Environmental Management Plan			
-	-	<i>For topic specific outline CEMP environmental control measures see the relevant specialist / topic areas.</i>	
EHDC 4.9.1	Roles and Responsibilities	The Onshore Outline CEMP and the personnel with defined environmental responsibilities as set out in Section 3 of the Onshore Outline CEMP is agreed.	Agreed
EHDC 4.9.2	General Environmental Requirements	<p>The General Environmental Requirements set out in Section 4 of the Onshore Outline CEMP:</p> <ul style="list-style-type: none"> • Requirements and Consents; • Competence, Training and Awareness; • Internal Communication; • External Communication; • Method Statements; and • Environmental Incidents; <p>are agreed.</p> <p>EHDC questioned whether a more robust response to spills is required. The Applicant confirms that extensive measures are proposed to protect the water environment from pollution. These are outlined in the Onshore OCEMP in Sections 5.5 Ground Conditions, 5.6 Groundwater and 5.7 Surface Water Resources and Flood Risk. This is agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.9.3	Monitoring and Review	The CEMP and the proposal for an Environmental Manger to be responsible for maintaining the register of all environmental monitoring, to be made available for auditing and inspection as set out in Section 7 of the Onshore Outline CEMP are agreed.	Agreed
EHDC 4.9.4	General Environmental Control Measures	The proposed general environmental control measures contained in Section 5 of the Onshore Outline CEMP, where relevant to the Converter Station Area within EHDC's administrative boundaries, are agreed, apart from dust mitigation measures. EHDC noted that using water as a dust suppressant was ineffective in a housing development down Lovedean Lane and asked whether dust sheets can be applied as an additional measure alongside water spraying. The Applicant confirms that dust mitigation measures and procedures are proposed as outlined in Section 5.10 Air Quality and Table 5.1 of the Onshore OCEMP. This includes amongst other measures screens and barriers. The General Environmental Control Measures, measures are now agreed.	Agreed
EHDC 4.9.5	Location Specific Construction Environmental Control Measures	The proposals for site specific management measures for Section 1 (where relevant for EHDC) as set out in Section 6 of the Onshore Outline CEMP are agreed.	Agreed

4.10. DRAFT DEVELOPMENT CONSENT ORDER

Table 4-10 – Draft Development Consent Order

Ref.	Description of matter	Current Position	RAG
Scope of the Draft DCO and Draft Requirements			
EHDC 4.10.1	Scope of Powers	With the exception of point 4.10.19 below, the scope of the powers being sought through the revised draft DCO (REP3-003) are agreed to be appropriate.	Agreed
EHDC 4.10.2	Operative Provisions	The wording of the operative provisions is agreed.	Agreed
EHDC 4.10.3	Discharge of Requirements (procedure and timescales)	The procedure and timescales provided for the discharge of requirements are agreed.	Agreed
EHDC 4.10.4	Interpretation	The draft DCO and its explanation of meaning are agreed.	Agreed
EHDC 4.10.5	Requirement 3 – Phases of authorised development onshore	The draft DCO requirement 3 for a written scheme setting out phases of the authorised development to be submitted and approved (requiring LPA approval) is agreed.	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.10.6	Requirement 5 – Converter Station and Optical Regeneration Station parameters	The Parameters within draft DCO requirement 5 in relation to the Access Road are agreed.	Agreed
EHDC 4.10.7	Requirement 9 – Biodiversity management plan	The wording of draft DCO requirement 9 is agreed.	Agreed
EHDC 4.10.8	Requirement 11 – Fencing and other means of enclosure	The draft DCO requirement that construction sites are to remain securely fenced at all times during construction and removed on completion of a phase is agreed.	Agreed
EHDC 4.10.9	Requirement 15 – CEMP	The draft DCO requirement for a CEMP according with the Onshore Outline CEMP, per phase (requiring LPA approval) is agreed. See <i>reference to Onshore Outline CEMP within tables below for specific topic / theme considerations.</i>	Agreed
EHDC 4.10.10	Requirement 16 – External construction lighting	The draft DCO requirement in relation to details of external construction lighting for Works No. 2 is agreed.	Agreed
EHDC 4.10.11	Requirement 18 – Construction Hours	The proposed standard working hours for Works No. 1 and 2 between 0800 and 1800 hours on weekdays and 0800 and 1300 hours on Saturdays excluding public holidays, except in the event of emergency unless otherwise agreed (requiring LPA approval) are yet to be agreed.	Agreed
EHDC 4.10.12	Requirement 20 – Control of noise during the operational period	The wording of draft DCO requirement 20 with regard to a noise management plan for Works No. 2 is agreed.	Agreed
EHDC 4.10.13	Requirement 21 – Travel plan	The wording of draft DCO requirement 21 with regard to a travel plan for Works No. 2 is agreed.	Agreed
EHDC 4.10.14	Requirement 22 – Restoration of land used temporarily for construction	The draft DCO requirement for reinstatement of land to its former condition (requiring LPA approval) within 12 months of completion is agreed. <i>Note open space reinstatement also covered in the Outline Landscape and Biodiversity Strategy.</i>	Agreed
EHDC 4.10.15	Requirement 23 – Control of lighting during the operational period	The wording of draft DCO requirement 23 in relation to operational external lighting for Works No. 2 is agreed.	Agreed
EHDC 4.10.16	Requirement 24 – Requirement for written approval	The wording of draft DCO requirement 24 is agreed.	Agreed

Ref.	Description of matter	Current Position	RAG
EHDC 4.10.17	Requirement 25 – Amendment to approved details	The draft DCO requirement 25 for development to be carried out with approved details unless any amendment or variation is previously agreed in writing with the relevant LPA or local highway authority ('LHA'), being in accordance with the principles of the ES is agreed.	Agreed
EHDC 4.10.18	Procedure for approvals, consents and appeals	The procedure for approvals, consents and appeals contained at Schedule 3 to the draft DCO is agreed.	Agreed
EHDC 4.10.19	Article 9 – Defence to proceedings in respect of statutory nuisance	<p>EHDC has queried Article 9 of the draft DCO in respect to statutory nuisance and considers that this should be removed.</p> <p>The Applicant has explained that Article 9 is necessary to ensure there is no unreasonable impediment to the delivery of the Proposed Development. The noise levels to be achieved in relation to the operation of the Converter Station are very clearly secured by Requirement 20 of the dDCO and this ensures adequate protections are included for.</p> <p>Whilst those measures are secured, it would still be possible for a person to seek to bring a claim for statutory noise nuisance, and the bringing of that claim could impact the development proceeding whilst it is investigated. The Article is included to avoid such circumstances occurring, which ultimately would serve only to delay the delivery of the Proposed Development and the significant benefits which it provides.</p> <p>Further to the comments received, the Applicant has agreed to consider further drafting of Article 9 (draft updates to which were provided to EHDC on 21 November 2020 for comment) to more clearly link this to the controls provided for in relation to noise during construction and operation, so as to ensure that the defence would not be applicable where the Proposed Development is not being constructed or operated in accordance with the relevant controls. It is considered this addresses the concerns raised, as it will be clearly confirmed that any defence would not be applicable where the Proposed Development is not being constructed or operated as required by the Order. Should the Council's not accept this position, they would be promoting an approach that claims for statutory noise nuisance would be able to brought where the Proposed Development is being constructed and operated in accordance with the Order, which the Article is purposefully included to avoid and ensure there is no unreasonable impediment which would prevent the delivery and operation of nationally significant infrastructure.</p> <p>The Applicant welcomes EHDC's agreement of this point.</p>	Ongoing

5. SIGNATURES

Ref.	East Hampshire District Council	AQUIND (the Applicant)
Signature		
Printed Name		
Title		
On behalf of	East Hampshire District Council	AQUIND Limited
Date		

