

**Application by Aquind Limited for an Order Granting Development Consent for the
Aquind Interconnector (Ref. EN020022)**

**TRANSCRIPT OF SUBMISSIONS TO ISSUE SPECIFIC HEARING 2 Traffic, Highways
and Air Quality
PORTSMOUTH CITY COUNCIL
30 NOVEMBER 2020**

1.0 INTRODUCTION

- 1.1 Portsmouth City Council ('PCC' or the 'Council') is an Interested Party and Affected Person pursuant to the Planning Act 2008 in relation to AQUIND Limited's ('Aquind' or 'the Applicant') application under the Planning Act 2008 (as amended) for a Development Consent Order (DCO) in respect of the AQUIND interconnector (the 'Project' or 'Proposed Development') : a 2000MW subsea and underground High Voltage Direct Current (HVDC) bi-directional electric power transmission link between Normandy in France and the South Coast of England.
- 1.2 PCC is due to attend the Issue Specific Hearing in respect of Traffic Highways and Air Quality programmed for 14th December 2020 and make submissions at that hearing.
- 1.3 The following is provided in order to meet the Examining Authority's ('ExA') requirement for a full transcript of any oral submission PCC intends to make at the said hearing as clarified with the Examining Authority (ExA) in PCC's email of 23 November 2020 to which the ExA responded on 25 November 2020 confirming the proposed approach.

2.0 SUMMARY OF TRAFFIC and HIGHWAYS ISSUES

- 2.1 PCC has consistently expressed concerns regarding the applicant's intention to reserve significant matters to post consent requirements to be resolved by as yet unappointed contractors. This makes it impossible to assess the construction implications of the project except on a very wide basis upon a number of different assumption and thence determine if those are acceptable or how they may best be mitigated. In any case a primary concerns of PCC highways is the inevitable congestion these works will cause, and the implications for highways safety, including to the Strategic Road Network this will result in.
- 2.2 The order limits are described for each section in the Transport Assessment. Most of these are fairly broad however and have a singular area identified for the cable installation albeit PCC understands that two different cable installations are required on each route with a separation of 4m. Two sections (5 and 8) have alternate options for cable routes - these sections are at Farlington and A2030 Eastern Road (adjacent to Milton Common). Section 5 is split with the option to use some land within the ownership of Portsmouth Water. While it is understood from discussions with the applicant since submission that this is their preferred routeing, the final location is proposed to be determined by the contractor.
- 2.3 Section 8 of the route is more uncertain with the ground conditions in the preferred location, within Milton Common, seen as high risk. Therefore the applicant has also considered a second route which continues the cable along A2030 Eastern Road before cutting through Eastern Avenue and along Moorings Way.
- 2.4 The Council considers that this would clearly be significantly more disruptive to traffic but also to residents living in this area and it is not acceptable that the final route is still unknown at this stage considering how different the impact might be upon residents. In addition it is not clear what 'incentive' there will be for the contractor to use the preferred route, rather than simply choosing to take the lower risk route which throughout the consultation process was largely publicly set aside, with the Milton Common route having been championed by the applicant as the preferred route when it is now clearly framed as the high risk one.
- 2.5 The Transport Assessment outlines the trenching that will be needed to lay the majority of the cable ducts. It states that "a significant proportion of the route will be within the public highway and typically one trench will be opened and reinstated before the second trench is opened in any particular section". It has been communicated to the Council throughout the pre-application consultation and since that the applicant may instruct several contractors to undertake the works should the development be consented however it is not clear how these various contractors will be coordinated. If various contractors are not centrally managed and programmed by either a lead contractor or the project delivery team, the Council is concerned that there is a risk that contractors will compete for road space at conflicting times. The above statement presumes that trenches will not be worked on simultaneously, and it is not clear if or how the applicant could control this. It is a continued concern

of PCC that the applicant has to date sought to utilise bespoke provisions in the DCO and the NRSWA rather than complying with the Council's Permit Scheme that, as currently utilised makes appropriate provision for the installation of such equipment by statutory undertakers and provides for the efficient coordination of other works and management of the network to the required standard. The Permit Scheme clearly provides the appropriate control for the Council to control the allocation of roadspace for all undertakers and ensure two trenches would not be opened on the same section at the same time. PCC is aware that the applicant is proposing to further amend their submission in respect of the use of the Permit scheme and awaits confirmation of this at deadline 5.

- 2.6 The Transport Assessment outlines the existing sustainable transport network that is likely to be impacted by the cable route. There are two routes of the National Cycle Network that are likely to be affected; a small section of route 2 that follows the southern coastline of Portsea Island, and a significant section of route 222 which routes along the eastern coastline alongside Langstone Harbour. Much of route 222 utilises the coastal path and shared footway along the A2030 Eastern Road. It is heavily used by both commuters and leisure cyclists with more than 500 cyclists regularly using the route daily. The cable route is likely to affect "the majority of the sections of Route 222" that are in the vicinity of the proposed order limits. In some areas where the cable route is to be laid in carriageway, there will likely be a need to stop/limit access to the shared footways during the works. The accident analysis included within the Transport Assessment highlights a number of accidents along the A2030 corridor involving cyclists, it is therefore expected although not committed that any cycle routes directly impacted will be re-provided to ensure a suitable provision is retained as there are not viable diversion alternatives for any displaced cyclists.
- 2.7 In light of the potential impact of the works, a number of junctions were identified for assessment all of which were agreed by PCC Highways. Following traffic modelling, some junctions showed significant increases (>10%) in traffic and that that junction showed a volume/capacity (V/C) ratio of above 100%. The Council considers that the identified junctions are already operating close to their practical capacities and therefore it is likely that in the forecast year, the performance of these junctions will deteriorate.
- 2.8 The broad theme of the modelling results along the cable route suggest that the performance of junctions may marginally improve due to the throughput of traffic reducing as a result of traffic diverting away from the works. The local models however do not effectively account for reduced capacity or cumulative residual impacts of traffic merging to pass-by works. It is therefore likely that junctions and the links subject to works between them will operate less favourably than suggested by the models.
- 2.9 Several further junctions in Portsmouth have also been assessed that lie off of the cable route but are expected to experience increased traffic as a result of diverted trips avoiding works on Eastern Road. These junctions are all known to experience capacity issues during peak periods, therefore the degree to which each junction is impacted is of significant importance.

- 2.10 Most of the junctions, although worsened in at least one of the peak periods, suffer a negligible impact as a result of diverted trips. That said, three of the junctions (Copnor Road/Burrfields Road; Milton Road/Velder Ave; and Church Street/Mile End Road) are already forecast to operate significantly in excess of capacity and as such any additional traffic loaded onto those junctions could be classed as severe. Furthermore PCC is concerned that traffic diverted to use the Portsbridge Roundabout A3/M27 has the potential to extend the queue in the off bound slip into the nearside lane with consequent implications for highway safety which is not properly reflected in the traffic modelling nor considered in the road Safety Technical Note as submitted to date.
- 2.11 The Transport Assessment addresses the impacts upon sustainable transport networks including bus and walking/cycling. The disruptions in some areas, particularly at the A3 London Road will disproportionately disadvantage bus services given the use of an existing bus lane to run the cable circuit(s). Services will lose existing on-road priority given to buses and have to travel amongst general traffic and as a result likely cause delays to services inconveniencing passengers and potentially resulting in operators needing to increase the number of vehicles on the road to maintain headway. The A3 corridor is also a key focus of the committed schemes (funded by Transforming Cities Fund) to provide rapid transit services into Portsmouth, the delivery period of the funding ends in March 2023 and therefore will likely be affected in some way by these works.
- 2.12 Aside from the direct impact of the cable route, the redirection of traffic across the city of Portsmouth will increase congestion and delays. This will also impact upon bus services across the city, especially those using the three key routes of A288 Copnor Road and A2047 London Road; both of which have junctions predicted to be impacted by the construction of the development. This specific delay to bus services, either along the cable corridor or in the wider impact area, has not been assessed.
- 2.13 It is possible that the temporary works may only have a limited impact on a short section of shared footway/cycleway on Eastern Road. This section of cycleway is heavily used by both commuting and leisure cyclists, the number of users has risen significantly during the Covid-19 "lockdown" period and as a result any closure of cycle routes will disadvantage a considerable number of cyclists. However, on many sections of A2030 Eastern Road there is no alternative route and along large stretches of the road there is no footway on the western side of road. It is therefore not clear how it will be possible to retain walking and cycling routes along A2030 Eastern Road during construction if the footway is needed for installation of a cable circuit or as safe working area for the same.
- 2.14 The scale of disruption will depend on which route the applicant intends to take, however it is suggested that it "is likely to include temporary diversions for the footway/cycleway and temporary crossing facilities." Any crossing facility over A2030 Eastern Road will need to be signalised due to the volume and speed of traffic. It is not clear if these will be included within existing junctions or additional facilities which will also have a further impact upon the

expeditious movement of traffic as well as cause inconvenience to active travel modes.

- 2.15 It is not clear what, if any, early contractor involvement has been carried out to define the route. Given the importance of their proposed role subsequently in deciding the final route and whether trenching or HDD is to be used, this is a very worrying omission in Aquind's design approach. The applicant can say it wishes the cable route to be laid through off-carriageway areas where possible however where difficulties around land ownership or contamination exist, it is unclear what will incentivise or indeed require potential contractors to follow these routes.
- 2.16 PCC has also suggested that it is highly likely that the works related to this development could impede the delivery of, or increase disruption around, junction improvement works related to Transforming Cities Fund (TCF) bid. These works would be carried out between Jan 2021-March 2023.
- 2.17 PCC have also highlighted that the submitted traffic modelling does not adequately take into account the highway safety implications of extended queue lengths or traffic diversions within the network. This is a fundamental omission in the impact assessment preventing a clear understanding of the construction impacts and mitigation options.
- 2.18 The traffic modelling work does provide a reasonable indication about how and where traffic might divert to avoid the works associated with the development however it remains the Council's opinion that there will most likely be second and third level impacts beyond that shown by the modelling - not least because the road works associated with this development will remove any resilience the highway network in Portsmouth (Portsea Island especially) has. Portsmouth is predominantly an Island city with just three road links onto/off of Portsea Island. These routes into the city are effectively severed by the Strategic Road Network (SRN) and are often significantly affected by disruptions on the SRN and vice versa. Ultimately, the works associated with this development will put further pressure on alternative roads and junctions that are already subject to significant stress at peak times resulting in further delays, pollution and longer "rush hour" periods (peak spreading).
- 2.19 The information submitted in support of this DCO application does not consider possible mitigation of impacts nor the potential road safety implications of increased congestion along the cable route or identified diversion routes. This is again a fundamental omission without which the impacts of increased congestion arising during the construction period on the safety of the highway network cannot be properly determined. It is acknowledged that further information for a safety audit and in respect of the Framework Traffic Management Strategy were submitted at Deadline 4, and PCC is reviewing these. PCC wishes to reserve its position in respect of these further submissions at the time of drafting these transcripts.

3.0 SUMMARY OF AIR QUALITY ISSUES

- 3.1 As a result of the successful legal challenges by ClientEarth in respect of the national Air Quality Policy (AQP) and the subsequent final adoption of a national AQP Portsmouth City Council has been issued with four Ministerial Directions in respect of air quality. These directions place a legally binding duty on the Council to undertake a number of steps to improve air quality in the city, in particular to reduce air pollution concentrations across the city to within the legal limits, in the shortest possible time.
- 3.2 There are also a number of locations in the city where the nitrogen dioxide concentrations are high but not technically in exceedance. These are known as 'near exceedance' locations. A common factor contributing to both exceedance and near exceedance locations is that emissions from road traffic are the major contributor to the levels of nitrogen dioxide recorded and therefore these locations are very sensitive to increases in traffic volumes or queuing traffic.
- 3.3 It should be noted that the point on the Eastern Road water bridge has been identified as being a 'near exceedance' location. Technical studies have shown that the cause of the high nitrogen dioxide concentration in this location is queuing traffic travelling northbound out of the city. Whilst the DCO application proposals do not suggest lane closures along the water bridge during construction, the use of temporary traffic management along the length of Eastern Road has potential to lead to queuing traffic in this location. There is therefore a clear concern that the lane closures will result in increased queuing time for vehicles which will have a detrimental impact on air pollution concentrations at the 'near exceedance' location, potentially pushing this site into exceedance. Equally there is also concern that the lane closures on Eastern Road could also result in traffic rerouting via the M275 to travel into/ out of the city, meaning that additional traffic will be travelling through the exceedance locations, which again are sensitive to increases in traffic volumes and queuing.
- 3.4 The mitigation measures included in the Operation Management Plan and Explanatory Statement are considered sufficient to reduce some of the air quality impacts of the construction works in respect of the proposal, however it is noted that there is uncertainty in the modelling. To that end therefore it cannot be determined with certainty that an exceedance of the Nitrogen Dioxide annual mean objective will not occur as a result of diverted traffic.
- 3.5 The Government requires the Council to implement a Class B charging Clean Air Zone (CAZ) as part of its national AQPAs set out in the Ministerial Directions. This is in order to reduce the nitrogen dioxide emissions to within legal limits across the city, with a focus on the exceedance locations. If legal limits of concentrations of nitrogen dioxide are not met by the end of 2022, PCC could be required to implement a more stringent CAZ i.e charging additional vehicle classes vehicles. Therefore proposals which risk achievement of this legal objective cannot be supported unless sufficient mitigation of the impacts can be found.

4.0 ExA's QUESTIONS on TRAFFIC, HIGHWAYS and AIR QUALITY

- 4.1 PCC has been informed by the applicant, at meetings of 12th and 25th November 2020 that they intend to provide substantive updates to their submissions to comply with requests that PCC have raised in respect of key matters, and in particular the application of Permitting within Portsmouth and the nature of rights to be acquired within the Highway. While PCC will therefore continue to engage with the applicant in respect of these issues, to assist the ExA PCC will also comment at the hearing on any progress or amendments that have been made based on review of the latest version that will be made available after 30th November and before 9th December 2020.
- 4.2 PCC notes however that a number of questions within the published agenda for ISH2 specifically seek responses from the City Council, or otherwise seek clarification on matters that the City Council believes we can assist the ExA with. These responses are provided below, and are offered without prejudice to any amendments that may have to be made once further submissions from the applicant are received.

REF Agenda 3(a) first bullet point

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?

- 4.3 The assumptions made in respect of traffic generated from Fratton Park on football match days, and the predicted effects on the highways are that those will have a similar profile to that of a weekday peak. This is a reasonable assumption although the effects will be more directional, will extend for a longer period and apply at different times of the day. The proposed programme provides for works on Eastern Road not to be scheduled during the football season which will practically mitigate the effects of potential conflict with matchday traffic.

REF Agenda 3(a) fourth bullet point

Can Portsmouth City Council explain its comment in the Local Impact Report that 'the whole exercise needs to be repeated'?

- 4.4 The PCC comment in the Local Impact Report that 'the whole exercise needs to be repeated' appears to have been added in error and we have been unable to locate the source of the text in the LIR. PCC is not sure to what exercise this refers so are unable to make further comment. The only potential reference is in response to the Eastern Road Technical Note (REP1-142 Appendix E) and relates to a discrepancy in a free text table reporting traffic flows at the Eastern Road /Burrfield Road junction. The applicant has subsequently confirmed in their response to the LIR that this was a free text

error only and is not replicated in the modelling presented. In that light this exercise will not need to be repeated.

REF Agenda 3(a) fifth bullet point

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?

- 4.5 With regard to the Applicant's Responses to the Local Impact Reports ([REP2-013], 5.1.14), the updated results for Portsdown Hill and Portsbridge Roundabout are unlikely to have any consequential effects on the modelled scenarios. However the model does not predict the observed peak hour queuing on the off slip from the M27 at the Portsbridge Roundabout and the queue extent and safety implications of that will need to be determined.

REF Agenda 3 (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?

- 4.6 In PCC's view and in its capacity as LHA it can have no confidence that the joint bays will not be located within the highway as required, as in the Applicant's response to Local Impact Reports ([REP2-013], page 3-50, 5.5.2) the applicant is specific that 'The location of the joint bays will be off the roads, (e.g. in verges) where practicable' PCC's emphasis). This implies that the joint bays are likely to be in the highway and may well be within the carriageway where it is not practical to position these in verges.
- 4.7 As the applicant has not undertaken full surveys of the locations for joint bays the LHA can have no confidence as to the practicability of locating them outside the carriageways.

REF Agenda 4 g) first bullet point

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?

- 4.8 The charging Clean Air Zone (CAZ) will be introduced in the south-western part of Portsea Island in November 2021. The proposed development is not within the CAZ boundary therefore is likely to have limited direct impact on the zone. It is however possible that traffic that reroutes to avoid the traffic management put in place to facilitate the development will inadvertently travel through the CAZ. Equally this impact could work in reverse with traffic seeking to avoid the CAZ inadvertently travelling along Eastern Road.
- 4.9 Transport modelling undertaken using the Solent Sub-regional transport Model (SRTM) in support of the Local Air Quality Plan demonstrates limited

rerouting of traffic to avoid the CAZ (as detailed in [Transport Modelling Forecasting Report T4](#), October 2019). However, it should be noted that this is a strategic level model and the CAZ is not yet operational so uncertainty remains in confirming likely impacts.

REF Agenda 4 g) second bullet point

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

4.10 Portsmouth's CAZ will be a class B charging zone, meaning that 'non-compliant'¹ buses, coaches, taxis, private hire vehicles and heavy goods vehicles will be issued with a daily charge for driving in the zone. At present it is not proposed to charge private cars or light goods vehicles for entering the zone. It is therefore unlikely that worker travel arrangement will be impacted by the CAZ.

REF Agenda 4 h) third bullet point

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

4.11 In paragraph 23.6.4.10 of the revised ES Chapter 23 (APP-138 Rev 002). The applicant notes "The Class B CAZ is unlikely to affect construction traffic as none are predicted to pass through the area subject to the Ministerial Direction", however this is not the case as PCC are under ministerial direction to deliver NO2 compliance for "the areas for which it is responsible" (the Environment Act 1995 Portsmouth City Council Air Quality Direction 2020). This, which extends beyond the CAZ boundary. Whilst it is unlikely that construction traffic will have reason to pass through the CAZ, it will pass through other areas "for which PCC is responsible" and which have been identified as NO2 exceedance sites for the purpose of NAQO or 'near exceedance'² sites in the Air Quality Local Plan.

4.12 Therefore there are two specific areas of concern relating to current and potential exceedances of NO2 within the Order limits:

- Air Quality Management Area 9 (AQMA) covers covering the southernmost section of Eastern Road from Sword Sands Road south into Velder Avenue and its junction with Milton Road. In the 2020 Air Quality Annual Status report the bias corrected and annualised concentration of NO2 at monitoring site 132 (Column 50 Milton Road (MR-Col50)) is reported as 39.36µg/m³. Although this concentration falls within the objective standard (40µg/m³ annual mean) it is close to it and therefore this site is sensitive to changes in traffic volumes and flows. This location is not currently projected to be a future exceedance in the Air Quality Local

¹ Non-compliant vehicles are diesel vehicles of Euro V emissions standard or older and petrol vehicles of Euro III emissions standard or older.

² For the purposes of the Air Quality Local Plan 'near exceedances' are sites with concentrations in excess of 37 ug/m³ but below the legal limit of 40ug/m³.

Plan, however the plan does not take into account the adverse impacts that the proposed development could have on traffic flow in this location.

- In the Air Quality Local Plan a receptor at Eastern Road Water Bridge is projecting a future 'near exceedance' with concentrations of 38.8 µg/m³ anticipated in 2022 under baseline conditions and 36.8 µg/m³ with a Class B CAZ in place. Although the water bridge itself falls to the west of the red line for the proposed development, this location is particularly sensitive to queuing traffic and therefore there is concern that any increased queuing resulting from the traffic management put in place to facilitate development will have a negative impact on NO₂ concentrations here, and therefore compliance.

5.0 CONCLUSION

- 5.1 As noted above PCC reserves its position to making additional submissions in light of any new evidence and the applicant's responses.