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00:05

Okay, so let's reconvene this hearing. And we're on to agenda item j, which is marine habitats and assessments. Our first point under this heading was in relation to our request. In our first written questions to the applicant supply some figures to show various relationships with sensitive habitats and locations, and the proposed development. In response, we were directed to Defra as magic maps website. We have concerns over the use of that because depending on who you are, you may get different results from it. And some people may be too technical so asked if something could actually be put into examination. We understand from the deadline five response from the applicant is recently become possible to import project data into the different magic maps website templates. And the applicant has submitted a deadline five, exhibit one, which shows the proximity of Wi Fi sensitive habitats as we requested. We are very grateful for this. It does fulfil what we were looking for. Are there any questions from anybody else on it?

01:17

I seen I think and it is on screen at the moment for those which demonstrates what we're talking about. says there's no further points on move unless the applicant wishes to say anything to that figure.

01:32

Nothing taught at this time.

01:33

Russ Hudson.

01:35

Thank you. So moving on to the next point was it was stated that a precautionary approach was taken to determine the study areas for the baseline. We asked could the applicant please provide reassurance of figure 8.1 does not need updating to reflect the regional boundaries used in the environmental statement? And we asked if MMO and natural England will contend to the extent of this study area. Deadline five response from natural England is that its content with the study area. And I believe Miss Ford your deadline five also. You said you were content. Is that correct?

02:13

Yes, I can confirm that we're content with the study area.

02:16

Thank you very much. Is there anything on that or Mr. Hudson? Oh, can we move on?

02:21

I am happy to move on providing Mr. Jobs is happy to do

02:23

so as well.

02:25

Are you content Mr. Jarvis?

02:27

I am content sir. Okay.

02:30

So the next point is with reference to our question, first written question me 110. Six. We asked natural England in the Marine management organisation to confirm that they were satisfied that the most appropriate and up to date environmental information had been used to inform and influence the definition of the zone of influence relating to benthic receptors. Again, we've had some deadline five responses in advance to this where natural Enders indicated that it is satisfied that the most appropriate up to date information has been used. And Mmm, for which I took data from that one.

03:11

Yes, I can confirm that the MMI in consultation with C FOS. I contend

03:15

that the most appropriate information has been used.

03:18

Thank you very much. And again, unless the applicant or any other party wishes to comment on this, I intend to move on Mr. Hudson. Are you satisfied with this one?

03:27

Yeah, satisfied. Happy

03:28

to move on.

03:29

Thank you. That brings us to a conclusion the points I wish to raise today about marine matters. Is there anything else that anybody wishes to talk about in terms of marine matters before we move on? I have not heard anything there. So I'm going to move. Move on to agenda item six and hand over to Mr. Wallace to cover noise.

03:54

Thank you very much, Mr. Mann. Apologies to everyone. If I fade in and out. I'm having one or two connection issues, but hopefully that shouldn't interfere with our running of the hearing. Moving on to item six k on the agenda in relation to noise. We've referenced it x q one question and 111 three, could the applicant clarify the meaning of its response and I quote within the onshore cable corridor, the relevant distance between the illustrative cable route and the noise sensitive receptors influences the magnitude of noise level experienced by receptor. The magnitude of impact on overall noise effects assigned to this magnitude of level is influenced by the duration, timing and frequency of exposure to that noise level, which is not altered by the alignment of the cable route. Unquote. The first part of that suggests that the distance between the cable and a receptor does not influence does influence so the impact perceived that the receptor Might intuitively be expected as noise diminishes from source. The second part could be taken to contradict this. Please, could the applicant provide clarification and what is meant by that? Mr. Jarvis? Will this be yourself?

05:18

Mr. Farmer, please,

05:20

exit. Okay, thank you, Mr. farmer.

05:24

Thank you, sir. And before I start, could I just request that whilst I'll be leading the responses, and for the noise points, can I request that my colleague Louise be met? She's also a registered speaker is able to contribute to any subsequent discussions that are that are had?

05:42

Of course.

05:43

Thank you. And so yes, in response to these, the points raised and I should also point out that the response may partly also answer the second bullet point in the transcript, as as one leads on, as one beat on to the other start, but starting the part, firstly, starting with Part Six K, I'm going to explain that the adopted methodology for determining for determining significance in the construction noise assessment is based not on the not only on the anticipated noise level, but also on the other factors. So the duration of the activity, the time of day, and the census seps sensitivity, and explain why this is considered a robust approach. And, please, So would it be possible for exhibit to have issues specific hearing three to be shared to help with the explanation?

06:38

This, of course, bear with me one moment. Apologies that has not come up. But what has come up is the illustrative cable route that was used to inform the noise assessment. For some reason your exhibit free is not. So your exhibit is not showing, are we able to work off of this plan that is now on the screen?

07:23

And so there are some additional elements to the plan. But if it's not immediately available, then we could if you leave it on sheet two that might help mix and help the explanation and are trying to provide some further further information. And it's not it's not clear. Yeah. Okay. So to assist with the explanation, and in the applicants original response, and we completed a sensitivity test, in the sections where the order limits are relatively wide, and therefore where there is the potential for variation in the exact cable route alignment compared with the alignment assessed. An example of this sensitivity test was illustrated in in exhibit two of issues specific hearing three, but there are four key points I'd like to make on that figure. And that's that the corridor within which adverse noise levels could occur is relatively narrow compared with the width of the order limits, and the distances that different noise levels are predicted to occur are described in paragraph 6.4 of our transcript. But in summary, negligible noise levels will occur at distance is greater than 22 metres either side of the cable route. And the cable route on the figure you are you are showing is the blue is the is the is the blue line. And therefore, and following this first point, the cable route would have to be installed within 22 metres of the order limits edge for greater than negligible noise level to be experienced outside of the order limits. And given given the cable installation principles, following the shortest route and minimising bends, this is considered very unlikely to occur and result in it very enough to result in a change in the noise level experienced. The third point is that if the route was installed at the very western edge of the order limits in this example, in Section two, the overall noise effect would be at worst mine adverse not significant at a single receptor. And the other receptors in section two will be subject to negligible effects. And this sensitivity test of which the exhibit two was next was an example that's been completed on the other sections where the order limits are relatively wide. And in summary, the conclusions of the assessment will not change. The assessment is considered robust. And I just like to following the presentation of the finger draw your attention to the broader conclusions is the sensitivity test, which is that the magnitude of noise level is only one factor used to determine the overall noise effect. There are other factors that require equal consideration, including the duration of the exposure, the timing of the works, and the resistance receptor sensitivity. And these factors are not affected by the precise alignment of the cable route. And so therefore, regardless of the precise alignment of the route, the total duration of exposure to a greater than negligible noise level will not change. And therefore, in conclusion, whilst there could be minor differences in the magnitude of noise level experienced at some receptors, depending upon the exact cable route alignment, this is unlikely to alter the overall perception of effects. And therefore, assessing an illustrative route is considered a robust, reasonable worst case and proportionate approach. And that's my summary for that. So.

11:10

Okay, okay. Thank you very much for that. Hopefully, you've got that plan on screen in front of you now. I'm just seeing it to the the bottom left of the image there those properties in add nice line? Yeah. Can I just confirm that if, if the cable route, where to differ from that illustrative routes, and where to head over for whatever reason, towards that southwest corner? Can I just confirm that it is your position that no matter how close it got to those properties, that there would still not be an adverse effect of noise upon them?

11:51

That's correct, sir. Because those properties are located further than 22 metres from the order limit boundary.

11:59

Okay, and just for a bit of further clarity, does that also apply to vibration effects as well?

12:08

I believe it, I believe it would also serve, but I would, I would just need to clarify that. That's not information I have to hand.

12:17

Of course, the probably a bit of an unfair question at that time. So no, thank you.

12:21

The question was specifically regarding noise. And that's what this answers, but obviously, we can provide that information if required.

12:29

Okay, that's, that has helped in that respect. I will just touch on the next bullet point question. You have, as you say, partially answered that. But for completeness, so just say, how robust is the assessment of magnitude of change in the noisy environment? And the determination of significance in light of this? How does it relate to the adopted environmental impact assessment approach of assessing the worst case? Mr. Farmer?

13:01

So yes, just to summarise that. As I as I've mentioned previously, I think, whilst there could be minor differences in the magnitude of noise level experienced at some receptors. And depending upon the exact alignment, it's unlikely to affect the overall perception of effects, and therefore, it's considered a robust, reasonable, worst case and proportionate approach.

13:27

Okay, thank you very much. And I have no further questions for yourself. But I'd like to just open this up to one of the local authorities, whether in relation to question one or question two, under item six K, whether there are any other views from any party on this play.

13:52

Okay, nothing heard. Okay, in which case, we'll move on to the next question. Subsequent to all relevant parties answers to x q, n 111. Two, does the information provided in the noise assessment chapter of the environmental statement fully reflect the requirements of the state of methodology? And standard Bs, five to eight, eight should include information about daytime noise levels associated with construction? If so, does it include adequate information about this matter, should include details of noise levels for daytime working and relate these to a work programme for the number of days that noise generating work will be carried out? Obviously, we have the applicant transcript on this. But Mr. Farmer, is there anything you wish to add on that?

14:47

Thank you. So yeah, I'll just summarise the key points in response to each of those questions. And so firstly, does the noise assessment fully reflect the requirements of BS five, two to eight Yes, it fully and robustly follows the principles and in particular includes a detailed consideration of activities that may take place outside of working hours. And secondly, regarding the inclusion of daytime construction noise levels in the assessment, and these have been provided and fully in the assessment and in an example of how they're provided for Section 10 is described in paragraph 6.14 of our transcript. And this same approach is replicated throughout the throughout the assessment for all construction activities and both in the environmental statement and the addendum. And the and therefore, the adopted approach for the assessment of construction noise during call working hours is robust and proportionate. And in response to the third point about a works programme, and then construction noise assessment is utilise all the available programme information, including the proposed working hours, and the duration of the activities. And in particular for the cable route. The assumed installation rates figure and included rep one dot 151. And the cable these cable installation rates have been used to determine the expected duration of impact to determine how long the receptor will be exposed to adverse noise levels. And this is considered a robust and proportionate assessment of the likely significant effects. And finally, on the point regarding and or sorry, say is that is this on the final point breaking and cutting of the resurfacing of roads. Have you have you made that point yet?

16:41

No, I've not been I've done a question just yet. Hold

16:43

on to that in a second. Sorry. So

16:44

not a problem. Is that complete what you wanted to say on that item?

16:49

It does. Thank you, sir.

16:50

Okay. And Would any of the other interested parties wish to make any comments on this at this time? Okay, nothing heard. And I have no further questions on on that point. In which case, let's move on to that that last question under item six k on the agenda would the draft development consent order allow for the braking and cutting of road surface or resurfacing works during nighttime? If so, is further noise assessment necessary to determine the worst case impact on noise sensitive receptors. Mr. Farmer

17:33

Thank you. So, given that the nighttime period is the most sensitive period for sensitive residential receptors, cutting and breaking of the road surface and road resurfacing activities will not be permitted during this period. This mitigation measure is secured through section 6.2 point eight of the outline onshore and semp. Therefore, no further assessment that contained in it Yes, and yes, agenda is necessary.

18:06

Okay. Thank you for that clarification. And I recall from earlier hearings, that some areas such as the carpark at Sainsbury's, for example, may be reviewed as to whether or not nighttime works could take place at those times. Presumably, if that were to be the case, then there would need to be additional noise surveying assessments undertaken. Is that something of yourself or Mr. Jarvis can just comment on quickly to clarify the position please.

18:44

So in relation to Sainsbury's carpark, the potential for nighttime working has been assessed in the environmental statement, as supplemented by the Yes, sir denden.

18:57

Thank you very much. Do anything else Mr. Jarvis wanted to make on that point?

19:01

Yes, if I may just add service where nighttime works are carried out of sanctuaries, it would not include cutting and breaking and the loudest activities during that nighttime period. So they would have to cease at 10pm and would not be allowed to commence again until 7am. So this restriction won't be relaxed. What would happen would be works which are quieter so that the construction process could be carried out overnight, sir. Thank you.

19:23

Thanks for that clarification. And I see Mr. Goma, your hand is up.

19:31

Sir. Yeah, thank you. If I may, I just wanted to take the opportunity to briefly flag the ongoing concerns of the Highway Authority on the limitations being placed on traffic management within the draft ECA. In its worthy efforts to demonstrate minimal noise impacts on residential immunity. It is recognised that the applicant has made positive steps towards a more acceptable package of measures in mitigating highway impacts, including the commitment to the highway permit scheme. However, the current drafting of the DCA and outline some see workcamp doesn't provide the flexibility and agility needed for the Highway Authority to effectively manage the highway impacts arising on traffic sensitive roads with regards to directing as well as working. This is particularly important on the three London roads, the challenges faced by the applicant in ensuring that the impacts or the immediacy of residence long there is acknowledged and understood. But the permit scheme and supporting practice there in provides for such control to be secured in a way that responds to the particular circumstances arising at the time of construction. Indeed, such mechanisms and approaches are adopted by all other utility companies when undertaking works on those roads. And finally, we will be mindful of the provisions made in the SA pipeline decio In this regard, which includes drafting to cover this point. And we can provide further details on this deadline six, if that would be helpful.

21:00

Thank you for that. Yes, I see. And does the applicant have anything to respond at this time on on that?

21:12

Thank you, sir. And just to acknowledge that there's a balance to be struck in terms of the undertaking of nighttime works obviously, because of the limitations on noise and the proximity to residential receptors, you wouldn't be able to undertake those louder works at night, and you would have to employ different working practices, for instance, using handtools. Therefore, the rate of progression is slowed. So whilst it's appropriate in certain locations for it to be required across long lengths that actually be of little benefit, in our view. However, I do confirm that I am continuing to discuss matters with Mr. Garner and Hampshire County Council particularly further to comments yesterday, made in relation to joint days and what activities could be undertaken overnight, and we will continue to discuss that. However, the applicants position will remain that it's not going to put forward proposals for undertaking works at times where it would give rise to further adverse impacts, because they do not consider that that's an appropriate thing to do. And as I say, there is also a balance of considerations with the, with the games that can be made of working through nighttime, which given the constraints on the work that can be undertaken are limited in terms of timing, sir, thank you.

22:17

Thank you very much, Mr. Jarvis and, Mr. Gomez, do anything you wanted to come back at this time.

22:23

I'm certainly just to kind of recognise what Mr. Jarvis was saying. And to point out that it is a balancing act with the highway impacts do have to be taken into account. And on the three London roads, the practice has been not to allow for daytime working in peak hours during the day because of the impact it has on the wider highway network. And that's what the permit scheme and the operation of allows for flexibility and agility, which I think is what the applicant is seeking to ensure that that balance is appropriately back and taken forward in decision making.

23:02

Okay, thank you. This is probably one of those situations where the respective positions have been reached. Before I go back to the applicant, I said that Mr. Cornwell Your hand is raised that

23:15

is that is in relationships no matter what we suggest, though, we tend to roughly agree with the accuracy, the position the applicant regarding nighttime works, we would welcome some dialogue with Hampshire County Council wherever it may be offline to this meeting, to just discuss what their exact thoughts are, because I do have concerns that the whole noise assessment has been based on an assumption of what nighttime works will be occurring. And if this is going to be able to this could be quite significant. However, its minor alterations, there may be a way forward. So I would suggest that my Hampshire County colleagues meet with the local authority colleagues to have a further discussion offline in time for the next deadline to clarify this matter.

24:08

Thank you very much. Mr. Kittredge. That's most appreciated. And if that conversation could take place outside the hearing that a bit that'd be fantastic. Is there anything the applicant wishes to comment on at this time on that?

24:22

nothing further. Thank you.

24:24

So thank you very much. I see that a hand is raised I do not know who's that's from.

24:32

It's Celina Cahoon here from from Portsmouth simply to say that that Portsmouth also would want to chime in with those discussions as well with the other authorities.

24:45

Okay, I mean, I seem to recall at some point, there may have been the potential for a joint statement of common ground between the highways authorities. I don't know whether that would necessarily expand as far To cover the the activity of noise and noise mitigation as such, but maybe that's something that can be perceived by the parties outside of the outside of the hearing. That'd be much appreciated. Thank you very much.

25:14

Understood, sir.

25:16

Okay. Miss Cahoon, you're out there, get the hands down. Okay, we'll move on then and conscious of the time, but I think we can get a little bit more ground done before lunch. Moving on then to item I on the agenda relating to the robustness of the methodology noise methodology that is, first question was referenced to the applicants response that deadline to several local authorities indicate they remain unclear how the magnitude of noise change has been assessed. Notwithstanding the applicants response that little reliance has been placed in the generic definitions in table 2413 of the ETS, with the clarity of the noise assessment, especially for non technical readers be improved by a clearer explanation of how magnitude of change sensitivity of receptors and predicted significance of effect was dealt with in the noise assessment. Let's start with Portsmouth City Council in the first instance, please.

26:24

So I'm going to hand over to Miss astore for this. Okay.

26:38

Still, you may be on mute.

26:42

Yeah, hello, Lorraine are still city council DSPs provide you some information on this prior to this meeting. And we have agreed the information that they have put through. So we're happy with what they've proposed and how they've explained the situation.

27:09

Okay, thank you very much. I believe this was also a point that had been raised in Winchester city council submissions. Mr. Conwell, is there any response on this point?

27:23

No, sir.

27:24

We're happy with the situation as expressed.

27:26

Thank you. Thank you very much. Does anyone else wish to raise a point on this before I go back to the applicant? Okay, nothing heard. Mr. Jarvis. Is there anything you wish to just comment on or Mr. Farmer?

27:43

Thanks. Thank you, sir. Thank you, Martin. Sorry, just to point out, sir, that, as the local authorities have indicated, after responding to the question and 111, seven, subsequent discussions were held with the relevant local planning authorities. And the noise assessment methodology has been formally agreed with Winchester City Council, East Hampshire, and having Borough Council and that's evidence through the respective statements of common ground, submitted it, I think, deadline for sir.

28:18

Okay, thank you very much for that. Imagine that the next question is covered. But for completeness, I'll say the applicants deadline to response please clarify for specific References What is meant by the magnitude categories adopted for each assessment element underpinned by the appropriate British Standard or guidance document? Do parties believe that the examining authority and the Secretary of State can have confidence that the method and conclusions of the noise assessment are reliable and robust? Now taking into account everyone's responses to the previous question? I'm going to make an assumption that is correct. That everyone is happy, however, does anyone wish to raise a dissenting voice on that or any points on that question?

29:12

Okay, nothing heard. Mr. farmers do anything you wish to just add on that point?

29:19

Nothing else to add, sir. Thank you.

29:21

Okay. Thank you very much. We'll move on then. Question for the applicant is the woods the alternative approach based on the noise policy statement for England? suggested at deadline one by Portsmouth City Council in response to x q one, n 111. Seven be more appropriate. Mr. farmer.

29:48

Thank you, sir. Yes, I've got three key points may make in relation to this. Firstly, an assessment in of noise in line with the qualitative definition In the national policy statement for England, and could not be completed because the MB MPC does not assign numerical criteria to levels of no lowland soul. And secondly, British Standard Form four to four operational noise and five two to eight for construction noise are directly recommended in the national policy statement for energy n one, and therefore are the applicable assessment standards for the proposed development. And finally, in the absence of numerical values in the NPC, one will be reliant on the same British Standards used in the noise and vibration assessment to assign suitable criteria to no laws and souls. This wouldn't add any value to the assessment, the conclusions would not change. And the exercise is not necessary to determine the significance of effects and undertake robust assessment.

30:56

So, thank you very much, Mr. farmer. Now, Miss Cahoon, this was initially as a mentioned point from Portsmouth City Council. Do you have anything that you wish to raise in respect of that response?

31:11

nothing other than to confirm that we're happy with that explanation.

31:15

Thank you very much for that, I see a hand is raised. Who is that from? who wishes to speak up that is gone. So nothing further on on that point. Thank you very much for that. Moving on to the last question of this section, following the applicant submission deadline to does CPRE Hampshire have any remaining concerns from its written representation regarding noise generated from both construction and operation of the converter station? The garments of MPs n one, the use of bs 4142 is the assessment standard. The incorporation of uncertainties in the assessment and the interpretation of technical note bs 414 to 2014. A one 2019. Is there common ground between the parties? Now, unfortunately, CPRE Hampshire could not be with us today. Mr. Farmer, do you have any response to that question or any updated position that that has been reached? If any we've CPRE Hampshire place.

32:25

Thank you. So we haven't had any further correspondence with CPRE Hampshire. That hasn't as no further points have been raised on these matters. And since the applicant responses were provided, it's it's a shame that there are no outstanding issues and from CPRE with respect to noise vibration assessment.

32:45

Thank you very much. That's pretty much answered my, my question on that. conscious that we've got a little bit more ground to get through just having a look at the time. I wonder if now is a convenient break to have lunch. It's coming up to quarter to one. And therefore what I propose now is that we have a lunch break, and that we adjourn and resume at quarter to two. That's 145. I look forward to seeing you all then. Thank you.