



AQUIND Limited

AQUIND INTERCONNECTOR

Applicant's Response to Deadline 3 Submissions

This Document has been edited by Winchester City Council and now only contains the responses relevant to WCC. plus the Councils comments on those responses.

(23 December 2020)

The Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8(1)(c)



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Applicant's Response to Deadline 3 Submissions

PLUS

Winchester City Council Response to applicants Deadline 4 Submissions

PINS REF.: EN020022 DOCUMENT: 7.9.17

DATE: 17 NOVEMBER 2020

EDITED DATE: 23 December 2020



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DOCUMENT

Document	7.9.17 Applicant's Response to Deadline 3 Submissions
Revision	001
Document Owner	WSP UK Limited
Prepared By	Various
Date	17 November 2020
Approved By	M. Wood
Date	17 November 2020

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1. INTRODUCTION

- 1.1.1.1. 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). The Application was accepted by the Planning Inspectorate (PINS) on 12 December 2019, with the Examination of the Application commencing on 08 September 2020
- 1.1.1.2. The Application seeks development consent for those elements of AQUIND Interconnector (the Project) located in the UK and the UK Marine Area (the Proposed Development).
- 1.1.1.3. Deadline 3 of the Examination was on 3rd November 2020. This report provides responses from the Applicant to submissions made by Interested Parties at Deadline 3. Each table in Section 2 corresponds to the submission of an individual Interested Party.

2. APPLICANT'S RESPONSE TO DEADLINE 3 SUBMISSIONS

Table 2.7 – Winchester City Council (WCC) – Deadline 3 Response

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
7.7.4	Position Statement in Relation to the Refinement of the Order (REP1-133)	7.7.4	
	The Council has a concern relating to the adjustment to the Order Limit at Soake Farm as described in section 3.3.1.6. Plates 1 & 2 show the existing and proposed arrangement. Whilst the area where the cable is to be installed is reduced, section 3.1.1.9 indicates that New Access Rights are to be retained over the purple area and there is a reference to the provision of a haul route at the end of the paragraph. These are now shown as land parcels 3-12a & 3-13a on sheet 3 of the Lands Plan (REP1-011).	The Applicant can confirm that any access rights required over Plots 3-12a, 3-13a and 3-12 as shown on the updated Land Plans (REP1-011a) would not require a haul road as installation of the Onshore Cable Route in this area would be by horizontal directional drilling (HDD) rather than open trenching and the reference to a haul road in the Position Statement in relation to the refinement of the Order Limits (REP1-133) was in error. It is possible a short length of haul road may be required in Plot 3-13, though this would be in relation to the HDD compound which could be located in the southern part of Plot 3-13 (immediately north of Hambledon Road).	Noted and clarification welcome.
	The nature and degree of access for monitoring (by foot or vehicle) needs clarifying but the Council would resist the establishment of any haul route from north to south. Such a provision is not compatible with the HDD approach to the installation of the cables in this location which includes two SINC's.	For monitoring purposes access will be carried out on foot. The statement in relation to the haul road is an error. No haul road will be installed in plots 3-12, 3-12a, 3-13a. It is possible a short length of haul road may be required in Plot 3-13, though this would be in relation to the HDD compound which could be located in the southern part of Plot 3- 13 (immediately north of Hambledon Road). Habitat within Plot 3-13 comprises Lowland Meadow which is ecologically important. Ecological mitigation to restore this habitat following completion of the construction phase is proposed within ES Chapter 16 Onshore Ecology (APP-131), and expanded upon in the ES Addendum (REP1-139). It is secured through the OLBS (REP1-034) through requirement 9 of the dDCO (REP3-003).	This needs to be embedded in the DCO or the supporting Documents. The Book of Reference contains 8 separate Actions (a-h) that could be undertaken in an Access Rights area. WCC will respond on the Denmead Meadows situation in a separate paper at D6
	The Council questions if the applicant cannot release the land to the south of Hambledon Road from the proposal. These are land parcels 3-14, 3-15, 3-16 & 3-17 as shown on sheet 3 of the Lands Plan (REP1-011).It is understood that this was originally considered as a location to launch the HDD, but that launch site now appears to be located on land on the north side of the road. If this is the case, then the southern land is no longer needed. If it is to be retained, then a discussion is needed on the way that land will be used and its impact on the close knit features that surround and divide up that ground.	Plots 3-14, 3-15, 3-16 and 3-17 have been retained to provide flexibility for the location of Horizontal Directional Drilling The Applicant notes the need for a discussion regarding usage of land and possible impacts and will facilitate those discussions.	Is the applicant proposing that this flexibility is retained throughout the Examination with no final decision made until contractors are involved? It is hoped that at some stage in the examination process the applicant will make a final decision. This seems to be the application of the Rochdale Principles with alternative sites for the HDD5 launch compound arising here. This discussion can form part of the conversation on Denmead Meadows

		<p>The Applicant is in consultation with Natural England with regards restoration proposals for Lowland Meadow habitat within Plot- 3.13 and hopes to reach agreement on such proposals through the Statement of Common Ground with WCC.</p>	<p>WCC will outline its current position relating to Denmead Meadows in a separate paper</p>
7.7.9	Biodiversity Position Paper Rev 001 (REP1-138)		
	<p>Definition: when using the term Denmead Meadows this is assumed to refer to the section of ground bounded to the south by Hambledon Road and to the north by Anmore Road.</p>	<p>This is correct. The Applicant has used the term 'Denmead Meadows' as the area between Hambledon Road and Anmore Road. Within Denmead Meadows are Kings Pond SINC, Soake Farm Meadows SINC and further unimproved grassland not covered by SINC boundaries.</p>	<p>Noted</p>
	<p>The bespoke mitigation at Denmead Meadows is the subject of ongoing discussions. The Council notes the desire of the applicant to seek the agreement of Natural England as a priority. At this time, the Council would</p>	<p>The Applicant is indeed continuing discussions with both Natural England and Winchester City Council on this matter. The Applicant has reduced the footprint of compounds proposed at Denmead Meadows as much as is practicable and has committed to a pre-construction survey</p>	<p>WCC considers that a sufficient level of detail is required at this stage so that a reasonable assessment of the two options for the location of the HDD compound can be made at this time and not left to the pre contract stage.</p>

Para No.	Comment	Applicant's Response	Winchester Comment to applicants D4 submission
	<p>make two observations. Firstly if a compound is to be formed on the land at the southern end of the area then its footprint needs to be the subject of a micro siting process to avoid any existing plant clusters Secondly, notwithstanding the applicants embedded measures to mitigate harm, there is still a need for some form of compensation for the inevitable damage that results from the activity. All the applicant's proposal seek to limit the degree of harm but a certain level of impact is inevitable. This should be acknowledged and responded to.</p>	<p>of the meadows to highlight a contemporary distribution of green-winged orchid. It is noted that the distribution of orchids, which were widespread in the meadows, is highly likely to vary from year to year.</p> <p>The Applicant has detailed a thorough assessment of the impacts on Denmead Meadows and has clearly concluded that there would be a significant effect in the absence of mitigation. The mitigation proposed will return the meadows to their current condition in an appropriate and diligent manner. On this basis, the Applicant considers that there is no requirement for compensation, as there will be no residual damage to compensate for.</p>	<p>The concern of residual harm to the habitat value is still consider to exist and needs addressing. The Council has a number of questions on the proposals at Denmead Meadows and these will be presented separately. Fundamentally, what is judged to be a successful reinstatement?</p>
	<p>All the actions need to be linked into the DCO. Such is the significance of the sensitivity around the work at Denmead Meadows that a distinct Requirement needs to be considered.</p>	<p>This is subject to ongoing discussions with Winchester City Council.</p>	<p>Noted</p>
	<p>At Lovedean, the Council notes the intention to provide a gain relating to hedgerow and calcareous grassland. An increase in hedgerow of 1.99km and in the area of grassland of 8.63 ha are offered. Regarding the establishment of the lowland calcareous grassland, the Council considers that the applicant needs to expand on exactly how this additional area will be created to the quantity and quality indicated. The existing soils do not appear to be of the type and nature to establish a calcareous grassland. Chapter 17 of the Environmental Statement Soils & Agricultural Land Use (APP-132) refers to the Lovedean area as clay loam (17.5.1.3) with the upper subsoil as clay/heavy clay loam (17.5.1.4). It would appear that significant earthworks and the laying of a more suitable material would be required.</p>	<p>The Outline Landscape and Biodiversity Strategy (REP1-034) seeks to establish a species-rich calcareous grassland following topsoil removal or inversion and ground preparation and no fertilizer will be applied. These interventions will counter agricultural improvements and allow the influence of the underlying calcareous geology.</p>	<p>The combined average depth of top soil and head Deposit was reported by the applicant in deadline 3 (7.4.1.3) as 1m in depth.</p> <p>The Council questions if it is practicable for the applicant to suggest this depth of soil is removed over the 8 hectares. The alternative option of inverting the top 1.5 to 2m of material is also viewed with concern.</p> <p>Removing the soil and sub soil would displace a significant amount of material.70-80,000 tonnes How would the lower level be bladed back into the surrounding ground levels? What would the implications be on surface water drainage?</p> <p>Regarding the inversion approach, this is an area of approximately 400m by 200m in size. It would also be a Major engineering feat to place the existing soil/subsoil below a layer of chalk that would have been excavated from underneath it.</p> <p>Again, what would be implications be for surface water WSP</p>

			<p>drainage?</p> <p>The response indicates that the applicant seems willing to invest a significant amount of energy into this work. Could some of that not be applied to the creation of other types of priority habitats particularly in those areas identified as grassland but which are smaller in size and may be difficult to engineer the change to grassland for the reasons outlined above.</p>
	<p>The engineering work to form the level building platform will both expose faces of the underlying chalk to the north, west and east. The work would also provide a surplus of excavated material. However, the excavated chalk will presumably be needed at the southern end to bring the ground level up. It is not envisaged how the soils could be used to increase the levels as they would fail to provide a solid and compacted area on which to build. Accordingly, all the chalk is anticipated being used to establish the level building platform. It is assumed that the chalk is of a quality that is suitable to be used as sub base compacted infill. This appears to only leave the top soil and sub soil as surplus material to be used elsewhere.</p>	<p>The proposed Converter Station site slopes gradually from the north to the south. The earthworks at the site would mainly comprise cutting into the existing slope in the north of the site, and site raising (embankment construction) in the south of the site to achieve the indicative site platform level of 84.8m AOD (metres above Ordnance Datum). All excavations works should be battered back to safe angles during the works in accordance with the relevant temporary or permanent works design. Where practicable, suitable excavated materials from the proposed cutting in the north of the site will be re-used as general fill to raise site levels i.e. to construct the proposed embankment in the south. Suitability will be assessed as part of earthworks specification requirements - including confirmatory tests agreed with statutory bodies. If the site-won material is not suitable the proposed embankment fill material is to be agreed with the statutory bodies. The embankment fill materials (site-won or imported) would be benched into the existing site materials and appropriately compacted in accordance with the designer's earthworks specification (which it is expected will follow methods and guidance given in CIRIA 574 Engineering in Chalk Section 5.2.5). All primary structures on site will be piled through to transfer loads to competent material at depth.</p>	

Para No.	Comment	Applicant's Response	
	<p>This would offer a poor medium to establish a calcareous grassland. The applicant is invited to explain how the extensive area of calcareous grassland will be established without imports and whether this issue has been factored into the assessment of the extent and quality of the resultant habitat which appears to be based on forming a habitat of high quality.</p> <p>With the uncertainty associated with the establishment of the calcareous grassland, it is considered that the applicant should be offering a broader range of enhancement work and not placing so great a reliance on establishing this habitat type at Lovedean. This is particularly valid when it is considered that a large part of the calcareous grassland to be created, is represented by the cut slopes around the compound area. These slopes would be the natural result of the excavation work rather than as a result of a direct intention to establish that type of habitat.</p>	<p>The enhancement work proposed within the Outline Landscape and Biodiversity Strategy (Rev002; REP1-034), including the establishment of calcareous grassland, is both proportionate to the scale of the Proposed Development and appropriate to the chalk downland environment in which it is located. Although this grassland type will be established on land subject to development work, this does not diminish the ecological value the habitat will bring to the area once established, nor the intention on behalf of the Application to provide such ecological enhancements post construction.</p> <p>The Applicant will discuss arrangements for establishing calcareous grassland with Winchester City Council as necessary.</p>	<p>The Council does wish to explore these concerns further,</p>

Table 2.8 – Winchester City Council – Written Questions

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
DCO 1.5.9	<p>At the present time the most up to date copy of the dDCO is the Deadline 1 version.</p> <p>Schedule 11 is TPO trees, schedule 12 is Hedgerows. Schedule 11 still lists trees for potential removal when the applicant is saying they will not be harmed. There is an inconsistency here, either all TPO trees are safe in which case the general power to remove them in the dDCO needs to be removed, or they are still potentially at risk.</p>	<p>The applicant will only remove trees, including those subject to TPO, where it is completely unavoidable. Trees at risk have been included in Schedule 11 as it is not yet possible to definitively confirm their loss or retention (see REP3-003).</p> <p>Unavoidable tree loss is considered to be where the tree is impacted to such an extent that the physiological viability and structural integrity of the tree is significantly diminished such that the long term retention of the tree is not in keeping with arboricultural best practice. The retention or loss of trees will be decided by a suitably trained and experienced arboriculture professional without prejudice to cost implications.</p> <p>This decision will be made as part of the Arboriculture Method Statement and Tree protection plans to be secured through discharge of requirement 15 (REP3-003).</p>	<p>The Council's concerns have focused on the trees fronting Hambledon Road. The situation has changed following the Service of a TPO that covers trees in this area. At the dDCO hearing the applicant offer to review the breakthrough point from the road into the fields to the north and the Council awaits that new detail. It is hoped that this review will remove the uncertainty that has cast a shadow over this part of the proposal.</p>

<p>LV1.9.2</p>	<p>Before considering the ZTV question, we need to clarify exactly what structures are going to be placed on the building and in the building yard area. WCC understands there will be free standing frames in the yard with others on top of the building with a cable string linking them. The Council looks to the applicant to formally provide this detail before then considering its landscape impact.</p>	<p>The Applicant refers to Table 2.10 of the Applicant's Response to Deadline 2 Submissions (REP3-014) which confirms that there are two types of lightning masts. Further to a design meeting with LPAs in October 2020 it was agreed that additional images of the alternative design (which is a conical post rather than lattice tower) would be presented at the next design meeting.</p> <p>At the recent October design meeting the Applicant explained that the design of the masts and associated layout will be resolved at detailed design. In accordance with requirement 6 of the dDCO (REP3-003) submitted at Deadline 1 the final detailed design of the Converter Station must be approved by the relevant planning authority in consultation with the South Downs National Park Authority before any works can commence.</p>	<p>This matter has been resolved through the Design Group meetings</p>
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Para No.	Comment	Applicant's Response	
LV1.9.5	dDCO Schedule 2 para 1(4) still has a reference to mechanical plant when calculating the height of the building. For the avoidance of any doubt, this should be removed just like the reference to solar panels was.	DCO Schedule 2 paragraph 1(4) applies to more than just the roof of the Converter Station Valve Halls being referred to in this comment. It is necessary and it does not otherwise override the controls provided in relation to design and secured by the Requirements in Schedule 2. Suitable design controls in relation to the Converter Station buildings are secured through the Requirements and the Design Principles, and it is not necessary to revise the wording as requested.	
LV1.9.36	The Council is actively engaging in these ongoing discussions.	The Applicant confirms that it is continuing to have discussions with WCC over the indicative landscape mitigation plans which were revised at Deadline 1 - indicative landscape mitigation plans Figure 15.48 and 15.49 (REP1-036 and 037 respectively) and landscape mitigation plans for Option B(ii) (REP1-137). These plans will be revised in due course to reflect some of the comments made at Deadline 3 and 4.	Noted and welcomed
TR1.17.3	<p>The applicant is still seeking to retain the powers in the dDCO to remove any trees including those protected by a TPO. These sections need to be revised to reflect the new commitment not to remove any tree covered by a TPO.</p> <p>Despite the words of good intention the applicant continues to use the word of retention where "practicable" (1.1.3.17 of Outline Landscape & Biodiversity Strategy Rev 002 REP1-035). Regarding the section on the Hambleton Road west of Soake Road junction reliance on "where practicable" is not considered a sufficient safeguard for the Council.</p>	<p>The applicant is only seeking powers to impact trees subject to TPOs listed in schedule 11 of the dDCO (REP3-003). Other trees subject to TPOs not listed in schedule 11 will not be impacted.</p> <p>Unavoidable tree loss is considered to be where the tree is impacted to such an extent that the physiological viability and structural integrity of the tree is significantly diminished such that the long term retention of the tree is not in keeping with arboricultural best practice. The retention or loss of trees will be decided by a suitably trained and experienced arboriculture professional without prejudice to cost implications.</p> <p>This decision will be made as part of the Arboriculture method Statement and Tree protection plans to be secured through discharge of requirement 15 (REP3-003).</p>	

Table 2.9 – Winchester City Council – Local Impact Report

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
4.4.2	The Council still considers that in relation to the areas identified in the LIR the applicant is pushing the concept of the Rochdale envelope too far in certain instances. These situations are identified and in the Council's case.	<p>The adopted Rochdale Envelope assessment approach is appropriate for the scale and nature of the Proposed Development and the assessment carried out is robust. The dDCO (REP3-003), together with the control documents, ensures the parameters of the assessment are secured. The applicant has responded to WCC with regards to the two specific areas where they feel this approach is being applied too liberally (response to paragraph 4.4.3 contained in REP2-013).</p> <p>The applicant has explained that the parameter envelope used for the assessment of likely significant environmental effects is wholly adequate and has allowed for the robust assessment of the worst case effects.</p>	For the reasons outlined elsewhere the Council still considers that the applicant is using the Rochdale Principle too broadly.

4.4.3

Despite some adjustment to the wording, the final decision is still left to the contractor. If the applicant has undertaken further utilities survey work in the highway as claimed, then it should be a simple matter to share that detail with everyone and refine the cable route. The Council is not suggesting that an

The comment that the Order limits provide a broad corridor is not agreed with. The Order limits, and the limited lateral limits of deviation which they provide, are necessary and proportionate and required so as to facilitate the delivery of the Proposed Development.

At a meeting with the application reference was made to Additional information being gathered on the utilities in the Hambledon Road. Aquinds engineers rated the ability to find a route for the cables through these existing services as high. The Council asks that these new utilities plans are shared which may go some way to resolving any concerns.

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
	<p>absolute alignment is presented, simply that at the most sensitive locations the existing broad corridor is reduced to exclude impacting on the adjoining features. The continued threat to 250m of hedgerow and trees on the north side of Hambledon Road west of Soake Road cannot be justified. The applicant must be able to refine the impact to a narrower section of this frontage close to the junction.</p> <p>At the detailed submission stage, a clearly reasoned written justification needs to be included on which features are to be removed and why there is no alternative. Given the importance of the landscape features identified, the presumption should be reversed and placed on retention unless a clear case can be made for removal.</p>	<p>The detailed design of the Proposed Development will be submitted for approval to discharge requirement 6 of the dDCO (REP3-003), which will include such details include confirmation of the cabling route.</p> <p>As explained, unavoidable tree loss is where the tree is impacted to such an extent that the physiological viability and structural integrity of the tree is significantly diminished such that the long term retention of the tree is not in keeping with arboricultural best practice. The retention or loss of trees will be decided by a suitably trained and experienced arboriculture professional without prejudice to cost implications.</p> <p>This decision will be made as part of the Arboriculture method Statement and Tree protection plans to be secured through discharge of requirement 15 (REP3-003).</p>	
4.6.4.2	<p>The Supplementary Alternatives Chapter lacks a clear time line setting out exactly when the applicant considered the countryside route.</p>	<p>The applicant provided a more detailed response to this in Table 2.2 of REP3-014.</p> <p>In summary, the consideration of a cable route in this location was first considered in 2017, however it was discounted at this stage because of the potential for environmental impacts on designated sites and because the Applicant did not want to sterilise the land in this location, noting that it is an area allocated for housing development. Following the suggestion of the alternative countryside routes by HBC and WCC in responses provided at the AQUIND public consultation on 16th and 29th April 2019, respectively, the potential for a route in those location was further considered, with that further consideration confirming the previous conclusions made.</p>	<p>The ES Chapter 2 reference to the 2017 route consideration was an assessment of road routes only. (Plate 2.9 DC Cable Route Options). The Councils letter dated 1 September 2020 (PDB-006) sets out the chronology of the options considered as detailed in the application. If the applicant has other background records of assessments that did not feature on chapter 2 the Council would welcome sight of them.</p> <p>To date, despite several invitations, the applicant has still not provided a clear chronology of any further "background assessments" of when the cross country route was considered in the context of the other routes and the level of detail that any assessment considered.</p>

<p>4.6.4.6</p>	<p>Regarding the discussions with PINs it was the Councils view that the absence of the countryside route from any proposal left a hole in the consultation exercise. In the event this alternative was found to have merit then it could be a fundamental problem for the applicant at the Examination Stage.</p>	<p>The Applicant is content that it has complied with all relevant obligations placed upon it to consider alternatives in a proportionate manner, and to explain how it has done so. The Countryside Route suggested by WCC has been considered further to the consultation. It is not the Applicant's preference for the reasons explained. Public consultation on an option which the Applicant would not take forward for the reasons would be a meaningless exercise, and would only serve to potentially frustrate consultees where this option was removed as it would have been for the reasons explained. It is for the Applicant to consider the reasonable alternatives for the Proposed Development, and it is for the Applicant to determine how it appropriately consults on the proposals for the Proposed Development as it does so. The Applicant has taken an entirely appropriate approach in all regards.</p>
<p>4.6.4.8</p>	<p>The applicant makes general statements that the countryside route was considered but fails to identify the specific time in the optioneering process when this occurred.</p>	<p>See response to paragraph 4.6.4.2 in this table.</p>
<p>4.6.5.1</p>	<p>Noted and accepted. Noted and welcomed providing the TPO tree and its root system are not impacted in any way. The dDCO should be amended to reflect this.</p>	<p>It is assumed the reference to the TPO tree is to T393. As confirmed within the OLBS (REP1-034): "<i>The Onshore Cable Route shall avoid impacting on the TPO'd oak tree (T393) (TPO - 2246 T1) to north of Anmore Road and a mature Category A oak tree (T409).</i>" This is also shown in Sheet 3, Figure 3 Tree & Hedgerow Retention Plans (REP3-007). Further, T393 has been removed from Schedule 11 to the dDCO (REP3-003).</p>

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
4.6.5.4	<p>The Arboricultural Method Statement only refer to protecting high value trees (TPO trees). This sets the bar too high and fails to consider other important factors.</p> <p>The trees on the north side of the Hambledon Road and west of the Soake Road junction are not covered by a TPO but considered to have significant landscape value when viewed in the context of the trees on the south side of the road and their value as part of the Denmead Gap. Nothing has been seen to remove the threat to these trees.</p> <p>The Access and Rights Plan quoted clearly indicates a new access is to be formed off Anmore Road into the land to the north. The new access to Kings Pond Meadow is ref AC/2/b. Clarification required.</p>	<p>The Arboriculture Method Statement will include the protection measures afforded to all retained trees, not just TPO trees as suggested. In relation to the trees on the north side of Hambledon Road to the West of Soake Road, trees at the roadside have been identified as "at risk". However, the applicant will only remove these trees where their loss is unavoidable. Unavoidable tree loss is considered to be where the tree is impacted to such an extent that the physiological viability and structural integrity of the tree is significantly diminished such that the long term retention of the tree is not in keeping with arboricultural best practice. The retention or loss of trees will be decided by a suitably trained and experienced arboriculture professional without prejudice to cost implications. The retention or loss of these trees will be confirmed at detailed design stage and secured through Arboriculture Method Statements to be secured through discharge of requirement 15 (REP3-003).</p> <p>The latest Access and Rights of Way Plan submitted at Deadline 1 (REP1-016) show that a construction access is only proposed onto the southern side of Anmore Road at location AC/2/a.</p>	
4.3.3	<p>What actions are proposed to mitigate the <i>significant (applicant's word)</i> impacts on landscape character within the 1.2 km radius of the site.?</p>	<p>The Applicant considers that an appropriate and proportionate approach has been taken to landscape mitigation as stated in the Applicant's Comments on WCC's Local Impact Report (REP2-013). Existing planting surrounding the Converter Station which serves a visual screening function and is important to the local landscape character now falls within the Order Limits and measures have been taken to ensure their reinforcement where appropriate and their retention and management in accordance with Requirement 8 of the dDCO REP3-003).</p> <p>It is noted in this regard that NPS EN-1 acknowledges in relation to landscape impact and decision making at paragraph 5.9.8 that "virtually all nationally significant energy infrastructure projects will have effects on the landscape" and that "Projects need to be designed carefully, taking account of the potential impact on the landscape... to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate." This is the case with the Proposed Development.</p>	<p>The Council understands that a new revised Landscape Plan is to be presented at D6 and it will respond to that Plan at D7.</p>

	<p>The Council is keen to resolve the design principles so they can be locked into the dDCO.</p>	<p>As referred to above the Applicant refers in paragraph 4.3.12 in the SoCG with WCC (REP1-118) submitted for Deadline 1, the Applicant will continue to work with WCC, along with other interested authorities, to seek agreement of the Converter Station Design Principles.</p> <p>The Applicant, as discussed at the October design group meeting has agreed that the design principles will be discussed at the next design group meeting.</p> <p>The need to comply with the design principles is already secured by Requirement 6 to the dDCO (REP3-003).</p>	<p>This has been accomplished.</p>
<p>4.6.14</p>	<p>The Council is seeking greater understanding of the use of this type of deed which includes a meeting with the applicant.</p> <p>The Council notes the clarification on the commitment to manage the landscaping for the operational life of the Converter Station. This closes that specific issue but not the more general concerns about the use of the Deed of Covenant.</p>	<p>The New Landscaping Rights are set out at Appendix A of the Statement of Reasons (REP1- 025).</p> <p>New Landscaping Rights means “<i>all rights and restrictions necessary for the undertaker and / or those authorised by the undertaker:</i></p> <p><i>(a) to install, execute, implement, retain, repair, improve, renew, remove, relocate and plant trees, woodlands, shrubs, hedgerows, seeding and other ecological measures together with the right to maintain, inspect and replant such trees, shrubs and landscaping and the right to pass</i></p>	<p>The Council is still exploring the implications of enforcing a Deed.</p>

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
		<p><i>and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) at all times and for all purposes in connection with the implementation and maintenance of landscaping and ecological mitigation or enhancement works;</i></p> <p><i>(b) to install, construct, operate, test, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, renew, upgrade, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues and to drain into and manage water flows in any drains, watercourses and culverts; and</i></p> <p><i>(c) restrictions on constructing and erecting buildings, works, structures, excavation, altering ground cover or soil levels, or growing or planting trees or shrubs or carrying out operations or actions which may obstruct, interrupt, or interfere with the exercise of the rights."</i></p> <p>These rights would be secured via a Deed of Grant to secure the legal rights to undertake the improvement measures set out at Parts (a) and (b) above and to secure the restrictions set out in Part (c). The Applicant has discussed this further with WCC and it is understood that, subject to having sight of a precedent Deed of Grant, WCC are content the legal rights are appropriate. It is understood that WCC's concern is actually in respect of ensuring compliance with the Requirements is enforceable, and that the legal rights and secured ensure the Requirement can be enforced.</p> <p>Enforcement of Requirements is a matter addressed in Part 8 of the Planning Act 2008, and it would be an offence for the Applicant not to comply which would be actionable as such. The enforcement provisions of the Planning Act 2008 and their effectiveness are not a matter for the Applicant to address.</p>	
	<p>Is this correct that new planting will only take place on land that the applicant will own and only rights to management existing features will take place on other land?</p> <p>The Land Plans clearly show areas where New Landscape Rights are to be sought coloured green. The land to be permanently acquired is shown in pink. It is clear from the outline landscaping plan that new planting is clearly intended for green coloured areas.</p>	<p>In terms of the first point regarding new planting only taking place on land that the Applicant will own, this is incorrect. New planting can take place on land shown on the Land Plans (REP1- 011a) as green where New Landscaping Rights are sought. This will include for instance hedgerow planting associated with Plot 1-82 and 2-01 and new tree planting within Plot 1-03.</p> <p>As set out above, Appendix A of the Statement of Reasons (REP1-025) sets out the nature of the rights sought by the Applicant. For the avoidance of doubt this part (a) includes the right "to install, execute, implement, retain, repair, improve, renew, remove, relocate and plant trees, woodlands, shrubs, hedgerows, seeding and other ecological measures together with the right to maintain, inspect and replant such trees, shrubs and landscaping and the right to pass and repass on foot, with or without vehicles, equipment, plant and machinery (including any temporary surface) at all times and for all purposes in connection with the implementation and maintenance of landscaping and ecological mitigation or enhancement works"</p> <p>The Applicant confirms that areas where New Landscaping Rights are sought are coloured green, that the land permanently acquired is pink and</p>	

		<p>that based on the revised indicative landscape mitigation plans Figure 15.48 and 15.49 (REP1-036 and 037 respectively) and landscape mitigation plans for Option B(ii) (REP1-137) submitted for Deadline 1. New planting can take place in areas where there are New Landscaping Rights, the permanent acquisition of land, New Access Rights and New Connection Works Rights.</p>	
<p>4.6.3.3</p>	<p>192 glass fibres noted.</p>	<p>Whilst the comment is noted, measuring optical fibre transmission capacity by reference to a number of phone calls misunderstands the technology proposed and its use. The Applicant has</p>	<p>In the absence of any specific detail and to get some understanding of what an 20/80 split of the FOC capacity between the interconnector and commercial use means, the Council had to resort to its own assessment. Hence the figures it used.</p>

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
	<p>It is becoming increasingly evident that the Applicant does not wish to answer the question of capacity directly. One strand of optical fibre can transmit the equivalent of 24,000 telephone calls at the same time. Are we therefore looking at a capacity that could be 192 x 24000 for each of the two circuit? That could be over 9 million lines?</p> <p>This does not answer the question of separate implementation</p>	<p>clearly explained the position regarding the fibre optic cables in terms of their requirements and capacity.</p> <p>There could be no separate implementation. The Applicant cannot lay fibre optic cables alone in accordance with the DCO, as it is not seeking permission to do so. They must be provided as part of the Proposed Development, which is the Interconnector.</p>	
<p>4.6.3.4</p>	<p>The fact the applicant has sought Code Operator status would seem to indicate that they must have thought of the wider connections both locally alongside the cable route and to the wider UK network.</p> <p>If you are going to branch off how could you possibly offer service that does not go anywhere?</p>	<p>The termination of the spare fibre at the Telecommunications Buildings provides an interface point to connect to a network. No digression from the FOC shall be made along the Onshore Cable Route.</p> <p>As previously explained, no decision has been taken in relation to a future network and there is nothing specific proposed. However, the Applicant is seeking the ability to be able to provide this in the future. As mentioned previously, any future network will be subject to all relevant laws and controls in relation to it.</p>	
<p>1.4.11</p>	<p><i>"The Applicant would like to highlight that the following comment is incorrect with regard to hedgerows "to the north, the DCO limits do not reach</i></p>	<p>The Applicant is making further contact with them to clarify the point and provide a response to close out this issue.</p>	

the edge of the road". The Order limits do reach the edge of the road, encompassing the hedgerows."

This comment is not understood as the original comment clearly states it does not reach the road.

In the applicants comments on the Council responses to ExQ1 there is reference to more survey work having been undertaken regarding services in the highway.

The view prevails that a more refined corridor can be identified on Hambledon Road.



Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
1.4.17	The Council stands by its interpretation of the landscape character of the area	<p>The Applicant as referred to in the Applicant's Comments on Local Impact Reports paragraph 1.4.7 (REP2-013) and the Applicant's Response to Deadline 2 Table 2.10 (REP3-014) disagrees. The landscape whilst rural is characterised by the existing Lovedean Substation and, particularly the overhead terminal towers / pylons and lines which are of an undisguised industrial nature. As described in ES Chapter 15 (APP-130) paragraph 15.5.3.4 "the existing Lovedean Substation, associated pylons and overhead lines are dominant elements in the landscape of the Converter Station Area and immediate surrounding area."</p> <p>Whilst it is accepted that the western side of Old Mill Lane does become more rural, the south western side of the Converter Station (and southern part of Old Mill Lane) is also affected by pylon towers demonstrated in Viewpoint 11 Figure 15.28 (APP-261) which shows pylon route YE063 which runs north east / south west and skirts the northern edge of Denmead.</p>	This is a simple difference of opinion and description and I suggest it is left at that.
4.6.12	The design group is meeting and it is the hope of the Council that the Design Principles can be established revised and agreed shortly.	<p>As referred to above the Applicant refers in paragraph 4.3.12 in the SoCG with WCC (REP1-118) submitted for Deadline 1, the Applicant will continue to work with WCC, along with other interested authorities, to seek agreement of the Converter Station Design Principles.</p> <p>The Applicant, as discussed at the October design group meeting has agreed that the design principles will be discussed at the next design group meeting.</p>	
	<p><i>"The existing length of hedgerow has not been included within the Order limits as is not deemed necessary to include this length of hedgerow in the Order limits in connection with the Proposed Development. This is because it is not considered this section of hedgerow referred to provides a meaningful screening benefit which in turn necessitates its inclusion in the Order limits such that it may be retained and maintained in connection with the Proposed Development."</i></p> <p>When this was first raised some time ago, the response was the applicant believed it to be a section of fencing and not a hedge. It is hard to see how this section is not as important to screening the site as those sections to the north and south along the lane.</p>	<p>As outlined previously in the Applicant's Comments on Local Impact Reports (REP2-013) the existing length of hedgerow has not been included within the Order limits as it is not deemed necessary to include this length of hedgerow in the Order limits in connection with the Proposed Development. This is because it is not considered this section of hedgerow referred to provides a meaningful screening benefit which in turn necessitates its inclusion in the Order limits such that it may be retained and maintained in connection with the Proposed Development.</p> <p>The hedgerow wraps around a business property and in part fronts fencing. To the north of the property the hedgerow which is predominately hedgerow trees is gappy with views through to HR05 at eye level. In response to WCC's concern the Applicant has proposed planting on both Plots 1-23 and Plots 1-29 which is of sufficient density to provide screening at eye level and this is shown in the revised indicative landscape mitigation plans Figure 15.48 and 15.49 (APP-281 Rev002 and APP-282 Rev002 respectively) Option B(i) and indicative landscape mitigation plans for Option B(ii) (REP1-137) submitted for Deadline 1.</p>	

“The Applicant confirms in the event that Option B(ii) is adopted the extent of landscaping proposed to the western side of the Converter Station will not be reined back. This is demonstrated by the updated landscape mitigation plans for both Option B(i) and B(ii) where additional areas of woodland have been introduced or extended - Figure 15.48 and 15.49 (REP1-036 and REP1-037 respectively) Option B(i) and indicative landscape mitigation plans for Option B(ii)(REP1- 137) submitted for Deadline 1.”

Noted and welcomed.

Does this commitment need to feature in the dDCO?

The dDCO (REP3-003) requires the detailed landscaping scheme to be approved by the relevant planning authorities in consultation with the South Downs National Park Authority. This in effect is a commitment to the relevant local planning authorities that should Option B(ii) be adopted, the planting will not be “reined back” to below that shown on the indicative landscape mitigation plans for Option B(i) as referred to on the revised indicative landscape mitigation plans (REP1-036 and 037 respectively) submitted at Deadline 1.

The Applicant considers that Requirement 7 is drafted to give the LPAs sufficient control post consent.

The Council now understands that following representations from the landowner this is no longer the case and if option B(ii) is adopted then the landscaping will be changed.

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
	<p>Elsewhere in the comments to the Councils response to the ExAQ1 the applicant accepted the development will have significant effects on landscape character for a radius of 1,2km. However the mitigation is confined to well within this area. The figures are approximately as follows:</p> <ul style="list-style-type: none"> • 350m to the west • 750m to the south and east • 6550m to the north. <p>What mitigation is being offered for the impact beyond these limits but within the 1.2km radius?</p>	<p>As stated above under Table 7.3 the Applicant considers that an appropriate and proportionate approach has been taken to landscape mitigation as referred to in the Applicant's Comments on WCC's Local Impact Report (REP2-013). Existing planting surrounding the Converter Station which serves a visual screening function falls within the Order Limits and measures have been taken to ensure their reinforcement where appropriate and their retention and management in accordance with Requirement 8 of the dDCO (REP3-003).</p> <p>The 1.2 km radius is the limit of significant effects: mitigation planting does not have to be physically present across the whole of the area to have an appropriate mitigating effect.</p>	
4.6.16	<p>Whilst noting the movement, the Council still wishes to see a reduction in the broad corridor on the Hambledon Road where the route enters Soak Meadows.</p>	<p>The Applicant has already substantially reduced the area of land over which new connection works rights are applied in this area and deems it necessary to retain the remaining land subject to new connection works rights noting it will only exercise the rights over as much land as is necessary for the construction, operation and maintenance of the proposed development.</p>	<p>It is understood that following the dDCO hearing further information on this matter will be submitted at D6</p>
4.6.13	<p>The additional/reinforcement planting suggested by the Council is still viewed as having merit for the reasons previously stated. Action at both locations is the Councils preferred response but if forced to express a preference, PH-2 is the logical choice as it represents the stronger east –west link to be enhanced in preference to PW-5.</p>	<p>The Applicant notes this response and refers to revised indicative landscape mitigation plans for Option B(i) Figure 15.48 and 15.49 (REP1-036 and 037 respectively) and landscape mitigation plans for Option B(ii) (REP1-137) submitted for Deadline 1. These plans show that PH-2 has been widened to a thickness of approximately 6.5m which is more than the standard two rows of new hedgerow planting as requested to provide a stronger east west connection and PW-5 has been extended further east to again improve connectivity whilst maintaining a gap for access.</p>	<p>Noted and welcomed.</p>
	<p>I think the Applicant is referring to EH-5 not EH-8 The Council continues to see merit in this addition even if the access needs to be left open for access purposes.</p>	<p>EH-5 relates to the hedgerow running north south and lies to the east of EH-8 which also runs north south and would form part of a larger proposed woodland block. WCC has requested an east west connection between the two sections of hedgerow which lies outside the Order Limits. The Applicant's Comments on the Local Impact Reports Table 7.8 (REP2-013) remain unchanged in this regard. This east west planting would sever the existing arable field. It is not considered that the benefits of such planting would outweigh the impacts of needing to acquire this land which is Grade 3a, and it is not considered the landscaping is of such benefit that it would justify the acquisition of the land required to provide it.</p>	<p>Noted</p>
	<p>Thickening PH-3 to form a more substantial linear feature is still regarded as holding merit for the reasons previously stated.</p>	<p>The Applicant notes this comment and will explore whether in specific locations within the Order Limits and where PH-3 meets EH-23 and EH-25 such areas can be thickened up. If feasible, this will be presented on a revised version of the indicative landscape mitigation plans for both Option B(i) and Option B(ii).</p>	<p>The Council awaits sight of this plan.</p>

The sections in Chapter 16 recognise that the immature nature of the new planting will have a negative impact but propose no actions to mitigate for this as they claim the impacts are low or minor. There is also considered to be a negative impact on landscape as well as biodiversity. The reinforcement was seen as a mechanism to mitigate for both impacts.

The Applicant has recognised within ES Chapter 16 Onshore Ecology (APP-131) that there will be a period following the completion of construction and landscaping where planting will be immature and will need time to grow-in, as must be the case. This is not considered to represent a significant effect and thus no mitigation has been proposed.

Para No.	Comment	Applicant's Response
	<p>The where practicable approach to avoiding tree loss is still the applicants position along the whole of the cable corridor.</p> <p>What is actually meant by the Cable route needs to be defined for clarity. Is it the corridor cut through a feature, the trench or the cable itself?</p>	<p>As stated in the OOCEMP (REP1-087, Rev003) paragraph 1.1.1.9 “<i>The Onshore Outline CEMP outlines mitigation that will be applied in some cases ‘where practicable’. The final routing of the Onshore Cable Route within the order limits will be determined following the grant of the DCO, due to routing constraints associated with environmental constraints, including utilities. For example, in some instances it may prove not possible to avoid certain tree root protection areas. However, ...measures which are “where practicable” must be applied where they reasonably can be applied.</i>”</p> <p>The Glossary submitted with the Application (APP-006) contains definitions of the relevant terms:</p> <p>Onshore Cable: ‘The part of the HVDC Cable installed inland from the Mean High Water Springs (MHWS).’</p> <p>Onshore Cable Corridor: ‘The area within which the Onshore Cable Route and all associated Temporary Works will be located. This runs landward from the Mean Low Water Springs (MLWS).’</p> <p>Onshore Cable Route: ‘The final refined route for the Onshore Cable that lies within the Onshore Cable Corridor.’</p> <p>HVDC Cable: ‘The Cable designed to transfer power using High Voltage Direct Current (HVDC) at a nominal voltage of 320 kV. For the purpose of the Proposed Development, this comprises the Onshore Cable and the Marine Cable.’</p> <p>HVDC Cable Corridor: ‘Comprises the Onshore Cable Corridor and the Marine Cable Corridor.’ HVDC Cable Route: ‘Comprises the Onshore Cable Route and the Marine Cable Route.’</p> <p>Also for completeness:</p> <p>HVAC Cable: ‘The Cable designed to transfer power using High Voltage Alternating Current (HVAC) at a nominal voltage of 400 kV, which will connect Lovedean Substation to the Converter Station.’</p> <p>HVAC Cable Corridor: ‘The area within which the HVAC Cable Route and all associated Temporary Works will be located.’</p> <p>HVAC Cable Route: ‘The final refined route for the HVAC Cable that lies within the HVAC Cable Corridor.’</p>
	<p><i>The question references a compound acting as a “barrier to movement/migration of species across land , or the use of the “airspace” by birds or bats”, but does not state which compound is being referred to. Effects of placement of all compounds have formed part of the assessment within ES Chapter 16 Onshore Ecology (APP-131), and has covered both</i></p>	<p>The Applicant’s previous response is reiterated. Effects of placement of all temporary compounds and permanent land take, including at the Converter Station, have formed part of the assessment within ES Chapter 16 Onshore Ecology (APP-131), and has covered both the construction and operational phase of the Proposed Development.</p>

the construction and operational phase of the Proposed Development.

4.6.16	This comment followed the community expression to support the Gap as a priority in the adopted Neighbourhood Plan.	The Applicant notes that the Neighbourhood Plan has not yet been adopted and therefore carries limited weight.	This is not correct. The plan was made 1 April 2015 and as such is used alongside the adopted local plan when the Council is making planning decisions
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Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
	<p><i>The FTMS (REP1-068) includes a signage strategy, the full details of which are to be agreed with each Highway Authority prior their implementation. The strategy could include "Access only" signs; the need for which will be determined at the detailed approval stage.</i></p> <p>Please change "could" to "will"</p>	<p>The Applicant is currently discussing the requirements for a signage strategy with HCC for inclusion in the FTMS. This point will be clarified as part of this strategy, but in any event where signs need to be provided the will be, it is just not the case that it is known now Access Only signs will be required and hence the wording used.</p>	<p>Noted.</p>
<p>4.6.17</p>	<p>If the projected life of the scheme is 40 years what guarantees are there that the energy will remain low carbon during that period?</p>	<p>As explained in the Need and Benefits Addendum (REP1-136) the UK Government has made a commitment to achieving net-zero by 2050. Similar commitments in line with COP21 Paris Agreement have been made by the European Union and its Member States.</p> <p>To achieve this objective requires replacing carbon intensive generation, such as coal and gas, with renewable alternatives such as wind and solar. In the UK these policy objectives are supported by scenarios produced by the National Grid ESO in its FES and NOA publications, which are described in a great detail in the Need and Benefits Addendum.</p> <p>In addition, on 6 November 2020 ENTSO-E released pan-European Ten Year Network Development Plan 2020 that provides a set of scenarios (Distributed Generation and Global Ambition) which are created in line with the COP21 targets to understand the impact on infrastructure needs against different pathways reducing EU-28 emissions to net-zero by 2050. In these scenarios AQUIND Interconnector¹ provides reduction in CO2 emissions between 1,928 ktonnes and 2,789 ktonnes per year by reducing curtailment of renewable generation and avoiding electricity generation from hydrocarbon energy sources.</p> <p>Taking into account that this is the position with regard to electricity generation, i.e. targets must be achieved in accordance with law, it is certain that the electricity which is generated in the UK and France will continue to be less carbon intensive, and this is the energy which the Interconnector may import/export.</p> <p>The carbon emissions benefits of the Proposed Development are extremely clear and a compelling national benefit of the proposals.</p>	
	<p>This response does not address the specific point made. The construction and operational stages should be kept Separate and assessed individually not as a combined Figure. The construction work leaves a residual amount of Carbon emissions and these should be mitigated by the Applicant.</p> <p>The discounting of carbon emissions from construction Employee traffic does not make sense in the context of other factors that are taken into account</p>	<p>The Environmental Statement does report emissions separately by construction and operation phases in section 5. However, the overall impact of the project is across both phases, and this results in a net reduction in emissions. Mitigation during the construction phase is proposed in Section 5.15.2 of the Environmental Statement.</p> <p>Emissions from Employee Commuting during construction are expected to be very small and have be excluded as de-minims as they would not materially affect the result of the assessment.</p>	

The Council is still seeking mitigation for the residual amount of carbon.

The Onshore Outline CEMP (REP1-087, Rev 003) outlines mitigation measures for the construction phase in relation to carbon.

Section 5.15.2 outlines mitigation relating to greenhouse gasses and the sustainable approach to be adopted by the contractor. This is to be read in conjunction with section 5.14 which

¹ <https://tyndp2020-project-platform.azurewebsites.net/projectsheets/transmission/247>

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
		<p>provides mitigation for Waste and Material Resources including their associated embedded carbon.</p> <p>The Onshore Outline CEMP provides the appointed contractor the principles they must apply in the design and methodology refinement to be included in the detail CEMPs at construction. The measures in the Onshore Outline CEMP are secured in requirement 15 of the dDCO which also requires the contractor to submit the detailed CEMPS to the LPAs for approval.</p> <p>This ensures all reasonable and appropriate steps to reduce carbon emissions during construction are to be taken, and nothing further is considered to be necessary to make the development acceptable in respect of carbon emissions reductions.</p>	
	<p>This response would seem to confirm the view that benefits are not clear.</p> <p>For the reasons set out in its original comments, the Council remains of the view that an ESP requirement should be imposed. Following previous discussions the Applicant knows what the Council is looking for but it will repeat this detail shortly.</p>	<p>Table 7.11 of the Applicant's Response to the Local Impact Report (REP2-013) copied below remains applicable. The ability to provide employment is not related to carbon benefits but the nature of the construction work.</p> <p><i>The calculation of employment and associated benefits has been conservative to reflect the relatively specialist nature of some of the construction work (refer to para 25.4.3.2, Chapter 25 of the ES (APP-140)). Multiplier effects have been calculated at a Regional level (para 25.4.3.7) so will not differentiate between different local authorities crossed by the Proposed Development. Use of accommodation and local spending would not be limited to Denmead and would include other areas within Winchester City Council and the region.</i></p> <p><i>Given that predicted construction employment is not assessed as significant, the Applicant does not believe an ESP is required in this instance. The measures set out at Paragraph 25.9.2.1 of the ES also appear in section 5.12.1.1 of the OOCEMP (REP1-087). Flexibility to their application needs to remain as this will depend on whether the nature of the construction work allows these opportunities.</i></p> <p>The Applicant does not agree that it "knows what the Council is looking for". Discussions to date have been at best high level and with no clear explanation of what the proposals could be and how they would meaningfully mitigate the impacts of the Proposed Development. The Applicant looks forward to being provided with clear information in this regard for it to consider.</p>	<p>The Council is in discussion with the applicant on the issue of an Employment and Skills Plan</p>

“Whilst not a made DCO as it is currently yet to be determined, the Applicant notes that the same approach to acquiring the necessary rights and impose restrictions in relation to Landscaping is taken in the Hornsea Project Three Offshore Wind Farm DCO. It is confirmed that if a voluntary deed of covenant to impose an easement is not able to agreed, the Applicant will exercise powers to compulsorily acquire the necessary rights and restrictions. It is for this reason that these rights over the relevant land are included for within the Book of Reference (REP1-027) which WCC may wish to consider.”

Given the magnitude of the documentation for this project, it is requested that the applicant provides references to the relevant documents and section they are referring to.

The Applicant advises WCC to review the Land Plans and the Book of Reference in relation to that project.

WCC was hoping to see the detail discussion behind the strict technical information that the applicant has referenced.

Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
	<p>The question remains how can the applicant secure access to undertake work on features away from existing publicly accessible locations if there is any resistance by the relevant landowner.</p>	<p>Access to undertake work on existing features away from publicly accessible features will be secured via private agreement with the relevant landowner or via the rights set out in the Book of Reference(REP1-027) and shown on the Land Plans (REP1-011a). It should also be noted that the Applicant has agreed Heads of Terms with Winchester College over a significant amount of land in the vicinity of the Converter Station area and this land can be used to access adjoining landscaping features where necessary. The Option Agreement is currently being drafted and it is expected it will be completed before Christmas.</p>	
<p>9.</p>	<p>Why does the applicant consider they need to exempt the development from the statutory nuisance regime if their own submitted assessments states the development will not result in a statutory nuisance occurring. This would suggest that the applicant has doubt in the conclusions of its own assessment. Implying the exemption required to ensure no "unreasonable impediment is in place" strongly implies that they consider a matter of statutory nuisance could occur (contrary to their assessment) and that such an action is unreasonable. This is not in the interest of Winchester's local residents whose normal right of redress through this regulatory regime will be prejudiced.</p>	<p>It is necessary to ensure there is no unreasonable impediment to the delivery of the Proposed Development.</p> <p>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 (REP3-003) 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 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.</p> <p>Should the Council's not accept this position, they would be promoting an approach that claims for statutory noise nuisance would be able to be 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>Following ISH3, this matter is the subject of ongoing discussion with the applicant.</p>

<p>Schedule 15</p>	<p>Initial comment should have referred to table 5.2. If Section 1 includes the construction of the converter station building as now advised, why is this risk shown as medium when the Air quality Chapter 23 (Document 6.1.23) categorises this dust risk as high.</p> <p>It is particularly important to ensure suitable dust mitigation is in place during the construction phase of the converter station which is of a much longer duration than the works within the cable corridor sections.</p>	<p>This error identified by the respondent was also previously noted by the Applicant and has been corrected in the Onshore Outline CEMP (REP1-087) submitted at Deadline 1.</p> <p>Table 5.2 Summary table of Dust Risk Results Per Onshore Cable Corridor Section of the updated Onshore Outline CEMP now correctly identifies that the Converter Station Area is at a high risk of dust impacts.</p> <p>The mitigation measures set out in the Onshore Outline CEMP are sufficient. The general air quality and dust mitigation measures set out in Section 5.11 are to be implemented in line with best practice IAQM guidelines and the air quality monitoring is to take place in accordance with the framework set out in Section 7. In accordance with Requirement 15 of the dDCO (REP3-003), no construction phase of the onshore development may commence until a CEMP (including a Dust Management Plan) relating to that phase has been submitted to and approved</p>
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Para No.	Comment	Applicant's Response	Winchester Comment on Applicants D4 submission
		by the relevant planning authority. The final scope and extent of monitoring and reporting procedures will be approved at that stage and in accordance with Sections 5.11 and 7 of the Onshore Outline CEMP.	
4.6.15	Please share the data collected and explain why no further survey work trenches or radar was considered necessary.	<p>Trial trenching and ground penetrating radar has not been undertaken at this time.</p> <p>The latter is not best suited for projects of this nature as GPR antennae beam width is broad making it difficult for the radar to discriminate between closely spaced pipes/services.</p> <p>At the detailed designed stage further route proving surveys will be carried out by the contractor to determine the refined corridor within the Onshore Cable Corridor.</p>	Hence the suggestion of combined trial trenching and the use of radar to help build a picture of what is under the road surface.
	<p>The Council is pleased to see that some further work on the utilities with the road has been undertaken but it is vague exactly what this has entailed. A Desk top study or actual survey work on the ground or a combination of both? Why are the full details of this additional work and what it discovered not included in the response?</p> <p>Trial pits should not have been discounted so easily. There is no substitute for locating a service exactly where it is located in the ground.</p>	<p>A full utility search has been conducted throughout the Order Limits which formed the basis of a detailed route proving desk-top study.</p> <p>The study identified existing services within the highways boundaries and provided several route options for duct installation.</p> <p>As explained above, at the detailed designed stage further route proving surveys will be carried out by the contractor to determine the refined corridor within the Onshore Cable Corridor, which may include trial trenching as necessary. This has not been discounted, and will be undertaken as necessary at the appropriate time.</p>	Please share the results of this work .
	<p><i>“The applicant refers the following schemes which are comparable in terms of utility congestion in an urban environment, trench dimensions and twin circuit installation. These schemes are:</i></p> <ol style="list-style-type: none"> 1. Dewar Place 275kV – Scottish Power Energy Networks, Edinburgh 2. Nechells 132kV – Western Power Distribution, Birmingham 3. North Hyde to Hayes 66kV, Scottish and Southern Energy, Slough” <p>Using the brief details provided does not allow any meaningful results in terms of the details of the schemes and what implications the work had on traffic movements?</p>	<p>A proportionate level of information obtained from these schemes has been used to confirm the revised cable duct installation rates included in the ES Addendum (REP1-139). As noted in that document, these have been revised down to ensure a very robust position is explained for the purpose of determining the likely significant impacts.</p> <p>Details of traffic movements associated with such work has been based upon professional experience of these and other schemes, which is a suitably robust approach.</p> <p>The impacts of traffic on the existing road network as a result of construction, taking into account the information explained above in an appropriate and proportionate manner, is set out in the Transport Assessment (APP-448) and Supplementary Transport Assessment (REP1-142).</p>	

Para No.	Comment	Applicant's Response	
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MEETING NOTES

