



AQUIND Limited

AQUIND INTERCONNECTOR

Statement of Common Ground Between
AQUIND Limited and Winchester City Council

The Planning Act 2008

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WSP
WSP House
70 Chancery Lane
London
WC2A 1AF
+44 20 7314 5000
www.wsp.com

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1. INTRODUCTION AND PURPOSE

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

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

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

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

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

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

1.2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

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

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

1.2.1.3. The Project is a new 2,000 MW subsea and underground High Voltage Direct Current ('HVDC') bi-directional electric power transmission link between the South Coast of England and Normandy in France. By linking the British and French electric power grids it will make energy markets more efficient, improve security of supply and enable greater flexibility as power grids evolve to adapt to different sources of renewable energy and changes in demand trends such as the development of electric

vehicles. The Project will have the capacity to transmit up to 16,000,000 MWh of electricity per annum, which equates to approximately 5 % and 3 % of the total consumption of the UK and France respectively.

1.2.1.4. The Proposed Development includes:

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

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

1.3.1.1. This SoCG has been prepared jointly by the Applicant and Winchester City Council ('WCC') to reflect the final positions of the Parties at Deadline 8. This is an update of the drafts issued at Deadlines 1 (REP1-118), 4 (REP4-010) and 7 (REP7-049). A summary of the changes made to this updated draft SoCG is contained in the Schedule of Changes submitted at Deadline 8. It has been prepared in accordance with the DCLG Guidance and precedent examples of SoCG available on the Planning Inspectorate's website.

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

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

1.3.1.4. For the purpose of this SoCG the Applicant and WCC will be jointly referred to as the 'Parties'.

1.3.1.5. During the course of the examination various matters have been subject to ongoing discussion between the Parties. As this represents a final agreed SoCG to be submitted at Deadline 8, as per the Examination timetable all matters are now recorded as 'agreed' or 'not agreed'.

2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

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

Table 2-1 – Consultation with Winchester City Council

Date	Form of Contact	Summary
Pre-submission		
31/08/2017	Telecon (Acoustics)	Initial discussion with Environmental Health Officer ('EHO') at WCC to introduce proposed development, discuss noise criteria and identify point of contact for future discussion.
18/07/2018	Meeting (Acoustics)	Meeting jointly with WCC and East Hampshire District Council ('EHDC') EHOs to discuss and agree methodologies for modelling and assessment of the Converter Station.
27/11/2018	Telecon (Planning and Highways, including WCC, EHDC, Havant Borough Council ('HBC'), Portsmouth City Council ('PCC') and South Downs National Park Authority ('SDNPA'))	Conference call to discuss EIA scoping exercise; consultation and DCO process; Cable routing update; Converter Station location update; land referencing exercise; points of contact with LPAs; external activity (engagement with stakeholders) for awareness of authorities.
04/12/2018	Meeting (WCC and EHDC)	Converter Station optioneering; reporting of progress toward site selection.
11/12/2018	Meeting (Planning and Highways, including WCC, EHDC, HBC, PCC and HCC)	PINS scoping update; Statement of Community Consultation ('SoCC') consultation process and questions; design optioneering and GI works / propose for Cable Routes and Converter Station

Date	Form of Contact	Summary
		location; Converter Station location update; major land owners and land referencing; Planning Performance Agreement ('PPA') progression of work packages.
08/01/2019	Telecon (WCC and EHDC)	Notification of the Applicant's decision to progress with Option B and preferred site for Converter Station location.
10/01/2019	Meeting (Planning and Highways, including WCC, EHDC, HBC, HCC and SDNPA)	Preferred Converter Station location; Preliminary Environmental Information Report ('PEIR') for forthcoming statutory consultation; update on Cable Route options; land referencing (including Land Interest Questionnaire ('LIQ')); future engagement; SoCC.
14/01/2019	Meeting (Converter Station Design Meeting – WCC, EHDC and SDNPA)	Specific focus group to progress discussion on landscape mitigation and indicative design options; discussed site constraints; 3 design options.
22/01/2019	Meeting (Planning and Highways, including WCC, EHDC, HBC, HCC, SDNPA)	PEIR and forthcoming statutory consultation / process; Cable Route options and rationale; alternatives to limit impact of Cable Route on highway.
31/01/2019	Meeting (Converter Station Design Meeting – WCC, EHDC)	Presentation of operational need, constraints to Converter Station siting; approach to consultation.
05/02/2019	Telecon (Planning and Highways, including WCC, EHDC, HBC, HCC, SDNPA)	Deposit locations for Consultation Documents; Converter Station design and level of information in PEIR.
19/02/2019	Email	WCC Archaeologist Tracy Matthews contacted to agree the rationale and scope of the Geophysical Survey.
01/05/2019	Email	Written Scheme of Investigation ('WSI') for Geophysical Survey approved by WCC Archaeologist.

Date	Form of Contact	Summary
13/06/2019	Meeting (WCC Planning)	Discussion of issues raised by WCC as part of consultation; Converter Station design, landscaping and optioneering; community fund.
17/06/2019	Meeting (Acoustics)	Meeting with WCC and EHDC EHOs to provide update on the noise assessment with particular focus on the Converter Station.
21/06/2019	Meeting (Converter Station Design Meeting – WCC, EHDC, SDNPA)	Known site constraints discussed; built form responses to consultation.
10/07/2019	Meeting (Converter Station Design Meeting – WCC, SDNPA)	Updates on progress of landscape mitigation proposals; design evolutions following consultation feedback.
13/08/2019	Meeting (WCC Planning and Ecology)	Discussion of Cable Route refinement and assessment of previous option including a countryside option; ecology update with discussion on mitigation, connectivity, survey work undertaken and importance of Denmead Meadows; Converter Station micro-siting and parameter approach; Order Limits refinements; targeted consultation; committed schemes and SoCG.
20/08/2019	Meeting (Converter Station Design Meeting – WCC, EHDC, SDNPA)	Focus on Design Principles, explored examples from other projects and discussed the important elements that needed securing in the proposed Design Principles.
06/09/2019	Telephone meeting with WCC Archaeologist	Meeting with WCC archaeologist. Discussed results of the geophysical survey along with proposed strategy for further evaluation and mitigation. Discussed timing of the Stage 2 trial trenching and agreed further

Date	Form of Contact	Summary
		<p>archaeological surveys can be carried out following a DCO being granted, and that mitigation could take the form of archaeological monitoring during construction.</p> <p>Agreed that in some areas of the Proposed Development, a programme of strip, map and sample may be more suitable, subject to results of further archaeological trial trenching agreed to be undertaken post DCO being granted.</p>
17/09/2019	Meeting	Meeting with WCC Leadership and planning officers to discuss Converter Station location and design; traffic management; terrorism and security; employment and skills; legacy for the community; and landscape and biodiversity.
08/10/2019	Meeting	Meeting with WCC Leadership and planning officers to respond to questions raised by WCC in project team meeting on 17/09/2019.
22/10/2019	Telecon (Acoustics)	Discussion and agreement of octave band assessment methodology for Converter Station with Phil Tidridge (EHO at WCC).
23/10/2019	Meeting (Converter Station Design Meeting – WCC, EHDC)	Draft Design Principles were shared and discussed with comments noted and helping shape the Design Principles that were inserted within the submitted Design and Access Statement.
24/10/2019	Meeting	Meeting with WCC Leadership and planning officers.
Post-submission		
24/01/2020	Meeting with WCC	Key application submission documents; Examination process; structure of the

Date	Form of Contact	Summary
		SoCG; PPA; key provisions in the draft DCO.
02/04/2020	Email	Draft SoCG issued to WCC by Applicant.
07/04/2020	Call with WCC Planning Officers	Discussion of structure and topics covered in the draft SoCG.
08/04/2020	Call with planning officers and EHOs from WCC and EHDC	Call to discuss noise and vibration sections in the first draft of the SoCG with regard to the Converter Station Area.
20/04/2020	Call with planning officers and EHOs from WCC, HBC, PCC	Call to discuss noise and vibration sections in the first draft of the SoCG with regard to the Onshore Cable Corridor.
02/06/2020	Email	'List of issues' received from WCC planning officers.
26/06/2020	Email	AQUIND response to 'list of issues' issued to WCC planning officers.
10/07/2020	Email	WCC responses to AQUIND responses to 'list of issues' received by AQUIND.
24/07/2020	Call with WCC planning officers	Call to discuss next steps on SoCG progression.
30/07/2020	Call with planning officers, landscape officer and ecologist from WCC	Call to discuss Converter Station design, Access Road, landscaping, and ecology matters in relation to Kings Pond/Denmead Meadows.
18/08/2020	Email	Issue of draft Biodiversity Position Paper to WCC officers.
25/08/2020	Call with planning, landscape and design officers from WCC, SDNPA and EHDC	Design group call to discuss Converter Station and Access Road design and Design Principles.

Date	Form of Contact	Summary
10/09/2020	Call with planning and ecology officers from WCC	Call to discuss matters around biodiversity and cable installation methods at Kings Pond / Denmead Meadows and associated impacts on habitats.
02/10/2020	Via email exchange	Draft of this SoCG agreed between WCC and the Applicant for submission into the Examination at Deadline 1.
21/10/2020	Design group call with officers from WCC, the SDNPA and EHDC	Design group call to discuss progress on Converter Station and Access Road design and Design Principles.
04/11/2020	Call with planning officers	Call to discuss carbon, climate change and transport matters.
10/11/2020	Call with planning officers, WCC's solicitor and Cllr Porter	Call to discuss latest draft of the DCO, deed of covenant and PPA.
11/11/2020	Call with planning and environmental health officers from WCC and EHDC	Call to discuss noise and air quality.
25/11/2020	Call with Planning, Landscape and Design officers from WCC, SDNPA and EHDC	Design group call to discuss progress on Converter Station and Access Road design and design principles.
03/12/2020	Call with Planning Officer and Landscape Officer from WCC	Follow up call to discuss revised colour palette and design principles
04/12/2020	Call with Planning Officer and the Councils legal team	Call to discuss the draft Development Consent Order between legal representatives
03/12/2020	Email	WCC confirmation of agreement in response to the Applicant's circulation of the revised Design Principles

Date	Form of Contact	Summary
11/12/2020	Email	WCC note a difference of opinion on colour and suggested presentation of visualisations.
22/12/2020	Email	Circulation of revised photomontages for Viewpoint B.
22/12/2020	Email	WCC express their preference on colour palette and acknowledge a difference in colour preference with SDNPA
18/01/2021	Call with Planning Officer and Landscape Officer from WCC	Discussed what can be agreed in the SoCG for Deadline 7.
10/02/2021	Call with Planning Officer and Landscape Officer from WCC	Discussed the remaining issues on Landscape and Ecology at Lovedean and Kings Pond Meadow. Also discussed what can be agreed in the SoCG for Deadline 8 with regards to Landscape and Ecology.
12/02/2021	Call with Planning Officer and Ecologist from WCC	Discussed the Kings Pond Meadow Position Paper on mitigation at Kings Pond Meadow following a call with Natural England on 11/02/2021.
12/02/2021	Email from Planning Officer.	Email response from WCC confirming agreement with new wording on business rates.
24/02/2021	Call between WCC, Herbert Smith Freehills LLP and WSP	Discussion of draft Deadline 8 comments on DCO and Requirements.
28/02/2021	Email from Planning Officer	To provide update on Technical Note submitted to SDNPA on alternatives
01/03/2021	Call with Planning Officer	To confirm final SoCG for sign off.

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

3.1. TOPICS COVERED IN THE STATEMENT OF COMMON GROUND

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

- Planning policy
- Need for the Proposed Development including Fibre Optic Cable, issue of associated development, and legacy benefits
- Landscape and visual amenity
- Ecology (including arboriculture)
- Heritage and archaeology
- Traffic and transport
- Air quality
- Noise and vibration
- Socio-economics
- Cumulative effects
- Onshore Outline Construction Environmental Management Plan ('Onshore Outline CEMP')
- Draft DCO (including requirements to the draft DCO)
- Consideration of alternatives
- Carbon and climate change
- Flood risk and ground water

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

4. CURRENT POSITION

4.1. PLANNING POLICY

Table 4-1 – Planning Policy

Ref.	Description of matter	Current Position	RAG
Planning Policy			
WCC 4.1.1	Role of NPS EN-1	It is agreed that the relevant National Policy Statement ('NPS') for the Proposed Development is the Overarching National Policy Statement for Energy (EN-1) (2011) and represents the primary policy basis for the determination of the Application (as set out in the Planning Statement, Examination Library reference APP-108).	Agreed
WCC 4.1.2	WCC Development Plan	Local planning policies from the relevant authorities can be 'important and relevant' considerations for the Secretary of State ('SoS') in determining the Application. The Development Plan for PCC comprises (as set out at Appendix 4 of the Planning Statement, Examination Library reference APP-112): <ul style="list-style-type: none"> Local Plan Part 1: WCC and SDNPA Joint Core Strategy adopted March 2013; Local Plan Part 2: Development Management and Allocations adopted April 2017; Denmead Neighbourhood Plan 2011-2031 adopted April 2015; Denmead Village Design Statement Supplementary Planning Document adopted February 2016; Draft Traveller Development Plan Document, pre-submission version published January 2018. 	Agreed

4.2. NEED FOR THE PROPOSED DEVELOPMENT

Table 4-2 – Need for the Proposed Development

Ref.	Description of matter	Current Position	RAG
Need for the Proposed Development			
WCC 4.2.1	Need for the Proposed Development	The overarching need for the Proposed Development as set out in the Needs and Benefits Report (Examination Library reference APP-115) is a matter for consideration by the SoS as decision maker in considering applications for development consent under the PA2008.	Agreed
WCC 4.2.2	Wider benefits	WCC considers that, as raised in their Relevant Representation ('RR'), the Proposed Development offers no legacy benefits to the wider community. <p>The Needs and Benefits Report and the Needs and Benefits Addendum submitted at Deadline 1 (REP1-136) set out the long-term contribution that the Project will deliver in terms of decarbonisation, affordability and security of supply which will be of local (including for residents of Winchester) as well as national benefit. Chapter 3 of REP1-136 provides an update on the national need and Chapter 4 provides an update on local and regional benefits.</p> <p>The Applicant has reached agreement with WCC agreement on this point.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.2.4	Local community economic benefits	<p>WCC considers that the claimed benefits to the local economy of Denmead and its immediate area from expenditure and overnight stays are unrealistic due to limited accommodation and that employees will be discouraged from using the road through the village. This point was re-iterated in WCC's Deadline 7c response.</p> <p>The Applicant considers that calculations for employment generation and benefits are realistic and were based on a conservative assessment as it was recognised that despite the scale of the Project, the nature of the construction work would largely require small specialist crews, likely to be sourced from outside the area. Using the Homes and Communities Agency Additionality Guide (2014), a multiplier of 1.5 was used for additional regional benefits above the relatively conservative number of jobs created. The approach to these calculations is set out in the methodology Section 25.4.3 of Chapter 25 (Examination Library reference APP-140) of the ES. This remains the Applicants position on the approach taken.</p> <p>Both parties therefore confirm this matter is not agreed.</p>	Not agreed
WCC 4.2.5	Employment and Skills Plan	<p>WCC would like to see an Employment and Skills Plan secured through the DCO, offering work to local firms, recruiting via job centres and offering apprenticeships.</p> <p>An Employment and Skills Plan has been considered by the Applicant, but it is felt that due to the specialist nature of the majority of the work, it would be difficult to apply this in a meaningful way to the Proposed Development. However, measures will be put in place, where possible, to maximise the potential for the workforce and Proposed Development's supply chain to be sourced locally (paragraph 5.13.1.1 of the Onshore Outline CEMP (Examination Library reference REP6-036) and Section 25.9.2 of Chapter 25.</p> <p>The Applicant will be amenable to discussing this matter further to determine what may be further secured in this regard but noting that any such proposals need to be realistic in the context of the Proposed Development.</p> <p>WCC considers that the specialist nature of some of the work is not a reason to not sign up to an Employment and Skills Plan. Offers to put in place measures where possible to maximise the potential for the workforce and proposed developers supply chain to be sourced locally are considered to be meaningless without some clearly established framework to assess them against and if necessary, enforce. In WCC's opinion, there are two elements here: firstly, the workforce/trainee and supply issues and secondly, the educational dimension.</p> <p>WCC and the Applicant had a meeting on 10 November 2020 where the matter was discussed further.</p> <p>The Applicant has now prepared an Employment and Skills Strategy in consultation with the relevant LEPs (Solent LEP and Enterprise M3 LEP). WCC was issued a copy of the Employment and Skills Strategy for comments on 23.01.2021..</p> <p>WCC has welcomed the submission of the Employment and Skills Strategy (ESS) at Deadline 7 (REP7-077). WCC considers this to be a very positive step forward. Whilst it is acknowledged that the Employment and Skills Plan will need to be produced in the future and WCC will need to agree the content of that document, WCC are broadly content with the contents, noting this has been produced taking into account the approach of the Construction Industry Training Board of working to achieve positive outcomes for local people and communities.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.2.6	Site visits for students / pupils	<p>In addition, WCC wants the Applicant to offer closely supervised visits to the site during construction to students / pupils of local educational establishments with the idea of outlining the range of job opportunities that such a scheme highlights and promoting general safety regarding electricity infrastructure.</p> <p>The Applicant does not consider it is appropriate to invite students to an active worksite for electricity infrastructure in light of health and safety requirements. This matter was carefully considered during the preparation of the ESS, but as outlined it was deemed to not be appropriate taking into account the works proposed.</p> <p>This aspect is not agreed between the parties but is viewed as an element that can be reviewed when the ESP is looked at in further detail at the appropriate stage in the process.</p> <p>The Applicant has referred WCC to Section 4.6 of the Employment and Skills Strategy (REP7-077) states that the Applicant will work with Solent LEP, M3 Enterprise LEP and the nominated Careers and Enterprise Companies to formally engage and work with a number of schools, colleges and universities in the region of the Proposed development. In terms of knowledge share educational sessions, this includes:</p> <p><i>Section 4.6.2.1. where the Client Organisation, working with the EPC Contractors, will commit to delivering one knowledge share / educational session per partnered school per academic year. The educational sessions will be based around one of the following three topics:</i></p> <ul style="list-style-type: none"> • <i>Electricity HVDC Infrastructure and the Energy market in the UK</i> • <i>Job identification / career planning (in connection with the Construction and Electricity Industry)</i> • <i>Environmental Sustainability in Construction</i> <p><i>Section 4.6.2.2 where the Client Organisation and its EPC Contractors, will commit to delivering one presentation per academic year, to each of the colleges and universities partnered with, focusing on HVDC Technology and Infrastructure (including non confidential elements of the Proposed development), targeting students associated with Engineering, Electrical and Construction based courses.</i></p> <p>Within the caveat as expressed above at 4.2.5, WCC is now satisfied the Applicant has responded to the original request for an ESP which includes a section on education (a mechanism for securing educational and student engagement on the project) in the ESS, and therefore parameters for future educational engagement are agreed.</p>	Agreed
WCC 4.2.7	Community benefits – planning contributions	<p>WCC considers that the proposal offers no legacy benefits to the local or wider community.</p> <p>The Applicant notes that the benefits at the national level will also provide benefits at the local level. Whilst the Applicant has been willing to engage in discussions regarding planning obligations, to date no contributions which satisfy the relevant legal tests have been outlined by WCC despite requests for this. It is noted that the SoS cannot take into account any planning obligations which do not satisfy the legal tests in relation to them.</p> <p>WCC does not consider that the relevant legal tests should be the sole determining factor regarding this matter.</p> <p>Therefore, despite engagement throughout the Examination both parties confirm this is not agreed.</p>	Not agreed
WCC 4.2.8	Community benefits – business rates		Agreed

Ref.	Description of matter	Current Position	RAG
		<p>Section 4.1.5 of REP1-136 identifies WCC will be the responsible billing authority for business rates for the majority of the rateable infrastructure (i.e. the Converter Station). The Applicant considers that there is an opportunity for significant local benefits to arise from business rates being paid during the scheme's Operational Phase.</p> <p>During a call on 05 February 2021, the Applicant and WCC agreed there would be a potential opportunity for major positives/benefits resulting from business rate retention at the local level. This opportunity will be dependent on government policy relating to business rates re-baselining and retention. The Interconnector has the potential to have the highest rateable value in the area for which WCC is the billing authority. Should the baseline reset come into effect before the Interconnector is planned to become fully operational in 2024 then there is an opportunity for the scheme to deliver a significant business rates contribution to WCC. The actual level of benefit is however not confirmed at this stage.</p>	
<p>WCC 4.2.9</p>	<p>Need for extra capacity of the Fibre Optic Cable</p>	<p>WCC has sought clarification over how much of the capacity of the Fibre Optic Cable ('FOC') will be available for commercial use and whether this element of the development is "associated development". The Applicant has submitted a Statement in Relation to FOC (REP1-127) at Deadline 1. WCC has raised queries in regard to the FOC in the following submissions:</p> <ul style="list-style-type: none"> • Deadline 1: Winchester City Council's Local Impact Statement (REP1-183) (Applicant's response provided at Deadline 2 in REP2-013) • Deadline 2: Winchester City Council's Comments on Responses to Deadline 1 (REP2-021) (Applicant's response provided at Deadline 3 in REP3-014) • Deadline 3: Winchester City Council's Comments on Applicant's response to local Impact Report (REP3-034) (Applicant's response provided at Deadline 4 in REP4-027). <p>In summary, the Applicant has explained that a communication link is integral to any HVDC interconnector and is essential for control, protection and telecoms purposes between the two converter station sites. The installation of FOC infrastructure as part of the HVDC scheme is common for such projects and is essential to supports its safe operation. The single FOC has 192 glass fibres. Although the number of fibres required for cable protection purposes is less, the FOC is required to have some overcapacity to accommodate levels of redundancy for failures. The outer diameter of the cable is required to be of a sufficient diameter to provide adequate protection for the fibres within, to withstand impacts associated with its transportation, installation and operation, and as such the cable itself does not change if the number of fibres within it is reduced. Further, fibre optic cables are manufactured to include standard multiples of glass fibres rather than on a bespoke basis, and whilst a lesser multiple of glass fibres could be included, there is no benefit to such an approach being taken and the proposed use of spare fibres within the FOC for commercial purposes will represent a benefit of the Project (by helping to meet the future UK demand for fibre capacity in a cost and environmentally efficient way by avoiding the need for additional future fibre cables) fully realising its design capacity.</p> <p>Regarding WCC's query on whether the commercial use of the spare capacity within the FOC is associated development, the Applicant notes that in the Examining Authorities Further Written Questions reference DCO 2.5.1 (PD-031), the ExA outlined a position where the FOC would be part of the development and not Associated Development for the purposes of s115 of PA 2008.</p> <p>WCC considers that the ExA would be applying too liberally an interpretation of the legislation and to the intentions and actions of the Secretary of State if they considered the FOC as part of the principal development being considered under this application. The reasons for this view are given in WCC's Deadline 7 response (REP7-094).</p>	<p>Not Agreed</p>

Ref.	Description of matter	Current Position	RAG
		<p>The Applicants position is set out in the Applicants Response to the Examining Authorities Further Written Questions ExQ2 (REP7-038) see Table 1.5 DCO 2.5.1. The Applicant considers that the dDCO is clear with regard to use, including that the fibre optic cables are to be used for commercial telecommunications purposes. However, it is noted in this regard that section 55(1) of the Town and Country Planning Act 1990 which defines what constitutes development (and which in accordance with Section 32 of the Planning Act 2008 defines “development” for the purposes of that Act) provides that ““development,” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.”</p> <p>In accordance with this definition, use of new operational development alone is not development, and therefore the question is not whether the use is associated development, but rather whether the “development”, being the building and engineering operations, are associated development.</p> <p>Noting the above, if the Secretary of State accepts that the correct question is whether the buildings aforementioned are associated development and concludes that they are, then the use authorised for those buildings will be the use for the purposes for which they are designed, in accordance with Section 157(2) of the Planning Act 2008.</p> <p>There is not agreement between the parties on this matter.</p>	

4.3. LANDSCAPE AND VISUAL AMENITY

Table 4-3 – Landscape and Visual Amenity

Ref.	Description of matter	Current Position	RAG
Landscape and Visual Amenity			
WCC 4.3.1	Area of study relevant to WCC	It is agreed that the parts of the Landscape and Visual Amenity assessment set out in Chapter 15 of the ES (Landscape and Visual Amenity) (Examination Library reference APP-130) relevant to WCC are Sections 1 (Lovedean (Converter Station Area)) to Section 4 (Hambleton Road (north)) which fall within WCC’s administrative boundary.	Agreed
WCC 4.3.2	ES Methodology – Study area	<p>It is agreed that the 8 km, 3 km and 1.2 km study areas for Section 1 (Lovedean – Converter Station Area) as set out in paragraphs 15.1.2.3 – 15.1.2.5 of ES Chapter 15 are appropriate.</p> <p>It is agreed that the 120 m study area on either side of the Onshore Cable Corridor, as set out in paragraph 15.1.2.6 of ES Chapter 15, is appropriate.</p>	Agreed
WCC 4.3.3	ES Methodology – Viewpoints	The viewpoint selection for the Converter Station as set out in section 15.4.4 of ES Chapter 15 is agreed.	Agreed
4.3.4	ES Methodology – General	<p>The Applicant welcomes WCC’s review and agreement of the remaining aspects of the LVIA methodology set out in section 15.4 of Chapter 15, as it relates to the areas within WCC’s administrative boundary (i.e. parts of Sections 1 – 4).</p> <p>WCC has confirmed they are in agreement with the Applicant on this matter.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.3.5a	ES Baseline	The landscape and visual baseline environment is set out at section 15.5.3 of Chapter 15. Aside from the interpretation of landscape character and whether the site and its immediate surroundings are influenced by the industrial character of Lovedean Substation, the Applicant and WCC agree on all remaining matters relating to the landscape and visual baseline.	Agreed
WCC 4.3.5b	ES Baseline – interpretation of landscape character	<p>The Applicant notes that WCC has made a specific point over the interpretation of landscape character of the area in its local impact report (REP1-183) under paragraph 1.4.17: <i>“North of Anmore Road the character of the site changes as it enters an area with a more expansive landscape consisting of larger arable fields. These are still bounded by strong hedgerows with trees but the east-west hedgerows offer weaker links. Some hedgerows have been removed. In the vicinity of the main site for the converter station the landscape still retains the above character but includes a number of wooded areas that form part of the pattern of hedgerow links but which can also appear as more isolated features. The existing substation with its associated network of overhead lines is a major feature in the area but is not so dominant to override the distinct open countryside character. This is particularly true on the western side along Old Mill Lane.”</i></p> <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 with the above. 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, <i>“the existing Lovedean Substation, associated pylons and overhead lines are dominant elements in the landscape of the Converter Station Area and immediate surrounding area.”</i> 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> <p>There is a difference of interpretation of landscape character and the degree to which the site and its immediate surroundings are influenced by the industrial character of Lovedean Substation.</p> <p>The Applicant and WCC have reached a point where this will not be agreed.</p>	Not Agreed
WCC 4.3.6	Predicted impacts	<p>The impacts considered to have the potential to give rise to temporary and / or permanent significant effects during construction and operation of the Proposed Development in relation to the Converter Station and Onshore Cable Corridor are identified at section 15.3.6 of ES Chapter 15.</p> <p>Potential impacts have been subject to further to discussions with WCC following submission, including through the series of design group meetings with WCC, the SDNPA and EHDC. The following points of clarification in relation to predicted impacts have been discussed:</p> <ul style="list-style-type: none"> • Height of the Converter Station: WCC has sought clarification over the height of the buildings. The Applicant confirms that the buildings will be up to a maximum of 26 m high; allowing flexibility in the detailed design for contractors. Final proposals will be subject to detailed design approval by the relevant planning authority in consultation with the SDNPA in accordance with Schedule 2 Requirement 6(1)) of the dDCO (REP3-003). • Lightning masts: It was agreed that the lightning masts would be of a slender steel construction in accordance with a revised building design principle and that the design of the masts and layout will be resolved at detailed design in accordance with Schedule 2 Requirement 6(1)) of the dDCO – this has been reflected in the most recent update to the Design Principles included in the updated version of the DAS submitted at Deadline 6 (REP6-025) 	Agreed

Ref.	Description of matter	Current Position	RAG
		<ul style="list-style-type: none"> • Lighting columns: Specific reference to lighting during construction and operation and the SDNPA international dark night skies technical note is now included within the updated OOCEMP (REP6-035). Operational lighting is now referred to as a new Design Principle and this was included in the updated version of the DAS (REP6-025). • Cranes: WCC has sought clarity on the height of the cranes. The cranes will be mobile rather than tower cranes and the most suitable crane would be a 500T mobile crane which has a telescopic boom that extends to 84m. The mobile cranes (of which there will be up to 2) are anticipated to be in use for some 8 months out of a 3 year construction period. The 'up to 84m' refers to the typical maximum <u>length</u> of the boom. For a building up to 26m high it would be unusual for such a crane to be used vertically. As a mobile crane with a telescopic boom, it would only be a noticeable feature whilst in use: when not in use such cranes are normally parked in their retracted position (the 500T crane suggested is about 5m high when parked). <p>To address the concerns raised above, the OOCEMP was updated at Deadline 6 (REP6-036) to confirm the cranes will be retracted when not in use and depending on the manufacturer likely to be approximately 5 m in height when not in use. It adds that tower cranes will not be used on site. See also 4.3.15 below.</p> <p>Staircases and parapets: The Applicant confirms that the requirement for the parapets has been removed therefore no external staircases are required.</p> <p>The Applicant has agreed this matter with WCC.</p>	
WCC 4.3.7	Embedded Mitigation – Converter Station	<p>Section 15.7.1 of Chapter 15 sets out the embedded mitigation measures which would be implemented during the Construction Stage.</p> <p>Further to discussions with WCC and other LPAs in response to the request to provide stronger connectivity between features and for east-west movement of wildlife (which is covered in the ecology section 4.4.15 below) revisions have been made to the indicative landscape mitigation plans and these are reflected in Figure 15.48 and 15.49 Option B(i) north and south (REP7-025 and REP7-026) and landscape mitigation plans for Option B(ii) (REP7-061).</p> <p>In addition, revisions also reflect recent changes to the Order limits (AS-054), and more recent updates in the Environmental Statement Addendum 2 (REP7-067) and the inclusion of two new woodlands (Mill Copse and Stoneacre Copses) within the Order limits following a recent ash dieback survey. These woodlands (which serve a visual screening function) will be planted and managed to maintain their effectiveness in providing a visual screening function for the future baseline. The management strategy for these woodlands is included in the updated Outline Landscape and Biodiversity Strategy (REP7-023) submitted at Deadline 7.</p> <p>Additional mitigation measures are outlined below and where appropriate the Applicant has explained the reasons why some measures are not implemented. The Applicant notes that the references used by WCC relate to the Outline Landscape and Biodiversity Strategy management plans for Option B(i) in the revised OLBS (REP7-023). Amendments have been made for both Option B(i) and B(ii):</p>	Agreed

- **PH-2:** WCC states that PH-2 is a standard two rows of new hedge plants and should be thickened up on its southern side. The Applicant has widened PH-2 to approximately 6.5m which is more than the standard two rows of new hedgerow planting as requested to provide a stronger east west connection. Tree planting cannot be included within the mix due to the proximity of the hedgerow to the overhead lines. It is the WCC view that if suitable species chosen, there is sufficient separation to include some trees on the southern edge of this wider planting strip. The updated OLBS states at 1.6.4.1 that no tree planting can be introduced within 30m of the 400KV overhead lines. Whilst the Applicant can allow the hedgerow (which is nearly 7m in width) to grow to a height of 4m, no trees can be introduced within this hedgerow.
- **PW-5:** WCC would like to see a connection between PW-5 and enhanced woodland to the east (including PW-1, PW-2 and PW-3). The Applicant has extended PW-5 further south and east on land within the Order limits working within health and safety constraints associated with the Converter Station. The Applicant is unable to create an east west link between the two areas of proposed vegetation since this would sever the existing arable field and 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. It is the view of WCC that an access gap could be left in any extended planting belt. The recent addition of Mill Copse into the Order reinforces the merits of strengthening this east west link.
- **New hedgerow link between EH-5 and EH8:** WCC has requested an east west connection between the two sections of hedgerow which lies outside the Order Limits. The Applicant for the reasons outlined in the above bullet point cannot justify the acquisition of this land.
- **PH-3:** WCC requested a more substantial linear feature. The Applicant notes this comment and whilst one junction has been thickened (where PH-3 meets EH-23 and EH-25) to provide a small copse on the corner, land to the west of EH-23 shown as Plot 1-57 on the Land Plans (APP-008 Rev03), has been removed from the Indicative Landscape Mitigation Plans for both Option B(i) north and south (REP6-027 and REP6-028) and landscape mitigation plans for Option B(ii) (REP6-054) and will continue to be farmed since this is viable agricultural land. Temporary Use of Land is sought over Plot 1-57 to support early access to the Converter Station area for plant and machinery. WCC still views the reinforcement of the proposed planting here as still viewed as a positive action.
- **PW-17:** WCC requested further planting to the east of the woodland to improve connectivity with the ancient woodland. The Applicant has extended woodland planting whilst allowing access for maintenance and for the adjacent landowner.
- **SC-3:** scrub planting north west of Stoneacre Copse: WCC requested further connections between the ancient woodland and surrounding proposed vegetation. The Applicant has introduced new scrub planting to improve connectivity and minimise concerns over the fragmentation of ancient woodland.
- **PW-25:** native woodland planting north of Broadway Lane (south): WCC requested further improvements in connectivity. The Applicant has introduced further woodland planting in this location to improve connectivity and enhance biodiversity.
- **PW-6 and SC-8 (Option B(i)) and PW-9, PW-12 and SC-8 (Option B(ii)):** planting around the northern attenuation pond has been modified to accommodate the approximate location of a culvert / soakaway with scrub and new woodland planting extended.
- **EW-3 and PW-27:** inclusion of Mill Copse within the Order limits and additional new native woodland planting to the south. WCC is questioning how the new planting south of the copse can be secured if land not within Order Limits. The Applicant confirms that this is no longer included in the OLBS or in the assessment of ash dieback as it is not within the Order limits
- **AW:** inclusion of Stoneacre Copse within the Order limits.
- **PW-26:** inclusion of a new area of woodland to the north of the “gated link road” and relocation of hedgerow closer to the proposed road.
- **SC-8:** removal of scrub and replacement with calcareous grassland around the edge of Broadway Cottages.

Ref.	Description of matter	Current Position	RAG
		<p>WCC acknowledges that it will always seek to maximise opportunities for new planting. As a general point on mitigation, agreement on matters above reflects the degree to which the Council considers the applicant is acting reasonably.</p> <p>The Applicant also notes that the proposed woodland planting to the west of the Converter Station covering Plots 1-23 and Plots 1-29 (Land Plans (REP6-004) show that planting has been extended on both Option B(i) and Option B(ii). Further to concerns expressed by the landowner, the Applicant has reviewed the micro sited options to determine whether if Option B(ii) is chosen it may be possible to undertake planting over a reduced area in both plots. The Applicant has revised the Indicative Landscape Mitigation Plan Option B(ii) WQ CA1.3.7 (d) to reflect a reduction in planting and this was submitted at Deadline 5 (REP5-032). The Applicant has reassured WCC that the extent of planting would not be “watered down” any less than revisions to planting shown for Option B(i) or impact on the objectives of the OLBS in terms of visual screening function and ecological enhancements.</p> <p>The Applicant notes WCC’s comments over an existing length of hedgerow which has not been included within the Order limits. The Applicant does not deem it 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. 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 Option B(i) north and south (REP6-027 and REP6-028) and landscape mitigation plans for Option B(ii) (REP6-054) submitted for Deadline 6.</p> <p>As referred to in the Applicant’s Response to Deadline 3 submissions (REP4-027), the indicative landscape mitigation plans have been reviewed to reflect further comments and consideration has been given to new planting south of the Access Road and around the access entranceway.</p> <p>The Applicant and WCC have discussed embedded mitigation around the Converter Station at length and this matter is agreed.</p>	
WCC 4.3.8	Embedded Mitigation – Access Road	<p>The Applicant has agreed with WCC that the Applicant has considered the siting and landscape design of the Access Road and has sought to avoid its visual prominence from local public vantage points by providing screening in the form of hedgerows and trees along the edge of the road. The nature of the permanent surface of the Access Road and landscaping will be agreed at detailed design stage, maintaining some flexibility to integrate it into its immediate surroundings.</p> <p>WCC wishes to see the hedgerow (PH-3) along the south side of the Access Road thickened up into a belt providing a stronger feature. The Applicant has reviewed the opportunity to thicken the hedgerow and considers that the current proposals are sufficient and allow for agricultural use of the adjoining land to continue. If the landscaping was to increase it would mean the viability of farming would be questionable, however further planting has been introduced to the north of the “gated link road” and the proposed hedgerow to the south lies closer to the link road to reduce the road’s visual impact and this is presented on a revised version of the indicative landscape mitigation plans for both Option B(i) north and south (REP6-027 and REP6-028) and landscape mitigation plans for Option B(ii) (REP6-054) and reflected in an updated version of the OLBS (REP6-038).</p>	Agreed
WCC 4.3.9	Embedded Mitigation – Onshore Cable Corridor	<p>Section 15.8.8 of Chapter 15 sets out the embedded mitigation measures for section 3 (Denmead / Kings Pond) (see also section 4.4.21 below on ecology-related mitigation measures).</p> <p>Section 15.8.9 sets out the embedded mitigation measures for section 4 (Hambledon Road to Farlington Avenue).</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant seeks WCC’s agreement of these measures in relation to the parts of the sections within WCC’s administrative boundary. The Applicant notes that further detail is provided in both the updated OOCEMP (REP7-032) and updated OLBS (REP7-024).</p> <p>This matter is agreed.</p>	
<p>WCC 4.3.10</p>	<p>Mitigation – Outline Landscape and Biodiversity Strategy</p>	<p>WCC questioned if sufficient mitigation or enhancements are being proposed in relation to the Converter Station Area to adequately mitigate both landscape and biodiversity impacts (see section 4.4 for biodiversity). WCC refers to the significant effects identified within 1.2 km of the Converter Station and questions how these are addressed.</p> <p>It is the Applicant’s position that an appropriate and proportionate approach has been taken to measures proposed to mitigate the likely significant impacts associated with the Converter Station Area. 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 (REP6-015).</p> <p>The Applicant notes in this regard that NPS EN-1 acknowledges in relation to landscape impact and decision making at paragraph 5.9.8 that <i>“virtually all nationally significant energy infrastructure projects will have effects on the landscape”</i> and that <i>“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.”</i> This is the case with the Proposed Development.</p> <p>The Applicant also notes that in terms of the 1.2 km radius this is the limit of significant effects and that mitigation planting does not have to be physically present across the whole of the area to have an appropriate mitigating effect.</p> <p>The Applicant and WCC have further discussed the measures to address any concerns of WCC regarding the landscaping proposed and the following updates have made to the following documents in relation to those:</p> <ul style="list-style-type: none"> • The Outline Landscape and Biodiversity Strategy (‘OLBS’) now revised at Deadline 6 (REP6-038) and the extent of the mitigation in that Strategy; • Requirements 7 and 8 of the dDCO (REP6-015) which require the provision and approval of a detailed landscaping scheme, which is to accord with the OLBS, prior to the commencement of Works No. 2 (relating to the Converter Station Area) and the implementation, retention, management and maintenance of the landscaping in accordance with the approved detailed landscaping scheme respectively. <p>The detailed landscaping scheme is required to include detailed landscape mitigation plans together with management, maintenance and monitoring plans (paragraph 1.1.3.5 to 1.1.3.7 of the OLBS). It is also required to include management responsibilities in accordance with paragraphs 1.8.3.1 to 1.8.3.10 of the OLBS.</p> <p>Reference has been included in Appendix 1 of the updated OLBS to the exclusion of nitrate fertilisers (REP6-038).</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
		<p>An updated OLBS will be submitted at Deadline 8 to include specific references to UK Forestry Standard, 2017, Natural England and the Forestry Commission's joint advice on managing SSSIs with ash dieback, June 2019 as well as Ancient Woodland Restoration, November 2018 (Woodland Trust).</p> <p>This matter is now agreed with WCC.</p>	
<p>WCC 4.3.11</p>	<p>Mitigation – Long-term management of landscaping</p>	<p>WCC initially raised concerns that the method of securing suitable control over the long-term retention of landscape features on land not intended to be purchased was unclear. This concern related to the remote hedgerows that are identified as contributing to the screening of the building. WCC queried why the Applicant does not seek to acquire them to secure their future rather than entering into agreements with their respective landowners. WCC raised concerns that there had been no disclosure of the contents of the deed of covenant and this mechanism offers less security than if the Applicant owned them. A further concern related to the length of time any future management might apply in the context that the Project has a 40 year design life.</p> <p>The Applicant notes that New Landscaping Rights will be secured by agreement, by way of a deed of grant of easement. The deed will secure the legal rights to undertake the improvement measures set out at Parts (a) and (b) of Appendix A of the Statement of Reasons (REP1-025 and 026) and to secure the restrictions set out in Part (c). The rights being sought with the appropriate landowners are for the long-term maintenance and management of existing planting and retained hedgerows, and powers of compulsory acquisition are sought to acquire the rights and impose restrictions to do so for in the event a voluntary agreement is not reached with those persons.</p> <p>The approach being taken is very clearly set out in the Statement of Reasons (REP1-025) and the Book of Reference (REP6-023). The approach ensures the existing planting which provides a screening mitigation function is retained and can be managed for this purpose. The Applicant considers this to be an appropriate mechanism to secure control over the long-term retention of landscape features. The Applicant does not consider permanent voluntary acquisition of the land would be justified in the circumstances or would satisfy the legal tests for permanent compulsory acquisition where the retention and maintenance of landscaping may be achieved by the acquisition of rights and the imposition of restrictions only.</p> <p>The Applicant has discussed the deed of grant further with WCC and it is understood that, subject to having sight of a precedent form of the Deed of Grant of Easement, which has been provided to WCC on 20 November 2020, WCC were generally content the legal rights are appropriate. However, the Applicant is aware that WCC in their Deadline 6 response (REP6-085) consider the template for the Deed of Grant, in its current form, is not fit for purpose. The Applicant and its legal advisors are content the Deed of Grant of Easement is adequate to secure the legally enforceable rights and restrictions required to allow the Undertaker to manage the landscaping in accordance with the Requirements, and that therefore it is fit for purpose.</p> <p>It is understood that WCC is also concerned in respect of ensuring compliance with the Requirements is enforceable, and that the legal rights and secured ensure the Requirement can be enforced. 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>With regard to the long-term management, the Applicant confirms that they will be responsible for this during the operational life of the Converter Station and WCC has confirmed that this is welcomed.</p> <p>This matter has been considered at length and agreement is now reached with WCC.</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
WCC 4.3.12	Mitigation – Design Principles – Converter Station Design	<p>Six design group meetings have been held with WCC, SDNPA and EHBC following the Section 42 Consultation to inform the development of the Design Principles and a further three meetings have been held in August, October and November to progress discussions. Following the design group meeting on 25 November 2020 which focused on agreeing many of the Design Principles and receipt of further comments from WCC after the meeting, a revised set of design principles were circulated to the LPAs. WCC has confirmed that they agree with the revised draft principles, apart from colour which remains an ongoing issue.</p> <p>The refined set of colours - four dominant base colours and eight additional pallets of colour - identified in the revised 'Contextual Elevation Study' (dated 24.11.20) was presented to the design group for discussion. WCC raised concerns over the use of lighter colours and wanted to see a focus on darker recessive colours for each elevational view. It was therefore agreed by the design group that the colour palette study would be revised to include only four dark recessive colours for each elevational view. The design principles note was updated during this call which was then subsequently circulated around for agreement thereafter.</p> <p>A further design call was then arranged to discuss the revised 'Contextual Elevation Study' (dated 27.11.20) with the revised colour palette showing dark recessive colours.</p> <p>At a teleconference call on 3 December 2020 at which only officers from WCC were present, an agreement was reached on a palette of 11 colours. It subsequently emerged that the SDNPA wish the colour range to be extended with the inclusion of 8 additional colours. Discussions have progressed in trying to reach a consensus view.</p> <p>The Applicant has prepared two photomontages from Local Viewpoint B (Figure 15.36E and 15.36F) and shared them with the LPAs on 22.12.2020 for discussion to try and achieve consensus on colour. WCC responded re-affirming their view confirmed their view that the darker colouring is preferred and acknowledged the recent expression by the SDNPA of their preference for a lighter colour scheme.</p> <p>Following further discussions, WCC will consider accepting the broader range of colours providing a suitable form of wording can be found and address into the DAS that makes it clearly understood that their addition does not imply they will be used but simply allows for more flexibility for when the onsite contextual assessment is made and the final colour mix is chosen for each of the elevations. The Applicant is currently drafting a suitable form of wording to be added into the DAS for WCC to confirm agreement at Deadline 8.</p> <p>The Applicant is minded to include the wider colour range and this will be referred to in Building Design Principle 3 – as detailed below. The basis for this approach is the Applicant's view that a broader range of colours, which includes lighter colours, is required for where the building cuts the skyline (for instance viewpoint 3, 12 and 14). The further on-site contextual study to be undertaken as part of the detailed design will test each elevation from different viewpoints and angles to determine the colours ratios.. and whether overall such elevations should have a greater transition of darker to lighter colour.</p> <p>The Applicant therefore suggests the following revised wording for Building Design Principle 3:</p> <p><i>3. Colours will be selected from a palette of contextual colours (which are primarily dark recessive colours) within the ranges below chosen to complement the surrounding landscape. A contextual study will be undertaken to review the colour ratios for each elevation from the below colour range. The roofing will be in a dark recessive non-reflective colour to minimise visual impact.</i></p> <ul style="list-style-type: none"> • RAL 8022; 6009; 8019; 6015; 6020; 6014; 7022; 7013; 8025; 6003; 1020; & • RAL 8015; 8012; 7008; 6011; 7040; 1002; 1014; 7035 	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>WCC has agreed to the suggested text detailed above.</p> <p>SDNPA have suggested revisions to wording in the DAS paragraph 4.3.9.6 to state:</p> <p>Comment: (SDNPA) felt the range of agreed colours set out in the latest revision of the 'Contextual Elevation Study' (dated 27.11.20) was not sufficiently broad enough to be able to be used to mitigate the proposals. Whilst accepting that the lower levels of the building do need the darker, more recessive appearance SDNPA requested that a wider colour range be adopted to ensure <u>flexibility in choosing</u> a suitable colour treatment where the built form is set against the sky, incorporating the paler colours, <u>if deemed to be appropriate</u>, identified in the previous iteration (24.11.20).</p> <p>The need to comply with the design principles is already secured by Requirement 6 to the dDCO (REP3-003 and now included in REP6-015). WCC have agreed to Building Design Principle 3.</p> <p>A new design principle relating to ash dieback and a further design principle in connection with Day Lane will also be included in the updated Design and Access Statement to be submitted at Deadline 8 in consultation with WCC and as follows:</p> <p>Landscape Design Principle 11 Ash dieback:</p> <p><i>New woodland, tree and hedgerow planting, within existing areas identified as affected by Ash Dieback, will be introduced within the Order Limits to replace diseased trees where replacement planting will provide appropriate screening from sensitive receptors, enhance landscape character, increase landscape and ecological connectivity and improve biodiversity. Ongoing management of the decline of ash trees will be carried out to encourage natural regeneration, and ensure the identification and implementation of further replacement planting as required. Management will include selective felling where necessary as well as the retention of a proportion of standing deadwood for biodiversity reasons.</i></p> <p>Day Lane Design Principle:</p> <p><i>When designing passing bays measures will be taken to retain Day Lane's rural character by not introducing additional signage, road markings, kerbs or lighting.</i></p> <p>WCC agree with the design principles.</p>	
<p>WCC 4.3.13</p>	<p>Mitigation – Design Principles – Access Road</p>	<p>The Design Principles outlined in the revised DAS (REP1-031 and 032) include a specific principle relating to the Access Road. General Design Principle 7 states that in terms of the access road “[p]ermanent surfacing and landscaping will take account of the local context and be detailed in accordance with the Landscape Design Principles” and Landscape Design Principle 7 states “detailed landscaping proposals will include appropriate measures to maintain wildlife habitats and corridors wherever feasible”.</p> <p>WCC have agreed to General Design Principle 7.</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
WCC 4.3.14	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	<p>The revised Onshore Outline CEMP submitted at Deadline 6 (REP6-036) section 5.2 (Landscape and Visual Amenity) sets out measures that must be considered during the Construction Phase to ensure protection of the existing landscape setting and views to the construction site. This section also sets out the proposals for hoardings around the Converter Station to visually contain many of the construction activities and a lighting scheme for the construction stage of the Converter Station Area.</p> <p>Reference to lighting during the operational stage of the Proposed Development is now covered as a new Lighting Design Principle in the updated DAS submitted at Deadline 6 (REP6-025) which at section 6.2.4 states “The lighting scheme for the Converter Station Area will be developed in accordance with the SDNPA Technical Advice Note 2018, Dark Skies.”</p> <p>The Applicant has now reached agreement with on these proposed measures.</p>	Agreed
WCC 4.3.15a	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures – General and Loveadean	<p>Based on the request of WCC this section on the location specific construction environmental control measures has been further subdivided with a separate sub section 4.3.15b for Denmead Meadows (see below).</p> <p>4.3.15a relates to Lovedean. The Applicant has reached agreement with WCC on other measures set out in the revised Onshore Outline CEMP (REP6-036) with the exception of Denmead Meadows, including:</p> <ul style="list-style-type: none"> • Section 6.2.3 (Landscape and Visual Amenity); • Section 6.3.1 (Section 1 – Lovedean (Converter Station Area) – Landscape and Visual Amenity). This section includes a specific reference to cranes which will be retracted when not in use and depending on the manufacturer likely to be approximately 5 m in height when not in use as referred to in point 4.3.6 above. It adds that tower cranes will not be used on site. • References to the design principles and updated Outline Landscape and Biodiversity Strategy have now been omitted from this section and are covered in the updated DAS (REP6-025). 	Agreed
WCC 4.3.16	Mitigation – Onshore Outline CEMP – Onshore Monitoring Plan	<p>The responsibilities and procedures for monitoring set out in set out in the revised Onshore Outline CEMP (REP6-036) section 7.1 (Onshore Monitoring Plan – Landscape and Visual Amenity – Management of Vegetation) are yet agreed between the Parties. The Applicant notes that section 7.1 was revised at Deadline 1 and further information is provided on monitoring, responsibilities and further action / remedial measures.</p> <p>The Applicant has reached agreement with WCC on the Onshore Monitoring Plan.</p>	Agreed
WCC 4.3.17	Residual effects	<p>WCC’s interests relate primarily to the residual visual and landscape effects on the Converter Station and Access Road.</p> <p>WCC has a concern over the residual effects on Stoneacre Copse (ancient woodland). WCC acknowledge that the 15 m standoff relating to any development conforms to the general approach to development in the proximity of an ancient woodland but WCC queried whether there was consideration given to the implications of severing the link of the woodland to the other landscape features to the south and west, as Stoneacre Copse will become isolated from its surroundings.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant accepts that the proposed Access Road will separate Stoneacre Copse (ancient woodland) from other pockets of woodland through the severance of existing hedgerows. The mitigation that has been considered is set out above and includes further revisions to minimise the extent of severance.</p> <p>Further to the Applicant's Response to the Examining Authority's Further Written Questions LV2.9.1 (REP7-038) and the Examining Authority's question to WCC at Issue Specific Hearing 5 held on 18 February 2021, WCC can confirm that the Applicant's assessment of the likely effects and impacts for additional viewpoints 1b and 2 is accepted.</p> <p>WCC now agree to the assessment of residual effects set out at Tables 15.10 and 15.11 of Chapter 15 of the ES.</p>	

4.4. ONSHORE ECOLOGY (INCLUDING ARBORICULTURE)

Table 4-4 – Onshore Ecology (including Arboriculture)

Ref.	Description of matter	Current Position	RAG
Onshore Ecology (including Arboriculture)			
WCC 4.4.1	Area of study relevant to WCC	It is agreed that the parts of the Onshore Ecology assessment set out in Chapter 16 of the ES (Onshore Ecology) (Examination Library reference APP-131) relevant to WCC are Sections 1 (Lovedean (Converter Station Area)) to Section 4 (Hambledon Road (north)) which fall within WCC's administrative boundary.	Agreed
WCC 4.4.2	ES Methodology – Study area	It is agreed (as noted in section 16.1.2 of Chapter 16) that the study areas for ecological features are appropriate.	Agreed
WCC 4.4.3	Biodiversity assessment	<p>WCC has requested further information on the Applicant's approach to assessing biodiversity impacts. The Applicant has prepared a 'Biodiversity Position Paper' which has been provided in draft to WCC on 18 August 2020. This paper has been submitted into the Examination at Deadline 1 (REP1-138), with a revised version having been submitted at Deadline 3 (REP3-012).</p> <p>The Applicant sought agreement with WCC over the approach taken in the Biodiversity Position Paper which has been agreed with Natural England as of Deadline 4 (see point NE4.2.9 in the SoCG with Natural England, REP4-015). This matter relates to gaining agreement on the approach and not any specifics on the final assessment itself.</p> <p>The Applicant received confirmation during a call on 10/02/2021 that WCC agree to the approach on assessing biodiversity impacts.</p>	Agreed
WCC 4.4.3a	Biodiversity assessment – change in grassland mitigation at Converter Station	<p>The OLBS (REP7-024) now states under paragraph 1.5.3.7 <i>"Improvement of grassland at the Converter Station involves the application of a native seed mix of a local provenance to achieve a species rich grassland aiming for a calcareous grassland based on indicator species present on site."</i></p> <p>In light of the change in grassland improvements that seeks to achieve a species rich grassland aiming for a calcareous grassland, WCC express concern the Biodiversity Metric needs to be updated due to the change and uncertainty.</p> <p>The Applicants view is the Biodiversity Metric calculation that forms part of the Biodiversity Position Paper rev-002 (REP3-12) does factor in flexibility which enables the grassland to be either calcareous or species rich and still results in a net gain.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>It is acknowledged creating calcareous grassland is not straight forward and needs the appropriate soils and management in order to be successful. This is taken into consideration within the Biodiversity Metric, where calcareous is given a high 'difficulty to deliver'. This effectively means that the units gained from the site are multiplied by 0.33 to take account of the risk to delivery. With this risk taken into account we are still delivering a net gain in units and area for this habitat. To put this another way, if we deliver 33% of the area identified successfully as calcareous grassland we will have met the target in units for habitat creation. Area Habitat data values (numerical values used in Calculation Tool) are found in Table TS3-3 of the Biodiversity Metric 2.0 - Technical Supplement (see page 95 for calcareous grassland).</p> <p>If the habitat created is a neutral species rich grassland rather than calcareous, as a result of the soils on the site, the result will still be a high or very high distinctiveness grassland supporting many of the same species (flora and fauna). If we are able to create a lowland meadow (very high distinctiveness neutral grassland) rather than calcareous grassland it would result in an increase in the units delivered when compared to the calcareous grassland.</p> <p>Whilst WCC accepts the explanation regarding the different types of grassland that may be established it defers to Natural England to confirm that either of the grassland types will result in a net positive gain when the Biodiversity Metric is assessed. The NE agreed referred to above is noted but related to the situation when only the calcareous grassland type was proposed not the two types now under consideration. WCC agreement is based on NE affirming its confirmation applies to either grassland type. Subject to the affirmation by NE the above matter is now agreed.</p> <p>As evidenced in the Statement of Common Ground between the Applicant and Natural England (REP7c-004) the application of the DEFRA Biodiversity Metric has been agreed. Specifically, Natural England have agreed that both the approach and the assumptions underpinning the metric outputs are appropriate. The agreed assumptions factor in the uncertainty described.</p>	
WCC 4.4.4	ES Baseline	The ecological baseline is set out at section 16.5 of Chapter 16. This baseline for Sections 1 – 4 (where Section 4 is located within the administrative boundaries of WCC) is agreed.	Agreed
WCC 4.4.5	Predicted impacts	<p>The impacts with regard to ecological / environmental designations and species in relation to the Converter Station Area and Onshore Cable Corridor are identified (including mitigation) at sections 16.6.1 and 16.6.2 of Chapter 16 of the ES.</p> <p>Subject to the below the predicted impacts are agreed with WCC.</p> <p>WCC has been seeking a greater level of detail on the impacts of the Cable installation in the area between Hambledon Road and Anmore Road which is mostly designated as Site of Importance for Nature Conservation (SINC).</p> <p>A meeting to discuss those matters was held between WCC and the Applicant in September 2020, and a further meeting covering transport matters and cable installation methods was held in October 2020. The meeting highlighted that Soake Farm Meadows SINC is completely avoided through HDD. Trenching through the east field of Kings Pond SINC will occur; the impacts are assessed in Chapter 16 of the ES which highlights that this field is not of higher botanical quality. The Applicant has acknowledged the potential impacts on the meadows within Chapter 16 and the ES Addendum and has assessed them accordingly.</p> <p>There have subsequently been further reviews on the predicted impacts at Denmead, as set out in the following documents:</p> <ul style="list-style-type: none"> • Denmead Position Paper submitted at Deadline 6 (REP6-072); 	Agreed

Ref.	Description of matter	Current Position	RAG
		<ul style="list-style-type: none"> Environmental Statement Addendum submitted at Deadline 7 (REP7-067); Kings Pond Meadow Position Paper to be submitted at Deadline 8. <p>The predicted impacts on the SINC are now agreed.</p>	
WCC 4.4.6	Predicted arboricultural impacts	<p>WCC is concerned about the assessed impacts of the worst-case scenario, which assumes the potential loss of all trees / hedgerows within the Order limits. WCC considers that the loss of all features would result in unacceptable harm to the landscape. WCC wishes to see the level of detail relating to the Cable installation refined so more specific detail is available which means precise impacts can be identified.</p> <p>The Applicant responded to this matter (see REP4-027) which explained that 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). 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. 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 Applicant sought WCC's agreement that, regardless of whether the impacts are acceptable, the assessment of the worst case is appropriate in EIA terms. WCC accept this is an appropriate assessment position to adopt and this matter is now agreed.</p>	Agreed
WCC 4.4.7	Mitigation – embedded	The Applicant sought agreement that the embedded mitigation measures set out in paragraphs 16.6.1.1 – 16.6.2.1 of Chapter 16 of the ES are appropriate. It is highlighted that these measures do not include actual mitigation for acknowledged potential impacts. This matter is now agreed.	Agreed
WCC 4.4.8	Mitigation – Onshore Outline CEMP	The Onshore Outline CEMP (Examination Library reference REP8-032) section 5.3 (Onshore Ecology), includes details on precautionary methods of works and arboriculture to avoid and where not possible mitigate the loss of trees and hedgerows within the Order limits. This matter is now agreed.	Agreed
WCC 4.4.9	Mitigation – Outline Landscape and Biodiversity Strategy – Converter Station Area – Figure 6.10.1	<p>In relation to Figure 6.10.1 in the OLBS (Examination Library reference REP1-034), WCC considers that there is a weakness in the east-west biodiversity links that is not sufficiently mitigated. WCC considers that PW5 which is a new block of planting north of the station connects with EH-8 going north but offers weak (no) connectivity to the east. WCC considers that PW-5 should be extended across to link up with EH-5. This is clear of the overhead pylon line so growth in terms of height should not be a problem in WCC's view.</p> <p>The OLBS has since been updated and submitted at Deadline 6 (REP6-038) with reference now to Figure 1 and 2.</p> <p>The Applicant has responded explaining that this planting lies beyond the Order Limits and would sever the existing arable field. It is not considered the benefits of such planting would mitigate the impacts of the Proposed Development or would provide a meaningful benefit which would outweigh the impacts of providing it, and it is therefore not considered the landscaping is of such necessity it would be appropriate to justify the acquisition of the land required to provide it.</p> <p>Both parties consider the above position is noted.</p>	Not Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.4.10	Mitigation – Outline Landscape and Biodiversity Strategy – Security of delivery	<p>WCC considers that the biodiversity mitigation needs greater security in terms of delivery, maintenance and future management.</p> <p>The Applicant notes that Requirement 9 of the draft DCO secures the need for a written biodiversity management plan, which accords with the OLBS, to be submitted to and approved by the relevant local planning authority in consultation with the relevant statutory nature conservation bodies, and where appropriate the Environment Agency, prior to the commencement of Works No. 2 (relating to the Converter Station Area) and for this to be carried out as approved.</p> <p>The Applicant has now discussed the OLBS with WCC in relation to this, and this matter is now agreed.</p> <p>Please note the specific wording of Requirement 9 is discussed under table 4-12 of WCC 4.12.15 of this SoCG.</p>	Agreed
WCC 4.4.11	Mitigation – Outline Landscape and Biodiversity Strategy – Hedgerow PH-2	<p>WCC considers that PH-2 could be thickened up in depth on its south side (away from the pylon line) making a much stronger link east west between EH-9 and EH-7. The hedgerow has now been thickened on the south side to make a strong east west link.</p> <p>WCC considers that planting could be graded to increase in height moving away from the overhead line. This planting would both increase landscape screening and improve east-west connectivity.</p> <p>This matter is agreed.</p>	Agreed
WCC 4.4.12	Mitigation – Outline Landscape and Biodiversity Strategy – Hedgerow PH-3	<p>WCC considers that the new hedgerow PH-3 that is to be planted on the south side of the access roadway should be thickened up to provide a better landscape feature, to improve east–west movement, and to provide more opportunities for interconnections with the woodland PW-16 and ST2. WCC also considers there would also be some benefit screening the Access Road from the footpath.</p> <p>This is noted by the Applicant. This planting would lie beyond the Order Limits and result in the loss of arable land. It is not considered such planting would provide meaningful and necessary screening mitigation, the benefits of its provision would not outweigh the impacts of placing landscaping on this land, and it is therefore not considered the landscaping is of such necessity it would be appropriate to justify the acquisition of the land required to provide it.</p> <p>It has been noted that the Access Road will need to increase in gradient to enter the Converter Station compound reflecting the changes in levels that are proposed.</p> <p>Details of how this is to be achieved and the implications on the ground along both sides have been presented as sections to WCC.</p> <p>The above is now agreed.</p>	Agreed
WCC 4.4.13	Mitigation – Outline Landscape and Biodiversity	<p>WCC considered that if the proposed attenuation pond could be moved into the field to the west, the space freed up could be given over to planting trees to improve the screening of the Converter Station.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
	Strategy – Attenuation Pond	<p>The Applicant notes that the attenuation pond relates directly to the Converter Station and proposed Access Road in terms of runoff. There are no existing surface water drainage systems in the vicinity of the site to connect to. The reasons for the proposed location of the attenuation ponds include avoidance of existing site constraints as well as optimising their effectiveness:</p> <ol style="list-style-type: none"> 1. The Converter Station Area slopes north to south and therefore the proposed locations are ideal for a gravity drainage system. 2. Considering constraints imposed by existing OHLs, ancient woodland, existing hedgerows and access to the Converter Station Area, these are the only available locations. 3. Having two smaller ponds minimises land take to the north of an existing residential property. 4. The locations are ideal to collect run off from the Converter Station compound, telecommunication buildings and the Access Road. <p>The alternative location proposed by WCC is outside the Order Limits. Relocating this pond and associated water supply to this area would require an additional access to maintain the attenuation pond. A new access route off the proposed Access Road would sever the existing linear woodland belt to the west of the Converter Station which serves an important visual screening function. Access via Old Mill Lane would result in an access route across or edging the arable field adding further infrastructure. It is not considered the provision of landscaping in this location would add any meaningful mitigation benefit in terms of screening the Converter Station, and any potential benefits of moving the attenuation ponds to provide additional planting in this area would not outweigh the adverse impacts of doing so.</p> <p>WCC acknowledged the above points made by the Applicant and queried whether a location closer to the ancient woodland was considered for the pond, as that would provide potential for greater synergy between the two habitat types. WCC considers that if the pond cannot be moved, then the enhancement of planting to the north of the compound becomes more important to achieve.</p> <p>The Applicant confirms that the pond cannot be moved for the reasons set out above. WCC notes and accepts that position</p> <p>This point in relation to planting is agreed.</p>	
WCC 4.4.14	Mitigation – Outline Landscape and Biodiversity Strategy – PW-16	<p>WCC welcomes the enhancement of the habitat associated with the ancient woodland area PW-16 but considers that it would just create a peninsular feature with poor opportunities to link up with the new planting on the other side of the new Access Road. This is noted by the Applicant; however, the Applicant notes that there will still be an appropriate level of connectivity, and providing further linkages would not result in a different assessment outcome.</p> <p>WCC has now reached agreement with the Applicant on this matter.</p>	Agreed
	Mitigation – Outline Landscape and Biodiversity Strategy – PW-17	<p>WCC considers that area PW-17 should be enhanced out to the edge of the road.</p> <p>The point is now agreed.</p>	Agreed
WCC 4.4.15	Mitigation – Outline	<p>WCC queried whether there could be other links across the Access Road from PW-17 to PW-16, under the road or over at tree top level.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
	Landscape and Biodiversity Strategy – Links between PW-16 and PW-17	<p>The Applicant responded that as this will be an unmanned site, during the Operational Stage it is the expectation that the Access Road will only be used for access to the Converter Station during maintenance, security visits, and for emergency faults or repairs. The low use by vehicles minimises the severance introduced. The Access Road is also unlit at night. In addition, the surveys did not identify any notable or protected species in this area that would be impacted by severance from this road. Under road tunnel links have been used on other projects for several species including badgers and amphibians. The Access Road will not provide a barrier to badger movement due to its low level of use. Great crested newts were not found to be present in the area and mitigation is not required. Over road link mitigation has been used with respect to bats and current evidence suggests that they have very limited success. WCC is of the view that the right choice of tree types planted either side of the road could create an aerial link over the road</p> <p>The point is now agreed.</p>	
WCC 4.4.16	Mitigation – Outline Landscape and Biodiversity Strategy – Habitat Piles	<p>WCC considers that if any trees are lost within the Converter Station Area then the cut wood should be used to form habitat piles. The Applicant has explored this issue and agrees to establishing habitat piles where practicable. The Applicant can now confirm the creation of habitat piles will be secured in a revised OOCEMP for submission at Deadline 7.</p> <p>WCC has now reached agreement with the Applicant on this matter.</p>	Agreed
WCC 4.4.17	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	<p>The Onshore Outline CEMP section 5.3 (Onshore Ecology), including precautionary methods of works and arboriculture is now agreed with WCC.</p>	Agreed
WCC 4.4.18	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures	<p>The Applicant also welcomed WCC’s views and agreement on other measures set out in the Onshore Outline CEMP, including</p> <ul style="list-style-type: none"> • Section 6.2.2 (Arboriculture); • Sections 6.3.4 and 6.3.54 (Section 1 Lovedean – Converter Station Area – Onshore Ecology and Arboriculture); Section 6.5.1 (Section 4 Hambledon Road (south) – Arboriculture and Landscape). <p>The Applicant has reached agreement with WCC on this matter.</p>	Agreed
WCC 4.4.18a	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures –	<p>The OOCEMP will be updated for submission at Deadline 8 which will include reference to the mitigation measures outlined in the Kings Pond Meadow Position Paper including management over a 5-year period.</p> <p>This matter is now agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
	Densmead and King Pond		
WCC 4.4.19	Mitigation – Onshore Outline CEMP – Onshore Monitoring Plan	<p>The following sections of the Onshore Outline CEMP are agreed:</p> <ul style="list-style-type: none"> Section 7.1 (Onshore Monitoring Plan - Arboriculture - Protection of trees) and Section 7.1 (Onshore Monitoring Plan - Onshore Ecology - Construction impacts to the environment) 	Agreed
WCC 4.4.20	Mitigation – Onshore Outline CEMP – Arboricultural Matters	<p>WCC requested more detail over the level of impact the cable installation will have on hedgerows and trees with precise measures to avoid loss or harm. The approach taken to Arboricultural matters was too broad and not specific. Further detail has since been provided at Deadline 1 in the revised Onshore Outline CEMP (REP1-087). As outlined in Section 6.2.2.1 of the revised Onshore Outline CEMP (REP6-036), with design principles for working around trees clearly and precisely outlined that will ensure trees will be avoided where practicable and felling would be a last resort. Consideration will be given to replanting like for like where trees need to be removed. In particular further clarity on the approach to Highway trees was provided in Section 6.2.2.1 at Deadline 6 and is yet to be agreed by WCC.</p> <p>WCC confirm this is now agreed as the compound location is confirmed as being to the South of Hambledon Road.</p>	Agreed
WCC 4.4.21	Mitigation – Onshore Outline CEMP – Kings Pond / Denmead Meadows	<p>The full extent of the SINC designation has been recognised by the Applicant. WCC considers the intention to drill at Kings Pond / Denmead Meadows to be a positive step, however, WCC considered that the implications of the establishment of the temporary drilling site at Denmead Meadows in field no. 3 as shown on figure EN020022-ES-APP-16.4-2 in Appendix 16.4 of the ES (Examination Library reference APP-412) is not acceptable. The location of the compound on the south side of the Hambledon Road is supported and that regarding the proposals at the northern end of the meadow, the applicant should propose further mitigation measures for the disturbance to the SINC resulting from the access and trenching.</p> <p>Ecological measures for Kings Pond and Denmead Meadows are both subject to the Onshore Outline CEMP. Because of the contiguous nature of the grassland across Denmead Meadows as a whole, which includes Kings Pond, it is considered appropriate to cover any mitigation measures within the same document.</p> <p>The Applicant confirmed at Deadline 7 the southern option of the HDD5 compound will be used only i.e. locating the compound south of Hambledon Road.</p> <p>Furthermore, a Position Paper on Kings Pond Meadow has been prepared referring to mitigation measures and was discussed with both Natural England and WCC.</p> <p>The OOCEMP will be updated for submission at Deadline 8 which will include reference to the mitigation measures outlined in the Kings Pond Meadow Position Paper.</p> <p>WCC agree to the mitigation measures proposed.</p> <p>A new sub-section WCC 4.4.21a is inserted below since WCC have not previously agreed to the management measures.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.4.21a	Mitigation – Onshore Outline CEMP – Kings Pond / Denmead Meadows (5-year management)	<p>WCC has asked for clarification on the degree of control or influence the applicant will have on the management of the ground for 5 years after the site is reinstated. The Councils view is that without the ability to influence the overall management of the land to facilitate the re-establishment of the turfs and vegetation over the 5 year period, monitoring is a pointless exercise. WCC considers that a 5 year management agreement should be part of the general agreement between the applicant and the landowner that covers the temporary use of the land.</p> <p>The Applicants position is that works would be undertaken to reinstate the land following them and they will undertake monitoring to confirm their successful establishment in so far as the land remains undisturbed by the landowner, but should the landowner choose to undertake activities on the land which otherwise result in the degradation of its quality that is their decision and that is not something connected to the impacts of our works, nor that it would be appropriate for the Applicant to control.</p> <p>The Applicant cannot control the land for a period which prevents the landowner from undertaking activities which they are lawfully able to do before the works and will be able to do after. This would be unreasonable to the landowner.</p> <p>However, to ensure habitats are successfully reinstated, the area of Field 8 East subject to removal and replacement of turves would be fenced off to allow them to reintegrate with the surrounding soils undisturbed by livestock. Fencing will be left in place through the winter wet period which has been highlighted as important to the maintenance of habitats in the area, and also through the plant growing season in spring and early summer following works to allow vegetation to regrow. Removal of fencing will take place at the end of July in the year following completion of works, which will ensure the land is returned to the current baseline in a proportionate manner.</p> <p>The Applicant considers the reinstatement would be achieved, appropriately secured and managed to deliver an acceptable restoration of the turves.</p> <p>The parties are unable to reach an agreement on this matter.</p>	Not Agreed
SWCC 4.4.22	Residual effects	Subject to further discussion in relation to predicted impacts and mitigation measures, the Applicant sought WCC's agreement of the assessment of residual effects set out in section 16.9 and table 16.9 of Chapter 16 of the ES. With the exception of the concerns regarding 4.4.12a above, this is now agreed with WCC.	Agreed
WCC 4.4.23	Requirement - Biodiversity Management Strategy / Plan	The draft DCO (updated at Deadline 6 - REP6-015) and Requirement 9 which would require LPA approval of a Biodiversity Management Strategy / Plan with mitigation and enhancement measures is agreed	Agreed

4.5. HERITAGE AND ARCHAEOLOGY

Table 4-5 – Heritage and Archaeology

Ref.	Description of matter	Current Position	RAG
Heritage and Archaeology			
WCC 4.5.1	ES Methodology – Study area	It is agreed that the study area of 500 m from the Order Limits as set out in section 21.1.2 of ES Chapter 21 (Heritage and Archaeology) (Examination Library reference APP-136) is appropriate.	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.5.2	Scope of Geophysical Survey	The scope of the geophysical survey as set out in the Written Scheme of Investigation (WSI; WSP ref 62100616-863) was approved by the Winchester City Council (WCC) Archaeologist in April 2019. The survey was subsequently completed in May 2019, prior to submission of the DCO.	Agreed
WCC 4.5.3	ES Baseline	It is agreed that the baseline environment for Heritage and Archaeology as set out at section 21.5 of ES Chapter 21 is sound and robust (WCC Local Impact Report (REP1-183), Appendix I: Archaeology (REP1-193) and Appendix J: Historic Environment, REP1-194).	Agreed
WCC 4.5.4	Predicted impacts	<p>It is agreed that the impact to potential below ground archaeological remains, as set out at Section 21.6.2 of ES Chapter 21 have been appropriately assessed in Chapter 21.</p> <p>Based on Appendix J of WCC's LIR, the conclusions of the impact assessment on the setting of Designated Heritage Assets, as presented in Chapter 21 of the ES is agreed, and it is agreed that the predicted impact to Scotland (Cottage) would be minor adverse (equating to 'less than substantial harm').</p> <p>The Applicant notes that WCC requested further clarification regarding the rationale for exclusion of Hambledon Conservation Appendix J of the LIR. The Applicant's response to WCC's LIR submitted at Deadline 2 (REP-013) provided clarification regarding the scoping out of this asset, which lies outside of the 2 km study area.</p>	Agreed
WCC 4.5.5	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	<p>Section 5.8 (Heritage and Archaeology) of the Onshore Outline CEMP (REP4-005) sets out the mitigation strategy in relation to buried heritage assets, as outlined in Section 21.8 of Chapter 21 of the ES.</p> <p>The Applicant notes that WCC Archaeologist seeks further detail and strengthening of the proposed archaeological mitigation strategy, including the submission of a WSI (REP1-193). Although the WSI has yet to be produced, there is agreement on the proposed outline strategy and timing of further archaeological works, as outlined below.</p> <p>It was agreed with the WCC Archaeologist during the ES assessment stage (paragraph 21.3.4.1 of ES Chapter 21) that any further, intrusive, investigation (i.e. trial trenching and/or strip, map and sample) following the geophysical survey that was undertaken for the DCO Application (Appendix 21.3 of the ES, APP-443) would be carried out post grant of the DCO. Each of stage of investigation will be directed by a WSI outlining the scope and methodology, in accordance with Requirement 14 Archaeology, of the draft DCO.</p>	Agreed
WCC 4.5.6	Mitigation - Onshore Outline CEMP – Onshore Monitoring Plan	It is agreed that Section 7.1 of the revised Onshore Outline CEMP (REP6-036) and the controls for Heritage and Archaeology as detailed in the Table 7.1 of the Onshore Monitoring Plan are now secured and the more specific measures secured by them will be confirmed post consent once trial trenching has taken place.	Agreed
WCC 4.5.7	Residual effects	The residual effects on archaeological remains as assessed in ES Chapter 21 are appropriate and are agreed by WCC in Appendix I (LIR Appendix I, REP1-193).	Agreed
WCC 4.5.8	Requirement 14 – Archaeology	<p>Requirement 14 of the draft DCO is agreed</p> <p>It is agreed that each stage of further archaeological work will be directed by a Written Scheme of Investigation (WSI) outlining the scope and methodology for site-based investigations and will be submitted and approved by the relevant planning authority prior to undertaking the work, in accordance with Requirement 14 Archaeology of the draft DCO.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		The Applicant directs WCC to the Applicant's responses to WCC's LIR (REP2-013). It is noted in WCC's comments on Applicant's response to the local impact report (REP3-034) that the council chose to respond only where relevant to progress the examination process. As no further issues have been raised in relation to archaeological matters, the applicant concludes that WCC is satisfied with the current wording of the DCO and that all matters are agreed as above.	

4.6. TRAFFIC AND TRANSPORT

Table 4-6 – Traffic and Transport

Ref.	Description of matter	Current Position	RAG
Traffic and Transport			
WCC 4.6.1	Engagement	It is agreed that engagement will be undertaken with HCC Highways, who have the remit for such matters in the City of Winchester.	Agreed
WCC 4.6.2	Predicted impacts – Hambledon Road	<p>Whilst HCC is the relevant highway authority, WCC has raised a concern that there is insufficient detail relating to the methodology and impacts associated with laying the two Cable Circuits in the Hambledon Road (see plate 3.23 in Examination Library reference APP-118) when the constraints which are evident in and alongside this single carriageway road are taken into account. The Applicant has provided WCC with some further details on the concerns raised, and discussions remain ongoing. The Applicant remains satisfied on the approach taken to underground utilities and does not consider intrusive investigations are necessary or appropriate at this stage. The Applicant remains confident with the due diligence undertaken that installing the two circuits of Cable along Hambledon Road is deliverable.</p> <p>WCC also wishes to see an absolute commitment in the dDCO that Hambledon Road is kept open to allow the unrestricted free flow of all types of traffic in both directions (using TL if necessary) during the full period of the cable installation works. That the same free flow is also maintained for pedestrians / cycle users. The Applicant notes that works will be undertaken in accordance with the FTMS which is secured in the dDCO. There will be no need for a full road closure on Hambledon Road.</p> <p>The Applicant has re-iterated the above response directly in conversations with WCC that the FTMS in the dDCO secures measures to ensure that Hambledon Road will remain functional for all traffic modes during construction.</p> <p>The Applicant and WCC agree on this matter.</p>	Agreed
WCC 4.6.3	Assessment of delays	<p>WCC has raised concerns over the assessment of delays and impacts on the local community of the roadworks. In the event more extensive impacts are identified, clear mitigation needs to be put forward.</p> <p>The impacts of the traffic management required to facilitate construction of the Onshore Cable Route has been assessed in the Transport Assessment and Chapter 22 of the ES using a reasonable worst-case analysis that includes shuttle working traffic signals on the B2150 Hambledon Road. This has also been assessed in Chapter 23 – Air Quality. The methodology and scope of traffic impact analysis has been</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>agreed with HCC as the highway authority and has used the Sub-Regional Transport Model to consider the direct impacts along the Onshore Cable Corridor, and indirect impacts associated with reassignment of traffic onto alternative routes to avoid the works.</p> <p>The duration of impacts is determined by the installation rate of the ducts for the Onshore Cable Route, assumed to be an average of 18-30m per day based upon professional experience of similar projects. All assessments of impacts are based upon a worst-case average installation rate of 18m per day or 100m per week and are therefore robust. The duration of impact has also been fully considered when determining the magnitude of impact at each location stated within the Chapter 22 of the ES and therefore increases in the duration of construction are unlikely to alter the significance of effect already determined or the mitigation required to be provided in connection with those effects.</p> <p>Further to this, additional assessments of temporary shuttle working traffic signals were assessed within the ES Addendum (REP1-138 and Supplementary Transport Assessment (REP1-142). This additional assessment included an update to the predicted installation rates from the 2019 ES rates to reflect amendments made to their assumptions, which reduced the anticipated installation rate from 18m per day to 12m per day on B2150 Hambledon Road between Soake Road and Milton Road. Within the Supplementary Transport Assessment, a sensitivity test was also completed which assumed a 50% reduction in traffic reassignment away from the Onshore Cable Route. These additional assessments did not alter the significant of effects already determined or the mitigation required to be provided in connection with those effects. The strategy to mitigate the traffic impacts resulting from installation of the Onshore Cable Route is detailed within the FTMS for all locations (REP1-068) and due to the nature of the works this strategy will not be required to change in the unlikely event of increases in the duration of construction. The FTMS also sets out a programme for when all construction works may take place, including where construction in adjacent or nearby locations is prohibited. This will therefore ensure that delays to construction in multiple locations at any one time will not result in a cumulative traffic impact beyond that already assessed.</p> <p>As noted in section 4.6.3 above, WCC wishes to see absolute an commitment in dDCO that the Hambledon Road is kept open to allow unrestricted free flow of traffic in both directions (using TL if necessary) during the full period of the cable installation works and that the same free flow is also maintained for pedestrians / cycle users.</p> <p>With regards to mitigation, the OOCEMP (REP6-036) and FTMS (REP6-032) form part of the mitigation secured by the Order, which the appointed contractor would need to comply with. Any breach against such requirements in the DCO would be an offence with enforcement acting as a deterrent. WCC accepts the mitigation measures included in the dDCO can be secured.</p> <p>The Applicant has reached agreement with WCC on this.</p>	

4.7. AIR QUALITY

Table 4-7 – Air Quality

Ref.	Description of matter	Current Position	RAG
Air Quality			
WCC 4.7.1	ES Methodology – Study area	The area of study (as noted at section 23.1.2 of the updated ES Chapter 23 (Air Quality) (Examination Library reference REP1-033) is agreed.	Agreed
WCC 4.7.2	ES Methodology	The use of the Institute of Air Quality Management ('IAQM') Dust Assessment methodology, aligned with the Transport Assessment and modelling) and inclusion of emissions related to traffic diversions, construction traffic, and the temporary and permanent emissions from backup power generation, is agreed.	Agreed
WCC 4.7.3	ES Baseline	The baseline is set out at section 23.5 of ES Chapter 23 and is agreed.	Agreed
WCC 4.7.4	Predicted impacts	Predicted impacts are identified at section 23.6 of Chapter 23 of the ES and are agreed.	Agreed
WCC 4.7.5	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	The measures set out in section 5.11 (Air Quality) of the Onshore Outline CEMP are agreed.	Agreed
WCC 4.7.6	Mitigation – Onshore Outline CEMP – Onshore Monitoring Plan	The measures set out in section 7.1 (Onshore Monitoring Plan - Air Quality - Human and Ecological receptors) of the Onshore Outline CEMP are agreed.	Agreed
WCC 4.7.7	Residual effects	The assessment of residual effects set out in table 23.116 of Chapter 23 of the ES is agreed.	Agreed

4.8. NOISE AND VIBRATION

Table 4-8 – Noise and Vibration

Ref.	Description of matter	Current Position	RAG
Noise and Vibration			
WCC 4.8.1	ES Methodology – Study area	The study area as set out in paragraphs 24.1.2.2 to 24.1.2.9 of ES Chapter 24 (Noise and Vibration) (Examination Library reference APP-139) is agreed. The study area for construction and operational impacts at the Converter Station Area, as set out in paragraphs 24.1.2.2 to 24.1.2.4 of ES Chapter 24 is agreed.	Agreed
WCC 4.8.2	ES Methodology	The detailed methodology for the Converter Station Area operational assessment, as set out in section 24.4.5 of ES Chapter 24 is agreed. The detailed methodology for the Construction Stage elements relevant to the Converter Station Area set out in section 24.4.2 (noise) and 24.4.3 (vibration) of ES Chapter 24 is agreed.	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.8.3	ES Baseline	The methodology for the collection of baseline data for the Converter Station Area set out in section 24.4.1 of ES Chapter 24 is agreed. A query regarding the consideration of wind speeds during the survey data analysis was raised by WCC during discussions post submission. Supplementary information in response to WCC's query on wind speeds was issued to WCC on 20 July 2020 and submitted in section 17.2 and Appendix 12 of the ES Addendum at Deadline 1. Following a call between the Applicant and WCC on 11 th November 2020, the ES baseline information is agreed.	Agreed
WCC 4.8.4	Predicted Impacts	<p>Predicted impacts of noise and vibration for the Proposed Development are set out in section 24.6 of Chapter 24 of the ES and Chapter 17 of the ES Addendum</p> <p>Following the submission of supplementary information in the ES Addendum in response to WCC's query on wind speeds during the baseline noise survey, the predicted impacts of the Operational Stage assessment at the Converter Station Area, detailed in paragraphs 24.6.2.15 to 24.6.2.24 of ES Chapter 24, and section 17.2 of the ES Addendum, are agreed.</p> <p>Following the Applicant's explanation in a call on 11th November 2020 of the revised predicted impacts for the construction assessment relevant to WCC in section 17.3 of the ES Addendum, the predicted impacts of the noise and vibration Construction Stage assessment at the Converter Station Area, as set out in section 24.6.2 of ES Chapter 24, are agreed.</p>	Agreed
WCC 4.8.5	Mitigation – Onshore Outline CEMP – General Environmental Control Measures	The mitigation measures relevant to construction at the Converter Station Area, as set out in section 5.12 of the Onshore Outline CEMP are agreed.	Agreed
WCC 4.8.6	Requirement 20 – Control of noise during operation	<p>Draft DCO requirement 20 with regards to Works No. 2 (i.e. the Converter Station Area), sets out the requirement for a noise management plan, which should include the mitigation (and attenuation achieved by these measures) to minimise noise, and a scheme for noise monitoring to ensure compliance with the noise criteria, and a complaints procedure (requiring LPA approval).</p> <p>The principle of a noise management plan is agreed, and the principle of embedding the noise criteria (Chapter 24 of the ES and Chapter 17 of the ES Addendum) into the Converter Station design is agreed.</p> <p>During consultation discussions, WCC requested that the noise criteria for the Converter Station Area, contained in Chapter 24 of the ES, and revised by section 17.2 of the ES Addendum, are explicitly secured through Requirement 20 of the dDCO.</p> <p>The Applicant provided a written response to WCC on 19 June 2020, including proposed revised wording for Requirement 20 of the dDCO which addresses the requests made during consultation discussions.</p> <p>The revised wording of Requirement 20 submitted in the updated draft DCO at Deadline 1 makes reference to the <i>Operational Broadband and Octave Band Noise Criteria Document</i> (REP1-129), which is a certified document that will be contained at Schedule 14 to the dDCO. The document will set out the operational daytime and night-time broadband and octave band noise criteria for the Converter Station Area, which are based on Chapter 24 of the ES, as revised by section 17.2 of the ES Addendum</p> <p>This is now agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.8.7	Requirement 18 – Construction Hours	<p>Proposed working hours are a key consideration for noise and vibration as they determine the times of day that noise and vibration impacts may be experienced.</p> <p>The proposed core working hours for the converter station area (i.e. Works No. 1 and 2) of between 0800 and 1800 hours on weekdays and 0800 and 1300 hours on Saturdays excluding public holidays, except in the event of emergency unless otherwise agreed (requiring LPA approval) are agreed.</p> <p>Further clarity was requested from WCC on the definition of a ‘start-up and shut-down activity’, which are stated in Requirement 18 of the draft DCO as potentially occurring up to an hour either side of the core working hours.</p> <p>The Applicant provided a written response to WCC on 19 June 2020 confirming the proposed definition of a ‘start-up and shut-down activity’, and that the absence of this definition in Requirement 18 of the dDCO was an accidental omission. The proposed definition of a ‘start-up and shut-down activity’ is as follows:</p> <p><i>“start-up and shut-down activities” means at the start of the working day the opening up of the site, the arrival of site staff & contractors, changing into appropriate PPE wear, pre-shift briefings, site inductions, tool box talks, and all associated site safety checks and at the end of the working day the cleaning and tidying of work areas, changing out of PPE wear, post-shift debrief, the departure of site staff and contractors, and closing and securing the sites”.</i></p> <p>Based on this definition, the Applicant considers start-up and shut-down activities to comprise standard practises which are not considered to give rise to noise or vibration effects that warrant separate assessment. This is now agreed.</p> <p>WCC noted that the proposed working hours for Works No.3 (i.e. temporary work areas in the vicinity of the Converter Station) are not stated in Requirement 18 of the draft DCO, and further information was requested by WCC on how the temporary work areas will be used and what working hours will apply. The Applicant provided a written response to WCC on 19 June 2020 as follows.</p> <p><i>“The temporary work areas will be used in conjunction with Works No. 1 and 2 (the Converter Station Area) and Works No. 4 (the Onshore Cable Corridor). The core working hours that apply to the temporary work areas is the same as the core working hours for the works it is to be used in connection with. Therefore, the core working hours for the temporary work area will be Weekdays 0700-1800 hours and Saturday 0800-1300 hours. With respect to the use of the laydown areas outside of the core working hours, it has been confirmed that contractors for the HDD works (where different working hours apply) would not require use of these areas. With respect to the out-of-hours works required for cable duct laying for the Onshore Cable Corridor, it has been confirmed that access to the cable route laydown areas near the Converter Station would not be required outside of the core working hours stated above. Therefore, the use of the laydown areas outside of the core working hours would be limited to start-up and shut-down activities up to one hour either side of the core working hours.”</i></p> <p>This is now agreed.</p> <p>The proposed core working hours for Works No. 4 (i.e. the laying of the onshore HVDC cables) are between 0700 and 1700 hours on weekdays and 0800 and 1300 hours on Saturdays, excluding public holidays, except in the event of emergency unless otherwise agreed by the LPA.</p> <p>Following the clarifications on the ES Addendum provided by the Applicant, and given the absence of any significant adverse noise or vibration effects associated with the elements of Works No. 4 that fall within the jurisdiction of WCC, this is now agreed</p>	Agreed

4.9. SOCIO-ECONOMICS

Table 4-9 – Socio-economics

Ref.	Description of matter	Current Position	RAG
Socio-economics			
WCC 4.9.1	ES Methodology	The study area is set out in section 25.1.2 of ES Chapter 25 (Socio-economics) (Examination Library reference APP-140). The Applicant welcomes WCC's review and agreement of the study area and methodology as relevant to the sections (1 – 4) within WCC's administrative boundary. Following a call on 18/01/2021 this was agreed with WCC.	Agreed
WCC 4.9.2	ES Baseline	The baseline environment is set out at section 25.5 of ES Chapter 25. The Applicant welcomes WCC's review and agreement of this baseline for the relevant sections. Following a call on 18/01/2021 this was agreed with WCC.	Agreed
WCC 4.9.3	Predicted Impacts	The predicted impacts are set out at section 25.7 of ES Chapter 25. The Applicant welcomes WCC's review and agreement of the proposed mitigation. Following a call on 18/01/2021 this was agreed with WCC.	Agreed
WCC 4.9.4	Mitigation - Onshore Outline CEMP – General Environmental Control Measures	The Applicant welcomes WCC's views and agreement on other measures set out in the revised Onshore Outline CEMP (Examination Library reference REP4-005), including on section 5.12 (Socio-economics). Following a call on 18/01/2021 this was agreed with WCC.	Agreed
WCC 4.9.5	Mitigation - Onshore Outline CEMP – Location Specific Construction Environmental Control Measures	The measures set out in section 6.2.9 (Socio-economics) of the Onshore Outline CEMP has now been agreed with WCC.	Agreed
WCC 4.9.6	Residual effects	Subject to further discussion in relation to predicted impacts and mitigation measures, the Applicant seeks WCC's agreement of the assessment of residual effects set out at section 25.10 and tables 25.15 of Chapter 25 of the ES. Following a call on 18/01/2021 this was agreed with WCC.	Agreed

4.10. CUMULATIVE EFFECTS

Table 4-10 – Cumulative Effects

Ref.	Description of matter	Current Position	RAG
Cumulative Effects			
WCC 4.10.1	Methodology	It is agreed that the approach taken to the assessment of cumulative effects, including the zone of influence is set out in section 29.4 of ES Chapter 29 of the ES (Cumulative Effects) (Examination Library reference APP-144) is appropriate and proportionate, in accordance with PINS Advice Note 17 (Cumulative Effects Assessment).	Agreed
WCC 4.10.2	Assessment	It is agreed that the Applicant has taken account of all relevant planned and consented projects within the administrative boundary for WCC as set out within section 29.5 of ES Chapter 29.	Agreed

WCC 4.10.3	ES Chapter	The assessment of Cumulative Effects for the Proposed Development as set out in table 29.14 of Chapter 29 of the ES are now agreed.	Agreed
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4.11. ONSHORE OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Table 4-11 – Onshore Outline Construction Environmental Management Plan

Ref.	Description of matter	Current Position	RAG
Onshore Outline Construction Environmental Management Plan			
-	-	<i>For topic specific outline CEMP environmental control measures see the relevant specialist/topic areas.</i>	
WCC 4.11.1	Roles and Responsibilities	The Applicant has sought to achieve agreement with WCC on the revised Onshore Outline CEMP (Examination Library reference REP6-036) and the personnel with defined environmental responsibilities as set out in Section 3 of the Onshore Outline CEMP. Following a call on 18/01/2021 WCC have confirmed agreement. Assuming that the Employment and Skills Plan will contain a reference to working with educational establishments. WCC considers that this responsibility should be reflected in one of the roles listed in Section 3 of the OOCEMP. There is a section on working with education providers in the Employment and Skills Strategy. The final Employment and Skills Plan will be secured through a new Requirement included in the draft DCO. There is no need to duplicate this responsibility in the OOCEMP.	Agreed
WCC 4.11.2	General Environmental Requirements	The General Environmental Requirements set out in Section 4 of the Onshore Outline CEMP: <ul style="list-style-type: none"> • Requirements and Consents; • Competence, Training and Awareness; • Internal Communication; • External Communication; • Method Statements; and • Environmental Incidents; This is now agreed.	Agreed
WCC 4.11.3	Monitoring and Review	The CEMP and the proposal for an Environmental Manger to be responsible for maintaining the register of all environmental monitoring, to be made available for auditing and inspection as set out in Section 7 of the Onshore Outline CEMP is agreed.	Agreed
WCC 4.11.4	General Environmental Control Measures	The proposed general environmental control measures contained in Section 5 of the Onshore Outline CEMP, where relevant to the Converter Station Area and Onshore Cable Corridor within WCC's administrative boundaries is agreed.	Agreed
WCC 4.11.5	Location Specific Construction Environmental Control Measures	The proposals for site specific management measures for Sections 1 to 4 (where relevant for WCC) as set out in Section 6 of the Onshore Outline CEMP is agreed.	Agreed

4.12. DRAFT DEVELOPMENT CONSENT ORDER

Table 4-12 – Draft Development Consent Order

Ref.	Description of matter	Current Position	RAG
Draft DCO and Draft Requirements			
WCC 4.12.1	Part 2 Principle Powers – Transfer to another party	<p>WCC queried that if the powers of the DCO are transferred to another party, at what stage would they go through the ‘financial soundness test’ that the Applicant has been required to undergo.</p> <p>The Applicant has clarified that any transfer of the benefit of the DCO, except those expressly provided otherwise in the draft DCO, is subject to the consent of the Secretary of State, who will take into account all relevant matters before the transfer may take effect. The Applicant explained those exceptions expressly provided for in the DCO are limited to other statutory undertakers in relation to specific works which fall within the scope of their function, and the appropriateness of those exceptions will be considered during the Examination of the DCO as necessary. The Applicant has reached agreement with WCC on this response.</p>	Agreed
WCC 4.12.2	Operative Provisions	<p>The draft DCO has been reviewed by WCC.</p> <p>At Deadline 4 WCC queried Article 9 of the draft DCO in respect to statutory nuisance, in respect of three points:</p> <p>The principle of its inclusion in the draft DCO; Without prejudice to the outcome of point 1.) above, the principle of applying Article 9 to the construction phase; Without prejudice to the outcome of point 1.) above; the principle of applying Article 9 to the operational phase.</p> <p>With regard to point 1.) above, WCC considered that Article 9 should be removed from the draft DCO altogether.</p> <p>The Applicant advised that Article 9 will remain in the DCO as it is necessary to protect the delivery of the nationally significant infrastructure project. The Applicant has explained other examples to WCC. The Applicant has explained that Article 9 is necessary to ensure there is no unreasonable impediment to the delivery of the Proposed Development. The noise levels to be achieved in relation to the operation of the Converter Station are very clearly secured by Requirement 20 of the dDCO (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 proceedings for a claim where the Authorised Development is operating in accordance with the noise controls secured would not be appropriate. The Article is included to avoid such circumstances occurring, ensuring there is no impediment to the operation of the Authorised Development where it is being operated in accordance with the noise levels agreed to be acceptable and secured at the time of the grant of consent on that basis.</p> <p>Further to the comments received, the Applicant agreed to consider further drafting of Article 9 (draft updates to which were provided to WCC on 20 November 2020 for comment) to more clearly link this to the controls provided for in relation to noise during construction and operation, so as to ensure that the defence would not be applicable where the Proposed Development is not being constructed or operated in accordance with the relevant controls. It is considered this addresses the concerns raised, as it will be clearly confirmed that any defence would not be applicable where the Proposed Development is not being constructed or operated as required by the Order. Should the Council’s not accept this position, they would be promoting an approach that claims for statutory noise nuisance would be able to brought where the Proposed Development is being constructed and operated in accordance with the Order (which will not occur unless there is</p>	Not agreed

Ref.	Description of matter	Current Position	RAG
		<p>residential development in close proximity to the Converter Station), 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>An amendment was made to Article 9 in the draft DCO (REP5-008) submitted at Deadline 5 which links the defence to proceedings for statutory nuisance to the controls secured by the Requirements.</p> <p>This amendment confirms the Applicants position in relation to controls and measures relating to noise as described in a construction environmental management plan approved pursuant to requirement 15 or in accordance with the noise levels set out in a noise management plan approved pursuant to requirement 20 and how they relate to the defence to proceedings in respect of statutory noise nuisances.</p> <p>Furthermore Article 9 was amended in the draft DCO (REP6-015) at Deadline 6 based on WCC's request to limit the extent to which the defence to proceedings in respect of statutory nuisance applies to operation.</p> <p>Amendments were made removing reference to operation where this is not appropriate, and to more clearly provide that the defence will only apply in relation to operation where the nuisance is attributable to the operation of the authorised development in accordance with the noise levels set out in a noise management plan approved pursuant to requirement 20.</p> <p>The Applicants position has been clearly set out and their final position made clear.</p> <p>WCC has made comments on the words used under 9. (1) (a), (b) and (c) particularly in regard to the operational use phase of development. The Applicant has made it clear 9. 1 (c) requires the inclusion of operational use and the position will only apply when the operational use is in accordance with the noise levels set out in a noise management plan approved pursuant to requirement 20.</p> <p>Both parties confirm this is 'not agreed'.</p>	
WCC 4.12.3	Discharge of Requirements (procedure and timescales)	The draft DCO has been reviewed by WCC, and consequently the procedure and timescales provided for the discharge of requirements, contained at Schedule 3. This matter was included in the original SoCG with no specific comments provided by WCC in their Deadline 7 response (REP7-093) and given the continued discussions had on the dDCO, this is now agreed..	Agreed
WCC 4.12.4	Interpretation	The Applicant welcomed agreement on the draft DCO and its explanation of meaning . This was included in the original SoCG with no specific comments provided by WCC in their Deadline 7 response (REP7-093) and given the continued discussions had on the dDCO this is now agreed.	Agreed
WCC 4.12.5	Interpretation - 1(4) – Converter Station Roof	WCC notes that this allows items including solar panels to be placed on the roof of the Converter Station, which contradicts the commitment that there will be no plant on the roof.	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant has clarified that this does not automatically allow items to be placed on the roof of the Converter Station. Details of the Converter Station, including any plant requirement, will have to be submitted to and approved by WCC in accordance with Requirement 6 and be in accordance with design principles of the Design and Access Statement. The Applicant has also clarified that solar panels will not be placed on the building's roof and reference to this has been removed from the dDCO.</p> <p>This was included in the original SoCG and following the above response by the Applicant with no further comments provided by WCC, this is now agreed.</p>	
WCC 4.12.6	Interpretation – (6)(b) – Measurement of Building	<p>WCC notes that (6)(b) states to take measurements of the building height from existing ground, however the site is not level and subject to cut and fill to create a level platform. Plans show height about platform level.</p> <p>The Applicant has considered this point. To ensure the Proposed Development is always within the envelope assessed, a maximum building height of +111.10 m AOD is included in the dDCO (being +85.10 m AOD + 26 m so representing the top of the assessed envelope).</p> <p>This is now agreed.</p>	Agreed
WCC 4.12.7	Requirements – in general	<p>The structure and nature of the Requirements of the draft DCO at Schedule 2 which are of relevance to WCC have been discussed at length with WCC.</p> <p>WCC has previously noted that a number of the requirements seek to address the submission of detail to more than one of the host authorities and considers that for requirements 5, 6, 7 and 9, the Applicant should be exploring if these requirements are better split between the relevant LPAs. The Applicant considers the split is already provided for by virtue of the matters which are relevant to each authority being those which are located within their administrative boundaries, and that further wording to 'split' the Requirements is unnecessary.</p> <p>WCC has provided closing comments on the dDCO at Deadline 7 (REP7-096 and REP7-093) and Deadline 7 c (REP7c-025; REP7c-026 and REP7c-027). Whilst there is a not agreement on the structure of requirements 7, 8 and 9, there is general agreement between the Parties with the set of Requirements and therefore this matter is agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>WCC has proposed that the structure of requirements 7-9 is revised to make them clearer and more explicit in terms of what they seek to address and sent a suggested framework for requirements 7, 8 & 9 as submitted in their Deadline 7 c response (REP7c-027). This matter was discussed further with the Applicant's Solicitors on 24/02/2021 who had been provided with WCC's proposed Deadline 8 comments in advance, and the position in respect of the discussions at the time this SoCG was signed is set out below.</p> <p>Overall both parties consider their positions on the Requirements are now agreed – see below on what Requirements are agreed and not agreed.</p>	
<p>WCC 4.12.8</p>	<p>Alignment with French works</p>	<p>WCC considers that there should be a requirement that work does not start on any part of the onshore development until the work on the French side has been approved and is ready to start. WCC considers that a synchronised start would be ideal and that this should be a clause in the DCO.</p> <p>The Applicant considers that such a provision is neither necessary nor appropriate in planning terms. The Other Consents and Licences document (REP6-204) confirms the position in relation to the French consents to be obtained, including the progress being made in relation to them, which broadly aligns with the progress to be made on the DCO. The Applicant has also explained its view that it does not consider such a requirement would be sufficiently clear/would not lead to unintended consequences, taking into account this matter relates to French law and regulation, which is further explained in the Applicant's response to WCC comments on the draft DCO (REP7c-013).</p> <p>This point is not agreed.</p>	<p>Not agreed</p>
<p>WCC 4.12.9</p>	<p>Requirement 3 – Phases of authorised development onshore</p>	<p>Draft DCO requirement 3 for a written scheme setting out phases of the authorised development to be submitted and approved by the LPA. The requirement refers to relevant local planning authority, accordingly only phases relevant to WCC will be submitted to WCC.</p> <p>WCC has sought an amendment to Requirement 3 to require phases to be undertaken in accordance with a sequence set out when the phases are confirmed.</p> <p>The Applicant provided a Deadline 7c response (REP7c-013) to this request made by WCC.</p> <p>The Applicant has confirmed this Requirement is used to divide the works such that the 'phases' can be discharged in an appropriately manageable manner. To explain this with a practical example, the works on the highway will be reactive to programme and constraints in the FTMS. It will not be realistic to confirm a phasing sequence for all such phases forming part of Work No.4.</p> <p>In addition, there is no necessity for this provision to be included. None is offered by WCC in their comments. Whilst the Applicant appreciates WCC are concerned with the requirements in so far as they will be the relevant discharging authority for them, the comments made do not take into account the remainder of the Authorised Development which the Requirements apply to.</p>	<p>Not Agreed</p>

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant has explained that WCC will be informed of the works programme and that it amenable to this matter being addressed through the Planning Performance Agreement to be entered into, which is an appropriate manner in which to provide this information, rather than through a DCO Requirement.</p> <p>On the basis of the above, this matter is now agreed.</p>	
WCC 4.12.10	Requirement 4 – Converter Station option confirmation	<p>WCC's position in favour of Option B(ii) is noted, however at this stage the Applicant cannot commit to taking only Option B(ii) forward. If agreement is reached with National Grid before the end of the Examination, Option B(i) may be removed from the draft Order.</p> <p>At the time of writing this final SoCG, the exact option for the Proposed Converter Station has yet to be confirmed and therefore this Requirement remains unchanged.</p> <p>WCC does not agree to this Requirement given their position on the micro siting options. WCC supports B(ii) but objects to B(i) in the wording of Requirement 4</p> <p>Please also see section WCC 4.13.2 below.</p>	Not Agreed
WCC 4.12.11	Requirement 5 – Converter Station and Optical Regeneration Station parameters	<p>The parameters within draft DCO requirement 5 are agreed.</p> <p>WCC queried whether Requirement 5 Table WN2 should refer to Converter Halls rather than [a] Hall, and whether this table should include a reference to the overall size of the compound (200 m by 200 m).</p> <p>The Applicant has confirmed that the description of the Authorised Development in Schedule 1 confirms what is permitted to be built within the Converter Station Area, and in relation to the Converter Halls confirms that two may be built. Therefore Requirement 5 confirms the size parameters for a Converter Hall, with it already being established two of these are permitted to be constructed.</p> <p>The extent of the compound is confirmed on the relevant parameter plans, which also identifies the areas within which the buildings and equipment are to be located by reference to Requirement 5 contained in Schedule 2 to the DCO.</p> <p>Draft updates to Requirement 5 were submitted to WCC for comment on 20 November 2020.</p> <p>The draft DCO was amended at Deadline 5 (REP5-008) with a new paragraph 5(2) inserted to confirm no building within Work No. 2 may be a height which is above +111.100 metres above ordnance datum (excluding the lightning masts which may not be a height which is above +115.100 meters above ordnance datum), in accordance with the information contained on the Converter Station and Telecommunications Building Parameter Plans.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
<p>WCC 4.12.12</p>	<p>Requirement 6 – Detailed design approval</p>	<p>The details for which detailed design approval are sought under draft DCO Requirement 6 with regard to Works No. 2, Works No. 3 and where relevant Works No. 4, are agreed.</p> <p>WCC previously sought clarification as to whether Work No. 2 includes the Access Road and where the construction details are secured, including details of those points where the road punches through a hedgerow where it is supposed to reduce in width. WCC also sought clarification over where details for Work No. 3 are secured. WCC considers that the details for Work No. 4 (cable laying) should include details of the actual vegetation to be lost, lopped or cut back and Root Protection Areas to be impacted by the actual cable laying. WCC noted that there is no detail in Work No. 4 regarding the HDD site in Kings Pond Meadow in terms of its establishment and then reinstatement / dismantling</p> <p>The Applicant has clarified that Requirement 6 does not specifically list out all elements forming part of Works No. 2, this information is provided at Schedule 1. All information is relevant to all aspects save where more specific (e.g. attenuation ponds), and therefore the layout, scales, external appearance and materials of the Access Road will need to be submitted and approved. The area within which the Access Road may be located is already confirmed on the parameter plans, with Requirement 5 confirming the area in which the access road may be built by reference to this.</p> <p>The Applicant notes WCC's comments regarding Work No. 3 and the Requirement has been updated to require the submission of appropriate details for approval in this regard, taking into account the temporary nature of the works and use in this location.</p> <p>Further proposed updates to requirement 6 were issued to WCC for comment on 20 November 2020.</p> <p>Further details provided under Requirement 6 (3) in draft DCO (REP6-015) submitted at Deadline 6. In relation to Requirement 6 (11) at Deadline 7 the Applicant confirmed a single HDD-5 location to the south of Hambledon Road at Denmead Meadows. The Applicant has confirmed the Works Plans were updated at Deadline 7 (REP7-006) to reflect this.</p> <p>The Applicant has also agreed, following further discussion on the matter, to include a new sub-paragraph to Requirement 6 which confirms that Unless otherwise agreed with the relevant planning authority there shall be no lighting installed on any elevations of the converter hall buildings during the construction of the converter hall buildings or the operational period other than any such lighting which is approved in accordance with requirement 6(1).</p> <p>The Applicant has reinserted onshore site preparation works into Requirement 6(1).</p> <p>The contents of Requirement 6 are now agreed.</p>	<p>Agreed</p>
<p>WCC 4.12.13</p>	<p>Requirement 7 – Provision of landscaping</p>	<p>Proposed updates to requirement 7 were issued to WCC for comment on 20 November 2020.</p> <p>WCC has sought clarification over the following clauses which the Applicant has summarised below (see the bullet points in bold below), along with their response:</p>	<p>Agreed</p>

- **Has a reference to seeding or areas been included:** The Applicant is content with Requirement 7 and that it holistically secures appropriate landscape controls. The Applicant confirms that Requirement 7 will covers all soft landscaping works, including seeding areas as referred. And referenced to implementation and maintenance of seeding is covered in Requirement 8.
- **Use of design principles relating to landscaping needs a clear reference to the actual document and relevant section:** The Applicant refers WCC to the defined term “design principles” and considers that the position is considered to be sufficiently clear but can be discussed further.
- **7(2)(b) Native plants:** Whilst the Applicant agrees that native planting should be the primary focus for new and replacement planting as referred to in Appendix 15.7 (Landscape Schedules, Planting Heights and Image Board) of the ES (APP-405) and discussed and agreed with relevant LPAs in the relation to the Converter Station and Landfall, there may be a need to replace vegetation lost with non-native species along specific stretches of the Onshore Cable Route. This requirement provides the Applicant with sufficient flexibility to allow discussions to take place with the relevant discharging authorities and agree the selection of species as part of the detailed design.
- **7(2)(c) Exclude use of nitrate fertilizers:** The Applicant has included a reference to the exclusion of nitrate fertilisers in the updated Outline Landscape and Biodiversity Strategy Appendix 1 submitted at Deadline 6 (REP6-038). Further detail will be covered in a detailed landscaping scheme which as discussed above will be submitted to and approved by the relevant discharging authority in consultation with the SDNPA where relevant.
- **7(2)(g) and (h) not sure why these are here:** The Applicant has introduced these to give reassurance to local planning authorities and others that management, maintenance and monitoring plans will be produced as part of the detailed landscaping scheme and that management responsibilities will be agreed in advance with the relevant discharging authorities in consultation with the SDNPA, as referred to in the Applicant’s Response to Written Representations reference 1, 4 and 1.2 (REP2-014).

WCC has subsequently submitted further comments at Deadline 5 (REP5-091) which recommend that the following new requirements (A, B, C and D) should replace Requirement 7, 8 and 9. This approach breaks down the requirements to the phase of construction (construction, before operation and long term management) with further sub-divisions towards the section of the development. In summary the new requirements suggested by WCC is as follows:

(A) Biodiversity: protection during construction

(B) Biodiversity: New landscaping, enhancement & reinstatement work

(C) Implementation and maintenance of landscaping & enhancement work

(D) Biodiversity: ongoing management plans

The Applicant considers that in terms of Requirement 7 this reads in a clear, legible and most importantly concise manner. The amendments suggested by WCC read as detailed planning conditions specific to one authority. Requirement 7 aligns with Drax Repower DCO. The text

Ref.	Description of matter	Current Position	RAG
		<p>has been revised to omit reference to clause e) details of existing trees and hedges to be retained, with measures for their protection during the construction period.</p> <p>The Applicant has taken into consideration the comments made by WCC on this requirement and now considers they have made their position clear.</p> <p>In the Deadline 7c response (REP7c-026) WCC outlines their preference and position on slightly restructuring requirements 7-9 to make them more explicit in terms of what they seek to address and sent a suggested framework for requirements 7, 8 & 9 in their Deadline 7 c response (REP7c-027).</p> <p>The Applicant's solicitor has discussed this matter further with WCC and provided additional explanation. It is agreed further explanatory information will be included in the Explanatory Memorandum to be submitted at Deadline 8.</p> <p>On this basis, requirement 7 is agreed,</p>	
<p>WCC 4.12.14</p>	<p>Requirement 8 – Implementation and maintenance of landscaping</p>	<p>The Applicant notes that at Deadline 1 (REP1-021 and 022) an additional clause 8(3) was included as detailed below. WCC then requested at Deadline 5 (REP5-093) the following changes (as underlined) to cover seeding:</p> <p>8.—(1) All landscaping and enhancement works must be carried out in accordance with any detailed landscaping scheme approved under requirement 7 and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards.</p> <p>(2) Any tree or shrub planted or any seeded area as part of an approved landscaping scheme that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, or in the case of any seed area, reseeded with the same seed type unless otherwise approved by the relevant planning authority.</p> <p>(3) All landscaping provided in connection with Works No.2 and the optical regeneration stations within Works No. 5 must be retained, managed and maintained during the operational period. The Applicant has agreed to the changes and welcomes WCC's agreement.</p> <p>At Deadline 6, the revised dDCO (REP6-015) has amended Requirement 8(1) to include reference to enhancement works and 8(2) is amended to include reference to seeded areas, and reseeded where seriously damaged or diseased within a period of five years after planting.</p> <p>Despite a preference shown by WCC on dropping reference to R7 so it becomes a general implementation requirement and can apply to any action in any requirement, overall both Parties agree with Requirement 8 (as stands).</p> <p>The Applicant has added Requirement 9(6) to confirm that where future maintenance is required pursuant to a written biodiversity management plan, that is secured. This relates to the 5-year aftercare requirements at Kings Pond.</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
<p>WCC 4.12.15</p>	<p>Requirement 9 – Biodiversity management plan</p>	<p>Requirement 9 is now agreed.</p> <p>WCC has queried where the issue of nesting, breeding or dormancy periods referred to that will limit the time of year work can take place within is secured. WCC queried the long-term management of the vegetation for the life of the Proposed Development. WCC has also suggested that there could be two separate requirements, one addressing vegetation and RPA loss during construction and the second about long term management.</p> <p>The Applicant has explained that the OOCEMP (section 6.21) defines working periods within which impacts on ecological features can be avoided including breeding birds. This measure is included to ensure compliance with the Wildlife and Countryside Act (1981, as amended). Furthermore, the OOCEMP outlines (in section 6.3.3) the time of year proposed for improvement of remaining grassland at Lovedean while a full overview of management prescriptions with regards to Denmead Meadows / Kings Pond is provided in section 6.4.1.</p> <p>The Outline Landscape and Biodiversity Strategy paragraph 1.4.5.1 refers to the maintenance of existing hedgerows / hedgerow trees within the Order Limits in perpetuity. This includes restrictions associated with the removal of hedgerows / trees, introduction of new hedgerows / hedgerow trees, gapping up of existing hedgerows and new hedgerow planting to replace hedgerows grubbed out within the Order Limits.</p> <p>The detailed written landscape scheme / final strategy will include detailed landscape mitigation plans together with management, maintenance and monitoring plans. The final strategy will include an identical description of the restrictions with regards to breeding birds as included in the OOCEMP.</p> <p>Proposed updates to Requirement 9 have been issued at Deadline 6 (REP6-015): A new Requirement 9(4)(b) is inserted to more clearly require information in relation to reinstatement following the completion of construction. This amended criterion states “details of a scheme for the reinstatement of land used as temporary compounds during construction and any replacement planting to replace removed sections of hedgerow or removed trees”.</p> <p>Following further discussion with WCC where they sought clarity on the application of this requirement to future maintenance, the Applicant has updated the requirement to include a new sub-paragraph (6) which states “Where any approved written biodiversity management plan includes the undertaking of future management and maintenance measures those future management and maintenance measures must be undertaken as required in accordance with that approved written biodiversity management plan”. This was included to confirm the application of the requirement for future maintenance measures, specifically in respect of Kings Pond Meadows SINC.</p> <p>For the avoidance of doubt:</p>	<p>Agreed</p>

Ref.	Description of matter	Current Position	RAG
		<p>9.—(1) No phase of Works No. 2 or Works No. 5 may commence until a written biodiversity management plan in relation to that phase (which accords with the outline landscape and biodiversity strategy in so far as relevant and the relevant recommendations of appropriate British Standards) has been submitted to and approved by the relevant local planning authority in consultation with the relevant statutory nature conservation bodies and (where works have the potential to have an impact on wetland habitats) the Environment Agency.</p> <p>(2) No phase of Works No.4 may commence until a written biodiversity management plan in relation to that phase (which accords with the outline landscape and biodiversity strategy in so far as relevant and the relevant recommendations of appropriate British Standards) has been submitted to and approved by the relevant local planning authority in consultation with the relevant statutory nature conservation bodies and (where works have the potential to have an impact on wetland habitats) the Environment Agency.</p> <p>(3) No part of the onshore site preparation works may commence until a written biodiversity management plan (which accords with the outline landscape and biodiversity strategy in so far as relevant and the relevant recommendations of appropriate British Standards) relating to those works has been submitted to and approved by the relevant local planning authority in consultation with the relevant statutory nature conservation bodies.</p> <p>(4) Any approved written biodiversity management plan must include: (a) measures to protect existing scrub and trees that are to be retained; (b) details of a scheme for the reinstatement of land used as temporary compounds during construction and any replacement planting to replace removed sections of hedgerow or removed trees; (c) an implementation timetable; (d) biodiversity management and maintenance measures; and (e) reptile and stag beetle precautionary method statements of works.</p> <p>(5) Any works for which a written biodiversity management plan has been approved must be carried out in accordance with the written biodiversity management plan approved in relation to them.</p> <p>(6) Where any approved written biodiversity management plan includes the undertaking of future management and maintenance measures those future management and maintenance measures must be undertaken as required in accordance with that approved written biodiversity management plan</p> <p>It is agreed further explanatory information will be included in the Explanatory Memorandum to be submitted at Deadline 8.</p>	
WCC 4.12.16	Requirement 10 – Highway Access	<p>WCC considered that this requirement should be discharged by WCC, not HCC.</p> <p>Following further discussion at ISH4 the Applicant is agreeable to this Requirement being discharged by the relevant planning authority and has updated the draft Development Consent Order to reflect this.</p> <p>This matter is therefore agreed between the parties.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
WCC 4.12.17	Requirement 11 – Fencing and other means of enclosure	<p>The parameters for the security perimeter fence are confirmed in Requirement 5. Details for security perimeter fence are covered by Requirement 6.</p> <p>WCC has queried whether 6(1) should refer back to the elements listed in R5 table WN2 and also suggested that requirement 11 covers temporary fencing only, and 11(3) be moved into requirement 6. Updated draft wording to requirements 6 and 11 has been provided to WCC on 20 November 2020 and is now considered agreed.</p>	Agreed
WCC 4.12.18	Requirement 15 – CEMP	<p>The draft DCO requirement for a CEMP according with the outline CEMP, per phase (requiring LPA approval) is agreed. <i>See reference to Onshore Outline CEMP within table 4-11 above for specific topic/theme considerations</i></p> <p>This requirement was further discussed on 24/02/2021 and the Applicant has agreed to re-order paragraphs (2) and (3) of the Requirement so that this reads more clearly to confirm what plans must be submitted, and subsequently the specific consultation required in respect of matters relating to drainage and SPZ1.</p>	Agreed
WCC 4.12.15	Requirement 16 – External construction lighting	<p>Requirement 16 has been revised to confirm the removal of the lighting is required prior to the Operational Phase, which is defined at Article 2 of the draft DCO.</p> <p>This is agreed.</p>	Agreed
WCC 4.12.16	Requirement 18 – Construction Hours	<p>The proposed standard working hours for Works No. 1 and 2 are between 0800 and 1800 hours on weekdays and 0800 and 1300 hours on Saturdays excluding public holidays, except in the event of emergency unless otherwise agreed (requiring LPA approval. For Works No. 4 they are between 0700 and 1700 hours on weekdays and 0800 and 1300 hours on Saturdays, excluding public holidays, except in the event of emergency unless otherwise agreed by the LPA.</p> <p>Requirement 18 has been updated to include working hours for Works No. 3, be the same hours as the Works it is to be used in connection with (0700 to 1800 hours).</p> <p>A definition of start up and shut down activities has been included in the dDCO. This confirms only non-percussive works may take place, such a site briefings, changing into work clothes etc. during these hours.</p> <p>This requirement is agreed</p>	Agreed
WCC 4.12.17	Requirement 19 – Converter station	<p>The wording of draft DCO requirement 19 in relation to a converter station operational access strategy , which is to be approved by the relevant highway authority is agreed.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
	operational access strategy		
WCC 4.12.18	Requirement 20 – Control of noise during the operational period	The wording of draft DCO requirement 20 with regard to a noise management plan for Works No. 2 is agreed.	Agreed
WCC 4.12.19	Requirement 21 – Travel plan	<p>The wording of draft DCO requirement 21 with regard to a travel plan for Works No. 2 is agreed.</p> <p>WCC had queried whether this requirement includes preparation and clearance work. The Applicant has clarified that it is not considered that the carrying out of the onshore site preparation works will give rise to traffic effects such that a travel plan for construction works needs to be approved in relation to them. There is currently no intention to therefore amend this Requirement to apply to those works.</p>	Agreed
WCC 4.12.20	Requirement 22 – Restoration of land used temporarily for construction	<p>The draft DCO requirement for reinstatement of land to its former condition (LPA approval) within not more than 12 months of completion is agreed.</p> <p>WCC considered the requirement lacked precision as it could be interpreted as awaiting the completion of all of the development. The following was offered as an alternative. No later than 12 months after the commissioning or testing of any phase of the development as defined under requirement 3, any land which has been used temporarily to facilitate the construction of the authorised development within that phase, shall be reinstated in accordance with a scheme that has been approved by the relevant planning authority.</p> <p>The Applicant notes the comments in relation to Requirement 22 made in WCC’s edited comments to the dDCO at Deadline 7 (REP7-093). The Applicant does not agree to the wholesale amendment suggested, but does consider the following amendment (shown underlined and emboldened) would be appropriate to address the point raised regarding reinstatement being undertaken in an appropriate timescale following the completion of works:</p> <p><i>The undertaker must confirm to the relevant planning authorities the date of the completion of the construction of any phase of the authorised development and any land within the Order limits landwards of MLWS which is used temporarily for construction of a relevant phase of authorised development and which is not required for such use in connection with any other phase of the authorised development must be reinstated to its former condition, or such condition as the relevant local planning authority may approve but which may not be to a standard which is higher than its former condition, within not more than twelve months of the date of the completion of the construction of the relevant phase of authorised development.</i></p> <p>Both parties agree to the above wording which is to be included in the DCO to be submitted at Deadline 8.</p>	Agreed
WCC 4.12.21	Requirement 23 – Control of lighting	WCC has queried whether there should be a definition of exceptional circumstances.	Agreed

Ref.	Description of matter	Current Position	RAG
	during the operational period	<p>The Applicant considers that a definitive list of exceptional circumstance is not considered to be appropriate given it is not possible to define all exceptional circumstances and is also not necessary. It is the Applicant's position that it is not possible to exhaustively list out all potential circumstances and it would not be a sound drafting approach to seek to do so, as this would have a high likelihood of leading to exceptional circumstances not being included for. It is also considered the concept of exceptional circumstances is such that further drafting clarification is not necessary. As explained, exceptional circumstances would be matters such as intruders seeking to enter the Converter Station or being within the areas in close proximity to the Converter Station so as to require deterrence (including during the hours of darkness), or in the event of circumstances where it is necessary for lighting to allow operatives to work safely to address emergency issues, such as operational failures. It is also relevant that the operational lighting will any event be carefully designed so as to minimise light spill in circumstances where it is necessary to light the converter station during the hours of darkness, so as to ensure in those periods adverse effects are avoided, with those details to be approved by the relevant planning authority in accordance with Requirement 6 to the dDCO. The Applicant is therefore content that the position is adequately stated and secured in the dDCO.</p> <p>As outlined in the updated Onshore Outline CEMP Section 5.2.2.1, the appointed contractor will develop a Lighting Scheme for the construction and operational stages of the Converter Station which will be submitted for approval to the Local Planning Authority.</p> <p>This matter is now agreed.</p>	
WCC 4.12.22	Requirement 27 – Requirement for written approval	<p>Following updates at Deadline 5 (with a new decommissioning requirement added), the requirement for written approval is now Requirement 27.</p> <p>The wording of the Requirement for written approval has not changed and therefore remains agreed.</p>	Agreed
WCC 4.12.23	Requirement 25 – Traffic Management	<p>The wording of draft DCO requirement 25 in relation to traffic management, which is to be approved by the relevant highway authority, is agreed.</p>	Agreed
WCC 4.12.24	Requirement 24 – decommissioning	<p>WCC has noted that there is no decommissioning requirement in the event Converter Station ceases to be used. WCC has expressed concern that without a decommissioning requirement there could be a vacant building with pressure for an alternative use. The Applicant has clarified that decommissioning is not expected for at least 40 years, and thus consent for decommissioning has not been applied for.</p> <p>Nonetheless, the Applicant considered this point further and has provided draft updates to the Order to WCC on 20 November 2020, proposing a new requirement in the Order. This would secure that, in the event that, at some future date, the authorised development landwards of MHWS, or any part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the relevant planning authority. Any approved written scheme of decommissioning would have to be implemented, unless otherwise approved by the relevant planning authority. A subsequent revision to the draft DCO was submitted at Deadline 5 (REP5-008) with a new Requirement 24 on Decommissioning added.</p> <p>Updates were made to the new decommissioning Requirement 24 in the draft DCO (REP6-015) submitted at Deadline 6 to align the article with precedent provided with the Drax Power (Generating Stations) Order 2019. This includes details of the information to be included in</p>	Not Agreed

Ref.	Description of matter	Current Position	RAG
		<p>any written scheme of decommissioning to be submitted and confirming the requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development landwards of MHWS.</p> <p>At Deadline 7 WCC considers it not appropriate for this to be left up to the applicant/operator to make an arbitrary decision. The following was put forward as a substitute in WCC's Deadline 7 edited response of the dDCO (REP7-093):</p> <p><i>In the event of a written request from the relevant planning authority to the operator, seeking details of the electricity imported or exported through the converter station over the previous period of 4 years, the operator will respond in writing within 21 days. Should the Converter Station not import or export any electricity for a period in excess of 3 years and the operator has not agreed otherwise with the relevant planning authority, the applicant will within 3 months, submit full written details for approval by the relevant planning authority of a decommissioning and restoration scheme. The submitted details will identify those parts of the development to be removed, those to remain or to be left in the ground and the intended use of the land occupied by the Converter Station and access road. The details will also include the methodology to be adopted and the wider environmental implications of the proposed work and a timetable for its completion. Finally, details of the provision for the future maintenance of any retained vegetation will also be included. The approved scheme will then be implemented in accordance with the approved details.</i></p> <p>The applicant is considering a revision to the requirement that will be presented at Deadline 8. A revised form of wording is being discussed with WCC but at the time this statement has been signed off no agreement has been reached.</p> <p>Accordingly, at the present time WCC does not agree to requirement 24 as submitted at Deadline 7 and therefore this is not agreed.</p>	
4.12.25	Requirement 27 – Employment and Skills Plan	The Applicant discussed further the Employment and Skills Plan requirement on 25/02/2021 and the amendments requested to this by WCC. Following discussion, it was agreed the wording is appropriate, and the requirement is therefore agreed.	Agreed
4.12.26	Requirement 28 – Amendments to approved details	The wording of Requirement 28 is agreed.	Agreed

4.13. ALTERNATIVES

Table 4-13 – Alternatives

Ref.	Description of matter	Current Position	RAG
Alternatives			
WCC 4.13.1	Choice of Lovedean substation	<p>WCC considered that there is a lack of detail in the evidence base for the choice of Lovedean over other alternatives and the degree to which the proximity to the National Park played in that decision. Correspondence with NGET should be included.</p> <p>The Applicant has confirmed that in undertaking the assessment of the reasonable alternatives for the Proposed Development the Applicant considered multiple grid connection options. The potential for impacts on the SDNP was considered in relation to proposed connections at both Bramley Substation</p>	Not Agreed

Ref.	Description of matter	Current Position	RAG
		<p>and Lovedean Substation. With regard to Bramley Substation the potential impacts on SDNP related to the potential cable corridor, which would have been required to be located through and/or in close proximity to the national park. With regard to Lovedean Substation the potential impacts on SDNP related to the location of the Converter Station area in close proximity to the existing Lovedean Substation. It is the view of the Applicant that a proportionate and appropriate level of information regarding the considerations of the reasonable alternative grid connections points is provided within Chapter 2 to the ES (Examination Library reference APP-117). In addition, further information has been prepared to provide further detail, submitted at Deadline 1 in the Supplementary Alternatives Chapter (REP1-152), including with regard to information provided by NGET. The studies undertaken by NGET are subject to confidentiality requirements and for this reason cannot be provided and have been appropriately summarised in the information to be submitted. It is noted that the ExA has issued a second request to NGESO for clarity on this matter.</p> <p>National Grid ESO responded to the Examining Authority's Further Written Questions with reference to EIA 2.6.1 in a letter dated 25 January 2021. This provides a technical explanation on why the other seven substations were not taken forward for further assessment. The Applicant has also explained further in its transcript of oral submission at ISH4 how the South Downs National Park has been taken into account when considering the location of the Converter Station and further in relation to the development of the landscape mitigation proposals.</p> <p>WCC was expecting a more explicit statement in the 25 January 2021 letter from NGESO on the role the proximity to the National Park played in the choice of Lovedean. This is not present so on the basis of the available information WCC still consider this to be an outstanding matter.</p> <p>The Applicant sent WCC a copy of the Technical Note submitted to SDNPA on the reasons why the remaining 7 sub-stations from the long list of 10 identified for the consideration of a connection location for the Proposed Development were not taken forward for further consideration by NGESO.</p> <p>WCC responded to confirm their issue around Lovedean is more about the environmental considerations and the role they played in the balance when all the factors were considered. Specifically, the role the proximity to the National Park played in that decision. The National Grid is a Statutory Undertaker and therefore, as per section 62 of the Environment Act 1995, they are required to have regard to the purposes of the National Park in their decision making. That duty is not showing in any clarity in the recent letters and certainly not to the degree we had expected. The letters imply that the environmental factors/considerations were left up to Aquind to weigh and that seems an abrogation by NG of the duty specifically imposed on them by the 1995 Act.</p> <p>Both the Applicant and NGESO addressed the specific point above at ISH4. The Applicant specifically refers to the responses given to Agenda item 22 as documented in the ISH4 transcript (EV-079) and (AS-065) which confirms how the duty has been discharged by both NGESO and the Applicant.</p>	
WCC 4.13.2	Microsited Converter Station Options	<p>WCC notes that the Converter Station is a significant building in a countryside location. WCC will object to the location of the building if Option (i) is to be adopted but supports Option(ii) which saves the substantial hedgerow. WCC considers that negotiations with National Grid must be accelerated with a clear path identified before the Examination is completed. If the land is not available a clear compelling reason must be identified. WCC would like to remove Option B(i) from the draft Order.</p> <p>The Applicant's preferred solution is Option B(ii), however at this stage the Applicant cannot commit to taking only Option B(ii) forward. However, if a position is agreed with National Grid in advance of the end of the Examination, Option B(i) may be removed from the proposed Order.</p>	Not Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant continues to engage with NGET to secure an Option Agreement over Plot 1-27 to enable the siting of the Converter Station for Option B(ii). Heads of Terms are at an advanced stage and the Applicant is awaiting feedback from NGET on a revised set of Heads of Terms recently submitted to address further feedback received from National Grid. It is however noted that National Grid have recently changed who is instructed to act on their behalf in relation to the lease option, which has inevitably caused delay to the option agreement being agreed.</p> <p>In the event the Applicant is able to secure an Option Agreement from NGET, the Applicant would be able to commit to siting the Converter Station in the Option B(ii) location. However, taking into account that the option agreement is not yet agreed, at this time the Applicant cannot commit to option B(ii) being the option which is implemented.</p> <p>The Applicant would be content to provide further updates to WCC.</p> <p>Unless circumstances change at Deadline 8, the two micro siting options are still under consideration. WCC does not agree to option B(i)</p>	
4.13.3	Converter Station Access Road	<p>Alternative options for the siting of the Access Road were explored (paragraph 2.6.5.8 to 2.6.5.13 Chapter 2 Consideration of Alternatives (Examination Library reference APP-117)), however due to the size of the vehicles required during construction and (occasional) replacement of equipment during operation access across Broadway Lane just north of Broadway Cottages was considered the most feasible solution.</p> <p>WCC does not object to the proposed location of the Access Road in principle. This matter is agreed.</p>	Agreed
WCC 4.13.4	Choice of Onshore Cable Route	<p>WCC considers that the option of considering a route for the Onshore Cable across the open countryside to the west of the A3 has not been properly assessed as an alternative to the road route at the appropriate time in the process when the decision was being undertaken on the route to get from Portsmouth up to Lovedean. WCC cites the lack of any clear references to the consideration of the countryside route prior to 2019 as proof of this oversight. It says the consideration of this option should have taken place before responding to comments to the PIR that took place in April 2019. The subsequent use of dates (2017 & 2018) are not linked to specific written detail but just offered up without any background to support them. WCC has invited the applicant to bring forward the dates and associated text but nothing has been presented.</p> <p>Justification for the route chosen is provided in Chapter 2 – Consideration of Alternatives of the ES and the Supplementary Alternatives Chapter.</p> <p>The Applicant provided a response to the countryside route at Deadline 6 (REP6-067) (see table 2.3 paragraph 7.8.13). However, WCC have since asked for further evidence of historic optioneering of the countryside route in their written response at Deadline 7 (REP7-091), specifically regarding the “...cross country route from Portsdown Hill up to the Hambledon Road”.</p> <p>The Applicant has responded to this at Deadline 7c (see REP7c-012), and the information can also be found in Section 8 of the Supplementary Alternatives Chapter (REP1-152). To respond in more detail, the chronology of actions and consideration given to the countryside route, in the area referred to by WCC, is set out below.</p> <p>A cross-country option to the west of the A3 was considered in 2017 and 2018, and also following feedback from local authorities to further look into non-highway options.</p>	Not Agreed

Ref.	Description of matter	Current Position	RAG
		<p>As well as the countryside route to the west of the A3, the Applicant acknowledges that there are also minor roads present to the west of the A3 such as Purbrook Heath Road and Newlands Lane. However, these were not pursued due to the constraints associated with traffic management and working width requirements. It was considered more beneficial to work within roads that are more likely to accommodate both cable pairs without the need to impact on the environment adjacent to the highways in question. Additionally, it was considered that there would be a greater ability to mitigate the impacts that arise by virtue of their generally being a greater width of road within which to do so, which it was considered would limit the need for full road closure and the length of diversions.</p> <p>A route through the fields, adjacent to the A3 to the west, has been considered by the Applicant in a proportionate manner. A review of environmental designations and relevant constraints showed:</p> <ul style="list-style-type: none"> • areas of Priority Habitat. • Sites of Importance for Nature Conservation (SINCs) such as Alsfordmoor Coppice, Purbrook Heath, Sandy & Aldermoor Coppices, Newlands Row. • Ancient and Replanted Woodland. • protected species such as badgers and great crested newts known to be present within the Newlands Common area, in addition to common reptile species (grass snake, slow worm) • impacts on future development opportunities due to the strategic housing allocation and potential for sterilisation of land (see section 8.1.7 of the Supplementary Alternatives Chapter). • impacts on private land (22 land parcels) and justification for any potential compulsory acquisition of the rights required over the land where the countryside route is located (see section 8.1.8 of the Supplementary Alternatives Chapter). <p>The Applicant's reasoned conclusion was that a route across the countryside in this location was therefore not a reasonable alternative to the route selected and should not be pursued.</p> <p>Following submission of the preliminary environmental information report and public consultation held between 27 February and 29th April 2019, HBC and WCC provided their alternative countryside route proposals in April 2019, which was acknowledged by the Applicant. The Applicant then included the authorities' proposals in the Consideration of Alternatives chapter of the ES to reaffirm the previous conclusions made.</p> <p>In July 2019, prior to the submission of the Application, the Applicant discussed the implications of a possible alternative route for the Proposed Development identified by Winchester City Council (WCC) and Havant Borough Council (HBC) with Natural England (NE). This alternative route would be primarily 'across country' rather than follow roads as per the Proposed Development. It was agreed between the Applicant and NE that there would be a higher potential for likely significant effects on ecological receptors from a cross country route, including on non-statutory designated sites and protected and notable species/habitats. This agreement on position is confirmed in Ref NE4.9.1 of the Draft Statement of Common Ground Agreed (SoCG) (REP5-027) between the Applicant and NE.</p> <p>A meeting was held between the Applicant and WCC on 13 August 2019, during which the Applicant discussed the alternative route put forward by WCC, confirming the constraints present in that location.</p>	

Ref.	Description of matter	Current Position	RAG
		<p>Following submission of the Application in November 2019, the Applicant has made a concerted effort to address WCC's requests for further information regarding the consideration of a countryside route, through the submission of a supplementary alternatives chapter, and addressing queries at various Deadlines during the Examination. It is the view of the Applicant that it has extensively explored the available options for the Proposed Development over a significant period of time, taking into account relevant technical, environmental and cost considerations, in addition to taking into account feedback received at two public consultations carried out and amending the proposals in response to feedback received.</p> <p>The Applicant considers this matter has been discussed with WCC and that the background has been sufficiently explained prior to the application being submitted, as well as through subsequent submission of additional materials during the Examination.</p> <p>For the reasons outlined on their behalf above this issue is not agreed with WCC.</p>	

4.14. CARBON AND CLIMATE CHANGE

Table 4-14 – Carbon and Climate Change

Ref.	Description of matter	Current Position	RAG
Carbon and Climate Change			
4.14.1	Carbon mitigation	<p>WCC has noted that there are questions why no further actions are proposed over carbon emissions in the Construction Phase, and that a large residual amount still remains from the anticipated emissions which are not mitigated in any way.</p> <p>As reported in ES Chapter 28 (Carbon and Climate Change) (APP-143), there is no anticipated net increase in carbon emissions due to the Proposed Development with the ES concluding that there will be a net reduction.</p> <p>Mitigation measures during the construction phase set out in section 5.15.2 of the Onshore Outline CEMP (OOCEMP) (REP4-005). This incorporates the following measures:</p> <ul style="list-style-type: none"> • Minimise energy consumption including fuel usage by, for example, reducing the requirement for earth movements to/from and within the construction site; • Maximise the local sourcing of materials and local waste management facilities, where practicable; • Use efficient construction processes, such as design for manufacture and assembly; and • As far as practicable, incorporating material resource efficiency and waste minimisation best practice into design, in particular improving the cut/fill balance of the Proposed Development. <p>The OOCEMP also requires that the detailed design continues to be optimised to reflect the carbon reduction hierarchy and the requirement for construction materials is reduced, with construction elements substituted for low-carbon alternatives, where practicable. It is recommended that the specification of materials and products with reduced greenhouse gas emissions is considered and that the sustainability credentials of material suppliers and construction contractors, is considered, where practicable.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>This is outlined in the Onshore OCEMP in Section 5.15.2 where it states that the Converter Station design will adopt a sustainable approach which will involve the following measures:</p> <p>Reducing, where practicable, material use in construction and minimising the use of high carbon materials. Buildings should be energy and resource efficient.</p> <p>The above measures are also captured in Sustainability Design Principle 2 in section 6.2.4 of the DAS. Requirement 6 of the draft DCO requires that the design details to be submitted to the relevant local planning authority for approval in advance of construction of any phase of Works No. 2 (excluding Works No. 2a) must confirm how the details submitted conform with the Design Principles in section 6 of the DAS.</p> <p>Following mitigation, likely construction emissions were assessed as minor, significant, adverse (see 28.6.2.9 of ES Chapter 28). The mitigation opportunities above will reduce, but will not prevent, greenhouse gas emissions from occurring during the construction phase. A construction project of this scale will inevitably lead to greenhouse gas emissions of a scale which would lead to an adverse effect of at least minor significance.</p> <p>WCC has since asked whether the two stages (construction and operation) should be looked at separately. The Applicant confirms that the ES chapter reports carbon emissions separately over the construction and operational phases; however, to provide a full picture, the combined total emissions for the construction and operational phases should be considered when taking into account the overall GHG effects of the Proposed Development.</p> <p>It is neither necessary nor reasonable to impose specific targets or monitoring requirements for construction GHG emissions. The breach of any mitigation requirements in the DCO is enforceable and that alone would be sufficient for the contractor to comply without the need to impose detailed monitoring requirements.</p> <p>The Applicant has since explained the beneficial GHG impacts, by providing an overview of the reasoning behind the anticipated net reduction in greenhouse gas emissions over the lifespan of the Proposed Development. WCC has questioned how reliable the predicted figures for net reductions are for the future – e.g. French nuclear power stations are being decommissioned. The Applicant has explained that the figures in the ES constitute the worst-case scenario.</p> <p>The Applicant has obtained agreement on the above points with WCC.</p>	



4.15. FLOOD RISK AND GROUND WATER

Table 4-15 – Flood Risk and Ground Water

Ref.	Description of matter	Current Position	RAG
Flood Risk and Ground Water			
WCC 4.15.1	Converter Station – Finished Floor Levels	WCC has a desire to see the building set into the ground as much as possible and considers that any surplus spoil resulting from digging deeper beyond a simple cut and fill approach can be easily disposed of. WCC has therefore requested clarification on the choice of 85.1 m AOD as the finished floor level of the Converter Station and why the excavations could not go any deeper, including dialogue with the Environment Agency and Portsmouth Water.	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>The Applicant has provided WCC with the following summary of explanations on why the finished floor level was set at 85.1 m AOD:</p> <p>Ground investigations (both intrusive and non-intrusive) were carried out in 2018/19. These found that the area beneath the proposed Converter Station is directly underlain by head deposits consisting predominantly of gravelly Clays, with Structureless Grade D Chalk below. Surveys were also undertaken to identify potential karstic features. The surveys located three potential karstic features of which two are within the proposed footprints for Converter Station option B(i) and option B(ii).</p> <p>The area beneath the proposed Converter Station is known to be underlain by a Principal Aquifer (chalk), designated as the Aquifer Source Protection Zone 1 ('SPZ1'). A considered approach must be taken for the SPZ1 to mitigate any potential contamination, turbidity or groundwater issues arising because of the construction, operation and maintenance activities over the design life of the Proposed Development. To ensure any contamination of the aquifer is avoided and considering the assessment of the potential for a cut and fill exercise to be undertaken, 84.80 m AOD was identified as the lowest appropriate Converter Station finished site level from a flood risk perspective. Following an initial Flood Risk assessment, the Converter Building finished floor level has been proposed indicatively at 85.10 m AOD (300 mm above finished site level). Therefore, for the basis of the EIA, 85.10 m AOD has been used.</p> <p>Statements of Common Ground with both the Environment Agency (REP4-018) and Portsmouth Water (REP4-022) set out the position agreed between these parties and the Applicant. The Environment Agency agrees with the proposed site platform level and Earthworks Design Approach – please see SoCG with the Environment Agency (Table 4.16 Ref. EA 3.3.1.2).</p> <p>Please also refer to 7.4.1.3 Appendix 3 Proposed Site Level and Earthworks Methodology (WQ MG1.1.6) (REP1-094) which has been issued as a part of the Applicant's Deadline 1 submission which provides more details of the proposed site level and this has been agreed with Portsmouth Water, the Environment Agency and Hampshire County Council.</p> <p>The Applicant has gained agreement with WCC on the above.</p>	

5. SIGNATURES

Ref.	Winchester City Council	AQUIND (the Applicant)
Signature		
Printed Name	Julie Pinnock	Kirill Glukhovskoy
Title	Service Lead-Built Environment	Managing Director
On behalf of	Winchester City Council	AQUIND Limited
Date	01-03-2021	01-03-2021

