



AQUIND Limited

AQUIND INTERCONNECTOR

Statement of Common Ground Between
Aquind Limited and Natural England
Final

The Planning Act 2008
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DOCUMENT

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CONTENTS

1.	INTRODUCTION AND PURPOSE	1-1
1.1.	PURPOSE OF THIS DOCUMENT	1-1
1.2.	THE DEVELOPMENT	1-1
2.	RECORD OF ENGAGEMENT UNDERTAKEN TO DATE	2-3
3.	SUMMARY OF TOPICS COVERED BY THE STATEMENT OF COMMON GROUND	3-5
3.1.	TOPICS COVERED IN THE STATEMENT OF COMMON GROUND	3-5
4.	CURRENT POSITION	4-6
4.1.	LANDSCAPE AND VISUAL AMENITY	4-6
4.2.	ECOLOGY (INCLUDING ARBORICULTURE)	4-8
4.3.	SOILS AND AGRICULTURAL LAND USE	4-15
4.4.	AIR QUALITY	4-16
4.5.	CUMULATIVE EFFECTS	4-16
4.6.	DECOMMISSIONING	4-17
4.7.	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN	4-18
4.8.	DRAFT DEVELOPMENT CONSENT ORDER	4-18
4.9.	ALTERNATIVES	4-19
5.	SIGNATURES	5-20

TABLES

Table 2.1 – Consultation with Natural England	2-3
Table 4.1 – Landscape and Visual Amenity	4-6
Table 4.2 – Ecology (including Arboriculture)	4-8
Table 4.3 – Soils and Agricultural Land Use	4-16
Table 4.4 – Air Quality	4-16
Table 4.5 – Cumulative Effects	4-16
Table 4.6 – Decommissioning	4-17
Table 4.7 – Draft Development Consent Order (Onshore Comments)	4-18

1. INTRODUCTION AND PURPOSE

1.1. PURPOSE OF THIS DOCUMENT

- 1.1.1.1. This Statement of Common Ground ('SoCG') has been prepared with Natural England ('NE') to show where agreement has been reached with AQUIND Limited ('the Applicant') during the pre and post Development Consent Order ('DCO') application consultation and in the course of the DCO Examination.
- 1.1.1.2. This SoCG has been prepared by the Applicant and NE in respect of the onshore aspects of the Proposed Development, collectively referred to in this SoCG as 'the parties'.
- 1.1.1.3. The purpose and possible content of SoCGs is set out in paragraphs 58-65 of the Department for Communities and Local Government's guidance entitled "Planning Act 2008: examination of applications for development consent" (26 March 2015). Paragraph 58 of that guidance explains the basic function of SoCGs:
- "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."*
- 1.1.1.4. This SoCG comprises a record of agreement which has been structured to reflect topics of interest to NE on the AQUIND Interconnector DCO Application ('the Application').
- 1.1.1.5. The position with respect to each topic of interest is presented in a tabular form.
- 1.1.1.6. This SoCG reflects the outcome of discussions between the parties at Deadline 8 of the Examination. Throughout this document, points of agreement and disagreement between the parties are clearly indicated.

1.2. THE DEVELOPMENT

- 1.2.1.1. This SoCG relates to an application made by the Applicant to the Planning Inspectorate ('PINS') under the Planning Act 2008 ("Act"). The application was made on 14 November 2019.
- 1.2.1.2. The draft DCO is referred to as the AQUIND Interconnector DCO. The DCO, if granted, would authorise the Applicant to construct, operate and maintain infrastructure and associated development (the 'Proposed Development') including:

- High Voltage Direct Current ('HVDC') marine cables;
- HVDC underground cables;
- Converter station;
- High Voltage Alternate Current ('HVAC') cables; and
- Fibre optic data transmission cables and associated infrastructure.

1.2.1.3.

This SoCG is only relevant to the onshore aspects of the Proposed Development. A separate SoCG between the Applicant and NE (joined with the Joint Nature Conservation Committee) addresses marine aspects of the Proposed Development.

2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

- 2.1.1.1. The parties have been engaged in consultation since the inception of the proposed Scheme. Early correspondence dates back to November 2018 with significant consultation also occurring post the non-statutory consultation period up to submission. Natural England welcomes the engagement that has been sought on this project.
- 2.1.1.2. A summary of recent key meetings and correspondence between the parties can be found at table 2.1.

Table 2.1 – Consultation with Natural England

Date	Form of Contact	Summary
05/11/2018	Meeting	Introduction to the Project and route; Change of consenting process; and Protected Sites, ecology surveys and constraints.
06/02/2019	Meeting	Project design update; Ecological surveys; and Effects on Denmead Meadows and Eastney Beach SINC.
25/04/2019	Teleconference	Ecological survey results update; and Discussion of outline proposals for landscaping in areas of permanent development.
17/07/2019	Meeting	Ecological survey results update; Discussion of avoidance and mitigation, and Statement of Common Ground.
28/08/2019	Teleconference	Proposed Development design along Hambledon Road and at Denmead Meadows - discussion of how the Proposed Development could be designed to avoid effects on HPI Lowland Meadow habitat at Denmead Meadows (Section 3).
27/02/2020	Meeting	Meeting involving Natural England presenting main topics covered in their Relevant Representations: Denmead Meadows; SWBGS; Biodiversity Net-gain; Milton Common; and Cumulative effects.
06/05/2020	Telecon	Discussion regarding:

Date	Form of Contact	Summary
		Denmead Meadows mitigation; Noise impacts on SWBGS; Cumulative effects; and Landscape and visual amenity.
31/07/2020	Email	Issue of draft SoCG to Natural England.
05/08/2020	Telecon	Discussion regarding the scope of the SoCG including: Denmead Meadows mitigation; Restoration of SWBGS; Approach to assessment of noise impacts on SWBGS Cumulative effects; and Landscape and visual amenity.
16/09/2020	Email	Comments on draft SoCG received from Natural England.
18/09/2020	Email	Issue of draft report on noise impacts on SWBGS / SPA issued to Natural England.
24/09/2020	Email	Comments on noise impacts on SWBGS/ SPA received from Natural England.
10/11/2020	Telecon	Meeting to discuss outstanding SoCG issues with a particular focus on the Biodiversity Paper and associated implications for the assessment of SINCs.
23/11/2020	Email	Email correspondence regarding visual disturbance effects and update to HRA.
15/12/2020	Email	Draft Position Paper on Denmead Meadows provided to Natural England.
11/02/2021	Telecon	Meeting to discuss outstanding SoCG issues: remaining landscape points, update to Applicants position on Denmead Meadows and request for responses from Natural England on Milton Common
17/02/2021	Email	Email from Natural England to confirm agreement with remaining LVIA issues.
22/02/2021	Email	Email correspondence between the Applicant and Natural England regarding remaining ecological issues: Denmead Meadows and Milton Common

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 Natural England are discussed further in this SoCG:

- Landscape and Visual Amenity;
- Ecology (including arboriculture);
- Soils and agricultural land use ;
- Air quality;
- Cumulative effects;
- Decommissioning;
- Construction Environmental Management Plan;
- Draft DCO (including requirements to the draft DCO); and
- Alternatives

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 Natural England during the consultation undertaken to date between the parties.

4. CURRENT POSITION

4.1. LANDSCAPE AND VISUAL AMENITY

Table 4.1 – Landscape and Visual Amenity

Ref.	Description of matter	Current Position	RAG
Landscape and Visual Amenity			
NE4.1.1	Area of Study relevant to NE	It is agreed that the part of the Landscape and Visual Amenity assessment set out in Chapter 15 of the ES (Landscape and Visual Amenity (APP-130) relevant to NE is Section 1 Lovedean (Converter Station Area) and more specifically the relationship of the Converter Station and associated infrastructure to the South Downs National Park.	Agreed
NE4.1.2	ES Methodology – Study area	It is agreed that the 8 km, 3 km and 1.2 km study areas for Section 1 (Lovedean – Converter Station Area) as set out in paragraph 15.1.2.3 - 15.1.2.5 of ES Chapter are appropriate. The 1.2 km radius of the Converter Station applies to residential receptors only. Remaining receptors who fall within a 1.2 km study area were considered as part of an assessment of effects within a 3 km radius of the Converter Station.	Agreed
NE4.1.3	ES Methodology – Viewpoints	The viewpoint selection for the Converter Station as set out in section 15.4.4 of ES Chapter is agreed.	Agreed
NE4.1.4	ES Methodology - General	The remaining aspects of the LVIA methodology set out in section 15.4 of Chapter 15 where relevant to NE interests are agreed.	Agreed
NE4.1.5	ES Baseline	The landscape and visual baseline environment is set out at section 15.5.3 of Chapter 15. The baseline for Section 1 Lovedean (Converter Station Area) is agreed.	Agreed
NE4.1.6	Predicted Impacts – Converter Station	It is agreed that the impacts identified at section 15.3.6 of ES Chapter 15 Landscape and Visual Amenity and more specifically those that relate to Section 1 Lovedean (Converter Station Area) are accurate. It is agreed that the impacts considered by the Applicant have the potential to give rise to temporary and/or permanent significant effects on the South Downs National Park during construction and operation of the Proposed Development in relation to the Converter Station.	Agreed
NE4.1.7	Mitigation - Outline Landscape and Biodiversity Strategy	It is agreed that there are significant effects on the landscape character and setting of the South Downs National Park and NE have welcomed the commitment to an Outline Landscape and Biodiversity Strategy (APP-506). However, NE have advised that the details are progressed in agreement with the district ecological and landscape officers and that Requirement 7 of the draft DCO (APP-019) be updated to secure this. The Applicant considered that as the written detailed landscaping scheme is to be “submitted to and approved by the relevant planning authority” that this is appropriate as the relevant planning authority holds the responsibility for ecology and landscape and the matter will be dealt with via the district ecological and landscape officers on this basis.	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>NE further recommended that the Outline Landscape and Biodiversity Strategy for the Converter Station is agreed with landscape officers at South Downs National Park. Requirement 7 of the draft DCO requires that a written detailed landscaping scheme be “submitted to and approved by the relevant planning authority and where related to any phase of Works No. 2 in consultation with the South Downs National Park Authority”.</p> <p>NE has reviewed and agreed the wording of Requirement 7.</p>	
NE4.1.8	Mitigation - Maintenance of landscaping	<p>NE advised that any landscape planting should be monitored and managed with replacement planting, as necessary, to ensure that the predicted medium to long term landscape improvements are realised. The Applicant considers that this is secured under Requirement 8 Implementation and maintenance of landscaping of the draft DCO (APP-019) which includes for replacement of any seriously damaged or diseased new planting for a period of five years after planting based on a five year establishment maintenance period as part of the landscape or construction contract. All new and existing planting falling within the Order Limits will be maintained throughout the operational lifetime of the Converter Station as referred to in the Outline Landscape and Biodiversity Strategy.</p> <p>Subsequent to the meeting on 10 November, NE have reviewed the wording of Requirement and have confirmed that it is agreed.</p>	Agreed
NE4.1.9	Mitigation – further enhancement opportunities	<p>NE advised that further consideration should be given to opportunities for landscape enhancements within the South Downs National Park to compensate for adverse effects, being potentially on land outside of the Application, with such enhancements to be secured via a landscape and biodiversity enhancement fund.</p> <p>NE have provided specific comments on opportunities for landscape enhancements at 4.1.10 and this will be subject to further discussion. Natural England also refer to the need for a detailed long term costed monitoring and management strategy for the woodlands and supplementary screening. NE stated that this should be agreed with the South Downs National Park Authority landscape and ecology officers and secured with any planning permission. As detailed in the updated OLBS (REP7-023) a woodland management plan will be prepared post consent as part of the detailed landscaping scheme (Requirement 7 and 8 of the dDCO - REP7-013) and this will be approved by the relevant discharging authority in consultation with the SDNPA. The Applicant is also in discussions with the SDNPA on the details of a Section 106 agreement for woodland improvements in the South Downs National Park.</p> <p>Chapter 15 (Landscape and Visual Amenity) of the ES (APP-130) Table 15.10 and 15.11 summarises the nature of effects and concludes that as planting matures, the significance of effects for some visual receptors and landscape character types / areas (including 3fi Downland Mosaic within which the Converter Station sits) and associated landscape features will reduce and will not be significant after 10 years. It is noted that effects would remain significant on SDNP landscape character type (D2 Hambledon and Clanfield Downs) and some immediate residents within a 1.2 km radius of the Converter Station Area, and on some recreational and transport users over very localised sections of PRow and roads within a 3 km radius of the Converter Station Area, after 20 years.</p> <p>Natural England reviewed each relevant document noted above for feedback at Deadline 5. However, the Applicant remained in discussion with SDNPA on the appropriateness of a monetary contribution through a Section 106 agreement towards on a specific project which would be directly relevant to the landscape impacts as oppose to a landscape and biodiversity enhancement fund for tree planting more broadly.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		On 17 February 2021 Natural England reviewed and agreed that further opportunities for landscape enhancement should be secured via discussions with South Downs National Park Authority as referred to in paragraph NE4.1.10.	
NE4.1.10	Residual Effects	<p>The residual effects associated with the South Downs National Park are set out at Tables 15.10 and 15.11 of ES Chapter 15 Landscape and Visual Amenity (APP-130). NE have provided the following comments, which were subject to further discussion following the Deadline 1 submission.</p> <p>NE advised that significant weight is given to the advice of the landscape advisor/planner for the National Park, as they will be best placed to provide detailed advice on grading method used in the EIA, and appropriateness of the mitigation strategy in delivering the reduction in the significance of the adverse effects. NE recommend that the key principles to deliver the necessary mitigation are secured in the Outline Landscape and Biodiversity Strategy. Given the size and scale of the convertor station on the edge of the National Park, the key issue is whether the scale and location of mitigation proposed is sufficient to adequately mitigate the proposal, and whether this can be secured appropriately with any permission.</p> <p>Given there are significant effects on the landscape character and setting of South Downs National Park and that people using Monarch's Way will be subject to adverse effects as a result of the development, NE advised that further consideration is given to opportunities for landscape enhancements within the South Downs National Park as compensation. A similar approach has been taken previously by the National Grid to compensate for adverse effects and to increase the resilience of the landscape. Projects to enhance the landscape by increase planting of trees or hedgerows would also deliver biodiversity gains, especially schemes to increase connectivity between ancient woodland areas and within ecological corridors. It is appreciated that this may fall outside of land ownership areas, however, enhancements could be secured via a landscape and biodiversity enhancement fund. NE would be happy to discuss this option further in due course.</p> <p>NE encouraged further discussion with the South Downs National Park Authority given the impact of the development on the character and setting of the National Park. Given their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, they would be best placed to further on the scope of the mitigation. Provided the landscape officers at SDNPA are satisfied with the approach taken in the Outline Landscape and Biodiversity Strategy, NE raises no further comments.</p> <p>The Applicant acknowledges that there is harm to the landscape remaining but considers that this has been mitigated as far as practicable through careful design, siting and landscaping. The Applicant discussed with the South Downs National Park Authority additional mitigations in relation to those residual impacts by way of planning contributions secured through a Section 106 agreement as oppose to a landscape and biodiversity enhancement fund.</p> <p>This was reported in the SoCG with the SDNPA submitted at Deadline 5.</p> <p>The latest version of the OLBS was submitted at Deadline 7 (REP7-023).</p> <p>On 17th February 2021 Natural England reviewed and agreed the assessment of residual effects set out in Tables 15.10 and 15.11 of Chapter 15 of the ES.</p>	Agreed

4.2. ECOLOGY (INCLUDING ARBORICULTURE)

Table 4.2 – Ecology (including Arboriculture)

Ref.	Description of matter	Current Position	RAG
Ecology (including Arboriculture)			
NE4.2.1	Area of Study relevant to NE	It is agreed that the part of the Ecology assessment set out in Section 16.1 of Chapter 16 of the ES (APP-131) relevant to NE includes all sections of the Onshore Cable Route and Section 1 Lovedean (Converter Station Area), and more particularly the relationship of the Proposed Development and associated infrastructure to the statutory and non-statutory designated sites, protected species and priority habitats and species.	Agreed
NE4.2.2	Study Areas	The study areas defined in Section 16.1.2 of Chapter 16 Onshore Ecology of the ES (APP-131) and Section 5.1.1 of the Habitat Regulations Assessment (APP-491) with respect to different ecological features are agreed.	Agreed
NE4.2.3	Methodology - Surveys and Data Sources	A suite of ecological surveys have been completed to provide baseline information to inform the assessment through both the ES and HRA of the Proposed Development. The full programme of surveys are outlined in Table 16.3 of Chapter 16 Onshore Ecology of the ES (APP-131). These are agreed to be appropriate and comprehensive.	Agreed
NE4.2.4	Designated Sites	<p>It is agreed that the following designated sites are appropriately scoped out of ES Chapter 16 Onshore Ecology at section 16.3.5 (APP-131) with respect to onshore ecology:</p> <ul style="list-style-type: none"> • Solent and Dorset Coast pSPA (now formally ratified as a SPA) • Solent and Southampton Water SPA / Ramsar • Solent & Isle of Wight Lagoons SAC • Solent Maritime SAC • South Wight Maritime SAC • Butser Hill SAC • Langstone Harbour SSSI • Sinah Common SSSI • Portsdown SSSI • Catherington Down SSSI • The Kench, Hayling Island LNR • Farlington Marshes LNR • Yeoll's Copse LNR; and • Catherington Down LNR. <p>It is agreed the designated sites assessed in Chapter 16 are limited to:</p> <ul style="list-style-type: none"> • Chichester and Langstone Harbours SPA / Ramsar; and • Portsmouth Harbour SPA/ Ramsar 	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>It was concluded in Section 7.3 of the Habitat Regulations Assessment (APP-491) that there were no LSE with respect to Portsmouth Harbour SPA / Ramsar. However, it is agreed that this site should be taken forward to Stage 2 of the updated HRA with respect to disturbance of the dark-bellied brent goose feature only.</p> <p>The assessment screens out of further assessment specifically: Solent and Dorset Coast pSPA (now SPA) and Solent and Southampton Water SPA / Ramsar.</p>	
NE4.2.5	Ecological Assessment of the Converter Station	<p>It is agreed that the Applicant has appropriately characterised the impacts on ecological features at the location of the proposed Converter Station. Features assessed include ancient woodland at Stoneacre Copse (outside of the Order Limits), badgers, bats, hedgehogs, reptiles and breeding birds.</p> <p>An ES Addendum (submitted at Deadline 1 of the Examination) details a reassessment of the botanical community of grasslands at the Converter Station based on a survey in 2020. The survey did not show the grassland to have any calcareous characteristics and thus will be reclassified in the ES addendum to being of species-poor semi-improved grassland.</p> <p>As detailed in the Outline Landscape and Biodiversity Strategy (OLBS) (APP-506) and in the Onshore Outline Construction and Environmental Management Plan (APP-130 Rev002) embedded mitigation measures to be implemented include a 15 m buffer between works and Stoneacre Copse, landscape planting at the Converter Station to include ecologically important habitats (mixed woodland, scrub, hedgerow, scattered trees and marshy grassland). The 15m buffer between the proposed development and ancient woodland is in line with standing advice by Government on “Ancient woodland, ancient trees and veteran trees: protecting them from development” - https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences.</p> <p>It is agreed that there are no significant effects for any of these features as a result of either the construction or operational phases of the Proposed Development, with the detailed measures to be included in the Proposed Development to be detailed and secured within a written detailed landscaping scheme in accordance with Requirement 9 ‘Biodiversity Management Plan’ of the draft DCO (APP-109).</p>	Agreed
NE4.2.6	Ecological assessment of Kings Pond / Denmead Meadows	<p>It is agreed that the Onshore Cable Route runs through sensitive lowland meadow habitats at Denmead, with Denmead Meadow and King’s Pond SINCR recognised as of national importance in the assessment.</p> <p>It is accepted that NE’s preference is to avoid these sensitive and important habitats in the first instance, but on the basis of balancing ecological with other planning constraints (including engineering constraints associated with the aquifer), it is agreed that the proposal for horizontal directional drill (‘HDD’) under part of Denmead Meadows is acceptable in principle.</p> <p>NE maintained their concerns that the location of the HDD construction compounds, jointing bay and section of cable to be trenched across the north of the meadows will result in damage to this priority habitat and a residual loss of biodiversity.</p> <p>The Applicant confirmed at Deadline 7 that the southern option for the HDD5 compound had been selected. This therefore removed any impacts on Field 3 and confirmed that mitigation is not required in this location.</p> <p>The Applicant continued discussion on potential impacts and mitigation for the Kings Pond Meadow area of Denmead Meadows. At the meeting on 11th February, the Applicant presented an overview of proposed mitigation at these fields. Natural England provided comments on these proposals which have led to a further revision. Natural England consider that the compound in field 13 and trenching of the King’s Pond</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>SINC and adjacent area will lead to a further loss of biodiversity. The poor management of these fields has led to signatures of improvement, but it is NE's view that the capacity for restoration to MG5 remains. It is NE's position that additional compensation for management and creation of neutral grassland is required, in addition to the translocation and aftercare management.</p> <p>The Applicants revised measures for mitigation on Fields 8 east and Field 13 are as follows, and have taken into account comments made by Natural England prior to Deadline 8:</p> <p style="text-align: center;"><i>Field 8 (East) - Trenching for the cable corridor</i></p> <p>Botanical survey of Fields 8 and 13 (those affected by works) using the same methods as used to inform the ES will be undertaken prior to construction and post-construction. National Vegetation Classification (NVC) will be used to identify plant species present and classify the botanical communities present. Results of this survey, alongside those of the HBIC survey, will be taken into account when setting the alignment of the haul route across Field 8 (East), where possible.</p> <p>Mitigation will comprise soil protection and grassland restoration measures, supported by cutting, storage and replacement of whole turves from specific areas within the Order Limits. Cutting of whole turves to ~50cm depth, including the whole soil profile, will be undertaken within the Order Limits from above the cable installation trench, areas adjacent to the trench where sub-soil removed will be stored and along the haul road. Turves will be stored within the Order Limits in Field 13, outside of the HDD5 reception compound. The intention will be to cut and replace turves as trenching progresses. Turves to be kept moist with watering as required; daily monitoring and potentially twice daily (morning and evening) watering required. Use of an automatic sprinkler system preferable. The total area of turf to be cut will be ~2000m².</p> <p>Ground protection will involve use of low ground pressure machinery for works to avoid soil compaction and installation of a porous ground protection solution with open structure comprising a geo-textile bottom layer, geogrid reinforcement layer followed by type 1 stone. In addition there will be storage of sub soil excavated from the trench during its excavation; there will be no mixing of soils horizons as turves above the trench will have been removed.</p> <p>The duration of turf storage will be for a maximum 3 weeks, the expected duration of trenching work in Field 8 (east). Replacement of soil structure into the trench following cable installation; sub-soil with stored turves replaced on-top.</p> <p>Collection of seed from plants growing within Lowland Meadow HPI habitat at Denmead Meadows will be undertaken and used to re-seed Field 8 (east) post construction. Seed will be harvested using a brush harvester prior to commencement of works, rather than buying in a commercial seed mix. Seed will be harvested in the year prior to the onset of works or else in the year when works are proposed to take place and will be dried and stored until required.</p>	

Ref.	Description of matter	Current Position	RAG
		<p style="text-align: center;"><i>Field 13 - HDD5 Reception compound</i></p> <p>Mitigation will comprise soil protection and grassland restoration measures. Where stripping of top soil is required to level and prepare the compound's surface, it will be stored for the duration of the compound's operation and replaced following completion of HDD works. No subsoil excavation will be required and this horizon will be left in-situ. Use of a suitable ground protection solution, such as matting supported by Teram or similar geotextile but the final decision to be informed by contractor, and low ground pressure machinery to avoid compaction of soils adjacent to the trench.</p> <p>Collection of seed from plants growing within Lowland Meadow HPI habitat at Denmead Meadows will be undertaken and used to re-seed Field 13 post construction.</p> <p>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. This will be in line premise of the mitigation which is provided as reasonably required to ensure the land is returned to the current baseline and is considered a proportionate approach.</p> <p>Fields 8 (east) and 13 will be managed to allow them to regenerate to their former condition post construction. An assessment will be made each year within the 5 year post-construction management and monitoring period as to whether aftercare management is needed, and appropriate actions taken. Botanical survey of Fields 8 and 13 (those affected by works) using the same methods as used to inform the ES will be undertaken in each year post construction. NVC will be used to identify plant species present and classify the botanical communities present. In addition, monitoring surveys will assess grassland condition to inform aftercare management. Suitably qualified botanists will carry out the survey work.</p> <p>The above proposed mitigation forms a position paper submitted at Deadline 8 of the examination. The paper has been shared with Natural England and this matter is now agreed.</p>	
NE4.2.7	Ecological Assessment of Milton Common SINC	<p>It is agreed that Milton Common SINC comprises a mixture of grassland, scrub, open water and footpaths (within Section 8 of the Order Limits). The preferred option (subject to deliverability following detailed design) is to install the cable along a well-used footpath through the SINC. The direct impacts of the Proposed Development will lead to the temporary loss of 10.5 ha of habitat within the SINC.</p> <p>Proposed mitigation to be agreed with Natural England identified in sections 16.8.2 and 16.8.3 of ES Chapter 16 Onshore Ecology (APP-131) includes soil horizon and grassland turf preservation for semi-improved grassland. In addition, use of bog matting and temporary membranes will be applied to prevent compaction of grassland soils. The ES concludes that residual effects on Milton Common SINC are of negligible significance following the application of mitigation.</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>At the meeting on 10 November Natural England agreed to consult the Biodiversity Paper and metric to determine their view on the assessment of Milton Common. Natural England have provided the following as of 25 November: The project will lead to disturbance to a significant area of Milton Common SINC and there is a risk that restoration and other mitigation measures may not fully offset the impact from the works, possibly resulting in an effect on the quality of the habitats at the SINC. There will also be a displacement of recreational use when this area of the site is not available to the public. This could lead to an increase in pressure on other areas of the SINC. As such, Natural England encourages the applicant to ensure there is an enhancement to the value of the SINC following the project. This could involve supporting a habitat improvement project at the SINC, or other beneficial projects for people and wildlife, in consultation with Portsmouth City Council.</p> <p>The Applicant has considered this view. The northern end of the SINC consists of a narrow strip of amenity grassland, managed as part of the roadside/seawall soft estate. An area of re-seeded grassland runs north-south through the SINC supporting a diverse mix of lowland meadow grasses and forbs conforming to the "Lowland Meadow" HPI designation under Section 41 of the NERC Act 2006. This artificial seeding has taken place following coastal defence repair and enhancement work in the area and such regeneration is expected to occur following the construction of the Proposed Development. Other than the recently seeded area, the composition of botanical communities within the SINC is limited mainly to common and widespread species that show influence of disturbance from sources such as dog walkers; the site is frequently used for leisure. Appendix 14 to the Environmental Statement Addendum – Note on PRow, Long Distance Walking Paths and Cycle Route Diversions (REP1-145) demonstrates that diversion of permissive paths range from 10m-100m and are anticipated to last 3-4 weeks (1-2 weeks per circuit). Displacement of people walking on Milton Common is localised and short-term.</p> <p>Should the option be taken for the Onshore Cable Route to progress across Milton Common (along the well-worn path) rather than along highways to its south and west, the Proposed Development will lead to the temporary loss of 10.5 ha of habitat within the SINC, 23% of the total SINC area. To mitigate for these effects as outlined in Chapter 16 include soil horizon preservation and ground protection in order to conclude that effects will not be significant. The Applicant considers that there is no inherent risk to these proposals especially noting that the SINC has already been subject to (successful) re-seeding.</p> <p>The Applicant highlighted their Deadline 6 response made on this matter with Natural England on 11 February 2021. On 22 February 2021, Natural England confirmed that the matter is now agreed.</p>	
NE4.2.8	Ecological assessment of other SINC sites	The Applicant has assessed potential impacts on all relevant SINC sites including those additional to Kings Pond and Milton Common. These are Crabden's Copse SINC, Crabden's Row SINC and Great Salterns Lake SINC. The potential impacts on these sites have been appropriately characterised and it is agreed that there are no significant effects from the Proposed Development.	Agreed
NE4.2.9	Biodiversity Metric	<p>NE welcomes the biodiversity metric that has been undertaken by the applicant.</p> <p>NE has raised queries with regard to the scope of the metric and the assumptions and parameters considered in the assessment. Given the current loss of area-based habitats, NE welcomes further discussion about options available to ensure any losses have been addressed. The Applicant discussed Natural England's comments on the Biodiversity Paper and metric and the meeting on 10 November. Notwithstanding Natural England's considerations on residual impacts on SINC sites and habitats, it is agreed that the approach taken and the assumptions made are appropriate.</p>	Agreed
NE4.2.10	Habitat Regulations Assessment - existing environment and pre screening	The information used to inform the environmental baseline on onshore ecology is agreed as appropriate alongside the methods used to identify potential connectivity between the Proposed Development and designated sites relevant to onshore ecology are appropriate. The conclusions of the site-based pre-screening assessments for designated sites with onshore ecology features are agreed as appropriate.	Agreed

Ref.	Description of matter	Current Position	RAG
NE4.2.11	Habitat Regulations Assessment – determination of likely significant effect	<p>The conclusions of the assessment of LSE for sites with onshore ecology features are agreed with exception to the entry detailed in 4.2.11a below.</p> <p>LSEs were identified for Chichester and Langstone Harbours SPA, and in the updated HRA (APP-491 Rev002) for Portsmouth Harbour SPA with respect to onshore ecology. All other designated sites SPA are screened out at Stage 1 of the HRA.</p>	Agreed
NE4.2.11a	Habitat Regulations Assessment – determination of likely significant effect, visual disturbance	<p>While disturbance and displacement on bird features of Chichester and Langstone Harbours SPA and Portsmouth Harbour SPA within the updated HRA was identified as LSE this reflects noise disturbance only. In their response to the Examining Authorities Written Question at Deadline 2 Natural England detailed that they considered visual disturbance to be a LSE. Notwithstanding the Applicant position that evidence suggests that bird features are not impacted by visual effects in industrial environments, it was agreed that the HRA will be updated to include visual disturbance in Stage 2: Appropriate Assessment.</p> <p>As of 25 November, Natural England has reviewed a draft of the updated HRA (Rev003 as submitted at Deadline 5) and agree with the conclusion that there is no adverse effect on integrity of any SPA as a result of disturbance and displacement effects (including visual disturbance).</p>	Agreed
NE4.2.12	Habitat Regulations Assessment – Noise impacts on Chichester and Langstone Harbours SPA and Solent Waders and Brent Goose Strategy	<p>The Appropriate Assessment of the HRA in addition to Chapter 16 of the ES considers impacts on Chichester and Langstone Harbours SPA.</p> <p>The assessment concludes that with respect to disturbance effects from the Proposed Development no adverse effect on site integrity will result from the Proposed Development either alone or in combination with other projects. This conclusion is reached following application of Principles 4,5,6 and 8 (as detailed in ES Appendix 16.14 Winter Working Restriction for Features of Chichester & Langstone Harbours SPA) (APP-422) that are designed to avoid or mitigate effects on the SPA. Following consultation with Natural England further analysis (through noise contour modelling) has been undertaken. This work, provided to Natural England as the Construction Noise and SWBGS report (Appendix 18, document reference 7.8.1.18), highlights SWBGS and areas of the SPA that will be subject to winter working restrictions in order meet the principles and has informed a revision of the principles. As requested by Natural England, 'low use' SWBGS sites are considered.</p> <p>It is agreed that the approach provided by the Applicant is appropriate and no adverse effects on the integrity of Chichester and Langstone Harbours SPA (and Portsmouth Harbour SPA) can be concluded.</p>	Agreed
NE4.2.13	Habitat Regulations Assessment – Restoration of Solent Waders and Brent Goose Strategy	<p>The route of the Onshore Cable runs adjacent to and through sites identified as supporting habitat to Chichester and Langstone Harbours SPA namely Solent Waders and Brent Goose Strategy (SWBGS). The following SWBGS sites are agreed to overlap with onshore components of the Proposed Development:</p> <ul style="list-style-type: none"> • P25 – University of Portsmouth, Langstone Campus; • P23B – University of Portsmouth; • P23A – Milton Common north 1; • P23R – Milton Common north 2; • P11 – Kendall's Wharf playing fields; and • P08A – Farlington playing fields. <p>All SWBGS grassland habitat will be restored before the onset of the non-breeding season (October). In SWBGS P08A, Farlington Playing Fields, it is unlikely that the CCT1 & CCT2 HVDC trench route and cabling works would be fully reinstated for the commencement of the non-</p>	Agreed

Ref.	Description of matter	Current Position	RAG
		<p>breeding season on 1st October. Re-turfing will likely only be possible at the start of October and is estimated that a minimum of 2-3 weeks would be required for re-establishment of the grass sward required for geese grazing. It is agreed that the restoration of a small area of P08A (1.7 ha) during the month of October would not impair the SWBGS network and specifically it would not impact the non-breeding brent goose population.</p> <p>There would therefore be no adverse effects on the integrity of Chichester and Langstone Harbours SPA.</p> <p>A plan of the SWBGS restoration has been provided to and agreed with NE, and this is secured in the OOCEMP. Natural England agreed with the approach presented by the Applicant and agree with the conclusions drawn.</p> <p>Within their Deadline 7 submission Natural England raised the prospect of a refuge area on Milton Common designed to offset temporary impacts on SWBGS from additional developments in the region. The Applicant discussed this matter with Natural England on 11 February. The Applicant outlined that there exists no extant planning permission or management plan in relation to Milton Common in relation to such areas being established.</p> <p>As a consequence, the Applicant does not consider that there are any implications for the HRA. The HRA has assessed all properly established functionally linked habitat sites and protections, through the winter working principles, are provided in relation to these.</p> <p>The Applicant appreciates that Natural England is seeking clarity on the status of the refuge areas and has taken a cautious approach due to perceived potential interactions with the HRA process. However, the rationale for the Applicant's position as to why they are not considered lawful was set out at ISH5 and summarised above. Therefore should the ExA take a view that the establishment of a refuge is lawful then winter working principle 1 would apply to them, and adequate mitigation is already secured from a HRA perspective. The Applicant now considers this matter agreed.</p>	
NE4.2.14	Wildlife Licencing	<p>Follow the receipt from a draft method statement from the Applicant regarding proposed mitigation on existing badger setts within the Order Limits, Natural England issued a Letter of No Impediment (LONI). The LONI was included as an appendix to the application (APP-490).</p> <p>There is expected to be no requirement for wildlife licencing for any further protected species. This matter is now agreed.</p>	Agreed
NE4.2.15	Consents to work in Sites of Special Scientific Interest ('SSSIs') under Regulation 28E of the Wildlife and Countryside Act 1981	<p>The Applicant intends to directionally drill (HDD) under Langstone Harbour SSSI. It is agreed that there is no impediment to Natural England granting consent for this work.</p>	Agreed

4.3. SOILS AND AGRICULTURAL LAND USE

Table 4.3 – Soils and Agricultural Land Use

Ref.	Description of matter	Current Position	RAG
Soils and Agricultural Land Use			
NE4.3.1	Potential Impacts	Natural England agree that potential impacts on the agricultural land identified within Chapter 17 Soils and Agricultural Land Use of the ES (APP-132) have been adequately characterised and assessed.	Agreed

4.4. AIR QUALITY

Table 4.4 – Air Quality

Ref.	Description of matter	Current Position	RAG
Air Quality			
NE4.4.1	Potential Impacts	Natural England agree that the potential impacts on Air Quality within Chapter 23 Air Quality of the ES (APP-138) have been adequately characterised and assessed.	Agreed

4.5. CUMULATIVE EFFECTS

Table 4.5 – Cumulative Effects

Ref.	Description of matter	Current Position	RAG
Cumulative Effects			
NE4.5.1	Coastal Defence Scheme	<p>The North Portsea Island Phase 2B Coastal Defence works (PCC 19/01368/FUL) was granted planning permission post submission of the Application. It is noted that the proposed timing of the works Onshore HVDC Route Construction/Cable Installation in Portsmouth are likely to coincide with when those works are understood to be likely to be carried out.</p> <p>An update to the ES Chapter 29 Cumulative Effects (APP-144), taking account of this additional application is being undertaken by the Applicant (and submitted into the Examination at Deadline 1). The treatment of this project cumulatively with Aquind is agreed to be treated appropriately in both the ES Addendum and the updated HRA Report as discussed on 10 November.</p>	Agreed
NE4.5.2	Fraser Range	A planning application for development at Fraser Range Fort Cumberland, Southsea (19/00420/FUL) is considered to be adequately considered within ES Chapter 29 Cumulative Effects (APP-144) and in ES Appendix 16.15 – Onshore Ecology Cumulative Effects Matrix (Stage 1 & 2) (APP-423). The conclusions are to be agreed in further discussions between parties.	Agreed

4.6. DECOMMISSIONING

Table 4.6 – Decommissioning

Ref.	Description of matter	Current Position	RAG
Decommissioning			
NE4.6.1	Decommissioning	NE raised concern around the limited information around the impacts at decommissioning stage. The Applicant subsequently clarified that development consent for decommissioning is not sought as part of the application and this matter is now agreed	Agreed

4.7. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Table 4.7 – Draft Development Consent Order (Onshore Comments)

Ref.	Description of matter	Current Position	RAG
CEMP			
NE4.7.1	Part 1 1 (1)	<p>It is agreed that as Construction Environmental Management Plans (CEMP) will be used to control the construction of the Proposed Development. A draft Onshore Outline CEMP (APP-505) which any detailed CEMP will be required to comply was submitted with the Application. The Outline Onshore CEMP has been updated during the examination with the most recent version submitted at Deadline 4 (APP-505 Rev003).</p> <p>The Applicant advises that Requirement 15 of the draft DCO (APP-019) necessitates the submission of a Construction Environmental Management Plan ('CEMP'). As detailed by NE this will be submitted to and approved by the relevant planning authority who have responsibility for ecology/biodiversity.</p> <p>The Applicant and EA have discussed the wording of Requirement 6 & 15 of the dDCO (APP-019 which has been updated to REP1-021 and subsequently REP3-003) to ensure that Portsmouth Water and Environment Agency consultation, alongside the relevant planning authority approval, is appropriately provided for in relation to matters contained within this SoCG regarding the construction environmental management and detailed design of the Converter Station Area phase of works.</p> <p>The CEMP will cover all of potential impacts detailed by NE:</p> <ul style="list-style-type: none"> • Storage of construction materials/chemicals and equipment • Dust suppression • Chemical and/or fuel run-off from construction into nearby watercourse(s) • Waste disposal • Noise/visual/vibrational impacts • Visual screening (for SPA birds) • Lighting on sensitive receptors <p>Such impacts are addressed, and mitigation proposed, where relevant in Chapter 16 (Onshore Ecology) of the ES (APP-131). The wording of Requirement 15 is has been agreed by Natural England following the meeting on 10 November.</p>	Agreed

4.8. DRAFT DEVELOPMENT CONSENT ORDER

Table 4.8 – Draft Development Consent Order (Onshore Comments)

Ref.	Description of matter	Current Position	RAG
General Requirements			
NE4.8.1	Part 1 1 (1)	The definition for a Statutory Nature Conservation Body was requested for inclusion with the draft DCO and has been included in the original submitted version. This matter is now agreed.	Agreed

Ref.	Description of matter	Current Position	RAG
NE4.8.2	Schedule 2 Requirements - Requirement 7 & 15	<p>NE requested that the relevant statutory nature conservation body is included as a consultee on the Landscaping scheme (Requirement 7) and the Construction Environmental Monitoring Plan (Requirement 15) of the draft DCO, this has been subject to ongoing consideration by the Applicant as follows:</p> <ul style="list-style-type: none"> • South Downs National Park Authority will be consulted on under Requirement 7 where the landscaping scheme relates to Works No.2. This is considered to be appropriate and no further amendments to Requirement 7 are therefore required. • Requirement 15 will be amended to confirm that the EA and PW will be consulted on the surface water strategy for the converter station. <p>As of 25 November Natural England agree to the wording of Requirements 7 and 15.</p>	Agreed

4.9. ALTERNATIVES

Table 4.9 – Alternatives

Ref.	Description of matter	Current Position	RAG
General Requirements			
NE4.8.1	Alternative Cross-Country Route	<p>The Applicant and Natural England have discussed the implications of a possible alternative route for the Proposed Development identified by Winchester City Council and Havant Borough Council as described in section 2.6.4 of ES Chapter 2 Consideration of Alternatives (APP-117).</p> <p>This alternative route would be primarily 'across country' rather than follow highways as per the Application. It is agreed that both the Applicant and NE consider there to be more significant ecological implications from a cross country route including on non-statutory designated sites, protected and notable species/ habitats.</p>	Agreed

5. SIGNATURES

Ref.	Natural England	Aquind (the Applicant)
Signature		
Printed Name	Rachel Jones	Kirill Glukhovskoy
Title	Senior Advisor, Thames Solent Team	Managing Director
On behalf of	Natural England	Aquind Limited
Date	26 th February 2021	26 February 2021

