

13 February 2020

The Examining Authority Case Team
Southampton to London Pipeline
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

By email only

Dear Sir / Madam

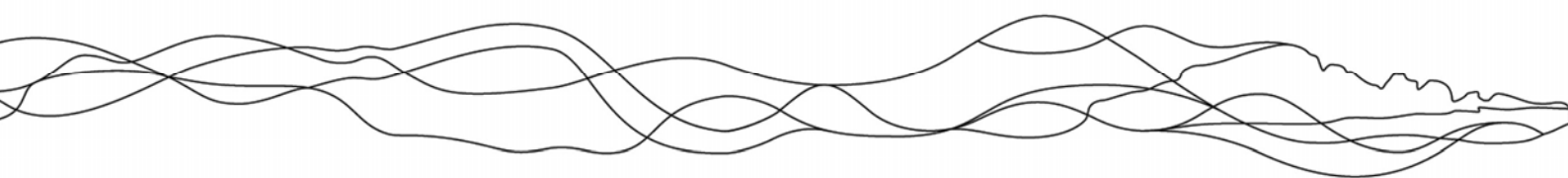
**DCO Application for the Southampton to London Pipeline Project
SDNPA Deadline 5 Submission**

I write to provide this Authority's response at deadline 5 to:

1. The applicant's answers, published at deadline 4, to the Examining Authority's Questions ExQ2
2. The following documents submitted by the applicant at deadline 4:
 - a. REP4-034: Outline Construction Traffic Management Plan
 - b. REP4-035: Outline Landscape and Ecological Management Plan
 - c. REP4-036: Outline Construction Environmental Management Plan
 - d. REP4-039: Appendix C: Outline Site Waste Management Plan
 - e. REP4-042: Appendix F: Outline Soil Management Plan
 - f. REP4-043: Appendix G: Outline Lighting Management Plan
 - g. REP4-044: Outline Community Engagement Plan

1. SDNPA response to the applicant's answers, published at deadline 4, to the Examining Authority's Questions ExQ2

Examination Library reference REP4-018 contains the applicant's response to the Examining Authority's question ALT.2.3 concerning the cost of, and scope for, developing outside the National Park for the northern most section of the development within the National Park. Limited additional information has been provided by the applicant here in respect of potential routes outside of the northern part of the National Park and no cost information has been submitted, despite one of the potential routes outside of the northern part of the National Park being only 2.1km longer than the pipeline route ultimately selected.



Based on the limited information provided SDNPA cannot determine that proper weight has been given to the designation of the National Park, nor that proper regard has been had to paragraph 5.9.10 of the Overarching National Policy Statement for Energy which is intended to protect National Parks and reflect their statutory protections. The applicant's development scheme submission does not allow, on account of the limited information supplied, an assessment of the cost of, and scope for, developing outside the National Park as required by paragraph 5.9.10 of the Overarching National Policy Statement for Energy. In the absence of such information the SDNPA cannot conclude that the major development test laid down by paragraph 5.9.10 has been met and therefore maintains its objection, in principle, to the pipeline route re-entering the National Park once it has left it.

Examination Library reference REP4-022 contains the applicant's response to Examining Authority question reference DCO.2.30. The applicant has provided a clear answer but it appears to be in relation to the existing pipeline rather than the proposed pipeline. For clarity the SDNPA would *also* wish to see all above ground infrastructure for the *proposed* pipeline removed in the future if and when it ceased operation.

2. SDNPA response to documents submitted by the applicant at deadline 4

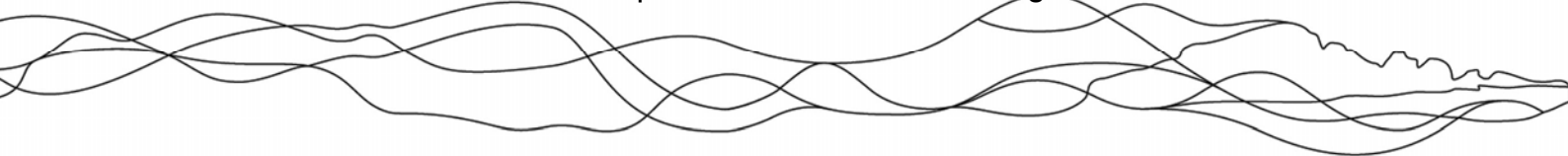
REP4-034: Outline Construction Traffic Management Plan

Tranquillity is one of the special qualities of the South Downs National Park and the pipeline would pass through deeply rural areas of high tranquillity. The outline CTMP makes one reference, at paragraph 1.6.3, to considering 'relative tranquillity' when planning deliveries, vehicle movements and temporary traffic management measures and this consideration is supported by the SDNPA. Although not explicitly stated in section 4.2 of the outline CTMP tranquillity will also be assisted by the principles, which the SDNPA supports, that the applicant has set out for the selection of routes for project traffic.

Table 1.1 refers to project commitments addressed by the Outline CTMP. Commitment reference G111, on page 5, states, amongst other things, that measures for monitoring of the CTMP and details of appropriate actions in the event of non compliance will be given. These items are not currently covered in the outline CTMP.

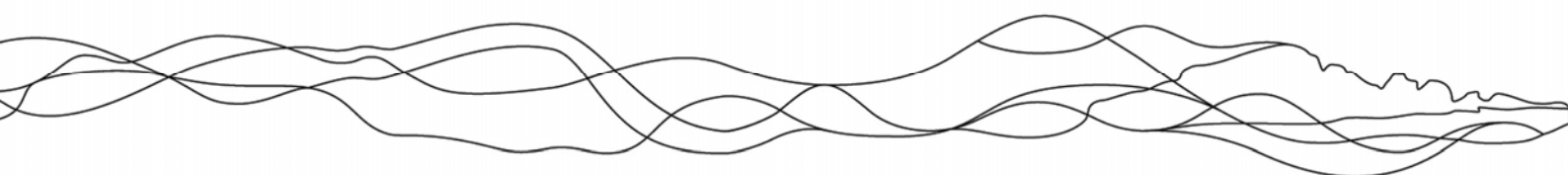
REP4-035: Outline Landscape and Ecological Management Plan

The document structure put forward is considered appropriate but the SDNPA has significant concerns with the outline LEMP as it stands. Our concerns are:

- a. An Arboricultural Management Plan is not included.
 - b. For the vegetation retention and removal drawings no new information has been included, nor has it been committed to be included in the future. Information on these drawings is based on the existing, incomplete baseline (where only trees above 300mm in diameter have been surveyed) and on which SDNPA has previously raised an issue. The SDNPA also consider that the drawings should include arable/pasture field cover and arboricultural protection measures. The vegetation retention and
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removal drawings give no record of tree works to trees to be retained and, in our view, they should show this information.

- c. No reference is made in the LEMP to compensatory planting for trees lost to the development which cannot be replaced on site
- d. Tree and shrub species – the lists of replacement species given in the LEMP are extensive and owing to the variety of soils in the National Park would not be suitable in every location. The SDNPA suggest that species lists are provided which identify appropriate mixes for wet woodland, chalk woodland/hedgerow, clay woodland/hedgerow and sandy/wealden woodland/hedgerow.
- e. The LEMP makes no reference to hedgerows which run alongside the order limits and which could easily be harmed by the works; approximately 4km of hedgerows fall within this definition just in the National Park. The LEMP should identify protection measures in these cases as hedgerows adjacent to the Order Limits will be vulnerable to soil storage and vehicular tracking compaction.
- f. Proposed DCO requirement 8 (b) states that the reinstatement of all vegetation must be undertaken in accordance with a written plan of reinstatement to be prepared. SDNPA seeks clarification that written plan of reinstatement would include appropriate drawings, not just a schedule.
- g. With reference to REAC G87 it states that the preparation of vegetation removal drawings and replacement planting is to be undertaken by the contractor 'where practicable'. Where replacement planting is not practicable the LEMP should set out alternative practical methods for replacement compensatory planting in the vicinity or by other arrangements to ensure no net loss of trees, woodland or hedgerow to the SDNP. Loss of trees and woodland from the SDNP should be adequately covered through compensatory measures if replacement planting cannot be achieved by ESSO within the order limits. The LEMP should set out alternative practical methods for replacement compensatory planting.
- h. SDNPA requests that REAC G93 is extended to include the recording and where possible reinstatement of earthworks or boundary features which are associated with important hedgerows.
- i. The outline LEMP does not define how often trees, woodland edges and hedgerow along the route will be monitored during and after construction,
- j. Regarding Persuasion Hedge at Chawton the SDNPA note the proposal put forward by the applicant and acknowledge this is as a positive step forward. The most appropriate method to cross this hedgerow will depend on the duration of the works and the time of year of construction. The SDNPA considers that it has initial agreement with the applicant that, if the Development Consent Order is granted, both parties will meet on site with the contractor once the construction programme is known and agree on the methodology for the crossing. This could then be reflected in, and secured by, the detailed LEMP.



- k. Through the outline LEMP, CEMP and CoCP together with the responses from the applicant to Examining Authority Questions ExQ2 the applicant fails to meet the minimum requirements set out in BS 5837 for trees in general, nor with the standing advice for ancient woodlands and veteran or ancient trees.
- l. The applicant states that they favour NJUG as the standard that they will work to in respect of trees, but, they do not actually guarantee to meet this as commitments to work to best practice guidance are heavily caveated. The SDNPA also considers that NJUG offers inferior protection to the British Standard, not least because it does not take the same precautionary approach as that taken in the British Standard. In SDNPA's view NJUG volume 4 is more applicable to situations where there are trees, mainly in urban areas, that are unavoidably in close proximity to underground utilities. For trees in the National Park, mainly in a rural setting, the damage to trees is often avoidable as the pipeline could be routed elsewhere and/or be installed in a way that avoids damage (for example trenchless techniques).
- m. Further, there is significantly less detail in NJUG than the British Standard concerning the precise nature of how and what carefully executed construction may take place in the precautionary zone. Comparing the two, the emphasis given in the British Standard, and recommended (larger) size of sacrosanct protected area where construction activity is generally prohibited, and that only trenchless techniques should be used, is far more precautionary.

REP4-036: Outline Construction Environmental Management Plan

Table 3.1 on page 9 of this document specifies roles and responsibilities of technical experts within the applicant's construction team. It is understood that the table is illustrative but given the tree impacts across the route it is considered that a competent and suitably qualified and experienced Arboriculturalist should be specifically included in this list.

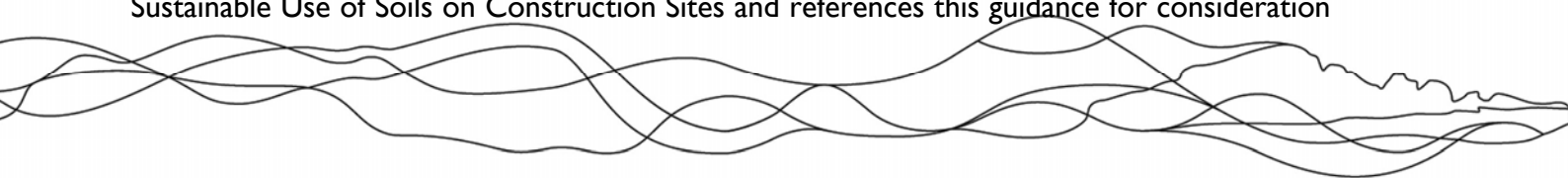
REP4-039: Appendix C: Outline Site Waste Management Plan

Paragraph 1.11.1 of this document gives examples of project related waste and states that where trees, shrubs and vegetation are to be removed, that the 'vegetation arisings would be disposed of responsibly'. It goes on to state that small quantities may be reused on site to create habitat but where it cannot be recycled on site it shall be disposed of as inert waste at a recycling facility.

The SDNPA accepts that what happens to the vegetation to be removed is ultimately a matter for the landowner. However, if not reused on site, the SDNPA's preference is that the material be recovered and enter into the timber supply chain, for example to be used for biomass or as firewood.

REP4-042: Appendix F: Outline Soil Management Plan

The Outline Soil Management Plan refers to DEFRA's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites and references this guidance for consideration



by the contractor (paragraph 1.4.1). The use of this guidance is supported by the SDNPA but in a number of cases the Outline Soil Management Plan does not appear to accord with this guidance, for example:

- The DEFRA guidance (page 22) advocates for detailed soil surveys near Ancient Semi Natural Woodland with remedial action if necessary – this is not covered in the Outline Soil Management Plan.
- Paragraph 3.3.17 of the Outline Soil Management Plan states that topsoil will be no higher than 4m but p29 of the DEFRA guidance states that wet plastic soils should not exceed 2m until they have dried.
- It is not clear what plans there are to dry and re-aerate soils that have compacted or got too wet during storage
- It is not clear how damaged soils will be mitigated – anaerobic conditions start in the middle of stored soil after two weeks.

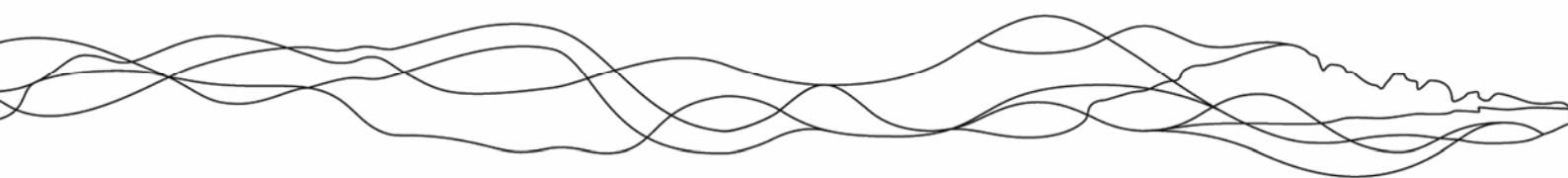
Paragraph 3.3.13 of the Outline Soil Management Plan states that in most cases soil will be stored locally within the Order limits. In principle there are no objections to this but there should be general guidelines on the siting of this storage to prevent harmful impacts (for example relating to the proximity to trees or hedgerows).

REP4-043 Appendix G: Outline Lighting Management Plan

In general, the principles of installation within this document are consistent with the aims of protecting dark skies. The curfew times and other mitigations are welcomed, as is the intended training to be provided to staff.

Whilst there are no specific details on actual luminaires and illuminances, the plan does reflect the requirements of SDNPA's Dark Skies Technical Advice Note, dated April 2018. This is provided that, as we expect, details of the specifics will be made clear in the final document. The SDNPA support this outline document, subject to the following comments:

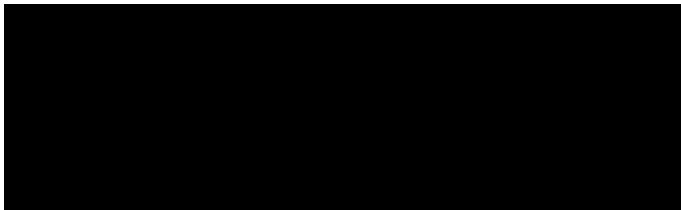
- In section 3.1.3 there is a reference to the Authority's Dark Skies Technical Advice Note (TAN), but the same reference is not noted in section 3.5.1. Although the information is very similar and the TAN would reference those documents, it would be helpful to see our TAN references with these other documents. One reason for this is that our TAN specifically deals with a requirement for Colour Corrected Temperature (CCT) to be 3000K – which in itself is an International Dark Sky Association requirement for the Reserve. This is an important as wildlife and the disruption to dark skies will be impacted if the CCT exceeds 3000k. The SDNPA therefore requests a specific reference to CCT be made as a lighting requirement in section 3.5.3.
- The reference to the Institution of Lighting Professionals (ILP) 2011 guidance on the reduction of obtrusive light is now slightly out of date as the ILP guidance on this matter was updated in 2020. E0 zones (areas of the best dark skies) are included in this 2020 document, as is the use of Sky Quality measurements as a guide for zoning which is consistent with the Authority's TAN.



REP4-044: Outline Community Engagement Plan

The SDNPA supports the provisions made in this outline document.

Yours faithfully



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