



AQUIND Limited

APPENDIX 5.3

Responses to PINS EIA Scoping Opinion

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APPENDIX 5.3 RESPONSES TO PINS EIA SCOPING OPINION

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2.3 - The Planning Inspectorate's Comments						
2.3.1	Description of the Proposed Development	Ch 3 Proposed Development	The ES should include a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development. The ES should also include a description of the development and description of the physical characteristics of the whole development, including the land-use requirements during construction and operation phases	The description of the development, both during the construction and operational phases, and the characteristics of the development are provided in Chapter 3 - Proposed Development.	✓	
2.3.2	Description of the Proposed Development	Ch 3 Proposed Development	Potential for a delay to the installation of the offshore marine cable by various factors such as weather conditions etc and the need to undertake a second phase of cable installation in the following year was identified in the scoping. PINS say the ES must take into consideration the potential for a delay of this sort and the impacts that may ensue where relevant.	The Rochdale Envelope approach has been employed to accommodate this flexibility within the construction programme. A more detailed worst-case construction programme that accommodates two years of cable installation works (that can take place during winter and summer months) is presented within Chapter 3 (Project Description) of the PEIR. All topic chapters have used this worst-case programme as the basis of their assessments.	✓	
2.3.3	Description of the Proposed Development	Ch 3 Proposed Development	The Inspectorate notes that uncertainty currently remains with regards to construction/installation methods (onshore and offshore), details	The design of the Proposed Development is still emerging. PEIR chapters reflect the preliminary assessments undertaken on the information to date and any gaps in information or methods	✓	

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			<p>relevant to the final route of the cable and the location and parameters of infrastructure. There is also uncertainty regarding elements of construction such as the Horizontal Directional Drilling (HDD) entry/exit locations (amongst others). The Inspectorate considers that the Applicant should make effort to refine options and reduce uncertainty, however, where they are unable to do so the Applicant should ensure that the ES appropriately assesses the likely significant effects associated.</p>	<p>assessed are identified. A more detailed assessment of potential significant impacts as a result of the final design and construction methods of the Proposed Development on identified sensitive receptors will be undertaken and presented in the ES.</p>		
2.3.4	Description of the Proposed Development	Ch 3 Proposed Development	<p>The Scoping Report indicates that the total footprint of the offshore cable route is not yet known. There is also uncertainty regarding the amount of non-burial protection material (eg rock) that may be required in areas where the cables cannot be buried/ trenched efficiently and the amount potentially needed at cable crossings. The ES should clearly detail the methodology of the cable installation in the offshore area to inform the assessment of significant impacts, as well as proposed mitigation measures. Where certainty cannot be provided the assessment should be based on a worst-case scenario.</p>	<p>The Rochdale Envelope approach has been employed to accommodate uncertainty. Chapter 3 of the PEIR describes the marine cable corridor (within which the final cable route will be located) and provides the worst-case design parameters for non-burial protection and for seabed preparation, marine HDD works and cable burial methods. These design parameters have then been employed to identify the worst-case scenario for each of the topic assessments.</p>	✓	

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2.3.5	Description of the Proposed Development	Ch 3 Proposed Development	It is unclear in the Scoping Report whether material to be disposed of within the cable corridor would be at designated points or redistributed within the Proposed Development site. The ES should ensure that impacts arising from the proposed approach to dredge disposal are assessed in the ES. The ES should provide information on the location of the proposed disposal, including specific areas of the route corridor and/or any offsite disposal sites, as required. The Applicant should made effort to agree the approach to assessing impacts from dredging activities (including disposal) with relevant consultation bodies.	Investigation into dredged material will be deposited is ongoing. Preliminary assessments have been made within each chapter on the potential for significant effects from deposit of dredged material within the Proposed Development site (i.e. within the redline boundary_ based on information to date (chapter 6 Physical processes). More detailed information as a result of modelling in this regard will be available at a later date. Then, a more detailed assessment of potential significant impacts as a result of the final design and construction methods of the Proposed Development on identified sensitive receptors will be undertaken and presented in the ES.	✓	
2.3.6	Description of the Proposed Development	Ch 3 Proposed Development Ch 13 Shipping	Paragraphs 2.1.51 to 2.1.52 of the Scoping Report describes the likely vessel groups to be utilised during the installation of the cables and a number of matters in the aspect chapters are proposed to be scoped out on the basis of the number of vessels and/or the proposed vessel activity. However, there is no reference to the likely number of vessels in each vessel group and also how many of these are likely to be present at the same time. The ES should clearly describe the	Table 3-6 within chapter 3 of the PEIR provides further detail on the types and numbers of vessels likely to be present at the same time. The maximum number of vessels present at any time is estimated to be 62 resulting from the possibility of two parallel cable lay campaigns occurring simultaneously within UK waters and using the post-lay burial method as the worst-case scenario. The worst-case number of movements for the marine construction stage is calculated to be 4,160. This is based on the number of each type of vessel, operating mode (24/7 or 12 hr shifts), duration of operation	✓	

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			likely type and number of vessels to be utilised during construction, including whether they will be present at the same time or sequentially, and ensure that where likely significant effects could occur, that the impact assessment is based on these parameters.	(based on worst case programme) and transit frequency and accommodates for two parallel campaigns occurring simultaneously within UK waters.		
2.3.7	Description of the Proposed Development	Ch 3 Proposed Development	The Scoping Report acknowledges the importance of considering decommissioning at the DCO stage at paragraph 2.1.60 and confirms that decommissioning activities would be determined by the relevant legislation and guidance available at the time of decommissioning. In addition, a decommissioning plan will be developed and agreed with The Crown Estate. Whilst the Scoping Report states that decommissioning will be assessed, no consistent approach to the consideration of decommissioning has been provided and reference to decommissioning is limited to Chapters 8, 10, 11, 12, 16 and 18 of the Scoping Report. The Inspectorate considers that the ES should describe the anticipated approach to decommissioning. Impacts associated with decommissioning should be	The approach to decommissioning has been outlined in Section 3.12 of Chapter 3. Decommissioning has also been considered within each topic chapter assessment.	✓	

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			assessed where significant effects are likely to occur.			
2.3.8	Alternatives	Ch 2 Alternatives	The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.	Chapter 2 sets out reasonable alternatives including site selection for landfall, onshore and offshore cable route and converter station and reason for selection including environmental reasons.	✓	
2.3.9	Alternatives	Ch 2 Alternatives	The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES. The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.	Chapter 2 of the PEIR sets out reasonable alternatives including site selection for landfall, onshore and offshore cable route and converter station and reason for selection including environmental reasons.	✓	
2.3.10	Alternatives	Ch 2 Alternatives	The ES should describe the selection process used and decisions made which result in the determination of the preferred locations for the landfall, the	Chapter 2 of the PEIR sets out reasonable alternatives including site selection for landfall, onshore and offshore cable route and converter station and reason for selection including environmental reasons.	✓	

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			cable route, and the proposed convertor station.			
2.3.11	Flexibility	Ch 3 Proposed Development	Paragraph 2.1.2 of the Scoping Report identifies that the information provided in the Scoping Report is indicative to inform the scoping process and that it will be further refined in the ES to provide the final proposals. It is not entirely clear from Chapters 1 and 2 whether a Rochdale Envelope approach is to be adopted by the Applicant in the compiling of the ES.	A Rochdale Envelope approach has been employed in compiling the PEIR. This approach will be employed also for compiling the ES. Every effort will be made to refine options and reduce uncertainty, however, where it is not possible to do so, the topic chapters within the ES will assess the likely significant effects.	✓	
2.3.12	Flexibility	Ch 3 Proposed Development	It is noted that reference is made to a number of elements being determined at the 'final design stage' for the Proposed Development. Paragraph 2.1.3 states for example that "The final design details of the marine cables will be determined as part of the final design stage, which will be undertaken by the cable manufacturer following the appointment of the Engineering, Procurement and Construction (EPC) contractors". It is not immediately apparent whether this stage will be prior to any DCO application. However, it is noted that Paragraph 4.6.1 states that the "the ES will be based on final design of the Proposed Development and will include embedded mitigation	<p>Every effort will be made to refine options and reduce uncertainty, however, it is unlikely that that definitive final marine cable route alignment will not be known prior to the DCO application. Further pre-construction survey works will be required to inform micro-siting of the cable alignment.</p> <p>Chapter 3 presents the worst-case design parameters currently known for the Proposed Development. These design parameters then inform the assessments undertaken within each topic chapter at PEIR and ES stage, allowing an assessment of the likely significant effects.</p> <p>It is anticipated that the draft deemed marine licence (DML) will include conditions which require more detailed information on project</p>	✓	

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			<p>where possible". The ES should make clear when final decisions are to be made with regards to design elements, where they are yet to be determined. The ES should consider the worst-case scenario based upon the options/parameters presented in the ES.</p>	<p>design elements post DCO grant i.e. cable laying plan, detailed methodology etc.</p>		
2.3.13	Flexibility	Ch 6 Physical Processes	<p>The Inspectorate notes reference at Paragraph 6.3.11 to the intention to apply a Rochdale Envelope approach to the impact assessment with regards to the volumes of material to be dredged as a result of uncertainty.</p>	<p>Worst-case volumes of dredged material have been calculated by the design engineers and are presented within Chapter 3.</p>	✓	
2.3.14	Flexibility	Ch 4 Methodology	<p>The Applicant's attention is drawn to the Inspectorate's Advice Note Nine 'Using the 'Rochdale Envelope'1, which provides details on the recommended approach to follow when incorporating flexibility into a draft DCO (dDCO).</p>	<p>Noted. Yes, a Rochdale Envelope approach has been employed in compiling the PEIR. This approach will be employed also for compiling the ES. Every effort will be made to refine options and reduce uncertainty, however, where it is not possible to do so, the topic chapters within the ES will assess the likely significant effects of the worst-case scenario. The PEIR chapters reflect the preliminary assessments undertaken on the information to date and any gaps in information or gaps in methods assessed are clearly identified.</p>	✓	
2.3.15	Flexibility	Ch 3 Proposed Development	<p>The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed</p>	<p>Every effort will be made to refine options and reduce uncertainty for the assessment, further</p>		✓

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			<p>Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters will need to be clearly defined in the dDCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.</p>	<p>design development will be required for the onshore cable route.</p> <p>It is unlikely that that definitive final marine cable route alignment will not be known prior to the DCO application. Further pre-construction survey works will be required to inform micro-siting of the cable alignment. Every effort will be made to refine options and reduce uncertainty, however, where it is not possible to do so, the topic chapters within the ES will assess the likely significant effects of the worst-case scenario.</p>		
2.3.16	Flexibility	N/A	<p>It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.</p>	<p>Noted. No further requirements for PEIR or ES at this stage.</p>		
3.3 – Scope of Assessments						
3.3.1	General	Ch 4 Methodology (and this table);	<p>The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:</p> <ul style="list-style-type: none"> • to demonstrate how the assessment 	<p>PEIR chapters have been updated to include a table identifying where the report has been updated to take into consideration the PINS response.</p>	✓	

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		ALL Technical Chapters 6-27	<p>has taken account of this Opinion;</p> <ul style="list-style-type: none"> • to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects; • to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement); • to describe any remedial measures that are identified as being necessary following monitoring; and • to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES. 			
3.3.2	General	ALL Technical Chapters 6-27	The level of information provided in the Scoping Report for the chosen assessment study areas varies and is very limited in some chapters. The ES must clearly identify and justify the extent of the study area for each aspect assessment.	The PEIR chapters each describe the Study Area for each topic.	✓	

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3.3.3	General	Ch 28 Cumulative Effects	The Scoping Report presents limited information with regards to the assessment methodology for the assessment of cumulative impacts. The ES should clearly set out the proposed methodology for the assessment of cumulative impacts including any limitations.	The approach to assessing cumulative effects is described in the PEIR, Chapter 28 Cumulative Effects, including any limitations to the cumulative effects assessment.	✓	
3.3.4	General	ALL Chapters	The Inspectorate notes that whilst the drawings and figures provided with the Scoping Opinion are identified by name and number in the contents page and main body text (eg Figure 1.1, 1.2 etc), the figures provided at the end of the main report have not been clearly labelled as such. All references to drawings in this Opinion are therefore to the drawing/figure numbers as identified in the contents page of the Scoping Report, as the assumed intention of the Applicant. Also, a number of figures provided in the Scoping Report are not provided at a size or scale to be clearly legible. The Applicant should ensure the ES is accompanied by clear and appropriately labelled/referenced drawings and figures, provided at an appropriate size and scale.	Figures and Drawings which have been submitted within the PEIR are referenced clearly and consistently, and are legible and to an appropriate scale	✓	

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3.3.5	Baseline Scenario	ALL Technical Chapters 6-27	The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.	The PEIR chapters each describe the baseline situation, and this will be updated in the ES.	✓	
3.3.6	Baseline Scenario	ALL Technical Chapters 6-27	It is noted from paragraphs 4.5.2 and 4.5.3 of the Scoping Report that the methodologies for the baseline surveys to inform the impact assessment, both those undertaken to date and those proposed, have been or will be agreed with statutory bodies and individual/independent stakeholders. Limited information regarding survey methodologies is provided in the Scoping Report. The ES should clearly describe the survey methodologies that have been used to inform the impact assessment, together with any agreements reached with regards to the scope of the surveys. This information could be presented in appendices to the ES.	Consultation stakeholders and statutory bodies regarding survey methodologies is summarised within each ES technical chapter and also within the relevant surveys where these are appended to the PEIR.	✓	
3.3.7	Baseline Scenario	Ch 28 Cumulative Effects	In light of the number of ongoing developments within the vicinity of the Proposed Development, the Applicant should clearly state which	Committed developments are summarised within the PEIR. Appendix 28.3 provides a long list of development, and identifies where the	✓	

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			developments will be assumed to be under construction or operational as part of the future baseline.	construction phase may be concurrent with the Proposed Development.		
3.3.8	Forecasting Methods or Evidence	Ch 4 Methodology	The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.	This information is provided in the respective PIER chapters and supporting survey appendices. Each PEIR chapter is concluded by a summary of assessments still to be undertaken. This will be updated within the ES.	✓	✓
3.3.9	Forecasting Methods or Evidence	Ch 4 Methodology	The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.	The approach to assessing significance is described in Chapter 4 EIA Methodology of the PEIR	✓	
3.3.10	Forecasting Methods or Evidence	All Technical Chapters 6-27	The Inspectorate notes that Table 4.2 presents the proposed definition of the magnitude of impact to be applied to the impact assessment, but notes that paragraph 4.6.8 states that this is a guide only and may be more specific for some receptors. Where aspect-specific definitions of magnitude are	Where a topic specific approach to determining magnitude is needed, this is provided in the respective PIER chapters.	✓	

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			applied, these should be clearly described in the aspect chapters.			
3.3.11	Forecasting Methods or Evidence	Ch 4 EIA Methodology; ALL Technical Chapters 6-27	The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	The limitations of the assessment undertaken as part of the EIA are described within the Methods of Assessment section for each topic chapter within the PEIR.	✓	
3.3.12	Residues and Emissions	Ch 3 Project Description	The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.	The expected/ estimated emissions and residues associated with the Proposed Development are quantified within the respective topic chapters within the PEIR, and will be updated within the ES, where these are not known at the time of preparing the PEIR.		✓
3.3.13	Residues and Emissions	Ch 3 Project Description; Ch 7 Marine Water & Physical processes?	The Inspectorate notes that the Waste and Material Resources aspect chapter of the Scoping Report appears to discuss the onshore element of the Proposed Development only, although it is noted that there are references in the design and mitigation section to the marine cables. It is not clear where an	Waste associated with construction and decommissioning is described within Chapter 3 Project Description, including for the offshore section of the cable. This describes the arrangements for handling and disposal of waste material, including from dredging during construction.	✓	

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			assessment of waste and material resources for the offshore element will be presented in the ES. The ES should include an assessment of effects arising from material consumption and waste generation for the offshore elements, including information and assessment of the likely dredged arisings and potential rock placement associated with the marine cable installation. For purposes of clarity, it may be appropriate for this matter to be considered in the relevant offshore marine aspect chapters.	Effects from materials and waste are assessed in Chapter 26 of the PEIR.		
3.3.14	Mitigation	Ch 4 EIA Methodology; ALL Technical Chapters 6-27	Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.	The approach to securing mitigation as a DCO requirements will be clarified within the ES.		✓
3.3.15	Mitigation	Ch 4 EIA Methodology; ALL Technical	The Inspectorate notes that a Construction Environmental Management Plan (CEMP), Site Waste Management Plan (SWMP), and Materials Management Plan (MMP)	The current approach to mitigation is proposed, where appropriate, within the respective topic/ chapters within the PEIR. Draft copies of the environmental management plan documents described by PINS will be provided within the ES		✓

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		Chapters 6-27	are to be produced. Where the ES relies upon mitigation measures which would be secured through management plans, it should be demonstrated (with clear cross referencing) where each measure is set out in the management plan. The Applicant should provide draft copies of these documents appended to the ES and/or demonstrate how they will be secured.			
3.3.16	Risks of Major Accidents and/or Disasters	Ch 4 EIA Methodology	The Scoping Report contains no reference to whether an assessment of risk of major accidents and/or disasters associated with the Proposed Development will be provided in the ES.	The Screening for Major Accidents and Disasters is provided at Appendix 4-1 of the PEIR	✓	
3.3.17	Risks of Major Accidents and/or Disasters	Ch 4 EIA Methodology	The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility	The Assessment of effects associated with Major Accidents and Disasters will be provided within the ES.		✓

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			<p>to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.</p>			
3.3.18	Risks of Major Accidents and/or Disasters	Ch 4 EIA Methodology	<p>Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the</p>	<p>The Assessment of effects associated with Major Accidents and Disasters will be provided within the ES.</p>		✓

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			preparedness for and proposed response to such emergencies.			
3.3.19	Climate and Climate Change	Ch 27 Carbon and Climate Change	The Inspectorate notes the intention to include a discreet aspect chapter in the ES to present an assessment of climate effects. The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change. The Inspectorate's comments on the Applicant's proposed assessment of climate change are presented in Table 4.25 to the Opinion.	The PEIR Chapter 27 Carbon and Climate Change considers both vulnerability and resilience to climate change, and the effects from the Proposed Development on carbon and GHG emissions. The chapter also describes mitigation which would increase resilience to climate change, and reduce carbon emissions. However, further work is needed to identify likely significant effects.		✓
3.3.20	Transboundary Effects	Ch 4 EIA Methodology;	Schedule 4 Part 5 of the EIA Regulations requires a description of	As described in Chapter 4 EIA Methodology of the PEIR, the assessment of transboundary effects is considered, where relevant in the	✓	

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		Marine Chapters 6-14	the likely significant transboundary effects to be provided in an ES.	marine chapters, on a topic by topic basis within the PEIR, and the ES.		
3.3.21	Transboundary Effects	Ch 4 EIA Methodology; Marine Chapters 6-14	The Scoping Report states that the potential for transboundary effects will be considered more fully on a topic by topic basis in the ES, but currently concludes that the Proposed Development is not likely to have significant effects on another European Economic Area (EEA) State. The Scoping Report confirms that it intends to confirm this conclusion through the EIA process.	As described in Chapter 4 EIA Methodology of the PEIR. The assessment of transboundary effects is considered, where relevant in the marine chapters, on a topic by topic basis within the PEIR, and the ES.	✓	
3.3.22	Transboundary Effects	Ch 4 EIA Methodology; Marine Chapters 6-14	The Inspectorate acknowledges that this is a Trans-European Networks for Energy (TEN-E) project and has inherent transboundary interest due to part of the project being located within another EEA State, in this case France. Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.	As described in Chapter 4 EIA Methodology of the PEIR. The assessment of transboundary effects is considered, where relevant in the marine chapters, on a topic by topic basis within the PEIR, and will be reviewed for the ES.		✓

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3.3.23	Transboundary Effects	Ch 4 EIA Methodology; Marine Chapters 6-14	The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.	As described in Chapter 4 EIA Methodology of the PEIR. The assessment of transboundary effects is considered on a topic by topic basis within the PEIR, and will be reviewed for the ES.		✓
3.3.24	Transboundary Effects	Ch 4 EIA Methodology; Marine Chapters 6-14	The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.	As described in Chapter 4 EIA Methodology of the PEIR. The assessment of transboundary effects is considered on a topic by topic basis within the PEIR, and will be reviewed for the ES.		✓
4.1 - Marine UK: Physical Processes						
4.1.1	Paragraph 6.2.18 and Table C1	Ch 6 Marine Physical processes	The Scoping Report contains very limited information with regards to air quality in the marine area and the likely numbers and types of vessels to be used. No information has been provided with regards to receptors that are likely to be sensitive to air quality effects, including distance from the	In conformity with PINS comments, this is not considered within the Marine Physical Processes topic. Section 1 of Chapter 22 Air Quality chapter of the PEIR provides justification for the reasons that air quality effects associated with vessel exhaust emissions have been scoped out of the ES.	✓	

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			<p>Proposed Development. The Inspectorate anticipates that exhaust emissions from vessels used in the construction of the Proposed Development within the marine environment would be the main source of potential impacts on air quality and that the pollutants emitted are likely to be nitrogen oxides (NOx), sulphur dioxide (SO₂), and particulate matter. Due to the nature of the Proposed Development and receiving environment, and on the basis that the main source of atmospheric emissions would be exhaust emissions from vessels and is unlikely to result in significant increase in emissions across all phases of the Proposed Development, the Inspectorate considers that the agrees that this matter can be scoped out of the ES.</p>			
4.1.2	Paragraphs 6.2.1 to 6.2.2 and 6.4.1 to 6.4.3	Ch 6 Marine Physical processes	<p>The Scoping Report does not refer to or define the study area for this aspect. The ES should clearly define the study area and explain why it has been selected.</p>	<p>Section 6.1 of the PEIR defines the study area and explains the reasoning behind its selection. Plate 6.1 shows the study area.</p>	✓	
4.1.3	Section 6.2	Ch 6 Marine Physical processes	<p>Sandbanks and seabed features, particularly where they are in the vicinity of protected areas, should be considered as receptors in the ES.</p>	<p>The seabed and associated sediments have been considered as a receptor within the PEIR. This receptor incorporates sandbanks and other</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
				sedimentary features/structures. These features will be assessed as receptors within the final ES.		
4.1.4	Paragraphs 6.2.1 and 2.1.8	Ch 6 Marine Physical processes	Reference is made to marine surveys used to inform the baseline for this aspect; however, very limited information has been provided as to what these surveys comprised/will comprise, including their extent. The ES should include a description of the surveys that have underpinned the impact assessment.	<p>Section 6.5 of the PEIR chapter details the marine surveys commissioned and undertaken to date. These are also detailed in Section 3.2.4 of Chapter 3 - Description of the Proposed Development.</p> <p>The further surveys and assessment to be undertaken to inform the EIA are described in Chapter 6, Section 10 of the PEIR</p>	✓	
4.1.5	Paragraphs 6.2.3 to 6.2.6	Ch 6 Marine Physical processes	The importance of currents for sediment transport is acknowledged in the Scoping Report. Modelling of current should also be validated against measured data. The desk study should identify the most suitable data.	The hydrodynamic model has been extensively validated (in terms of water levels, current speed and direction and wave height) and this process is described briefly in Section 6.5. In addition, Plate 6.4 provides an example of the high degree of correlation between measured (British Oceanographic Data Centre ('BODC') dataset) and modelled current speed and direction.	✓	
4.1.6	Table 6.1	Ch 6 Marine Physical processes	The ES should clearly describe the mitigation measures identified and proposed as a result of the EIA process. The ES should also clearly identify any embedded mitigation measures within the design that have been chosen as a result of potential impacts to physical processes.	The embedded mitigation is described/discussed in Section 6.7, and Table 6.20 of the PEIR chapter. Any changes to the design as a result of potential impacts to physical processes, or otherwise, will be identified and described in the ES.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.1.7	Paragraph 6.4.3	Ch 6 Marine Physical processes	<p>This aspect chapter of the Scoping Report does not describe in any detail the specific approach to assessing the significance of the identified potential impacts with regards to the physical environment. It is unclear if the physical processes chapter will present an assessment of receptors separate to those presented in related aspect chapters, such as Marine Water and Sediment Quality, and Intertidal and Benthic Ecology. This aspect chapter also does not indicate that the physical processes assessment will be cross-referenced with other aspect chapters. The ES should clearly set out the approach to the impact assessment for the physical processes aspect chapter, particularly where this differs from the overarching approach described in Chapter 4 to the Scoping Report. Where the intention is to present the impact assessment on receptors arising from changes to physical processes in other aspect chapters, this should be clearly explained in the ES. The Inspectorate considers that cross-referencing enables a thorough assessment and should be followed where appropriate.</p>	<p>Section 6.4 of the PEIR describes the assessment methodology. The specific receptors associated with the physical processes' aspect chapter are identified in Section 6.4.</p> <p>Where impacts upon physical processes are apparent, and they have the potential to impact upon receptors in other aspect chapters (e.g. benthic ecology, marine archaeology) these will be clearly identified and cross referenced within the ES.</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.2 Marine UK: Marine Water and Sediment Quality						
4.2.1	Paragraph 7.3.3 and Table C1	Ch 7 Marine Water and Sediment Quality	<p>The Inspectorate notes paragraph 2.1.56 which states that routine maintenance will not be required, but that some unplanned repair operations may take place. Paragraph 7.3.3 acknowledges that some operation and maintenance activities (eg repair and reburial) may lead to similar impacts as construction, but that these are likely to be much smaller in scale than the construction works. The Inspectorate considers that the justification provided in the Scoping Report does not demonstrate the information necessary to support the decision to scope this out. The ES should include an assessment of operational and maintenance activities on marine water and sediment quality, where significant effects are likely to occur. The Inspectorate recognises the potential similarity between potential effects that could arise from repair and reburial works to those during construction, and therefore the Applicant should consider whether it would be appropriate to apply the same/similar mitigation measures.</p>	<p>An assessment of the potential impact of the operation stage works (including repair and maintenance) has been included in Section 7.6.</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.2.2	Study Area	Ch 7 Marine Water and Sediment Quality	A study area of 2km has been chosen to establish the marine water and sediment baseline for the ES; however, no justification for this distance has been provided. The ES must clearly identify and justify the extent of the study area.	<p>A study area of 2 km was assigned at the scoping stage in order to align with WFD guidance (Environment Agency, 2017) on scoping for WFD protected areas. This study area for this chapter has informed this baseline which reports on protected areas within and beyond 2 km.</p> <p>The study area for this chapter currently under consideration is defined in Section 7.1.</p> <p>The study area will be revisited upon receipt of physical processes modelling outputs, prior to submission of the ES.</p>	✓	
4.2.3	Baseline – contaminated sediment sampling and analysis	Ch 7 Marine Water and Sediment Quality	The Inspectorate notes that contaminated sediment sampling has been completed along the inshore marine cable corridor as part of the benthic sampling campaign and this is to be analysed. The Inspectorate recommends the Applicant makes effort to agree the sampling and analysis with relevant consultation bodies and present any agreements within the ES. It is noted that details of quality standards to be applied have not been provided at this stage. It should be noted that methods of chemical analysis should be compatible with the benchmarks they are compared against (for example the	<p>Contaminated sediment sampling analysis and reporting has now been completed (Appendix 7.3).</p> <p>It is noted that the Inspectorate considers the chemical analysis used to inform the assessment is sufficiently robust and where necessary for this purpose, conforms to MMO laboratory guidance.</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			metal extraction method). The Inspectorate considers that the chemical analysis used to inform the assessment of likely significant effects is sufficiently robust and where necessary for this purpose conforms to Marine Management Organisation (MMO) dredge disposal laboratory guidelines.			
4.2.4	Water Framework Directive (WFD) assessments	Ch 7 Marine Water and Sediment Quality	The Applicant should seek to agree the scope of the proposed WFD assessments with relevant consultation bodies, including the Marine Management Organisation and Environment Agency. It is recommended that transitional waters and coastal waters be addressed together in a 'marine' WFD assessment. The Applicant should also be aware that the Bathing Water Directive, as referred to in Appendix B to the Scoping Report, has been subsumed into the WFD Directive.	Transitional and coastal waters are addressed together in the WFD Assessment – Marine (Appendix 7.1). The scope of the WFD Assessment – Marine has been defined within Appendix 7.1 based on currently available information, and has been presented for agreement with consultation bodies within this PEIR submission. Should any amendments to the scope of the assessment be required subsequent to the PEIR submission, this will be agreed with the appropriate consultation bodies prior to submission of the ES.		✓
4.2.5	Receptors and cross-referencing between aspects	Ch 7 Marine Water and Sediment Quality	This chapter of the Scoping Report makes no reference to the potential impacts from changes to water and sediment quality on designated sites. It is acknowledged that ecological designations are proposed to be assessed in relevant other aspect	Designated sites will be assessed under the WFD Assessment – Marine which will be reported within the ES, alongside the Habitats Regulation Assessment ('HRA') Report, with appropriate cross-referencing throughout.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			<p>chapters of the ES. However, the Inspectorate considers that these assessments should be informed by the marine water and sediment quality assessment, and appropriate cross-references should be made in the ES.</p>			
<p>4.3 Marine UK: Intertidal and Benthic Ecology</p>						
<p>4.3.1</p>	<p>Paragraph 8.3.4 and Table C</p>	<p>Ch 8 Marine Intertidal and Benthic Ecology</p>	<p>The Inspectorate agrees that this matter can be scoped out of the ES on the basis that the Applicant intends to apply available best industry practice, including the production and implementation of a biosecurity plan. The Scoping Report also indicates that imported material for the Proposed Development will not be of large volume.</p> <p>The ES application should provide reference to how the delivery of best practice measures for the control of INNS, including a biosecurity plan, are secured through DCO requirements (or other suitably robust methods). Effort should be made to agree such measures with relevant consultation bodies.</p>	<p>No action required.</p> <p>Best practice measures for controlling INNS will be considered further as part of the ongoing EIA process, and will be set in more detail in the ES. Engagement with relevant consultees on the most appropriate mechanism to secure such measures will be undertaken e.g. biosecurity plan or wider environmental management plan as a standalone document or part of a wider environmental management plan)</p>		<p>✓</p>

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.3.2	Paragraphs 8.3.5 to 8.3.7 and Table C	Ch 8 Marine Intertidal and Benthic Ecology	The Inspectorate agrees on the basis of the evidence provided and the nature of the Proposed Development that effects of EMF on benthic receptors can be scoped out of the ES.	No action required..		
4.3.3	Paragraphs 8.3.8 and 8.3.9 and Table C	Ch 8 Marine Intertidal and Benthic Ecology	A number of features of the Solent Maritime Special Area of Conservation (SAC) are sensitive to temperature increases from power cable operation and therefore, the Inspectorate cannot agree to scope this matter out as significant effects may occur. The ES should include an assessment of heat emissions from the HVDC cable during operation on sensitive receptors where significant effect could occur.	The ES (and accompanying information for Habitats Regulations Assessment report) will include an assessment of heat emissions during operation, unless otherwise agreed with relevant consultees.		✓
4.3.4	Paragraphs 8.2.1, 8.2.3, Tables 8.1 and 8.2	Ch 8 Marine Intertidal and Benthic Ecology	No study area is explicitly defined in this aspect chapter, although the Inspectorate notes the identification of protected areas within 50km of the Proposed Development in Table 8.1 and the benthic habitats identified at a variety of distances in paragraph 8.2.3. The ES should clearly identify and justify the study area applied to the assessment of effects on intertidal and benthic ecology.	The regional and local study area Study Area is described in PEIR Chapter 8, Section 8.1, and identified in Figure 8.1	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.3.5	Paragraphs 8.4.2 to 8.4.4	Ch 8 Marine Intertidal and Benthic Ecology	<p>The Inspectorate notes from the Scoping Report that a suit of benthic surveys, together with intertidal surveys have been undertaken. The Scoping Report does not include the detailed methodology for the surveys or specify what standard protocols and quality standards are being utilised. The Applicant should ensure that the baseline information used to inform the assessment of likely significant effects is robust and suitable for that purpose. The Applicant should make effort to agree the approach to data collection and quality assurance with relevant consultation bodies. The ES and/or accompanying technical appendices should therefore provide detailed information regarding the survey methodology and analysis used to inform the impact assessment, together with appropriate figures to present the sampling locations.</p>	<p>The benthic and intertidal surveys (Appendix 8.1 and Appendix 8.2) which are appended to the PEIR identify their respective methodologies, and identify the standard protocols and quality standards. These are also summarised in Chapter 8, Section 5. In addition, as stated, within the PEIR response to JNCC: where guidelines exist for the detection and quality assessment of particular habitats these have been followed where relevant.</p> <p>Appendix 8.1: Section 1.2 regarding sample analysis: Taxonomic identification of macrofaunal species was undertaken in accordance with National Marine Biological Analytical Quality Control ('NMBAQC') methodology standards. All biota was extracted and identified according to the NMBAQC Taxonomic Discrimination Protocol (TDP - Worsfold and Hall, 2010).</p> <p>Appendix 8.2 Section 2: The methodology used was taken from the Marine Monitoring Handbook (Davies et al., 2001), specifically Procedural Guidance No 3-2 - in situ ACE biotope mapping techniques, Procedural Guidance No 3-1 - in situ biotope recording techniques (and the Handbook for Marine Intertidal Phase 1 Biotope Mapping Survey (Wyn et al., 2000).</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.3.6	Paragraphs 8.4.2 to 8.4.4	Ch 8 Marine Intertidal and Benthic Ecology	The Scoping Report does not address relevant quality standards applicable to the survey and analysis of impacts to benthic ecology. The ES should provide a description of these matters and how they are applied in the assessment.	Relevant quality standards applicable to the survey are set out in Appendix 8.1 and 8.2. Where these standards or resultant methods are considered to have a bearing on the results, and therefore the assessment, this is highlighted.	✓	
4.3.7	Section 8.2 and Paragraph 8.4.2	Ch 8 Marine Intertidal and Benthic Ecology	The baseline section of the Scoping Report does not discuss protected habitats or species of conservation concern outside of designated sites. The Inspectorate acknowledges that the surveys undertaken will seek to identify any protected habitats and species potentially affected by the Proposed Development, as confirmed in paragraph 8.4.2. The Proposed Development could, for example, increase suspended sediment concentrations which have the potential to smother native oyster (<i>Ostrea edulis</i>) within the Solent. The ES should ensure that impacts on protected habitats and species (including, but not limited to, those protected under the Habitats Directive, Wildlife and Countryside Act 1981, NERC Act s41 habitats and species of principal importance), together with local Biodiversity Action Plan (LBAP) habitats and species and other	A range of data sources have been used to define the baseline within the study area, and this is described within the PEIR. Any protected habitats or species (within or without designated sites) will be assessed within the ES where connectivity is considered to arise.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			habitats/species of conservation concern are assessed where significant effects are likely.			
4.3.8	Table 8.3 and Appendix C Table C1	Ch 8 Marine Intertidal and Benthic Ecology	Habitat loss during construction is not specially identified in the Scoping Report as a potential impact, although it is noted that loss of habitat and species is included in the 'reason' column for the potential impact of seabed disturbance during construction. For the avoidance of doubt, the ES should include an assessment of habitat loss during construction and decommissioning..	The PIER chapter assesses the impact of temporary habitat disturbance and/or loss during construction. The impact assessment will also be presented in the ES.	✓	
4.3.9	N/A	Ch 8 Marine Intertidal and Benthic Ecology	Appropriate cross-referencing between this aspect chapter and other relevant aspects, such as physical processes and marine water and sediment quality, should be included in the ES	The PEIR incorporates cross-referencing to other topics where inter-relationships with other topics exist.	✓	
4.4 Marine UK: Fish and Shellfish						
4.4.1	N/A	Ch 9 Fish and Shellfish	No matters have been proposed to be scoped out of the ES	No action required.		
4.4.2	Chapter 9	Ch 9 Fish and Shellfish	The Inspectorate notes that no study area is defined in the Scoping Report. The study area should be clearly defined and justified in the ES. Supporting figures should be provided,	The study area has been defined in the PEIR chapter (see section 9.1.3 and Figure 9.1.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			such as the location of spawning and nursery grounds.			
4.4.3	Section 9.2	Ch 9 Fish and Shellfish	It is noted that baseline section of the Scoping Report does not clearly identify the conservation status of the fish and shellfish species discussed. The ES should identify, value, and assess impacts on protected species and species of conservation concern, where significant effects are likely.	The conservation status, value and impacts on protected species and species of conservation concern have been identified in Section 9.5 of the PEIR chapter. The impacts to species have been assessed in this chapter, and a Habitat Regulations Assessment ('HRA') Report will be provided as the of the DCO application.	✓	
4.4.4	N/A	Ch 9 Fish and Shellfish	Appropriate cross-referencing between this aspect chapter and other relevant aspects, such as physical processes and marine water and sediment quality, should be included in the ES.	Cross referencing to relevant aspects in other chapters has been applied to the PEIR chapter.	✓	
4.5 Marine UK: Marine Mammals and Basking Sharks						
4.5.1	Table 10.2 and Table C1	Ch 10 Marine Mammals and Basking Sharks	The Scoping Report contains very little information on the likely numbers and types of vessels to be used for the Proposed Development and the baseline with which to compare. In the absence of sufficient justification, the Inspectorate cannot agree to scope out this matter. The ES should clearly describe the likely type and number of vessels to be utilised during construction and the risk to marine mammals. An assessment of collision	Table 3.6 within Chapter 3 Description of the Proposed Development of the PEIR describes the likely type and numbers of vessels. Chapter 10 describes the risks to marine mammals and basking sharks in Section 10.3. Further justification is provided as to why this matter can be scoped out.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			impacts on marine mammals and basking sharks should be included, where significant effects are likely to occur.			
4.5.2	Table 10.2 and Table C1	Ch 10 Marine Mammals and Basking Sharks	As noted at point 4.5.1 above, the Scoping Report contains very limited information regarding the likely numbers and type of vessels, together with the likely noise generated from such vessels. The Inspectorate considers that insufficient justification has been provided as to why this matter can be scoped out. The ES should therefore include an assessment of effects on marine mammals and basking sharks arising from increased vessel noise, where significant effects are likely to occur.	Table 3.6 within Chapter 3 - Description of the Proposed Development of the PEIR describes the likely type and numbers of vessels. Chapter 10 describes the risks to marine mammals and basking sharks in Section 10.3. Further justification is provided as to why this matter can be scoped out.	✓	
4.5.3	Table 10.2 and Table C1	Ch 10 Marine Mammals and Basking Sharks	The Scoping Report contains limited information with regards to the equipment involved and noise levels for these activities, together with baseline noise levels, to support the scoping out of this matter. Reference is made to the relatively low densities of species known to occur in the Channel; however, information on population densities for species has similarly not been provided in the Scoping Report to support this	Chapter 10 describes the baseline information and abundance densities for marine mammals and basking sharks in Section 10.5. Chapter 10 assesses the potential effects of noise from construction/installation activities in Section 10.3. Further justification is provided as to why this matter can be scoped out.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			statement. Therefore, the Inspectorate does not agree to scope out these matters. The ES should include an assessment of effects on marine mammals and basking sharks arising from these activities, where significant effects are likely.			
4.5.4	Table 10.2 and Table C1	Ch 10 Marine Mammals and Basking Sharks	The Scoping Report contains no information regarding marine mammal and basking shark populations within the likely Zone of Influence (Zol) for the Proposed Development, or evidence to support the statements made, in respect of basking sharks in particular. The Inspectorate considers that limited justification has been provided and therefore does not agree to scope out this matter. The ES should include an assessment of EMF effects on marine mammals and basking sharks, where significant effects are likely.	Chapter 10 describes the baseline information and population densities for marine mammals and basking sharks in Section 10.5. Chapter 10 describes the risks from EMF to marine mammals and basking sharks in Section 10.3. Further justification is provided as to why this matter can be scoped out.	✓	
4.5.5	Section 10.2	Ch 10 Marine Mammals and Basking Sharks	The Scoping Report does not define the study area and/or Zone of Influence (Zol) for the assessment of effects on marine mammals and basking sharks. This should be clearly stated and justified in the ES.	The study area is described within Section 10.1 of Chapter 10, and the Zol within Section 10.6 and Appendix 10.1	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.5.6	10.2.4	Ch 10 Marine Mammals and Basking Sharks	This aspect refers to basking sharks within the title and in Table 10.2 scoping out of matters; however, no other reference is made to basking sharks. It is also unclear which data sources will be used to inform the baseline and assessment of impacts on basking sharks. The ES should clearly identify the data sources used to inform the assessment.	Chapter 10 describes the baseline information and population densities for marine mammals and basking sharks in Section 10.5. Data sources are listed in Table 10.5.	✓	
4.5.7	Appendix E, Table E1	Ch 10 Marine Mammals and Basking Sharks	The Scoping Report does not clearly state whether an assessment will be included in the ES of potential significant impacts to sensitive receptors as a result of the detonation/removal of UXO from the marine environment. The Applicant should ensure that significant effects to marine mammals and basking sharks associated with UXO removal or detonations are assessed. The Applicant should make effort to agree the approach to the assessment with relevant consultation bodies.	Paragraph 2.1.13 of the Scoping Report stated that UXO surveys and any required UXO removal/detonation would be undertaken pre-construction and the works would be consented through a separate stand-alone marine licence. It is the intention of the Applicant to submit European Protected Species ('EPS') risk assessments, an application for EPS licence (if required) and all relevant environmental information required for these works to support the marine licence application. Accordingly, future UXO surveys, investigations and removals are not covered by this DCO application.	✓	
4.6 Marine UK: Intertidal and Marine Ornithology						

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.6.1	Paragraph 11.3.9	Ch 11 Intertidal and Marine Ornithology	On the basis that there are no Marine Conservation Zones (MCZs), recommended, proposed, or designated for ornithological features within the Zone of Influence from the Proposed Development, the Inspectorate agrees that this matter can be scoped out.	MCZs are not considered further in relation to marine ornithology.		
4.6.2	Table 11.3 and Appendix C Table C1	Ch 11 Intertidal and Marine Ornithology	The Scoping Report identifies that chemical and fuel spills would be unplanned by nature and that pollution prevention measures would be in place to mitigate this. It is currently unclear what these measures would comprise and how they would be secured.. In absence of the detail relating to these measures the Inspectorate considers that impacts resulting from exposure to surface hydrocarbons or chemicals from accidental spills should be assessed where significant effects are likely. In addition, the Scoping Report has not provided information with regards to risks of major accidents in general the Applicant should have regard to the information contained at paragraphs 3.3.16 to 3.3.18 above.	Potential impacts arising from exposure to surface hydrocarbons or chemicals from accidental spills have been scoped back in for assessment and are considered in Section 11.6 in relation to marine ornithology.	✓	
4.6.3	Table 11.3 and Appendix C Table C1	Ch 11 Intertidal and	The Inspectorate agrees that given the nature of the Proposed Development and the largely temporary nature of the	Potential barrier effects are not considered further in relation to marine ornithology (see Chapter 16 – Ecology for intertidal ornithology).	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
		Marine Ornithology	impacts during construction, barrier effects on intertidal and marine ornithology can be scoped out of the ES..			
4.6.4	Table 11.3 and Appendix C Table C1	Ch 11 Intertidal and Marine Ornithology	The Inspectorate agrees that given the nature of the Proposed Development collision risk to intertidal and marine ornithology can be scoped out of the ES.	Potential collision risk is not considered further in relation to marine ornithology (see Chapter 16 – Ecology for intertidal ornithology).	✓	
4.6.5	11.3.3	Ch 11 Intertidal and Marine Ornithology	The Inspectorate notes the use of a 100km initial search area for the seabird baseline and the potential for this to be widened where clear ecological links exist. The maximum foraging ranges of seabird species have also been noted in Table 11.1, some of which travel distances greater than 100km. The ES should clearly present and justify the study area(s) applied to the intertidal and marine ornithology assessment for all receptor types. The ES should also include clear figures showing the location of designated sites considered in the impact assessment in relation to the Proposed Development.	The study area applied to the marine ornithology assessment is presented in Sections 11.1 and 11.5. The location of designated sites considered in the marine ornithology assessment are shown on Figure 11.1 and Figure 11.2. See Chapter 16 – Ecology for intertidal ornithology.	✓	
4.6.6	Paragraph 11.3.6, 11.5.6	Ch 11 Intertidal and	Chapter 11 of the Scoping Report implies that the Alderney West Coast and Burhou Islands Ramsar will be	A HRA Report will be submitted as part of the DCO application, in which likely significant		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
	and Section 17.2	Marine Ornithology	considered in the Habitats Regulations Assessment (HRA) report, alongside the ecological impact assessment. However, Chapter 17 states that effects on this site are unlikely to be significant. The ES should provide a sufficient justification based on objective evidence to support the conclusions made in respect of European sites, both within the UK and in other EEA States/Crown dependencies, where significant effects are likely.	effects on the Alderney West Coast and Burhou Islands Ramsar will be considered.		
4.6.7	Paragraphs 11.3.10 to 11.3.14	Ch 11 Intertidal and Marine Ornithology	The Inspectorate notes that intertidal ornithological surveys have been undertaken; however, the Scoping Report contains limited information regarding the survey methodology, including the location of the vantage points. This information should be clearly presented in the ES. It is recommended the Applicant seek to agree the scope and adequacy of these surveys with relevant consultation bodies.	See Chapter 16 – Ecology for intertidal ornithology.	✓	
4.6.8	Paragraph 11.3.13	Ch 11 Intertidal and Marine Ornithology	The Inspectorate notes the summary numbers of protected bird species and species of conservation concern recorded identified on or over the landfall site during the wintering bird	See Chapter 16 – Ecology for intertidal ornithology.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			surveys. The ES should provide the survey results and clearly identify the species considered in the impact assessment.			
4.6.9	Paragraph 11.3.16	Ch 11 Intertidal and Marine Ornithology	The Inspectorate notes that the list of qualifying features for Chichester and Langstone Harbour Special Protection Area (SPA) is incomplete. The ES and/or information to inform HRA report should correctly identify and consider likely significant effects on all qualifying features of a European site where this is being considered.	Those qualifying features with potential connectivity to the Proposed Development are considered further in relation to marine ornithology in this chapter. A HRA Report will be submitted as part of the DCO application, in which likely significant effects on the Chichester and Langstone Harbour Special Protection Area SPA will be considered.	✓	
4.6.10	Paragraph 11.4.12	Ch 11 Intertidal and Marine Ornithology	Reference is made to further detail on intertidal ornithology to be included in Chapter 19 (Ecology (with arboriculture)). The ES should avoid duplication but include clear cross-referencing between relevant aspect chapters	See Chapter 16 – Ecology for intertidal ornithology.	✓	
4.7 Marine UK: Commercial Fisheries						
4.7.1	N/A	Ch 12 Commercial Fisheries	No matters have been proposed to be scoped out of the ES	No action required.		
4.7.2	N/A	Ch 12 Commercial Fisheries	The Inspectorate notes that no study area has been defined in this Chapter of the Scoping Report. The study area	The study area is defined and justified in the PEIR Chapter 12 (Paragraphs 12.1.3 to 12.1.8) and illustrated in Figure 12.1.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			should be clearly defined and justified in the ES and aided by clear figures.			
4.7.3	N/A	Ch 12 Commercial Fisheries	The Scoping Report identifies a variety of fishing vessels and techniques but does not indicate how sensitive receptors will be determined. Justification as to how sensitive receptors are determined should be clearly explained in the ES.	The identification of sensitive receptors and the basis on which they are identified is presented in Section 12.5.	✓	
4.7.4	Paragraph 12.3.2	Ch 12 Commercial Fisheries	The Inspectorate acknowledges the Applicant's intention to consider effects on commercially harvested fish and shellfish in the Fish and Shellfish aspect chapter of the ES and discuss any significant effects in the Commercial Fish aspect chapter. The ES should clearly identify the relationship between the assessments and include appropriate cross-referencing.	Noted, and appropriate cross-referencing is included within the PEIR chapter	✓	
4.7.5	Table 12.1	Ch 12 Commercial Fisheries	It is acknowledged that cable protection could be used along stretches of the cable as a mitigation measure, but the current volume/tonnage, type and locations are unknown at present. Table 12.1 states that "the most appropriate cable protection will be used to minimise impacts to fisheries". The ES should clearly identify whether any loss will be	Both permanent and temporary loss is assessed in both the commercial fisheries and fish and shellfish (Chapter 9) PEIR chapters. Where appropriate, the amount of loss is quantified, and a consistent approach has been taken to assessing the worst case in terms of volume/tonnage and area of potential habitat by cable protection for both the fish and shellfish, and commercial fisheries PEIR chapters.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			<p>permanent or temporary and also quantify the loss, where significant effects are likely to occur. This comment is also applicable to the Fish Shellfish aspect chapter. The ES should apply consistency between the assessment of impacts considered in the Commercial Fisheries aspect chapter and those presented within the Fish and Shellfish aspect chapter.</p>			
4.7.6	Paragraph 12.4.2 to 12.4.3	Ch 12 Commercial Fisheries	<p>The Applicant should make effort to engage with the recreational fishing community to obtain relevant baseline information to inform the impact assessment.</p>	<p>Potential impacts to recreational angling is covered in Chapter 13 – Shipping, Navigation and Other Marine Users and Appendix 13.1 Navigation Risk Assessments. Further consultation with the recreational angling community is planned for early 2019. Where necessary, following engagement with the recreational angling community, an assessment on disruption to angling activity will be undertaken in the final ES Chapter 13 - Shipping, Navigation and Other Marine Users, once this baseline is complete.</p>		✓
4.7.7	Paragraph 12.4.3	Ch 12 Commercial Fisheries	<p>The ES should ensure that the baseline data sources, including references to published papers are included in full.</p>	<p>Data sources and references are included within this chapter.</p>	✓	

4.8 Marine UK: Shipping and Navigation

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.8.1	N/A	Ch 13 Shipping, Navigation and Other Uses	No matters have been proposed to be scoped out of the ES.	No action required.		
4.8.2	Paragraph 13.2.9	Ch 13 Shipping, Navigation and Other Uses	The ES should clearly justify the selected study area of 2 nautical miles (nm) around the Proposed Development.	Study area of five nmi has been chosen for the shipping and navigation baseline. This is deemed appropriate to ensure all activities that may be affected by the Proposed Development are assessed.	✓	
4.8.3	Paragraphs 13.3.5 to 13.3.8	Ch 13 Shipping, Navigation and Other Uses	Reference is included to a wider anchoring assessment in the Navigational Risk Assessment (NRA) to determine the risk of emergency anchoring over the cable. Mitigation measures are stated to include suitable protection of the cable, such as burial or rock placement. The Applicant should ensure that the ES identifies and assesses impacts resulting from rock placement, where this would result in a likely significant effect. Any assumptions applied to this assessment including locations and quantity of material used should be explained in the ES. Where uncertainty exists the ES should explain how this has been taken into account in the assessment.	Emergency anchoring has been qualitatively assessed in the impact assessment. Embedded mitigation measures assume that the cable is suitably protected by burial where feasible. In addition, where cable protection methods, e.g. rock placement, are required, these should not reduce water depths by more than 5%. A more detailed assessment should be carried out if any required rock protection is considered to present a hazard to shipping and navigation. The Cable Burial Risk Assessment ('CBRA') will be used to identify suitable protection measures.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.8.4	Paragraph 13.4.5 to 13.4.6	Ch 13 Shipping, Navigation and Other Uses	The Inspectorate acknowledges that the NRA will present a baseline assessment which will be used to identify the potential impacts of the Proposed Development relevant to shipping and navigation. It would appear that the impact assessment methodology for shipping and navigation is likely to follow a different approach to that presented in the overarching impact assessment methodology. The ES should clearly state the assessment methodology applied to this aspect chapter and how it will be applied to determine and report significant effects.	The impact assessment methodology is clearly defined within the NRA as well as being included within the PEIR chapter. The methodology will also be presented in the ES / NRA as part of the DCO application.	✓	
4.9 Marine UK: Marine Archaeology						
4.9.1	N/A		No matters have been proposed to be scoped out of the ES.	No action required.		
4.9.2	Section 14.4 and Chapter 2	Ch 14 Marine Archaeology	The Inspectorate notes reference to a variety of surveys, including geophysical surveys, which could be used to inform the baseline and assessment of impacts to archaeological assets. Reference is also made to surveys that could inform post-consent data archaeological analysis. It is not clear if such surveys have been or will be undertaken with	Surveys were undertaken with archaeological interpretation in mind and are further discussed in Section 14.5 of the PEIR and in Appendix 14.1. The method of assessments is described in Section 14.4 of the PEIR.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			archaeological interpretation in mind, and this should be specified. The ES should clearly set out the methodology and processes followed with regard to the data analysis and interpretation undertaken to determine the significant of impacts. Sufficient information should be provided within the ES to determine the potential impacts of the Proposed Development.			
4.9.3	Paragraph 14.3.5	Ch 14 Marine Archaeology	The ES should clearly identify the proposed mitigation measures to be included in respect of marine archaeology. A WSI should steer the final design of the interconnector cable and appropriate mechanisms should be clearly laid out to deal with any finds during implementation. Mitigation measures including any Archaeological Exclusions Zones (AEZs) should be clearly identified. The ES should also explain how the WSI, including any AEZs, are to be appropriately secured.	Mitigation measures such as an AEZs, WSI and Protocol for Archaeological Discovery ('PAD') are discussed in Section 14.8 of the PEIR .	✓	
4.9.4	Paragraphs 2.1.10 and 2.1.50	Ch 14 Marine Archaeology	The Inspectorate notes reference in the Scoping Report to various pre-construction/post-consent ground condition surveys, geo-physical surveys or remotely operated vehicles (ROVs). Whilst this information would be gathered to inform any bathymetric	Acknowledged and mitigation will be covered within the ES.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			changes, presence of UXOs, and monitor the works, such processes should also allow for archaeological analysis to inform final route selection prior to route clearance and installation and to identify any anomalies of known or possible archaeological interest are avoided in accordance with a defined mitigation strategy.			
4.10 Marine UK: Landscape and Seascape						
4.10.1	Chapter 15	Ch 15 landscape and Visual	The Inspectorate agrees that given the nature of the Proposed Development, landscape and seascape visual effects can be scoped out of the ES.	No action required.		
4.10.2	N/A		N/A	No action required.		
4.11 Marine UK: Other Marine Users						
4.11.1	N/A	Ch 13 Shipping, Navigation and Other Uses	No matters have been proposed to be scoped out of the ES.	No action required.		
4.11.2	N/A	Ch 13 Shipping, Navigation	The Scoping Report does not define the study area or likely ZoI for effects on other marine users. The study area	Study area of five nmi has been chosen for the baseline. This is deemed appropriate to ensure all relevant marine activities that may be	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
		and Other Uses	and Zol should be clearly stated in the ES.	affected by the Proposed Development are assessed. A Zol of 5 nmi will be used for cumulative effects assessment ('CEA') (Section 13.6).		
4.11.3	Paragraphs 16.2.1 and 16.2.5	Ch 13 Shipping, Navigation and Other Uses	The Scoping Report identifies Rampion Wind Farm as being located within 5nm but it is not clear whether effects on this wind farm are to be considered in the ES and what these are likely to comprise.	No significant effects associated with the Proposed Development are anticipated. Rampion Wind Farm has been considered within the CEA (Appendix 13.2).	✓	
4.11.4	N/A	Ch 13 Shipping, Navigation and Other Uses	The Inspectorate notes that the baseline information and potential impacts/mitigation within Chapter 13 of the Scoping Report includes recreational vessel data and potential impacts and mitigation measures are similar to that contained within Chapter 16 for recreational vessels. The ES should avoid duplication but include appropriate cross-referencing between aspects.	Chapters 16 (Other Marine Users and 13 (Shipping and Navigation) of the Scoping Report have been combined within this PEIR chapter. This will reduce duplication of information.	✓	
4.12 Marine UK: Marine Cumulative and Transboundary Impacts						
4.12.1	N/A		No matters have been proposed to be scoped out of the ES.	No action required.	4.12.1	N/A
4.12.2	Table 17.1	All Marine Chapters 6-14	The Inspectorate notes that assumptions have been made regarding potential impacts and	The transboundary screening is an internal screening undertaken by PINS, and should PINS identify the potential for transboundary	4.12.2	Table 17.1

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			<p>mitigation measures to conclude that there is unlikely to be significant transboundary effects; however, such effects are stated as yet to be explored in the corresponding aspect chapter (eg through sediment modelling). Limited information has been also provided with regard to the location of potential sensitive receptors in other EEA States. The Inspectorate notes reference in Appendix E to and the intention to consider transboundary effects in the EIA process. In accordance with the EIA Regulations, the ES should include a description of the likely significant effects as a result of the Proposed Development, including transboundary effects.</p>	<p>effects, they will request further consideration of these effects within the EIA.</p> <p>Dependent on the outcome of the screening and in accordance with the EIA Regulations, the ES will include consideration of the likely significant effects as a result of the Proposed Development, including transboundary effects.</p>		
4.12.3	Appendix F	Ch 28 Cumulative Effects; Ch 20 Heritage; Ch 19 Water & Flood Risk	<p>The ES should consider the potential for cumulative impacts with proposals to redevelop the Fraser Range site at Eastney and the North Portsea Coastal Defence schemes. The Applicant should seek to consult with the Eastern Solent Coastal Partnership (ESCP) with regards to the latter and potential cumulative effects. The Applicant's attention is drawn to the comments of Natural England and the Environment Agency contained in Appendix 2 to the Scoping Opinion in this regard.</p>	<p>Consultation is ongoing with the ESCP. Applications in relation to defence schemes in this area will be monitored and included within the committed developments list where appropriate. The status of the redevelopment of the Fraser Range site is not yet available. The only reference of this site available was in an officer report for an application Ref. 16/01438/FUL for a new access at Fraser Range that was refused. No Scoping request has been submitted and no Screening Opinion has been provided for either the refused application or the wider site. On this basis, the</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
				<p>redevelopment of the Fraser Range site at Eastney has not been included in the list of committed developments and therefore not included within the CEA.</p> <p>The plans and projects to be considered as part of the cumulative effects assessment will be kept under review and updated for the ES where required.</p>		
4.13 - Onshore UK: Landscape and Visual						
4.13.1	Table 18.1 and Table C1	Ch 15 Landscape and Visual	<p>The Scoping Report proposes to scope out this matter on the basis that changes will be limited due to the presence of built form and intervening vegetation. However, the Scoping Report does not contain sufficient evidence to support this conclusion and as such the Inspectorate cannot agree to scope this matter out. The Inspectorate notes that an initial Zone of Theoretical Visibility (ZTV) has been prepared and discussed with local authorities, and also that viewpoints beyond 3km have been included. No visual information has been provided with the Scoping Report and therefore supporting evidence with regards to visibility and screening is not apparent. The Inspectorate considers that effects on visual receptors beyond 3km of the</p>	<p>Based on discussions with LPAs and /SDNP the extent of the study area was revised to an 8 km radius. Three specific long distance viewpoints which fall between 3 and 8km were identified and agreed with LPAs / SDNP. Consideration will be given to the likely effects on associated visual receptors beyond 3 km but within the 8km study area, however it is considered that the effects will be limited due to intervening vegetation and built form as well as the surrounding topography which will be illustrated on the 3 and 8km ZTVs. Assessment of effects will be covered in detail in the ES once a detailed design of the Proposed Scheme and mitigation has been confirmed.</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			site boundary of the convertor station should therefore be included in the ES, where likely significant effects could occur.			
4.13.2	Table 18.1	Ch 15 Landscape and Visual	<p>The Scoping Report proposed to scope out this matter on the basis that effects would be temporary/short term and the scale of works minimal, resulting in an underground structure to house the transition bay, and that the land would be reinstated. The Scoping Report does not contain sufficient detail regarding the spatial and temporal nature of the proposed works associated with the landfall site, or the likely scale and significance of the acknowledged temporary effects, for the Inspectorate to agree that this matter can be scoped out of the ES. The Inspectorate notes the character area information including heritage assets within close proximity to the landfall site, as described in the Scoping Report. The ES should include an assessment of landscape and seascape character effects, including heritage assets, arising from the proposed landfall works, where likely significant effects could occur.</p>	<p>Table 18.1 states that whilst temporary effects would be generated associated with the landfall (TJB) these will be short term and the scale of construction works will be minimal. Works will result in a below ground structure which will house the transition bay (TJB) and land reinstated following construction. The preferred location of the TJBs is detailed in paragraph 7.2.4 and is within an existing car park to the north of Eastney Beach. Paragraph 7.3.29 of the Scoping Report states that four TJB will be required and each will result in the excavation of approximately 15m x 5m which will be reinstated once complete. No above ground structures are proposed and it is considered that on the basis that works are temporary and would result in no above ground features, such effects should be scoped out. This conclusion is consistent with Heritage and Archaeology conclusions paragraph 30.3.4 which states under bullet point two that “the possible impact on the setting of above ground designated heritage assets will not be considered along the cable route and at the landfall on the basis that the works comprise only below ground disturbance, consequently</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
				there would be no effects to the setting of heritage assets.”		
4.13.3	Table 18.1	Ch 15 Landscape and Visual	The Scoping Report does not provide a clear justification as to why this matter should be scoped out of the ES and the Inspectorate cannot agree to scope this issue out.	<p>This appears to be an error in the formatting and is inconsistent with the explanation in Table 18.1 which states that there will be changes to the visual amenity of visual receptors due to land take and loss of vegetation. Such effects will be temporary, short term and significant during construction but not during operation and decommissioning.</p> <p>Paragraph 25.2.22 states that “Visual effects associated with the laying of the cable and the TJB will be temporary and experienced by a variety of users including recreational users utilising public open space, PRowWs and public footpaths, local residents and road users including cycles and horse riders. The land will be reinstated following the installation of the cables and thus returned to its previous use. There will be no permanent visible sign of the works, save for manhole covers every approx. 6km along the cable route at a link box location, or a small cabinet above ground providing a link pillar.” Consideration of effects will be covered in detailed in the ES once a detailed design of the Proposed Scheme and mitigation has been confirmed.</p>	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.13.4	Drawing number EN020022-SR-4.1 and Chapter 18	Ch 15 Landscape and Visual	The information included within the Scoping Report lacks detailed figures applicable to inform the scope of the assessment e.g. location of visual receptors. The ES must include clear figures of an appropriate scale and size to present the landscape and visual effect receptors considered in the impact assessment.	PEIR includes Figures 15.1 - 15.33 depicting study area information, viewpoint locations and wirelines and photomontages.	✓	
4.13.5	Paragraph 18.2.18	Ch 15 Landscape and Visual	The Scoping Report does not clearly identify and justify the proposed study areas referenced in this aspect chapter. The ES should clearly define the study area for the matters considered in this aspect chapter. The Inspectorate advises that the study area should be based on the extent of potential impacts, and that the ZTV will be essential in selecting viewpoints. The Applicant should make effort to agree the viewpoints should be agreed with relevant consultation bodies e.g. local authorities. The ES should explain how consultation with the relevant local authorities has informed the decisions taken with regards to the assessment. The ES should also document agreements reached with the local authorities with regards to the assessment methodology and justify	15.1.1.1 of PEIR: Pre-application consultations have taken place with technical specialists in LPAs to agree the scope of the LVIA: the extent of the study area, representative viewpoints, necessity for winter views, verified photomontages and wirelines and to obtain datasets. Discussions have included WCC, EHDC/HBC, and have also included the SDNP due to the proximity of the Proposed Development to the SDNP boundary. 15.3.2.5 The first round of consultation sought comments on the study area and preliminary viewpoints. Following site visits a further round of consultation took place over the representative viewpoints, the necessity for winter views and field verified visualisations i.e. photomontages.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			the approach taken, should the chosen approach differ.			
4.13.6	N/A	Ch 15 Landscape and Visual	The Inspectorate notes and welcomes the intention to assess effects on the settings of built assets including conservation areas and listed buildings, together with loss of features such as ancient woodland, hedgerows and trees. The ES should not duplicate assessments in aspect chapters; however, the ES should ensure appropriate cross-referencing is provided between these aspect chapters.	PEIR chapter 15 refers to Chapter 20 for Listed Buildings and historic assets	✓	
4.14 Onshore UK: Ecology (with Arboriculture)						
4.14.1	N/A		No matters have been proposed to be scoped out of the ES.			
4.14.2	Paragraph 19.2.1	Ch 16 Ecology	The ES should clearly describe the Zol for the Proposed Development. Beyond the designated sites and the Environmental Constraints Plan (Figure 4.1), the Scoping Report does not include specific figures to present ecological information. Clear figures must be provided with the ES, including figures detailing crossings of waterbodies (see also comments at points 4.14.6 and 4.14.7 below).	16.5.1.2. of the PEIR: The scoping boundary considered is the Site Boundary, shown in Figure 16.1. Study areas extend to the following boundaries: 10 km for Natura 2000 sites, which include SAC, SPA and internationally designated Wetlands of International Importance (Ramsar sites); 2 km for nationally designated sites, which include SSSI and LNR; 1 km for non-statutory sites designated for nature conservation value;		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
				<p>1 km for information regarding Habitats of Principal Importance ('HPI') and woodland listed on the Ancient Woodland Inventory (more information in Appendix 16.1);</p> <p>2 km for bat records;</p> <p>1 km for records of legally protected and notable species; and</p> <p>250 m for Phase 1 and great crested newt surveys.</p> <p>Where species specific Zol's are required relating to ongoing survey work in 2019 these will be clearly documented within the ES.</p>		
4.14.3	Section 19.2 and 19.3	Ch 16 Ecology	<p>The Scoping Report contains very limited information on the temporal and spatial extent of the ecological surveys undertaken to date and those proposed. The ES/appendices should detail the methodology, including spatial and temporal extent of all ecological surveys used to inform the impact assessment and describe any limitations to undertaking those surveys. Additionally, there are some potentially contradictory statements made concerning whether surveys are proposed or not, such as those for badgers along the cable route. The Scoping Report also refers to desk study records and potential habitats for a number of species, but proposes to</p>	<p>The Onshore Ecology PEIR chapter will provide a comprehensive update on surveys undertaken and those proposed for 2019. Consultation with Natural England commenced in November 2018 with regards the survey programme (See Section 16.3.2). Consultation with Local Authorities and other interested parties such as the RSPB are planned for early 2019.</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			scope out further surveys with no justification. The Inspectorate recommends the Applicant seek to agree the scope of habitat species with relevant consultation bodies, including Natural England and local authority ecologists, as appropriate.			
4.14.4	Table 19.1	Ch 16 Ecology	It is unclear whether any NNRs are to be considered in the ES, as Chapter 19 contains no reference to these sites. NNRs are noted to be included on the Environmental Constraints Map (Figure 4.1). The ES should identify any NNRs within the Zol for the Proposed Development and assess impacts to these sites, where likely significant effects could occur.	Table 16.1 in Chapter 16 states: "It is noted that there are no NNRs within the relevant Zol / Study Areas detailed in this PEIR (Section 16.5.3). The ES will fully detail all relevant designated sites that are located within the defined study areas. "		
4.14.5	Paragraph 19.2.20	Ch 16 Ecology	The Scoping Report refers to habitat potentially suitable for other notable mammal species but does not expand on what these species might comprise. The ES should clearly identify and value the receptors considered in the impact assessment. The ES should assess significant effects on protected and species of conservation concern, including habitats and species	PEIR Chapter 16 Ecology, Section 16.6 describes the other mammal species which are considered. A desk study includes records sought for 'notable' mammals such as hedgehog, brown hare and harvest mice which are all Species of Principal Importance under the NERC Act (2006). These records are summarised in this PEIR (Section 16.5.9). Where features are considered to have conservation value they will be appropriately assessed within the ES.		✓
4.14.7	Paragraph 2.2.66	Ch 16 Ecology	The Inspectorate notes the current proposal to use HDD construction	King's Pond is not currently designated as a SSSI. The site is however designated as SINC.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			<p>techniques at five locations, including “King’s Pond Site of Special Scientific Interest (SSSI)”. The Inspectorate notes that there is no other reference to a King’s Pond SSSI in the Scoping Report. Chapter 19 identifies a King’s Pond Meadow Site of Importance to Nature Conservation (SINC). No reference to HDD construction techniques is included in the Ecology (with Arboriculture) aspect chapter of the Scoping Report.</p> <p>The ES should clarify the locations where HDD is to take place. Where impact pathways from the Proposed Development to sensitive ecological receptors exist and where a likely significant effect may occur, this should be assessed in the ES.</p>	<p>Consultation regarding this site with NE is ongoing and will focus on the impacts upon such sites.</p>		
4.14.8	Paragraph 19.2.1	Ch 16 Ecology	<p>It is unclear whether the Applicant will rely solely on Natural England’s Ancient Woodland Inventory to identify ancient woodland affected by the Proposed Development. Ancient woodlands smaller than 2 hectares (ha) are unlikely to appear on these inventories. The ES should assess likely significant effects on all relevant ancient woodland receptors. The assessment should be supported by survey information. As an irreplaceable</p>	<p>No extent of woodland is present with the red line boundary of the proposed development. Appropriate botanical surveys will be carried out along the proposed route to inform the Onshore Ecology ES Chapter.</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			resource, the design for the Proposed Development should seek to avoid direct impacts on ancient woodland and veteran trees and ensure that there is no increase in fragmentation of these habitats. The ES should also explain the extent to which enhancement measures, where practicable, to enhance ecological networks and connectivity have been considered.			
4.14.9	Paragraph 19.4.3	Ch 16 Ecology	The ES (and HRA report) should consider potential impacts upon recreational use of green spaces and whether this would have any likely significant effect upon designated sites through temporary displacement of recreation (including onto SWBGS sites).	The potential impacts on SWBGS sites will be appropriately assessed with in the ES and HRA. Where there are considered to be any indirect effects on these sites through pathways such as that identified by the Planning Inspectorate, appropriate cross referencing with other technical chapters will take place in order to ensure full characterisation of likely effects.		✓
4.14.10	Paragraph 19.4.13	Ch 16 Ecology	The Inspectorate notes that proposal to programme proposed works within SWBGS sites during the summer months. Any mitigation and/ or design measures relied upon to exclude likely significant effects on designated sites should be explained in the ES and appropriately secured. The Applicant's attention is also directed to the comments of Natural England at Appendix 2 to this Opinion	This intention is reiterated in this PEIR (Section 16.8). Consultation with Natural England initiated in November 2018 included discussion on this issue. The Applicant has also noted Natural England's comments included in Appendix 2 of the Scoping Opinion.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			with regards to guidance on mitigation and offsetting requirements in respect to effects on SWBGS sites.			
4.14.11	N/A	Ch 16 Ecology	The Applicant should have regard to the Eastney Beach Habitat Restoration Management Plan Supplementary Planning Document in compiling the ES and when considering any biodiversity enhancement measures.	Noted.		✓
4.14.12	Paragraphs 19.4.4, 19.4.6 to 19.4.7 and 19.4.28	Ch 16 Ecology	It is noted that there are three route options through this LNR. Natural England (see Appendix 2 to this Opinion) have identified that this is the only site in Hampshire where there are records of large thorn moth. The ES should consider impacts on invertebrates and potential further survey work/data collection, as appropriate. The Applicant should seek to agree the scope of the data collection with relevant consultation bodies.	The large thorn moth, while scarce in the county (and given status of Nationally Scarce B) is more widespread than just Milton Common – see http://www.hantsmoths.org.uk/species/1911.php . Invertebrates will be appropriately assessed in the ES with the scope of this assessment consulted upon with Natural England and other consultees.		✓
4.14.13	N/A	Ch 16 Ecology	The ecological impact assessment presented in the ES should be informed by the findings of other aspect assessments (and vice versa), including Air Quality, Noise and Vibration and Water Quality. Full and appropriate cross-referencing between	The Onshore Ecology ES chapter will include full cross referencing with other technical chapters including those listed by the Planning Inspectorate.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			aspect chapters should be included in the ES.			
4.15 Onshore UK: Soils and Land Use						
4.15.1	N/A	Ch 17 Soils and Land Use	No matters have been proposed to be scoped out of the ES.	No action required.		
4.15.2	Paragraph 20.4.11	Ch 17 Soils and Land Use	The Scoping Report refers to the intention to implement a Soils Resources Plan. This Plan should be appropriately secured. It is also recommended that an Outline Plan be provided with the DCO application.	An Outline Plan will be submitted alongside the ES and the draft DCO and Planning Statement will set out how the Soil Resources Plan will be secured.		✓
4.15.3	N/A	Ch 17 Soils and Land Use	The Inspectorate notes potential overlap with the proposed Ground Conditions aspect chapter. The ES should include appropriate cross-references between aspect chapters and avoid duplication.	Duplication between the two chapters has been avoided within the PEIR, and will be avoided in the ES, and where cross references are needed these will be provided.	✓	
4.15.4	N/A	Ch 17 Soils and Land Use	It is unclear how the construction and operation of the Proposed Development may affect field drainage regimes and the potential impact this could have on soils. The ES should address the potential for impacts to field drainage regimes and consequently soils with appropriate cross reference to relevant aspect chapters including Ground Conditions	The baseline surveys of farm holdings will seek to establish existing networks of field drainage in order that these can be considered in the detailed design, and adverse effects on soil quality will be addressed.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			and Water Resources and Flood Risk. If significant effects are likely to occur these should be presented within the ES.			
4.16 Onshore UK: Ground Conditions						
4.16.1	N/A	Ch 18 Ground Conditions	No matters have been proposed to be scoped out of the ES.	No action required.		
4.16.2	N/A	Ch 18 Ground Conditions	Limited information is provided in the Scoping Report with regards to the proposed works at the convertor station. For example, no information is provided on the potential storage or use of hazardous substances or non-hazardous pollutants within or in the vicinity of the convertor station. The ES should include within its description information on such matters and provide an assessment of likely significant effects associated with the use and storage of such substances to groundwater. The ES should explain how risks to groundwater will be mitigated and also how such measures are to be secured.	<p>Details of the assessment of potential impacts on human health and soils from the proposed works during the construction and operational phases are provided in the Ground Conditions chapter of the PEIR and will be discussed in further detail in the same chapter of the ES. Similarly, assessment of the potential impact of the scheme on groundwater resources is addressed in the Water Resources chapter of the PEIR and will be assessed in further detail in the ES chapter.</p> <p>Outline details of the mitigation of risk from potential pollutants used during the construction and operation of the scheme (including the convertor station) on human health/soil quality and groundwater quality are included in the Ground Conditions and Water Resources chapters, respectively, of the PEIR. These will be assessed in further detail in the relevant chapters of the ES. Further specific details of mitigation measures and how these will be</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
				implemented will be included in the CEMP for the scheme.		
4.16.3	N/A	Ch 18 Ground Conditions	The ES should include consideration of any preferential pathways that may be created as a result of the Proposed Development.	Both the Ground Conditions and Water Resources chapters of the PEIR include a preliminary assessment of the potential for the creation of preferential pathways to sensitive receptors (human health/soils and groundwater resources, respectively). This will be assessed in further detail in the relevant ES chapters.		✓
4.16.4	Paragraph 21.3.13 to 21.3.15	Ch 18 Ground Conditions	The Inspectorate notes the reference to the desk-based assessment, including development of a conceptual site model and preliminary risk assessment for the assessment of effects on groundwater. The impact assessment should also include detailed and site-specific assessments to demonstrate that the risks to groundwater are acceptable, particularly in those areas identified as of greatest risk. The Applicant should seek to agree the approach to the assessment, including the Conceptual Site Model (CSM), Preliminary Risk Assessment (PRA) and site-specific surveys, with the Environment Agency, Hampshire County Council and other relevant consultation bodies, as appropriate.	<p>The assessment of impacts for the PEIR is predominantly based on baseline information obtained during the preliminary risk assessment stage. This work has identified key risk sites in terms of potential sources of contamination risk. Site-specific ground investigations are on-going across the Proposed Development area including in areas identified as higher risk in terms of ground conditions and contamination risk. The findings of these investigations will be collated into an assessment of contamination risk to human health/soils and groundwater quality and addressed in the Ground Conditions and Water Resources ES chapters, respectively.</p> <p>Consultations with relevant regulators and authorities have been ongoing in advance of and during the ground investigation works.</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.17 Onshore UK: Water Resources and Flood Risk						
4.17.1	N/A		No matters are proposed to be scoped out of the ES.	No action required.		
4.17.2	Paragraphs 22.2.1 and 22.3.3	Ch Water Resources and Flood Risk	The Scoping Report identifies that surface water features up to a minimum of 0.5km from the Proposed Development and features of hydraulic connectivity within 1km of the Proposed Development will be considered. The impact assessment should consider all sensitive receptors within the Zol for the Proposed Development, particularly where hydrological links occur.	Noted and agreed. A water features survey will be undertaken as part of the ES and consideration will be given to sensitive receptors outside of the 1km buffer where there is a potential hydrological connection.		✓
4.17.3	Paragraph 22.3.2 and Chapter 21	Ch Water Resources and Flood Risk	The Inspectorate notes that this paragraph defers the assessment of groundwater quantity, groundwater flows and release of contaminants to the Groundwater Chapter of the ES. As noted in Table 4.16 of the Opinion, there is no reference to the assessment of groundwater quality. This must be included in the ES. Where the Water Resources and Flood Risk aspect chapter informs the groundwater aspect chapter (and vice versa), appropriate cross-references should be included.	Consultation with Portsmouth Water to provide any groundwater water quality data where development area falls within SPZ1 will be required. As our request to finish boreholes as groundwater monitoring was rejected by Portsmouth Water, no site-specific groundwater water quality data can be collected. A qualitative assessment will be provided on the impact to groundwater water quality, groundwater flow and contamination using published or publically available data. The groundwater assessment will cross refernce other chapters including Ground conditions and flood risk were relevant.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.17.4	Paragraph 22.4.1	Ch Water Resources and Flood Risk	This paragraph appears to be the first mention of 'impact to flood defences, most likely from within the tidal area (landfall)'. The baseline does not contain any information with regards to flood defences present that could be affected by the Proposed Development. The ES should clearly include in the baseline, a description of existing (and where relevant, proposed) flood defences that could be impacted by the Proposed Development.	On-going consultation has been undertaken with East Solent Coastal Partnership and the Environment Agency to identify where flood defences are present within the proposed development and the baseline within the PEIR describes existing flood defences and the impact by the proposed development.	✓	
4.17.5	Paragraph 22.4.4	Ch Water Resources and Flood Risk	As set out in the NPS EN-1 (Paragraph 4.8.6), the Applicant should take into account the potential impacts of climate change using the latest UK Climate Projections (UKCP). The UKCP18 projections have recently been published. Effort should be made to agree the climate change model and future flood risk allowance baseline with relevant consultation bodies.	Climate change allowances considered and latest UKCP18 allowances (which were released November 2018) will need to be further discussed with Environment Agency to understand how they should be implemented going forward and how they should be taken into consideration at ES stage as part of FRA.		✓
4.17.6	N/A	Ch Water Resources and Flood Risk	The Scoping Report does not clarify the locations where the cable may cross below or run in close proximity to a main river. This should be detailed in the ES. Site-specific assessments for each location should also be undertaken to inform the cable	Watercourses crossed are identified within PEIR (includes main river based on Environment Agency data and ordinary watercourses based on OS mapping only), confirmation of locations where trenchless techniques will be utilized still being developed by engineering team. PEIR outlines key principles for the assessment,		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			crossing techniques at each main river and where significant effects may occur. Any mitigation and/or design measures relied upon for the purposes of the assessment e.g. either trenchless or open cut methods should be explained in the ES and appropriately secured. Effort should be sought to agree proposed mitigation and reinstatement measures with the relevant consultation bodies e.g. Environment Agency.	which will carried out at the ES stage alongside consultation with EA and LLFA.		
4.17.7	Paragraph 22.4.3	Ch Water Resources and Flood Risk	The ES and FRA should assess likely significant impacts associated with temporary works, such as dewatering and working compounds in the flood plain.	Methodologies to be confirmed with engineering team and will be developed and assessed in the ES and FRA to cover construction and operation.		✓
4.17.8	N/A	Ch Water Resources and Flood Risk	The Scoping Report does not include figures to show the location of potential receptors or the flood maps for the area. The ES must include clear and appropriate figures to support the impact assessment, including those in support of any Flood Risk Assessment and Water Framework Directive (WFD) Assessment.	Appropriate flood maps produced as part of PIER. WFD assessment to be undertaken at ES stage.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.17.9	Appendix B, Paragraph 1.1.23	Ch Water Resources and Flood Risk	The Scoping Report refers to outdated legislation: the Environmental Permitting (England and Wales) Regulations 2010 which has been superseded by the Environmental Permitting (England and Wales) Regulations 2016, which should be used when interpreting the Environmental Permitting requirements for the Proposed Development in the ES.	The PEIR has been updated to refer to the current Regulations.	✓	
4.18 Onshore UK: Heritage and Archaeology						
4.18.1	Paragraph 23.2.8 and Appendix C Table C1	Ch 20 Historic Environment	The Inspectorate agrees that given the nature of the Proposed Development that impacts on the settings of above ground designated heritage assets along the cable route can be scoped out of the ES. Due to the proximity of the landfall and to the scheduled ancient monument of Fort Cumberland and listed buildings, together with the limited information provided within the Scoping Report with regards to the nature of the works at the landfall site, the Inspectorate does not agree to scope out impacts on the setting of above ground heritage assets at the landfall. The ES should include an assessment of any	Setting impacts at the Landfall site during the construction phase will be scoped out based on the detailed proposals. The predicted short-term effects on the setting of these assets during the construction phase (e.g. dust and noise) is considered negligible and the environmental effect insignificant. The PCR would entail localised disturbance, with no physical impacts within or near the scheduled monument constraint area. This is covered within the PEIR. In terms of operational phase impacts, the Inspectorate has agreed that this can be scoped out (ID 4.18.3).	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			significant effects on heritage receptors that are likely to occur.			
4.18.2	Appendix C Table C1	Ch 20 Historic Environment	The Inspectorate agrees that given the nature of the Proposed Development impacts to buried archaeological remains during operation can be scoped out of the ES.	No action required.		
4.18.3	Appendix C Table C1	Ch 20 Historic Environment	The Inspectorate agrees that given the nature of the Proposed Development, impacts during operation on the settings of above ground designated heritage assets at the landfall and throughout the cable route can be scoped out of the ES.	No action required.		
4.18.4	'Insignificant Effects' after Paragraph 23.3.4	Ch 20 Historic Environment	<p>The Scoping Report does not make clear whether the Applicant intends to scope out an assessment of any cumulative impact to heritage and archaeological assets along the cable route and landfall and this matter is not included in Table C1 of Appendix C.</p> <p>The Inspectorate considers that cumulative effects on heritage and archaeological receptors that could be significantly affected by the Proposed Development should be included in the ES.</p>	<p>This is confirmation that cumulative effects for above-ground heritage assets at the Proposed Converter Station site will be included in the ES chapter.</p> <p>Cumulative effects elsewhere along the route will be considered, where this is appropriate, and will be scoped out where it is not.</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.18.5	Paragraphs 23.2.67 and 23.2.2	Ch 20 Historic Environment	It is noted that a ZTV is proposed for the assessment of impacts on above ground settings arising from the convertor station and that this has not yet been established for the Proposed Development. The impact assessment should ensure that the determination of baseline receptors is appropriately informed by the ZTV, and the study area/ZoI clearly justified. The study area for the assessment of the entire Proposed Development should also be based on the likely ZoI rather than an arbitrary distance.	The rationale for the study area for the historic environment assessment and also for the setting assessment at the Proposed Converter Station will be clearly defined in the ES. The latter will consider an appropriate ZTV.		✓
4.18.6	Paragraph 23.4.7	Ch 20 Historic Environment	The Inspectorate notes the intention to undertake a site walkover inspection at selected locations to inform the ES. The Inspectorate considers that the proposed baseline assessment at the landfall should be informed by a geophysical and geotechnical survey undertaken in accordance with recognised methods. The Applicant should seek to agree the scope and extent of such surveys with the relevant consultation body, including Hampshire County Archaeology/ Conservation Officers.	<p>Geophysical Survey is not considered appropriate at Landfall site as the area of impact for the Joint Bay is located within an existing car park in an area of hardstanding.</p> <p>Based on existing geotechnical information survival may be low in this area. This will be further considered in the ES.</p>		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.18.7	Paragraph 23.4.2	Ch 20 Historic Environment	It is noted that reference is made to obtaining desk based information from the principal source of Berkshire Historic Environmental Record (HER); however, the Inspectorate assumes this is a typographical error and that the Hampshire HER will be consulted to inform the ES, as subsequently referred to in Table 23.1.	This has been corrected in the PEIR.	✓	
4.18.8	N/A	Ch 20 Historic Environment	The Inspectorate considers that the ES should address impacts to drainage and groundwater movement where these may result in significant impacts to heritage assets and below ground archaeological remains. Cross reference should be made to the relevant assessments (eg Ground Conditions and Water Resources and Flood Risk chapters).	Cross reference will be made to other reports where appropriate. Alterations to drainage and ground water are not however considered significant, taking into account the nature of the details of the Proposed Development, which is a 1.0–1.5m cable trench with localised disturbance for temporary Joint Bays.		✓
4.19 Onshore UK: Traffic and Transport						
4.19.1	Table C1	Ch 21 Traffic and Transport	The Inspectorate agrees that due to the likely low number of staff to be employed at the operational proposed converter station (as described at paragraph 2.2.86 of the Scoping Report), this matter can be scoped out of the ES.	No action required.		

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.19.2	Paragraph 24.4.8	Ch 21 Traffic and Transport	The Inspectorate notes that further discussions with the relevant highways authorities are proposed to confirm the scope of the traffic and transport assessment. The ES/accompanying appendices should clearly document in a table any consultations undertaken with regards to the scope of the proposed assessment, including particular matters agreed/not agreed. Where the scope differs from that requested by the relevant highways authority, the ES should provide justification for the alternative approach.	The Scope for the traffic and transport assessment has been agreed with the highways authorities.		
4.19.3	N/A	Ch 21 Traffic and Transport	The ES should assess impacts to the Strategic Road Network (SRN), including the M27, A3(M) and A3, where significant effects could occur. The ES should also clearly identify where the Proposed Development could interact with existing SRN assets, such as going over or under the SRN.	This has been assessed in Section 21.5 of the PEIR chapter.	✓	
4.19.4	N/A	Ch 21 Traffic and Transport	The ES should include supporting figures of appropriate size and scale to present the affected road network and the receptors considered within the impact assessment.	Figures indicating the Scheme alignment are referenced in the PEIR Chapter.		

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.20 Onshore UK: Air Quality						
4.20.1	Paragraph 25.3.1 and Table C1 of Appendix C	Ch 22 Air Quality	On the basis of the information in the Scoping Report, the Inspectorate agrees that operational traffic emissions from the Proposed Development can be scoped out of the ES.	No further action required		
4.20.2	Paragraph 25.3.2	Ch 22 Air Quality	The Inspectorate notes that the Applicant intends to undertake qualitative assessments of effects during construction but that a quantitative assessment of potential impacts to local air quality from construction exhaust gas emissions is not proposed on the basis that the additional traffic generated is not expected to be above the indicative threshold presented in Environmental Protection UK and Institute for Air Quality (EPUK/IAQM) guidance documents either inside or outside the Air Quality Management Area (AQMA). On the basis of the numbers of additional traffic generated not exceeding the indicative threshold presented in EPUK/IAQM guidance documents either inside or outside the Air Quality Management Area (AQMA) the Inspectorate agrees that this assessment can be scoped out.	Traffic modelling will be kept under review and qualitative assessment to be actioned in the ES if required.		

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			However, if during the EIA process that construction numbers are determined likely to give rise to a significant effect then a quantitative assessment should be undertaken.			
4.21 Onshore UK: Noise and Vibration						
4.21.1	Paragraph 26.3.2 and Table C1 of Appendix C	Ch 23 Noise and Vibration	The Inspectorate agrees that this is likely to be negligible and can therefore be scoped out of the ES.	No further action required		
4.21.2	Section 26.2. and 26.3	Ch 23 Noise and Vibration	Beyond reference at paragraphs 26.2.1 and 26.2.3 to 'residential receptors', the Scoping Report does not identify the receptors to be considered in the noise impact assessment. There is no reference to other receptor types that may be sensitive to noise and vibration, such as ecological receptors. The ES must include an assessment of noise and vibration impacts on ecological receptors, where significant effects are likely to occur. The noise assessment should cross-refer to the findings of other relevant aspect chapters, such as Ecology (with Arboriculture) and Intertidal and Marine Ornithology. The ES should clearly explain any	This assessment would be undertaken by the ecology consultant, with input from the noise and vibration consultant.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			assumptions made with regard to the assessment of likely significant effects arising from noise and vibration on sensitive ecological receptors.			
4.21.3	N/A	Ch 23 Noise and Vibration	No specific study area has been stated in the Scoping Report. The Inspectorate does however, note that the Scoping Report confirms that the exact scope of the noise and vibration assessment will be discussed and ideally agreed with the Environmental Health Officers at East Hampshire District Council (EHDC) and Hampshire County Council (HCC). The Applicant should ensure that the selected study area is sufficient to encompass all sensitive receptors which may experience significant effects from the Proposed Development, including sensitive ecological receptors (as discussed at point 4.21.2 of the Opinion above)..	The Study area, and potentially sensitive receptors are defined in Chapter 23, Section 1 of the PEIR.	✓	
4.21.4	Paragraph 26.4.1	Ch 23 Noise and Vibration	The results of the completed surveys regarding the existing noise climate should be fully reported in the ES and/or in an associated Technical Appendix. Effort should be made to agree the noise monitoring locations with relevant consultation bodies e.g. EHDC and HCC.	The results will be presented in the ES and the monitoring locations have been agreed with the relevant local authorities.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.21.5	Paragraph 26.4.1	Ch 23 Noise and Vibration	The Inspectorate notes the intention to follow the assessment methodology set out in Chapter 4 to assess the significant of effects. The ES should clearly present the assessment methodologies applied and how significant effects as a result of changes in noise/vibration levels have been determined.	This will be presented in the ES.		✓
4.21.6	Paragraph 26.4.5	Ch 23 Noise and Vibration	Any proposed mitigation measures for noise and vibration impacts should be detailed in the ES, including their method of delivery, such as through a Construction Environmental Management Plan (CEMP). The CEMP and mitigation measures, as appropriate, must be secured in the dDCO.	This will be presented in the ES.		✓
4.22 Onshore UK: Socio-Economics						
4.22.1	Paragraph 27.3.1	Ch 24 Socio-Economics	Paragraph 27.3.1 of the Scoping Report states that there are no private assets beyond agricultural land (to be considered in the Soils and Land Use aspect chapter) and therefore, effects related to private or community assets will not be considered further. However, it is noted that paragraph 27.3.5 identifies “changes in community severance and accessibility	Clarity is provided within this chapter of the PEIR to confirm the assets which will be considered within the ES. The ES will provide additional clarity and a definition of severance and accessibility.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			to private and community resources” as a likely significant effect to be considered in the impact assessment. In the absence of clarity the Inspectorate cannot agree to scope this matter out at this stage. The ES should clearly identify impacts to private or community assets, where likely significant effects could occur.			
4.22.2	Paragraph 27.3.2	Ch 24 Socio-Economics	The Inspectorate agrees that effects in relation to crime arising during construction can be scoped out of the ES as significant effects are not likely to occur.	No action required.		
4.22.3	Paragraphs 27.3.3 and 27.3.5	Ch 24 Socio-Economics	The Scoping Report contains very limited information with regards to the timings of likely disruption and the likely community receptors that could be affected by community severance during the construction of the Proposed Development. The Scoping Report also appears to identify the same matter as a ‘likely significant effect’ at paragraph 27.3.5. In the absence of sufficient evidence to support the statements made, the Inspectorate cannot agree to scope this matter out. The ES should include an assessment of community severance on sensitive	The ES will provide further clarity on the construction duration and activities. As there currently isn’t sufficient detail available at the PEIR stage to allow for a comprehensive assessment when these have been developed further, a reassessment of the sensitivity of receptors will be undertaken. The results of this reassessment will be included within the ES.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			receptors, where likely significant effects could occur.			
4.22.4	Paragraph 27.3.4 and Appendix C Table C1	Ch 24 Socio-Economics	Given the nature of the Proposed Development and the information provided within the Scoping Report, the Inspectorate agrees that this matter can be scoped out of the ES.	No action required.		
4.22.6	Section 27.3 and 27.4	Ch 24 Socio-Economics	It is noted in this aspect chapter that reference is made to community assets, community resources, and community facilities. It is unclear whether these are referring to one and the same. The ES should make this clear and use consistent terminology. The Scoping Report does not describe the community (including amenity) receptors in any detail and no figures have been provided to show their location. The ES should clearly identify and justify the applicable receptors, together with the study area. The presentation of receptors and study areas on figures accompanying the ES should also be provided.	A definition of community resource is provided below in section 24.3 of the PEIR Chapter. Consistent terminology will be used in the ES.	✓	
4.22.7	Paragraph 27.4.4	Ch 24 Socio-Economics	The Scoping Report refers to potentially significant increase in workers relocating to the area. The ES should provide information on the likely number of workers and the	The level of detail regarding the construction stage required to undertake calculations relating to the specific numbers of construction workers was not available when scoping was undertaken and therefore information from the Applicant was		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			assumptions made in the impact assessment.	used as a starting point. Employment generation will be considered in further detail within the ES.		
4.22.8	Paragraph 27.4.8	Ch 24 Socio-Economics	The Scoping Report acknowledges that change to amenity value is concerned with changes in the degree and duration of a receptors exposure to traffic (fear/intimidation), noise, dirt and air quality. It goes on to state that air quality and noise and vibration will be considered elsewhere in the ES and will not be assessed within the Socio-economic chapter of the ES. Whilst the Inspectorate acknowledges that this will be the case, the Socio-economic chapter should in its assessment of impacts on amenity include appropriate cross-references the assessments presented elsewhere in the ES and consider the combination of these intra-related effects arising from the Proposed Development.	Appropriate cross references to other specialist chapters has been made within the PEIR and will be made within the ES.		✓
4.23 Onshore UK: Human Health						
4.23.1	Table 28.7	Ch 25 Human Health	The Inspectorate notes that these health determinants are proposed to be scoped out of the health assessment. The Inspectorate agrees that these matters can be scoped out of the ES given the nature of the Proposed Development and the	Those matters that the Inspectorate does not agree to scope out are addressed below.		

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			information provided within the Scoping Report. Those matters identified within Table 28.7 that the Inspectorate does not agree to scope out are described separately below.			
4.23.2	Table 28.7	Ch 25 Human Health	Whilst the Inspectorate acknowledges that an assessment of impacts associated with construction (including dust and vehicle emissions) on sensitive receptors are to be included in the Air Quality aspect chapter, the ES should ensure that it relates the assessment of air quality to the assessment on human health. It is not necessary to duplicate assessments but appropriate cross-referencing between aspect chapters should be included.	A preliminary assessment of air quality effects on health is provided within the PEIR, Chapter 25 Human Health, and this will be further considered in the ES.	✓	
4.23.3	Table 28.7	Ch 25 Human Health	Effects of water quality are to be included elsewhere in the ES; however, effects on human health associated with changes to water quality should be referenced in the Human Health aspect chapter, where significant effects could occur.	A preliminary assessment of water quality effects on health is provided within the PEIR, Chapter 25 Human Health, under the soil/ land contamination sub heading, and this will be further considered in the ES. Furthermore, the WFD Assessment – Marine (Appendix 7.1) assesses potential impacts on recreational areas such as bathing waters. This will be cross referenced where relevant.		✓
4.23.4	Table 28.7	Ch 25 Human Health	The Proposed Development may impact on Public Rights of Way (PRoW), cycle paths and open space	A preliminary assessment of these effects on health is provided within the PEIR, Chapter 25 Human Health, under the 'Land take (landscape	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			and therefore, the Inspectorate cannot agree to scope this matter out, as there is the potential to reduce access to routes promoting active travel and physical activity. This matter should be included in the ES, where significant effects are likely to occur. Appropriate cross-references to other aspect chapters should also be included in the Human Health aspect chapter (eg Traffic and Transport, Socio-economics, and Landscape and Visual).	and greenspace)' heading. Reference has also been made to other chapters where relevant.		
4.23.5	Table 28.7	Ch 25 Human Health	Chapter 27: Socio-economics refers to a significant number of construction workers for the Proposed Development and the potential demand on local services including healthcare. The ES should include an assessment of effects on healthcare, where likely significant effects could occur. Cross-references between the Socio-economics chapter and this aspect chapter should be included.	The Socio-economics Chapter of the PEIR identifies that the level of detail regarding the construction stage required to undertake calculations relating to the specific numbers of construction workers was not available when scoping was undertaken and therefore information from the Applicant was used as a starting point. Employment generation and associated effects will be considered in further detail within the ES if likely significant effects are identified. The Socio-economics chapter has been cross-referenced within the PEIR, and will be cross-reference within the ES regarding this aspect chapter.	✓	
4.23.6	Table 28.7	Ch 25 Human Health	As per comments above regarding 'access to healthcare', given the statement that significant numbers of	Disruption to businesses and community facilities access (including schools and healthcare) is considered within the Transport	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			construction workers could arise as a result of the Proposed Development, the ES should assess the impact on local rented accommodation demand and affordability, where likely significant effects could arise.	and Assess section of the PEIR. Employment generation and associated effects will be considered in further detail within the ES if likely significant effects are identified.		
4.23.7	Paragraphs 28.4.4 and 28.4.5	Ch 25 Human Health	Although the Scoping Report defines the study area this should be provided with justification in the ES.	The study area for the assessment is described in Chapter 25 Human Health, Section 1. This will also be justified with the ES.	✓	
4.23.8	Paragraph 28.4.6	Ch 25 Human Health	It is noted that health impacts will be assessed on the vulnerable groups listed at paragraph 28.4.6 only. The ES should provide justification in support of this approach.	The vulnerable groups considered within the assessment are described in Chapter 25 Human Health, Section 1. These were identified through an analysis of the current population baseline.	✓	
4.23.9	Paragraph 28.4.7	Ch 25 Human Health	The baseline population health data should have reference to the Public Health Outcomes Framework.	Public Health England's health data is referenced within the baseline for Chapter 25 Human Health.	✓	
4.23.10	Table 28.9	Ch 25 Human Health	The Inspectorate notes the definitions of significance to be applied to the impact assessment. The ES should make clear whether the intention is to conclude that a certain level of significance and above is deemed to be significant for the purposes of satisfying the EIA Regulations (eg major/moderate and major (and potentially moderate), as per Scoping Report Chapter 4). Should this aspect chapter assessment methodology for	The PEIR Chapter 25 sets out the approach to determining significance within the EIA. This is aligned with Chapter 4 of the PEIR.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			significance differ from that to be included in Chapter 4, this should be clarified in the aspect chapter.			
4.23.11	N/A	Ch 25 Human Health	The Scoping Report does not cross-refer to any other relevant aspect chapters where impacts could result on human health (eg noise, air quality, water quality, land use, landscape). The ES should include appropriate cross-references to relevant assessments presented elsewhere in the ES.	The PEIR Chapter 25 Human Health identifies where other topics are cross referenced.	✓	
4.24 Onshore UK: Waste and Material Resources						
4.24.1	Paragraph 29.3.2 and Appendix C Table C1	Ch 26 Waste and Material Resources	The Inspectorate agrees that having had regard to the characteristics and nature of the Proposed Development a lifecycle assessment of materials and arisings and waste can be scoped out of the ES.	No action required		
4.24.2	Paragraph 29.3.3 and Appendix C Table C1	Ch 26 Waste and Material Resources	The Scoping Report provides no information on the likely type and volume of materials and waste to be produced by the Proposed Development beyond the first year of operation; however, the Inspectorate accepts that material consumption and waste generation during operation beyond the first year is unlikely to	No action required		

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			generate significant effects and is content that this matter can be scoped out of the assessment.			
4.24.3	Table 29.6	Ch 26 Waste and Material Resources	The Inspectorate notes the intention to define significance using that presented in Table 29.6. The levels of significance are different to that presented in Chapter 4 to the Scoping Report. In that chapter major and major/moderate impacts will be deemed significant. The Waste and Material Resources aspect chapter of the ES should define what level of impact is deemed to be significant, where this differs from the overarching assessment methodology.	Table 26-5 in this PEIR includes a statement on which effect categories are deemed significant or not significant. The methodology for the assessment of Waste and Materials and provided in the preceding text under Section 26.4.	✓	
4.24.4	Paragraph 29.4.20	Ch 26 Waste and Material Resources	The Inspectorate notes reference to the implementation of a CEMP, Materials Management Plan (MMP) and Site Waste Management Plan (SWMP). Where the ES relies upon mitigation measures which would be secured through management plans, it should be demonstrated (with clear cross-referencing) where each measure is set out in the management plan. The Applicant should provide draft copies of management plan documents appended to the ES and/or demonstrate how they will be secured..	An Outline CEMP will be produced as part of the ES which will be adopted by the contractor and refined for use.		✓

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.25 Onshore UK: Carbon and Climate Change						
4.25.1	Table 30.5 and Appendix C Table C1	Ch 27 Carbon and Climate Change	The Inspectorate does not agree to scope this matter out on the basis that the Scoping Report does not confirm the area of land use likely to be required, particularly for the convertor station and connection to the existing sub-station at Lovedean and also whether this would include forestry/woodland habitat. The ES should consider emissions associated with the change in land use and loss of forestry, where significant effects could occur.	It is considered unlikely that emissions from land use change will be significant given the scale of likely land take required for the project. If the final design does include significant land take of forested areas. An assessment of land use change emissions will be scoped back in.		✓
4.25.2	Paragraph 30.3.12, Table 30.5 and Appendix C Table C1	Ch 27 Carbon and Climate Change	The effects of climate change during the decommissioning of the Proposed Development have been excluded due to uncertainty of requirements and processes at the Proposed Development's end of life. The Inspectorate agrees that decommissioning can be scoped out of the assessment on the basis that decommissioning activities are unknown at this stage. The Applicant's attention is, however, directed to the comments in Section 2.3 (paragraph 2.3.7) of this Opinion and the need to provide more information with regards to the design life of the Proposed	No response required		

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
			Development and likely decommissioning activities, including timescales. Should further detail become available regarding decommissioning to enable an assessment of climate change at this life cycle stage, an assessment should be presented in the ES where significant effects are considered to be likely.			
4.25.3	Paragraph 30.2.7	Ch 27 Carbon and Climate Change	The Inspectorate notes the application of the UKCP09 climate projections within the Scoping Report. The ES should take into account the potential impacts of climate change using the latest UKCP, which are the UKCP18 projections as recently published.	Regional projections within the UKCP18 data set are not available at present – although they are part of a ‘phased’ release, and as such we expect them to be available shortly. We therefore propose to use UKCP18 projections in the ES if the regional projections are available. If they are not, we propose to use the regional UKCP09 projections and refer where possible to the UKCP18 projections. It should also be noted that we do not expect the use of UKCP09 or UKCP18 projections to cause a substantial difference to the assessment.		✓
4.25.4	Table 30.10	Ch 27 Carbon and Climate Change	The Inspectorate notes the climate risk assessment matrix presented in Table 30.10. The Carbon and Climate Change aspect chapter of the ES should define what level of impact is deemed to be significant, where this differs from the overarching assessment methodology.	Table 3 of the climate resilience appendix of the PIER addresses the significance of resilience and risk ratings.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.26 Onshore UK: Electric and Magnetic Fields						
4.26.1	N/A	Ch 3 Proposed Development	No matters are proposed to be scoped out of the ES.			
4.26.2	N/A	Ch 3 proposed Development	No comments.			
4.27 Onshore UK: Onshore Cumulative Effects						
4.27.1	N/A		No matters are proposed to be scoped out of the ES.			
4.27.2	Paragraph 32.1.5	Ch 28 Cumulative Effects	A study area of 1km surrounding the Proposed Development is proposed; however, no justification has been provided. The Inspectorate considers that projects and plans beyond this distance could give rise to cumulative effects on the same receptors. The ES must clearly state and justify the study area applied. Effort should be made to agree the scope of the cumulative assessment with relevant consultation bodies.	As described within Chapter 28 Cumulative Effects of the PEIR, the study area for the onshore cumulative assessment will be based on the individual topics study areas, and equate to their zone of influence. Consultation with relevant consultees is ongoing, and was partially undertaken through the Scoping Opinion.	✓	

ID	Reference	PEIR/ ES Chapter	Inspector's Comment	WSP/NP Response	Actioned in the PEIR (and ES)	To be actioned in the ES
4.27.3	N/A	Ch 28 Cumulative Effects	The Scoping Report contains limited detail regarding the methodology to be applied to the cumulative effects assessment and no reference to likely limitations. The ES should describe the assessment methodology applied and any limitations to the selection and assessment process.	The Assessment Methodology is described within Chapter 28 Cumulative Effects Section 3. The chapter also sets out the limitations to the assessment.	✓	