



**AQUIND Limited**

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# **AQUIND INTERCONNECTOR**

## **Application Guide**

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

Document Ref: 1.2

PINS Ref.: EN020022

**AQUIND Limited**

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# **AQUIND INTERCONNECTOR**

## **APPLICATION GUIDE**

**PINS REF.: EN020022**

**DOCUMENT: 1.2**

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## DOCUMENT

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# EXECUTIVE SUMMARY

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This Application Guide is submitted on behalf of AQUIND Limited (the 'Applicant') to accompany an application (the 'Application') for a Development Consent Order ('DCO') submitted to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy ('BEIS') pursuant to Section 37 of The Planning Act 2008 (as amended) (the 'PA 2008'). The Application relates to the UK elements of AQUIND Interconnector (the 'Project'), which constitute the Proposed Development.

It provides a brief overview of the Application for the Proposed Development and signposts to the documents that make up the Application, so that readers of the Application can easily find any documents or information that they are looking for. This guide should be read in conjunction with the Electronic Application Index (document reference 1.6), which contains a complete list of all documents submitted with the Application, and the Application Document Tracker (document reference 1.3) which will show any revisions that may be made upon acceptance or during the examination.

The Application submission is divided into six categories:

- Category 1 Application Form – Provides the 'front' documents of the Application, including the Application Guide (this document), the Cover Letter, Glossary, Section 55 checklist, Application Document Tracker, Electronic Application Index and the Application Form.
- Category 2 Plans – Contains the relevant plans required by regulation 5(2) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations') (except where they are provided within Category 6).
- Category 3 Draft Development Consent Orders – Contains the draft DCO ('dDCO') and Explanatory Memorandum.
- Category 4 Compulsory Acquisition Information – Provides evidence of why and where legal powers of compulsory acquisition being sought, as well as information on how the Proposed Development is to be funded.
- Category 5 Reports – Provides the reports containing details of the pre-application consultation (Consultation Report), the Planning Statement, Design and Access Statement, Statutory Nuisance Statement, the Needs Case and any other technical reports (excluding environmental reports – see below).



- Category 6 Environmental Statement ('ES') (and associated documents) – Provides the environmental information from the assessment of potentially significant effects on the environment.

Following submission, a further Category 7 (Examination) will be added which will contain any new documents submitted upon acceptance of the Application, or during the Examination.

# 0. INTRODUCTION

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## 0.1. OVERVIEW

- 0.1.1.1. This Application Guide has been prepared on behalf of AQUIND Limited (the 'Applicant') to support an application (the 'Application') for a Development Consent Order ('DCO') that has been submitted to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy ('BEIS') under Section 37 of The Planning Act 2008 (as amended) (the 'PA 2008'). The Application relates to the UK elements of AQUIND Interconnector (the 'Project'), which constitute the Proposed Development.
- 0.1.1.2. The SoS has directed pursuant to a direction issued under section 35 of the PA 2008 that the Proposed Development is to be treated as a project of national significance requiring development consent (see Appendix 3 of the Planning Statement (document reference 5.4.3) for a copy of the Section 35 direction).

## 0.2. PURPOSE OF THIS DOCUMENT

- 0.2.1.1. This Application Guide provides a brief overview of the Application for the Proposed Development and signposts to the documents that make up the Application submitted to the SoS, so that readers of the Application can easily find any documents or information that they are looking for. This guide should be read in conjunction with the Electronic Application Index (document reference 1.6), which contains a complete list of all documents submitted with the Application, and the Application Document Tracker (document reference 1.3) which will show any revisions that may be made upon acceptance or during the examination.
- 0.2.1.2. Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations') sets out the documents that all DCO applications must include. It also provides at Regulation 5(2)(o) and (q) for the submission of "*any other documents considered necessary to support the application*" as well as "*any other plans, drawings and sections necessary to describe the proposals*".
- 0.2.1.3. Regulation 6 of the APFP Regulations sets out specific documentation required in support of DCO applications for particular types of development, however, none of the requirements under Regulation 6 are considered to apply to the Proposed Development.

0.2.1.4. Whilst the Proposed Development is not development of a type requiring an Environmental Impact Assessment ('EIA') to be carried out in relation to it, the Applicant has voluntarily decided to undertake an EIA and, therefore, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') and requirements contained therein apply to the Proposed Development.

0.2.1.5. This document provides a brief overview of the documents that have been submitted to satisfy the APFP Regulations and EIA Regulations to the extent that it lists the documents submitted under those Regulations. Full details on compliance with the EIA Regulations are contained within the Environmental Statement ('ES') Appendix 1.1 (Requirements of the EIA Regulations and their Location within the ES) (document reference 6.3.1.1).

### 0.3. APPLICATION DOCUMENTS

0.3.1.1. The documents submitted in support of the Application have been grouped together as per the following folder categories on the Planning Inspectorate's ('PINS') website:

**Table 0-1 – Application Document Categories**

Category	Description
<b>1. Application Form</b>	Provides the 'front' documents of the Application, including the Application Guide (this document), the Cover Letter, Glossary, Section 55 Checklist, Application Document Tracker, Electronic Application Index and the Application Form.
<b>2. Plans</b>	Contains the relevant plans and drawings required by the APFP Regulations (except where they are provided within Category 6).
<b>3. Draft Development Consent Orders</b>	Contains the draft DCO, Explanatory Memorandum and Validation Report for the draft DCO.
<b>4. Compulsory Acquisition Information</b>	Provides evidence of why and where legal powers of compulsory acquisition are being sought, as well as information on how the Proposed Development is to be funded.

<b>5. Reports</b>	Provides the reports containing details of the pre-application consultation (Consultation Report), the Planning Statement, Design and Access Statement, Statutory Nuisance Statement, the Needs and Benefits Report and any other technical reports (excluding environmental reports – see below).
<b>6. Environmental Statement ('ES') (and associated documents)</b>	Provides the environmental information from the assessment of potentially significant effects on the environment.
<b>7. Examination Documentation</b>	This will include any new documents submitted upon acceptance or during the examination.

0.3.1.2. To access the Application documents, visit the PINS website: <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/aquind-interconnector/>

0.3.1.3. Following the start of the examination, Category 7 documents (Examination Documentation) will be available on the PINS website under the 'Examination' tab.

0.3.1.4. In accordance with PINS Advice note six: Preparation and submission of application documents (The Planning Inspectorate, 2019), each document has been given a unique document reference number, as described in the following sections.

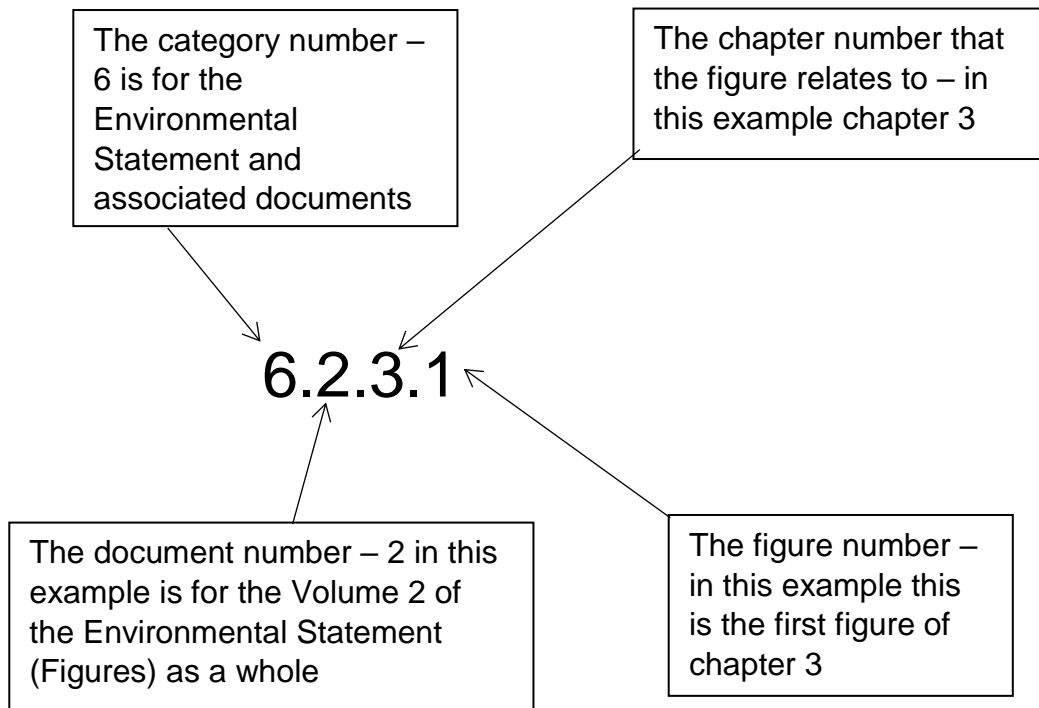
## 0.4. DOCUMENT NUMBERING

0.4.1.1. The documents submitted as part of the Application follow a consistent numbering format, with the category number (1 to 7) being the first digit of a document number. This is followed by the document number, and, where relevant, the chapter and / or appendix number if these are submitted as standalone documents. This is the case where documents have large numbers of appendices, to assist with the readability and navigation of these documents, and to reduce the electronic file size of individual documents.

0.4.1.2. For example, the ES is split into four volumes, the first three of which are containing a number of standalone documents:

- Volume 1 – Main Text
- Volume 2 – Figures
- Volume 3 – Technical Appendices
- Volume 4 – Non-Technical Summary

0.4.1.3. As volumes 1 – 3 are each of considerable length, each chapter, set of figures, and appendix, is submitted as a standalone document. The numbering within each of the first three volumes is as follows



0.4.1.4. In summary:

- 6.1 Environmental Statement – Volume 1 Main Text (i.e. 6.1 is the document reference number for Volume 1 as a whole, although Volume 1 is submitted as individual chapters);
  - 6.1.1 Environmental Statement – Volume 1 – Chapter 1 Introduction
  - 6.1.2 Environmental Statement – Volume 1 – Chapter 2 Consideration of Alternatives
  - 6.1.3 Environmental Statement – Volume 1 – Chapter 3 Description of the Proposed Development
  - ...
- 6.2 Environmental Statement – Volume 2 Figures (i.e. 6.2 is the document reference number for Volume 2 as a whole, although Volume 2 is submitted as individual figures)

- 6.2.3.1 Environmental Statement – Volume 2 – Figure 3.1 Marine Cable Corridor
- 6.2.3.2 Environmental Statement – Volume 2 – Figure 3.2 Order Limits (Onshore)
- ...
- 6.3 Environmental Statement – Volume 3 Technical Appendices (i.e. 6.3 is the document reference number for Volume 3 as a whole, although Volume 3 is submitted as individual appendices);
  - 6.3.1.1 Environmental Statement – Volume 3 – Appendix 1.1 Requirements of the EIA Regulations and their location within the ES
  - 6.3.1.2 Environmental Statement – Volume 3 – Appendix 1.2 EIA Project Team and Competence
  - ...

0.4.1.5. A similar approach has been taken for the Consultation Report (document reference 5.1), the Planning Statement (document reference 5.4) and the Habitats Regulations Assessment ('HRA') Report (document reference 6.8), where appendices have been submitted as standalone documents.

# 1. APPLICATION FORM

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## 1.0. OVERVIEW

1.0.1.1. The documents in the Application Form folder on the PINS website form the first set of documents of the Application:

### 1.1. DOCUMENT REFERENCE 1.1 - APPLICATION COVER LETTER

1.1.1.1. The Cover Letter provides a brief overview of the Proposed Development and an introduction to the Application.

### 1.2. DOCUMENT REFERENCE 1.2 - APPLICATION GUIDE

1.2.1.1. The purpose of the Application Guide is set out in section 0.2 above. It is to provide an overview of the Application documents.

### 1.3. DOCUMENT REFERENCE 1.3 - APPLICATION DOCUMENT TRACKER

1.3.1.1. The Application Document Tracker sets out the status and revision number of the documents submitted by the Applicant, and will be updated throughout the examination where documents are updated or new documents are submitted. The Tracker will then also contain the Examination Library reference numbers that will be assigned to each document by PINS.

1.3.1.2. It is noted that due to their volume, the Tracker does not list all individual figures and appendices of the ES, nor the appendices of the Consultation Report. Should any of the figures or appendices be updated and resubmitted during the examination, those individual figures and appendices and their revision numbers will be listed in an updated version of the Tracker. For a complete list of all documents including standalone figures and appendices please see the Electronic Application Index (document reference 1.6).

### 1.4. DOCUMENT REFERENCE 1.4 - APPLICATION FORM

1.4.1.1. The Application Form is the standard form required as part of any DCO application and provides a high level summary of the Proposed Development and the documents submitted with the Application.

1.4.1.2. This form is required to be submitted under Regulation 5(1) of the APFP Regulations and Section 37(3)(b) of the PA 2008.

## **1.5. DOCUMENT REFERENCE 1.5 - SECTION 55 CHECKLIST**

- 1.5.1.1. The Section 55 Checklist is provided as a schedule of compliance to evidence how the Application fulfils the conditions for acceptance required under Section 55 of the PA 2008.
- 1.5.1.2. The 'Section 55 Checklist' is a document being prepared PINS on behalf of the SoS upon submission of an application. Completion of the Checklist by an applicant is not a regulatory requirement, nor does the submission of the completed Checklist by an applicant hold any weight at the acceptance stage.
- 1.5.1.3. However, the Applicant considers that the submission of a 'draft' Section 55 Checklist can assist PINS at the acceptance stage by signposting to relevant submission documents or parts within submission documents. Therefore, the Applicant has decided to complete the Section 55 Checklist for the Application.

## **1.6. DOCUMENT REFERENCE 1.6 - ELECTRONIC APPLICATION INDEX**

- 1.6.1.1. The Electronic Application Index provides a list of all Application documents, including electronic file names, document reference numbers and document authors for all Application documents.
- 1.6.1.2. PINS request that applicants complete the Index to ensure that large volumes of application information can be easily navigated and retrieved for a quantitative and qualitative check of the submission by PINS Officers. This is set out in PINS Advice note six: Preparation and submission of application documents (The Planning Inspectorate, 2019), to which the template of the Index is attached at Appendix 2.

## **1.7. DOCUMENT REFERENCE 1.7 - GLOSSARY**

- 1.7.1.1. A standalone Glossary has been prepared which provides definitions of technical terms and explanations of abbreviations contained within the Application documents. PINS recommend the preparation of a glossary on page 05 of Advice note six (The Planning Inspectorate, 2019).



## 2. PLANS

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### 2.0. OVERVIEW

- 2.0.1.1. The documents in the Plans category contain the plans which show where and how the Applicant proposes to undertake the Proposed Development.
- 2.0.1.2. The plans show the location of the Proposed Development and the land required to build it as well as illustrating technical detail.
- 2.0.1.3. In accordance with PINS Advice note six and Regulation 5(4) of the APFP Regulations, where there is a plan comprises three or more separate sheets, a key plan is provided to enable the viewer to understand the relationship between the different sheets.

### 2.1. DOCUMENT REFERENCE 2.1 - SITE LOCATION PLAN

- 2.1.1.1. The Site Location Plan identifies the location of the Proposed Development in its wider context.
- 2.1.1.2. The preparation of a Site Location Plan is not a requirement under the APFP Regulations, as the Order Limits (which constitute the “red line boundary”) are required to be identified on the Works Plans (document reference 2.4, see below). However, a Site Location Plan over two sheets has been prepared (for information only), as it is considered helpful for stakeholders to be able to see the Site at a scale that fits on fewer sheets.
- 2.1.1.3. This plan has been prepared under Regulation 5(2)(q) of the APFP Regulations, which provides for the preparation of “*any other documents considered necessary to support the application*”.

### 2.2. DOCUMENT REFERENCE 2.2 - LAND PLANS

- 2.2.1.1. The Land Plans are required to be submitted under Regulation 5(2)(i) of the APFP Regulations. They correspond to and should be read in conjunction with the Book of Reference (document reference 4.3). They set out
  - the land required for, or affected by, the Proposed Development;
  - land over which it is proposed to exercise powers of compulsory acquisition or any right to use land or impose restrictions;
  - any land in relation to which it is proposed to extinguish easements, servitudes and other private rights.

2.2.1.2. The Land Plans also show where the land within the Order Limits includes special category land, as required under the APFP Regulations.

### **2.3. DOCUMENT REFERENCE 2.3 - CROWN LAND PLANS**

2.3.1.1. Where applicable, Crown Land Plans are required to be submitted under Regulation 5(2)(n) of the APFP Regulations. As the Order Limits for the Proposed Development includes Crown land, Crown Land Plans have been prepared which correspond to and should be read in conjunction with the Book of Reference (document reference 4.3).

### **2.4. DOCUMENT REFERENCE 2.4 - WORKS PLANS**

2.4.1.1. Works Plans are required to be prepared under Regulation 5(2)(j) and need to show the proposed location or (for a linear scheme) the proposed route and alignment of the development and works, and the limits within which the development and works carried out. These limits are referred to as the 'Order Limits'. The Works Plans also need to show any Limits of Deviation ('LoD') provided for in the draft DCO ('dDCO') submitted with an application.

2.4.1.2. The Works Plans submitted show the proposed works including the alignments of the Onshore and Marine Cable Corridors and, where applicable, the LoD within which the Proposed Development and works may be carried out.

2.4.1.3. The works packages are numbered and correspond to the works defined in Schedule 1 of the dDCO (document reference 3.1) which are sought to be authorised by the DCO.

### **2.5. DOCUMENT REFERENCE 2.5 - ACCESS AND RIGHTS OF WAY PLANS**

2.5.1.1. These plans identify and new or altered means of access, temporary stopping up of streets, roads and Public Rights of Way ('PRoW'), and any diversions.

2.5.1.2. They are required to be submitted under Regulation 5(2)(k) of the APFP Regulations.

### **2.6. DOCUMENT REFERENCE 2.6 - CONVERTER STATION AND TELECOMMUNICATIONS BUILDINGS PARAMETER PLANS**

2.6.1.1. These plans show location options for and the parameters within which the Converter Station will be located, including the maximum height and width of the Converter Station. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations.

2.6.1.2. The parameters shown correspond to the parameters listed in Requirement 5 of the dDCO submitted with the Application.

## **2.7. DOCUMENT REFERENCE 2.7 - INDICATIVE CONVERTER STATION AREA LAYOUT PLANS**

2.7.1.1. These plans show an indicative layout for the Converter Station and Converter Station Area. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

## **2.8. DOCUMENT REFERENCE 2.8 - INDICATIVE CONVERTER STATION ELEVATIONS**

2.8.1.1. These plans show indicative elevations and sections for the Converter Station. They have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

## **2.9. DOCUMENT REFERENCE 2.9 - INDICATIVE TELECOMMUNICATIONS BUILDINGS ELEVATIONS AND FLOOR PLANS**

2.9.1.1. These plans, prepared under Regulation 5(2)(o) of the APFP Regulations, show indicative elevations for the Telecommunications Building(s) and associated floor plans. These plans are illustrative only, i.e. are not for approval.

## **2.10. DOCUMENT REFERENCE 2.10 - INDICATIVE OPTICAL REGENERATION STATION(S) ELEVATIONS AND FLOOR PLANS**

2.10.1.1. These plans, prepared under Regulation 5(2)(o) of the APFP Regulations, show an indicative elevation and floor plans for the Optical Regeneration Station(s) ('ORSs'). These plans are illustrative only, i.e. are not for approval.

## **2.11. DOCUMENT REFERENCE 2.11 - OPTICAL REGENERATION STATION(S) PARAMETER PLAN**

2.11.1.1. The plan shows the location and parameters for the ORSs as set out in Requirement 5 of the dDCO. The plan has been prepared under Regulation 5(2)(o) of the APFP Regulations and are submitted for approval.

## **2.12. DOCUMENT REFERENCE 2.12 - HEDGEROW AND TREE PRESERVATION ORDER PLANS**

- 2.12.1.1. These plans show existing important and other hedgerows and Tree Preservation Order trees within the Order Limits. Important hedgerows fulfil the criteria for importance set out in the Hedgerow Regulations (1997). Hedgerows shown as 'other hedgerows' have been surveyed as part of a field Phase 1 and / or hedgerow ecological survey and have not been found to be important according to the Hedgerow Regulations (1997).
- 2.12.1.2. The plans have been prepared under Regulation 5(2)(l) of the APFP Regulations and are submitted for approval. They should be read in conjunction with Schedules 11 and 12 of the dDCO (see below).

# 3. DRAFT DEVELOPMENT CONSENT ORDER

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## 3.0. OVERVIEW

3.0.1.1. In order to construct and operate the Proposed Development, the Applicant requires development consent from the SoS. The documents within this category contain the dDCO setting out the legal powers the Applicant is seeking.

## 3.1. DOCUMENT REFERENCE 3.1 - DRAFT DEVELOPMENT CONSENT ORDER

3.1.1.1. Under Regulation 5(2)(b), an applicant is required to submit the draft proposed DCO with an application for an order granting development consent.

3.1.1.2. The dDCO submitted with the Application is the draft Statutory Instrument ('SI') that the Applicant requests is made, if the SoS is minded to grant development consent for the Proposed Development. The DCO would authorise the construction, operation and maintenance of the Proposed Development and includes various powers that the Applicant is seeking to enable it to construct, operate and maintain the Proposed Development. It comprises seven parts as outlined below:

- Part 1: General provisions
- Part 2: Principal powers
- Part 3: Streets
- Part 4: Supplemental powers
- Part 5: Powers of acquisition
- Part 6: Operations
- Part 7: Miscellaneous and general

3.1.1.3. The dDCO also contains the following Schedules:

- Schedule 1 — Authorised development
  - Schedule 2 — Requirements
  - Schedule 3 — Procedure for approvals, consents and appeals
  - Schedule 4 — Land plans
  - Schedule 5 — Works plans
-

- Schedule 6 — Access and rights of way plans
- Schedule 7 — Parameter plans
- Schedule 8 — Streets and public rights of way to be temporarily stopped up
- Schedule 9 — Modification of compensation and compulsory purchase enactments for the creation of new rights and restrictive covenants
- Schedule 10 — Land of which temporary possession may be taken
- Schedule 11 — Trees subject to tree preservation orders
- Schedule 12 — Removal of important of hedgerows
- Schedule 13 — Protective provisions
- Schedule 14 — Certified documents
- Schedule 15 — Deemed marine licence under the 2009 Act
  - Part 1 — Licensed marine activities
  - Part 2 — Conditions
  - Part 3 — Procedure for appeals

### **3.2. DOCUMENT REFERENCE 3.2 - EXPLANATORY MEMORANDUM**

3.2.1.1. Under Regulation 5(2)(c) an applicant is required to submit an Explanatory Memorandum explaining the purposes and effect of each provision in the dDCO, including in particular any divergences from the model provisions. Therefore, an Explanatory Memorandum has been submitted with the Application.

### **3.3. DOCUMENT REFERENCE 3.3 - DRAFT DEVELOPMENT CONSENT ORDER VALIDATION REPORT**

3.3.1.1. In accordance with PINS Advice notes six and fifteen (Drafting Development Consent Orders) (The Planning Inspectorate, 2018), the dDCO has been prepared and validated in the Government SI template. The Draft Development Consent Order Validation Report evidences that the dDCO is error free and on the correct version of SI template.

# 4. COMPULSORY ACQUISITION INFORMATION

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## 4.0. OVERVIEW

- 4.0.1.1. In order to construct and operate the Proposed Development, the Applicant will need to acquire land and rights in land, to extinguish existing rights, and to possess and use land temporarily. Whilst the Applicant will seek to negotiate with the relevant landowners for the required land and rights, as a last resort the Applicant may need to rely on powers in the DCO to authorise acquisition, the grant of rights, the imposition of restrictions and the ability to extinguish easements and servitudes required to facilitate the delivery of the proposed Development.
- 4.0.1.2. The Applicant is required to provide evidence that the use of these powers would be justified, proportionate and in the public interest and this evidence is set out in a Statement of Reasons ('SoR') (document reference 4.1), Funding Statement (document reference 4.2), Book of Reference ('BoR') (document reference 4.3) as explained below.

## 4.1. DOCUMENT REFERENCE 4.1 - STATEMENT OF REASONS

- 4.1.1.1. The Applicant has been seeking to acquire the land, rights (and impose restrictions) over land and the temporary use of land by voluntary agreement, in order to ensure implementation of the Proposed Development. However, it has not yet been possible to acquire all of the land, the temporary use of land and the rights required by voluntary agreement.
- 4.1.1.2. Therefore, a SoR is required to be submitted under Regulation 5(2)(h) of the APFP Regulations.
- 4.1.1.3. The SoR explains that there is a case of public interest which would justify the Applicant's exercise of powers of compulsory acquisition in order to acquire land and rights permanently, to extinguish rights, and to use land temporarily to enable the Applicant to construct, operate and maintain the Proposed Development.
- 4.1.1.4. The SoR should be read in conjunction with the Land Plans, the Funding Statement and the BoR.

## 4.2. DOCUMENT REFERENCE 4.2 - FUNDING STATEMENT

- 4.2.1.1. This statement explains how the Proposed Development would be funded, including the funding of any land to be purchased through compulsory acquisition.

4.2.1.2. The submission of a Funding Statement is required (where applicable) under Regulation 5(2)(h) of the APFP Regulations.

### **4.3. DOCUMENT REFERENCE 4.3 - BOOK OF REFERENCE**

4.3.1.1. The BoR is required to be submitted under Regulation 5(2)(d) of the APFP Regulations.

4.3.1.2. It corresponds with the Land Plans and Crown Land Plans and identifies all parties who own or occupy land and / or have an interest in or right over the land affected by the proposal, and / or who may be entitled to make a 'relevant claim' as defined in Section 57 of the PA 2008. It is structured in five parts in accordance with Regulation 7 of the APFP Regulations. The five parts are:

- **Part 1:** Names and addresses for service of each person within categories 1 and 2 as set out in Section 57 of the PA 2008.
- **Part 2:** Names and addresses for service of each person within category 3 as defined in Section 57 of the PA 2008, who would or might be entitled to make a relevant claim as defined in Section 57(4) of the PA 2008. As explained in section 2.3 of the BoR, no persons are listed in Part 2 of the submitted BoR as potentially having such a claim as the Applicant does not expect that any person will be able to make a relevant claim (as that term is defined at Section 57(6) of the PA 2008).
- **Part 3:** Names and addresses of those persons whose entitlement to enjoy easements of rights may be extinguished, suspended or interfered with.
- **Part 4:** Specifies the the owner of any Crown interest in the land which is proposed to be used for the purposes of the Proposed Development.
- **Part 5:** Land which is special category land.

4.3.1.3. For each plot of land described in the BoR, being land within which it is intended that all or part of the Proposed Development shall be carried out, the area in square metres for that plot is given.



## 5. REPORTS

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### 5.0. OVERVIEW

5.0.1.1. A number of technical reports and documents were produced in the support of the Application, which are not environmental reports or documents (these are contained in category 6 – see below). The contents of the reports and documents contained within category 5 are summarised in this section of the Application Guide.

### 5.1. DOCUMENT REFERENCE 5.1 - CONSULTATION REPORT

5.1.1.1. This report provides an account of the pre-application consultation carried out on the Proposed Development. It reports on the statutory consultation carried out on the Proposed Development in accordance with Part 5 of the PA 2008 and the non-statutory consultation that took place before this.

5.1.1.2. The Consultation Report demonstrates how the Applicant has had regard to the consultation feedback, and demonstrates compliance with the statutory requirements in relation to the statutory consultation. The report includes details of how the Proposed Development has been amended as a result of some of the consultation responses received.

5.1.1.3. The submission of a Consultation Report is required under Section 37(3)(c) of the PA 2008 (with the term defined in Section 37(7) of the PA 2008).

5.1.1.4. The chapters of the Consultation Report are as follows:

- Executive Summary
- Explanatory Text
- Introduction
- Legislation, Guidance and Advice
- AQUIND's Approach to Consultation
- EIA and Habitats Regulations
- Initial Engagement Activities
- Non-Statutory Consultation
- Engagement Following January – February 2018 Non-Statutory Consultation (march 2018 – February 2019)
- Evolution Following Non-Statutory Consultation
- Statutory Consultation and Responses under Section 42 of the PA 2008

- Statement of Community Consultation (SOCC)
- Statutory Consultation: Publicity under Section 48 of the PA 2008
- Statutory Consultation: Responses under Section 47 / 48 of the PA 2008
- Targeted Consultation
- Post February – April 2019 Consultation and Engagement
- Design Changes and Mitigation as a Result of Statutory Consultation
- Post February – April 2019 Consultation and Engagement
- Changes made to Proposed Development
- General Data Protection Regulation (GDPR)
- Conclusion

5.1.1.5. A full list of the appendices submitted with the Consultation Report is contained within the Electronic Application Index.

## **5.2. DOCUMENT REFERENCE 5.2 - OTHER CONSENTS AND LICENCES**

5.2.1.1. This document provides information on the other consents, licences and permits that are or may be required under other legislation for the construction, operation, maintenance and decommissioning of the Proposed Development, and that cannot be sought as part of the Application.

5.2.1.2. This document has been produced to meet the requirements of section 24 of the prescribed Application Form (document reference 1.4).

## **5.3. DOCUMENT REFERENCE 5.3 - STATUTORY NUISANCE STATEMENT**

5.3.1.1. This document identifies the matters set out in Section 79 of the Environmental Protection Act 1990 in respect of statutory nuisances and considers whether the Proposed Development would engage one or more of those matters. Where any matters may be potentially engaged, this statement sets out proposals for mitigating or limiting them.

5.3.1.2. Applicants are required to submit a Statutory Nuisance Statement under Regulation 5(2)(f) of the APFP Regulations.

## **5.4. DOCUMENT REFERENCE 5.4 - PLANNING STATEMENT**

- 5.4.1.1. This document demonstrates how the Proposed Development accords with relevant planning policy and legislation, in particular the Overarching National Policy Statement ('NPS') for Energy EN-1.
- 5.4.1.2. The submission of a Planning Statement is not a regulatory requirement; however it is considered to be useful to assist the SoS in reaching the 'planning balance' under Section 104 of the PA 2008.
- 5.4.1.3. The Planning Statement contains the following appendices which are submitted as standalone documents:
- Appendix 1 Onshore Section Drawings (document reference 5.4.1)
  - Appendix 2 Planning History (document reference 5.4.2)
  - Appendix 3 Section 35 Direction (document reference 5.4.3)
  - Appendix 4 Local Planning Policy (document reference 5.4.4)
  - Appendix 5 The Assessment of the South Marine Plan (document reference 5.4.5)

## **5.5. DOCUMENT REFERENCE 5.5 - DESIGN AND ACCESS STATEMENT**

- 5.5.1.1. The Design and Access Statement ('DAS') provides information in respect of the design evolution of the Converter Station and Converter Station Area in particular. The purpose of the DAS is to demonstrate the design process that has been followed during the development of the Onshore Components of the Proposed Development at the pre-application stage and how the final design will be confirmed in accordance with the requirements of the DCO once granted.
- 5.5.1.2. The DAS also contains a set of Design Principles for the Converter Station and for the ORS. Adherence to these principles will ensure that the detailed design for the Converter Station and ORS will satisfy the principles of 'good design' as required by NPS EN-1 and meet the functional and operational requirements whilst responding to their setting.

## **5.6. DOCUMENT REFERENCE 5.6 - NEEDS AND BENEFITS REPORT**

- 5.6.1.1. This document demonstrates the needs case for the Project from the UK perspective. It presents the overarching need for increasing electricity interconnection between the UK and the neighbouring countries, and the positive contribution that AQUIND Interconnector brings in terms of the socio-economic benefits, energy security and wider benefits of the Project.

## 6. ENVIRONMENTAL STATEMENT

### 6.0. OVERVIEW

- 6.0.1.1. The documents submitted under this category comprise of the four volumes of the ES, as well as associated technical and environmental reports and documents.
- 6.0.1.2. The Applicant has undertaken an EIA of the Proposed Development to consider and assess the likely significant effects the Proposed Development. The ES reports the findings of the EIA.
- 6.0.1.3. The ES also provides general information on the Proposed Development including its context, a full description of the Proposed Development and its construction, the main alternatives considered, the consultation process that was part of the EIA, and any relevant technical information that has been used to assess the likely significant effects of the Proposed Development.

### 6.1. DOCUMENT REFERENCE 6.1 - ENVIRONMENTAL STATEMENT VOLUME 1 MAIN TEXT

- 6.1.1.1. The main report of the ES contains the following chapters:

**Table 6-2 – Environmental Statement Chapters**

Chapter	Title	Document Reference
Chapter 1	Introduction	6.1.1
Chapter 2	Consideration of Alternatives	6.1.2
Chapter 3	Description of the Proposed Development	6.1.3
Chapter 4	EIA Methodology	6.1.4
Chapter 5	Consultation	6.1.5
Chapter 6	Physical Process	6.1.6
Chapter 7	Marine Water and Sediment Quality	6.1.7
Chapter 8	Intertidal and Benthic Habitats	6.1.8
Chapter 9	Fish and Shellfish	6.1.9

<b>Chapter 10</b>	Marine Mammals and Basking Sharks	6.1.10
<b>Chapter 11</b>	Marine Ornithology	6.1.11
<b>Chapter 12</b>	Commercial Fisheries	6.1.12
<b>Chapter 13</b>	Shipping, Navigation and Other Marine Users	6.1.13
<b>Chapter 14</b>	Marine Archaeology	6.1.14
<b>Chapter 15</b>	Landscape and Visual Amenity	6.1.15
<b>Chapter 16</b>	Onshore Ecology	6.1.16
<b>Chapter 17</b>	Soils and Agricultural Land Use	6.1.17
<b>Chapter 18</b>	Ground Conditions	6.1.18
<b>Chapter 19</b>	Groundwater	6.1.19
<b>Chapter 20</b>	Surface Water Resources and Flood Risk	6.1.20
<b>Chapter 21</b>	Heritage and Archaeology	6.1.21
<b>Chapter 22</b>	Traffic and Transport	6.1.22
<b>Chapter 23</b>	Air Quality	6.1.23
<b>Chapter 24</b>	Noise and Vibration	6.1.24
<b>Chapter 25</b>	Socio-Economics	6.1.25
<b>Chapter 26</b>	Human Health	6.1.26
<b>Chapter 27</b>	Waste and Material Resources	6.1.27
<b>Chapter 28</b>	Carbon and Climate Change	6.1.28
<b>Chapter 29</b>	Cumulative and Transboundary Effects	6.1.29
<b>Chapter 30</b>	Summary of Significant Effects	6.1.30

## **6.2. DOCUMENT REFERENCE 6.2 - ENVIRONMENTAL STATEMENT VOLUME 2 FIGURES**

6.2.1.1. As stated above, the Electronic Application Index contains a full list of the ES figures which form Volume 2 of the ES.

## **6.3. DOCUMENT REFERENCE 6.3 - ENVIRONMENTAL STATEMENT VOLUME 3 TECHNICAL APPENDICES**

6.3.1.1. The Electronic Application Index contains a full list of the technical appendices which form Volume 3 of the ES.

## **6.4. DOCUMENT REFERENCE 6.4 - ENVIRONMENTAL STATEMENT VOLUME 4 NON-TECHNICAL SUMMARY**

6.4.1.1. This document provides a summary of the findings of the ES in non-technical language.

## **6.5. DOCUMENT REFERENCE 6.5 - MARINE OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

6.5.1.1. This document sets out good management practices and the overarching principles for environmental management associated with the Proposed Development within Marine Cable Corridor, which is within the UK Marine Area (i.e. the Marine Components)

## **6.6. DOCUMENT REFERENCE 6.6 - MITIGATION SCHEDULE**

6.6.1.1. This Schedule sets out the mitigation controls and other best practice measures identified in the ES and identifies the means by which those controls and measures will be secured.

6.6.1.2. It provides a unique reference number for each item included in the Mitigation Schedule. The Schedule then identifies the paragraph number of the ES where the mitigation measure is referenced and the potential impact or topic which the mitigation measure is intended to address or relates. The Schedule also summarises the mitigation measures, as set out in the ES, identifies the 'control document' within which mitigation measure will be implemented, and the means by which the mitigation measure will be secured.

## **6.7. DOCUMENT REFERENCE 6.7 - LETTER OF NO IMPEDIMENT**

6.7.1.1. The Letter of No Impediment ('LONI') has been issued to the Applicant by Natural England ('NE') on 4 November 2019. It relates to a draft badger mitigation licence application in association with the Proposed Development, which was prepared by the Applicant and received by NE on 28 October 2019. The LONI confirms that NE sees no impediment to a licence being issued, should the DCO be granted.

## **6.8. DOCUMENT REFERENCE 6.8 - HABITATS REGULATIONS ASSESSMENT REPORT**

6.8.1.1. The Habitats Regulations Assessment ('HRA') Report provides relevant technical information to enable competent authorities to discharge their functions under Regulations 7 (competent authorities) and 63 (assessment of implications for European sites and European offshore marine sites) of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') in connection with the Proposed Development.

6.8.1.2. The HRA covers the entirety of the Proposed Development.

6.8.1.3. The HRA is submitted in three volumes:

- Volume 1 (document reference 6.8.1) contains the main text;
- Volume 2 (document reference 6.8.2) contains figures; and
- Volume 3 (document reference 6.8.3) contains technical appendices.

6.8.1.4. A complete list of figures and appendices is contained in the Electronic Application Index.

## **6.9. DOCUMENT REFERENCE 6.9 - ONSHORE OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

6.9.1.1. This document sets out good management practices and the overarching principles for environmental management of the onshore construction of the Proposed Development.

## **6.10. DOCUMENT REFERENCE 6.10 - OUTLINE LANDSCAPE AND BIODIVERSITY STRATEGY**

6.10.1.1. This document outlines the management and enhancement objectives and associated landscape prescriptions for the Converter Station Area and Landfall, as well as providing background context and links to the overall Design Principles, outlined in the DAS.

## 7. EXAMINATION DOCUMENTS

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### 7.1. OVERVIEW

7.1.1.1. Any new documents submitted during the examination (except revisions to previously submitted documents that may be updated and resubmitted as and when required) will be category 7 documents. They will be listed in the Application Document Tracker. The numbering of the documents will follow the below sub-categories.

- 7.1 Statements of Common Ground ('SoCG');
- 7.2 Schedules of Changes (setting out any revisions to previously submitted documents);
- 7.3 Supplemental Environmental or Engineering Information;
- 7.4 Other Submissions.



## REFERENCES

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The Planning Inspectorate. (2018, July). Advice note fifteen: Drafting Development Consent Orders.

The Planning Inspectorate. (2019, November). Advice note six: Preparation and submission of application documents.