

Southampton to London Pipeline Project

Deadline 3

Written Summary of Oral Submissions put at the Issue Specific
Hearing on Environmental Matters on 4 December 2019 (ISH3)

Application Document: 8.21

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Southampton to London
Pipeline Project

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Southampton to London Pipeline Project EN070005

Issue Specific Hearing 3 on Environmental Matters held at

the Holiday Inn Farnborough on Wednesday 4 December 2019

1 Introduction

- 1.1 This document summarises the case put forward orally by Esso Petroleum Company, Limited (“**the Applicant**”), at the third Issue Specific Hearing on the environmental effects of the proposed development which took place at the Holiday Inn Farnborough, Lynchford Road, Farnborough GU14 6AZ from 10am on Wednesday 4 December 2019 (“**ISH 3**”).
- 1.2 The Applicant was represented at ISH 3 by:
 - 1.2.1 Alexander Booth QC of Francis Taylor Building;
 - 1.2.2 Angus Walker of BDB Pitmans LLP;
 - 1.2.3 Alison Segun and Jon Anstee De Mas of Esso; and
 - 1.2.4 Peter Hodkin, Steve Newman, Mike Symons and Cheryl White of Jacobs.

2 Agenda Item 2: Examination of Alternatives

The ExA invited the Applicant to explain the need for a new pipeline as opposed to the partial or total replacement of the existing pipeline

- 2.1 Mr Booth noted that although the existing pipeline was functioning adequately, it was laid between 1969 and 1972 and was therefore approaching fifty years old. But aside from that age factor signalling the need for a replacement pipeline, Mr Booth explained that the pipeline had not originally been laid with a view to transferring aviation fuel (a cold product) but instead to transfer heavy fuel (a hot product). Mr Booth explained that the fact that this was not a purpose designed pipeline had led to increased maintenance and inspections which meant increased repairs and works, resulting in greater disruption to location communities and end users in terms of supplies each time a repair needed to be carried out.
- 2.2 Mr Anstee De Mas elaborated further by explaining that the design of the existing pipeline included a foam coating, similar to a heating tank, which ensured the hot heavy fuel was insulated and remained in liquid form during transportation. Whilst that coating was ideal for a hot product pipeline, which had been the intention for the existing pipeline, it was less ideal at providing external corrosion protection. Mr Anstee De Mas explained that the existing pipeline’s shift in use to transporting aviation fuel, as opposed to heavy fuel, had resulted in an increased amount of corrosion to the pipeline which the foam coating did not protect against; thus leading to increased inspection and maintenance.

Post-hearing note: the Applicant was asked to provide statistics on the number of repairs undertaken to the existing pipeline in recent years; this is under action 1 in the response to action points, Applicant’s document reference 8.22.

- 2.3 The ExA queried whether the foam coating surrounding the existing pipe could be removed.
- 2.4 Mr Anstee De Mas explained that following an internal inspection of the existing pipeline, it was possible to pinpoint specific areas where the foam coating could be removed; however, to undertake that exercise for the full 97 km pipeline would cause significant disruption and take a very long time to complete. Mr Anstee De Mas suggested that it would therefore be possible to remove the foam coating in discrete areas but not throughout the entire existing pipeline.
- 2.5 The ExA commented whether removing the foam coating throughout the entire existing pipeline would cause more or less disruption than building a new pipeline.
- 2.6 Mr Anstee De Mas responded that building a new pipeline would cause less disruption than removing the foam coating from the existing pipeline. Mr Anstee De Mas explained that this was because excavating onto a live pipeline was carefully controlled and the time it would take to remove the coating and subsequently inspect the pipe took longer per metre than it would to bring in and install a new pipeline.
- 2.7 Mr Booth added that the proposal for the new pipeline was a route which the Applicant considered represented the best route under current conditions, whereas to replace the existing pipeline would not allow a less disruptive route to be chosen.
- 2.8 Mr Booth explained that certain elements above ground had changed, so the existing pipeline which used to run beneath undesignated land now ran below, for example, a Special Protection Area, ancient woodland and open space. As such, the Applicant wished to lay a new pipeline with a new alignment so as to avoid certain designations and other obstacles, whereas improving the status of the existing pipeline would require invasive activities in the context which now existed above ground.
- 2.9 The ExA invited the Applicant to discuss the costs of constructing a pipeline and whether that would be greater than simply replacing the outer foam coating on the existing pipeline.
- 2.10 Mr Anstee De Mas explained that in terms of cost the Applicant was viewing the proposed development as a long term investment, in that the overall upfront cost of building a new pipeline would be less in the long term than the costs of undertaking inspections and piecemeal maintenance on the existing pipeline extrapolated over many years.
- 2.11 Mr Booth explained that the replacement of a pipeline had to take place before the position materially deteriorated. Therefore, Mr Booth continued, as a responsible operator and in the reality that the consent process could take some time the Applicant was seeking to replace the pipeline in good time and did not want to wait until the position became acute.
- 2.12 Clive Thompson of the Herons Court Residents Association and Colville Gardens Residents Association expressed his support for the Applicant's position, explaining that under lagging corrosion was one of the biggest problems facing the chemical petroleum industry and that the risk associated with such corrosion increased as the years went by.
- 2.13 Mr Thompson explained that under lagging corrosion was water ingress underneath the lagging which resulted in a rust-like process which would deteriorate and ultimately lead to the failure of the pipeline.

- 2.14 Mr Anstee De Mas explained that whilst a cathodic protection system went some way to protecting a pipeline from corrosion, the foam coating on the existing pipeline inhibited that protection making it less effective against corrosion in those circumstances.
- 2.15 Mr Booth explained that the rate of progress for the new pipeline would depend on the particular circumstances of where the replacement was taking place. Mr Booth explained that some locations might allow for the installation to take place very swiftly whereas other areas, such as those in the vicinity of protected trees, might not allow for such a swift installation.
- 2.16 Mr Anstee De Mas added that a larger trench would be required to get personnel into the ground to remove the coating from the existing pipe as opposed to installing a new pipeline where the trench required would only need to be slightly bigger than the width of the pipe itself.
- 2.17 In response to a point raised relating to ground water protection, Mr Anstee De Mas explained that the Applicant had followed the natural contours of the run in determining where to lay the pipe and the protection from ground water would be provided for in the pipe's coating.
- 2.18 Matthew Jezzard for Surrey County Council ("**SCC**") noted that the Applicant had taken a positive approach to minimising the impact of the project on traffic, particularly in relation to directional drilling as replacing the lagging would involve excavating through all roads including motorways.
- 2.19 In response to a point raised that the Applicant was only concerned with choosing the cheapest option, Mr Booth explained that that was fundamentally incorrect and that if the Applicant were to simply ignore the option of a new pipeline and repair the existing pipeline it would necessitate the Applicant working in sensitive landscapes and causing possibly more significant environmental damage.

The ExA invited the Applicant to explain the selection process for the use of trenchless techniques and the areas where it would be used.

- 2.20 There was a question raised about why the trenchless section east of Ashford Town Centre, where it went under the road and into the grounds of Clarendon Primary School and from there back under the railway into the ground of St James' School, could not have been undertaken by a single simple diagonal section without going through Clarendon Primary School.
- 2.21 Mr Booth explained that the reason the Applicant had not adopted trenchless techniques in certain areas depended on the specific issues each location was dealing with.
- 2.22 Mr Hodkin added that there were restrictions imposed by Network Rail with regard to the angles and degrees one could place pipelines under railways and explained that the Applicant believed it had chosen the best and least disruptive option for each area. Further, Mr Hodkin noted that whilst the Applicant had not adopted trenchless techniques in all areas, they had adopted it in many areas and had considered it in many others.
- 2.23 Mr Booth explained that the Applicant had sought to avoid direct habitat loss in the context of Special Protection Areas ("**SPAs**"), Sites of Special Scientific Interest ("**SSSIs**") etc., however particular issues arose in relation to each location and the Applicant had sought to find the engineering solution which was optimal in those circumstances. Mr Booth referred to the Applicant's position with Clarendon Primary School, where the Applicant has been in extensive

discussions with the school's headmaster who was content with the approach currently proposed by the Applicant.

- 2.24 Karl Cradick of Savills on behalf of Spelthorne Borough Council mentioned that an officer of Spelthorne had spoken with the headmaster of Clarendon Primary School and confirmed the position as Mr Booth described. Nevertheless, Mr Cradick said that Spelthorne remained concerned about the potential for disruption to the operation of the school given the particular complexity of the school grounds.
- 2.25 Mr Hodkin explained that whilst the pit and jointing pit would be in the school, the main deliveries would not. After discussions with the school, Mr Hodkin explained that the Applicant was intending to undertake the required work during the school holiday period to minimise disruption.
- 2.26 The ExA queried how the Applicant sought to secure such measures.
- 2.27 Mr Walker responded that the Applicant had taken away the action points from the previous issue specific hearing and would consider the drafting of the Development Consent Order ("DCO") to ensure that such mitigation measures were appropriately secured.

The ExA invited the Applicant to discuss the proposed/potential changes to logistics hubs and construction compounds and an exploration of whether any further changes are proposed.

- 2.28 The ExA queried how it could be sure the Applicant had realistic proposals for the construction of the pipeline in light of the Applicant's decision to reduce the number of construction compounds from six to two. The ExA expressed concerns over the credibility of the Applicant's construction methodology.
- 2.29 Mr Booth explained that from the outset the Applicant had adopted a precautionary approach to the project to ensure that the Applicant would have insufficient accommodation for the task before it. Mr Booth added that since submission, the Applicant had sought to refine the position relating to logistic hubs with its engineering team to minimise the extent of the compulsory acquisition and temporary possession powers needed. Mr Booth explained that this approach had led to the reality that only two of the originally intended six logistic hubs were now required which represented a positive benefit.
- 2.30 Mr Hodkin added that the Applicant had engaged and worked closely with a number of contractors to reduce the footprint of the proposed development in those areas. Mr Hodkin explained that the more the Applicant worked with the contractors, it had become clear that the logistic hubs could be designed in such a way that would not require the space initially submitted in the application.
- 2.31 The ExA queried whether this showed an inadequacy of the planning undertaken by the Applicant in the early stages. The ExA asked why the Applicant had not engaged with contractors at any earlier stage.
- 2.32 Mr Booth responded that a project needed to reach a certain stage of progression before one would have meaningful engagement with contractors. As such, Mr Booth explained that the Applicant engaged with contractors at the earliest point at which meaningful discussions could take place.

- 2.33 The ExA asked the Applicant whether they expected any further changes to the Order Limits following continued discussions with contractors.
- 2.34 Mr Booth confirmed that the Applicant did not expect any material changes but noted that there were fewer than five further small amendments where the Applicant was responding to individual landowners in relation to how and where on their land the development would be taken forward. Mr Booth used the example of Abbey Rangers Football Club (“**ARFC**”) where the Applicant was in discussions with ARFC with regard to extending trenchless drilling underneath the entirety of the FA standard pitch.
- 2.35 The ExA queried whether the reduction in the number of logistic hubs would call into question whether section 122 of the Planning Act 2008 Act was fulfilled as the Applicant would have too much land not necessary for compulsory acquisition.
- 2.36 Mr Booth explained that the Applicant did not consider the seeking of less land subject to temporary possession for the logistic hubs to call into question their position generally. Mr Booth added that the Applicant required the construction compounds along the pipeline to ensure no one local community was facing more than its fair share of the impacts of the proposed development; therefore considerable possession powers were still required despite the reduction in the number of logistic hubs.
- 2.37 In response to the ExA’s question whether construction compounds could be used as a replacement logistics hub or vice versa, Mr Booth explained that a logistics hub and construction compound fulfilled different functions and were not therefore interchangeable.
- 2.38 Mr Hodkin explained that the geographical issues at Balmoral Drive prevent the removal of the construction compound to be situated there and Balmoral Drive was not linked by road to the St Catherine’s compound which presented another difficulty. Mr Hodkin added that the St Catherine’s construction compound was intended to serve solely the works taking place in the Suitable Alternative Natural Greenspace (“**SANG**”) and St Catherine’s Road. Mr Hodkin noted further that the deep cut construction compound at the end of Frith Hill was some distance from St Catherine’s Road and the Applicant would need to use the forest track to get there.
- 2.39 Mr Hodkin explained that the Applicant planned to give further consideration to the open cut construction compound at Balmoral Drive.

Post-hearing note: The Applicant to consider by Deadline 4 whether a haul road between Balmoral Drive and St Catherine’s Road would be possible to potentially negate the need for a construction compound on St Catherine’s Road Suitable Alternative Natural Greenspace (SANG).

- 2.40 Mr Hodkin confirmed that the Applicant intended to resubmit an updated Transport Assessment detailing the traffic impacts following the proposal to reduce the number of logistic hubs. Mr Walker added that there was a document included in the ongoing consultation which outlined the effects on traffic for reducing to two logistic hubs and that that information would be included in the forthcoming consultation report.

Post-hearing note: the change request to reduce the number of logistic hubs from six to two has been accompanied by an amended Transport Assessment to reflect the change in transport movements that would occur from reducing the number of hubs.

Post-hearing note: the Applicant has submitted the public consultation document on the proposed reduction in the number of logistic hubs with its change request.

- 2.41 In response to a question about the reduction in logistics hubs leading to an increase in the size of construction compounds, Mr Booth said that as the construction compounds and logistic hubs fulfilled different roles, it would be incorrect to assume the construction compounds would swell with the reduction in logistic hubs. Mr Booth confirmed that the Applicant was not seeking larger construction compound sites as a result of the reduction in logistic hubs.
- 2.42 Mr Hodkin also explained that for horizontal drilling the Applicant would require a large plant and footprint area. For auger bore sites, the Applicant would need slightly less space but there that a shaft would need to be constructed which could be as tall as 8 metres and there was a need for ancillary equipment around the location to take away soil. Mr Hodkin continued that for open cut trenchless techniques the Applicant would require less space and the kit required would be used to lift the pipe in and out of the trench. Mr Hodkin summarised that the size of the construction compound depended on the working techniques being deployed in that area.
- 2.43 In relation to the South Downs National Park, Mr Booth explained that it was not a matter of the Applicant's discretion which determined which logistic hubs should be removed but rather consideration of a number of factors including the needs of the specific site, ground conditions, access points and the ongoing consultation exercise.

The ExA invited the Applicant to discuss alternative routings around a number of educational and sporting facilities including ARFC, Cove Cricket Club (“CCC”) and St James’s School.

ARFC

- 2.44 The ExA raised a concern as to whether it was possible to use a pitch with a pipeline underneath it and invited the Applicant to explain how a pitch might be affected once a pipeline was installed underneath it.
- 2.45 Mr Anstee De Mas explained that nothing would restrict the use of the pitch once the pipeline was in place and noted there were a number of sports pitches located above its existing pipelines.
- 2.46 The ExA queried whether added drainage protection for those pitches would be required following the installation of the pipeline.
- 2.47 Mr Anstee De Mas explained that, in terms of land drainage, the Applicant would take special care to determine what drainage was already in place under the pitch and reinstate the drainage appropriately whilst also managing the cut through of the drain at that time. Mr Anstee De Mas added that if new drainage was required this would not cause an issue for the Applicant who would arrange and supervise the replacement of the drainage system to ensure that it was completed safely.
- 2.48 The ExA queried where the Applicant's commitment to reinstate drainage under pitches would be secured.

- 2.49 Mr Anstee De Mas explained that the Applicant would secure reinstatement through side agreements and the Development Consent Order (“**DCO**”) itself by way of requirement 5 and commitment G94 in the Code of Construction Practice (“**CoCP**”).
- 2.50 The ExA asked whether trenchless drilling would resolve the issues raised in earlier representations or whether the Applicant should consider an alternative route.
- 2.51 Mr Hodkin explained that the suggestion of long directional drilling all the way under the pitch was problematic due to the length of the pitch. Mr Hodkin added that the location of the FA pitch was very tight in the corner and to go around the outside would be very difficult for the Applicant as it would cause significant disruption to the pitch. As such, Mr Hodkin confirmed that the most appropriate choice here was to directionally drill under the pitch which would disrupt the pitch to a lesser degree and the Applicant would take the necessary measures to protect the pitch.
- 2.52 The ExA invited the Applicant to explain what mechanisms it was proposing to manage the concerns raised relating to the timing of works potentially clashing with school activities or football fixtures.
- 2.53 Mr Hodkin explained that the Applicant was currently in discussions with ARFC, amongst other organisations, to reach agreement on the timing of the works to ensure minimal impact was caused to these organisations. Mr Hodkin added that those commitments had been secured by the Applicant by way of land agreement with the relevant landowner.
- 2.54 Mr Walker added that the Applicant would consider adding further commitments into the CoCP and Construction Environmental Management Plan (“**CEMP**”) to secure commitments with such organisations with regard to the timing of works.
- 2.55 It was agreed that the Applicant would provide a response on the effect of pipeline construction on the stands at ARFC ground by Deadline 3.

Post-hearing note: Applicant to provide response on effect of pipeline construction on the stands at ARFC; this is under action 5 in the response to action points, Applicant’s document reference 8.22.

St James’s School-

- 2.56 With regard to the pipeline’s impact on the St James’s School playing field, Mr Booth clarified that the Applicant’s approach was to ensure there was no long-term impact on playing fields. Mr Booth explained that whilst there would obviously be an impact on the playing field during the period of construction, the Applicant sought to keep this impact to a minimum by conducting works throughout the school holidays whilst the school was unoccupied.

Post-hearing note: the Applicant has responded to the Written Representation submitted by St James School with reference to further detail on the alternative route suggested by the school and confirmation that the science labs could be constructed given the proximity of the proposed pipeline.

- 2.57 In response to a concern about the installation of an all-weather pitch at the school, Mr Anstee De Mas said that it would usually be the Applicant’s intention to site the pipeline away from all-

weather pitches and noted that the Applicant had the ability within the limits of deviation to employ special techniques of narrow working in that area to ensure less impact on the pitch.

- 2.58 Mr Booth confirmed that the Applicant was confident that the works within St James's School could be completed within the school holidays. Including the subsequent restoration works after the laying of the pipeline. Mr Hodkin added that the Applicant would be using specialist turf lifters in the school and would only need to lift turf in the spot where the trench would be; as such, the pitch would be restored in good time.

Post-hearing note: the Applicant to provide details of works proposed to be undertaken during school holidays; this is under action 8 in the response to action points, Applicant's document reference 8.22

- 2.59 The ExA queried whether the Applicant would adopt a similar ethos in relation to other schools and fields affected by the proposed development.
- 2.60 Mr Hodkin confirmed that the Applicant would adopt a similar approach by, in the first instance, attempting to secure agreement by way of land agreement and failing that through commitments in the CoCP secured by requirement 5 of the DCO.

3 Construction Practices

The ExA invited the Applicant to explain the construction methods in areas of narrow working and streets.

- 3.1 The ExA requested that the following information should be included on the General Arrangement Plans:
- 3.1.1 the areas where auger boring techniques would be deployed;
 - 3.1.2 the areas where horizontal directional drilling techniques would be deployed;
 - 3.1.3 the location of drill or receptor pits;
 - 3.1.4 the areas where stringing out would occur; and
 - 3.1.5 the location of notable trees.
- 3.2 Mr Hodkin noted those points and confirmed the Applicant would include those features on the General Arrangement Plans.
- 3.3 **Post-hearing note: paragraph 3.1 and 3.2 are under action 9 in the response to action points, Applicant's document reference 8.22.**
- 3.4 The ExA queried whether, once started, horizontal directional drilling needed to continue until finished.
- 3.5 Mr Hodkin confirmed that horizontal directional drilling would need to be maintained to keep the bore open and to allow the pipeline to be pulled through. Mr Hodkin indicated that the period of horizontal directional drilling could last for 24 continuous hours if difficulties were experienced.

- 3.6 The ExA queried what length of drilling would take more than 24 hours.
- 3.7 Mr Hodkin explained that a longer drill could be shorter in time than a shorter drill and that it all depended on the geology of the area.
- 3.8 The ExA queried whether, in the worst case scenario, all of the horizontal directional drilling activities could be for a duration of 24/7.
- 3.9 Mr Hodkin confirmed that this would be the worst case scenario but that in this scenario the Applicant would ensure suitable noise suppression was implemented in the relevant drilling areas.

Auger boring

- 3.10 The ExA queried whether that technique involved welding the pipe in the trench and then pushing it through.
- 3.11 Mr Hodkin confirmed that the process of auger boring was to drop the pipeline down into the shaft or pit and weld it in that position and push it through. Mr Hodkin indicated that the Applicant had allotted a period of three months to undertake this technique and complete any reinstatement works. Mr Hodkin added that, unlike horizontal directional drilling, auger boring did not need to be continuous and could be stopped on a daily basis.
- 3.12 The ExA queried how the Applicant sought to secure these commitments with regard to auger boring.
- 3.13 Mr Hodkin explained that such commitments would be secured by way of detailed method statements in the CoCP and CEMP that the Applicant was in the process of producing.
- 3.14 The ExA queried the Applicant's response to written question ALT 1.5 [REP2-038] and the proposed works to Ively Road.
- 3.15 Mr Hodkin explained that the Applicant did not anticipate any top soil removal in the area of Ively Road and could therefore reduce the working width in that area to 5m. Mr Hodkin added that a 5m working area was not a viable option for a long period of time but would be suitable for the works the Applicant intended to carry out on Ively Road.
- 3.16 The ExA queried whether there were any other sensitive areas like Ively Road where a 5m working area could be employed.
- 3.17 Mr Hodkin confirmed that the Applicant had not identified any further sites which were suitable for a 5m working area and explained that given the large number of services in Ively Road, it made it a very sensitive area for the working and warranted a 5m working area.
- 3.18 The ExA commented that there appeared to be different grades of narrow working in different areas, and invited the Applicant to identify each of those so that the ExA could understand what was happening in each.
- 3.19 Mr Hodkin agreed that the Applicant would produce a summary of how the decision to commit to narrow working in certain areas was reached and the factors the Applicant considered with regard to each site in making those decisions.

- 3.20 **The ExA invited the Applicant to explain the effect of the proposal on traffic, parking and access including the effect of road closures, two-way working, the timing and duration of works and how these could be managed; this is under action 10 in the response to action points, Applicant's document reference 8.22.**
- 3.21 The ExA drew attention to paragraph 1.4.6 of the CoCP and queried where the commitments for narrow working for street works could be found.
- 3.22 Mr Walker noted that there were a number of commitments to narrow working in the CoCP but none which at present related to the Applicant's powers concerning street works. Mr Walker explained that the powers relating to streets could be principally found in Articles 9 and 10 of the draft DCO, with further information provided in Schedules 4 and 5.
- 3.23 The ExA queried the possible lengths of open trenches and roads.
- 3.24 Mr Hodkin explained that the narrowest road would be 2.2 metres wide, with the length of open trenches differing between roads depending on the length of the pipeline for the street works. Mr Hodkin explained that one of the mitigation measures adopted by the Applicant here was to review tight working areas, taking account of the ability to reduce onsite welding.
- 3.25 The ExA asked whether the Applicant would resort to using the width of a footway to conduct works should there be unfavourable ground conditions in areas of narrow working.
- 3.26 Mr Hodkin confirmed that should ground conditions be such in areas of narrow working that the Applicant could not conduct the works as intended, the Applicant would continue works on the width of the footpath.
- 3.27 The ExA queried how the Applicant would guarantee residents access to their properties if works were taking place on the footpath outside their homes.
- 3.28 Mr Hodkin explained that the Applicant would use steel road plates which would cover the trenches and allow residents to access their properties and also employ traffic management staff and implement temporary traffic to mitigate traffic impact.
- 3.29 Mr Hodkin noted the suggestion of the ExA that the Applicant's Transport Assessment [APP-135] required further work to act as a toolkit to manage traffic properly for residents and the local authorities concerned.
- 3.30 **Post-hearing note: the Applicant to consider how Annex A to the COCP can secure narrow working in streets as a binding project commitment; this is under action 11 in the response to action points, Applicant's document reference 8.22.**
- 3.31 On the subject of county street works permitting schemes, Mr Booth confirmed that there were extremely positive discussions ongoing between the Applicant and SCC and HCC regarding their respective permit schemes and the Applicant was confident agreement would be reached with both parties. Mr Booth added that it was the Applicant's intention that the Construction and Traffic Management Plan ("CTMP") would deal with any traffic matters during construction.

Post-hearing note: Applicant to include access, traffic and parking management during the construction period within the outline CTMP. The Applicant to submit an outline CTMP at deadline 4.

- 3.32 The ExA suggested whether the Applicant could assist in clarifying how the project was being broken up into individual parts i.e. whether it was on the basis of individual streets, the relationships between different streets, and whether there would be cumulative effects on traffic resulting from works taking place on streets close to each other.
- 3.33 Mr Hodkin explained that, at this point, the Applicant had not worked out the staging for the street works and it was a consideration the Applicant was currently working through. Mr Hodkin added that the Applicant had to consider local events, such as Farnborough Air Show, and the Applicant was working with its relevant highway authority partners to determine the details of the street works.

Balmoral Drive

- 3.34 The ExA invited the Applicant to explain the current street works intended to take place on Balmoral Drive.
- 3.35 Mr Hodkin explained that until the Applicant had assessed exactly the location of the pipe through Balmoral Drive, it was unable to confirm how much of the road would be needed for the works or whether it would need to be closed, partially or fully. Mr Hodkin noted that the Applicant intended to take up as little of Balmoral Drive as possible and that the possible closure of Frimley Green Road had been discussed and considered.
- 3.36 The ExA commented that according to the application documents submitted by the Applicant the only road subject to closure was St Catherine's Road and that, therefore, the Applicant would need to revise these documents should it decide to close Frimley Green Road or Balmoral Drive.
- 3.37 Mr Hodkin noted the suggestion of the ExA and confirmed that it was the Applicant's intention only to close St Catherine's Road and operate Balmoral Drive under a traffic management system, including the junction with Frimley Green, subject to ongoing discussions with SCC. However, the DCO allowed St Catherine's Road to be closed with a substitute provided, because the closure would be more significant, while the other roads may have to be closed briefly and so a substitute did not need to be provided
- 3.38 **Post-hearing note: The Applicant to review whether it would be necessary to shut the whole section of Balmoral Drive between Frimley Green Road and Sandringham Way and not just a short section whilst undertaking a road crossing at Frimley Green Road; this is under action 14 in the response to action points, Applicant's document reference 8.22.**
- 3.39 **Post-hearing note: Applicant to review the application documents relating to the potential closure of Balmoral Drive and amend to ensure consistency; this is under action 15 in the response to action points, Applicant's document reference 8.22.**

Celia Crescent / Fordbridge Park-

- 3.40 Following on from discussion at the Issue Specific Hearing on Environmental Matters on 3 December 2019 ("ISH 2"), Mr Booth confirmed that the Applicant was open to considering the use of Woodthorpe Road as a means of access in place of Celia Crescent. Mr Booth added that if agreement could be reached with Spelthorne Borough Council, the landowner of the park, the Applicant would consider committing to not using Celia Crescent.

- 3.41 The ExA queried whether the use of Woodthorpe Road in place of Celia Crescent would have any impact on the Order Limits for the proposed development.
- 3.42 Mr Booth noted the query of the ExA and confirmed that the Applicant would consider this further. In any event, Mr Booth explained that the Applicant might enter into a separate agreement with Spelthorne Borough Council relating to the use of Woodthorpe Road for access instead of altering the Order Limits.

Post-hearing note: the Applicant to consider amending construction access to Fordbridge Park, avoiding Celia Crescent but utilising the existing access on Woodthorpe Road, with the agreement of Spelthorne Council. In addition, the Applicant to submit details of how the use of this revised access arrangement would affect the order limits and the draft DCO.

Timing of works-

- 3.43 The ExA invited the Applicant to outline any updates further to the points raised at the Issue Specific Hearing on the draft Development Consent Order ("ISH 1").
- 3.44 Mr Walker explained that the Applicant wished to maintain requirement 14 as the default position and then make individual commitments in hotspots areas in the CoCP. Mr Walker confirmed that the Applicant had accepted reducing working hours by one hour either side of the day to include the wind up and wind down period within the stated hours.
- 3.45 The ExA expressed its concern that some of the activities permitted to operate on a 24 hour basis under Requirement 14 appeared to be some of the loudest activities. The ExA asked the Applicant how, in light of the lack of information on this issue, they could be assured that residents' living conditions would not be significantly affected by these carve outs in Requirement 14
- 3.46 Mr Newman explained that whilst some of the activities in Requirement 14 might be discreet and continue for 24 hours, the Applicant did not intend for such activities to continue for consecutive periods of 24 hours. The ExA suggested that the Applicant should clarify this point in Requirement 14.

Post-hearing note: the Applicant to provide details of the locations where 24-hour boring is expected to take place. Explain why this would be necessary and provide an indication of the potential number of days that 24-hour boring would be required in those locations.

Noise-

- 3.47 The ExA asked the Applicant what specification of fencing was used for the noise assessment and what the assessment involved.
- 3.48 Humphrey Roberts-Powell, on behalf of the Applicant, explained that Echo fencing (barriers) had been used and that further assessments were required so that the precise location and height of those barriers would be determined at that point.
- 3.49 Mr Roberts-Powell confirmed that according to the assessments carried out to date, the Applicant expected no significant noise effects, with an impact of no more than 10 decibels.

- 3.50 Mr Booth confirmed that the Applicant intended to submit further information relating to the noise assessments carried out at Deadline 4.
- 3.51 Mr Roberts-Powell explained that the Applicant intended to revise the relevant commitment relating to noise mitigation to clarify the locations at which Echo fencing would be used at Deadline 4.
- 3.52 **Post-hearing note: the Applicant to provide a statement on where noise mitigation would be provided including the use of Echo fencing; this is under action 19 in the response to action points, Applicant's document reference 8.22.**

Nash Close-

- 3.53 In response to a question about classifying urban and rural areas in accordance with the British Standards, Mr Roberts-Powell explained that the Applicant had a choice of a variety of assessment methods and that the Applicant's methodology as set out in the Environmental Statement and professional judgement were used to classify between urban and rural locations.
- 3.54 **Post-hearing note: the Applicant to provide justification for the approach adopted to noise mitigation in respect of BS 5228; this is under action 20 in the response to action points, Applicant's document reference 8.22.**

The ExA invited the Applicant to explain the effect of the proposal on the provision of and access to open space (from a recreational perspective), sports and playing pitches, children's play facilities and schools and other community facilities and how this could be managed and whether any mitigation would be required.

Open Space-

- 3.55 Mr Booth began by outlining the five areas which the Applicant considered Suitable Alternative Natural Greenspaces ("**SANG**"):
- 3.55.1 Queen Elizabeth Barracks – Mr Booth explained that Hart District Council had taken no issue with the approach of the Applicant and the subsequent impact on this SANG.
- 3.55.2 Windlemere – Mr Booth explained that the Applicant had been in extensive discussions with Surrey Heath Borough Council who expressed no concerns with regard to the impact of the proposed development on this SANG.
- 3.55.3 St Catherine's Road – Mr Booth explained that the Applicant had been in extensive discussions with Surrey Heath Borough Council who expressed significant concerns with regard to the impact of the proposed development on this SANG.
- 3.55.4 Southwood Park – Mr Booth explained that Rushmoor Borough Council had expressed concerns with regard to the impact of the proposed development on this SANG.
- 3.55.5 Chertsey Meads – Mr Booth explained that whilst not technically a SANG, the Applicant treated this site as a SANG and Runnymede Borough Council had not

expressed any concerns with regard to the impact on Chertsey Meadows during discussions.

- 3.56 Mr Booth explained that both Natural England and the Surrey Wildlife Trust had accepted the Applicant's approach to the SANGs. Mr Booth also noted that Surrey Heath Borough Council did not have an ecological manager which raised the question of how they considered this issue.
- 3.57 **Post-hearing note: The Application to provide signposting to the advice from Natural England that outlines that they do not consider that the temporary loss of SANGs during construction would adversely affect the Thames Basin Heath Special Protection Area; this is under action 22 in the response to action points, Applicant's document reference 8.22.**
- 3.58 Mr Booth added that the Applicant's approach to SANGs was not akin to a housing situation whereby the housing development would be adding permanent new occupants to the SANGs. On the contrary, Mr Booth explained that the Applicant sought temporary possession of certain parts of the SANGs and therefore, at worst, occupancy would only be temporarily displaced.

St Catherine's Road SANG-

- 3.59 The ExA asked the Applicant whether the construction compound at St Catherine's Road was intended to be purely for the works at St Catherine's Road and how long the Applicant intended for the construction compound to be in place.
- 3.60 Mr Hodkin explained that the Applicant had held a number of discussions with the relevant borough council with regard to the use of the construction compound at the St Catherine's Road SANG. Mr Hodkin explained that it was the Applicant's intention to close St Catherine's Road for some periods during the works due to how narrow the road was but the Applicant was optimistic that the construction compound would not be in place for longer than a two year period.
- 3.61 The ExA commented that despite the Applicant's intention to use the construction compound for a period of less than two years, should the DCO be granted it would permit the Applicant to use the compound for the period of two full years. The ExA queried how the Applicant planned to secure its intention to use the construction compound for less than two years.
- 3.62 Mr Hodkin explained that it was the Applicant's intention that the construction compound would extend into the SANG to avoid a number of surrounding mature trees. The Applicant considered it more prudent to take more open space than remove more trees.
- 3.63 Mr Booth confirmed that the Applicant was not able to provide certainty as to the duration of works in the St Catherine's Road SANG as the project was not yet at a detailed design stage where this could be estimated.
- 3.64 The ExA appreciated that this is an iterative process and that the Applicant was currently undertaking the survey works at each of the SANGs. The ExA queried whether the Applicant had applied for the appropriate street permit for St Catherine's Road SANG and whether the Applicant would make this information available to the ExA before the end of the examination period.

- 3.65 Mr Hodkin explained that the St Catherine's Road SANG was part of the Applicant's trial trenching and that a second set of permit applications were going in and the information therefrom would be available before the end of the examination.
- 3.66 The ExA passed on a suggestion of providing a map of which areas each construction compound would serve to the Applicant to consider.
- 3.67 **Post-hearing note: the Applicant to provide a plan to show the location of construction compounds and the areas of the pipeline to which they relate; this (a schedule rather than a plan) is under action 23 in the response to action points, Applicant's document reference 8.22.**

Sports and playing pitches-

- 3.68 Mr Booth confirmed the Applicant would consider providing a plan dealing with access during periods of construction for the approval of the relevant local planning authority and respond at Deadline 3.
- 3.69 The ExA asked the Applicant to consider how the periods of construction and restoration of pitches might be secured in the DCO.

Children's play space-

- 3.70 The ExA noted that QEP had been discussed at length at ISH 2 and warranted no further discussion at the hearing.
- 3.71 The ExA suggested that an update be provided by the relevant parties at Deadline 3 with regard to the ongoing discussions in relation to Woodthorpe Road.
- 3.72 **Post-hearing note: the Applicant to provide an update in relation to the impact on discussions as to the removal / provision of alternative and re-provision of the play space on Woodthorpe Road adjacent to Buxton Road; this is under action 8 in the response to action points, Applicant's document reference 8.24.**

Other community facilities-

- 3.73 Mr Booth explained that the Applicant intended to maintain access to Ship Lane Cemetery notwithstanding the proposed works.

The ExA invited the Applicant to explain the concerns in relation to the effect of the proposal on farming and how these could be addressed.

- 3.74 The ExA noted that these concerns would be better addressed by way of written questions.

The ExA invited the Applicant to explain how construction would affect the people's living conditions with particular references to the proposed working hours, light and access to properties.

- 3.75 The ExA noted that these concerns would be better addressed by way of written questions.

4 Agenda Item 4: Water and Flooding

The ExA invited an update from the Environment Agency and the Applicant with regard to the Flood Risk Assessment.

- 4.1 The Environment Agency (“EA”) explained that there were still one or two issues to resolve with the Applicant but on the whole they agreed with the conclusions reached in the Flood Risk Assessment.
- 4.2 Mr Symons explained that the Applicant would be submitting a written response to address all items raised by the EA at Deadline 3 and remained optimistic that the parties were close to reaching agreement on flood risk matters.
- 4.3 Mr Symons explained that the Applicant had been in discussions with Surrey County Council and Hampshire County Council and that a call had been arranged for 11 December 2019 to progress discussions on flood risk.
- 4.4 Mr Booth said that the removal of trees did not pose a major concern with regard to flooding as it was the Applicant’s intention to replant trees, albeit shrub varieties over the pipeline.

The ExA invited the Applicant to provide an update on the Water Framework Directive Compliance Assessment and any discussions with the Environment Agency.

- 4.5 Ms White confirmed that the Applicant was considering the points raised by the EA and was confident these would be addressed in the Water Framework Directive Assessment.
- 4.6 **Post-hearing note: the Applicant to provide an update in relation to ongoing discussions about the Water Framework Directive; this is under action 25 in the response to action points, Applicant’s document reference 8.22.**

The ExA invited the Applicant to explain the progress on securing the Surface and Foul Drainage Strategy heads of term through the DCO.

- 4.7 Mr Newman explained that a drainage plan for permanent works would be relatively minimal as the Applicant intended for minimal permanent works to take place. Mr Newman confirmed that the Applicant would provide a drainage strategy in relation to temporary works and would provide the examination with an outline drainage strategy at Deadline 4.

Post-hearing note: the Applicant to submit an outline strategy for surface and foul water drainage by Deadline 4.