

# Southampton to London Pipeline Project

## End of Examination

Summary of Case

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Southampton to London  
Pipeline Project



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# **1 Applicant's Summary of Case**

## **1.1 Introduction**

- 1.1.1 Esso Petroleum Company, Limited (the Applicant) has applied for development consent for the Southampton to London Pipeline project, a 97km replacement aviation fuel pipeline that is proposed to run from Boorley Green in Hampshire to the West London Terminal storage facility in the London Borough of Hounslow.
- 1.1.2 This document is the Applicant's final summary of the case at the end of the examination of the application. It covers those topics that are generally the subject of recommendations and decisions, to the extent that there was material discussion in relation to them during examination. Document links and references are included based on the [Examination Library](#) at the end of the examination.

## **1.2 National Policy Statements - need for the development and alternatives: Need**

- 1.2.1 The project is covered by the Overarching Energy National Policy Statement ([EN--1](#)) and the National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines ([EN-4](#)). It therefore falls to be determined under s104 of the Planning Act 2008. As such, the presumption is that the project is needed; this need was not questioned to any substantial degree during the examination.
- 1.2.2 The Applicant has made a strong case that the benefits of the project considerably outweigh its adverse impacts; indeed, the only remaining likely significant effect following mitigation is the loss of a small number of trees protected by Tree Preservation Orders, where these may not be replaced directly in situ due to other existing site constraints.

## **1.3 Alternative route alignments**

- 1.3.1 In terms of alternatives, the Applicant carried out lengthy and thorough engagement and assessment on the choice of route. The route that is the subject of the application for development consent should therefore be considered appropriate. The adequacy of consultation responses submitted by local authorities attests to the quality and robustness of the Applicant's pre-application consultation.
- 1.3.2 Alternative routes at specific locations were considered prior to and during the examination in some detail, in response to submissions from other parties, suggesting in particular the suggestions:
- first, that the route should have avoided re-entering the South Downs National Park. In this regard, the Applicant notes that consent for development within a National Park may be granted in exceptional circumstances under NPS EN-1. The Applicant considers that such exceptional circumstances are manifestly present in this case, for the reasons set out in the Planning Statement ([APP-132](#)); It is notable in particular that the South Downs National Park Authority

acknowledged as part of its response to the Applicant's non-statutory consultation that a corridor around the National Park was not feasible;

- second, that the route along Turf Hill in Lightwater, Surrey should have reverted to one of the previous alignments consulted upon. In this regard, the Applicant provided a detailed response to this suggestion as part of its responses to relevant representations ([REP1-003](#)), which confirmed why the route selected at Turf Hill, avoiding as it does the potential for damage to optimal habitat used by protected species, was the most appropriate of the alignments previously consulted upon, having regard to the full range of ecological and engineering factors. Natural England also responded on this subject ([REP4-064](#)), confirming that there would be multiple legislative hurdles to overcome if the alternative route proposed by a small number of interested parties were followed, and that in their opinion the alternative route proposed by those interested parties has the potential to give rise to worse impacts, including some potentially irreparable damage to wet heathland areas; and
- third, that the route through St James School in Ashford should have followed an alternative alignment. Submissions were made by the Independent Education Association Limited (IEAL) favouring an alternative alignment. The Applicant has responded in a detailed way ([REP7-046](#)) explaining why, balancing all relevant factors, including for example the potential loss of trees and impact on future development of the land, the alignment for which consent is sought remains the optimal solution. The Applicant has nevertheless listened to concerns expressed by the IEAL regarding the impact of construction works on the School's operations and, in response, prepared a Site Specific Plan for St James School ([REP6-061](#)) (see below for Site Specific Plans generally). This plan illustrates the specific alignment of the route to be followed through the School, as well as the construction methodology and mitigation to be implemented. Compliance with the Site Specific Plan is secured by the DCO.

- 1.3.3 The test which the decision maker will need to apply is whether the benefits of the project outweigh its adverse impacts; it is not a question of whether interested parties consider that the best possible route has been promoted. Nevertheless, the Applicant does consider that the overall route it chose, which was the product of extensive consultation prior to the submission of the application for development consent, is justified in comparison with possible alternatives, particularly in those specific locations referred to above.

## **1.4 Site Specific Plans**

- 1.4.1 In response to representations and the comments of the Examining Authority, the Applicant provided significantly enhanced detail, as well as further commitments and controls, in respect of the areas along the route which were the subject of greatest focus during examination, meaning that the route that will be constructed in those areas is very clearly defined.
- 1.4.2 The way in which this has been achieved is through the submission of eight Site Specific Plans which have been prepared in respect of those areas. Compliance with each Site Specific Plan is secured by Requirement 17 of the Development Consent Order (DCO) ([REP7-021](#)).

- 1.4.3 In these locations, the Applicant has identified the route that the pipeline would need to follow in the corresponding Site Specific Plan and that route will be secured by the DCO, subject to a limited scope for local authorities to approve a deviation from it.
- 1.4.4 The Site Specific Plans demonstrate the extent to which the Applicant has listened to the Examining Authority and interested parties and has strived to address their concerns. The level of detail contained in those plans is substantial and goes significantly beyond the level of detail that one would typically expect to see secured by an Order granting development consent.
- 1.4.5 The Applicant does not accept any further approval of Site Specific Plans under Requirement 17 of the draft DCO as some interested parties have requested. This is because such an approach would effectively amount to a veto over the route of the replacement pipeline, which the Applicant seeks powers to determine within the lateral limits of deviation prescribed by article 6 of the DCO, and would defeat the fundamental purpose of obtaining a DCO, which is to package together the consents required to deliver, and is legally obliged to be obtained for, a nationally significant infrastructure project.

## **1.5 Queen Elizabeth Park (QEP)**

- 1.5.1 The route and methodology for construction of the pipeline through QEP has been a major topic of discussion during examination. The Applicant considers that, regrettably, the nature of the discussion in relation to the construction methodology through QEP has meant that the limited impacts – with no protected species loss, only 30 non-mature trees removed and only short-term disturbance to park users – associated with the Applicant's proposed open-cut method of installation through QEP have been overlooked by some interested parties.
- 1.5.2 The Applicant has been very clear in its view that the route and construction methodology which it is proposing through QEP are entirely suitable and that the measures set out in the Site Specific Plan for QEP, which place strict controls upon the way in which construction works are undertaken through QEP, ensure that an appropriate proposal is before the decision maker for their approval.
- 1.5.3 A small number of interested parties have suggested that the route through QEP should be constructed by trenchless methods. In answering that suggestion, the Applicant has called upon a wealth of engineering knowledge and experience and, balancing relevant factors, maintains the view that the open-cut construction methodology which it proposes is the most appropriate. It is notable that one of the parties which now favours a trenchless solution through QEP – Rushmoor Borough Council – has chosen to express that view so late in the examination process, despite having had the opportunity to do so since as early as 2018, when the Applicant began formally to engage with the Council in relation to the project.
- 1.5.4 At Deadline 7 ([REP7-046](#)), the Applicant explained that the alternative trenchless proposals put forward by interested parties were lacking in evidential support, could not be delivered within the Order Limits and would also carry substantially greater engineering risk than the Applicant's open-cut solution. The Applicant has responded in a detailed way to alternative proposals put forward by interested

parties during this examination process and does not consider that future debate would alter the conclusions reached.

1.5.5 For this reason, the Applicant strongly resists the local planning authority (Rushmoor Borough Council in this case) being given the ability to approve the Site Specific Plan for QEP prior to the commencement of works, which was the approach suggested by the Examining Authority in its consultation DCO ([PD-017](#)). The Applicant has set out in substantial detail why such a position would be untenable ([REP7-043](#)). In particular, the Applicant's case is that:

- the Site Specific Plan for QEP provides a comprehensive and detailed methodology for construction through QEP which limits the potential impacts. There is no need for later approval and the plan will not be materially improved by providing for such approval, given that a detailed plan is before the decision maker now;
- as long as the local planning authority has the ability to approve the Site Specific Plan, then it will effectively have control over the route of the pipeline through QEP. That is clearly incompatible with the Examining Authority's own acknowledgement about the need to exclude the route of the pipeline from the need for consent ([PD-017](#));
- the problems inherent in later approval are best illustrated by the method of construction through QEP, which would also be up for debate if the plan were subject to the planning authority's approval. Following six months of discussion, a small number of interested parties continue to argue, with very limited evidential support, for a trenchless construction method through QEP instead of the Applicant's open-cut solution. This is despite detailed submissions by the Applicant explaining why a trenchless method is not feasible, most notably because it cannot be delivered within the order limits, and carries significantly more risk than the Applicant's own open-cut solution ([REP7-046](#)). In this regard the Examining Authority should note that no substantive proposal was adduced by interested parties during the examination. Indeed, to the extent that any proposal was advanced at all, it was not provided in time for it to be scrutinised at the various hearing sessions, but was instead only put forward after the last of those sessions had completed. The level of detail is wholly inadequate, and certainly insufficient to allow a conclusion that it is in any way a credible proposition. The submissions made by Rushmoor Borough Council at Deadline 7 illustrate that it appears to have closed its mind to, and will not consider, anything other than a trenchless method through QEP as demonstrated by its comment on the QEP SSP that it "cannot support this document as it advocates open cut construction techniques". Later approval by the local planning authority will therefore only invite further debate, and inevitable disagreement and delay to this project, in circumstances where the decision maker has a comprehensive plan before it, supported by robust evidence, in a form which is appropriate for certification now. In effect, the Applicant would be placed in a position where its ability to construct through QEP at all might be fundamentally compromised; and
- even if the Examining Authority were to accept that a trenchless construction method was more appropriate, which in any event cannot be concluded here for the reasons which the Applicant has explained, that is not sufficient to insist that the Applicant should change its approach. As noted, the relevant test under the



Planning Act 2008 is that the DCO should be made if the benefits of the project outweigh the adverse effects, which they clearly do in this case, not that the application is the one that causes the fewest adverse impacts.

- 1.5.6 For all these reasons, the Applicant says that the Site Specific Plan for QEP submitted at Deadline 7 is comprehensive and should be certified by the Secretary of State subject to the limited scope for changes to that plan to be made with the prior agreement of the local planning authority, provided for under Requirement 17. This is the basis upon which the DCO is drafted and, in the Applicant's view, it would be manifestly inappropriate for the decision maker to proceed on anything other than this basis.

## **1.6 Areas not covered by Site Specific Plans**

- 1.6.1 There was very little challenge to those other extensive parts of the 97km route which are not the subject of Site Specific Plans. It is a tribute to the Applicant's engagement with stakeholders that, of the 294 interested parties who submitted relevant representations in respect of the application, the only parties to make substantive representations by the final deadline a week before the close of the examination were four local authorities, Network Rail, the Environment Agency, one landowner (St James School) and the QEP and Turf Hill residents' groups. All other submissions were either statements of common ground or withdrawals of representations.
- 1.6.2 The Applicant will of course continue to engage with all parties following this examination.

## **1.7 Approach to securing mitigation**

- 1.7.1 The way in which commitments are secured by the supporting management plans set out in Schedule 2 of the DCO was also explored during examination. The Applicant's original approach was to map all of the environmental commitments and mitigation relied upon from the register of environmental actions and commitments (REAC) to the specific management plans in Schedule 2 of the DCO in which those commitments would be contained. That approach was not favoured by the Examining Authority.
- 1.7.2 As a result, the Applicant recalibrated its approach. Instead of grouping all of the commitments and mitigation in a single document, i.e. the REAC, they were transferred to a suite of outline documents by subject-matter submitted at Deadline 4, which included the outline Construction Environmental Management Plan, the outline Construction Traffic Management Plan and the outline Landscape Ecological Management Plan.
- 1.7.3 These outline plans would be certified by the Secretary of State and are secured by the Requirements in Schedule 2 (see, for example, Requirements 6, 7 and 12). The final versions of any plans submitted to the local planning authorities for approval would need to be in accordance with the outline plans.

## **1.8 Change application**

- 1.8.1 It should be noted that the Applicant changed the application to reduce the number of proposed logistics hubs from six to two (with one of the removed four becoming a construction compound). Following a targeted consultation, this change was accepted by the Examining Authority.

## **1.9 Habitats Regulations Assessment**

- 1.9.1 The Habitats Regulations Assessment (HRA) Report ([APP-130](#) and [APP-131](#)) submitted with the application for development consent has been the subject of extensive discussion throughout examination.
- 1.9.2 The Applicant's comments on the Report on the Implications for European Sites (RIES) ([REP7-042](#)) summarise the principal issues discussed (namely (1) the screening out of likely significant effects due to physical disturbance to the Thames Basin Heaths Special Protection Area (the SPA) habitat; and (2) the finding of no significant effects on the integrity of the SPA due to the displacement of recreational activities into the SPA from Suitable Alternative Natural Greenspaces (SANGs) intersected by the order limits) and the Applicant's position in relation to each of those issues. The Applicant does not seek to repeat those points here.
- 1.9.3 The Applicant stands firmly behind the conclusions of the HRA Report, both generally and on all of the matters discussed during examination. Those conclusions are not challenged by the vast majority of parties and are positively agreed with by others such as Natural England who, as the appropriate nature conservation body for the purposes of the Conservation of Species and Habitats Regulations 2017, the Applicant has worked very closely with over an extensive period of time. As the Applicant has made clear previously, it is well established that the decision maker should give substantial weight to the views of Natural England.
- 1.9.4 As regards the effects on the SPA due to working within affected SANGs, the Applicant's comments on the RIES ([REP7-042](#)) illustrate that, in respect of four out of five of the SANGs affected by construction works, there are no outstanding concerns regarding the impacts of those works on the SPA. In respect of the one remaining SANG - Southwood Country Park SANG – the Applicant has explained in detailed terms why it considers that any displacement of recreational activity to the SPA due to working in that SANG would be minimal (see e.g. [REP4-032](#) and [REP6-075](#)).
- 1.9.5 In relation to concerns cited about the extent to which measures such as trenchless and narrow working were relied upon by the Applicant to reach a negative screening conclusion in respect of physical disturbance to the SPA during construction, the Applicant made very clear that such measures were not in fact relied upon in reaching that conclusion and that the screening process followed was entirely robust ([REP6-074](#)).
- 1.9.6 However, without prejudice to that position, and recognising the extent of discussion directed to this topic at the last series of hearings in February, to dispel any doubt about the approach taken by the Applicant in the HRA Report, the Applicant provided a note at Deadline 6 ([REP6-074](#)) setting out the data and analysis required



by the competent authority to perform an Appropriate Assessment in relation to the effect of physical disturbance to the SPA during construction, should the competent authority consider that Appropriate Assessment to be necessary.

- 1.9.7 In relation to all SANGs, additional commitments to reduce the impacts of the works at those locations have been included in the CoCP. Further, in relation to both Southwood Country Park and St Catherine's Road SANGs, where particular concerns were cited by some interested parties, the Applicant prepared and submitted Site Specific Plans. These plans describe the construction techniques and mitigation measures which would be deployed by the Applicant to reduce the impacts of works at these locations. They would be certified by the Secretary of State and legally secured by Requirement 17 of the draft DCO. These plans are not required in order to support the conclusions of the HRA Report, but rather reflect the Applicant's desire to listen to the local authorities' concerns when working within these affected areas.
- 1.9.8 At Deadline 7, a number of interested parties made further submissions in respect of HRA matters. Generally, these do not raise new issues and the Examining Authority will be well aware of the Applicant's position in relation to those submissions, having responded to them in detail during the course of examination.
- 1.9.9 The Applicant does however note that in [REP7-070](#), the view is expressed that the Applicant has failed to demonstrate that there are imperative reasons of overriding public interest (IROPI) to justify the chosen route through Turf Hill. In response, the Examining Authority will be aware that, in circumstances where the Applicant's appropriate assessment reaches the reasoned conclusion that the project would not result in adverse impacts on the integrity of any European sites, the IROPI test described does not apply.
- 1.9.10 In conclusion, the Applicant stands firmly behind its position that it has provided a legally compliant and robust HRA. The concerns raised by a small number of interested parties during examination do not alter that position.

## **1.10 Landscape and visual considerations**

- 1.10.1 The principal landscape and visual impact that was considered in detail during the examination was the loss of trees. The Applicant undertook a tree survey along the full length of the pipeline route to identify notable trees and this survey informed the Environmental Statement (ES) submitted with the application. The assessment considered the potential worst-case impact of the removal of all trees within the order limits, taking account of embedded measures such as narrow working.
- 1.10.2 In addition, there are extensive commitments in the Code of Construction Practice and the outline Landscape Ecological Management Plan which serve to reduce the potential impacts of the project on trees. Having regard to the application of those commitments, the ES concludes that, with the exception of impacts on a limited number of TPO trees, none of the landscape and visual effects arising from the installation of the pipeline would be significant.
- 1.10.3 The Applicant also listened to interested parties' concerns and accordingly committed to using the relevant British Standard for working with trees, rather than

the National Joint Utilities Group guidance, in the commitments relating to working near trees, notwithstanding the Applicant's view that the latter approach is entirely sound. Despite representations from others, the Applicant is confident that it can meet this standard while constructing the project; it has committed to do so.

- 1.10.4 The removal and retention of vegetation, including trees, is regulated by Requirement 8 of the DCO and the principles set out in the LEMP.
- 1.10.5 As noted, the Applicant prepared Site Specific Plans for the specific locations discussed during examination. In those locations, vegetation removal and retention must be undertaken in accordance with the Site Specific Plan. In some instances, this has given rise to very detailed commitments. For example, at Turf Hill, the Site Specific Plan confirms that only 60 of the surveyed trees would be removed to lay the pipeline and accommodate the construction compound. If the Applicant needed to remove more than those 60 trees, then it would need to seek a change to the Site Specific Plan with the approval of the local planning authority.
- 1.10.6 In relation to the South Downs National Park, the Applicant recognised the particularly sensitive nature of this protected landscape and has accordingly agreed that any vegetation removal and retention within the National Park must be in accordance with the schedule of vegetation retention commitments in the National Park ([REP6-076](#)). That schedule would be certified by the Secretary of State and compliance with it is legally secured by Requirement 8 of the DCO.
- 1.10.7 In terms of those locations which are not covered by Site Specific Plans or the schedule of vegetation commitments in the South Downs National Park, the removal and retention of vegetation would be undertaken in accordance with the written vegetation retention and removal plan submitted to the local planning authority prior to the commencement of construction works.
- 1.10.8 The Applicant does not accept any further approval of vegetation removal and retention (as opposed to reinstatement) under Requirement 8 of the draft DCO as some interested parties have sought. Such an approach would effectively amount to a veto over the route of the replacement pipeline, which the Applicant seeks powers to determine within the lateral limits of deviation prescribed by article 6 of the DCO, and would defeat the fundamental purpose of obtaining a DCO, which is to package together the consents required to deliver a nationally significant infrastructure project.

## **1.11 Traffic and Transport**

- 1.11.1 Traffic and transport issues were assessed as being not significant within the application documents ([APP-135](#) and [APP-119](#)). An outline Construction Traffic Management Plan (CTMP) was submitted by the Applicant during examination ([REP7-031](#)).
- 1.11.2 The Hampshire and Surrey Council Councils' permitting schemes for road works were the subject of some discussion at an early stage in the examination and the Applicant, at the request of the highway authorities, has agreed to follow these when constructing and maintaining the development, as set out in Part 3 of the DCO.

- 1.11.3 Requirement 7 of the DCO, which deals with the CTMP, was also discussed. A number of local planning authorities have said that the CTMP should be approved by them. The Applicant's preference, given the length of the scheme and the overlap with the permitting schemes, would be for each relevant highway authority to approve the CTMP, in consultation with its respective planning authorities. This is the basis upon which Requirement 7 is drafted and the Applicant stands by that approach.
- 1.11.4 Whichever approach is adopted, however, the Applicant would emphasise that its principal concern is to avoid any scenario in which the CTMP would need to be approved by both the highway authority and the relevant planning authority, given the scope for disagreement between authorities in the discharge process.

## **1.12 Noise and Vibration**

- 1.12.1 The ES concluded that there could be short-term significant noise effects during construction at some locations. However, noise-reducing measures would be identified as part of the preparation of a Noise and Vibration Management Plan, to be agreed with the relevant planning authority under Requirement 6 of the DCO.
- 1.12.2 The approach to the noise assessment was set out within the Applicant's Scoping Report ([AS-019](#)) July 2018 and received no attention from interested parties until the Issue Specific Hearing in December 2019. The noise thresholds were questioned by Rushmoor District Council at the hearing, and although the Applicant stood by its original assessment, the Applicant agreed to update the noise assessment based on the lower threshold (see PC.2.3 in [REP4-026](#)). This assessment ([REP4-017](#)) identified the specific locations where noise mitigation would be required, and committed to providing noise barriers at these locations, as set out within the outline Noise and Vibration Management Plan ([REP6-041](#)). With this mitigation in place, there would be no residual significant effects.

## **1.13 Biodiversity**

- 1.13.1 A wide range of ecological baseline surveys were undertaken along the whole route of the pipeline. These baseline surveys informed the assessment within the ES and the preparation of the draft European Protected Species (EPS) licences. Natural England (the relevant body for protected species licensing) has confirmed that the scope and methodology of the surveys are appropriate in the signed Statement of Common Ground ([REP1-005](#)) and also provided Letters of No Impediment (LONI) for the draft licences.
- 1.13.2 The ES concluded that with the embedded measures in place, such as narrow working and the good practice measures outlined within the Code of Construction Practice, there would be no likely significant effects on biodiversity. Therefore, no additional mitigation was required. Rushmoor Borough Council have stated that they consider further mitigation is required. The Applicant stands by both the assessment within Chapter 7 of the ES ([APP-047](#)) and the measures set out within the draft EPS licences, the conclusions of which have not been questioned by any party during examination, that there would be no likely significant effects to biodiversity and therefore no further mitigation is required. This is supported by Natural England, who state that the scope and methods of the ecological surveys, the methodology

used within the assessment and the mitigation set out within the ES are appropriate, as demonstrated by the signed Statement of Common Ground ([REP1-005](#)).

## **1.14 Flooding and Water Quality**

- 1.14.1 The ES concluded that there were no residual significant effects on water. During examination, the Environment Agency requested further information regarding working in Flood Zone 3 and the Applicant has included additional commitments within the outline Water Management Plan to address these points. The Environment Agency has confirmed at Deadline 7 that they have no outstanding concerns in relation to flood risk.
- 1.14.2 Rushmoor Borough Council also raised concerns about the potential open cut crossing at the Blackwater Valley. The Applicant assessed the impacts on the Blackwater Valley within the ES and made appropriate commitments within the outline Water Management Plan. However, to satisfy Rushmoor Borough Council's concerns, the Applicant has included an outline methodology for crossing the Blackwater Valley within Appendix B of the outline Water Management Plan, in the event that an open cut and auger bore combination option was chosen at this location.

## **1.15 Compulsory Acquisition powers**

- 1.15.1 The Applicant has made considerable strides towards acquiring the interests and rights over land required for the project by agreement. At the end of the examination, of the 218 agreements required with affected landowners, more than 200 are either agreed or otherwise at an advanced stage of legal drafting, with the principal terms agreed.
- 1.15.2 A significant part of the route is across Crown land owned principally by the Ministry of Defence (MoD) with a short section of public highway at Ashford, Surrey owned by the Ministry of Justice (MoJ).
- 1.15.3 An agreement with the MoD has been reached and is in the process of being executed. That process is taking slightly longer than usual, due to delays associated with COVID-19.
- 1.15.4 Terms have also been agreed with the MoJ and the only matter now outstanding is a consent required from a commercial tenant of the MoJ's land. Esso is in ongoing discussions with the MoJ and the tenant in question to resolve this outstanding matter.
- 1.15.5 The Applicant also reached an agreement at an early stage with the National Trust and so was able to choose the one of two options it included in the application that went through National Trust land at Hinton Ampner. Section 130 of the Planning Act 2008 is therefore not engaged in this case.
- 1.15.6 As noted, the Applicant has made substantial efforts to acquire the rights over the affected land by agreement, and the remaining powers being sought are no more than is reasonable and appropriate, and therefore given the undisputed need case, there is a compelling case in the public interest for receiving such powers.



- 1.15.7 By the end of the examination, the Applicant reached agreement with all but three statutory undertakers, namely Network Rail, Portsmouth Water and Affinity Water. There are also completion formalities to finalise with Thames Water and South Eastern Power Networks, which have been delayed due to COVID-19. The Applicant has submitted a case under section 127 of the Planning Act 2008 that it should nevertheless be granted compulsory acquisition powers over these undertakers' land, who all have the benefit of protective provisions in the DCO ([REP7-049](#)).

## **1.16 Conclusion**

- 1.16.1 This is an application for a 97 km pipeline and represents the longest linear scheme yet put forward for Development Consent. The fact that it passes through so many local authority boundaries emphasises the nationally significant nature of the project and the need to adopt a national approach to decision making, as opposed to the local approach adopted by traditional town and country planning process. In particular, the Applicant has the support of national regulatory bodies and agencies, specifically Natural England, Historic England and the Environment Agency, who have been engaged with since the project launch. With this in mind, the Applicant would once again stress that the purpose of the Planning Act 2008 is to strike an appropriate balance and to allow decisions to be taken at a national level so that national infrastructure is not caught up in, or delayed by, local decision making.
- 1.16.2 The Applicant assumes that the decision maker will take account of all applicable UK law, Government guidance and relevant case law (including on the applicability of National Policy Statements) in determining this application for development consent.
- 1.16.3 In light of the above, it is the Applicant's case that benefits of the project manifestly outweigh its limited adverse impacts and that development consent should be granted for the Southampton to London Pipeline project.