



Kate Mignano
Case Manager
National Infrastructure
Temple Quay House
2 The Square
Bristol, BS1 6PN

Environment, Planning & Enforcement

Invicta House
County Hall
MAIDSTONE
Kent ME14 1XX

Phone: 03000 412818
Ask for: Hannah Clement
Email: Hannah.Clement@kent.gov.uk

Your reference: EN010084

10 July 2018

BY EMAIL ONLY

Dear Kate

Re: Application by Vattenfall Wind Power Limited for an Order Granting Development Consent for the Thanet Extension Offshore Wind Farm

Thank you for your letter dated 29 June 2018, providing Kent County Council (KCC) with the opportunity to comment on whether the applicant has complied with the following duties:

- Duty to consult: Planning Act 2008 (as amended) - Section 42;
- Duty to consult the local community: Planning Act 2008 - Section 47; and
- Duty to publicise: Planning Act 2008 - Section 48.

Duty to consult - Section 42

Vattenfall Wind Power Limited undertook a statutory consultation under Section 42 of the Planning Act 2008. KCC was invited to respond to the consultation, which took place from Monday 27 November 2017 to Friday 12 January 2018. As part of the statutory consultation, a Preliminary Environmental Impact Report (PEIR) was submitted to help consultees understand the likely effects of the construction and operation of the Thanet Windfarm Extension. KCC provided a response to this consultation on the 12 January 2018.

KCC does not object to the adequacy of consultation for the DCO but would like to raise an issue relating to paragraph 20¹ of the pre-application guidance. The guidance (page 6) states that consultation should be based on “accurate information that gives consultees a clear view of what is proposed, including any options”. The applicant only considered one option with KCC and it was requested by the Authority that this option should, where possible, be trenched through Pegwell Bay Country Park. During the Section 42

¹ DCLG Planning Act 2008: Guidance on the pre-application process

consultation, this requested option was not consulted upon and the option to trench will not be available for consideration until well into the formal process.

Should the application be accepted, there is unlikely to be sufficient time to fully engage and consult with KCC and other stakeholders. Therefore, the proposal does not meet the guidance set out in paragraph 20. As a landowner of the Country Park and with a responsibility for managing the park as a closed landfill site, this is of concern to KCC due to the significant impacts of the proposal.

Duty to consult the local community - Section 47

KCC was consulted on the draft Statement of Community Consultation (SoCC) in September 2017 and was also provided with a copy of the final version in October 2017.

The County Council has no concerns in relation to the consultation process as set out in Section 47 of the Planning Act 2008.

Duty to publicise - Section 48

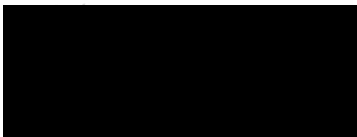
KCC has no comments on the applicant's compliance with Section 48.

Overall, KCC considers that the applicant has complied with its duties under Section 42, 47 and 48. However, the Authority would like to raise a concern around requirements under Section 42, for the reasons stated above.

The County Council looks forward to working with the applicant to resolve the issues arising in relation to the cabling, and as the scheme progresses through the development consent process.

If you require further information or clarification on any matter in this letter, then please do not hesitate to contact me.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

Katie Stewart
Director for Environment, Planning and Enforcement