

## CORPORATE RESOURCES

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Date: 15/01/19



Dear Mr Smith,

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

#### **The Examining Authority's first written questions and requests for information (ExQ1)**

Please find below Thanet District Council's response to the first written questions of the Examining Authority.

#### 1.1.39 Saltmarsh Mitigation, Reinstatement and Monitoring Plan: Effects of Permanent Loss of Saltmarsh

*The applicant's Saltmarsh Mitigation, Reinstatement and Monitoring Plan [APP-147] relates to the temporary construction effects of the export cable. The document states (para 1.2.1) that 'any permanent loss of saltmarsh will be addressed in a separate document through further consultation with the relevant stakeholders'. a) With regard to this separate document, please could the applicant outline: its scope and purpose, its current status, the intended timetable for production, whether or not it is intended to be submitted during this examination any consultation undertaken or planned; and, how the measures contained therein would be secured. b) The views of the local authorities, Natural England and the Environment Agency on the above points (i-vi) are invited.*

Thanet District Council have no comment at this stage.

#### 1.1.40. Saltmarsh Mitigation, Reinstatement and Monitoring Plan: Recovery Assumptions

*NE's relevant representation has referred to the experience of the recent construction of the NEMO link, from which it states that the saltmarsh has been slower to recover than expected. a) In this context, how would the need for further post-construction mitigation (if required, depending on the success of the restoration) be determined and delivered within the provisions of the Thanet Extension Offshore Wind Farm DCO? b) What are the potential options for managing this eventuality?*

Thanet District Council has no comments to make on this matter as it does not have sufficient expertise in saltmarsh recovery. The Council defers to Natural England's findings and knowledge on this matter.

#### 1.16.1. Onshore and Seascape Landscape and Visual Impact Assessment

*Has the Applicant proposed adequate siting and design landscape and visual mitigation measures for onshore works, taking account of public access to and recreational use of the Pegwell Bay Country Park, National Nature Reserve and foreshore areas? If not, what additional measures should be taken and why?*

Thanet District Council considers the required submission of an Landscape and Ecological Mitigation plan, to include reinstatement and restoration of the landscape from the installation of the cabling, will adequately manage the visual impact after construction.

#### 1.16.2. Outline Landscape and Ecological Management Plan (Onshore)

*Application document [APP-142] sets out outline landscape management measures to be delivered in tandem with ecological measures. a) Are the proposed landscape screening measures at the substation set out in Chapter 3 adequate to address the landscape and visual impacts of the proposed substation (Work No.13) and if not, what changes should be made to the document; and b) Are any other landscape screening or enhancement measures to address the onshore landscape and visual effects of the proposed development required and if so, why and in what terms should they be added to the document?*

(a) Thanet District Council defers to Dover District Council on the matter as the relevant local authority.

(b) Thanet District Council considers the required submission of an Landscape and Ecological Mitigation plan, to include reinstatement and restoration based on the outlined methods in the outline landscape and ecological management plan, will be suitable to adequately managing the visual impact after construction.

#### 1.16.3. Landscape and Visual Effects of Cable Alignments in Pegwell Bay Country Park and National Nature Reserve

*Have adequate siting and design mitigation measures been taken to address the landscape and visual effects of cable alignments in Pegwell Bay Country Park and National Nature Reserve? If not, please identify if any additional measures are sought and for what purpose. In particular, please provide your assessment of the adequacy of the following measures. If you conclude that any are not adequate, please identify how you recommend that the measures should be changed.*

- a) Changes to the sea wall at the landfall location in Pegwell Bay Country Park (Work No.3B);*
- b) Reinstatement and management of the cable alignment from the landfall location through Pegwell Bay south west to the boundary of the National Nature Reserve (Works Nos.4 and 4A); and*
- c) The landscape and visual relationship between the cable alignment from the landfall location through Pegwell Bay south west to the boundary of the National Nature Reserve and the adjacent existing Nemo Link cable alignment (Works Nos.4 and 4A).*

As outlined above, Thanet District Council considers the required submission of an Landscape and Ecological Mitigation plan, to include reinstatement and restoration based on the outlined methods in the outline landscape and ecological management plan, will adequately manage the visual impact, including the relationship between the existing Nemo link to the west of the proposed route in works 4 and 4A.

#### 1.16.4. Offshore Works

*Has the Applicant proposed adequate siting and design, seascape, landscape and visual mitigation measures for offshore works and particular wind turbine generator (WTG) arrays, taking account of their relationship with the existing Thanet Offshore Wind Farm and the potential differences of scale between the installed and proposed WTGs? If not, what additional measures should be taken and why?*

Given the limited options to mitigate the impact through siting and design measures (given the parameters within the works proposed), Thanet District Council does not consider there are additional measures that could be introduced to mitigate the offshore works. Thanet District Council considers that the reduction in site area of the project (from the Preliminary Environmental Impact Report and pre-application consultation) has mitigated some of the seascape impact (through the reduction in horizontal width on the skyline from the coastal viewpoints), and the Council understands that the siting will be dictated by other consenting regimes. Therefore there is no further mitigation that could meaningfully and logistically alter the development and its impacts from those outlined in the Environmental Statement.

#### 1.17.4. Management of Construction Traffic Effects

*From your standpoint as a Highway Authority and LPA, are you content that construction traffic effects are adequately managed?*

The precise management of the construction traffic effects have not been detailed at this stage. The Construction Traffic Management plan information provided within the Code of Construction Practice provides the template for the submissions to be provided under requirement 21, required to be approved by Kent County Council prior to each stage of construction. This approach is considered appropriate for managing the impacts of the project over the duration of the project.

#### 1.17.5. Management of Operational Traffic Effects

*From your standpoint as a Highway Authority and LPA, are you content that any operational traffic effects that might arise within your area of responsibility are adequately managed?*

Thanet District Council is content in relation to the impact of the operational traffic effects from the project on the transport network.

#### 1.18.5. Risks to Controlled Waters Cable

*Landfall Options 1 and 3 would involve running underground cables through the historic landfill site at Pegwell Bay. Are the councils and the Environment Agency satisfied that the proposed design and mitigation measures would avoid a significant risk to public health in terms of contaminated land and potential impacts on controlled waters? If not, why not?*

Design and mitigation yet to be fully defined at this stage. Requirement 19 requires submission of contemporary intrusive site investigation data, which will inform appropriate remediation and mitigation measures along the cable route.

#### 1.18.6 Controlled Waters: Cumulative Effects Assessment

*Table 6.14 of [APP-062] outlines various potential cumulative impacts that could arise from the projects identified in Table 6.13, in combination with the Proposed Development, and provides an assessment of the potential significance of such impacts. Minor beneficial effects are identified on the impacts to human health and controlled waters, and to changes in watercourse conveyance and floodplain storage. Do Thanet District Council, the Environment Agency, Natural England and Kent Wildlife Trust agree that a “minor beneficial” cumulative effect alongside the Nemo link is a reasonable conclusion as to the residual effect in terms of potential impacts to human health and controlled waters, taking into account ground investigation, remediation and groundwater protection measures as secured within the DCO? If not, why not?*

There is the potential for a minor beneficial cumulative effect but this will depend on detailed mitigation yet to be determined and up-to-date intrusive investigation data to be submitted, including groundwater monitoring.

#### 1.18.7 Mitigation Measures as a Result of Site Investigation Works

*Table 6.15 of [APP-062] summarises the post-mitigation residual effects of the proposed development from a ground conditions, flood risk and land use perspective. As no significant effects are identified due to the presence of embedded mitigation, this table concludes that no further mitigation measures are necessary. However, both Table 6.12 and section 6.15 of [APP-062] recognise that site investigation works will be undertaken prior to construction in order to inform the final design of the proposed development, and any associated mitigation works. This suggests a lack of baseline information, particularly in relation to the landfill engineering, leaching potential of contaminants and groundwater levels. Section 6.15 states that the scope and design of the site investigation is to be agreed with Kent County Council, Thanet District Council and the Environment Agency, along with the final design of mitigation measures. a) Please can Kent County Council, Thanet District Council and the Environment Agency confirm that they are satisfied that the site investigation works can be appropriately delivered in the context of the DCO as drafted? b) Section 7 of the Code of Construction Practice explains that “potential mitigation measures” are to be “based on the investigation results”: to what extent is this array of measures known at this stage?*

- a) Providing that the site investigation and subsequent remediation works are conditioned as per Requirement 19, the Council are satisfied the works can be delivered.
- b) Limited information has been presented within the CoCP. Detailed mitigation measures are required, based upon site specific conditions and results of the further planned intrusive investigation works. Previous historic intrusive investigations at the site, dating to 2000 and earlier, only relate to surface soils testing and do not include groundwater or leachate monitoring. Whether this is sufficient is a matter for the Environment Agency.

If further clarification is required then please do not hesitate to contact me on the information above.

Yours sincerely

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**Thanet District Council**