

**Thanet Extension Offshore Wind Farm
Agenda for the Issue Specific Hearing 3 (ISH3):
Environmental Matters, Ecology, Habitats Regulation Assessment (HRA),
Physical, Construction and Other Matters**

Date:	Tuesday 19 February 2019
Time:	10.00am Hearing room opens from 9.30am
Venue:	Building 500 ¹ , Discovery Park Ramsgate Road, Sandwich, CT13 9FF
Access and Parking:	For pedestrian and vehicular access , parking arrangements and the reception location, please use the attached map . Car park shown on the attached map. Public transport Bus Discovery Park, Ramsgate Road Stagecoach routes 43 and 44 5 minute walk to venue Train Ramsgate or Sandwich Stations Taxi to venue

Purpose of the Issue Specific Hearing 3 (ISH3)

ISH3 is being held for the following purposes:

- To review changes to application documents and other documents provided by the Applicant at Deadline 1.
- To enable the Examining Authority (ExA) to inquire into the construction and operational effects of the proposed development at sea and on land (including traffic and transportation effects on land).
- To enable the ExA to inquire into environmental, ecological, biodiversity and habitats effects.

Participation, conduct and management of hearing

This is the third ISH to be held in this Examination. It is being held because the Examining Authority (ExA) wishes to question the Applicant about the approach that is has taken to identifying and assessing the construction, environmental and transportation effects.

The business of an ISH is limited to the matters identified in the agenda. Oral submissions on other subject matters or from persons who are not IPs may only be heard at the discretion of the ExA. It is strongly preferable that any such

¹ Building 500 is adjacent to and in the same building complex as Discovery House.

issues arising from IPs are brought to an Open Floor Hearing (OFH) where there is no subject matter Agenda and IPs may raise any important and relevant matter.

Participation in the hearing is subject to the ExA's power to control the hearing.

Invited Participants

The following IPs and Other Persons are invited to attend and participate in this hearing:

- the Applicant;
- Natural England;
- Marine Management Organisation (MMO);
- Kent Wildlife Trust;
- The National Trust;
- Environment Agency;
- Royal Society for the Protection of Birds;
- Forestry Commission;
- National Grid Electricity Transmission (NGET);
- UK Power Networks (UKPN);
- Nemo Link Ltd (NLL);
- The Government of France;
- Kent County Council;
- Dover District Council; and
- Thanet District Council.

The named IPs and Other Persons have been invited for the following reasons:

- As public bodies with policy and regulatory responsibilities for the maritime and terrestrial environment;
- As bodies involved in energy transmission and distribution with affected assets;
- As landowners, managers and voluntary organisations with relevant interests;
- As national and local authorities for the affected area.

Invitees are requested to contact the Planning Inspectorate by **12 February 2019** to confirm their attendance.

Other Interested Parties (IPs) who are interested in relevant matters may attend the hearing but must contact the Planning Inspectorate by **12 February 2019** if they wish to be heard. A request to be heard should outline the items on this agenda on which they wish to speak and provide a summary outline of the issues that they wish to raise.

Other Persons (who are not already registered as IPs) who wish to raise relevant matters may also request to participate in the Examination and to be heard, contacting the Planning Inspectorate by **12 February 2019**. A request to participate and to be heard should outline the items on this agenda on which they wish to speak and provide a summary outline of the issues that they wish to raise. The ExA has discretion about whether to hear Other Persons and the hearing will be managed in the interests of ensuring that invited persons and IPs issues are fully heard within the allotted time.

Thanet Extension Offshore Wind Farm

Issue Specific Hearing 3 (ISH3): 19 February 2019 at 10.00am

The ExA requests that invited participants and those who have requested to make oral representations attend at the appointed start time of 10.00am.

Hearing Guidance

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required. The Applicant, IPs and Other Persons may attend with expert advisers relevant to construction, biodiversity, ecology and related matters covered within this agenda, but IPs and Other Persons may equally participate without expert advice if they wish.

Guidance under the Planning Act 2008 (as amended) (PA2008)² and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that the ExA will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA.

Cross-questioning is regulated by the ExA and is only seldom employed at hearings. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure that representations are adequately tested or to ensure that a person has had a fair chance to put their case.

This agenda may be amended by the ExA at the start of the hearing session. Furthermore, the ExA may wish to raise matters arising from oral submissions Relevant Representations (RRs) and Written Representations (WRs), and pursue lines of inquiry in the course of the discussion which are not listed on the agenda.

The hearing will run until all the ExA is content that all matters on the agenda have been addressed.

References to Locations at Sea and Sea Zones

To assist the identification and location of matters and issues at sea relative to the existing Thanet Offshore Wind Farm and the proposed development, the ExA has prepared an annotated version of the Offshore Works Plan identifying Sea Zones around the proposed development (the 'Sea Zones Plan').

The Sea Zones Plan has been lodged in the Examination Library under reference [OD-008]. The Sea Zones Plan can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010084/EN010084-000829-Sea%20Zones%20Plan.pdf>

² 'Planning Act 2008: Guidance for the examination of applications for development consent', (DCLG March 2015).

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-final_for_publication.pdf

Agenda

1. Welcome, introductions and arrangements for this Issue Specific Hearing 3 (ISH3)

2. Submissions at Deadline 1

The ExA will review all documents amending the application or addressing advice provided to the Applicant under s51 PA2008 submitted at Deadline 1. The procedural implications of those documents will be considered.

The ExA will seek comments from IPs.

The Applicant will be provided with a right of reply.

3. Construction Effects at Sea

The ExA will review the following:

- a) Foundations and trenching: methods, arisings and materials disposal.

The ExA will seek comments from IPs.

The Applicant will be provided with a right of reply.

4. Construction and Operational Effects on Land

The ExA will review the following:

- a) Landfall and cable route options and construction methods.
- b) Construction and laydown areas.
- c) Ground investigation, management of contaminated land and ground conditions in and adjacent to Pegwell Bay Country Park, and associated effects to water course and marine water column.
- d) Interface with and crossing of Nemo cable alignment.
- e) Crossing of Minster Stream and A256.
- f) Any other requirements for crossings including trees and scrub.
- g) Substation construction.
- h) Grid connection and interface with NGET assets.

The ExA will seek comments from IPs.

The Applicant will be provided with a right of reply.

5. Biodiversity and Habitats (HRA) Considerations

The ExA will review the following:

- a) Marine biodiversity and habitats effects, mitigation and monitoring:
 - i. Marine mammals
 - ii. Ornithology
 - iii. Fish and shellfish ecology
 - iv. Benthic ecology
 - v. Marine Conservation Zones
 - vi. Inter-tidal habitats - saltmarsh

- b) Terrestrial biodiversity and habitats effects, mitigation and monitoring.
- c) The HRA process and preparation for a Report on Implications for European Sites (RIES).
- d) Biodiversity and habitats considerations outside of the UK and its territorial waters.

The ExA will seek comments from IPs.

The Applicant will be provided with a right of reply.

6. Any Other Construction and Environmental Considerations

The ExA may raise any other minor and consequential topics bearing on construction and environmental topics as is expedient, having regard to the readiness of the persons present to address such matters.

If necessary, the Applicant will be provided with a right of reply.

7. Procedural Decisions (If Required)

The ExA will review whether there is any need for procedural decisions about additional information or any other matter arising from Agenda items 2 – 7.

Submissions will be sought from the Applicant and any relevant IPs or Other Persons before determining whether a decision may be required, what it might address and whether particular timescales for performance are required.

If the ExA determines to make any procedural decisions it may make these decisions orally (subject to confirmation in writing) or may reserve its decisions to be made in writing after the closure of the hearing.

8. Review of issues and actions arising

To the extent that matters arise that are not addressed in any procedural decisions, the ExA will address how any actions placed on the Applicant, IPs or Other Persons are to be met and consider the approaches to be taken in further hearings, in the light of issues raised in this hearing. A written action list will be published if required.

9. Next steps

10. Closure of the hearing