

Vattenfall Wind Power Ltd

Thanet Extension Offshore Wind Farm

Appendix 7 to Deadline 2 Submission: Applicant's
Response to Thanet District Council's Local Impact
Report

Relevant Examination Deadline: 2

Submitted by Vattenfall Wind Power Ltd

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Revision A

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1 Introduction

- 1 Thanet District Council (DDC) submitted a Local Impact Report (LIR) to Deadline 1 of the Thanet Extension Examination (PINS Ref: REP1-128). The LIR provides a summary of relevant planning policy, and planning history as well as matters which remain under discussion between the parties.
- 2 This document provides the Applicant's responses to the issues raised within TDC's LIR (Table 1) and should be read in conjunction with the Statement of Common Ground (SoCG) between the parties as submitted in Deadline 1 (PINS Ref: REP1-041). The SoCG provides a summary of the matters agreed, and those which remain under discussion.
- 3 The Applicant will continue to engage with TDC in respect to the matters outstanding with a view to addressing outstanding concerns.

Table 1: Applicant's responses to issues raised within Thanet District Councils Local Impact Report (PINS Ref: REP1-128)

Issues raised in the LIR	Applicant's Response
Terms of Reference	
Introduction	
This report comprises the Local Impact Report (LIR) of Thanet District Council (TDC) as a Local Authority.	This is noted by the Applicant.
The Local Authority have had regard to the purpose of LIRs as set out in s60(3) of the Planning Act 2008 (as amended), DCLG's <i>Guidance for the examination of applications for development consent</i> and the Planning Inspectorate's Advice Note One, <i>Local Impact Reports</i> , in preparing this LIR.	This is noted by the Applicant.
Scope	
The LIR relates to onshore impacts of the proposed development as it affects the administrative area of TDC	This is noted by the Applicant.

It describes the impact of Works 1 and 4 to 11 (as described in the Development Consent Order (DCO)), specifically;

- an offshore wind turbine generating station with a gross electrical output capacity of up to 340 MW comprising up to 34 wind turbine generators
- Onshore connection works within Pegwell Bay Country Park consisting of up to four cable circuits and communications cables laid either underground or surface laid within an artificial berm from running in a south westerly direction including a temporary works area.
- Four subsea export cables and fibre optic cables connecting to up to 4 transition joint bays (above or below ground) to facilitate onshore connection works within Pegwell Bay Country Park or Four subsea export cables and fibre optic cables to facilitate onshore connection works within Pegwell Bay Country Park, and where required works to facilitate horizontal directional drilling.
- A new temporary construction compound within Pegwell Bay Country Park including a new temporary vehicular access and temporary widening and upgrades to an existing vehicular access from Sandwich Road and modifications to the junctions of access and Sandwich Road.⁷
- Upgrading and widening of existing access from Sandwich Road.
- Onshore connection works consisting of up to 4 cable circuits and communication cables laid underground running in a south westerly direction and crossing the Minster Stream.

Issues raised in the LIR	Applicant's Response
<ul style="list-style-type: none"> ● A new temporary vehicular access track running in a north easterly direction from Sandwich Road to Work No. 7 including permanent modifications to the junction of the new vehicular access track and Sandwich and the permanent installation of an access gate. ● The construction of a temporary works area. ● Temporary widening and upgrade of an existing private road running in an easterly direction from Sandwich Road. ● The construction of a temporary works area. 	
<p>The LIR does not describe the proposed development any further, relying on the applicant's description as set out in Volume 3, Chapter 1: Project Description (Onshore) (Document Ref: 6.3.1).</p>	<p>This is noted by the Applicant.</p>
<p>Only a brief description of the development area is provided to highlight particular features. The applicant's ES otherwise provides a sufficient description.</p>	<p>This is noted by the Applicant.</p>
<p>There is no relevant planning history to be described given the specific onshore red line boundary, other than the relationship with regard to the National Grid (Richborough Connection Project) Development Consent Order 2017 Statutory Instrument 2017 no.817</p>	<p>This is noted by the Applicant.</p>
<p>Purpose and Structure of the LIR</p>	

Issues raised in the LIR	Applicant's Response
<p>The LIR's primary purpose is therefore to identify the policies in the Local Plan in so far as they are relevant to the proposed development and the extent to which the development accords with these policies. It does this under topic-based headings (following the form of the headings used in the Council's pre-application response and the overarching National Policy Statement (NPS) for Energy (EN-1)) reflecting the likely nature of impacts. The key issues for the local authorities and the local community are then identified, followed by commentary on the extent to which the applicant addresses these issues by reference to the application documentation, including the DCO articles, requirements and obligations, as relevant.</p>	<p>This is noted by the Applicant.</p>
<p>Any points repeated from TDC's Section 56 response has been done to ensure that the Examining Authority and the Secretary of State are in no doubt of the local authorities' views. The LIR has sought not to duplicate material covered in the Statements of Common Ground (SoCG), so redirects the reader to those as necessary</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Description of the Area</p>	

Issues raised in the LIR	Applicant's Response
<p>The offshore export cables connected to the wind turbine generators will make landfall at Pegwell Bay Country Park, south of Cliffsend village. Most of the Thanet coastline is designated and is important for its intertidal chalk, caves, species (such as blue mussel beds and piddocks), dunes and mudflats, and certain migratory and breeding bird species. The cable would pass through the Thanet Coast and Sandwich Bay Special Protection Area, Thanet Coast and Sandwich Bay Ramsar, Sandwich Bay to Hacklinge Marshes SSSI and Sandwich and Pegwell Bay National Nature Reserve. These designations are adequately summarised, including their locations and qualifying/noted features, within the applicant's Environmental Statement Volume 3 Chapter 5: Onshore Biodiversity. The Pegwell Bay Regionally Important Geological and Geomorphological Sites (RIGS) lies within the Sandwich and Pegwell Bay National Nature Reserve and is part of the Thanet Coast SSSI. The site consists of an asymmetric valley cut into the chalk. The onshore cables would head south-west to a new onshore substation on the site of the former Port of Richborough. This new substation would be connected to a National Grid 400kV substation at Richborough Energy Park by underground cable.</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Thanet's landscape is adequately summarised within the applicant's Environmental Statement Volume 2 Chapter 12: Seascape, Landscape and Visual Impact Assessment 12.7.12.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Statutory Development Plan</p>	

Issues raised in the LIR	Applicant's Response
<p>The Planning and Compulsory Purchase Act 2004 section 38 (3)(b) (as amended) describes the development plan as the development plan documents which have been adopted or approved in relation to that area.</p>	<p>This is noted by the Applicant.</p>
<p>The relevant documents that comprise the development plan are identified below. Other policy documents which might be considered as material considerations are also identified.</p>	<p>This is noted by the Applicant.</p>
<p>The Thanet Local Plan 2006 forms the development plan for the district, with specific policies 'saved' by direction from the Secretary of State. It is considered that these 'saved policies' are in conformity with the National Planning Policy Framework (NPPF). The plan and saved policy letter is appended at Appendix A.</p>	<p>This is noted by the Applicant.</p>
<p>The Draft Thanet Local Plan 2019 has been submitted to the Planning Inspectorate for formal examination, which is due to take place this year (2019). The policies within the plan are in conformity with the NPPF and the draft Local Plan is at an advanced stage and likely to be adopted before the decision on whether to grant a DCO. The policies in the Draft Local Plan are a material consideration when determining this application for a DCO. The draft plan is appended at Appendix B.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>Other relevant local policy includes the Air Quality Technical Planning Guidance (2016), which has been agreed by Council and is used as informal planning guidance in development management, with the guidance to be adopted as part of the new local plan in 2019. The guidance is appended at Appendix C.</p>	<p>This is noted by the Applicant.</p>
<p>This local impact report will refer to both the 2006 plan and the draft plan submitted to the Planning Inspectorate when considering the relevant topic areas.</p>	<p>This is noted by the Applicant.</p>
<p>Assessment of Impacts and Adequacy of Response</p>	
<p>Introduction</p>	
<p>The following sections identify the relevant policies within the development plan and other local policy, the key issues raised by the proposed development and the extent to which the applicant addresses them and thus the proposal complies with local policy.</p>	<p>This is noted by the Applicant.</p>
<p>Principle Development</p>	
<p>Local Plan 2006</p>	

Issues raised in the LIR	Applicant's Response
<p>There are no direct policies in the local plan which relate to the principle of development of renewable energy. Policy CC1 outlines that development in the countryside will be permitted where the need outweighs the harm.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	
<p>Policy CCO4 seeks to encourage the use of renewable energy installations in new and existing development whilst mitigating against any detrimental effects.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Policy SP21 concerns development in the countryside with the same test as CC1 from the 2006 plan, with the additional proviso that any adverse environmental effects should be avoided or fully mitigated.</p>	<p>This is noted by the Applicant.</p>
<p>Policy CC07 outlines how proposals for the development of renewable energy facilities at Richborough will be permitted if it can be demonstrated that the development will not be detrimental to nearby sites of nature conservation value or that any potential effects can be fully and suitably mitigated.</p>	<p>This is noted by the Applicant.</p>
<p>Policy SP35 ensures new development takes account of adapting to climate change by minimising vulnerability, providing resilience to the impacts of climate change, reducing emissions and energy demands, and seeks opportunities to reduce the impact of climate change on biodiversity.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
Comment	
<p>The Council has previously outlined at pre-application stage that there are no principle development plan policy objections to the proposed extension of the existing Thanet Offshore Wind Farm. The Council supports the principle of the development for renewable energy as a key tenant of sustainable development.</p>	<p>This is welcomed and noted by the Applicant.</p>
Adequacy of Application and Draft Development Consent Order	
<p>The draft DCO is adequate with respect to the description of the development which it proposes to authorise. It is acknowledged that different options are provided for the onshore route of cabling and this approach is considered acceptable to provide suitable flexibility on the basis that each route (and method of installation) has sufficient mitigation for its impacts. Requirement 8 requires the notification of the Council of the scheme of connection works but no approval, with control on construction set through the Code of Construction practice and separate management plans to be submitted through different requirements. This approach is considered sufficient for managing the principle effects of constructing the development.</p>	<p>This is welcomed and noted by the Applicant.</p>
Air Quality and Emissions	
Local Plan 2006	

Issues raised in the LIR	Applicant's Response
<p>Policy EP5 requires air quality monitoring with an assessment necessary when development leads to an exceedance of national air quality objectives or significant deterioration of air quality. Subsequent to this policy, an urban wide Air Quality Management Area has been declared to enable effective management of air quality.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	
<p>Policy SE05 promotes the shift to low emission transportation, with development that either individually or cumulatively is likely to have a detrimental impact on air quality required to submit an Air Quality and/or Emissions Mitigation Assessment in line with the Air Quality Technical Planning Guidance 2016, with development addressing any proposed mitigation measures through good design and offsetting measures that would prevent the National Air Quality Objectives being exceeded or reduce the extent of the air quality deterioration</p>	<p>This is noted by the Applicant.</p>
<p>Key Local Issues</p>	
<p>The impact on human receptors and the Thanet Urban Air Quality Management Area (AQMA).</p>	<p>This is noted by the Applicant.</p>
<p>Adequacy of Application and Draft Development Consent Order</p>	

Issues raised in the LIR	Applicant's Response
<p>In terms of human health impacts, ES Volume 3 Chapter 9 assesses the impacts on air quality of the on-shore works. The assessment methodology has taken into account current and relevant Air Quality (AQ) guidance. It is accepted that, construction, operational and cumulative effects and impacts are negligible at human receptors.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Predicted construction traffic flows for the proposed development (Table 9.21) indicates estimated Annual Average Daily Traffic (AADT) construction flows are well below the criteria required to undertake an AQ assessment and is located outside Thanet's Urban AQMA and 2.3km to our nearest air quality hotspot.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>During the construction phase, dust emissions, although temporary, could cause an 'annoyance' to nearby receptors from 'track-out' of HGV movements, however due to dust mitigation measures being embedded within the Construction Environmental Management Plan (CEMP) and the Code of Construction Practice (CoCP) which is secured by the draft DCO requirements 15 and 16 any negligible impacts will be mitigated to achieve best practicable means. Therefore the provisions of the draft DCO are adequate</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Biodiversity and Geological Conservation</p>	
<p>Local Plan 2006</p>	
<p>No specific policy in relation to biodiversity.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Plan 2019</p>	

Issues raised in the LIR	Applicant's Response
<p>Policy SP24 aims to deliver the strategic objectives by protecting, maintaining and enhancing biodiversity and the natural environment and creating a coherent network of Green Infrastructure.</p>	<p>This is noted by the Applicant.</p>
<p>Policy SP23 states that development proposals will, where possible, be required to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets, including where development is on sites where important biodiversity assets, including protected species and habitats including SPA functional land, or other notable species, may be present, an ecological assessment will be required to assess the impact of the proposed development on the relevant species or habitats.</p>	<p>This is noted by the Applicant.</p>
<p>Policy GI01 concerns the protection of Nationally Designated Sites and Marine Conservation Zones (MCZ). Development which would materially harm either directly, indirectly or cumulatively, or detract from the scientific or nature conservation interest of a Site of Special Scientific Interest, National Nature Reserve or Marine Conservation Zone will not be permitted.</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Policy GI02 concerns locally designated wildlife sites to ensure habitats and geological features are protected, with any harm required to be sufficiently mitigated to be considered acceptable.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Policy GI03 relates to RIG sites, with the same provision as outlined at 7.2</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Key Local Issues</p>	

Issues raised in the LIR	Applicant's Response
<p>The impact from the installation of the cable infrastructure and associated development through designated protected sites in Pegwell Bay.</p>	<p>This is noted by the Applicant.</p>
<p>Adequacy of Application and Draft Development Consent Order</p>	
<p>Kent County Council and Natural England will comment on whether the approach in the application to mitigate the impact from the proposal on biodiversity is sufficient and their expertise should be relied upon. It is noted however that requirement 23 requires a written landscape and ecological mitigation plan for each stage of construction. As this must conform with the Outline Landscape and Ecological Management Plan, which itself enshrines the embedded mitigation covered in Section 5.9 of the ES Volume 3 Chapter 5 - 6.3.5 Onshore Biodiversity, then the requirement is considered necessary to ensure that these measures are enacted through the construction and this is supported by Thanet District Council</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Historic Environment</p>	
<p>Local Plan 2006</p>	
<p>Policy HE11 requires archaeological assessment of significance of development sites, whilst Policy HE12 seeks of the preserved and protection of sites of archaeological importance.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	

Issues raised in the LIR	Applicant's Response
<p>Policy SP34 aims to support, value and have regard to the historic or archaeological significance of Heritage Assets in planning decision making, including protecting the historic environment from inappropriate development.</p>	<p>This is noted by the Applicant.</p>
<p>Key Issues</p>	
<p>8.3 With regard to onshore impacts, two main issues have been raised in discussions previously by the Council. These are the impact on designated heritage assets, particular the coastal conservation area, from the proximity and scale of the extension to the wind farm, and the potential impact on undiscovered archaeology for the final cable route, given the significant archaeological potential in Thanet especially in the Richborough area and the disturbance resulting from one of the options for the cabling method.</p>	<p>This is noted by the Applicant.</p>
<p>Adequacy of Application and Draft Development Consent Order</p>	
<p>The Council are content that the Thanet's historic landscape has been sufficiently considered in the submission and the conclusion that the impact on the overall character and significance of the heritage assets in the district (above ground) would be limited. Requirement 22 is considered sufficient for relevant stages of the connection works not commencing until a written scheme of archaeological investigation for that stage has been submitted to and approved by the Council.</p>	<p>This welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>In terms of monitoring and mitigating risk, Table 7.12 with Volume 3, Chapter 7: Historic Environment of the Environmental Statement outlines the approach for embedded mitigation appropriately. Kent County Council and Historic England will comment on whether the approach in the application to mitigate the impact from the proposal on archaeology and their expertise should be relied upon.</p>	<p>This is noted by the Applicant.</p>
<p>Landscape and Visual</p>	
<p>Local Plan 2006</p>	
<p>Policy CC2 identifies a series of landscape character areas: Pegwell Bay; Wantsum Channel; central Chalk Plateau; Quex Park and the Urban Coast. For the urban coast, development that does not reflect the traditional seafront architecture of the area, maintain existing open spaces and long sweeping views of the coastline will not be permitted. Development proposals that conflict with the above principles will only be permitted where it can be demonstrated that they are essential for the economic or social well-being of the area.</p>	<p>This is noted by the Applicant.</p>
<p>Policy D1 is a general design policy requiring that new development must respect or enhance the character or appearance of the surrounding area. Policy D7 designates particular areas in the district as Areas of High Townscape value, where the design, scale of development, separation between buildings, use of materials and landscaping must be complementary to the special character of the area.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	

Issues raised in the LIR	Applicant's Response
<p>Policy SP23 seeks to ensure the protection and enhancement of Thanet's historic landscapes, with proposals expected to demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance Thanet's local distinctiveness, including long-distance, open views, particularly across the Dover Strait and English Channel, North Sea and across adjacent lowland landscapes. All development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea, and proposals should demonstrate how the development will take advantage of and engage with these views.</p>	<p>This is noted by the Applicant.</p>
<p>Key Local Issues</p>	
<p>The proposal will result in a visual impact and change in landscape from key viewpoints from within the District. The Council has raised concerns throughout the process about the visual impact on Thanet's coastal environment due to the high visibility of the seascape and the increased proximity and height of the proposed extension to the wind farm, particular from locations at Kingsgate, North Foreland and Broadstairs, with increased prominence on views from Thanet beaches all along the coastline, as well as views of the seascape from the centre of the district.</p>	<p>This is noted by the Applicant.</p>
<p>Dependent on the option chosen for the onshore cable route, localised impacts within the Pegwell Bay Country Park and Stonelees Nature Reserve would occur from above ground berm and transition joint bays on the landscape.</p>	<p>The Applicant wishes to confirm that Option 2 no longer forms part of the design envelope for the proposed project. Therefore, consent for an above ground berm is no longer being sought by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
Adequacy of Application and Draft Development Consent Order	
<p>The Council's understanding of this impact has continued to evolve throughout the process, with a detailed assessment submitted previously in the Preliminary Environmental Impact Report subsequently culminating in the Environmental Statement (Section 12). The assessment satisfactorily assesses the impact on the landscape and appropriately recognises the sensitivity of this stretch of coastline, with localised significant adverse effects created by the development from coastal viewpoints.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>The Council welcomes the reduction of the proposed site at its north-western corner from the site area previously commented upon. This provides more certainty about the likely location of turbines within the 'Rochdale Envelope', reduces the proximity of the new turbines to northern sections of the Thanet coast and the horizontal span of the turbines from onshore viewpoints on the horizon when viewing the seascape</p>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>The draft DCO does not include any direct measures for the further mitigation of the adverse impacts on Thanet's coastal landscape as the scheme develops, with the precise siting of the turbines dictated by offshore marine license requirements. It is accepted that given the logistical and technical nature of the siting of the turbines, that no clear mitigation could be offered to the Council to alleviate the concerns about the dominating impact of turbines at the scale proposed, especially given the consequential nature of the changing views along the coast in terms of turbine alignment. Therefore whilst the potential height and location of the turbines will have a negative impact on the landscape, the application adequately assesses the impact and no further requirement is requested by the Council for the offshore work.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>9.6 The Council welcomes Requirement 9, restricting the onshore development to the assessed parameters and the potential berm and transition joint bay heights, and the link to the design and access statement. Requirement 23 is necessary to ensure that the landscaped treatment of above ground onshore cable berm and transition joint bays is submitted to the Council for assessment with Natural England's input in the event of option 2 being chosen. It is considered that these requirements are sufficient to control the landscape and visual impacts on the onshore development to a level which would provide compliance with the relevant local policies</p>	<p>The Applicant wishes to confirm that Option 2 no longer forms part of the design envelope for the proposed project. Therefore, consent for an above ground berm is no longer being sought by the Applicant.</p>
<p>Noise and Vibration</p>	
<p>Local Plan 2006</p>	

Issues raised in the LIR	Applicant's Response
Policy D1 requires that new development does not lead to unacceptable loss of amenity through noise or vibration.	This is noted by the Applicant.
Draft Local Plan 2019	
Policy SE06 concerns noise pollution and development proposals that generate significant levels of noise must be accompanied by a scheme to mitigate such effects, bearing in mind the nature of surrounding uses, whilst proposals that would have an unacceptable impact on noise-sensitive areas or uses will not be permitted.	This is noted by the Applicant.
Key Local Issues	
Noise and vibration impacts during construction stage of the on-shore development is the primary concern, particular to residential properties in Ebbsfleet.	This is noted by the Applicant.
Adequacy of Application and Draft Development Consent Order	
The Environmental Statement Volume 3 Chapter 10 assesses the noise and vibration impacts of the on-shore works. The assessment methodology takes into account current and relevant noise standards and guidance.	This is welcomed and noted by the Applicant.

Issues raised in the LIR	Applicant's Response
<p>Construction works have been identified as having potentially significant noise impacts to residential properties in Ebbsfleet LT4 and mitigation is proposed to be implemented and embedded within the Code of Construction Practice (CoCP) and Construction Noise and Vibration Management Plan (CNVMP) to ensure ABC threshold 70dB LAeq16hr is not exceeded. The comments in ES 10.10.25 are critical along with measures embedded in Table 10.18 at this location. It is welcomed restricting construction works to 07:00 to 19:00hrs with the first hour for set up and set down so noisy works only occur between 08:00 and 18:00hrs Monday to Friday. The draft DCO requirement 20 requires the CNVMP to be approved by the Local Planning Authority prior to works commencing</p>	<p>This is noted by the Applicant.</p>

It is accepted that noise and vibration impacts of the operational and maintenance phase are negligible given that the cabling is underground at depth. However, as identified in Table 10.25 'Prediction of night time operational noise from transformers' there are 8 residential properties (LT4 - Ebbsfleet Lane) that although 530m away to the proposed substation have the potential to be impacted by noise. The predictions indicate that properties at LT4 have a noise rating of +3dB which although is classified as minor impact is above the Lowest Observable Adverse Effect Level (LOAEL) of exposure. This is the level above which adverse effects on health and quality of life can be detected and presents a permanent adverse impact at night. Therefore the NPSE second aim applies and the applicant must take all reasonable steps to mitigate and reduce impacts to a minimum. It is also not clear from the calculations and supporting Annex 10-1 whether the noise assessment has included penalties for the character of the noise i.e. low frequency hum, or tonal component which could significantly increase the rating. In the Statement of Engagement with Section 79(1) of the Environmental Protection Act 1990 para 3.1.5 acknowledges the effects on LT4 but suggests that with attenuation afforded by a partially open window is below the criterion of the WHO (2009) guidelines. Given that the occupants will not have recourse under Statutory Nuisance provisions the applicant should seek to explore mitigation measures as far as possible at the engineering design stage i.e. enclosure or screening of the transformer - this has not been explored in the ES chapter on Noise and Vibration. Table 10.17 indicates the assessment was based on the worst case assumption that the transformer would not be enclosed or screened, to avoid the permanent minor impact at the 8 residential dwellings at night time this should be considered if technologically feasible. Submission of

The Applicant notes and welcomes that TDC recognise that appropriate mitigation is secured in the DCO, the detail of which will be submitted in line with the relevant requirement.

Issues raised in the LIR	Applicant's Response
<p>an Operational Noise Management Plan for the substation is stipulated in Requirement 25 of the draft DCO which must be submitted to approved by the Local Planning Authority and this will be sufficient to be able to ensure appropriate mitigation is in place.</p>	
<p>Noise and vibration impacts on ecological receptors are considered in Chapter 3 Section 5, Biodiversity and should be review by the relevant ecological officer at KCC and Natural England.</p>	<p>This is noted by the Applicant.</p>
<p>Ground Conditions, Water Quality and Resources</p>	
<p>Local Plan 2006</p>	
<p>Policy EP2 relates to landfill sites where development will only be permitted where the applicant/developer has demonstrated either that there is no danger from evolving or migrating gas or that reliable arrangements can be made to overcome such danger and any necessary remedial measures can be achieved without unacceptable environmental impact.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	

Issues raised in the LIR	Applicant's Response
<p>Policy SE01 requires that permission for development which is sensitive to pollution will be permitted only if it is sufficiently separated from any existing or potential source of pollution as to reduce pollution impact upon health, the natural environment or general amenity to an acceptable level, and adequate safeguarding and mitigation on residential amenity.</p>	<p>This is noted by the Applicant.</p>
<p>Policy SE03 requires development on land known or suspected to be contaminated or likely to be adversely affected by such contamination will only be permitted where an appropriate site investigation and assessment has been carried out as part of the application and the proposed remedial measures would be acceptable in planning terms and would provide effective safeguards against contamination hazards during the development and subsequent occupation of the site.</p>	<p>This is noted by the Applicant.</p>
<p>Policy SE04 outlines the need to protect groundwater, with development in the Special Protection Zone only permitted if there is no risk of contamination to groundwater sources. If a risk is identified, development will only be permitted if adequate mitigation measures can be implemented.</p>	<p>This is noted by the Applicant.</p>
<p>Key Local Issues</p>	
<p>The potential for contamination of groundwater and impact on human health during construction stage of the on-shore development is the primary concern.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>The preferred landfall location would enter through the sea defences to the historic KCC Cliffsend landfill site at the Pegwell Country Park; which ceased use in 1972. A number of high risks with this proposed route have been identified, including a high risk to aquatic ecological receptors, a high risk to human health and a high risk to controlled waters (principal aquifer).</p>	<p>This is noted by the Applicant and these issues have been discussed through consultation with TDC and therefore the Application fully accounts for these concerns.</p>
<p>Route ground impacts will require further investigation work to inform mitigation prior to construction, as outlined in the Contaminated Land and Groundwater Plan (contained within the CoCP). TDC concur that due to the risk of landfill contaminants impacting the SSSI during works to the existing sea wall, and potential impacts of ground gas on the planned infrastructure traversing the landfill site, appropriate investigation and mitigation will be vital to safeguard the natural environment, onsite workers and future site users</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Following completion of groundworks, there are not anticipated to be significant effects during the operation and maintenance phase, subject to appropriate embedded mitigation measures incorporated into the final design</p>	<p>This is noted by the Applicant.</p>
<p>Adequacy of Application and Draft Development Consent Order</p>	

Issues raised in the LIR	Applicant's Response
<p>The ES Volume 3, Chapter 6 assesses ground conditions & land use. The ES has been compiled in accordance with appropriate policy, legislation and guidance and maximum adverse scenarios have been derived for the identified risks.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>The concerns raised by TDC regarding potential impacts from contaminant releases at the landfill site during the construction phase, and appropriate mitigation to safeguard the natural environment, on-site workers and future site users, has been reflected by the applicant in the embedded mitigation table (Table 6.12) in ES Vol 3, Chapter 6.3.6</p>	<p>This is noted by the Applicant.</p>
<p>However, the requirement for intrusive site investigation works and groundwater monitoring prior to construction, necessary to inform appropriate mitigation, is yet to be undertaken and/or secured as part of the DCO</p>	<p>The Applicant can confirm that the pre-construction site investigation will be undertaken to inform final design.</p>
<p>As per the conclusions of the Phase 1 desk study report, further intrusive "site investigation and groundwater monitoring of the site will [be required to] be undertaken in the landfill site". The Contaminated Land and Groundwater Plan (CLGP) may also require updating following the SI works to clarify the indicative mitigation measures highlighted in the CoCP and it is suggested that Requirement 19 is altered to reflect the potential for the CLGP to be updated.</p>	<p>The Applicant can confirm that the final design and therefore all relevant mitigation plans require SI work, and approval by the relevant local authority. The Applicant does not consider it necessary to amend the wording of the Requirement as the relevant local authority has the existing power to ensure that the relevant plans are drafted according to detailed SI.</p>

Issues raised in the LIR	Applicant's Response
<p>The ES advises that “appropriate mitigation measures will be agreed with TDC, KCC and the EA prior to construction”. Risks from a build-up of ground gases through new preferential pathways in building structures (e.g. asphyxiation / explosion), have been referenced within the mitigation measures in Table 6.15 following previous consultation. Further detail on works to the sea wall may also be required in light of any contemporary SI findings. This additional information is necessary to confirm that the final design can be progressed with regard to these material planning considerations prior to construction, particularly as groundwater monitoring was not undertaken during historic site investigation works (pre 2000). This will minimise the possibility of permitting of an effect that is still significant in EIA terms.</p>	<p>This is noted by the Applicant. The Code of Construction Practice (PINS Ref APP-133/ Application Ref 8.1) provides the necessary details regarding the avoidance of impacts as identified by TDC.</p>
<p>In a worst case scenario, where significant unsuspected contamination is identified during intrusive investigations, appropriate mitigation may carry significant costs. However, this is not anticipated by the applicant to provide insurmountable obstacles to the development; nor application of the Rochdale Envelope principle.</p>	<p>This is noted and agreed by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>Requirement 19 will ensure that pre-commencement intrusive site investigation and any necessary remediation will be undertaken prior to construction if the DCO is granted. However, from an assessment of the ES there is no baseline groundwater monitoring data from previous reports (pre 2000). Therefore the Environment Agency's view on the baseline should be relied upon in understanding the potential impact. Also the CoCP should be altered at 7.1.4 to ensure that Requirement 19 is adequate, as currently the Contaminated Land and Groundwater Plan states that 'ground investigation for geotechnical and/or environmental purposes will be undertaken pre-construction'. This should read 'and', not 'and/or'.</p>	<p>The Applicant can confirm that the final design and therefore all relevant mitigation plans require SI work, and approval by the relevant local authority. The Applicant does not consider it necessary to amend the wording of the Requirement or current CoCP wording as the requirement for ground investigation, and its relevance for geotechnical and/or environmental purposes would not materially change.</p>
<p>During investigation and subsequent development, works must be carried out in a strictly controlled manner to ensure that contaminants are not exposed, nor releases allowed to air, land or controlled waters, which could cause pollution, harm or nuisance. Clearing areas, particularly removing hardcover, must be done in a manner not likely to expose contaminants to flushing by incipient rainfall or surface water run-off on the site. Temporary surface water controls and management of any materials movement on site is critical to ensure protection of controlled waters at the site.</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Socio-economic and Tourism</p>	
<p>Local Plan 2006</p>	

Issues raised in the LIR	Applicant's Response
<p>The Local plan includes the tourism objectives to protect and enhance the local economy in Thanet.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	
<p>Policy SP02 aims to accommodate inward investment in job creating development, the establishment of new businesses and expansion and diversification of existing firms, including growth of the Port of Ramsgate as a source of employment and as an attractor of inward investment</p>	<p>This is noted by the Applicant.</p>
<p>Key Local Issues</p>	
<p>The issues involve ensuring that the economic benefits such as direct and indirect job creation from the construction and operation of the wind farm extension will benefit Thanet residents and the local economy. The Environmental statement indicates 100 full time equivalents (FTE) per year during construction and between 50-150 FTEe per year during operation and maintenance. Ramsgate Port has been utilised in recent years by Vattenfall for servicing the wind farm, and further expansion of the wind farm with potential additional job creation to utilised the existing base is welcomed and supported.</p>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>Previous concerns were raised in relation to potential impact on the tourism economy from the visual impact on the seascape and landscape character areas designations from the development. As stated in the Council's relevant representation, this impact is not quantifiable and therefore is not brought forward as a main local issue by the Council, although it remains a general concern.</p>	<p>General concern is noted by the Applicant, with the associated effects having been assessed in detail within the ES and agreed as adequate in the further statements made by TDC in this document and as confirmed within the SoCG (PINS Ref REP1-041).</p>
<p>Adequacy of Application and Draft Development Consent Order</p>	
<p>The assessment of the effects within the Environmental statement, broadly quantifying the socio-economic benefits from the project as minor beneficial, is considered adequate for the purposes of the application, and the Council agrees that clear evidentially-supported economic benefits will accrue from the project.</p>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>The Environmental statement identifies additional measures in regard to access to supply chain opportunities for businesses and local employment opportunities for residents within the Kent study area to ensure that the socio-economic benefits are maximised. Whilst it is acknowledged that Vattenfall are currently involved in the local supply chain through current operations, no further detail are included in the planning statement or the draft development consent order about how these opportunities would be secured. It is acknowledged that the DCO could not secure, for example, local employment from the project, due to conflict with employment law. Given the historic involvement of the applicant in the supply chain locally, the lack of a specific provision securing any accruing benefits is accepted in this instance, and the Council will seek to engage with the applicant outside of the DCO process to maximise the economic opportunities from the project.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Traffic and Transportation</p>	
<p>Local Plan 2006</p>	
<p>The transport objectives within the 2006 Local Plan included ensuring effective traffic management to safeguard Thanet's environment and quality of life.</p>	<p>This is noted by the Applicant.</p>
<p>Draft Local Plan 2019</p>	

Issues raised in the LIR	Applicant's Response
<p>Policy SP41 - Safe and Sustainable Travel The Council will work with developers, transport service providers, and the local community to manage travel demand, by promoting and facilitating walking, cycling and use of public transport as safe and convenient means of transport with development expected to take account of the need to promote safe and sustainable travel.</p>	<p>This is noted by the Applicant.</p>
<p>Policy SP43 seeks that development will be permitted only at such time as proper provision is made to ensure delivery of relevant transport infrastructure with development will be expected to contribute to the provision, extension or improvement, of walking and cycling routes and facilities and to highway improvements.</p>	<p>This is noted by the Applicant.</p>
<p>Key Local Issues</p>	
<p>Given the nature of the development, the key local issue is the impact of construction traffic created by the development.</p>	<p>This is noted by the Applicant.</p>
<p>Adequacy of Application and Draft Development Consent Order</p>	

Issues raised in the LIR	Applicant's Response
<p>Kent County Council, as the local highway authority, will comment on the impact from the development on the highway network and whether the approach is adequate. Their expertise should be relied upon, however the Council has reviewed the proposed requirements and the Code of Construction Practice (CoCP). It is not considered that the construction of the project conflicts with the Thanet transport strategy, enshrined in the draft Local Plan 2019.</p>	<p>This is noted by the Applicant.</p>
<p>The Construction Traffic Management plan information provided within the CoCP 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.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>The submission of details of permanent or temporary means of access to a highway, or any alteration to an existing means of access, to the relevant local authority has been dealt with adequately in draft requirement 14 of the DCO.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Other Matters</p>	
<p>Other local planning considerations covered under other headings of the NPS have been previously assessed by the Council, with neutral impact considered from tourism and shipping matters further to information within the application.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
Summary	
<p>Thanet District Council have reviewed the application and evaluated the impacts in the context of the local development plan and other relevant policy.</p>	<p>This is noted by the Applicant.</p>
<p>Thanet District Council consider that the DCO in combination with the proper implementation of ancillary documents it provides for, or that the applicant has agreed to be bound by, specifically the;</p> <ul style="list-style-type: none"> - Landscape and Ecological Mitigation Plan - Construction Environmental Management Plan - Archaeological written scheme of investigation - Access Management Strategy - Operational noise management plan - Construction traffic management plan - Contaminated land and groundwater plan <p>will ensure that the majority of the impacts of the development are acceptable and to this extent it accords with local policy. The seascape, landscape and visual impact has been adequately quantified as having some significant adverse effects and these assessment is considered sufficient for the examining authority to determine the application.</p>	<p>This is noted and welcomed by the Applicant.</p>

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