

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 8 to Deadline 2 Submission: Applicant's  
Response to Kent County Council Local Impact  
Report

Relevant Examination Deadline: 2

Submitted by Vattenfall Wind Power Ltd

Date: February 2019

Revision A

Drafted By:	GoBe Consultants Ltd
Approved By:	Daniel Bates
Date of Approval:	February 2019
Revision:	A

Revision A	Original Document submitted to the Examining Authority
N/A	
N/A	
N/A	

Copyright © 2019 Vattenfall Wind Power Ltd
All pre-existing rights retained

## **Contents**

1 Introduction .....4

## **Tables**

Table 1: Applicant's responses to issues raised within Kent County Council's Local Impact Report (PINS Ref: REP1-098 ) .....5

## **1 Introduction**

- 1 Kent County Council (KCC) submitted a Local Impact Report (LIR) to Deadline 1 of the Thanet Extension Examination (PINS Ref: REP1-098). 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 KCC'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: REP1-032). The SoCG provides a summary of the matters agreed, and those which remain under discussion.
- 3 The Applicant will continue to engage with KCC in respect to the matters outstanding with a view to addressing outstanding concerns.

**Table 1: Applicant's responses to issues raised within Kent County Council's Local Impact Report (PINS Ref: REP1-098 )**

Issues raised in the LIR	Applicant's Response
Introduction	
<p>This report has been prepared by Kent County Council (KCC) as a statutory consultee, in accordance with advice and requirements set out in the Planning Act 2008, the Localism Act 2011 and Advice Note One: Local Impact Reports (Version 2, April 2012, The Planning Inspectorate).</p>	<p>This is noted by the Applicant.</p>
<p>The Advice Note states that a Local Impact Report (LIR) is a 'report in writing giving details of the likely impact of the proposed development on the authority's area'.</p>	<p>This is noted by the Applicant.</p>
<p>The Advice Note states that when the Examining Authority decides to accept an application, it will ask the relevant local authorities to prepare a LIR and this should centre around whether the local authority considers the development would have a positive, negative or neutral effect on the area.</p>	<p>This is noted by the Applicant.</p>
<p>The Report may include any topics that the local authority considers to be relevant to the impact of the development on their area and may be used as a means by which their existing body of knowledge and evidence on local issues can be fully and robustly reported to the Examining Authority.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>The LIR has been written to incorporate the subject areas suggested in the Advice Note, the subject areas in the Environmental Statement and in response to the proposed requirements submitted with the application for a DCO.</p>	<p>This is noted by the Applicant.</p>
<p>Likely Significant Effects of the Proposed Development</p>	
<p>Kent County Council has been consulted on the scope of the Environmental Statement (ES), and throughout the preparation of this LIR, has considered the following local impacts which are brought to the attention of the Examining Authority:</p> <ul style="list-style-type: none"> <li>• Pegwell Bay Country Park (as owned and managed by KCC);</li> <li>• Highways (as Local Highway Authority);</li> <li>• Heritage;</li> <li>• Cycling routes;</li> <li>• Public Rights of Way (PRoW); and</li> <li>• Waste</li> </ul>	<p>This is noted by the Applicant.</p>
<p>Pegwell Bay Country Park</p>	
<p>Pegwell Bay Country Park is a public park and community asset that provides many recreational and leisure opportunities. It is a coastal park created on land rise with flat access paths, a car park, picnic area, toilets, refreshments and a play park.</p>	<p>This is noted and agreed by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>The site is well managed with its large wildlife population, varied habitats and daily customers to the park. KCC has heavily invested in the site to deliver improved access and community facilities and has seen increased usage as a result. The site is accessed by a wide range of users, including families, a weekly held Park Run, dog walkers and wildlife enthusiasts. It is also used as a gateway to the National Nature Reserve and the wider landscapes and facilities around Pegwell Bay.</p>	<p>This is noted by the Applicant, with this characterisation having been used to inform the relevant components of the Application such as the onshore biodiversity chapter and tourism and recreation chapter (PINS Refs: APP-061 and APP-060/ Application Refs 6.3.5 and 6.3.4).</p>
<p>KCC acknowledges and welcomes that Option 2 (surface laid berm) for the cabling route has now been removed from the DCO application. Despite this recent change, Option 1 (HDD) and Option 3 (open trenching) for the onshore cable corridor would still both result in major disruption for Pegwell Bay Country Park<sup>1</sup>.</p>	<p>This is noted by the Applicant and has been assessed accordingly within the Application at paragraphs 4.10.1 to 4.10.5 of Volume 3, Chapter 4: Tourism and Recreation (PINS Ref APP-060/ Application Ref 6.3.4).</p>
<p>Lessons have been learnt from the construction and associated development and works for the NEMO link<sup>2</sup> across the Park, which have proven to be disruptive and have led to a negative impact on users of the Park, with access routes and visitor satisfaction levels negatively affected.</p>	<p>This is noted by the Applicant and has been discussed during the regular consultation between the Applicant and KCC.</p>
<p>The development of NEMO led to the site being dissected by working areas, and internal access routes (such as PRow) were temporarily re-routed or closed, with no prior warning or discussion with the Country Park Rangers.</p>	<p>This is noted by the Applicant and has been discussed during the regular consultation between the Applicant and KCC, with lessons learnt wherever possible.</p>

Issues raised in the LIR	Applicant's Response
<p>The concern for KCC would be that the development of the Thanet Windfarm and subsequent onshore cable would lead to a similar experience during its development across the Park. Particularly, its potential impact on local businesses on site, such as a small café, are concerns that need to be considered.</p>	<p>This is noted by the Applicant and has been discussed during the regular consultation between the Applicant and KCC, with lessons learnt wherever possible and mitigation applied where appropriate. Of particular note is the OLEMP (PINS Ref APP-142/ Application Ref 8.7) Outline Access Management Strategy documents ((PINS Ref APP-136/ Application Ref 8.4) which have benefitted from consultation with KCC at a number of formal and informal phases.</p>
<p>Within Option 1 (HDD), it is stated in the Outline Landscape and Ecological Mitigation Plan (OLEMP) that a larger work area will be required (around 50x60m). It is unlikely that this will be possible in the area outlined as the 'works area', as this space is not available on site, due to the proximity of the main road, the Sustrans route and the NEMO bund. This leaves little space to develop a work area for the construction phase.</p>	<p>The Applicant wishes to clarify that the work area referred to in the OLEMP is not in the same location as the temporary construction compound. The locations of the indicative construction compounds and works areas are presented in Figures 1.2 and 1.4 in Volume 3, Chapter 1: Project Description (Onshore) (PINS Ref APP- 057/ Application Ref 6.3.1).</p>
<p>KCC would also stipulate that any stock fencing (added or removed) during the proposed works for the onshore cabling is carried out by an approved KCC contractor and at the applicant's expense.</p>	<p>The Applicant can confirm that this is accepted.</p>
<p>Highways</p>	
<p>A Statement of Common Ground (SoCG) has been agreed, in principle, between the applicant and KCC as the Local Highway Authority. The applicant and KCC are in agreement on the relevant specific matters set out in Section 4.5 of the SoCG.</p>	<p>This is noted by the Applicant, with the SoCG being submitted as PINS Ref: REP1-032.</p>



Issues raised in the LIR	Applicant's Response
<p>KCC is satisfied that the impact on the wider highway network is acceptable for the project. The principles of the site access points, traffic management and mitigation during construction are acceptable, but the detailed measures for each access point will need to be agreed through submission of the Construction Traffic Management Plan.</p>	<p>This is noted and agreed by the Applicant.</p>
<p>These detailed measures include appropriate visibility splays, temporary signage/traffic management measures, suitable parking and turning facilities for all vehicles and construction details for new accesses to/from the highway. KCC is satisfied that such appropriate measures can be agreed for each access point.</p>	<p>This is noted by the Applicant.</p>
<p>Heritage</p>	
<p>Onshore Historic Environment</p>	
<p>The richness of the onshore historic environment is suitably described in the application documents of the DCO. The Onshore Historic Environment is considered in Volume 3 Chapter 7 of the Environmental Statement and is supported by Annex 7-1 Onshore Archaeology Desk-based Assessment.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>KCC has been actively engaged in discussions with the applicant's heritage consultants (Amec Foster Wheeler) during the compilation of the PEIR and the ES and has agreed the scope of the assessment and study area</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
KCC agrees that the selection of the present landfall option at Pegwell Bay, rather than the previously considered scheme at Sandwich Bay, potentially has a lesser effect on onshore heritage assets	This is welcomed and noted by the Applicant.
The onshore scheme is likely to have an impact on buried archaeological remains and the impacts will be addressed through the proposed written scheme of investigation that will be agreed between KCC and the applicant in due course.	This is noted by the Applicant, with the draft onshore Written Scheme of Investigation was submitted as PINS Ref REP1-047.
At present, one issue remains unresolved, which is the uncertainty regarding the presence of anti-invasion defences, which may be buried or concealed. KCC requests that the relevant officers and the applicant will need to establish whether such remains are present and where appropriate, impacts avoided during the scheme.	This is noted and agreed by the Applicant and captured in the onshore WSI (PINS Ref REP1-047).
The present mitigation proposals promote a method of recording the anti-invasion remains (if found). It is KCC's view that, due to their significance, full consideration should be given to their preservation and adjustment to the cable route, if needed. This should be looked at during the detailed design stage of the onshore cable route.	This is noted and agreed by the Applicant and captured in the onshore WSI (PINS Ref REP1-047).
Other impacts can be addressed through a programme of archaeological investigation and recording. KCC welcomes the opportunity to agree a Written Scheme of Investigation in due course, which can be secured as a requirement of the DCO application.	This is noted by the Applicant, with the draft onshore Written Scheme of Investigation being submitted as PINS Ref REP1-047.

Issues raised in the LIR	Applicant's Response
<p>KCC is satisfied that the impacts on the setting of non-designated heritage assets by the onshore works has been addressed in the application. The impact on designated heritage assets should be addressed by Thanet District Council and Dover District Council.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>Offshore Historic Environment</p>	
<p>Historic England has led on the archaeological effects of the offshore works for the application. Thanet District Council and Dover District Council have led on considering the impacts on the setting of onshore designated heritage assets</p>	<p>This is noted by the Applicant.</p>
<p>KCC agrees with and welcomes the commitments made by the applicant to work collaboratively with stakeholders and to develop the following areas:</p> <ul style="list-style-type: none"> <li>• To agree, along with Historic England, an Archaeological Written Scheme of Investigation that includes agreement over Archaeological Exclusion Zones;</li> <li>• To undertake further sampling of cores from the array area and to agree further works that may be needed following a review of these;</li> <li>• To ensure that further specialist archaeological input will be included in designing any additional geotechnical or geophysical survey works; and</li> <li>• The implementation of the protocol set out in the 'Offshore Renewables Protocol for Archaeological Discoveries' (ORPAD) if previously unknown sites or deposits are encountered during construction or operational works.</li> </ul>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
Cycling Routes	
<p>The Sustrans Regional Cycle Route 15 crosses the proposed application site. This is an off-road, dedicated cycle route with national and local importance for tourism, leisure and commuting and is the only cycle route linking Sandwich to Ramsgate. It is part of the Kent coastal cycle route linking with the Country Park, Pegwell Bay, Richborough Castle and the Discovery Park. There is a cycle counter on the route, which recorded a summer average weekly figure of 2000 cycle journeys per week in 2018.</p>	<p>This is noted by the Applicant.</p>
<p>In the Access Management Strategy (table 4.1, page 14) the document states that a manned crossing point will be set up for construction traffic, so the cycle route can stay open at all times, except when vehicle crossings are necessary. KCC emphasises that closures of the route should be kept to a minimum, avoiding holiday periods and providing notice and alternative routes where possible. Any construction work on or adjacent to the route should consider the users of the route, with no loss in surface conditions, widths, views and perceived safety.</p>	<p>This is noted by the Applicant and, as detailed within the response to the KCC Written Representation (Appendix 1 to the Applicant's Deadline 2 Submission), whilst the assessment assumes a worst case (Table 4.12 of the Tourism and Recreation chapter (PINS Ref APP-060/ Application Ref 6.3.4)) of continuous path closures within the Pegwell Bay Country Park, with the Access Management Strategy drafted to ensure adequate diversions are in place. As noted in the Access Management Strategy (PINS Ref APP-136/ Application Ref 8.4), the diversions proposed are intended to maximise accessibility and minimise disruption (paragraph 4.1).</p>

Issues raised in the LIR	Applicant's Response
<p>KCC does not support the statement on page 8 of the Access Management Strategy that “the running surface of the RR15 cycle path has been largely unaffected by the Nemo link”. The resulting impact of the Nemo link is a large chalk bund that follows one side of the cycle route where it crosses Pegwell Bay Country Park. The link has removed coastal views for users of the cycle path and any new construction should not further reduce the user's viewpoints or safety when using the cycle route.</p>	<p>This is noted by the Applicant. The Applicant can confirm that since removal of landfall Option 2 there is no proposal to construct a berm, and as such there should be no further reduction of the user's viewpoint on the paths, or cycle path in particular.</p>
<p>Public Rights of Way (PRoW)</p>	
<p>As stated in the Access Management Strategy, the England Coast Path and Thanet Coast Path will be obstructed for a number of months by the construction of the landfill site and transition pit.</p>	<p>This is noted and agreed by the Applicant.</p>
<p>Within Option 3 (open trenching), the England Coast Path (ECP) will be affected, if not temporarily closed, due to the planned works. The applicant should work closely with relevant KCC PRoW officer to ensure the path is adequately re-routed to allow access across the park whilst the works are undertaken. The OLEMP states that, ‘where possible soils will be carefully restored’ where the ECP is disturbed. This will need to be looked at in detail with KCC officers to agree the reinstatement of the soil and a method of colonisation of vegetation.</p>	<p>This is noted and agreed by the Applicant, as stated in the OLEMP (PINS Ref APP-142/ Application Ref 8.7).</p>
<p>The application will need to apply for a temporary Traffic Regulation Order (TRO) whilst the work is undertaken. The team in KCC will need a six-week notice period to process the TRO for the project.</p>	<p>This is noted by the Applicant, all TROs or other relevant applications will be made according to the specified timescales and requirements of the DCO.</p>

Issues raised in the LIR	Applicant's Response
Waste	
<p>Any incursions into the landfill site or breaches of the sea wall (which would be required for options 1 and 3) will need to be engineered to consider the historic potential environmental difficulties associated with this site. In particular, this would include ensuring that no new pathways for the migration of landfill gas or leachate are created.</p>	<p>Under Option 1 there will be no interaction or breaches to the sea wall. Option 3 will result in the temporary trenching through the sea wall. Mitigation measures, as secured with a Contaminated Land and Groundwater Plan, will be applied to either of the landfall design options to ensure that no new pathways are created.</p>
<p>It is also advised that any Environmental Permits obtained in connection with this project will need to be the sole liability of the applicant and that none will be transferred to, or later by default become incumbent on, the County Council.</p>	<p>This is noted and agreed by the Applicant.</p>
Conclusion	
<p>KCC will continue to engage positively with Vattenfall Wind Power Ltd and the Examining Authority and will welcome further engagement on the content of this LIR as the examination advances.</p>	<p>This is welcomed and noted by the Applicant.</p>

This page is intentionally blank.