

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 9 to Deadline 2 Submission: Applicant's  
Response to Dover District Council's Local Impact  
Report

Relevant Examination Deadline: 2

Submitted by Vattenfall Wind Power Ltd

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Revision A

Drafted By:	GoBe Consultants Ltd
Approved By:	Daniel Bates
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## **1 Introduction**

- 1 Dover District Council (DDC) submitted a Local Impact Report (LIR) to Deadline 1 of the Thanet Extension Examination (PINS Ref REP1-091). 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 DDC'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 REP1-018). The SoCG provides a summary of the matters agreed, and those which remain under discussion.
- 3 The Applicant will continue to engage with DDC in respect to the matters outstanding with a view to addressing outstanding concerns.

**Table 1: Applicant's responses to issues raised within Dover District Councils Local Impact Report (PINS Ref REP1-091)**

Issues raised in the LIR	Applicant's Response
<p>1.1.1. This is a Local Impact Report (LIR) prepared by Dover District Council (DDC) to the Planning Inspectorate (PINS) regarding the application by Vattenfall Wind Power Limited for an Order Granting Development Consent for the Thanet Extension Offshore Wind Farm.</p>	<p>This is noted by the Applicant.</p>
<p>1.1.2. Vattenfall submitted the application under Section 37 of the Planning Act 2008 (as amended) to PINS for an Order Granting Development Consent for the Thanet Extension Offshore Wind Farm on 27 June 2018. PINS is responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIP) as defined by the Planning Act 2008 (as amended) and the Infrastructure Act (2015). NSIP applications are considered within the national policy framework identified in the National Policy Statement (NPS) for Major Infrastructure and Energy, in particular EN-1 Energy, EN-3 Renewable Energy and EN-5 Electrical Networks Infrastructure and other material considerations.</p>	<p>This is noted by the Applicant.</p>
<p>1.1.3. DDC is an interested party under the Planning Act 2008 (as amended) with respect to the project and joint planning authority in relation to the proposed works and will also be responsible for some of the Discharging Requirements and will become one of the Enforcement authorities for the scheme. DDC also form part of the National Nature Reserve (NNR) Management Steering Group and therefore also has an interest in respect of the impact on the NNR. In addition it has a number of other statutory responsibilities concerning environmental health.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>1.1.4. DDC have considered the purpose of the LIR as set out in Section 60(3) of the Planning Act 2008 (as amended) and PINS Advice Notes in preparing the LIR. Therefore this document sets out details of the likely impacts of the proposed development on Dover District's administrative area. The Planning Inspectorate advise that local authorities should cover any topics they consider relevant to the impact of the proposed development on their area and should be used as the means by which their existing body of local knowledge and evidence on local issues can be fully and robustly reported. They advise that it should draw on existing local knowledge and experience. This LIR, therefore, includes a statement of positive, neutral and negative local impacts, but it does not contain a balancing exercise between positives and negatives.</p>	<p>This is noted by the Applicant.</p>
<p>1.2. Pre-application Process and Consultation</p>	
<p>1.2.1. DDC have engaged constructively with Vattenfall throughout the development of the project via a Planning Performance Agreement and have fully responded to previous consultation as part of the formal pre-application consultation process. Vattenfall has made positive efforts throughout the process to endeavor to address any concerns raised by DDC and this has greatly assisted with reducing the residual impacts that would need to be addressed in order to make the proposal acceptable in planning terms. Where any issues are outstanding they are addressed in this report. This position is further clarified in the agreed Statement of Common Ground (SoCG).</p>	<p>This is noted by the Applicant, with the SoCG being submitted as PINS Ref REP1-018.</p>
<p>1.3. Statement of Common Ground</p>	

Issues raised in the LIR	Applicant's Response
<p>1.3.1. The extent of agreement reached between the DDC and Vattenfall on the impacts of the proposed development is set out in the Statement of Common Ground (SoCG) submitted on the same day as this LIR which narrows down significantly a list of outstanding matters. DDC have sought in this LIR to constructively identify where further information and proposals are needed, to ensure that the adverse local impacts are adequately mitigated. DDC will continue to engage with Vattenfall during the Examination process to update and revise the SoCG accordingly.</p>	<p>This is noted by the Applicant, with the SoCG being submitted as PINS Ref REP1-018.</p>
<p>2. Site and Proposals</p>	
<p>2.1. Site Description and Location</p>	
<p>2.1.1. The site is accurately described and documented in the application submission and for the sake of clarity it can be confirmed that there are a number of international and national ecological designations forming part of the onshore development envelope. These are:</p> <ul style="list-style-type: none"> <li>• Thanet Coast and Sandwich Bay Ramsar Site</li> <li>• Thanet Bay and Sandwich Bay Special Protection Area (SPA)</li> <li>• Sandwich Bay and Hacklinge Marshes Site of Scientific Interest (SSSI)</li> <li>• National Nature Reserve (Stonelees and Pegwell Bay NNR)</li> </ul>	<p>This is noted and agreed by the Applicant.</p>
<p>2.1.2. In respect of the land within DDC's administrative boundary this comprises all land forming the (private) Baypoint Sports Club and associated Golf Academy with the DDC boundary line forming the northern boundary of the Sports Club and extending up to the</p>	<p>This is noted and agreed by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>western edge of Sandwich Road. The boundary line then crosses Sandwich Road and runs along the eastern side of the roundabout, which is sited within Thanet District Council. South of the roundabout the District boundary crosses the A256 and includes a strip of land on the western side of the A256 with most of Richborough (Energy) Park within Thanet District area. The proposed sub-station site on Richborough Port and all associated works are within DDC's administrative boundary. It is worth noting that the Richborough Energy Park on the opposite side of the A256 currently provides the national grid energy connection to serve the nearby NEMO link. This connection will also serve the proposed windfarm array providing a link to the national grid network. The two sites are therefore in close proximity.</p>	
<p>2.2. Details of the Proposal</p>	
<p>2.2.1. To avoid repetition DDC agree and accept the project details and descriptions identified by Vattenfall in the submission and as confirmed and accepted in the agreed SoCG submitted in respect of Deadline 1. In particular the submitted Design and Access Statement (Document ref: 8.16) provides a comprehensive and concise description of the proposed works associated with the DCO application.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>2.2.2. The proposed works directly within the DDC administrative area include all ground works from the southern boundary with Stonelees NNR and all the proposed sub-station works. DDC also have an interest in the impact on Stonelees NNR due to siting on the Management Steering Group. The visual impact on the seascape from</p>	<p>This noted and agreed by the Applicant.</p>



Issues raised in the LIR	Applicant's Response
Dover District is also considered.	
2.2.3. The removal of Option 2 for landfall is welcome and fully removes the uncertainty and any previous representations from DDC in respect of any above ground works associated with above ground landfall options, the respective landscape and visual impacts on Pegwell Bay Country Park and any potential onshore landscape and visual impact concerns.	This is welcomed and noted by the Applicant.
2.3. Relevant Development Plan Policies	
2.3.1. DDC concur with the submitted assessments of the proposed development against the relevant adopted and saved local planning policies as set out in the ES.	This is welcomed and noted by the Applicant.
<p>2.3.2. For clarification the relevant Dover Development Plan considerations are:</p> <ul style="list-style-type: none"> <li>• Saved Policies of the Local Plan 2002 (substation site was designated in the Kent Waste Plan 1998)</li> <li>• Dover District Local Development Framework Core Strategy 2010</li> <li>• Dover District Land Allocations Local Plan 2015</li> <li>• Dover District Emerging Local Plan (up to 2037), this has very limited weight due to being at an early stage of drafting.</li> </ul>	This is noted by the Applicant.
2.3.3. Baypoint Sports Club is allocated as protected open space in the DDC Core Strategy (2010).	The Applicant understands that this comment refers to the Dover District Council Core Strategy published in 2010, and the accompanying Policy Map (available at <a href="https://www.dover.gov.uk/Planning/Planning-Maps.aspx">https://www.dover.gov.uk/Planning/Planning-Maps.aspx</a> ) which labels the land forming Baypoint Sports Club 'open space'.

Issues raised in the LIR	Applicant's Response
	<p>The Applicant notes that the area is not included on the Council's most recent list of Parks and Open Spaces in Dover District (available at <a href="https://www.dover.gov.uk/Leisure-Culture-Tourism/Leisure-Facilities/Parks--Open-Spaces/KeySites.aspx">https://www.dover.gov.uk/Leisure-Culture-Tourism/Leisure-Facilities/Parks--Open-Spaces/KeySites.aspx</a>), and also notes that the Core Strategy was published before the Baypoint Sports Club, a private members club, opened on the land in 2013.</p> <p>The Applicant acknowledges that a section of the proposed onshore cable route and a temporary construction compound are on land forming part of the Baypoint Sports Club.</p> <p>The Applicant has accepted that during the construction period there may be a temporary impact on the Club. However, as the Club is only accessible by members, this has been assessed as a commercial impact only.</p> <p>The Applicant has reached a voluntary agreement with the owners of the land regarding this commercial impact. Any impacts would be temporary only and there would be no overall effect on the longer term use of the land as a sports club.</p> <p>The SoCG agreed with the Council does not identify any significant concerns with the assessment carried out by the Applicant, including landscape effects, or with the drafting of the DCO.</p>
<p>2.3.4. DM15 and DM16 of the Core Strategy (2010) are of most relevance to this proposal and for clarity are set out below:</p> <p><i>Policy DM15: Protection of the Countryside</i></p>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>Development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted if it is:</p> <ul style="list-style-type: none"> <li>i. In accordance with allocations made in Development Plan Documents, or</li> <li>ii. justified by the needs of agriculture; or</li> <li>iii. justified by a need to sustain the rural economy or a rural community;</li> <li>iv. it cannot be accommodated elsewhere; and</li> <li>v. it does not result in the loss of ecological habitats.</li> </ul> <p>Provided that measures are incorporated to reduce, as far as practicable, any harmful effects on countryside character.</p> <p><i>Policy DM16: Landscape Character</i></p> <p>Development that would harm the character of the landscape, as identified through the process of landscape character assessment will only be permitted if:</p> <ul style="list-style-type: none"> <li>i. It is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or</li> <li>ii. It can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.</li> </ul>	
<p>2.3.5 The proposed development would fall under the broad scope of these local policies which both seek to mitigate any adverse impact of development to an acceptable level, with DM15 allowing development in</p>	<p>This is noted and agreed by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>the countryside that is justified by the need to be located in a rural location (ie. outside of urban confines). Therefore although not strictly in accordance with these policies, DDC would be of the view that such a development would be justified specifically by its location and would incorporate suitable mitigation measures that would overcome any impacts to an acceptable level. Consequently, the proposed development could be considered in broad compliance with these policies.</p>	
<p>2.4. Relevant Development Proposals and Relevant Planning History</p>	
<p>2.4.1. DDC concur with the list of relevant development proposals identified by Vattenfall and the cumulative development proposals set out in ES Volume 1, Doc. Ref: 6.1.3.1. DDC do not consider these have any significant material effect on the assessment of the DCO application submission.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>2.4.2. In terms of the planning history of the sections of the site within DDC, the substation site has a broad history of commercial uses; some port related uses, a waste transfer station and more recently open storage, particularly in relation to cars. It is currently used by HMRC for the open storage of cars and vehicles. The existing screen planting/landscaping was implemented in respect of previous uses. The current and previous uses are representative of a number of similar types of use in the immediate area.</p>	<p>This is noted by the Applicant.</p>
<p>2.4.3. In the 1998 Kent Waste Local Plan part of the proposed substation site and the relocated HMRC storage area were allocated for the purpose of proposed wharves or depots to receive and despatch aggregates, however the site currently has no allocation in</p>	<p>This is noted and agreed by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
the Kent Minerals and Waste Local Plan (2016).	
2.4.4. In respect of the Baypoint Sports Club, there is relevant planning history in relation to extensions to the existing building but no other relevant planning history.	This is noted by the Applicant.
<b>3. Likely Effects of the Proposed Development</b>	
3.1.1. DDC wish to identify their support for the environmental principles of renewable energy and sustainable sources of energy generation as a whole as identified in the Core Strategy (2010) and in line with National Guidance including the National Planning Policy Framework (NPPF) 2018.	This is welcomed and noted by the Applicant.
3.1.2. DDC also recognise and fully support the creation of jobs and the wider benefits to the local economy, including additional spending and the benefits this will have on local businesses.	This is welcomed and noted by the Applicant.
<b>3.2. Onshore Landscape and Visual Impacts</b>	
3.2.1. In terms of the submitted onshore Landscape and Visual Impact Assessment (LVIA), associated photomontages and identified viewpoints, initial concerns raised by DDC in the S42 consultation response have largely been addressed in the submission of additional viewpoints, photomontages and a technical report (Doc. Refs: Volume 6 Annex 2-1 Rev A ref: 6.6.21.1 & Annex 2-2). These seek to clarify a number of concerns raised in respect of the visual impact of the proposed sub-station on views from the wider landscape and from publically accessible routes including public footpaths.	This is noted by the Applicant.

Issues raised in the LIR	Applicant's Response
<p>3.2.2. Although the proposed substation and associated works will result in a large structure, the surrounding context of the site including Richborough Energy Park and nearby commercial and industrial uses, adjacent to an A road, along with existing trees and structural planting will all mitigate and minimise the level of harm from the proposed structure. All additional viewpoints identified in DDC's S42 consultation response have been submitted with the DCO application and clarification has been provided where necessary. This additional clarification has sought to address DDC's concerns and has effectively addressed them. This is further assisted by the proposed screen planting that has been identified around the wider substation compound and a corresponding commitment to provide this landscaping along with enhanced habitat provision. All these factors address the concerns identified and DDC are satisfied that these measures, subject to the submission of reserved matters and details, will adequately mitigate and address any visual or landscape concerns that were previously identified. On the basis DDC does not wish to raise any further concerns in respect of this aspect of the proposal.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>3.2.3. In respect of the proposed landscape and visual impacts associated with the proposed cable route, these have all been addressed with the removal of all above ground cable works including Option B identified in the DCO submission. DDC were previously concerned regarding the long term impact of any of the suggested proposals to provide the cable route above ground and particularly any proposal to extend the seawall or provide berms across Pegwell Country Park. DDC welcome the removal of all above ground options in the final submission which overcomes a number of local concerns</p>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
and associated landscape and visual impacts concerns.	
3.3. Offshore Landscape and Visual Impacts	
3.3.1. DDC will seek, where possible to clarify previous comments submitted in the S42 response that were put forward by the Councils former Landscape Advisor in respect of the offshore/seascape impacts of the proposed submission. These are clarified below.	This is noted by the Applicant.
<p>3.3.2. For DDC, the proposed TEOF presents two concerns:</p> <ul style="list-style-type: none"> <li>• The presence of the extra turbines, larger than the original, some occurring nearer the coast than TOWF: does the proposal change the character of that part of the sea when seen from land?</li> <li>• The transition occurring at the periphery of the proposed extension: the more contained the extension is within the visual envelope of the TOWF, the less the visual effect.</li> </ul> <p>The relevant seascape character areas (Seascape Character Assessment for the Dover Strait, 2015) for land-based assessment from Dover district are C5A, I1A, I2A, and I3A. Areas C5A and I1A (Sandwich and Pegwell Bays) are described together in the assessment above and it is noted that the description states that these combined areas form 'a distinctive bay seen from land and sea.'</p> <p>It is acknowledged that the presence of TOWF in any baseline assessment means that any change in character of the seascape, as seen from shore, of TEOF is related primarily to the effect of the nearer turbines, not those beyond the TOWF.</p> <p>On review of the Offshore LVIA Commentary (Volume 6), it is considered that the overall change in wider seascape character in</p>	<p>The Applicant recognises that DDC has no concerns about the WTGs located beyond the TOWF and that the change occurring within Dover District is a minor component of a more significant change occurring for Thanet District. The Applicant understands that DDCs principle concerns are represented in Viewpoint 8 (Sandwich Bay Estate) and relate to:</p> <ul style="list-style-type: none"> <li>• The northernmost turbines which create a partial enclosure of Sandwich and Pegwell Bay;</li> <li>• The southernmost turbines which extend the existing TOWF array southwards towards the Goodwin Sands and may have a 'somewhat removed appearance'.</li> </ul> <p>In both cases, these effects occur where the WTGs do not have the existing TOWF as a backdrop, instead they extend the existing array on the sea skyline (either to the north or south of the existing WTGs).</p> <p>The siting and design of the Offshore WTG Array has incorporated mitigation to reduce some of these effects. In particular, the north-western extent of the Offshore Wind Farm area boundary was modified, which reduced the lateral extent of the Offshore WTG array in this north-western area. This design change contributed to reducing the partial enclosure of the open aspects of the Sandwich and Pegwell</p>

Issues raised in the LIR	Applicant's Response
<p>respect of the relationship with Dover District is constant and a minor component of a more significant change occurring for Thanet District. However, parts of Dover Strait seascape are affected:</p> <ul style="list-style-type: none"> <li>• The distinctiveness of Sandwich and Pegwell Bays as seen from land is compromised by the views of the northernmost turbines which create a partial enclosure of the north of the character area and,</li> <li>• The southern peripheral turbines (three) have the effect of 'spread' when seen from land. Views from Dover district of the white water breaking on the sandbanks of the Goodwin Sands, as part of The Goodwin Sands, Gull Stream and North Sand Head SCA have previously been compromised by the presence of TOWF and extending the visual backdrop southwards is likely to further diminish the perception of this characteristic. The somewhat removed appearance of the southern peripheral turbines in this context appears constant and cause a visual effect that is considered significant.</li> </ul> <p>The visibility of TOWF is variable, both dependent on atmospheric conditions (mist, haze) as well as time of day and cloud cover. On a bright afternoon with sunlight catching its masts and blades TOWF may be clearer than illustrated on the baseline imagery. Viewpoint 8, which utilises a photomontage of TOWF, is of great assistance in presenting a worst-case scenario.</p> <p>Viewpoint 7 Deal Pier/Promenade: TOWF could be visible and so TEOWF must also be considered so. The northernmost turbine and the southern three (detailed below) appear somewhat separate from the bulk of the wind farms.</p> <p>Viewpoint 8 (40°) Sandwich Bay Estate: The use of photomontages of</p>	<p>Bay area and created a larger separation between the coast and the Offshore WTG Array. These changes in the Rochdale Envelope WTG layout (Figure 12.1a) assessed in the Environmental Statement and described in section 12.9 of Chapter 12 of the ES (PINS Ref APP-053/ Application Ref 6.2.12), have helped to mitigate seascape, landscape and visual effects (in accordance with NPS EN-1 and EN-3). In the view from Viewpoint 8, for example, there is an area of sea skyline retained between the Offshore WTG Array and the headland of Thanet, such that the Offshore WTG Array is clearly 'offshore' and does appear to be directly 'linked' to the terrestrial landform of Thanet (and thereby enclosing the bay).</p> <p>The southerly extension of the WTG Array represents a relatively limited additional lateral spread of WTGs on the sea skyline, such that the wider open sea view to the east and south-east of the Offshore WTG Array remains largely unaffected. The Applicant notes DDCs comments about the appearance and apparent separation of the southernmost turbines, however the Applicant would note that these WTGs are unlikely to be sited exactly as shown in the wirelines (Optimum Space Layout - Figure 12.1 in ES), which show a worst-case scenario for assessment, and that the final configuration of these southerly WTGs may result in less visual separation than noted by DDC.</p> <p>The visual effect of the Offshore WTG Array on Viewpoint 8 (Sandwich Bay Estate) is assessed as significant in Chapter 12 of the ES (PINS Ref APP-053/ Application Ref 6.2.12), due to the combination of the medium-high sensitivity and the medium magnitude of change. The combination of the assessed sensitivity and magnitude criteria does however, result in an effect which is at the threshold or borderline of</p>



Issues raised in the LIR	Applicant's Response
<p>both the existing wind farm and the proposed extension is helpful. As such, they illustrate that the extension will have a significantly greater effect than the existing, particularly due to the turbines closer to the shore and those which do not benefit from the existing wind farm as a backdrop. Of particular note are the southern group of turbines (numbered 18, 19, and 20 on the wireline drawing) and the northernmost (numbers. 1, 14, 15 on the wireline drawing). The latter, particularly 14 and 15, do form a consistent extension to the main group of TOWF and TEOWF, but visually form a partial seascape enclosure with the Thanet coast which diminishes the perception of the sea beyond. It is considered that there should be a significant separation between views of the coast and the TEOWF. The relationship of the southern three turbines to the bulk of TEOWF is unclear, they appear separated.</p> <p>Viewpoint 18 The England Coast Path, Sandwich Flats: The view is cluttered, inevitably, as the bulk of the TEOWF is beyond Ramsgate Harbour Arm, extending northwards 'behind' Thanet. The Nemo cable-laying barge may add to the clutter. The southern three turbines remain oddly separated from the rest.</p> <p>Summary: In respect of both seascape character and visual effects, there are proposed specific turbine locations (1, 14, 15, 18, 19, and 20 on wireline drawing for Viewpoint 8) that will have adverse effects and consideration should be given to mitigation of such effects.</p>	<p>significance and a precautionary approach has been taken. The scale and visibility of the Offshore WTG Array are reduced at long distances of approximately 20 km from the viewpoint and the increase in lateral spread on the skyline is relatively limited, with the open sea aspect into the Dover Straits and to the Goodwin Sands both being retained.</p>
<p>3.3.3. Unfortunately DDC is in a position where it is not possible to expand on these comments in detail but will seek where possible to assist the Examining Authority in clarifying these concerns.</p>	<p>This is noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>3.3.4. It can be confirmed that Viewpoint 8 above is Viewpoint 8 Fig 12.34 e Sandwich Bay in the SLVIA submitted formally in the DCO submission. This viewpoint continues to represent the most relevant view from Dover District.</p>	<p>This is noted by the Applicant.</p>
<p>3.3.5. It should be noted that a 20km threshold of significance has been identified for the proposed wind turbines. However the size of the proposed turbines could suggest that a 20km threshold of significance may not be large enough. Views of the existing Thanet array (which is of a much smaller scale, overall size and height) are visible from a much wider area including some views close to the town of Dover and from St Margaret's at Cliffe. The proposed wind turbines, due to their scale therefore potentially impact on views from a wider area and the importance of these seascape views should be fully acknowledged. Added to this is the nature of the surrounding coastline and land, including a flat expanse of the landform around the Sandwich Flats area and a significantly higher profile of land at the White Cliff's. These landscape features are significantly important characteristics in the local area, Kent and internationally and seascape views from Dover District are therefore an important consideration.</p>	<p>The SLVIA undertaken as part of the ES (6.2.12 Seascape, Landscape and Visual Impact Assessment - ES Volume 2 Chapter 12, Doc Ref APP-053) recognises that the Offshore WTG Array will be visible from a wider area than a 20km radius. The SLVIA utilises a 45km radius study area, within which the theoretical visibility of the Offshore WTG Array is mapped in the ZTV (Figure 12.4). Representative viewpoints are assessed and illustrated with visualisations from receptors out to this 45km study area distance, including views from Dover (Viewpoint 24 at 34.7km) and from St Margaret's at Cliffe (Viewpoint 10 at 29.5km). The value of these viewpoints is acknowledged by their inclusion in the SLVIA and the production of visualisations in Figure 12.50 (Dover Castle) and Figure 12.36 (St Margaret's at Cliffe).</p> <p>It was assessed in the ES that the Offshore WTG Array will not have potential to lead to a significant effect on views from St Margaret's at Cliffe (Viewpoint 10) or Dover Castle (Viewpoint 24), due to the low magnitude of change arising from the Offshore WTG Array at such long distances (29.5km and 34.7km respectively) and with such changes occurring in the presence of the existing Thanet Offshore wind farm influence in the view. As such, the Offshore WTG Array may increase the influence of WTGs that are already present in the existing view, without introducing entirely new or uncharacteristic elements and therefore would not provide a defining influence or materially affect the existing view from these viewpoints.</p>

Issues raised in the LIR	Applicant's Response
	<p>The ZTV (Figure 12.4) shows that there will be no visibility from the town of Dover due to screening afforded by the headland at South Foreland, which removes any potential for views of the Offshore WTG Array from the town of Dover beyond this headland, other than from the uniquely elevated position at the top of Dover Castle (shown in Viewpoint 24).</p>
<p>3.3.6. DDC would also suggest that the Optimum Space Layout (Fig. 12.1 in ES Volume 6 Annex 12-1 Rev A – Doc Ref 6.6.12.1) to site the array in closer proximity around the existing offshore array may minimise the visual spread across the seascape which could mitigate some of the visual impact over a wider area. Any reduction in the extent of the array in a southerly direction could mitigate or remove DDC's concern regarding the visual impact on the seascape from DDC's administrative area.</p>	<p>The Applicant notes DDC's suggestion that the Optimum Space Layout (Figure 12.1 in ES Volume 6 Annex 12-1) WTG array could be sited in closer proximity around the existing offshore array, in order to minimise the visual spread. In order to meet the required minimum separation distance between WTGs, ensure suitable offset from the existing Thanet Offshore Wind Farm and design the most efficient layout for maximum electricity generation of the WTGs, flexibility is required within the Order Limits.</p>
<p>3.4. Onshore Ecology</p>	
<p>3.4.1. Although some concerns were raised in DDC's S42 consultation response and the Relevant Representation, on further consideration of the submitted documents all previous concerns identified, including those relevant to Grey Seals within the wider area, have been adequately addressed in the formal submission. In relation to onshore ecology DDC can confirm that all impacts on onshore ecology have been satisfactorily addressed in the documents and it is noted that an Outline Landscape and Ecological Management Plan (Doc. Ref: 8.7) sets out mitigation measures for the protection, reinstatement and restoration of all onshore habitats during and post construction on all relevant land. It is further noted that it is proposed to provide habitat enhancement adjacent to the substation site which is</p>	<p>This is welcomed and noted by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
welcomed and supported.	
3.5. Tourism and Recreation	
<p>3.5.1. The inclusion of Document 6.3.4: Tourism and Recreation dealing specifically with this aspect is welcomed and includes sections specifically related to users of Stonelees NNR and Pegwell Bay Country Park which are likely to be significantly affected by the development during the construction phases. In addition users of the surrounding area using the coast line, Public Rights of Way and public footpaths could be affected by the proposed onshore works.</p>	<p>This is noted by the Applicant.</p>
<p>3.5.2. DDC consider that the potential impacts on tourism and recreation of the proposed development relate only to the onshore and landfall construction phases of the development. DDC consider the wind turbine array will have a neutral impact on tourism and recreation in the DDC administrative area. The sub-station works and building, following landscape mitigation measures will also be likely to have a long-term neutral impact.</p>	<p>This is noted by the Applicant.</p>
<p>3.5.3. The location of the cable route through the Country Park and NNR is accepted as a necessary requirement if the development is found to be acceptable in all other regards. The mitigation measures to minimise the construction aspects of the proposal have addressed as far as practicable the short term impacts on the use of these recreational areas and seek to contain the construction impacts to defined areas. DDC agree with the mitigation measures identified in the submission and consider that suitable measures have been incorporated into the mitigation proposals, although the minimisation of the timescale of the construction phases of development and</p>	<p>This is noted and agreed by the Applicant.</p>

Issues raised in the LIR	Applicant's Response
<p>working outside of peak holiday season could minimise the impact on tourism and recreation further.</p>	
<p>3.6. Local Transport Patterns, Traffic and Access</p>	
<p>3.6.1. DDC can confirm that all highways and local transport considerations shall be addressed by Kent Highways and Transportation within the Kent County Council (KCC) representations and LIR. In respect of all highway matters (including access points and construction traffic) DDC would seek the views of Kent Highways and Transportation and therefore raise no comments on these matters but would support their detailed comments.</p>	<p>This is noted by the Applicant.</p>
<p>3.6.2. The relevant authority required to discharge the DCO requirements in relation to the provision of new means of access to the public highway may need to be qualified. Normally the local planning authority would be the determining authority, in consultation with the Highways Authority. This is a separate process from any highway consents required under the Highway Acts and associated legislation.</p>	<p>This is noted by the Applicant and is subject to considered under the SoCG (PINS Ref REP1-018).</p>
<p>3.7. Historic Environment Considerations</p>	
<p>3.7.1. In respect of heritage assets within DDC, a robust methodology has identified the relevant designated heritage assets on which the proposal would have an impact. The assessment of the level of impact has identified minor effects in all cases with no mitigation required and DDC are in agreement with these conclusions.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>3.7.2. In respect of archaeology KCC Archaeology and Historic England</p>	<p>This is noted by the Applicant.</p>

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<p>are the relevant parties to respond on these matters and DDC would support their views on these aspects.</p>	
<p>3.8. Ground Conditions, Flood Risk and Land-Use</p>	
<p>3.8.1. In terms of overall ground conditions, flood risk and land-use DDC have no outstanding concerns in relation to these matters. DDC are in agreement with the approach to assessment, data gathering and the methodology identified. DDC are satisfied to refer to the Environment Agency and Thanet District Council in respect of any additional requirements and would agree with any further recommendations.</p>	<p>This is noted by the Applicant.</p>
<p>3.8.2. In terms of potential ground contamination and the impact on controlled waters associated with the landfill under Pegwell Bay Country Park, at this stage and without the survey investigation results it is not possible to comment further in respect of this aspect at this stage. Nevertheless, these works would fall within Thanet District Council and would also be appropriately addressed by the Environment Agency. For these reasons DDC would refer to the Environment Agency and Thanet District Council to adequately address these matters and would be in full agreement with any recommendations as may be identified. Nevertheless, DDC may wish to address this aspect at a later stage depending of the outcomes of the survey investigation to be undertaken.</p>	<p>This is noted by the Applicant.</p>
<p>3.8.3. In respect of land-use it is expected that all previous land uses will be fully reinstated following the completion of the cable route and restoration plans. In respect of the substation site, this is largely hardsurfaced and has been used for previous commercial uses and open</p>	<p>This is noted by the Applicant.</p>

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<p>storage for a significant period of time. Therefore it is considered that the proposed land use will not radically change.</p>	
<p>3.9. Air Quality, Noise and Vibration</p>	
<p>3.9.1. In terms of air quality DDC have no concerns in relation to these matters subject to compliance with the Code of Construction Practice (CoCP)(Doc ref: 8.1). DDC are in agreement with the approach to assessment and data gathering and accept the methodology identified.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>3.9.2. In respect of noise and vibration, DDC do not have any concerns in relation to these matters within the DDC area and are in agreement with the approach, data gathering and methodology identified. Mitigation measures identified in the CoCP would need to be fully complied with throughout the construction stages, with extended hours of work kept to a minimum and only during exceptional circumstances. DDC does not wish to raise any further points in relation to these aspects of the proposal at this stage, but would support any further mitigation measures that may be considered appropriate by Thanet District Council or other relevant parties.</p>	<p>This is noted by the Applicant.</p>
<p>4. Proposed articles and requirements within the draft Order (DCO)</p>	
<p>4.1.1. The DCO contains in most part appropriate provisions for the control and management of the proposed development. DDC is largely in agreement with the wording of the proposed conditions in the Draft DCO but would welcome further discussion on any specific matters of concern from the Examining Authority or other relevant parties. The following points should be noted:</p>	<p>The Applicant notes DDC's comments. In response to each bullet point:</p> <p>Schedule 1, Part 1 - All references to Option 2 have been removed in the draft Order as submitted at Deadline 2.</p>

Issues raised in the LIR	Applicant's Response
<ul style="list-style-type: none"> <li>• Schedule 1, Part 1 - will need updating to account for the removal of Option 2 at landfall.</li> <li>• Schedule 1, Part 3 – The siting of the construction compounds and means of access could be submitted for consideration as part of the requirements of the DCO to ensure the impact of these works is minimise as far as possible.</li> <li>• Schedule 1, Part 4 – Incorrect reference is made to the relevant planning authority area in this schedule.</li> <li>• Schedule 10: Procedure for Discharge of Requirements. This has a number of unrealistic timescales for the validation and consultation of relevant parties resulting in a significant onus of LPA's to process matters immediately.</li> </ul>	<p>Schedule 1, Part 3 - The Environmental Impact Assessment has assumed that the construction compounds cited at Works No. 5 and 14 could be placed anywhere within Pegwell Bay Country Park and in proximity to the onshore substation. It has therefore already assessed the realistic worst case scenario and found that the impact of the siting of an onshore substation would be minimal. The location of means of access have also been defined and assessed within the Environmental Impact Assessment and such impacts have also been considered to be negligible. In addition, in relation to the latter, there are only limited places where a means of access could realistically go in respect of the associated means of access for the construction compound. Furthermore, a Construction Environment Management Plan and other subject specific management plans including a Construction Traffic Management Plan will be submitted for approval prior to commencement. The Applicant therefore submits that this is not necessary.</p> <p>Schedule 1, Part 4 - The reference to the relevant planning authority was corrected at Schedule 1, Part 4 in the draft Order as submitted at Deadline 1.</p> <p>Schedule 10 (Procedure for Discharge of Requirements), Part 2 (3) - this was amended in the draft Order submitted at Deadline 1 to allow for additional time for the discharging authority to issue a consultation to the requirement consultee.</p>



Issues raised in the LIR	Applicant's Response
<p>4.1.2. Further information, Paragraph 3 sets out a requirement for the LPA to issue a consultation and notify the undertaker of any further information required within 1 business day. This is unrealistic at the standard response time would be between 3-5 working days. In addition a consultation request for further information to be submitted to the applicant within 21 days, again this timescale is unrealistic, there would normally be at least 21 days for a consultee to respond to a request for comments and then the LPA will need to deal with this request accordingly. Consequently 21 days would be an insufficient period to deal with this process.</p>	<p>Further to discussions that have taken place in a meeting in January 2019 with DDC, Schedule 10 (Procedure for Discharge of Requirements), Part 2 (3) has been amended in the draft Order at submitted at Deadline 1 to allow for additional time for the discharging authority to issue a consultation to the requirement consultee. This now states as follows:</p> <p>"(3) If the requirement specifies that consultation with a requirement consultee is required, the discharging authority must issue the consultation to the requirement consultee within 3 business days of receipt of the application, and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 3 business days of receipt of such a request and in any event within 28 days of receipt of the application".</p>
<p>4.1.3. Equally in respect of Appeals, 3, (2), (d) – a requirement to submit written representations to an appointed person within 10 business days of the date on which the appeal parties are notified is a very limited period to coordinate a response. The standard appeal process would normally be six weeks.</p>	<p>The Applicant acknowledges the concern raised by DDC and is content to extend the period to 20 business days. It is important to note that prior to the appointment of any expert the discharging authority will be sent the appeal papers in advance of that 10 day appointment period. By allowing a further 10 business days on receipt the discharging authority will be afforded the six weeks request. This has been amended in the draft Order submitted at Deadline 2.</p>
<p>4.1.4. Although there is clearly a need to prioritise such submissions accordingly, the proposed timescales set out in this section of the draft DCO would be unrealistic to achieve.</p>	<p>The Applicant notes the comments made by DDC and these have been addressed in responses 4.1.2 and 4.1.3 above.</p>
<p>4.1.5. In addition, it would be of assistance to DDC for further</p>	<p>The Applicant notes the comments made by DDC and would be</p>

Issues raised in the LIR	Applicant's Response
<p>clarification from the applicants of those matters that are expected to be discharged by DDC, TDC or other relevant authority or where joint applications or discharges are required. The documentation submitted with the application is not clear on this point, perhaps a table to identify DDC (and other statutory authority) requirements post decision would be of assistance.</p>	<p>content to provide a table to identify those authorities discharging the specific requirements or documentation. This is included as Annex A to Appendix 9 of the Applicant's Deadline 2 Submission.</p>
<p>4.1.6. In respect of the Certification of Plans, the submitted plans appear to be fit for purpose.</p>	<p>This is welcomed and noted by the Applicant.</p>
<p>4.2. DCO Obligations</p>	
<p>4.2.1. There do not appear to be any legal obligations submitted in relation to the proposed development the subject of this DCO. There are however a number of draft strategies that have been put forward to form part of the DCO. DDC consider these can be adequately addressed in the provisions and schedules of the DCO. Notwithstanding the above, restoration and monitoring of the site, in particular the ground works associated with landfall and the cable routes and screen planting, will need to be ongoing to ensure the ecological value of Stonelees NNR and Pegwell Bay Country Park can be fully reinstated and the substation site is adequately screened from relevant viewpoints. The timescales identified by the application refer to up to 2 years following completion; however the relevant land and habitats may take longer to be fully restored. What provisions are identified to address the need for ongoing monitoring and who would be responsible for this? Could this be addressed in a legal obligation to provide additional monies for this specific purpose or can this be addressed within the provisions of the DCO.</p>	<p>The obligation to reinstate is set out in the outline Landscape and Ecological Mitigation Plan, secured by requirement in the DCO. The OLEMP sets out monitoring proposals and maintenance for planted trees and shrubs of up to 5 years. Following reinstatement and monitoring, management will revert back to landowners. The Applicant considers that this is adequately set out in the OLEMP (and subsequent LEMP for approval) and secured by the DCO. As such it does not require further legal agreement.</p>

Issues raised in the LIR	Applicant's Response
5. Conclusions	
5.1.1. DDC will continue to engage positively with Vattenfall and the Examining Authority and welcome the opportunity for further engagement on the content of this Local Impact Report as the examination advances.	This is welcomed and noted by the Applicant.

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