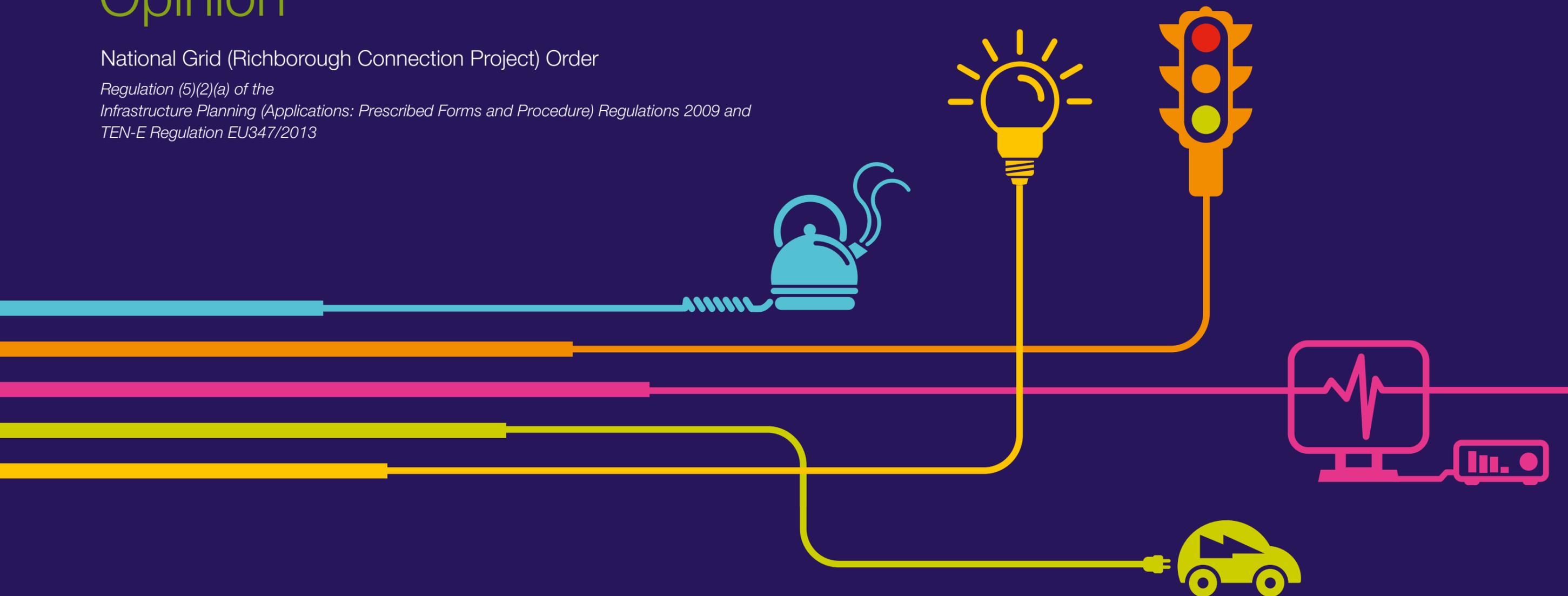


# 1B Response to PINS Scoping Opinion

National Grid (Richborough Connection Project) Order

*Regulation (5)(2)(a) of the  
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and  
TEN-E Regulation EU347/2013*



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# **Richborough Connection Project**

## **Volume 5**

### **5.4 Environmental Statement Appendices**

#### **5.4.1B Response to PINS Scoping Opinion**

National Grid  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick  
CV34 6DA

Final

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<b>Organisation</b>	Amec Foster Wheeler		
<b>Author</b>	Chris Prydderch		
<b>Approved by</b>	Karen Wilson		
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# 1. INTRODUCTION

## 1.1 Scoping

- 1.1.1 Scoping was started at the outset of the work on the Environmental Impact Assessment (EIA), with the initial conclusions about potentially significant effects of the proposed development being set out in the EIA Scoping Report<sup>1</sup>. The preparation of this report was informed by the legislative and policy context relevant to the proposed development.
- 1.1.2 The Scoping Report for the Richborough Connection project set out what had been identified at that time to be the potentially significant environmental effects of the proposed development that needed to be considered in the ES and outlined the approach to undertaking the assessments of these effects. The report was issued to the Planning Inspectorate (PINS) to inform its scoping opinion under *The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009*<sup>1</sup> as amended by *The Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2011*<sup>2</sup> and *Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2012*<sup>3</sup> (collectively the EIA Regulations). The scoping stage also enabled prescribed and non-prescribed organisations, and others with an interest in the proposed development ('stakeholders') to comment on the proposed scope of the assessment. The PINS scoping opinion was received on 18 September 2014 and is provided in **Volume 5, Document 5.4, Appendix 1A**.

## 1.2 Content of this Appendix

- 1.2.1 This appendix presents a response to the scoping opinion and provides information on where the issues raised in the scoping opinion have been addressed in this ES or explains why these issues are not addressed (**Table 1B.1.1**). Further detail, including in relation to the original consultee responses (as provided in Appendix 2 of the scoping opinion), is also presented in the technical topics chapters of the Environmental Statement (ES) in **Volume 5, Document 5.2, Chapters 6-16**.
- 1.2.2 Also provided, in **Table 1B.1.2**, is information on how and where the requirements on presentation of the ES, as set out in Appendix 3 of the scoping opinion, are addressed.
- 1.2.3 Abbreviations used within the following table are explained in **Volume 1, Document 1.5**.
- 1.2.4 Where references to ES Chapters are made these can be found in **Volume 5, Document 5.2**.
- 1.2.5 Where references to ES Figures are made these can be found in **Volume 5, Document 5.3.1-5.3.16**.
- 1.2.6 Where references to other ES Appendices are made these can be found in **Volume 5, Document 5.4** and the specific appendix number is given.

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<sup>1</sup> Richborough Connection project – Environmental Impact Assessment Scoping Report. National Grid (July 2014)

<sup>2</sup> SI 2011 No. 2741

<sup>3</sup> SI 2012 No. 787

Table 1B.1.1 Responses to PINS Scoping Opinion

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Description of the application site and surrounding area</b>			
2.32	The ES should include a section that summarises the site and surroundings, for example in terms of its physical characteristics, current and previous land use, together with any relevant designations and sensitive receptors. This information should be separate from the more detailed baseline information within the assessment chapters of the ES. It should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.	This information is provided in Chapter 3, Section 3.3 of the ES.	
<b>Description of the proposed development</b>			
2.33	There should be no inconsistencies in the description of the proposed development (as noted in the scoping report).	Comment is noted.	
2.34	The description of the development in the ES should be certain enough to meet with the requirements of paragraph 17 Schedule 4 Part 1 of the EIA Regulations.	The information provided in Chapter 3: Description of the Proposed Development of the ES meets the requirements of the EIA Regulations.	
2.35	If a draft DCO is submitted the ES should clearly define which elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 or is an ancillary matter.	Sections 3.3 – 3.6 within Chapter 3 of the ES describes the elements of the development integral to the NSIP including the associated development.	
2.36	An integrated approach should be undertaken to the consideration of associated development or ancillary matters.	The EIA work has covered all elements of the proposed development whether they are the authorised development or associated development.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
2.37	The ES should include a clear description of all stages of the proposed development and include all elements of the scheme (refer to paragraph 2.37 for additional detail).	This information is provided in Chapter 3: Description of the Proposed Development.	
2.38	The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will therefore need to quantify/classify the wastes that are expected to be generated and describe the control processes and mitigation procedures for storing and transporting the waste off site. The need for a Site Waste Management Plan should be considered.	The approach to the management of waste arising from the proposed development is summarised in Chapter 3, Section 3.11 of the ES. An Outline Waste Management Plan (WMP) is also included as part of the ES (Document 5.4.3D, Appendix 3D) and required under Requirement 5 of the draft DCO. This provides an overview of the standard waste management measures that would be implemented during the construction works, and includes details of the source and volume of waste arising from the proposed development.	
	The ES should provide information on the timing of the removal of the PX route and how the DCO would ensure adherence to the timetable.	The ES provides a high-level summary programme in Chapter 3, Section 3.2. Further detail is provided in Document 5.4.3J, Appendix 3J: Construction programme. The PX route will be removed within 36 months after the relevant part of the proposed development is operational secured by Requirement 18 of the draft DCO.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Alternatives</b>			
2.42	The ES should include information on why an underground cable option was not considered in relation to the four overhead line options considered in the Connections Option Report.	The ES Chapter 2, Paragraph 2.4.9 outlines the reasons why an underground cable route was not selected. Please also refer to the Connections Options Report (Volume 7, Document 7.7).	
2.43	The ES should demonstrate consideration of undergrounding of the connection (particularly as a way to mitigation significant visual effects). This should include an explanation of where these have not been adopted on grounds of additional cost.	The ES Chapter 2 provides further detail on the alternatives considered and how the current route option was selected. This includes information on the reasons why rejected options, including undergrounding, were not taken forward. Reference should also be made to the Strategic Options Report (Volume 7, Document reference 7.4) and Connections Options Report (Volume 7, Document 7.7) which provide further information in relation to this issue.	
<b>Proposed access</b>			
2.48	The ES should describe and illustrate the likely nature and characteristics of any structures or activities associated with the temporary or permanent crossings of roads, railway, watercourses and widening of existing roads including the construction works for this element of the proposed development.	The ES Chapter 3 provides information on temporary and permanent crossings associated with the development. During construction all crossings are temporary. The only permanent crossings of roads, railway and watercourses are the physical presence of the new overhead line/conductor wires during its operational phase. Further information is also provided on the crossing of watercourse in the Flood Risk Assessment (Volume 5, Document 5.4.13A, Appendix 13A).	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Construction</b>			
2.51	The ES should include a description of the site and surroundings associated with the construction compound for the 400kV line works.	The proposed construction compounds at Westbere and Richborough power station are described in paragraphs 3.4.22-3.4.26, with potential layouts illustrated on Figures 3.5 and Figure 3.6 respectively (within Document 5.3.3).	
2.52	Any additional construction compounds required should also be described in the ES.	In addition to the Westbere Construction compound which was identified in the Scoping Report, a further compound area at Richborough power station has been identified and fully assessed in the EIA. Both site compounds are shown on the supporting ES Figures in Document 5.3 (for example see Figure 3.1a-h in Document 5.3.3).	
<b>Operation and maintenance</b>			
2.53	Greater detail should be provided regarding the maintenance and decommissioning of the proposed development where there is the potential for significant environmental effects.	Further information on these elements of the proposed development is provided in Chapter 3. The environmental effects from the operational maintenance and potential future decommissioning of the proposed 400kV overhead line are considered in the technical topic chapters (Chapters 6-16 of the ES) where such effects have been scoped-in to the assessment.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Matters to be scoped out</b>			
3.14	The Secretary of State notes the potential for significant effects should any telecommunications equipment and/or other electrical infrastructure to be impacted directly, should this need to be removed, relocated or diverted as a result of the project. It is not clear whether/how this issue is addressed in the Scoping Report and the Secretary of State considers that the potential for such effects should be considered, with the outcomes and any necessary assessments included in the ES.	Chapter 3 of the ES clearly describes the proposed development including where there is a need to remove, divert and/or underground existing services. Where required works to existing services are included as associated development and have been assessed in the ES. The project will be phased and constructed in a way so that the operation of existing telecommunications and electrical infrastructure will be maintained. Protective provisions for the benefit of these undertakers are included within Schedule 14 of the draft DCO.	
<b>Cumulative effects [DHP Planning response on behalf of the Joint Councils – within Appendix B of the Scoping opinion]</b>			
<b>Appendix B</b>	A separate cumulative impacts chapter should be provided	The approach to the assessment of cumulative effects is set out in Chapter 5 of the ES, including confirmation of which other major developments have been scoped in or out of the assessment following consultation with the local planning authorities. Cumulative effects are reported in Chapter 16 of the ES. Inter-related (intra-project) cumulative effects are also considered in each technical chapter in respect of the particular receptor they affect.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Landscape and visual</b>			
<b>3.11 (bullet 1)</b>	Sufficient evidence is not provided for scoping out cumulative effects on the coastal landscape and seascape. It is therefore not possible to conclude with certainty that effects would not be significant. This matter is also raised in the consultation response from Dover District Council, Canterbury City Council, Thanet District Council and Kent County Council (see Paragraph 1.2.5).	Consultation between landscape stakeholders took place in December 2014 and through discussion it was agreed that a standalone seascape and coastal assessment would not be required as desktop studies and ZTVI mapping along with site visits to verify potential views have scoped out any potential significant adverse effects. From the coastline, visual effects would be of very low magnitude, if they arise at all (further detail and assessment is provided in Chapter 7 of the ES). Views inland generally are curtailed by built form, intervening vegetation and topographical variation. Construction, dismantling and operational activities would be barely perceptible and predicted effects would be negligible. Coastal climatic variation throughout the day typically includes periods of fog and mist further dissipating views. Individual views have been considered as part of the Visual Assessment, Chapter 7 of the ES, and have been given the same weighting as other viewpoint receptors. Figures 7.5 and 7.6 (in Document 5.3.7) identify views from coastal areas which have been assessed within 1-3km and beyond 3km.	
<b>3.21</b>	The most up to date guidance should be used.	All guidance used for both the landscape and visual assessment is the most up to date, including The Guidelines for Landscape and Visual Impact Assessment – Third Edition. Appendix 6A (Document 5.4.6A) and Appendix 7A (Document 5.4.7A) provide a full list of guidance used.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.22	The study area for assessment should be agreed with the relevant consultees. The ES should explain how their views have been taken into account.	Dover DC, Canterbury CC, Thanet DC and Kent CC, The AONB Unit and Natural England have all seen and been consulted on the extent of the study area. The ES addresses particular comments by relevant consultees at Chapter 6, Tables 6.2 and 6.3 and Chapter 7, Tables 7.1 and 7.2.	
3.23	The ES should describe the ZTVI model used, provide information on the area covered and the timing of any survey work and the methodology used.	Land that may potentially be visually connected with the proposed development has been identified and mapped at the outset in accordance with paragraph 6.6 of GLVIA3 (Zone of Theoretical Visual Influence (ZTVI) mapping has been produced (Figures 7.1 and Figure 7.2 within Document 5.3.7) to determine the area over which the proposed 400kV overhead line theoretically could be seen. ZTVI maps have been generated by computer from a Digital Terrain Model (DTM) representing the bare ground topography overlaid on a map base with significant areas of woodland vegetation and settlements included to understand how this affects visibility. Further information on the methodology used to generate the ZTVIs is provided in Appendix 7A (Document 5.4.7A).	
3.24	Given the flat landscape, the ZTVI should seek to ensure that all potential sensitive receptors are considered and viewpoints are agreed with the relevant local authorities.	The ES addresses viewpoints as agreed with consultees; the locations of the agreed viewpoints are presented on Figure 7.8 and verified photomontages are presented in Figure 7.9 (both within Document 5.3.7). Chapter 7, Section 7.7 of the ES provides further information on the identification of sensitive receptors.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.24	The assessment should also assess the impact of any vegetation/trees or buildings needing to be removed to accommodate the proposed development. Replacement screen planting should be provided where appropriate.	The ES considers loss of vegetation from construction and demolition effects in Chapter 6, Sections 6.9 – 6.12 and Table 6.14. It is not proposed that any buildings will be removed to accommodate the proposed development.	
3.24	Where potential impacts can be avoided or minimised through changes in the location, size or design of the pylons these should be discussed with relevant receptors.	A design review process has been undertaken in consultation with landowners and PiLs and feedback from the public and this is explained in Chapter 2 of the ES. Pylon design has also been considered to avoid potential effects and consideration of the use of different pylon types in different locations. Refer to Chapter 6, Table 6.8 and Chapter 7, Table 7.3, paragraph 7.8.18-7.8.19. Design is in accordance with the Holford Rules and the Visual Amenity Principles as presented at Appendix 7B (Document 5.4.7B). Further information is also provided in the Pylon Design Options Report in Volume 7. Document 7.8).	
3.25	The Secretary of State notes that where flexibility is required and included in the DCO, the ES should identify and assess the worst case scenario.	The proposed development (400kV overhead line plus temporary and permanent diversions of the existing 132kV lines) will be constructed within the Order limits and Limits of Deviation (LoD) that have been specified in the ES. The proposed lateral LoD (subject to constraints) for the proposed development are shown on Figure 3.1a-h within Volume 5, Document 5.3.3 and discussed in paragraphs 3.1.7-3.1.16 within Chapter 3.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Letter Kent CC 1.7</b>	The EIA should critically evaluate the LCA's based upon the applicants own research and understanding of the landscape. The LVIA baseline is the only opportunity to demonstrate that the landscape has been properly understood. The baseline should be the applicant's professional view of the landscape and the evidence used to form that view.	The ES reports on a professional review of LCA's based on site assessment work as described in Chapter 6, Section 6.5. Appendix 6B (in Document 5.4.6B) provides the published LCA descriptions and they are illustrated on Figure 6.3 within Document 5.3.6.	
	The proposed methodology states that site visits will be undertaken, but where views from private properties are considered the assessment will be based on the nearest publically accessible viewpoint. The Councils request that the scope is altered so that in this eventuality, reasonable efforts should be made to access such properties in order for impacts to be fully and properly assessed.	A more detailed assessment of remote properties and their adjoining private land has been undertaken to gain a thorough appreciation of the likely visual effects arising from the proposed development. This has been achieved by speaking with local residents and land owners and agreeing access to undertake the assessment. The assessment is provided in Chapter 7 of the ES.	
<b>Historic environment</b>			
<b>3.27</b>	The assessment methodology (including the viewpoints to be assessed and how potential adverse effects can be minimised or avoided) and the scope of the proposed survey data to determine the assessment baseline should be discussed and agreed with the relevant consultation bodies.	The scope of the data gathering assessment was developed in consultation with English Heritage (now known as Historic England) and the archaeological advisors to the relevant local planning authorities as explained in Chapter 8 of the ES.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Biodiversity</b>			
<b>3.11 (bullet 2)</b>	Sufficient evidence is not provided for scoping out effect on Thanet Coast and Sandwich Coast SAC, Stodmarsh SAC and relevant habitats/species in watercourses/water bodies resulting from contamination caused by soil disturbance or chemical spillages. The characteristics and likely effectiveness of any measures proposed to mitigate such effects is uncertain. Natural England (see Appendix 2) also states that the potential effects on the SACs and other protected species need to be considered further.	Consultation with relevant consultees has continued throughout the preparation of the ES. Consultations prior to the publication of the PEIR included discussions regarding physical scope, methods of survey and assessment, and principles of mitigation all of which are described in the ES. Detailed embedded environmental measures are also presented in the Biodiversity Mitigation Strategy (Document 5.4.3E, Appendix 3E). Potential contamination effects on the SACs and all vegetation removal is also considered in Appendices 9A-9C, Documents 5.4.9A-9C and the No Significant Effects Report (HRA screening) (Volume 5, Document 5.5).	
<b>3.11 (bullet 3)</b>	Sufficient evidence is not provided for scoping out effects from the pruning of vegetation on routes used by construction traffic. The characteristics of any such pruning (e.g. type/extent/location) is not yet clear, meaning the potential for significant effects cannot yet be determined. It is possible for example that trees or larger vegetation may need to be removed/felled. The ES should also consider the interrelationships with other environmental effects (e.g. landscape and visual/ecology).	An Arboricultural Impact Assessment has been completed (see Document 5.4.3I, Appendix 3I) and this reports on the modelling and assessment of tree removal, including pruning of trees and removal or management of hedgerows along access routes and at proposed bellmouth locations. The inter-related effects of these works is fully assessed in the ES in Chapters 6,7,8 and 9.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.29	The assessment methodology should be agreed with Natural England, including the ecological receptors which should be the focus of the assessment and the types/characteristics of the surveys required.	See the ES Chapter 9, Section 9.3; Section 9.8 Surveys in line with those requested by NE have been conducted. NE has been consulted in respect of protected sites, protected species scope and methodology, and in particular birds, as well as any likely significant effects on statutory sites as the route design has progressed. Scoped-in receptors for the PEIR/ES and the HRA have been further assessed in the ES in response to NE's comments. At NE's request, further winter bird surveys comprising diurnal and nocturnal winter walkovers and vantage-point (VP) surveys have been carried out (Sep 2014 – March 2015) to conclude the agreed scope and are assessed in this ES.	
3.30	Agreement should be sought with the EA regarding the suitability of mitigation/compensation measures proposed for river channels that may be affected by the project	Environmental measures for the proposed development are provided in Appendix 3B, Document 5.4.3B and summarised in the technical chapters (6-15) of the ES (Document 5.2).	No significant effects on migratory watercourses and thus fish are expected.
3.30	The EA also refers to the ecological species which should be included in the assessment; these should be addressed. This includes all of the species listed in the Scoping Report, except White Clawed-crayfish which are no longer thought to be present in the assessment corridor. The EA states that attention should also be given to salmonids (Sea Trout and Salmon) where the fauna of rivers is concerned.	As the design evolution has progressed, further meetings have been held with the EA on detailed effects in relation to design and technical issues (September and October 2014). No significant effects on migratory watercourses and thus fish are expected. Please refer to the ES Chapter 13: Water Environment and Biodiversity Appendix 9A to 9C (Tables 9A.1-9C.1) within Documents 5.4.9A to 9C.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.31	A thorough assessment of the potential effects of the project on relevant designated sites/species, together with a separate section which addresses potential impacts upon European and Ramsar sites is needed.	Response as 3.11.	
3.32	An explanation of how Natural England's recommendations have been taken into account should be provided as should justification regarding the physical area covered by the assessment (including pathways and sensitivity).	Response as 3.29.	
3.33	Evidence to support why effects have been scoped out should be provided in the ES.	The effects that are scoped out, and the associated receptors, are described in Documents 5.4.9A to 9C.	
3.34	The ES should provide details of the measures that will be implemented to ensure effects on Stodmarsh SAC are mitigated.	The ES Chapter 9, Section 9.6 describes the environmental measures incorporated into the proposed development to avoid, reduce or minimise effects. Consideration and a detailed assessment of indirect, aquatic borne effects on ecological sites has been undertaken in Chapter 13: Water Environment.	
3.35	The biodiversity assessment should take account of interactions / interrelationships between topics such as biodiversity and noise, vibration and air quality (including dust). The ES should explain the tolerance of species to these types of emissions (e.g. in terms of a threshold before the magnitude or extent of an impact can adversely affect a species).	The ES Chapter 9, Section 9.7 describes the scope of assessment and the methods by which receptors have been valued for inclusion, with all those scoped in and out listed in Appendix 9B. Section 9.8 describes how the assessment of effects has been conducted and significance evaluation methodology, in line with CIEEM guidance.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.36	The assessment should consider the ecological impacts at each pylon site, however the assessment should also address the effects of the project as a whole.	The environmental measures which have been incorporated into the proposed development to avoid or reduce potential adverse effects on biodiversity of importance are discussed in the ES Chapter 9, Section 9.6. Information on how these measures would be implemented is provided in Chapter 3 and Appendix 3B. Biodiversity mitigation plans specific to every proposed 400kV pylon and existing 132kV pylons (to be removed) where effects on important receptors or legal breaches could occur, are presented in Appendix 3E and Appendix 6D (Documents 5.4.3E and 5.4.6D respectively). These include as appropriate, site specific specifications for protected species mitigation, habitat creation, restoration and enhancement works proportionate and in response to the predicted effects. Environmental measures required to ensure no net loss of biodiversity interest and to reduce any unavoidable adverse effects to a negligible significance, for each receptor is detailed by receptor (ES Chapter 9, Sections 9.9-9.41).	
<b>Traffic and transport</b>			
3.38	The impacts resulting from the delivery of materials and the removal of waste (including existing vegetation/trees requiring removal) from the site should be assessed. This should include consideration of the likely modes of transport and the vehicle routes. Where certain routes are proposed to minimise/avoid adverse effects the ES should explain how use of these will be achieved.	Traffic flow and route planning associated with the construction of the proposed development has been identified and referenced within the Transport Assessment contained within Appendix 10A (Document 5.4.10A) and Chapter 10, Section 10.9, Tables 10.15 -10.18. Volumes of waste and materials have been estimated and are addressed within the ES in Appendix 3D, Document 5.4.3D.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.39	The applicant should consult with Network Rail and other relevant bodies regarding any potential impacts on their assets and their users, for example in terms of potential disruption or should the assets need to be redesigned or relocated. The methodology for any assessment required should be discussed and agreed, together with the design and likely effectiveness of measures proposed to mitigate any significant adverse effects identified.	Network Rail and other relevant bodies have been consulted. This information is provided within the Transport Assessment report found within Appendix 10A (Document 5.4.10A). Further details can be found within Sections 10.4 in Chapter 10 of the ES (Document 5.2).	
3.40	Effects on PRow, national trails and bridleways should be minimised and/or avoided where possible. Any diversions necessary should be clearly described and effects assessed.	The effects on users of PRow is assessed in Chapter 10, Section 10.11 and Chapter 15, Section 15.10.	
<b>Noise and vibration</b>			
3.11 (bullet 4)	Sufficient evidence is not provided for scoping out effects from daytime operational noise from the 400kV overhead line, cumulative noise should the existing 132kV PX route and the new 400kV overhead line be operational at the same time and noise from pylon fittings, including insulators. The Scoping Report explains that the noise from the pylons dissipates within tens of metres from the source and that the insulators will minimise noise. The absence of information on the likely characteristics of impacts and the location/sensitivity of receptors (e.g. ecological) means that it is not possible to be certain that noise effects (including cumulative) will not be significant. The joint consultation response from Dover DC, Canterbury CC, Thanet DC & Kent CC also identifies potential noise impacts which should be described/assessed in the ES.	This is addressed in Chapter 11, Sections 11.14 and 11.15 where further comments on daytime effects are provided. Reasons for not considering noise from ‘fittings’ are provided in Section 11.6. No cumulative effects are expected due to the simultaneous operation of the existing 132kV and proposed 400kV overhead lines. This is addressed in Paragraphs 11.16.22- 11.15.27.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.11 (bullet 5)	Sufficient evidence is not provided for scoping out noise and vibration effects during operational maintenance and inspections. The likely characteristics of maintenance works are not described. This could include the replacement of pylons or other works which could have significant environmental effects.		Noise and vibration resulting from operational maintenance and inspections affecting residential properties, and other sensitive receptors is not likely to be significant and therefore this is scoped out of the assessment. The proposed development will be subject to annual inspections (on foot/ using 4x4 vehicles or by helicopter inspection). In the unlikely event that intervention or maintenance is required then procedures are followed to gain access to carry out the required work within appropriate timescales. Given the lifespan of 40-60 years (insulators and fittings, and conductors), intervention for maintenance activity is unlikely to occur within the first 12-15 years of operation and hence would be extremely infrequent, and would be no more significant than the assessed construction activities at any given pylon location.
3.42	The methodology and choice of noise receptors should be agreed with the relevant local authorities	Consultation has been carried out with the Environmental Health Department at CCC, DCC and TDC as indicated in Chapter 11, Section 11.3. The methodology and choice of noise receptors have been agreed with the relevant Environmental Health Departments. The agreed monitoring locations are shown in Figure 11.1 within Document 5.3.11.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.43	Information should be provided on the types of vehicles and plant to be used during the construction phase. Potential noise sources generated should be identified and assessed and information should be provided on the type, magnitude, duration and extent of noise impacts. Where appropriate, measures should be provided to mitigate against noise impacts and evidence should be provided to explain how and why they are effective.	<p>The construction noise assessment has identified the types of vehicles and plant to be used, as described in Appendix 11A Document 5.4.11A.</p> <p>The assessment has considered the magnitude and duration of the effects associated with the construction of the new 400kV overhead line and the removal of the 132kV overhead line.</p> <p>Embedded environmental measures have been proposed as and where required and these are set out in the ES in Chapter 11, Section 11.6. The measures are in accordance with recommended measures in BS5228.</p>	
3.44	Noise impacts on human receptors should be specifically addressed and particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays.	These effects are addressed in the ES in Chapter 11, Sections 11.9 to 11.10 and Sections 11.14 to 11.15.	
3.45	The noise and vibration assessments should take account of the traffic movements along access routes, especially during the construction phase. The results from the noise and vibration assessments will also provide information to inform the ecological assessment and there should be cross references between these chapters.	The construction noise assessment has considered noise effects from construction vehicle movements on the public road network and on the access routes in Appendix 11A, Document 5.4.11A and Chapter 11, Section 11.9.	Specific traffic noise effects on ecological receptors are not included in Chapter 11. Please refer to Chapter 9 for information on how noise effects on ecological receptors have been addressed.
3.46	The ES should describe how noise and vibration impacts will be monitored and how the need for additional mitigation will be determined and delivered.	The rationale for incorporation of environmental (mitigation) measures is provided in Table 11.7.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>DHA Planning Response on behalf of the Joint Councils (1.10.2)</b>	Whilst the Councils understand that no significant adverse effects are expected from daytime operation of the 400kV lines, given that noise levels associated with the operation of the new 400kV lines are anticipated to be greater than existing, clear data on this should be provided in order for any daytime effects to be properly understood, even if effects shown not to be significant. Any perceptible impact on noise levels at nearby noise sensitive receptors need to be understood in order for a proper planning judgement to be made. The Councils therefore request that this information is provided as part of the ES scope. It is also understood from previous discussions that the T-pylon design could have greater noise effects than a lattice pylon, so this should be properly considered in the ES.	This is addressed in Chapter 11, Sections 11.14 and 11.15 where further comments on daytime effects are provided.	
<b>Air quality</b>			
<b>3.47</b>	Adverse change to air quality should be assessed in relation to compliance with European air quality limit values and AQMAs.	Any changes in air quality have been considered, and, following screening assessments, have subsequently been scoped out. Baseline air quality concentrations in relation to European air quality limit values and location of AQMAs have been considered in Chapter 12, Section 12.5.	
<b>3.48</b>	The site lies within a sensitive area that includes national and European-designated wildlife sites. The impacts on these and other ecological receptors should therefore be carefully assessed.	The potential effect of the project on sensitive receptors (including designated wildlife sites) has been considered for both the construction, operational and future decommissioning phases. Whilst air quality effects have been subsequently scoped out, the designated sites were considered when undertaking the dust risk assessment in order to determine appropriate dust mitigation measures (Appendix 12A, Document 5.4.12A).	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.49	The assessment should consider potential effects from increases in airborne pollution including fugitive dust during site preparation, construction and dismantling works. Such emissions both on site and off site should be considered, including along access roads, local footpaths and other PRow. The need for appropriate mitigation and monitoring measures should also be considered. The applicant should agree these with relevant consultees.	A dust risk assessment has been undertaken in accordance with Best Practice Guidance (Appendix 12A, Document 5.4.12A), which considers a variety of receptors including footpaths. Following the dust risk assessment, appropriate mitigation measures have been recommended (Table 12-A10, Appendix 12A), based on the risk rating of the site. These measures are derived from the Institute of Air Quality Management's Best Practice Guidance for Construction Dust.	
3.50	The baseline described in the Scoping Report is based on Defra predictions of background pollutants and that no site specific surveys are proposed. As this data is predicted rather than factual and covers 1km by 1km grid squares it cannot be considered truly representative of local conditions from which potential impacts can be accurately assessed. This could affect the need and adequacy of any mitigation measures required. The applicant is therefore encouraged to consult with each local authority regarding the validity of this data and the need for additional baseline monitoring.	Potential air quality effects from the proposed development have been scoped out following initial screening assessments. Monitoring data from all local authorities have been collated and reviewed, and used, together with the Defra background maps, to inform the Baseline Section (Chapter 12, Section 12.5).	Given that potential air quality effects as a result of the project have been scoped out, and following review of existing air quality monitoring data, air quality monitoring in the vicinity of the project was not considered necessary.

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Water environment</b>			
3.51	The impact of the project both in terms of potential changes to water flows/drainage, changes to morphology and sediment transport and changes to water quality needs to be fully assessed.	The potential for the proposed development to affect the water environment is considered in Chapter 13 of the ES. Effects on the aquatic (water) environment, including morphology, sediment transport and water quality, are discussed in Section 13.9; effects on water resources, including water quality, are discussed in Section 13.10; and effects on flood risk receptors, including morphology, flows and drainage, are discussed in Section 13.11. Flows and drainage are considered further the FRA (Appendix 13A, Document 5.4.13A)	
3.52	Impacts of climate change, in terms of increased run-off and rises in sea level should be taken into account in the assessment.	Impacts of climate change have been taken into account within a precautionary setting of minimum soffit levels on temporary bridges over the River Stour. The existing EA tidal flood model (which incorporates sea level rise) has been considered. Wider climate change considerations have been taken into account within the assessment and the FRA (Appendix 13A, Document 5.4.13A). Increased run-off is assessed to be insignificant over the construction phase period (Chapter 13 of the ES) and operational phase effects on runoff characteristics are scoped out of the assessment given little potential for interaction.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.53	The FRA should be appended to the ES. The FRA should cover tidal flood risk as well as fluvial and pluvial impacts and consider the potential for breaching/overtopping of the flood defence under present and projected rainfall, river flow and sea level scenarios.	The FRA is appended to the ES as Appendix 13A (Document 5.4.13A). The scope of the FRA has been discussed and refined through consultations with the EA. The EA's existing fluvial and tidal models have been used to inform the FRA. The model outputs include both with and without flood defence scenarios and the worst case levels have been used where necessary. It was agreed with the EA that it was not necessary to undertake breach modelling for this assessment as the proposed construction activities are a sufficient distance away from defences.	
3.54	Potential impacts on the public sewer network should be assessed, including the need to address easements and impacts arising from vibration or re-routing of pipelines during the construction works. The potential for the project to result in contaminants entering the public water supply should be assessed.	Impacts of the proposed development on water resources receptors are considered in Chapter 13, Section 13.8. However, no public water supply receptors have been identified as being at risk from the proposed development.	Local impacts on water distribution and sewer networks have not been assessed as part of the EIA as there is no potential for significant effects on these receptors. Any potential effects will be managed by the construction contractor as part of the detailed design process after the DCO has been granted.
3.55	The effects of river transport (if required) on the water environment and in particular pollution risks should be fully considered		River transport does not form part of the development proposals, and consequently this issue has been scoped out from consideration in the ES.
3.56	The ES should explain how comments from consultation bodies have been taken into account.	Chapter 13 incorporates discussion of consultations into baseline discussions and specific 'EIA Consultations' section within Section 13.4.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.57	The likely effectiveness of any necessary mitigation/monitoring measures should be addressed and this should be agreed with relevant consultees where possible. The Secretary of State also advises that reference should be made to other regimes (such as pollution prevention from the EA).	The rationale for the inclusion of specific environmental measures in the design of the proposed development and in the management of construction and dismantling programmes with respect to the water environment is summarised in Chapter 13, Section 13.6. Good practice regimes including EA Pollution Prevention Guidance (PPG) are referenced within Chapter 13. Flood risk mitigation measures are discussed in more detail in the FRA (Appendix 13A, Document 5.4.13A).	
3.58	The assessment should consider how potential impacts on the water environment interact with other aspects of the environment (e.g. soil quality/agriculture, ecology, and hydrogeology) and there should be cross references between relevant parts of the ES.	Cross references between technical chapters are contained within the ES. Potential inter-related effects with other environmental topics are considered in Chapter 13, Section 13.12 and Chapter 16.	
3.59	The Local Lead Flood Authority (Kent County Council or the River Stour IDB) should be consulted further regarding works that could affect any culvert, diversion, weir, dam, or like obstruction to the flow of relevant drainage watercourses.	Consultation with KCC and the River Stour (Kent) IDB has been undertaken throughout the EIA process (see Chapter 13, Section 13.4), and the general principles for Flood Defence Consents and Land Drainage Consents applications have been agreed.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Geology, Soils and Agriculture</b>			
<b>3.11 (bullet 6)</b>	Sufficient evidence is not provided for scoping out effects on Chislet Colliery RIGS and Sturry Pit RIGS. The Scoping Report seeks to scope these receptors out of the assessment based on their nature and/or distance from the site. The precise nature of the sites is not provided however and the potential for the sites to be affected indirectly is not addressed.	Information on the baseline characteristics of all RIGS within 500m of the Order limits (including Chislet Colliery Tip) and geological SSSI within 1km of the Order limits (including Sturry Pit, which is a SSSI rather than a RIGS) is provided in Chapter 14, Section 14.5. Chapter 14, Section 14.8 provides an extended discussion that considers the potential for the proposed development to have indirect effects on these sites, including effects associated with ground instability, atmospheric deposition, changes in groundwater levels and changes to access. This concludes that the proposed development does not have the potential to adversely affect geological conservation sites (including Chislet Colliery Tip and Sturry Pit).	
<b>3.60</b>	Sediment disturbance and mobilisation of potential contamination sources should be carefully assessed	The potential for contamination has been addressed in the Land Contamination desk study (see Appendix 14A, Document 5.4.14A), specifically in relation to human health receptors. Chapter 9 discusses the potential effects of the proposed development on ecosystems, and Chapter 13 discusses the potential effects of the proposed development on surface water and groundwater.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.61	If investigations are to be delayed until post-consent the ES should explain how these are secured through requirements in the DCO and describe the worst case scenario used in the assessment.	Detailed desk study information is provided in Appendix 14A and Appendix 14C within Volume 5, Documents 5.4.14A and 5.4.14C. These appendices, and Chapter 14, also make reference to limited available ground investigation data. Further ground investigation will be undertaken post-consent and pre-construction. The approach to this further ground investigation, including how it will be secured through the DCO Requirements, is described in Chapter 14, Section 14.9. The assessments of effects relating to ground stability and land contamination in Chapter 14 are presented on reasonable worst case assumptions, which are justified with reference to the supporting desk study information.	
3.62	The potential for any piling works to disturb underlying geology should be assessed. Where piling works are proposed close to existing structures (e.g. buildings or bridges) the ES should assess whether these might be affected by changes in the stability of the land.	Potential ground instability effects associated with piling are assessed in Chapter 14, Section 14.12.	
3.63	The assessment should consider potential impacts on active and inactive minerals sites, Minerals Safeguarding Areas and waste landfills within the site boundary, including whether the proposed development will blight / sterilise the current or future uses. The assessment should consider the stability of the land to support the pylons.	Mineral sterilisation effects are assessed in Chapter 14, Section 14.13, with reference to Appendix 14B within Volume 5, Document 5.4.14B and in consultation with Kent County Council.  Potential ground instability effects are assessed in Chapter 14, with a focus on locations of potential Made Ground.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.64	Cross reference should also be made to the assessment of effects on ecology, the water environment and socio-economics.	Included in Chapter 14 as appropriate.	
3.65	The presence of watercourses and drainage ditches in the vicinity of the site means there is potential for effects to extend to a wide geographic area. It is therefore important that the study area for the assessment is considered carefully and justified, to ensure all potentially significant effects are assessed.	In terms of land contamination effects, these receptors fall outside the scope of the assessment. Effects on the surface water environment from any site derived contamination are considered in Chapter 13. The land contamination assessment identifies potential sources of contamination that may affect these receptors, but not the effects on these receptors. Hence, it is not considered necessary to extend the Study Area specifically due to potential contamination effects on the surface water environment. Rather, the Study Area has been defined relative to the receptors relevant to the Geology, Soils and Agriculture assessment, as discussed in Chapter 14, Section 14.8. The effects on soils and agricultural land are site specific. Embedded environmental measures required to mitigate / prevent disruption to agricultural drainage are discussed in Chapter 14, Section 14.7.	
	Detailed quantification and classification of waste types, disposal options and other information relating to waste.	See response to 2.38.	
<b>Socio-economics and Recreation</b>			
3.66	The number and types of jobs generated during both the construction and operational phases should be clearly described. The assessment of impacts should be considered in the context of the available workforce in the area.	Effects on local and regional economies are reported in Chapter 15, Section 15.15 of the ES. Specific information is provided on estimated job numbers during the construction works.	

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
3.67	The baseline data used in the assessment should be clearly described and provide a true representation of current conditions. The ES should also consider the potential for the baseline to change, for example caused by adopted and emerging local development plan policies or projects in the planning system.	The baseline information is included in Chapter 15, Section 15.5 with an assessment of future land uses, including emerging developments provided in Section 15.14.	
3.68	The absence of definitive guidance on appropriate criteria is acknowledged, however the applicant should seek to agree the assessment methodology with relevant consultees (including how a significant effect is defined).	The assessment method has been developed based on best practice and was presented in the scoping report. No alternative approach was suggested and this method has been used in the ES (see Chapter 15, Section 15.8).	
3.69	The potential for the project to affect the delivery of permitted development or sites/projects identified in the adopted or emerging development plan should be assessed.	This information is included in Chapter 15, Section 15.14.	
3.70	The potential effects of the project (both during construction and operation) on the use of recreational and community facilities together with various tourist attractions should be assessed. The proposed assessment is limited to receptors deemed to have a positive amenity value. The method used to determine such value should be clearly described and justified in the ES. Clear cross referencing to other relevant parts of the ES (e.g. air quality, noise and vibration and traffic) should be included.	The assessment is reported in Chapter 15, Sections 15.9 and 15.11 with cross-referencing as appropriate.	
3.71	The assessment should consider the potential for the removal of the 132kV line to create new recreational routes, as mitigation/enhancement measures.	The assessment considers removal of the 132kV PX route overhead line and details environmental measures appropriate to potential effects (see Chapter 15, Section 15.10).	Recreational routes in this context are not considered given the existing network and interaction with the proposed 400kV line.

Paragraph reference	Scoping Opinion comments	Items addressed in ES	Items not addressed in ES
<b>Health Impact Assessment</b>			
4.18	The applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from Public Health England (PHE) in relation to electrical safety issues (see Appendix 2). . This includes the recommendation from PHE for the ES to provide an explanation as to how the voluntary code of Practice on microshocks has been taken into account in planning the connection.	National Grid has considered all comments received from consultees including those from Public Health England. The assessment of EMFs (see Volume 5, Document 5.7) has been performed against the requirements set out in National Policy Statement EN-5 using the relevant Codes of Practice including that on microshocks.	The ES does not have a sub-section entitled 'Public health impacts' as there is no requirement under the current EIA Regulations (Schedule 4) to include a health-based assessment. Although the EIA Directive (2014) does include a need to consider health, this is not enacted by the UK and any amendment to the EIA Regulations is unlikely to be adopted until 2017. The EIA Directive will not have retrospective effect and this is therefore not considered applicable to this DCO application.
<b>Transboundary Impacts</b>			
4.24	The ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.		No significant transboundary effects are likely given that the proposed development will be entirely land-based with no offshore development. As described above and in Chapter 12 air quality effects have been scoped out of the assessment as they are not likely to be significant and on this basis it is concluded that significant transboundary air quality effects are also therefore not likely to be significant.

Table 1B.1.2 Compliance with Appendix 3 of the Scoping Opinion

Appendix 3 heading	Where addressed in ES
ES indicative contents	<b>Table 1.1 and paragraph 1.10, Chapter 1</b> of the ES.
Balance	<p>The scope of the technical assessments in <b>Chapters 6-15</b> of the ES. have been based on the likely significant effects associated with each assessment.</p> <p><b>Chapter 16</b> of the ES summarises the potential ‘inter-project’ cumulative effects from the interaction of the proposed development and other ‘major’ developments in the vicinity. ‘Inter-related’ (or intra-project) cumulative effects are considered within each of the technical chapters (<b>6-16</b>) of the ES.</p>
Scheme proposals	Provided in <b>Chapter 3</b> of the ES.
Flexibility	Discussed in <b>paragraphs 3.1.6-3.1.16 within Chapter 3</b> of the ES.
Scope	The study area and temporal scope of each technical assessment are discussed in <b>Chapters 6-15</b> of the ES.
Baseline	The identification of baseline conditions is discussed in Section 5.5 within <b>Chapter 5</b> of the ES. The baseline environment and data sources for each technical assessment are discussed in <b>Chapters 6-15</b> of the ES.
Identification of impacts and method statement	<p>An overview of assessment methodology is provided in Section 5.7 within <b>Chapter 5</b> of the ES.</p> <p>The approach to the assessment of cumulative effects is set out in <b>Chapter 5</b> of the ES, including confirmation of which other major developments have been scoped in or out of the assessment following consultation with the local planning authorities. Cumulative effects are reported in <b>Chapter 16</b> of the ES. Inter-related (intra-project) cumulative effects are also considered in each technical chapter in respect of the particular receptor they affect.</p> <p>Alternatives are discussed in Section 2.4 within <b>Chapter 2</b> of the ES.</p> <p>Environmental measures to avoid, reduce or compensate for any significant adverse effects are discussed in Section 3.7 within <b>Chapter 3</b> of the ES. Measures that have been incorporated into the proposed development and have been assessed in this ES are set out in the Embedded Environmental Measures Schedule (<b>Volume 5, Document 5.4.3B, Appendix 3B</b>) and are described in <b>Chapters 6-15</b> within the ES.</p> <p>A Preliminary Environment Information Report (PEIR) was provided to the Local Authorities and Secretary of State as part of the consultation process. How consultation responses to the PEIR have been addressed are discussed in <b>Chapters 6-15</b> within the ES.</p>
Transboundary effects	No transboundary effects are expected as a result of the proposed development
Summary tables	Summary tables are used throughout <b>Chapters 6-16</b> of the ES.

<b>Appendix 3 heading</b>	<b>Where addressed in ES</b>
Terminology and glossary of technical terms	A glossary of abbreviations and technical terminology is provided in <b>Volume 1, Document 1.5</b>
Presentation	The ES, appendices and figures area each appropriately referenced
Bibliography	The ES provides references in the form of footnotes within each chapter
Non-technical summary	A Non-technical summary is provided in <b>Volume 5, Document 5.1</b>

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