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To all interested parties, statutory  
parties and other persons

Your Ref:

Our Ref: EN020017

Date: 11 May 2016

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Dear Sir/Madam

**Planning Act 2008 (as amended) and the Infrastructure Planning  
(Examination Procedure) Rules 2010 (as amended)**

**Application by National Grid for an Order Granting Development Consent for  
the Richborough Connection Project**

**Appointment of the Examining Authority**

I write to you following my appointment by the Secretary of State as the lead member of the panel forming the Examining Authority (ExA) for this application for a Development Consent Order (DCO). Other members of the panel are Annie Coombs, Richard Rees and Stephen Roscoe. A copy of the appointment letter can be viewed at:

<http://infrastructure.planninginspectorate.gov.uk/document/3803055>

**Invitation to the Preliminary Meeting**

I would now like to invite you to the Preliminary Meeting to discuss examination procedure. Details of the Preliminary Meeting are set out below:

**Date of meeting:** 8 June 2016

**Seating available from:** 9.30am

**Meeting begins:** 10.30am

**Venue:** Discovery Park Limited, Building 500, Ramsgate Road, Sandwich, Kent, CT13 9FF

**Access and parking:** There will be parking available at Gate G. Further details on access to the site can be found at:  
<http://www.discovery->

The agenda for the meeting is at **Annex A**. Our initial assessment of the principal issues arising from the application is at **Annex B**. **Annex C** provides details of the proposed timetable for the examination of the application and **Annex D** sets out procedural decisions taken by us under ss89(3) and 93(1) of the Planning Act 2008 (as amended) (PA2008). We will discuss all these matters at the Preliminary Meeting.

## **Purpose of the Preliminary Meeting**

The purpose of the Preliminary Meeting is to enable views to be put to the ExA about the way in which the application is to be examined. At this stage, the ExA is looking at the procedure, and not the merits of the application. The merits of the application will only be considered once the examination starts, which is after the Preliminary Meeting has closed. Further information is given in Advice Note 8, which can be viewed at:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

The ExA wishes to run a fair, efficient and effective meeting. We strongly encourage groups of individuals who have similar views on the application to choose one representative to speak for the group.

## **Relevant Representations**

I would like to thank those of you who submitted relevant representations. The representations have assisted the ExA when preparing our proposals for the examination of this application. Details of locations where hard copies of the application documents and relevant representations can be viewed are provided at **Annex E**. Documents are also available on-line at:

<http://infrastructure.planninginspectorate.gov.uk/projects/south-east/richborough-connection-project/>

## **Your status in the examination**

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) PA2008.

If you have made a relevant representation, have a legal interest in the land affected by the proposal, or are a relevant local authority, you have formal status as an interested party in the examination.

Interested parties will receive notifications from the Planning Inspectorate about the examination throughout the process and may make written and oral submissions regarding the proposal.

If you are a prescribed consultee (ie a body specified in the relevant regulations

supporting PA2008) but have not made a relevant representation (reference number beginning RCP-SP) you will not automatically be an interested party. However, following the Preliminary meeting, you will have a further opportunity to notify the Planning Inspectorate that you wish to be treated as an interested party.

If you are not an interested party or a prescribed consultee, you have received this letter because we wish to invite you to the preliminary Meeting as an 'Other person' because it appeared to us that the examination could be informed by your participation. 'Other persons' have a reference number beginning with RCP-OP.

If you are not sure whether you are an interested party, please contact Chris White, Case Manager via the details at the top of this letter. Information regarding the formal status of interested parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 which can be viewed at:

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

### **Attendance at the Preliminary Meeting**

If you wish to attend the Preliminary Meeting please contact Chris White, Case Manager via the details set out at the top of this letter. Please confirm this by **5.00pm, Tuesday 31 May 2016**.

It will help our management of the Preliminary Meeting and benefit everyone if you also:

- Tell us whether you wish to speak at the Preliminary Meeting and on which agenda items, listing points you wish to make; and
- Notify us of any special requirements you may have (e.g. disabled access, hearing loop, etc.).

If you wish to make any submissions on matters not set out in the agenda, please write to Chris White, Case Manager, via the details at the top of this letter, setting out the submissions that you wish to make **by 5.00pm, Tuesday 31 May 2016**. We will attempt to accommodate all reasonable requests.

Please note that you are not required to attend the Preliminary Meeting in order to participate in the examination. If you are an interested party you will still be able to make written representations and participate in any hearings that are arranged. Should you no longer wish to be an interested party and do not wish to be involved in the examination process, you can notify Chris White, Case Manager in writing via the details at the top of this letter.

### **What happens after the Preliminary Meeting**

After the Preliminary Meeting you will be sent a letter confirming the timetable for the examination. An audio recording and a note of the meeting will also be published on our website as soon as practicable after the meeting.

The examination of the application will primarily be a consideration of written representations about the application, along with any oral representations made at

the hearings. All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Energy and Climate Change. The Secretary of State for Energy and Climate Change will take the final decision on the application.

Interested parties have the right to request an open floor hearing and those persons affected by any request for compulsory acquisition or temporary possession of their land or rights, may request a compulsory acquisition hearing. Any other issue specific hearings are at the discretion of the ExA.

### **Award of costs**

We also draw your attention to the possibility of the award of costs against interested parties who behave unreasonably. You should be aware of the relevant cost guidance "Awards of costs; examinations of applications for development consent orders" which applies to National Infrastructure projects. This guidance is available at:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/guidance/>

### **Management of information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this application is published at:

<http://infrastructure.planninginspectorate.gov.uk/projects/south-east/richborough-connection-project/>

The privacy of any personal information is protected in accordance with the Planning Inspectorate's Information Charter.

We look forward to working with all parties in the examination of this application.

Yours faithfully

*Frances Fernandes*

**Frances Fernandes**  
**Lead Member of the Panel of Examining Inspectors**

### **Annexes**

- A** Agenda for the Preliminary Meeting
- B** Initial assessment of principal issues
- C** Draft timetable for examination of the application
- D** Procedural decisions made by the ExA
- E** Availability of relevant representations and application documents

**AGENDA FOR THE PRELIMINARY MEETING****Date:** Wednesday 8 June 2016**Meeting Start Time:** 10:30am**Venue:** Discovery Park Limited, Building 500, Ramsgate Road,  
Sandwich, Kent, CT13 9FF

09:30am	Registration opens
10:30am	Welcome and Introductions
	Examining Authority's (ExA's) remarks about the examination process
	Initial Assessment of Principal Issues – see Annex B
	Draft timetable for the Examination – see Annex C
	Deadlines for submission of: <ul style="list-style-type: none"> <li>• All written representations</li> <li>• Local Impact Reports</li> <li>• Responses to ExA's written questions</li> <li>• Statements of Common Ground - see Annex D</li> <li>• Notifications relating to hearings</li> </ul>
	Break
	Hearings and Accompanied Site Inspections: <ul style="list-style-type: none"> <li>• Dates reserved for Accompanied Site Inspection(s)</li> <li>• Dates reserved for Open Floor Hearing(s)</li> <li>• Dates of Issue Specific Hearings on draft Development Consent Order</li> <li>• Dates of Issue Specific Hearings on other topics</li> <li>• Dates of Compulsory Acquisition Hearing(s) (including statutory undertaker and special category land)</li> </ul>
	Procedural Decisions - see Annex D
	Close of the Preliminary Meeting

**Please note:** Please register and be available from the start and throughout the meeting. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time, the meeting may run for longer and the order of items may change.

## INITIAL ASSESSMENT OF PRINCIPAL ISSUES

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (ExA) of the application documents and Relevant Representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded.

The list is presented in alphabetical order and should not be taken to imply an order of importance.

The policy and consenting requirements and documentation associated with the Planning Act 2008 (as amended) are an integral part of the Examination and are therefore not necessarily set out as separate principal issues. In addition, it should be noted that a number of these principal issues set out below have an interrelationship and overlap and these will be reflected in the examination.

### 1. Air Quality including Dust

- Effects on air quality of the construction, operation and decommissioning of the proposed development
- Adequacy of environmental measures incorporated in the design and mitigation proposals

### 2. Biodiversity and Geological Conservation

- Effects on habitats, sites and species, including areas of Higher Level Stewardship and ancient woodland (including means of avoidance)
- Implications for designated European Sites and their qualifying features including habitat disturbance and loss, species disturbance, displacement and collision risk for birds, mitigation proposals and the need for ongoing monitoring

### 3. Broad Oak

- Effects on the settlement of Broad Oak
- Effects in relation to Broad Oak reservoir proposals
- The need to safeguard access to water pipelines, river diversion and other services for the reservoir operation and maintenance
- Alternatives considered

### 4. Compulsory Acquisition

- Justification for compulsory acquisition of the land, rights, powers and temporary use powers, that are sought by the draft Development Consent Order
- Alternatives both in relation to individual plots and route
- Statutory Undertaker land and apparatus and potential detriment to the carrying on of an undertaking and any need for replacement land in that context
- Public open space land and rights over that land, loss of open space and any need for replacement land in that context
- Crown Land
- Funding and compensation including blight

- Limitations on rights of way and access and works to property likely to have a direct effect beyond the property interests; and Book of Reference defined limits of compulsory acquisition sought having regard in particular to the exercise of temporary use powers
- Approach adopted in identifying Category 3 parties

## **5. Draft Development Consent Order**

- Adequacy of the draft Development Consent Order including requirements, design flexibility and the deemed Marine Licence
- Protective provisions
- Adequacy of the draft Development Consent Order in relation to decommissioning and removal of existing infrastructure

## **6. Historic Environment**

### Archaeology:

- Adequacy of proposed mitigation
- Agreement of the Outline Archaeological Written Scheme of Investigation (WSI) including method statements

### Settings of Heritage Assets:

- Adequacy of proposed mitigation and role, enforceability and deliverability of the proposed landscape and habitat enhancement scheme
- Tile Lodge Farmhouse

## **7. Landscape and Visual**

- Effects on the landscape of the areas in which the proposed development lies and from where the proposals are theoretically visible, including the setting of nationally designated landscapes, the Canterbury World Heritage Site, long distance trails and locally valued views
- Visual impact of the proposals, including during construction and operation
- Adequacy of method of assessment including consideration of the proposed infrastructure against the Holford Rules<sup>1</sup>
- The extent to which and how alternatives have been considered
- Choice of pylon type in different sections of the route
- Consideration of the effectiveness of the proposed embedded mitigation including the degree to which it is secured via the draft Development Consent Order and how it addresses good design
- Role, enforceability and deliverability of the proposed landscape and habitat enhancement scheme
- Length of maintenance/management/aftercare period(s)

## **8. Noise and Vibration, Electric and Magnetic Fields**

- Construction, operational and decommissioning noise and vibration effects on local residents, businesses and wildlife
- Noise and vibration from traffic generated by construction, maintenance and decommissioning
- Establishment of agreed maximum noise levels and exposures and working hours

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<sup>1</sup> paragraph 2.8.5 and 2.8.6 National Policy Statement for Electricity Networks Infrastructure EN5



- Adequacy of assessment methodologies and the Noise and Vibration Management Plan
- Possible effects of electric and magnetic fields produced by electricity transmission lines

## **9. Socio-Economic Effects**

- The impacts of the proposed development on:
  - employment
  - efficient businesses operation
  - farming
  - local residents and community
  - tourism and local recreational users

## **10. Traffic and Transport**

- Adequacy of the Transport Assessment
- Adequacy of baseline assessment methodologies and the treatment of traffic from future development
- Effects on the road network of construction, maintenance and decommissioning;
- Effects on public rights of way
- Appropriateness of the extended use of temporary traffic orders
- Adequacy of the Draft Construction Traffic Management Plan and its enforcement

## **11. Water Issues**

- Impact on water quality, local drainage and ground water during construction and operational periods
- Flood risk

**DRAFT TIMETABLE FOR EXAMINATION OF THE APPLICATION**

The Examining Authority's (ExA) examination of the Application takes the form of consideration of written submissions about the Application. The ExA will also consider any oral representations made at the hearings. The ExA is under a duty to **complete** the examination of the Application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1	Preliminary Meeting	<b>Wednesday 8 June 2016</b>
2	Issue by ExA of: <ul style="list-style-type: none"> <li>• Examination timetable</li> <li>• ExA first written questions</li> </ul>	<b>As soon as practicable following the Preliminary Meeting</b>
3	<b>DEADLINE 1</b>  Deadline for receipt of: <ul style="list-style-type: none"> <li>• Notification of wish by an Interested Party to be heard at an Open Floor Hearing (OFH)</li> <li>• Notification of wish to make oral representations at the Issue Specific Hearing (ISH) on the draft Development Consent Order (DCO), and the ISH on Broad Oak reservoir proposal, to be held on 28 and 29 July 2016</li> <li>• Submission of suggested locations/sites for the Panel to include as part of its Unaccompanied Site Inspections (USIs) and for the Accompanied Site Inspection (ASI), including the issues to be observed there, information on whether the site can be accessed on public land and reasoning for each nominated site</li> <li>• Notification by an Interested Party of its wish to attend the ExA's ASI</li> <li>• Applicant's updated HRA matrices to inform the Report on the Implications for European Sites (RIES) (see Annex D of Rule 6 letter)</li> <li>• Notification from Statutory Parties, or a local authority without direct responsibility in the proposed development area, of a wish to be considered an Interested Party</li> </ul>	<b>Tuesday 21 June 2016</b>

4	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of date, time and place of the OFHs</li> <li>• Notification of the date, time and place of the ASI</li> <li>• Notification of the date, time and place of the ISH on the effect of the Broad Oak reservoir proposal</li> <li>• Notification of the date, time and place of the first DCO ISH</li> </ul>	<p><b>Wednesday 29 June 2016</b></p>
5	<p><b>DEADLINE 2</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on Relevant Representations (RRs) including summaries of any RR over 1500 words</li> <li>• Written Representations (WRs) by all Interested Parties including summaries of all WRs exceeding 1500 words</li> <li>• Local Impact Report (LIR) from local authorities</li> <li>• Submission by the Applicant of the Schedule requested by the ExA bringing together all mitigation needs (see Annex D of Rule 6 letter)</li> <li>• Responses to ExA's first written questions</li> <li>• Revised draft DCO from the Applicant and any draft agreements</li> <li>• Statements of Common Ground requested by ExA (see Annex D of Rule 6 letter)</li> <li>• Additional photomontages by the Applicant (see Annex D of Rule 6 letter)</li> <li>• Submission of the schedule requested by the ExA in relation to Crown Land and interests including how the Applicant intends to comply with section 135 PA2008 (see Annex D of the Rule 6 letter)</li> <li>• Submission of the schedule requested by the ExA in relation to statutory undertakers' land and special category land and extinguishment of rights and removal of apparatus of statutory undertakers etc including how the Applicant intends to satisfy sections 127, 132 and 138 PA2008 (see Annex D of the Rule 6 letter)</li> <li>• Report by the Applicant on status of negotiations</li> </ul>	<p><b>Thursday 14 July 2016</b></p>

	<p>with affected persons in respect of compulsory acquisition for each plot and whether the objection has been withdrawn</p> <ul style="list-style-type: none"> <li>• Comments on the information submitted by the Applicant dated 12 and 15 April 2016 (See Annex D of the Rule 6 letter)</li> <li>• Any other updated documents from Interested Parties (including corrections and omissions from the Applicant)</li> <li>• Any other information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (the Exam Rules)</li> </ul>	
<b>6</b>	Dates reserved for ASI	<b>Monday 25 July 2016 and Tuesday 26 July 2016</b>
<b>7</b>	OFHs (if requested) which will potentially include an evening session	<b>Wednesday 27 July 2016</b>
<b>8</b>	ISH on the DCO including Schedule 9 deemed Marine Licence and any other agreements	<b>Thursday 28 July 2016</b>
<b>9</b>	ISH on the effect of the Broad Oak reservoir proposal on the Application	<b>Friday 29 July 2016</b>
<b>10</b>	<p><b>DEADLINE 3</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs</li> <li>• Responses to comments on RRs</li> <li>• Comments on Local Impact Reports</li> <li>• Comments on responses to ExA's first written questions</li> <li>• Comments on Applicant's updated HRA matrices to inform the RIES</li> <li>• Updates to Statements of Common Ground requested by ExA</li> <li>• Comments on any submissions in relation to Crown Land and interests and compliance with section 135 PA2008 submitted for Deadline 2</li> </ul>	<b>Wednesday 3 August 2016</b>

	<ul style="list-style-type: none"> <li>• Comments on any submission in relation to statutory undertakers' land and special category land and extinguishment of rights and removal of apparatus of statutory undertakers etc</li> <li>• Comments on any other updated documents from Interested Parties (including corrections and omissions from the Applicant) submitted for Deadline 2</li> <li>• Submission of post hearing documents including written summaries of the cases put orally at the OFHs held on Wednesday 27 July 2016, ISH on the DCO and ISH on the effect of the Broad Oak reservoir proposal on the Application</li> <li>• Notification of wish to make oral representations at the further ISHs</li> <li>• Notification by an affected person of wish for a Compulsory Acquisition Hearing to be held</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	
<b>11</b>	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of date, time and place for any further OFH (if required)</li> <li>• Notification of the date, time and place of the ISHs</li> <li>• Notification of the date, time and place of the Compulsory Acquisition Hearings (including statutory undertaker and special category land)</li> <li>• Notification of the date, time and place of any further ASI (if required)</li> </ul> <p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• Second round of written questions</li> </ul>	<b>Friday 19 August 2016</b>
<b>12</b>	<p><b>DEADLINE 4</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to ExA's second written questions</li> <li>• The Applicant's revised draft DCO</li> <li>• Any written confirmation required from the Crown in relation to section 135 PA2008 providing</li> </ul>	<b>Thursday 8 September 2016</b>

	<p>documentary confirmation that no interests are engaged and/or the Crown authority consents</p> <ul style="list-style-type: none"> <li>Updated report on status of negotiations with affected persons in respect of compulsory acquisition for each plot and whether the objection has been withdrawn</li> <li>Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	
<b>13</b>	ISH on the DCO including Schedule 9 deemed Marine Licence and any other agreements	<b>Tuesday 27 September 2016</b>
<b>14</b>	<p>ISHs on the following indicative topics:</p> <ul style="list-style-type: none"> <li>Landscape and Visual Effects</li> <li>Traffic and Transportation</li> </ul>	<b>Wednesday 28 September 2016 to Friday 30 September 2016</b>
<b>15</b>	<p><b>DEADLINE 5</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>Comments on responses to ExA's second written questions</li> <li>Submission of post hearing documents including written summaries of the cases put orally at the hearings held on Tuesday 27 September to Friday 30 September 2016</li> <li>Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>Friday 7 October 2016</b>
<b>16</b>	Date reserved for either an ISH or ASI (if required)	<b>Tuesday 18 October 2016</b>
<b>17</b>	Compulsory Acquisition Hearings	<b>Wednesday 19 October to Thursday 20 October 2016</b>
<b>18</b>	<p><b>DEADLINE 6</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>Submission of post hearing documents including written summaries of the cases put orally at the hearings held on Tuesday 18 October to Thursday 20 October 2016</li> </ul>	<b>Wednesday 26 October 2016</b>

	<ul style="list-style-type: none"> <li>Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	
<b>19</b>	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>Any requests for further information by the ExA including request for comment on the published documentation (if required)</li> </ul> <p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>The Report on the Implications for European Sites (RIES)</li> </ul>	<b>Wednesday 2 November 2016</b>
<b>20</b>	Date reserved for any other ISH, OFH or Compulsory Acquisition Hearing (if required)	<b>Wednesday 9 to Thursday 10 November 2016</b>
<b>21</b>	<p><b>DEADLINE 7</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>Submission of post hearing documents including written summaries of the cases put orally at the hearings held on Wednesday 9 November to Thursday 10 November 2016 should these hearings be considered necessary</li> <li>Applicant's updated draft DCO in the final form the Applicant wishes it to be made</li> <li>Any other information requested by the ExA under Item 19</li> </ul>	<b>Wednesday 16 November 2016</b>
<b>22</b>	<p><b>DEADLINE 8</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>Comments on the RIES</li> <li>Comments on the Applicant's updated draft DCO</li> <li>Any final written submission by any Interested Party or Statutory Party</li> </ul>	<b>Thursday 24 November 2016</b>
<b>23</b>	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting	<b>Thursday 8 December 2016</b>

## **Publication Dates**

All information received will be published on the project website as soon as practicable after the deadline for submissions.

## **Hearing Agendas**

Please note we will aim to publish a detailed draft agenda for each hearing on the project website approximately 5 working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.



## PROCEDURAL DECISIONS MADE BY THE EXAMINING AUTHORITY

The Examining Authority (ExA) has made the following procedural decisions under Section 89(3) of the Planning Act 2008 (as amended) (PA2008):

### 1. The acceptance of supplementary material submitted by the Applicant

By letter dated 15 April 2016, the Applicant submitted errata and supplementary information in response to advice given pursuant to s51 PA2008 in relation to the Book of Reference, Land Plans and schedule of Plot Numbers for Land Plans submitted as part of the application. This supplementary information included a Schedule of Variation to the Book of Reference; Land Plans (updates to sheets 11, 11D and 13); and accompanying cover letters dated 12 and 15 April 2016.

To assist the ExA and Interested Parties to navigate the application, in light of the errata and supplementary information, the Applicant has also provided an updated version of the Guide to the Application which identifies the updated application documents produced and explains where application documents originally submitted have been superseded or supplemented. The revised documentation has been published on the Richborough Connection project page of the National Infrastructure Planning website.

This information has been formally accepted by the ExA into the Examination. Interested Parties are asked to submit any comments they may have on any of the above documents as part of their representations to **Deadline 2, Thursday 14 July 2016** (or any new date fixed for Deadline 2).

### 2. Statements of Common Ground

In relation to some of the principal issues identified in Annex C, the ExA would be assisted by the preparation of additional Statements of Common Ground (SoCGs) between the Applicant and certain Interested Parties. The ExA is aware that in the Planning Statement [APP-127] Table 2.2 the Applicant has set out a summary of parties and topics currently covered in its SoCGs.

The draft timetable for the Examination provides a deadline for submission of SoCGs. This is **Deadline 2, Thursday 14 July 2016** (or any new date fixed for Deadline 2).

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the

SoCG should be agreed between the Applicant and the other relevant Interested Party or Parties, and submitted by the Applicant.

The ExA would like the Applicant to provide with the submitted SoCGs a table which shows the commonality on specific points between SoCGs. The ExA would like this table to be updated during the Examination to reflect additional agreement achieved.

In addition to that listed in the Applicant's Table 2.2, the ExA requires the following:

**a) Local Authorities: the Local Planning Authorities within which the proposed development falls (Canterbury City Council, Dover District Council, Thanet District Council, Kent County Council)**

The Applicant sets out the summary topics for inclusion as "*Project development processes, Principle of the proposed development; Project Alternatives and the Route Corridor Study; Description of the proposed development; Consultation strategy; Statement of Community Consultation; Planning Policy Context; Landscape: methodology, baseline, assessment, mitigation, conclusions; Visual: methodology, baseline, assessment, mitigation, conclusions; Historic Environment: methodology, baseline, assessment, mitigation, conclusions; Biodiversity: methodology, baseline, assessment, mitigation, conclusions; Noise and Vibration: methodology, baseline, assessment, mitigation, conclusions; Air Quality: methodology, baseline, assessment, mitigation, conclusions; Water Environment: methodology, baseline, assessment, mitigation, conclusions; Geology, Soils and Agriculture: methodology, baseline, assessment, mitigation, conclusions; Socio-Economics and Recreation: methodology, baseline, assessment, mitigation, conclusions; Cumulative Effects; DCO and Requirements; Section 106 and Planning Obligations*".

The Applicant is also requested to ensure inclusion of:

- Policy framework the parties would like the ExA to consider, keeping in mind the parameters of s104 PA 2008 as amended;
- Proposed landscape and habitat enhancement scheme (LHES);
- Listed buildings;
- Ground conditions and pollution prevention;
- The Construction Environmental Management Plan (CEMP) and associated documents;
- Former Manston Airport site;
- Any consents required from the lead flood authority under s150 of PA2008 in relation to the disapplication of legislation in the draft DCO.

**b) The Environment Agency**

The Applicant states that this SoCG covers "*EIA Approach and Methodology; DCO Requirements; Construction Environmental Management Plan (CEMP); Construction Mitigation Plans and Consents - Works in the vicinity of watercourses (Flood Defence Consents)*".

The Applicant is requested to ensure inclusion of:

- Biodiversity as well as matters relating to flooding and the water environment;
- All relevant aspects of the CEMP including associated documents;
- Discharge of requirements including time required for response.

**c) River Stour (Kent) Internal Drainage Board**

The Applicant states this SoCG covers the following topics: *"EIA Approach and Methodology; DCO Requirements; Construction Environmental Management Plan; Construction Mitigation Plans; Consents - Works in the vicinity of watercourses (Flood Defence Consents)"*.

The Applicant is requested to ensure inclusion of:

- Discharge of requirements including time required for response.

**d) Historic England**

The Applicant states that in summary, the SoCG with Historic England relates *"primarily to the assessment of adverse effects on designated heritage assets: Grade I and Grade II\* listed buildings, Scheduled monuments, Registered parks and gardens, Designated battlefields, World Heritage Sites."*

*"The SoCG also covers the assessment of adverse effects on conservation areas and Grade II listed buildings."*

The Applicant is requested to ensure inclusion of:

- Mitigation;
- The DCO and requirements including discharge of requirements and time required for response;
- Written Scheme of Investigation (WSI).

**e) Natural England**

The Applicant states that in summary, the SoCG with Natural England covers the following topics: *"EIA Approach and Method; Ornithological surveys and method; Alternatives considered including the Route Corridor Study; Connection Options Report; draft route and pylon type; Baseline descriptions within the ES of relevance to biodiversity and geology; Collision Risk Modelling; HRA Screening including No Significant Effects Report; Avoidance and mitigation plans; Management and monitoring; EPS Licencing via Natural England Wildlife Licencing Unit."*

The Applicant is requested to ensure inclusion of:

- The setting of and views from the Kent Downs Area of Outstanding Natural Beauty (AONB);
- Ancient woodland;
- Biodiversity matters associated with Broad Oak Reservoir;
- The DCO and requirements;
- The content and means of securing the Biodiversity Mitigation Strategy (BMS) and the CEMP;
- The proposed LHES in relation to European Site features and Sites of Special Scientific Interest (SSSIs).

**f) Kent Wildlife Trust**

The Applicant states that in summary, the SoCG with the Kent Wildlife Trust covers the following topics: *"Alternatives considered and the Route Corridor Study; Avoidance and mitigation plans for Local Wildlife Sites; Ancient Woodland; Management and monitoring."*

The Applicant is requested to ensure inclusion of:

- The content and means of securing of the Biodiversity Mitigation Strategy (BMS) and relevant parts of the CEMP.

**g) Marine Management Organisation**

The Applicant states that in summary, the SoCG covers the following topics: *"Construction works and methodology; Development Consent Order; Deemed Marine Licence; Licensed Activities; Enforcement; Requirements."*

The Applicant is requested to ensure inclusion of:

- The relevant parts of the CEMP and any associated documents.

**h) Network Rail**

The Applicant states that in summary, the SoCG covers the following topics: *"Lift plans for conductors and method statements; Possession details and timescales; Framework agreement for respective interests; Easements, Construction works."*

The Applicant is requested to ensure inclusion of:

- Protective provisions.

**i) South East Water**

The Applicant states that in summary, the SoCG covers the following topics: *"EIA Approach and Method; Route Corridor Study; Connections Options Report and alternatives considered; Outputs of engineering studies to develop the reservoir design, with particular focus upon the relationship and interaction with the Richborough Connection project alignment."*

The Applicant is requested to ensure inclusion of:

- Relevant policy framework;
- Construction, operation and decommissioning stages of the proposed Richborough Connection;
- Protective provisions;
- Any differences in opinion regarding the findings from the Jacob's Report.

**j) Southern Water**

The Applicant states that in summary, the SoCG covers the following topics: *"The 400kV Overhead Line Alignment; Agreement for respective interests; Easements."*

The Applicant is requested to ensure inclusion of:

- Protective provisions.

**k) UK Power Networks**

The Applicant states that in summary, this SoCG covers the following topics: *"The 400kV Overhead Line Alignment; System security; Dismantling of the 132kV line from Richborough to Canterbury; PY Route Permanent Diversion; PX Route Temporary Diversion; 11kV and 33kV Diversions; Lands Strategy; Sequence of Works; Construction practices."*

The Applicant is requested to ensure inclusion of:

- Protective provisions.

In addition the Applicant is requested to agree a SoCG to include any relevant matters with the following:

- l) British Telecommunications plc**
- m) EDF Energy Networks**
- n) Southern Electric Gas**
- o) Virgin Media**

The Applicant is requested to consider all relevant aspects of the ExA's principal issues in developing these SoCGs.

**3. Schedule of Mitigation**

The Applicant is requested to provide a schedule bringing together all mitigation needs (from the Environmental Statement (ES), the No Significant Effects Report (NSER) [APP-119] and all other application and supporting documentation) stating where and how these are to be secured in requirements; conditions of

the Deemed Marine Licence (DML); or through other binding and enforceable mechanisms.

This schedule should be fully cross-referenced and should be in a form that is capable of tracking and updating throughout the Examination.

The ExA is mindful of the information already provided in the Embedded Environmental Measures Schedule [APP-063].

**The deadline for the initial provision of the schedule is Deadline 2, Thursday 14 July 2016** (or any new date fixed for Deadline 2).

**4. In support of the visual and heritage and historic environment assessments contained in the Environmental Statement**

The Applicant is requested to provide additional photomontages as described below. In all cases the Applicant should use relevant professional judgement to select the specific location for the photomontage viewpoint, such that it presents the worst-case scenario (as far as possible, recognising that winter baseline photographs will not be available) for views from that locale or representative receptor(s).

If from the description below, the proposed scheme would not be visible from the location described, a photograph can be submitted illustrating this point (eg with pylon location indicated) without creating the photomontage.

**The deadline for the provision of the additional photomontages is Deadline 2, Thursday 14 July 2016** (or any new date fixed for Deadline 2).

- a) For visual assessment purposes: a view from the new block of flats under construction on the west side of Fairleigh Road, approximately 25m south of the southern edge of the abutment of the bridge over the railway, in the vicinity of lamppost FAJ004. A panoramic view is required. It would be helpful if the constructed view prior to removal of the PX line could be annotated to indicate which pylons support which overhead line.
- b) For visual assessment purposes; the view from the Vauxhall Road (A1.R2 [APP-045, Figure 7.13a]) bridge over the Great Stour River. The total height of the proposed new pylon(s) should be indicated in some way if the photomontage would not include the full height. A panoramic view is required.
- c) For visual assessment purposes; two further photomontages for views from Broad Oak. One from Mayton Lane (or other appropriate public location) to represent views from the north-west quadrant of the settlement, such as Nook Farm (A1.H37a and A1.H37b [APP-045, Figure 7.13b]). This photomontage is required even if a proposed pylon is not visible from this viewpoint. The purpose is to assist the ExA in understanding the views from these properties. A panoramic view is required.

- d) One from Barnet's Lane, Broad Oak (or other appropriate public location) to represent views from the north, such as Orchard Cottage (A1.H35 [APP-045, Figure 7.13b]). A panoramic view and a single frame view is required.
- e) For heritage and visual assessment purposes; a view representing that observed from Tile Lodge Farm and adjacent properties (B1.H9 [APP-045, Figure 7.13c]), but from a publically accessible location such as Hoath Road (B1.R2). A panoramic view and a single frame view are required. This is required in addition to VPA10 [APP-040, Figure 7.8], which demonstrates the relationship of the proposed pylons to the setting of the heritage asset, but not the view from the asset.
- f) For heritage and visual assessment purposes; a view from the eastern edge of the churchyard at the Church of St Mary the Virgin, Chislet (B1.C5 [APP-045, Figure 7.13d]), which will include views of some or all of proposed Pylons PC26, PC27 and PC28. A panoramic view and a single frame view are required.
- g) For heritage and visual assessment purposes; a view towards the Church of St Mary the Virgin, Chislet, to show the setting of the heritage asset from a position on Wantsum Walk (B1.R4 [APP-045, Figure 7.13d]), south of, and higher than Viewpoint B6, such as at the junction with the track, B1.F4 along Nethergong Penn. This is to illustrate the relationship of the proposed pylons on the setting of the Church. A panoramic view is required.
- h) For heritage and visual assessment purposes; a view towards the Church of St Mary the Virgin, Chislet, to show the setting of the heritage asset from a position on footpath B1.F11 [APP-045, Figure 7.13d]), south of the existing PX route near an existing 11kV pylon. This is to illustrate the relationship of the proposed pylons on the setting of the Church. A panoramic view is required.
- i) For landscape and visual assessment, a view from footpath C1.F3 [APP-045, Figure 7.13d], which includes proposed angle Pylon PC33 and the overhead line eastwards, as well as closer pylons to the west. A panoramic view and a single frame view comprising Pylon PC33 and the line eastwards are required.
- j) For landscape and visual assessment, a view from footpath/ bridleway D1.F9 [APP-045, Figure 7.13f] west of the sewage works, from a position with an open view westwards showing the lines of existing pylons and introduction of the proposed 400kV line. The Panel is particularly interested in the relationship and relative heights of the retained PY 132kV route with the proposed 400kV route from this view.
- k) For landscape and visual assessment, a view (or two views if there are significant effects in views from both directions) from the Saxon Shore Way, footpath D1.F3 [APP-045, Figure 7.13g], which shows the relationship of the footpath, the Richborough PC gantry, the River Stour and Pylon P60. A panoramic view and a single frame view are required. If

the temporary site compound will still be in use prior to the removal of the PX route, this should be shown on the middle image on the photomontage sheet(s). We acknowledge it may be necessary to make assumptions about the substation, if information is not in the public domain.

The Applicant is requested to provide photomontages cropped and enlarged to a single frame format centred on the part of the view described, from the photographs taken with a 50mm fixed focal length lens; and presented to achieve a natural viewing distance of between 30mm and 50mm, for the following submitted verified photomontage viewpoints [APP-040, Figure 7.8]:

- a) VPA2; to include the section of panorama with largest number of proposed 400kV pylons;
- b) VPA5; to include the proposed pylon visible on the right of the panoramic image to the left of a white property, (probably Pylon PC11) and; if also visible in a single frame, the pylon to the left of the panoramic image (probably Pylon PC10);
- c) VPB3; to include the proposed pylons viewed either side of the footpath (probably Pylons PC22 and PC23);
- d) VPC1; to include the left of the photomontage, comprising the line of pylons from PC32 eastwards); and
- e) VPC6; to include pylons left of centre of the photograph and to include Pylons PC43 and PC44 so that the change in pylon design and height can be observed.

**5. In support of the Conservation and Species Regulations 2010 (as amended) (the Habitats Regulations)**

The Applicant is requested to provide revised screening matrices (in Word and pdf formats) from its No Significant Effects Report (NSER) [APP-119] using the revised screening matrix template published in the Planning Inspectorate's January 2016 updated Advice Note 10: Habitat Regulations Assessment (Advice Note 10), for **Deadline 1, Tuesday 21 June 2016** to reflect the following:

- a) Screening matrices have only been provided for the four European sites which were subject to more detailed screening assessment. Namely:
  - Thanet Coast and Sandwich Bay Special Protection Area (SPA);
  - Stodmarsh SPA;
  - Stodmarsh Special Area of Conservation (SAC); and
  - Stodmarsh Ramsar.

The position has changed from that during pre-application and information provided in the NSER [APP-119, Table 3.2] suggests that screening matrices for the other seven European Sites originally considered should be provided; and that these will be necessary to assist the competent authority in understanding the reasons why likely significant effects (LSE)



on these sites can be excluded. On this basis, screening matrices for the following European sites are required:

- Thanet Coast and Sandwich Bay Ramsar;
  - Thanet Coast SAC;
  - Sandwich Bay SAC;
  - Blean Complex SAC;
  - The Swale SPA;
  - The Swale Ramsar; and
  - Tankerton Slopes and Swalecliffe SAC.
- b) At present, the four screening matrices do not include all of the relevant qualifying features/ interests. In accordance with Advice Note 10, revised screening matrices which include all qualifying features/ interests of each European site, as specified in the standard data forms provided on the Joint Nature Conservation Committee (JNCC) website; and confirmation why no LSE has been identified are required on each.
- c) Where mitigation measures have been relied upon to reach the conclusions in the NSER, revised matrices are required which specify in the footnotes the precise mitigation measures relied on, cross-referenced to the draft Development Consent Order (DCO) to confirm how these measures would be secured.
- d) The footnotes to the four screening matrices should be revisited to ensure references are provided in all relevant circumstances to confirm the source of the information/ conclusion provided. For example, no references are provided in footnotes b. and e. of Stage 1 Matrix B: Stodmarsh SAC.
- e) The points made in b) to d) should also be borne in mind in preparing the requested additional seven matrices.

The Applicant is requested to ensure the electronic pdf version of the revised matrices scrolls easily (there are problems with [APP-119]).

Please note that the ExA is intending to request revised versions of Table 3.1 and 3.2 of the NSER [APP-119] in its first written questions to ensure these include all of the relevant qualifying features/ interests of each of the eleven European sites screened into the assessment. The Applicant should ensure that the information provided in these tables is consistent with the information provided in the revised screening matrices.

## **6. Site Inspections**

The Panel has undertaken a number of Unaccompanied Site Inspections, and intends to continue unaccompanied inspections of other locations along the proposed route. A full list of locations visited has been published and is available at:

<http://infrastructure.planninginspectorate.gov.uk/document/3863816>

The ExA will consider, as set out in the Examination timetable, any submissions on suggested site inspections. Nominations for locations to be inspected must be received by **Deadline 1, Tuesday 21 June 2016**. You must indicate the reason for the nomination and whether access to private land will be required. If access to private land is required please provide contact details for access. It would be helpful if nominations could be sent separately from any other written submission.

## **7. Crown land**

The applicant is requested to provide a schedule to show the status of negotiations with the Crown Estate in relation to Crown Land and how the Applicant intends to comply with section 135 PA2008. The schedule should be cross referenced to the Book of Reference and the relevant plots of land and be in a form that can be readily updated on request during the Examination. The Crown Land schedule should be provided to the ExA in accordance with the Examination timetable.

## **8. Statutory Undertakers**

The applicant is requested to provide a schedule to show the status of negotiations with each statutory undertaker having identified rights or apparatus within the Works limits in relation to private agreements and protective provisions and including the crossing, removal or repositioning of the apparatus of the statutory undertaker and the extinguishment or variation of its rights. The schedule should include how the Applicant intends to satisfy sections 127, 132 and 138 PA2008. The schedule should be cross referenced to the Book of Reference and the relevant plots of land and be in a form that can be readily updated on request during the Examination. The statutory undertaker schedule should be provided to the ExA in accordance with the Examination timetable.

## **9. Notification of wish to be heard at an Open Floor Hearing**

The deadline for an Interested Party to notify the ExA of their wish to be heard at an Open Floor Hearing is **Deadline 1, Tuesday 21 June 2016**.

## AVAILABILITY OF RELEVANT REPRESENTATIONS AND APPLICATION DOCUMENTS

All application documents including relevant representations and application documents are available on the Richborough Connection Project pages of the National Infrastructure Planning website:

<http://infrastructure.planninginspectorate.gov.uk/projects/south-east/richborough-connection-project/>

Documents can be viewed electronically at the following locations. Please note that you must be a member of the library to use the computers, but membership is free, takes only a few minutes and ID is not required.

### Electronic Deposit Locations:

<b>Library/ Address</b>	<b>Opening Hours</b>	
<b>Canterbury Library</b> The Beaney House of Art and Knowledge 18 High Street Canterbury Kent CT1 2RA Tel: 03000 41 31 31	Monday 9:00am - 6:00pm Tuesday 9:00am - 6:00pm Wednesday 9:00am - 6:00pm Thursday 9:00am - 8:00pm Friday 9:00am - 6:00pm Saturday 9:00am - 5:00pm	
<b>Printing Costs</b>	<b>Black &amp; White</b>	<b>Colour</b>
<b>A4</b>	10p per sheet	£1.00 per sheet

<b>Library/ Address</b>	<b>Opening Hours</b>	
<b>Ramsgate Library</b> Guilford Lawn Ramsgate Kent CT11 9AY Tel: 03000 41 31 31	Monday to Friday 9.00am – 6.00pm Saturday 9.00am – 5.00pm	
<b>Printing Costs</b>	<b>Black &amp; White</b>	<b>Colour</b>
<b>A4</b>	10p per sheet	£1.00 per sheet