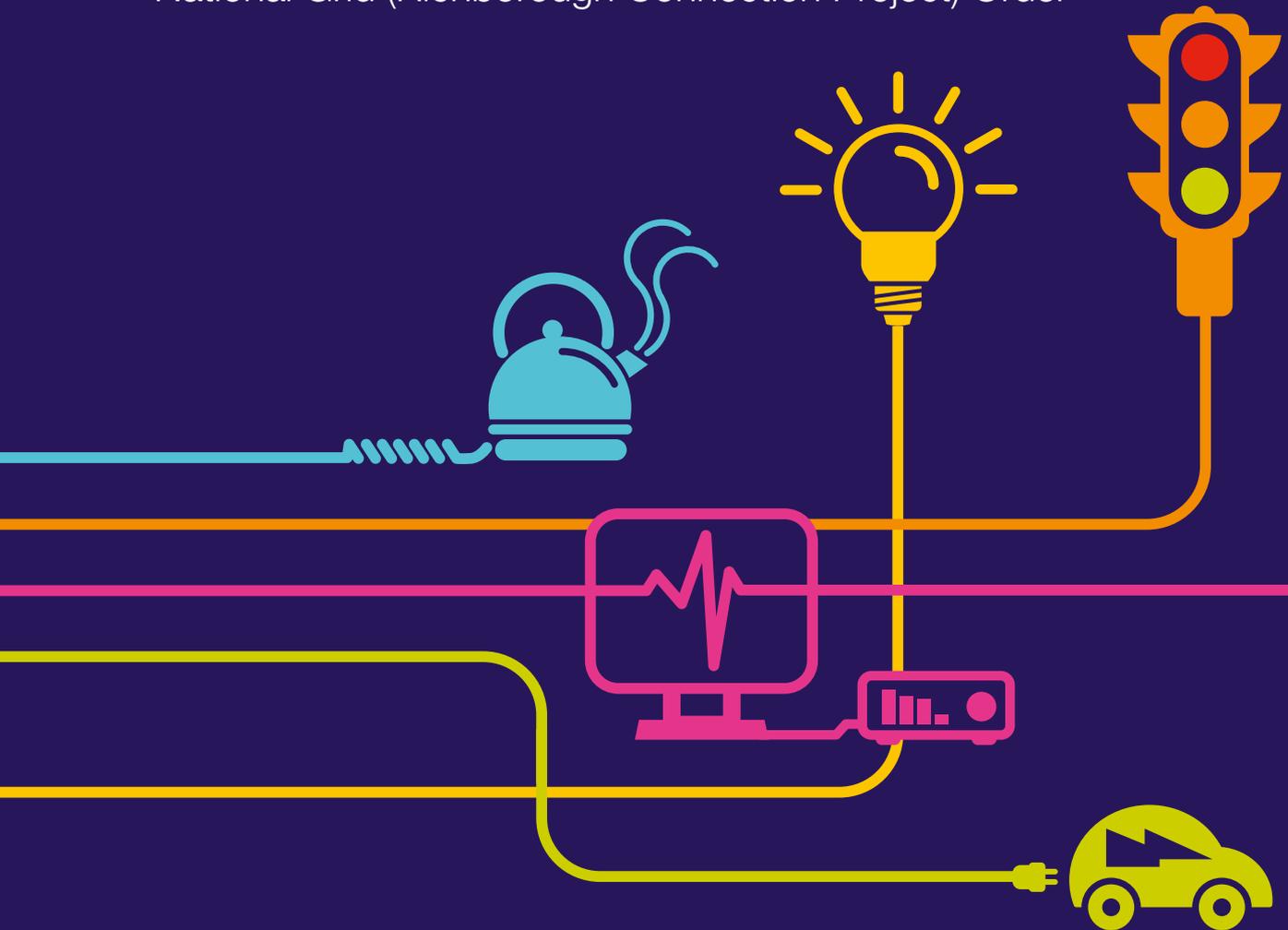


# Applicant's Response to issues raised at the Open Floor Hearing Held on 27th July 2016

National Grid (Richborough Connection Project) Order





# **Richborough Connection Project**

## **Volume 8**

### **Document 8.22**

# **Applicant's Response to issues raised at the Open Floor Hearing Held on 27th July 2016**

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## Table of Contents

<b>1.</b>	<b>ABOUT THIS DOCUMENT</b>	<b>1</b>
1.1	Introduction	1
<b>2.</b>	<b>THE APPLICANTS RESPONSE</b>	<b>2</b>

## List of Appendices

<b>Appendix A</b>	Actions 7 and 8 - Response to Howard Selfe on engineering constraints that mean we cannot avoid Kemberland Woods altogether.
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# **1. ABOUT THIS DOCUMENT**

## **1.1 Introduction**

- 1.1.1 This note has been produced in response to issues arising from the Open Floor Hearing held at Canterbury Cathedral Lodge on 27th July 2016.
- 1.1.2 The Applicants response to the issues raised are set out in section 2 of this document and where necessary further information had been appended to this document.
- 1.1.3 Please note the actions taken were noted by National Grid and not the Examining Authority.

## 2. THE APPLICANTS RESPONSE

Action No.	National Grid's description	Response
1	Respond to Alan Holden suggestion re PX line and route corridor selection	<p>National Grid does not agree with the comments made by Mr Holden on behalf of Broad Oak Preservation Society with regard to the removal of the UK Power Networks PX 132kV overhead line, and his assertion that the line would have been removed regardless of whether the North or South corridor was identified as the preferred corridor for the Richborough Connection project.</p> <p>The principal constraints to routing an overhead line between Canterbury North 400kV Substation and Richborough 400kV Substation were identified as settlements, areas of woodland, water bodies and marsh, environmental designations, planning policy and existing overhead lines. The <b>Route Corridor Study (RCS) (Doc 7.5)</b> identified two route corridor options.</p> <p>The North Corridor was identified as a corridor of land (approximate length 19.6km) that followed the existing 132kV overhead line (the PX route) from Richborough to Canterbury. Within the North Corridor two scenarios were considered:</p> <ul style="list-style-type: none"> <li>• Scenario 1 included the retention of the existing PX route 132kV overhead line from Richborough to Canterbury and development of a new 400kV overhead line to the North and/or South of the existing overhead lines in the corridor.</li> <li>• Scenario 2 followed the same corridor as above but assumed the removal of the existing PX route 132kV overhead line from Richborough to Canterbury following construction of the new overhead line.</li> </ul> <p>For scenario 2, additional 132kV equipment is required to provide an equivalent function to the 132kV distribution network PX route to be dismantled.</p> <p>The South Corridor was identified as a corridor of land (approximate length 19.5km) that followed an alternative route to Canterbury in the southern part of the study area, running to the north of Ash and Wickhambreaux and approaching Canterbury North 400/132kV Substation to the west of Fordwich. Removal of the 132kV PX overhead line between Richborough and Canterbury was not proposed as</p>

Action No.	National Grid's description	Response
		<p>part of the South Corridor.</p> <p>In addition, for the Route Corridor stage of the project, no guarantee could be given by National Grid over the removal of the 132kV PX overhead line route as it is not owned by National Grid and as a result required further discussions with UK Power Networks over the works that would be required to ensure the ongoing integrity their network should the line be removed. The removal of the 132kV line was confirmed and agreement in principle with UK Power Networks was detailed in the Preferred Connection Option and Route Corridor Report (<b>Doc 7.6</b>).</p> <p>The south corridor, for the most part, contained no existing overhead infrastructure and would therefore be subject to a greater scale of change and greater adverse effects. Whilst it was a consideration that the line could be removed, the presence of an existing, albeit smaller overhead line in the north corridor as opposed to the south corridor, was a factor in determining that the north corridor was the preferred option to take forward.</p>
2	Respond to Alan Holden's concerns over traffic during construction works at specific locations	A response to this point raised in the Open Floor Hearing is included in National Grid's response to Broad Oak Preservation Society's Written Representation ( <b>section 3.1 of Doc 8.13</b> ), submitted at deadline 3.
3	Response to Christine Jenkins of Nethergong Camping re extent of works in the vicinity of camp site, likely duration, and liaison in the event of delays	<p>The <b>Indicative Construction Programme (Doc 5.4.3J(A))</b> is based on National Grid's experience of overhead line projects across England and Wales and factors in the potential for foreseeable delays. The Indicative Construction Programme is based on a number of constraints, which are described in <b>Table 3.1</b> of the <b>Environmental Statement (ES) Doc. 5.2</b>.</p> <p>Once the main works contractor is appointed, a detailed construction programme will be developed.</p> <p>Delays could result from a number of unforeseen or uncontrollable events such as poor weather conditions, flooding, unearthing of human remains or discovery of unexploded ordnance. Such delays could cause the timing of tasks shown in the Indicative Construction Programme to change.</p> <p>In the vicinity of Nethergong Campsite, construction activities comprise bellmouth construction (BM28 and BM29), installation of an access road, undergrounding of a</p>

Action No.	National Grid's description	Response
		<p>UK Power Networks 11kV overhead line, and construction of pylons PC26, PC27 and PC28.</p> <p>The Indicative Construction Programme provides indicative timescales for the undergrounding of the UK Power Networks 11kV overhead line (late quarter 4 in 2017) and construction of pylons PC26 – PC28 (first part of quarter 1 in 2018 for pylon PC27, second part of quarter 2 in 2018 for pylon PC 28, and the start of quarter 2 in 2018 for pylon PC26), as shown at lines 313, 332, 333 and 338.</p> <p>Following completion of the erection of pylons PC26 – PC28, the conductors between pylons PC24 to PC28 will be strung during the middle of quarter 3 2018, as illustrated at line 346 of the Indicative Construction Programme.</p> <p>Any unforeseen delay could be of a short or long-term duration. For short-term delays, work would cease and recommence as soon as possible. For long-term delays, such as severe flooding, then it may be that work would stop and recommence some weeks later once the flooding had subsided. In such cases, the contractor would change the sequence of activities and work elsewhere on the project.</p> <p>Once a detailed contractor's programme is in place, National Grid will be able to confirm dates and further details. Notification would be either via an Agricultural Liaison Officer (as detailed in response to action 48 of the DCO Issue Specific Hearing on 28 July 2016) or through the community relations agency as detailed in <b>section 2.10 of the Construction Environmental Management Plan (Doc. 5.4.3C(A))</b>.</p>
4	Response to Christine Jenkins of Nethergong Camping re concerns about flooding around campsite and house	<p>Flood risk, both to the proposed development and to off-site receptors/third parties such as Nethergong Camping, is addressed in National Grid's <b>Flood Risk Assessment (FRA) (Doc 5.4.13A)</b>. The <b>FRA</b> considered flood risk during construction, operation and decommissioning of the overhead lines. All potential sources of flood risk were considered. A number of flood risk management measures were proposed in the <b>FRA (Table 13A. 7-1 of Doc 5.4.13A)</b>, which will be secured through Requirement 5 (Construction Environmental Management Plan) of the Development Consent Order.</p> <p>Nethergong Campsite was considered specifically in the <b>FRA</b> as one of the fifteen third party receptors identified that could potentially be at increased risk of flooding during the</p>

Action No.	National Grid's description	Response
		<p>construction phase of the proposed development (see Receptor 14 in Figure 8d of the FRA). As stated in <b>Sections 6.3.25 to 6.3.27 of the FRA</b>, a detailed review of the individual properties and development activities was undertaken to assess the source and pathway to each receptor, as presented in Annex 13A.3 of the <b>FRA</b>.</p> <p>Nethergong Campsite was identified as one of seven receptors for which additional location specific flood risk mitigation would be implemented during the construction phase to ensure no increase in flood risk. The proposed mitigation takes the form of avoiding any raised structures within the floodplain in the vicinity, as set out in Annex 13A.3 of the FRA. The locations in which specific flood risk mitigation is required are shown in Figure 9c of the FRA, and discussed further under Item 4 of Table 13A 7-1 of the FRA. It should be noted that the campsite is located to the south of the embanked Sarre Penn watercourse, whereas the proposed development is all located to the north.</p> <p>On the basis of the additional mitigation, together with the mitigation proposed throughout the Order limits to address floodplain storage, compartmentalisation and watercourse conveyance, it is concluded that there would be negligible change in the risk of flooding to Nethergong Campsite as a result of construction activities associated with the proposed development. Any increase in flood risk associated with the permanent infrastructure, i.e. the overhead lines themselves, was scoped out of the assessment, as agreed with the Environment Agency. The justification for this approach is set out in Sections 6.2.1 to 6.2.4 of the <b>FRA</b>.</p> <p>National Grid has tried to liaise with the Jenkins on flooding issues raised in their representations in order to address their concerns. On 22 June 2016, National Grid emailed the Jenkins' land agent to say that they had spoken to Mrs Jenkins at the preliminary meeting and that she wanted to discuss flooding issues as she had not raised them previously, and had asked us to arrange a meeting through him. We asked the agent to provide a list of issues to discuss so that we could provide the appropriate information and personnel. The agent was asked to speak to his client and suggest availability for a meeting in mid-July. No response has yet been received in relation to this issue, however National Grid would be happy to have a further meeting with the Jenkins to discuss further any concerns they have with regard to flooding or indeed any other issues.</p>

Action No.	National Grid's description	Response
5	Response to Christine Jenkins of Nethergong Camping re lack of information in relation to screening	<p>National Grid has been in contact with Nethergong Camping's land agent on a number of occasions with regard to the issue of embedded environmental mitigation (owl boxes) and enhancement planting as all correspondence was requested to be sent in this way.</p> <p>Despite a number of attempts to discuss the issue, no further progress has been made regarding a meeting date as National Grid has received no response to these requests. National Grid will continue to seek to liaise with the land agent in order to arrange a meeting date to discuss this issue. Below is a record of the correspondence and meetings that have been held so far in relation to this matter.</p> <ul style="list-style-type: none"> <li>• 21/10/15 – PIL feedback meeting held with Nethergong Camping. National Grid explained that 3 areas had been identified for a replacement owl box, one of which was along the eastern boundary of campsite. Meeting minutes were sent to their agent on the 17/11/15 along with a plan of area including the potential barn owl box area within the Order Limits</li> <li>• 24/11/16 – National Grid emailed Nethergong Camping's agent offering a meeting with the environmental team. A National Grid Consents Officer and member of the environmental team visited Nethergong Camping on the 3/12/15 at which the relevant land agent for the business was in attendance as well as the owners to have a general discussion regarding the project.</li> <li>• 17/3/16 – National Grid emailed Nethergong Camping's agent summarising issues that needed to be discussed for his PILs over terms, and message was relayed that there may be embedded (owl box) and enhancement tree screening at Nethergong camping</li> <li>• 18/4/16 – National Grid emailed Nethergong Camping's agent attaching an enhancement plan and explaining the tree types and size proposed and explaining the owners ability to vary the proposal National Grid was considering and that agreeing to a scheme was entirely voluntary and subject to ongoing discussions.</li> </ul>

Action No.	National Grid's description	Response
		<ul style="list-style-type: none"> <li>• 25/5/16 – National Grid emailed Nethergong Camping's agent advising that the owl box had been selected to be located elsewhere so no longer needed the Jenkins' land for this, but that National Grid would still like to discuss its proposals for enhancement tree planting.</li> <li>• 22/6/16 – National Grid emailed Nethergong Camping's agent to say we had spoken to Mrs Jenkins at the Examination Preliminary Meeting and that she wanted to discuss flooding as she had not raised it previously, and she had asked us to arrange a meeting through their agent. National Grid specifically asked for a list of issues to be provided for discussion so that the appropriate members of the project team could be in attendance. The agent was asked to speak to his client and suggest availability for a meeting in mid-July. So far, National Grid has not yet received a response to this request.</li> </ul>
6	Response to Richard Jones re why 35m pylons are not being proposed in Chislett when they are being used in the Ash levels	<p>It is understood that Mr Jones has queried why low height lattice pylons were discounted near Chislet, which lies in the eastern part of Section B of the route of the proposed overhead line.</p> <p>The <b>Pylon Design Options Report (PDOR) (Doc 7.8)</b> prepared by National Grid in 2015 sets out the appraisal of pylon types considered for the route of the proposed development. The appraisal of pylon types built upon the initial appraisal of pylon types set out in the <b>Connection Options Report (COR) (Doc 7.7)</b> prepared by National Grid in 2014, and took into account the feedback received regarding pylon type. The pylon types considered were:</p> <ul style="list-style-type: none"> <li>• the standard lattice pylon (approx. 46.5m height);</li> <li>• the low height lattice pylon (approx. 35m height); and</li> <li>• the T-pylon (approx. 34m height).</li> </ul> <p>The approach used in the PDOR was based on National Grid's Approach to Options Appraisal which considers technical, cost and environmental factors for each pylon type.</p> <p>With respect to the part of the route to the south of Chislet, the PDOR reported (in Section 7) the following:</p> <p><i>7.5.13 ... T-pylon and low height lattice pylons would</i></p>

Action No.	National Grid's description	Response
		<p><i>result in a marginally greater negative impact on habitats within Chislet Marshes, Sarre Penn and Preston Marshes LWS and terrestrial species in the pre-construction, construction and operational (maintenance) phases due to the requirement for greater vegetation clearance related to wider cross arms and conductor positions. As a result, the standard lattice pylon overhead line option is considered to perform slightly, but not notably better than the T- pylon and low height lattice pylon with respect to reduced effects upon sensitive habitats and associated protected and notable species in Section B.</i></p> <p><i>7.7.5 In terms of direct heritage effects, fewer pylons would be required for the standard lattice pylon and T- pylon options than for the low height lattice pylons within this area, reducing the level of ground intrusion and consequently reducing the potential for disturbance of archaeological heritage assets.</i></p> <p><i>7.7.6 Lattice pylons would slightly reduce the potential for indirect adverse effects by virtue of being more visually permeable in views of and from 'heritage assets' than T- pylons thus lattice pylons would have fewer adverse effects than T- pylons on 'heritage assets' and the narrower standard lattice pylon would have less effect than the low height lattice pylon because fewer are needed resulting in the need to disturb a smaller number of areas.</i></p> <p><i>7.7.10 Overall the standard lattice pylon has the least effects on most of the route with the exception of the eastern part of Section B where lower height structures perform slightly better in landscape and visual terms. However, the benefits of the lower height of the T- pylon and low height lattice pylon to the east of Section B are marginal and are outweighed by the additional number of pylons that would be required, therefore, standard lattice pylons are the preferred pylon type for Section B.</i></p> <p><i>(Please note the revision in red above has been made to ensure that this paragraph accords with the conclusions drawn in para 7.3.35, which states "Although there is not a great deal to differentiate between the three designs, the standard lattice pylon performs best through the first part of Section B whilst the lower height structures perform slightly better through the second part of Section B.)".</i></p> <p><i>As noted in the overall conclusions in paragraph 10.6.4.... "the benefits of the low height lattice pylon to the east of Section B are marginal and are outweighed by the</i></p>

Action No.	National Grid's description	Response
		<p><i>additional number of pylons that would be required. The standard lattice pylon was also considered the preferred pylon type amongst consultees that expressed a preference. There was no technical differentiation between the pylon types in Section B. On this basis the standard lattice pylon is the preferred pylon type for Section B on the basis of environmental and cost grounds”.</i></p> <p>It was on this basis that the standard lattice pylon was chosen for Section B of the route.</p>
7	Response to Howard Selfe on engineering constraints that mean we cannot avoid Kemberland Woods altogether	The response to the query raised can be read in <b>Appendix A</b> of this document.
8	Response to Howard Selfe on validity of 40m of woodland being cut down to create working areas for construction - including 500 year old oak trees	The response to the query raised can be read in <b>Appendix A</b> of this document.



## **Appendix A**

### Actions 7 and 8

Response to Howard Selfe on engineering constraints that mean we cannot avoid Kemberland Woods altogether



## Table of Contents

<b>1</b>	<b>INTRODUCTION</b> .....	<b>2</b>
<b>2</b>	<b>ACTION 7 &amp; 8</b> .....	<b>2</b>
2.1	Options and Route .....	2
2.2	Effects on Woodland .....	2

# 1 INTRODUCTION

- 1.1.1 This hearing note has been prepared in response to Action 7 and 8 of the table shown in section 2 of this document arising from the Open Floor Hearing on 27 July 2016.
- 1.1.2 It is understood that Mr Selfe has queried why an alternative route for the proposed development has not been used to avoid impacts on Kemberland Woods.

## 2 ACTION 7 & 8

### 2.1 Options and Route

- 2.1.1 Options to move the route to the north and south at Kemberland Wood were considered as part of the project development process as set out in Section 2.4 of the **Environmental Statement (ES) (Doc 5.2)**. The options to avoid Kemberland Wood by routing further north are limited by properties to the north and other considerations including buildings and features to do with the proposed South East Water (SEW) reservoir. The route was not moved to the north as this would have brought the route very close to two residential properties as well as several commercial properties on Herne Bay Road.
- 2.1.2 Any alternative route in this area would need to be from pylon PC10 due to the constraints associated with the proposed future SEW reservoir development. This would introduce two additional angle pylons along what is currently a relatively straight section of the route (between pylons PC9 to PC12) which would have an adverse effect on the Special Landscape Area (a locally designated landscape). The additional angle pylons and the 'dog-leg' alignment would introduce more prominent structures into the Broad Oak Valley, visible from the edge of Broad Oak and from Calcott. An additional pylon would be required which has a greater effect on landscape and views. Such an alignment would be contrary to Holford Rule 3 in that it would not take the shortest and most direct approach.
- 2.1.3 The route alignment was selected to pass over narrow lower quality woodland and routing any further south in Kemberland Wood would result in greater impact on wider higher quality woodland and properties to the west of the wood. The width of Kemberland Wood increases to the south and the preferred alignment will allow the conductors to oversail Kemberland Wood in a single span without the need for pylons within the wood. Movement to the south would also bring the route closer to Broad Oak.

### 2.2 Effects on Woodland

- 2.2.1 Significant efforts have been made to minimise the effects of the proposed development and associated works on all the woodland, including taking into account the quality of the sections of woodland affected for their current value, and for supporting wildlife. As a result, no pylons are sited within ancient woodland, which is true here and at the other ancient woodland impacted by the project, Lynne Wood. The impacts to these two areas will therefore be associated with the method of working during construction and the long-term management of the overhead line. The methodology for installing overhead lines above existing woodland will require the removal of a small proportion of the trees and management of others but not the destruction of the woodland.

- 2.2.2 Ancient woodland tends to have a complex history of human intervention and management as well as ecological and environmental functions. Kemberland Wood is typical of many ancient woodlands in this respect in that it contains a large proportion of coppiced trees. The practise of coppicing is culturally appropriate to the region, which was one of the last parts of the country in which widespread coppicing continued into the mid-20th century. Records also show that large parts of Kemberland Wood were windblown in the 1987 storm and that clearance of this damage constituted coppicing in the northern woodland compartment. The existing regrowth in this area is therefore generally not more than 29 year old, although the stools are much older.
- 2.2.3 Overall there will be no permanent loss of ancient woodland and no construction or dismantling access routes, or permanent structures are proposed within Kemberland Wood. All temporary effects (construction) can be mitigated by measures that will be detailed in a Tree and Hedgerow Protection Strategy. These will include physical protection during the works and also methodological restrictions.
- 2.2.4 It is considered that the effects on Kemberland Wood from the proposed route can be managed (see Chapter 9 of the **ES (Doc 5.2)** and the **Arboricultural Impact Assessment (AIA), Doc 5.4.3I**). Kemberland Wood has previously been managed by coppicing and this remains silviculturally appropriate. Coppicing would continue within the easement and would be timed so that construction works could be completed at the beginning of a coppice cycle to avoid damage to branches and stems during conductor stringing. Measures are also proposed to protect soils, roots and coppice stools. Because trees can be coppiced periodically to control their top height, it is possible to retain the woodland intact within the proposed easement without loss of connectivity and without any loss of woodland. As stated in the AIA:
- “7.9.18 The part of [the woodland] that would be affected by the proposed development has been coppiced in the past and contains a majority of trees with form and species conducive to coppicing as a form of ongoing management.*
- 7.9.19 The area to be Managed would be coppiced during the dormant season (November to February, inclusive) or, where engineering constraints preclude this, not before 1st September. Prior to the commencement of works, temporary ground protection would be laid across the area to prevent damage to soils and coppice stools would be clearly marked or protected to prevent accidental damage or trip hazards. Following completion of the works, the area would be managed by coppicing.”*
- 2.2.5 It is acknowledged that there will be some removal of mature trees on the edge of Kemberland Wood, however the trees to be removed are not assessed to be ancient or veteran, and their removal is not considered to affect the site integrity of the Little Hall and Kemberland Woods and Pastures Local Wildlife Site or conservation status of the woodland. Trees removed would be replaced in-situ with locally appropriate species. Further detail is provided in the AIA:
- “7.9.22 At the point where the 400kV line would oversail Kemberland Wood, the eastern boundary of the wood is marked by a row of mature ash trees (G130) and a hedgerow (H91).*
- 7.9.23 Whilst mature trees would be removed from G130, the hedgerow and low level scrub along the boundary would be retained; it is not tall enough to present*

*an obstruction to the safe operation of the conductors. This is particularly important for the maintenance of habitat connectivity for dormice.*

*7.9.24 The removal of trees from the northernmost part of G130 is required because they are too tall to retain beneath the conductors and would not tolerate the heavy pruning that would be required to achieve the necessary clearance.*

*7.9.25 The loss of a these trees is not insignificant, particularly because of the maturity of the individuals and the associated habitat value. In addition, the trees mark the boundary of the woodland and are visible from the east as a clear delineation of the boundary. However, removal of a single row of trees does not constitute loss of woodland or, in this case, ancient woodland. There is no 'land take' for development; lower growing woody vegetation occupying the same space (in plan) would be retained and there would be no disturbance to the soil, seed bank or ground flora.*

*7.9.26 The impact associated with the removal of trees in G130 would be no greater than would ordinarily be described according to British Standard 5837:2012. There is no particular quality of these trees than makes them inextricably and fundamentally connected to the function or quality of the ancient woodland beyond the fact that they are locate within it. Removal of individual trees or small groups of trees is not generally regarded as destroying or removing and ancientness of a woodland, which is a function of the relative lack of disturbance enjoyed by the whole and resultant interactions between and complexity of habitats and species. New trees planted at the same location would, in time, replace the functions provided by the existing trees without any permanent diminution of ancient woodland qualities or the value of the whole."*

2.2.6 It is also acknowledged that coppice management may lead to the failure of some individual trees. It is anticipated that some trees within the woodland may not tolerate coppicing for a variety of reasons including poor condition, previous wounding or low vigour. This is a normal function of woodland management and the condition of Kemberland Wood is such that a normal failure rate will not preclude the success of coppicing generally. The Department of the Environment dismissed an appeal for conversion of Kemberland Woods to agroforestry in 1991 on the basis that coppicing was a viable form of woodland management and that this could be done without unduly damaging the wildlife or character of the woodland. Adjacent parts of the woodland have also been coppiced recently and regrowth is evident.

2.2.7 There are few standard trees in Kemberland Wood within the Order limits and none were noted by the surveys are considered to be 500 years old as was submitted during open floor hearings. There are a number of ways to estimate tree age based on girth and estimates vary according to method and region. In *Trees of Britain and Northern Europe* (Harper Collins), Alan Mitchell notes that oak trees of 10m girth are usually less than 400 years old (i.e. trees with an equivalent stem diameter of 3.18m). There are no trees in Kemberland Wood that are even close to this size. In *Forestry Commission Information Note 12*, a more sophisticated method of estimating age by tree girth is presented that factors in context (i.e. that woodland trees accrue girth more slowly). According to this method, a 500 year old oak tree in the context of Kemberland Wood would have a stem diameter estimated at 2.1m. No such tree exists that would be affected by the proposed development.