

**From:** [Tom.Marchant@kent.gov.uk](mailto:Tom.Marchant@kent.gov.uk)  
**To:** [Richborough](#)  
**Subject:** EN020017: Richborough Connection DEADLINE 3  
**Date:** 04 August 2016 22:10:43

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Dear Sir/ Madam,

Please find enclosed the response of Kent County Council to the Examining Authority's Deadline 3. The response comprises:

1. Comments on responses to ExA's first written questions; and
2. Responses, where appropriate, to the Hearing Action Points List published by the ExA on 01 August 2016.

Please can you acknowledge safe receipt of this email and its two attachments?

Yours faithfully,

**Tom Marchant** MRTPI | Head of Strategic Planning and Policy | Environment, Planning and Enforcement | Kent County Council | Invicta House, Maidstone, Kent ME14 1XX | Internal: 413412 | External: 03000 413412 | Mobile: 07702 996253 | [www.kent.gov.uk](http://www.kent.gov.uk) |

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Ms. Frances Fernandes  
Lead Member of the Panel of Examining Inspectors  
The Planning Inspectorate  
3C Eagle Wing  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

**Environment, Planning and  
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4 August 2016

Dear Ms. Fernandes,

**Re: Application by National Grid for an Order Granting Development  
Consent for the Richborough Connection Project – DEADLINE 3**

Comments on responses to Examining Authority's first written questions

Kent County Council (KCC) would like to make one comment on the response made by National Grid to **Q1.7.4**, relating to the landscape assessments in the Connection Options Report (COR ref. APP-133) which are at variance with the Environment Statement (ES).

National Grid has responded to Q1.7.4 by stating that the COR was not a detailed appraisal and it relied heavily upon the relevant published landscape character assessments which in some cases were taken “as read”.

The County Council considers that the National Grid response does not accord with the landscape methodology explained in the COR. The COR is a ‘Stage 3’ document dealing with ‘*detailed routeing and siting*’ (paragraph 2.9, page 4) and consequently the methodology, whilst not as detailed as the ES, indicates that a more comprehensive and independent assessment of landscape character was carried out than is indicated in answer to Q1.7.4.

The COR methodology is set at Appendix 3. It states that, “*Desk based studies have been supplemented by field assessment of both landscape character and assessment of existing features which shape the character of the landscape*” (paragraph 3, page 239).

Paragraph 7 (page 240) explains how sensitivity and susceptibility to the particular development has been assessed: “*The baseline conditions also consider landscape sensitivity, which considers the susceptibility to change of the landscape from the proposed development without suffering detrimental effects on its character. This can vary depending on the existing land use,*

*pattern and scale of the landscape, visual enclosure or openness and the landscape's value. In accordance with paragraph 5.39 of GLVIA3 landscape sensitivity combines judgements of the landscape's susceptibility to change to the type of development proposed (i.e. the degree to which the landscape can accommodate the proposed change without suffering detrimental effects on its character), and the value attached to the landscape."*

KCC contends that the COR methodology is sound. Consequently the lower sensitivities of landscape receptors reported in the ES (which are not agreed by the County Council) have yet to be adequately explained by National Grid.

Issue Specific Hearing on the draft Development Consent Order 28 July 2016:  
Hearing Actions Points List

The County Council has considered the Hearing Action Points List published by the Examining Authority on 01 August 2016 and for ease of reference, responds, where appropriate, in a similar format:

<b>Action</b>	<b>Party</b>	<b>KCC response</b>
<b>12:</b> <i>Provide a list of sites that require temporary alterations to be included in Schedule 12 and consider whether they should also be included in Schedule 6</i>	Kent County Council	Schedule 6 relates to physical alterations to the highway (albeit temporary) rather than traffic regulation orders (Schedule 12) so can remain separate.
<b>13:</b> <i>Respond on whether they are content with the amendments in relation to Public Rights of Way</i>	Kent County Council	Yes - content.
<b>23:</b> <i>Article 41: Provide clarification of concerns in relation to this article</i>	Kent County Council	As Local Highway Authority, only requires the maintenance of the required sight lines. Only interest in trees or shrubs is for those that obstruct the required visibility above a height of 1.05 m and below 2.0 m within the splay i.e. 43.0 m x 2.40 m x 43.0 m.
<b>40:</b> <i>Requirement 8: Submit comments on the concept mitigation plans</i>	The Councils	Please see appendix to this letter.
<b>41:</b> <i>Requirement 8: Submit comments on suggested locations that would benefit from</i>	The Councils	No comments at this stage. Position reserved pending further discussion with National Grid (scheduled w/c 15 August 2016). Subject to agreement of Examining

<i>advance planting</i>		Authority, comments to be submitted at Deadline 4.
<b>45:</b> <i>Requirement 16: Submit agreement on wording</i>	National Grid and Kent County Council	Agreement reached on 01 August 2016. National Grid to supply wording.
<b>49:</b> <i>Schedule 4: Provide clarification of requirements for vehicle marking scheme, highway signage scheme, travel plan and traffic incident management plan</i>	Kent County Council	There is no requirement for these in Schedule 3 and therefore no need for discharge in Schedule 4. Satisfied with content of the Construction Traffic Management Plan (APP-068) and the Statement of Common Ground (ref. 8.4.5*)

\*KCC notes that this is not included in the Examination Library as a 'REP2-xxx' document.

### Other Matters

KCC notes that a second Issue Specific Hearing on the draft Development Consent Order is scheduled for 27 September 2016. The County Council would like to assist the Examining Authority throughout the Examination process as far as practically possible. If the Examining Authority has any further questions relating to the local highway or Public Rights of Way, I respectfully ask that consideration is given to notifying KCC in advance to ensure that the appropriate lead officers can be present.

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If you require further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely,



**Katie Stewart**

Director - Environment, Planning and Enforcement

Appendix 1: Action 40 - comments on the concept mitigation plans

## Appendix 1: Action 40 - comments on the concept mitigation plans

3.1	<p><b>Species selection</b></p> <p>The use of standardised species mixes appears to be rather ‘broad brush’ in its approach and it is not clear how the replacement planting and seed mixtures relate to the plant assemblages that are removed. Whilst KCC understands that the applicant would like to avoid a complex planting plan for each plot, it would wish to see consideration of a greater range of species mixes to more fully reflect the different types of woodlands and hedgerows resulting from different soil and moisture regimes across the substantial length of the route.</p> <p>Reference to the National Vegetation Classification (NVC) of existing vegetation may be helpful in tailoring suitable species mixes more precisely across the scheme. A useful reference is <i>Woodland Creation for Wildlife: A Guide to Creating New Woodland for Wildlife in Kent and East Sussex</i>, David Blakesley, Aug 2006 (this is now out of print unfortunately but is available to purchase online). <i>English Woodland Grant Scheme, Operations Note 4, National Vegetation Classification (NVC) 2008</i> and <i>DMRB Volume 10 The Good Roads Guide</i> are also recommended.</p> <p>The use of species appropriate to the local environment will also reinforce landscape character. It would also be helpful if the standard descriptions could be explained in more detail, especially to emphasise the primary and/ or secondary purposes of the planting. For instance ‘Wet Woodland’ may have a primary ecological function and a secondary screening function. ‘Standard Coppice’ may aim to recreate existing woodland of high nature conservation value and the rationale behind this should be further explained.</p>
Table 3.1 Mix A	<p><b>Standard Coppice</b></p> <p>Whilst the use of a coppiced mixture is welcomed, are agreements in place to ensure the active management of the woodland on a coppice rotation?</p> <p>KCC questions the rationale behind the use of Wych Elm in the light of Dutch Elm Disease (unless this relates to the use of potential disease resistant micro-propagated material such as the experimental project led by The Conservation Foundation <i>The Great British Elm Experiment</i> which would be welcomed and would be worthy of additional long term monitoring).</p> <p>There is a large proportion of high forest tree species and consideration should be given to increasing the proportion of understorey species to avoid the need for extensive thinning. For instance refer to <i>HA 56/92: The Good Roads Guide: New Roads: Planting, Vegetation and Soils – 12.13 Planting and Thinning Grids</i>. A wide grid spacing for trees with random groups of understorey species (e.g. groups of 10-20 of each species) may be a better approach than ‘random allocation’ especially in extensive areas of woodland. E.g. a 1:8 tree/ shrub mix on a 1.5m grid is recommended as low maintenance as this does not require early thinning.</p>
Table 3.1 Mix B	<p><b>Standard Slow Growing</b></p> <p>Should ‘Standard Slow Growing’ be ‘Standard Low Growing’?</p> <p>This appears as a rather random mixture of shrubs and smaller trees and does not reflect NVC principles reflecting different habitats.</p>

	<p>Yew, spindle and privet are only recommended on chalk soils.</p> <p>Spindle is not recommended adjacent to arable fields as it is the alternate host of the black bean aphid.</p> <p>Rowan is only found in very limited areas of Kent and is doubtfully native.</p>
Table 3.1 Mix C	<p><b>Dormouse Habitat</b></p> <p>A matrix layout for trees and understorey species may be a better approach than 'random allocation' especially in extensive areas. Spindle is not recommended adjacent to arable fields as it is the alternate host of the black bean aphid. Consideration should be given to adjusting the mixture to accord with soil types, for example to differentiate between neutral and chalk soils if necessary.</p>
Table 3.1 Mix D	<p><b>Wetland Mix</b></p> <p>This would be better titled 'Wet Woodland'. Consideration of the relevant NVC recommendations in <i>English Woodland Grant Scheme, Operations Note 4</i> and other recommended texts would be helpful.</p>
Table 3.1 Mix E	<p><b>High Value Mix</b></p> <p>It is not clear what 'High Value' means in this context.</p> <p>Again it is recommended that the species mixture and layout is reviewed against the recommended guidance and tailored to the site environment.</p>
Table 3.1 Mix F	<p><b>High Impact Mix (Screening)</b></p> <p><i>Natural England Technical Information Note TIN053 Guidance on dealing with the changing distribution of tree species</i> discusses <i>Quercus ilex</i> (Holly oak) and states that, 'Where it does not currently occur, or is present as only a few trees, it is probably best, if practical, to try to keep this species out'.</p> <p>It is recommended that the species mixture and layout is reviewed to achieve screening (random allocation may not be appropriate because large areas of lower growing hazel and elder may need to be more uniformly distributed between trees to give the necessary continuity of screening at high and low levels. Species should also be tailored to the local environment.</p>
Table 3.1 Mix G	<p><b>Standard Hedge</b></p> <p>Yew is rarely found as a hedgerow species, even on chalk, and may not be appropriate adjoining pasture.</p> <p>Wych Elm – see comments on Mix A.</p> <p>Species should also be tailored to the local environment and consideration given to whether a random allocation is appropriate.</p>
Table 3.1 Mix H	<p><b>Hedgerow Trees</b></p> <p>Species should also be tailored to the local environment. Spacing should not be too uniform but should achieve a natural un-planned look. KCC would suggest a spacing of 5-20m, averaging 10m (the indicative plans show trees too uniformly planted). Where trees are to be planted within existing hedgerows, unless they are within an existing significant gap, it may be difficult to excavate a suitable pit for an extra-heavy standard tree without damaging existing plants, and the new plants may be very vulnerable to drought from root competition. It would be</p>

	helpful if National Grid could give some examples of how this operation has been carried out on similar schemes.
Table 3.1 Mix K	<b>Wildflower Seeding (Reptiles)</b> The seeding rate appears high for wild flower/ grass mix (normally it is around 4-6 g/m <sup>2</sup> ). KCC would like to see a justification for the species selection and how this relates to the local environmental conditions.
Table 3.1 Mix L	<b>Local Wildlife Site Grassland Reseeding</b> As above.
Table 3.1 Mix M	<b>Riparian Strip Grassland Reseeding</b> As above
Table 3.1 N	<b>Instant Hedging</b> An indication of likely species mixes would be helpful.
Table 3.1 Q	<b>Dormouse Enrichment</b> Whilst the species are appropriate as dormouse habitat, species should also be reviewed against the local environment and consideration given to appropriate grouping of species rather than a random allocation. Spindle is not recommended adjacent to arable fields as it is the alternate host of the black bean aphid.
	<p><b>Figures – presentation</b></p> <p>Whilst the intention to differentiate categories of land within the Order Limits (such as access routes, undergrounding etc.) should be helpful, in reality this proves very difficult to read and the overlapping tones are particularly confusing. KCC would prefer to see the layout of pylon bases/arms, overhead conductors, underground cables and other permanent works outlined in a thin dark line on the plans. Pylons should be numbered.</p> <p>It would also be useful to have the house numbering and road names superimposed (e.g. from OS 1:1250/1:2500 mapping).</p> <p>The planting key would be clearer if it were divided into categories such as (a)proposed replacement planting, (b)vegetation removed and (c) existing vegetation to remain</p> <p>The descriptions are difficult to understand without reference to the text of the report, especially for the general public. For example '<i>Hedgerow removed (planting in situ)</i>' might be better expressed as '<i>Replacement hedge planting</i>'.</p> <p>The text to each planting plot could usefully include the descriptions in Table 3.1 (expanded to consider above comments) rather than just the species mix alphabetical key. For example say '<i>Species Mix X: Coppice with standards on neutral soils</i>'.</p> <p>The report indicates that in many cases the replacement planting also mitigates ecological, landscape, visual and heritage impacts. It would be useful if the drawings could indicate the mitigating function of each plot (as is commonly done on strategic highway schemes). This would help to establish how adverse impacts are actually mitigated by the landscape proposals.</p>