



Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System

**Appendix 4: Written Summary of
The Applicant's Oral Case put at
Landscape and Visual Issue
Specific Hearing on 18 November
2015**

Date: 30th November 2015

**Appendix 4 of the Applicant's
response to Deadline 3**

Triton Knoll Offshore Wind Farm Limited

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1. Summary of The Applicant's Oral Case

Agenda Item 1 – Introduction

- 1.1 Following an introduction from the Examining Authority (ExA), the Applicant, along with other parties in attendance, introduced its representatives.

Agenda Item 2 – Opening Remarks by the Examining Authority

- 1.2 It was noted that the order in which the Agenda items were taken was amended from that published by the Planning Inspectorate on 2 October 2015, with the item on trenchless construction moved to agenda item 3b. This summary follows the order of the proceedings as re-ordered and, in parts, group discussion on topics which were revisited throughout the hearing together to present a succinct case.
- 1.3 The ExA noted that on Monday 9 November PINS received documentation which requested a change to the Application relating to the National Grid substation at Bicker Fen. The ExA explained that the changes will still be within the existing Order Limits of the Application, comprising a potential alteration in the location at which the proposed development might join up with the national grid within the Bicker Fen substation. The ExA recorded that it had yet to decide whether to accept the change into the Examination.

Agenda Item 3 – Requests to question a person making an oral representation

- 1.4 No comments.

Agenda Item 4a – Clarification of documents

Above ground infrastructure at the Intermediate Electrical Compound (IEC)

- 1.5 The Examining Authority (ExA) requested that the Applicant confirm the heights of the above ground infrastructure at the IEC including the building height and external electrical equipment. The Applicant confirmed that the height detailed in Requirement 5(7)(a) of the draft DCO (Revision C) is correct, no building shall exceed 16.54m above ordnance datum (AOD). The Applicant noted that there are different datums used in the documentation as to the heights given and referenced its response to LV 1.15 of the ExA's first written questions, which clearly sets out the heights of the above ground infrastructure at the IEC in both AOD and above ground level (AGL).

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- 1.6 The Applicant explained that the IEC compound area will comprise a number of pieces of infrastructure including switchgear, busbars, capacitors, reactors, reactive power compensation equipment, filters, cooling equipment, control and welfare buildings and lightning protection rods (if required) as well as permanent security fencing and landscaping. Requirement 5(7)(a) sets out a maximum parameter for any building proposed within the IEC compound and Requirement 5(7)(b) sets out a maximum parameter of any external electrical equipment within the IEC compound (excluding lightning rods).
- 1.7 East Lindsey District Council (ELDC) queried the definition of “building” in the DCO. The Applicant confirmed that the wording of the definition in the DCO is accurate for the purpose of defining the above ground infrastructure elements at the IEC and that, although the precise wording is not the same as that used in the ES the Applicant does not consider that this needs amending. The Applicant agreed to review the wording in the Design Principles Document (document reference 8.6) and the ES, and has provided further clarification in Appendix 21 of the Applicant’s response to Deadline 3.

Lightning rods clarification

- 1.8 The ExA queried the heights of lightning rods at the IEC and whether the figure stated in the DCO is correct, and requested clarification on this. The Applicant undertook to check these values and has provided clarification in Appendix 21 of the Applicant's response to Deadline 3.

Perimeter fencing at the IEC

- 1.9 The ExA queried whether a maximum height parameter for the perimeter fencing of the IEC compound is secured through the draft DCO. The Applicant confirmed that the total area of fencing is secured (17,000 m² as set out in Requirement 5(7)(d) of the draft DCO) however, a maximum height parameter is not given. The Applicant noted that agreement with the relevant planning authority is needed for the details of fencing and any other means of enclosure secured in Requirement 9 *Fencing and other means of enclosure* of the draft DCO and agreement to the height of fencing would therefore be a part of sign off of the overall design of the IEC site. The Applicant considers that this provides appropriate control of perimeter fencing.

Above ground infrastructure at the Substation

- 1.10 The ExA posed similar questions in relation to above ground infrastructure at the Substation and asked the Applicant to confirm if the heights set out in Requirement 5(8) of the draft DCO are correct. The Applicant confirmed that they are and referred to the table provided in the Applicant’s response to LV 1.15 of the ExA’s first written questions.

- 1.11 The ExA noted that whilst provision is made for a maximum parameter of the highest part of any external electrical equipment if air insulated switchgear (AIS) is installed at the substation, the same maximum parameter is not set out for gas insulated switchgear (GIS) under Requirement 5(8)(b). The Applicant confirmed that it would make an amendment to this requirement to include such provisions and this has now been included in the draft DCO (Revision D) at Requirement 5(8)(b)(ii), submitted to Deadline 3.

Agenda Item 4b – Construction

Construction sequencing, testing and completion

- 1.12 The Applicant was asked to confirm the construction time periods for component parts of the proposed development. The Applicant referred to Table 1-2 in Volume 2, Chapter 1 *Onshore Project Description* of the ES, which sets out the maximum parameters for worst case assessment. The possible reconfiguration and extension to the existing Bicker Fen substation amends this to 12 months of work over a 24 month period (rather than over an 18 month period as stated in Table 1-2).
- 1.13 The Applicant gave an overview of the construction sequencing. Construction would start with the component with the longest construction period, the Substation. This would begin with the bellmouth for the access road and then the build of the access road from the A17 , moving onto the Substation build. The IEC would be started at broadly the same time as the Substation. Construction on the cable route would then commence in stages, with the landfall to follow as this has the shortest time period for construction.
- 1.14 In response to ExA questions about staged construction of the cable route the Applicant noted that construction would not start at one end of the cable route and move to the other. The staged approach adopted in the draft DCO and Works Plans allows for each cable section to effectively be treated as a construction project in its own right, which means the point at which construction of each cable section will commence will be dependant on engineering and environmental factors. The Applicant noted that the detail does not currently exist regarding which sections will be done in what order, and that this will be determined as part of the detailed design.

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- 1.15 In response to a question from the ExA asking why it would take seven years to construct a substation the Applicant reiterated this is a worst case and that it is hoped and expected that the construction would be completed in a shorter time. For a greenfield site a typical build might be expected to be in the order of 2-3 years, from establishing access through civils and installation of the electrical infrastructure. The timescales will likely be longer as commissioning (which will determine completion of the substation) will be dependent on other factors such as the cable route. The timescales also account for the possibility of unexpected delays and to ensure the EIA was based on robust principles, providing for all eventualities within the consent. The Applicant noted that it is in its interest, as well as others', to complete work as quickly as possible.
- 1.16 The Applicant responded to a question from the ExA asking if maximum timescales should be set out in the draft DCO. The Applicant does not think these are necessary and therefore would not meet the tests to justify such a requirement. The Applicant noted to their knowledge no other project had maximum construction timescales in their draft DCO and doing so would not be helpful as the relevant planning authorities would have to consider how such a requirement could be enforced were it to be breached.
- 1.17 The Applicant explained why the difference between the construction period and the active work period at the landfall is greater than for other components. The landfall works are split into two distinct phases, the first being the establishment of the landfall drilling compound and associated temporary construction compound (TCC) on the landward side of the dunes, with the second being the drilling work including the pulling of cable ducts through the bores. The small area of beach affected would be reinstated at the end of the first phase. The second phase would be the pulling of the offshore cables through the cable ducts and the burial of the cable up the beach, including final reinstatement.
- 1.18 The Applicant explained when stages would be deemed complete and how testing of the Electrical System is undertaken. Some testing of the IEC and Substation can be undertaken without the cable route in place, but the most important test is the full system integrity test. The onshore part of the cable route is tested (substation to landfall) as a whole, or in a small number of long sections, to demonstrate that there is no damage to the cable system and that the joints have been installed correctly. The offshore part of the cable route (landfall to offshore substation platform) is also tested as a whole, but in a separate test to the onshore one.
- 1.19 The Applicant explained that the actual test (the full system integrity test) itself is relatively quick, taking a matter of hours, but the time to set up the test, including bringing test equipment to site and putting in place all other aspects of the test procedures, means the test phase could take up to 4 weeks for the whole onshore cable system. The tests of equipment at the Substation and IEC would take longer, in the region of 8 - 10 weeks.
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- 1.20 The Applicant explained that the full system integrity test of does not require the Substation and the IEC to be energised, but does require that certain equipment within the Substation and IEC (such as cable sealing ends) are installed and commissioned. Only once this test is complete is the cable route construction phase complete. A final test of the system then comes after energisation of the Substation and the IEC, but this can be done after reinstatement of the cable route.
- 1.21 The Applicant explained that the testing of the cable route system is an integral part of delivering the project, and is necessary to demonstrate that the project can be effectively operated. The full system integrity test may reveal problems in cable joints that need to be corrected; access is therefore needed to all cable joint locations until all stages of the cable route have been installed and the full system integrity test has been completed. To be able to get access and bring in equipment to undertake repair works the haul road is required, which in turn requires that topsoil bunds are still in place and the route is fenced. Whilst some reinstatement would take place immediately after the installation of cable ducts the final full reinstatement could only take place after the completion of testing.
- 1.22 The Applicant responded to a question from the ExA on the maximum period of time that any section of the cable route may be fenced off. The Applicant noted that in the worst case scenario stages of the cable route which commenced the earliest may be fenced for 54 months. The Applicant emphasised that this is very much a worst case assumption. For stages of the cable route on which construction is commenced later on in the construction programme, the duration for which the cable route may be fenced will be shorter than this.
- 1.23 The Applicant has submitted further clarification on the construction sequence as Appendix 22 of the Applicant's response to Deadline 3.

Trenchless crossings

- 1.24 The Applicant responded to a question from the ExA regarding the Crossing Schedule (document reference 8.3). The schedule included in the application, and the associated map submitted as Appendix 5 of the Applicant's submission to Deadline 1 show those locations where trenchless techniques have been committed to. Elsewhere the Applicant has noted that either trenchless crossing techniques or open cut may be used to cross obstacles, with open cut to be used when crossing open fields or smaller drains where appropriate.
- 1.25 The Applicant noted that the precise location of where a trenchless crossing may start or end will be dependent on information gathered from pre-construction surveys about site profiles and ground conditions for each crossing. The Crossing Schedule does set out which obstacles will be crossed in a single crossing, identified by their 'crossing group ID'. For example, the Steeping River, and adjacent features/obstacles identified to be crossed as part of that crossing group, is a large crossing therefore the drill entry and exit points may have to be set back from the obstacles being crossed in order to get the correct drill profile.
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- 1.26 The ExA sought to clarify where open cut and trenchless techniques have been assessed in the Environmental Statement (ES). The Applicant noted that the EIA has been conducted assuming that either open cut or trenchless techniques could be used throughout the cable route, with the Crossing Schedule identifying those locations where trenchless crossings have been committed to. The Applicant explained that for each EIA topic (reflected in each ES chapter) all construction techniques have been considered and the assessment has been carried out on the basis of the technique which gives the worst case impact.
- 1.27 The Applicant responded to a question from the ExA on the use of trenchless crossing techniques at the identified sites within the Lincolnshire Coastal Grazing Marsh target areas. The Applicant noted that agreement has been reached with LWT on the mitigation of 6 of the 7 sites and that work is progressing to agree mitigation for the other site. All of this is set out in the SoCG between the Applicant and the LWT (submitted as Appendix 17 of the Applicant's response to Deadline 2). In general, open cut techniques will be used, but some of the sites will have some trenchless techniques used where they border obstacles.
- 1.28 The ExA raised the issue of being able to understand the detail of the scheme, including specific methodologies, timescales, dimensions of buildings and so on which will be important for both the ExA's report to the Secretary of State (SoS) and for the local community to understand the implications of the proposed development.
- 1.29 The Applicant reiterated that the ES sets out what has been assessed and the conclusions of the assessment, in order to understand the scheme and how those assessment conclusions are measured against the benefit. The Applicant encouraged the ExA to focus on the parameters that have been assessed which are very much a worst case. The Applicant acknowledges the need for a level of detail which enables the ExA to examine the merits of the scheme. The Applicant also highlighted the complexity of the project and the fact that a robust assessment has been completed on an agreed suite of worst-case scenarios. It is the Applicant's view that it would not be helpful to provide a level of detail beyond that which could be accurately provided at this stage of the project. The Applicant also noted the ExA's reference to the use of the "Rochdale Envelope" and considers it has properly identified and assessed the key parameters of the proposed development.
- 1.30 The Applicant reminded the ExA that a Construction Method Statement (CMS) will be submitted and approved by the relevant planning authority for each stage of the works and for the detailed design of the above ground infrastructure.
- 1.31 The Applicant also highlighted the extensive commitments which have already been made through the Crossing Schedule, the Outline Code of Construction Practice including the appended outline management plans and other application documents which are all secured in the draft DCO. The Applicant also noted that these documents and commitments have been the result of extensive consultation with statutory stakeholders and the local community.
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- 1.32 LCC queried the relationship between the 54 months and 71 months of construction for the cable route, as mentioned in previous oral submissions, in particular how this relates to the testing of the system. The Applicant explained that system testing had to be done once all onshore infrastructure is constructed and therefore the cable route construction would start after that of the substation.
- 1.33 The Applicant referred to Table 1-2 of Volume 3, Chapter 1 of the ES which states that the construction period of 71 months is in relation to the substation site only. The worst case construction period for the stages of cable route is identified as 54 months. The Applicant's intention is that construction could commence on those elements of the onshore works with the longest durations prior to the commencement of construction on the cable route stages. This allows the completion of construction for all components, including testing of the electrical system and any necessary repair work, to fall with the 54 month period (in the worst case) for the cable route stages construction.
- 1.34 Further detail specifically in relation to construction phasing and durations, was subsequently picked up in the Issue Specific Hearing held on Thursday 19 November, for which the Applicant has submitted a written summary of the oral case presented and a clarification note, including Gantt charts setting out the construction phasing (please refer to Appendices 5 and 22 of the Applicant's response to Deadline 3).

Agenda Item 4c – The landscape and visual effect of the Intermediate Electrical Compound (IEC)

- 1.35 ELDC brought to the ExA's attention that there seemed to be an issue relating to the proposed height of the IEC in relation to the structures immediately next to it. During an accompanied site visit ELDC recalled a comparison being drawn between the proposed height of the IEC and the height of the grain store building which is 12.3 m high and silos which are 13.8 m high. ELDC sought to confirm that the proposed IEC is slightly taller than those existing structures.
- 1.36 The Applicant clarified the heights given for the IEC in relation to being above existing ground level or AOD and further noted that the comparison mentioned during the accompanied site visit was to set out that from some distance the heights of the buildings would be broadly similar, not that they would be exactly the same. For the avoidance of doubt, the Applicant can confirm that the proposed height of the GIS switchgear building at the IEC (discussed above) is 13 m above ground level (or 16.04 m AOD) as set out in Volume 3, Chapter 1 of the ES and in the Applicant response to LV 1.15 of the ExA's first written questions.

Agenda Item 4d – Planting mitigation

Landscape and Visual Planting Mitigation Timings

- 1.37 The ExA sought to understand what is meant by ‘Year 1’ in the Landscape and Visual Impact Assessment (LVIA). The Applicant confirmed that ‘Year 1’ is a standard LVIA term, as is Year 15. Year 1 is taken as the point at which the development is complete, all construction has ended and the point at which the development is fit for the purpose for which it was designed, crucially for the LVIA (presented in Volume 3, Chapter 2 *Landscape and Visual* of the ES, document reference 6.2.3.2), this is the point at which it appears as it was designed.
- 1.38 The ExA queried whether Year 15 is too long for the planting to establish given that the development has a 25 year life span. The Applicant accepts that the nature of planting is such that it requires time to establish. However, as was stated in the Applicant’s response to LV 1.11 submitted at Deadline 1, the Applicant would like to emphasise that the LVIA (Volume 3, Chapter 2 of the ES) takes the approach of assessing the residual operational effects at Year 15 as this is a standard approach to assessing residual effects. The applicant’s response to LV 1.11 b) states:
- “For the purposes of assessment, Year 15 is taken as a reasonable estimate of the time taken for proposed mitigation planting to reach a level of maturity that it will provide a level of landscape and visual mitigation such that an accurate assessment of residual effects, i.e. effects following the establishment of mitigation, may be carried out.”*
- 1.39 The Applicant therefore considers that the planting mitigation will be effective after 15 years, as assessed in Volume 3, Chapter 2 of the ES, i.e. no significant residual effects are identified at either the Substation or the IEC following the establishment of planting.
- 1.40 The Applicant also noted that clearly, with regards to a shorter time period, it is likely that planting will become effective as landscape and visual mitigation prior to 15 years and the Applicant will consider additional measures to ensure that the planting is established as quickly as possible. The level of landscape and visual effects will reduce gradually from the point of planting throughout the operational phase of the project.
- 1.41 The Applicant expanded that although the nature of planting growth is not an exact science, it is safe to assume that after half this period, (7.5 years) the planting will have reached approximately 4 m in height which will be starting to effectively screen the above ground infrastructure at the Substation and the IEC. This will reduce the landscape and visual effects as it will screen the base of the development in views and integrate it into the landscape.
- 1.42 The ExA sought to clarify if planting is possible before Year 1, i.e. during construction. The Applicant confirmed that there is some potential for planting before or during the construction period for the IEC and the Substation sites, which will enable that mitigation planting to reach maturity earlier than 15 years after completion.
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1.43 The Applicant clarified that limited strategic planting could be undertaken not on day one of construction, but once the enabling works (which includes site clearance, the establishment of temporary working areas, fencing, and the haul road, and any necessary ground works) are complete and prior to the remainder of the construction works to be undertaken within the IEC and the Substation compounds. This strategic planting will be subject to the detailed design of the project and a detailed construction programme; strategic planting may be limited in parts of the site due to access requirements for construction for example¹. The Applicant has already committed to this in paragraphs 7.6 and 7.11 of the Outline Landscape Strategy and Ecological Management Plan (LSEMP) (document reference 8.8), which states:

“Where reasonably practicable, some limited planting may be undertaken around the perimeter of the IEC/substation site once the enabling works are complete to allow for some landscaping to become established whilst the construction work on the above ground infrastructure is underway within the compound. The remainder of the planting will be undertaken on completion of the construction activities. This will be set out [in] the landscaping scheme approved under requirement 6 of the DCO.”

1.44 Landscaping is secured in Requirement 6 *Provision of landscaping* of the draft DCO (Revision C) and the final written landscaping scheme, which must accord with the Outline LSEMP, will be submitted for approval to the relevant planning authorities. The Applicant reiterated that ELDC and Boston Borough Council (BBC) will therefore be involved in the development of the landscaping scheme which will include implementation timetables for all landscaping works.

Planting Species and Level of Screening

1.45 The ExA referred to paragraphs 3.926 to 3.931 of the Applicant’s response to LV 1.19 submitted to Deadline 1, and highlighted the reference it makes to not intending to screen the development in its entirety.

1.46 In response the Applicant clarified that at Year 15, it is the intention that the development will be screened as far as is reasonably possible and this will become more effective the longer the planting is allowed to mature. There will be, however, the potential that there will be glimpsed views of, for example, the top of the GIS building and the development may be glimpsed through the entrance to the site at Year 15 of growth.

¹ In addition to the earlier stage of planting, additional measures can be considered to reduce the time taken for plants to reach maturity such as: the planting of a mix of tree heights including smaller and larger specimens; the inclusion of quicker growing species such as Pine and Silver Birch (nurse species) and the grading in of surplus topsoil to add extra height to the planting areas.

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- 1.47 The Applicant also highlighted that, in reference to the table of indicative species which are included within the Applicant's response to LV1.19, many of the species included are capable of growing to the height of the GIS building and beyond. Of particular note are species such as *Quercus robur* (Oak) which can grow to heights of 20 – 40m at full maturity.
- 1.48 The ExA queried whether Year 15 can be brought forward if planting is implemented at an earlier stage. The Applicant confirmed that, if strategic planting were to be implemented at an earlier stage than completion of construction (i.e. the Year 1 referred to in the assessment) it may be considered that Year 15 is brought forward (as 15 years would be following the implementation of the relevant strategic planting). Year 15 could only therefore be brought forward on the basis that sufficient area is available for early planting (ahead of construction completion) of all mitigation planting required under the landscaping scheme. This will be dependent on the detailed design of the proposed landscaping scheme, and the planting species and implementation timetable agreed, following discussions with the relevant planning authorities.

Management and Maintenance

- 1.49 Long term establishment of all planting, including hedgerow planting, will be secured through the 10 year maintenance and replacement commitment within Requirement 6 Provision of landscaping and Requirement 7 Implementation and maintenance of landscaping in the draft DCO (Revision C). The Applicant can therefore confirm that all replanted and reinstated areas, including individual trees, hedgerows, tree and shrub mitigation planting will be monitored for a period of 10 years. The detail of the aftercare approach will be agreed with the relevant planning authorities, i.e. ELDC and BBC.
- 1.50 The responsibility of the management and maintenance of the onshore electrical infrastructure, including planting around the IEC and the Substation, will be Applicant's as the undertaker within the meaning of the draft DCO. In the event that the TKES is transferred to another body under the transfer provisions in Article 5 Transfer of benefit of Order of the draft DCO (Revision C) they will be bound by the Requirements under the DCO in the same way as the Applicant.
- 1.51 The 10 year period is offered to ensure establishment and longer-term development of the planting to a satisfactory standard and so that it fulfils its intended function.

Agenda Item 4e – Design matters

Design Principles

- 1.52 The ExA highlighted that section 10 of the Planning Act 2008 imposes a statutory duty to achieve ‘good design’ and section 4.5 of National Policy Statement EN-1 sets out policy for “*Criteria for ‘good design’ for energy infrastructure*” which puts emphasis on the technical and functional considerations around design of the infrastructure as well as the aesthetic considerations. The ExA sought comfort that it can be sufficiently satisfied that appropriate steps have been gone through to meet those policy requirements, given that the final design of the scheme is unknown.
- 1.53 The Applicant highlighted that consideration of the design of the above ground infrastructure commenced through section 42 consultation, as detailed in section 6 of the Consultation Report (document reference 5.1), the responses and results from which fed in to design option elements of the IEC and the Substation and were reflected in the Design Principles Document (DPD) (document reference 8.6). Paragraphs 2.24 – 2.26 and section 4 of the DPD provide specific evidence in relation to consultation on design considerations. The Applicant reiterated that the final design of the above ground infrastructure will be subject to agreement with the relevant planning authorities as secured in Requirement 5 of the draft DCO (Revision C); specific maximum parameters included in this requirement have also been developed in consultation with the relevant planning authorities and captured in the design principles that have been used in Volume 3, Chapter 1 *Onshore Project Description* of the ES, and therefore upon which the assessment has been completed.

Design relating to an AIS or GIS solution

- 1.54 The ExA enquired about the extent to which the choice of an AIS or GIS system would constrain the final design of the Substation and whether the two options give a different overall outline of the above ground infrastructure.
- 1.55 The Applicant confirmed that the process undertaken to understand the AIS or GIS layout included an understanding of good design principles for both of those options and the choice of either of those. The Applicant explained that BBC had been engaged with in relation to determining the difference in design between an AIS or GIS solution; these discussions fed in to the design process and the production of photomontages. The Applicant referred to paragraph 2.132 of Volume 3, Chapter 2 of the ES (and would also note paragraph 2.131 which precedes this), which confirms that an exercise was carried out which analysed the potential landscape and visual effects of each option and that it was concluded that there is not a great deal of difference between the GIS and AIS options from a landscape and visual perspective.

- 1.56 The ExA asked if the DPD would be used as criteria for procuring equipment for the Substation. The Applicant confirmed that the design principles would influence the final look of the equipment; the material types of the building etc. but it would not provide the determining factors for selecting either AIS or GIS – it would feed into the mitigation of whichever of those designs is chosen.

Agenda Item 5 – Any other relevant business

Hedgerows

- 1.57 The ExA requested the Applicant provide further detail on the removal of hedgerows and how this will be dealt with and how the restrictive covenants will affect the replacement of hedgerows. The Applicant confirmed that there is in some cases there is a need to be able to remove hedgerows prior to commencement of construction to ensure that the construction programme is not constrained by the breeding bird seasons. The intention is that the Applicant will not remove hedgerows during breeding bird season except where unavoidable, if removal does occur during breeding season it will be completed in line with an Ecological Clerk of Works (ECoW) as secured in the Outline LSEMP. The Applicant notes that this is set out in paragraph 6.17 of the Outline LSEMP which has been agreed to by Natural England (NE) in paragraph 4.75 of the SoCG between the Applicant and NE (submitted as Appendix 18 of the Applicant's response to Deadline 2).
- 1.58 In terms of the restrictive covenant, the Applicant confirmed that it does prevent the planting of trees or shrubs over the easement without the consent of the undertaker. The need for such restrictions is that only shallow rooted species (such as those that would be used for hedgerow reinstatement) can be safely planted over the cable, thus necessitating a restriction on landowners to prevent the planting of trees and deep rooted shrubs without consent. The Applicant highlighted that the consent process set out in the restrictive covenant provides for the undertaker to consent to the planting of shallow rooted species, and ensure to that appropriate species are used for this.
- 1.59 Further clarification was sought by the ExA in relation to the management of hedgerow removal including the timings of this and for reinstatement. The Applicant has provided further response to this in Appendix 24 to Deadline 3.
- 1.60 The Applicant will also discuss with Natural England a suitable process for ensuring that the mitigation measures for hedgerow removal set out in the outline construction method statement and outline landscape and environmental management plan are secured through the DCO. Also that the DCO appropriately secures for the reinstatement of hedgerows.