



# Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System

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**Appendix 13: Response to  
submission from Mr R. Wardle at  
Deadline 3**

**Date: 5<sup>th</sup> January 2016**

**Appendix 13 of the Applicant's  
Response to Deadline 4**

Triton Knoll Offshore Wind Farm Limited

## Triton Knoll Electrical System

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Date: 5<sup>th</sup> January 2016

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## TABLE OF CONTENTS

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<b>1. Mr R Wardle</b>	<b>4</b>
Route selection through LCGM area	4
Impacts on existing habitats and on future habitat creation	5
Lack of consultation with LCGM project and Mr Wardle	7
No re-evaluation of route or site meeting following meeting in February 2015	9
Impact of development on Site E/Field 6	10
Lack of willingness to accommodate suitable and meaningful mitigation measures for Site E/ Field 6	12

## 1. Mr R Wardle

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1.1 Mr R Wardle submitted a Written Representation for Deadline 3 (30th November 2015). The representation raised concerns regarding the impact of the proposed development on wetland and grassland habitats created under the Lincolnshire Coastal Grazing Marsh (LCGM) Project. The issues raised relate to the following:

- Route selection through LCGM area;
- Impacts on existing habitats and on future habitat creation;
- Lack of consultation with the LCGM project and Mr Wardle;
- No re-evaluation of route or site meeting following meeting in February 2015;
- Impact of development on Site E/Field 6 in particular;
  - Amount of aquatic edge following reinstatement;
  - Impact on breeding waders;
  - Potential to thrust bore site excluded on cost grounds;
  - Water retention during construction to ensure majority of water available for the following breeding season; and
- Lack of willingness to accommodate suitable and meaningful mitigation measures for Site E/ Field 6

### Route selection through LCGM area

1.2 The Applicant has set out the extensive process undertaken to select the onshore cable route in Section 6 of the *Site Selection and Design Report* (document reference 8.17), which included several rounds of consultation and advice from Statutory and non-statutory bodies and specialist local advisors as well as information from sources such as Local and National Planning Policies, Biological and Archaeological records, Ordnance Survey and Historic mapping data, site surveys and walkovers.

1.3 The Applicant refers the ExA to the SoCG with Natural England (Appendix 18 of the Applicant's response to Deadline 2) which provides agreements reached with Natural England in regards to site selection;

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*“It is agreed that the site selection and alternatives process has resulted in an appropriate location for the onshore cable route.*

*It is agreed that the approach to assessing potential ecological impacts on the Lincolnshire Coastal Country Park (LCCP) as set out in Table 4-2 of Volume 3, Chapter 4 of the ES, that the habitats are included in the existing environment but that they are not specifically assessed as the LCCP is not designated specifically for reasons of nature conservation importance, is appropriate.*

*It is agreed that the approach to assessing the Lincolnshire Coastal Grazing Marsh (LCGM) as county level importance, as set out in Table 4-2 in Volume 3, Chapter 4 of the ES, is appropriate.”*

- 1.4 The Applicant also refers the ExA to Appendix 34 of the Applicant’s response to Deadline 4 which provides agreements reached with the Lincolnshire Wildlife Trust (LWT) in regards to site selection;

*“It is agreed that LWT was consulted on the site selection and design of the Application as summarised in the Alternatives Consultation Report, Appendix B of the Site Selection and Design Report (document reference 8.17).”*

- 1.5 In addition, paragraph 6.1 of the SoCG with LWT (Appendix 34 of the Applicant's Response to Deadline 4) states that:

*“The parties have not reached agreement on the positioning of the cable route, as it passes through the LCGM project target area of Burgh Le Marsh. LWT would prefer that the cable route completely avoids the target area to prevent impacts on grazing marsh priority habitat and areas in which this habitat could be created in the future. It is the Applicant’s view that the design of the cable route as described in Volume 1, Chapter 4 Site selection and alternatives of the ES (Document Reference 6.2.1.4) has taken into account a full range of considerations including environmental constraints such as ecological sensitivity (especially grasslands), archaeologically sensitive areas, existing land use considerations, the Lincolnshire Wolds Area of Outstanding Natural Beauty and the historic environment, particularly National Trust’s Gunby Hall Estate. Environmental considerations were considered alongside cost considerations such as length of cable route. The consideration of the various factors determined the course of the cable route, which would cause the least harm to the environment overall, despite the known presence of grazing marsh habitats.”*

## **Impacts on existing habitats and on future habitat creation**

- 1.6 The consultation undertaken by the Applicant with the LCGM project (detailed below) has been utilised to inform the mitigation commitments set out in the updated Outline
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Construction Method Statement (Appendix 21 of the Applicant's response to Deadline 4) and the agreed with the LWT and Natural England in Appendix 1 of Appendix 34 of the Applicant's response to Deadline 4.

- 1.7 The Applicant refers the ExA to the SoCG with Natural England (Appendix 18 of the Applicant's response to Deadline 2) which provides agreements reached with Natural England in regards to the impacts on existing habitats and on future habitat creation and agreement with the mitigation measures proposed;

*"It is agreed that grassland fields within the LCGM target areas that have not been identified for specific mitigation can be adequately restored through the general restoration protocols as described in paragraphs 2.50 – 2.53 of the Outline Construction Method Statement (CMS) (Document Reference 8.17)."*

*In relation to LCGM Sites 1 to 7, it is agreed that applied mitigation has been developed through consultation and agreed with the Lincolnshire Wildlife Trust as set out in Appendix 1 of the SoCG with LWT (Appendix 17 of the Applicant's Response to Deadline 2).*

*It is agreed that the specific fields identified in Appendix 1 of the SoCG with LWT (Appendix 17 of the Applicant's Response to Deadline 2) are those within the LCGM project target areas that require specific mitigation.*

*It is agreed that there are no new areas within the LCGM Target Area intersected by the Order Limits, which are currently anticipated to be included within the existing Higher Level Stewardship Agreements or the new Countryside Stewardship scheme and therefore there is no requirement to increase the cable burial depth in the LCGM Target Areas.*

*It is agreed that the proposed development will have no impact on future LCGM habitat creation in line with Appendix C of this SoCG.*

*It is agreed that there is no requirement to increase cable burial depth in LCGM Site B."*

- 1.8 The Applicant also refers the ExA to Appendix 34 of the Applicant's response to Deadline 4 which provides agreements reached with the Lincolnshire Wildlife Trust (LWT) in regards to the impacts on existing habitats and on future habitat creation and agreement with the mitigation measures proposed;

*"It is agreed that suitable mitigation measures can be implemented in grazing marsh habitats along the cable route, during the construction and restoration phases of the project, to reduce the significance of effect on biodiversity to minor adverse.*

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*It is agreed that the mitigation outlined for specific fields within the LCGM project target areas is described appropriately in Appendix 1.*

*It is agreed that all potential impacts, following mitigation, are predicted to be Minor Adverse or below, as summarised in Table 4-33 of Volume 3, Chapter 4 of the ES and are therefore Not Significant.*

*It is acknowledged that LWT would prefer the field at TF 485 628 (known as Field 6) to be crossed trenchlessly, which would ensure impacts on breeding lapwing could be discounted completely.*

*It is agreed that impacts judged to be minor adverse during the construction period, despite the implementation of mitigation, would reduce to negligible or nil following the restoration of habitats. It is noted that the assessment of potential impacts is based on the ecological surveys that have been carried out. Where permission was not granted for survey, pre-construction surveys may highlight habitats of nature conservation importance that meet Local Wildlife Site criteria that would require appropriate mitigation and restoration. It is agreed that the presence of protected species would require appropriate mitigation to ensure legal compliance.*

*It is agreed that the measures shown in Appendix 1 are appropriate to mitigate for impacts on specifically identified fields within the LCGM project target areas following the completion of construction.”*

- 1.9 As set out in paragraph 6.2 of Appendix 34 of the Applicant’s response to Deadline 4;

*“LWT would prefer the field located at TF 485 628 (known as Field 6) to be crossed by trenchless means to avoid impacts on breeding lapwing. It is the position of the Applicant that appropriate mitigation has been provided that will allow for the area to be restored effectively (see Appendix 6 of the Response to Deadline 2), whilst ensuring that the requirements of Section 9 of the Electricity Act (i.e. to ensure all elements of the transmission network are economic and efficient) are met. Field 6 is not designated at an international, national or local level, does not provide a place of shelter for any European Protected Species and has shown evidence of becoming a habitat of conservation interest in the short term (i.e. the field was still in arable production in 2009), therefore it is the Applicant’s view that the engineering and scheduling risks associated with a long trenchless crossing is not warranted. It should be noted however that the agreement reached in paragraph 4.8 notes that the mitigation laid out in Appendix 1 is sufficient to ensure that impacts of the project are no more than “minor adverse” and therefore not significant in EIA terms.”*

## **Lack of consultation with LCGM project and Mr Wardle**

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- 1.10 The Applicant would like to highlight that consultation regarding impacts and mitigation measures in relation to Lincolnshire Coastal Grazing Marsh (LCGM) project target areas has taken place throughout the pre-application and examination phases of the project.
- 1.11 Consultation regarding the LCGM began in 2012 and was largely undertaken with Natural England, the Lincolnshire Wildlife Trust (LWT) and Roger Wardle (an independent consultant who has worked previously on the LCGM project). In total 17 meetings or conference calls were held with these parties in relation to the LCGM. This engagement was covered in brief during the issue specific hearing for onshore construction issues and is set out in full below and in the Lincolnshire Coastal Grazing Marsh Consultation clarification note (Appendix 24 of the Applicants' response to Deadline 3).

Date	Body	Form of consultation	Activity/Summary
July 2012	LWT	Meeting	Onshore and offshore cable route discussion
Dec-2012	LWT	Meeting	Onshore and offshore cable route discussion
15-Jul-2013	NE	Meeting	Scoping report and project update
Dec-2013	LWT	Meeting	Onshore cable route discussion
09-Apr-2014	NE	Meeting	Terrestrial Ecology Meeting
15-May-2014	NE and LWT	Review Panel Meeting	Triton Knoll Evidence Plan kick-off meeting
03-Jul-2014	NE	Telephone conference	EIA Evidence Plan Ecology Review Panel meeting
29-Jul-2014	NE and LWT	Review Panel Meeting	Terrestrial Ecology Review Panel
10-Sep-2014	NE	Meeting	EIA Evidence Plan steering

			group meeting
28-Jan-2015	NE, LWT and Rodger Wardle	Lincolnshire Coastal Grazing Marsh Meeting	Discussion of LCGM cable route construction methodologies
03-Aug-2015	NE	Meeting	Relevant Representation and SoCG
10-Aug-2015	LWT	Meeting	Discussion of LCGM mitigation
23-Sep-2015	NE	Teleconference	Discussion of outstanding matters on SoCG
23-Sep-2015	LWT	Meeting	Discussion of LCGM mitigation and SoCG
22-Oct-2015	NE	Teleconference	Discussion of outstanding matters on SoCG
22-Oct-2015	LWT	Telephone-conference	Discussion of LCGM mitigation and SoCG
12-Oct-2015	RW	Meeting	Discussion of LCGM mitigation (specifically Field 6/Site E)
03-Dec-2015	LWT and RW	Meeting	Discussion of LCGM mitigation (specifically Field 6/Site E)

### **No re-evaluation of route or site meeting following meeting in February 2015**

- 1.12 The Applicant refers the ExA to Point 16.6 on Map 16 of 24 of Figure 6-4 of *the Site Selection and Design Report* (document reference 8.17) which shows how the Applicant has sought to modify the route to reduce the impact of the cable route on Site E/ Field 6 following the various rounds of consultation on the onshore cable route as described in section 6 of the Site Selection and Design Report.
- 1.13 The Applicant also refers the ExA to paragraphs 6.4.19- 6.4.23 of the *Site Selection and Design Report* which sets out the proposed construction methodologies to mitigate the impacts as set out in a consultation document sent to LCGM project partners by

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email including Natural England, LWT and Mr Roger Wardle, following the meeting in January 2015. The Applicant received comments from Natural England and LWT only.

- 1.14 These mitigation measures set out in the consultation were included in the Outline Construction Method Statement (document reference 8.7.1). Since then the Applicant has continued to engage with the LCGM project to reach agreement on construction methodologies and these are set out in Appendix 1 of the Outline Construction Method Statement (Revision C) (Appendix 21 of the Applicant's Response to Deadline 4).

### **Impact of development on Site E/Field 6**

- 1.15 The Applicant committed to the mitigation as set out in Appendix 1 of Appendix 34 of the Applicant's response to Deadline 4 and has agreed with Natural England and LWT that these will minimise any impacts of the proposed development on LCGM sites, including Site E/ Field 6, to minor adverse or below, which is not significant.

#### **Amount of aquatic edge following reinstatement**

- 1.16 The Applicant has committed to reinstate the wetland area to the same location as current, to ensure that the amount of aquatic edge is retained as set out in Appendix 1 of Appendix 34 of the Applicant's response to Deadline 4;

- *“Working width to be narrowed to 40m when crossing the foot drains located within the field;*
- *To reinstate the scrapes/blind ended ditches as currently in place to the current layout. The location, depth and form of scrapes will be accurately plotted via a topographical survey prior to construction beginning within the field to ensure that the current landscape can be restored accurately;*
- *To discharge any water pumped from excavations to scrapes/blind ended ditches should this be determined as a benefit to biodiversity”*

#### **Impact on breeding waders**

- 1.17 The Applicant has made commitments to ensure that the impact of construction on breeding waders is limited as set out in Appendix 1 of Appendix 34 of the Applicant's response to deadline 4;

- *“Use netting or other barrier to screen the working area from surrounding area if required (to be determined by the ECoW);*
- *To schedule the works appropriately to minimise impacts to wintering/breeding birds and to avoid times of inundation. During detailed construction scheduling duct installation will be scheduled to begin within this field between August and October to minimise potential disturbance of breeding lapwing”*

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### **Potential to thrust bore site excluded on cost grounds**

- 1.18 The Applicant acknowledges that LWT and Mr Wardle have expressed a preference for Site E/Field 6 to be crossed using HDD or that the working area is realigned the field boundary (see paragraphs 4.9 of Appendix 34 of the Response to Deadline 4). However, as the impact predicted is Not Significant in EIA terms, the Applicant is of the opinion that the increased engineering and scheduling risks associated with these mitigation measures is not warranted (see paragraphs 6.2 and 6.3 of Appendix 34 of the Response to Deadline 4). It should be noted that mitigation regarding the scheduling of works to avoid impacts on breeding birds has been included within the proposed mitigation, as has a commitment to re-instate the foot drains within the field on the same alignment as currently (see Appendix 1 of Appendix 34 of the Response to Deadline 4).

### **Water retention during construction to ensure majority of water available for the following breeding season**

- 1.19 The Applicant has made several commitments to ensure that water is retained during construction and to ensure water does not migrate out of the site once construction is completed, as set out in Appendix 1 of Appendix 34 of the Applicant's response to Deadline 4;

- *“Drains bordering the field (reference numbers DK\_179, DK\_181 and DK\_183) will be crossed trenchlessly. The trenchless crossing launch and exit pits will be situated at least 10m away from the ditch bank. This will ensure that measures taken by the LCGM project to raise water table levels (e.g. soil compaction of field edges) will not be compromised by the installation of cable ducts;*
- *Trench infill specification to be confirmed as being equally or less permeable than surrounding soils;*
- *Measures to be implemented to ensure that in-filled material does not become a preferential drainage pathway (i.e. clay stanks, geosynthetic clay liners, plugs in duct ends) specified by a drainage engineer at detailed design phase;*
- *Following restoration the re-instated foot drains will be refilled with water to an agreed level. This activity would only be carried out should the relevant authority grant a temporary abstraction licence. The need for this measure would be determined by the ECoW and the Agricultural Liaison Officer in discussion with the landowner”*

- 1.20 The Applicant has also made several other commitments as set out in Appendix 1 of Appendix 34 of the Applicant's response to deadline 4 to minimise any impacts during construction and to promote a quick recovery of the site to its present condition;

- *“Haul road (~340m) to be constructed of temporary panels laid on surface without soil stripping; Soil storage areas to be covered by bog mats or geotextile to retain*

grassland below (i.e. no soil stripping). Soil stripping only to take place in areas in which cables are to be buried;

- To enable remaining grassland to be managed appropriately, livestock will be granted access to cross the Order Limits (through gated access in fences) when it is possible to be safely and carefully managed. Grass sward within the Order Limits will be managed appropriately using mechanical measures (e.g. grass mowing, strimming etc.);
- Following the detailed electrical design identifying joint pit and link box locations, Field 6/Site E will be included within the consideration of secondary constraints to enable, if possible, the avoidance of these structures within the field boundary. This being to reduce the potential for disturbance of breeding birds during routine maintenance inspections;
- Restore the site once cable ducts and cables have been installed (i.e. topsoil reinstated and seeded soon after construction in section is complete. An appropriate seed mix will be used to maintain or enhance current floral composition in discussion with the landowner). If haul road is required at a later date temporary track way to be used”

## **Lack of willingness to accommodate suitable and meaningful mitigation measures for Site E/ Field 6**

- 1.21 The Applicant sets out in its response to Question **E0n 2.5** ExA’s second written questions that;

*“The Applicant held a meeting with the Lincolnshire Wildlife Trust (LWT) and Roger Wardle on 3rd December 2015 to discuss further mitigation measures proposed by TKOWL with regard to Site E/Field 6. Following this meeting the mitigation measures were updated after comments received both during the meeting and from correspondence provided by LWT. In parallel to the development of the mitigation measures the Statement of Common Ground with LWT was also updated to reflect changes in position. LWT and the Applicant agree that the mitigation proposed will ensure that the impacts on the coastal grazing marsh is no more than Minor Adverse and Not Significant in the short term, with impacts becoming negligible in the medium and long term (see paragraphs 4.8 and 4.33 of Appendix 34 of the Response to Deadline 4). It is acknowledged that LWT show a preference for Site E/Field 6 to be crossed using HDD or that the working area is realigned term (see paragraphs 4.9 of Appendix 34 of the Response to Deadline 4), however, as the impact predicted is Not Significant in EIA terms the Applicant is of the opinion that increasing the engineering and scheduling risks associated with these mitigation measures is not warranted (see paragraphs 6.2 and 6.3 of Appendix 34 of the Response to Deadline 4). It should be noted that mitigation regarding the scheduling of works to avoid impacts on breeding*

*birds has been included within the proposed mitigation, as has a commitment to re-instate the foot drains within the field on the same alignment as currently (see Appendix 1 of Appendix 34 of the Response to Deadline 4)."*