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INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010

PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION

TILBURY2

TR030003

WRITTEN SUBMISSION OF CASE ON
ECOLOGY AND HRA ISSUES AT ISH
ON 28TH JUNE 2018

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PORT OF TILBURY LONDON LIMITED – TILBURY2 – DEVELOPMENT CONSENT ORDER APPLICATION

ISSUE SPECIFIC HEARING ON ECOLOGY, HABITATS REGULATIONS ASSESSMENT, AND TRAFFIC AND TRANSPORTATION – 28 JUNE 2018 – WRITTEN SUBMISSION OF CASE ON ECOLOGY AND HRA ISSUES

PINS' ISH Agenda Item/ Issue	Response	Relevant document references
<p>3.2.1 Environmental Mitigation and Compensation Plan (EMCP). With reference to the Applicant's updated version of the EMCP, requested by ExA to be submitted by 20 June 2018 ...</p> <p>i. What are the views of NE, MMO and EA in particular on the updated EMCP?</p> <p><i>Note: since the agendas for the hearings will have been issued before the updated EMCP is received, this question does not apply if it is not received.</i></p>	<p>A revised draft EMCP was submitted to the ExA on 18 June 2018, and subsequently issued direct to NE and Thurrock Council. The key changes since the first draft include details of the off-site brownfield habitat receptor site, which will be located at Mucking Landfill, in a Thames-side location in Thurrock, approx 3.8km from the Tilbury2 site.</p> <p>Richard Turney began proceedings by noting that the EA was now satisfied on the principles of various matters presented in the EMCP (including eels, water vole habitat creation in the green belt, off-site compensation site at Paglesham, and intertidal habitat mitigation) and highlighted that the EA would be able to operate under their protective provisions in agreeing the details of the intertidal habitat mitigation.</p> <p>He then introduced Dominic Woodfield, who set out that he was pleased to receive Natural England's feedback on the proposal for brownfield compensation at Mucking, and was encouraged that the proposals appear to be now entering a phase of constructive dialogue, in pursuit of making the compensation site the best it can possibly be.</p> <p>The Mucking site is currently part of an operational landfill which is in the course of its restoration phase, following which the land will be managed as part of Thurrock Thameside Nature Park (TTNP). A 3-way management agreement (between PoTLL, Enover and TTNP) is being discussed which will cover a 99-year period.</p> <p>The receptor is located immediately adjacent to an existing brownfield compensation site, which was created through partnership between PoTLL and Cory in 2014. The first round of invertebrate monitoring for this site is underway in 2018 and results are</p>	<ul style="list-style-type: none"> ○ PoTLL-T2-EX-113 EMCP for D4.5 [Clean] ○ PoTLL-T2-EX-114 EMCP for D4.5 [Tracked Changes]

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	<p>due later this year but initial findings are very promising. The proposed receptor will have an intimate relationship with this existing site, the two being greater than the sum of their parts, and the staggered successional stage will assist with diversifying conditions and providing donor populations of target species.</p> <p>The EMCP presents an outline of the proposals at this stage as various technical matters are still being worked through and details will be developed further in 'without prejudice' discussions with Natural England. The full details will be presented in a future EMCP revision.</p> <p>The performance of the Mucking site can be assessed by reference to the list of search criteria to inform off-site compensation site selection that were sent to NE on 17 April 2018 and on which they responded on 30 April 2018. The Applicant notes the comments of David Heaver at the ISH which suggested that most of these criteria are fulfilled by the Mucking option. Specifically:</p> <ul style="list-style-type: none"> ○ (Criterion 1): the Mucking site is in Thurrock, and adjoining or in close proximity to the estuary such that they are either known to be or likely to be within the geographical range covered by the same metapopulations of the scarcer invertebrate species. On the latter point, proximity to the LDP compensation site and the staggered age of site creation, increases the chances of colonisation and interrelationship of brownfield invertebrate populations. ○ (Criterion 2): the Mucking site is, subject to finalisation of technical details, able to receive translocated 'Lytag substrates' (being substrates lifted and moved from the representations of OMHPDL at the Tilbury2 site). ○ (Criterion 3): the land identified has a 'low base' in value terms and only low or negligible existing ecological interest will be displaced by the change of land-use. NE's concern about 'piggy-backing' on approved restoration schemes that seek to secure biodiversity enhancement is noted. However the existing TTNP restoration proposals otherwise approach habitat creation in a generic sense, comprising mainly high-fertility grassland. By contrast, the Tilbury2 Mucking proposals represent a significant enhancement over the rather bland grassland 	

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	<p>habitats that are likely to be created under the approved scheme and which feature over much of the TTNP, therefore providing the opportunity to significantly increase diversity and range otherwise not secured or achieved</p> <ul style="list-style-type: none"> ○ (Criterion 4): the Mucking site does not readily meet the criterion of 'Sites with an absence of problem characteristics (such as high fertility soils)' but remedial measures (use of a blinding layer of low fertility substrate to cover the high fertility soils) are proposed to address this and NE commented at the ISH that they welcome this. ○ (Criterion 5): the Mucking site is of sufficient size (10ha) to accommodate all the material likely to be translocated in one location with allowance for complementary habitat creation and/or expansion. ○ (Criterion 6): the Mucking site is able to receive additional materials such as 'fresh' PFA and these will complement the translocated materials and assist with achieving the intended compensation result; ○ (Criterion 7): the Mucking site will have a secure future by way of a 3-way management agreement (between PoTLL, Enover and TTNP) which will cover a 99-year period, and is thus in line with NE's responses to this criterion on 30 April 2018. <p>In response to queries about open mosaic habitat creation being an un-tried and un-tested methodology, Dominic Woodfield noted that whilst there were only limited examples of the intentional brownfield habitat creation, sites with significant brownfield interest occur sufficiently routinely where there has been (serendipitous) anthropogenic intervention/development and then subsequent neglect, to suggest that it must be possible to replicate the mechanisms required to achieve high quality habitat outcomes.</p> <p>Richard Turney also highlighted that the off-site provision is offered alongside an on-site component of open mosaic habitat creation/retention. Dominic Woodfield clarified that 0.3ha open mosaic habitat could be retained on-site <i>in situ</i>, and in</p>	

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	<p>addition to the 10ha open mosaic habitat being delivered off-site at Mucking, it was anticipated that there would also be opportunities to deliver smaller-scale brownfield habitat creation on-site (e.g. on the island within the concentric rings of ditches within the Green Belt land). The Applicant is therefore confident that there will be no net loss in quantum of open mosaic habitat arising from the proposals, with the potential for windfall opportunities to achieve net gain. This will be clearer in future iterations of the EMCP.</p> <p>In response to comments from Jamie Robins (Buglife) about the reliability of the experimental approach, Dominic Woodfield noted that these proposals were being offered in the context of a dwindling resource, both within Thurrock and ultimately within the site itself, the Lytag site now having reached 'peak brownfield' and entering into the next (less diverse) phase of its successional trajectory. By contrast, the compensation site at Mucking would be subject to an agreement which would secure the site's management for 99-years, diversifying the TTNP in terms of both its ecological interest and visitor experience, with the opportunity to create a showcase brownfield invertebrate conservation site.</p>	
<p>3.11.1 Overall, what are NE's views on the conclusions of the HRA Stage 2 Report [REP4-018] that the proposed Tilbury2 project will not adversely affect the integrity of the Thames Estuary and Marshes Special Protection Area (SPA)/Ramsar site, alone or in combination with other plans or projects?</p>	<p>It would appear from Natural England's response to this question at the ISH on 28 June 2018 that there is a single issue still to be resolved before NE are prepared to agree with the conclusions of the HRA Stage 2 report that there will be no adverse effects on the integrity of the Thames Estuary and Marshes SPA and Ramsar Site arising from Tilbury2, alone. This is the question of whether the 300m zone for construction-phase disturbance impacts (lighting, noise, human activity and movement, and combinations of these) is sufficiently precautionary having regard to NE's experience of bird responses to disturbance associated with piling activity at the Goshem's Farm jetty, some 800m downstream of the Tilbury2 jetty.</p> <p>As Para 4.1.3 of the HRA Stage 2 report states: <i>"The 'zone of influence' of disturbance to birds is defined by reference to the maximum response distances of the relevant species, and for noise, by the predicted decibel outputs of the most disturbing activities (i.e. piling) so is 'worst case' in its application"</i>.</p>	<ul style="list-style-type: none"> ○ HRA Stage 2 Report [REP4-018]

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	<p>Dominic Woodfield remarked in response to NE's comments that NE have not responded to the Applicant's request for further quantitative information about the effects NE anecdotally comment on at Goshem's Farm. Specifically, it is not possible for the Applicant to understand whether the piling activity there was different to that proposed at Tilbury2, or how NE arrived at the supposition that disturbance effects were manifested at >300m in that situation.</p> <p>The disturbance distances used in the HRA Stage 2 report are predicated on the maximum decibel outputs from the proposed piling, a worst-case assumption that these will be reached <i>all of the time</i> during the construction phase, and the relative sensitivity for each SPA citation bird species, by reference to information presented within the TIDE toolkit (itself derived from a broad base of academic studies) and as set out at Table 2 of the HRA Stage 2 report. The approach assumes a layered set of worst-case contingencies and is therefore highly conservative and precautionary. The Applicant repeats the commitment to look at any quantitative data from the Goshem's Farm experience and review this precautionary approach, but NE have not provided any such data and at the ISH were only able to draw upon anecdotal and subjective accounts that there was a significant disturbance effect at Goshem's Farm. The Applicant maintains that its approach is highly precautionary and robust in relation to the Tilbury2 proposals.</p> <p>It is accepted that the in-combination assessment is as far as can be determined on the basis of such information as is yet available about TEC and LTC. If a different conclusion arises once details of those projects come forward, due to Tilbury2 being compliant with the Conservation of Habitats and Species Regulations 2017 on its own terms, it will be for the promoters of those projects to address their consequential effects.</p>	
<p>3.11.2 Is NE content with the explanation of zone of influence of disturbance to birds set out in paragraph 4.1.3 of the HRA Stage 2</p>	<p>Para 4.1.3 of the HRA Stage 2 report states: <i>"The 'zone of influence' of disturbance to birds is defined by reference to the maximum response distances of the relevant species, and for noise, by the predicted decibel outputs of the most disturbing activities (i.e. piling) so is 'worst case' in its application. Some of the species using</i></p>	<ul style="list-style-type: none"> ○ HRA Stage 2 Report [REP4-018]

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Report [REP4-018]?	<p><i>the envelope will be more resistant to disturbance than others, by reference to established studies as cited in TIDE, and for these species the envelope of potentially disturbing effects may be smaller than allowed for [i.e. an improved situation than has been assessed]. For all bird species considered, the zone of influence for noise and human bird disturbance is wider than for disturbance from lighting. Thus, the approach taken in this HRA report is 'worst case'.</i></p> <p>Dominic Woodfield's response to this question on behalf of the Applicant is set out under 3.11.1 above.</p>	
<p>3.11.3 Table 3 of the HRA Stage 2 Report [REP4-018] refers to a maximum extent of impacts from air quality changes to be '250m from navigable channel'. Would the Applicant state how this fits with Table 1, which states that the maximum extent of the air quality study areas for ecological receptors is 1km?</p>	<p>This is a matter of clarification. The distances cited relate to the ES (see ES para 18.149 [APP-031]) and to the use of standard methodologies for air quality impact assessment on a very precautionary basis in that. However, these distances for assessment scope are effectively superseded within the HRA by the 'Air Quality Impacts on Designated Ecological Sites' reports, which include detailed modelling over the full extent of the SPA and Ramsar Site (Appendices 6 and 7). The Update HRA Stage 2 Report (to be submitted at Deadline 5) has been revised to clarify this point of detail.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)
<p>3.11.4 The HRA Stage 2 Report [REP4-018] includes as potential impacts in paragraphs 5.1.9 to 5.1.11 the specific amendments raised by NE at Deadline 1, such as invasive non-native species, construction and operational waste and</p>	<p>This is a matter of clarification. The Applicant confirms that construction / operational waste pollutants have been considered within the HRA Stage 2 Report. Because of the inherent overlap for construction / operational waste pollutants with water and/or sediment quality, and with air quality considerations, these potential effects have typically been considered together within the matrices. The inclusion of these matters will be made explicit in the matrices within the Update HRA Stage 2 Report.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p><i>pollutants. However, construction and operational waste pollutants do not appear to have been considered within the screening and integrity matrices in Appendices 5 and 11.</i></p> <p><i>In the light of this, would the Applicant state how construction and operational waste pollutants have been assessed within the HRA Stage 2 Report?</i></p>		
<p>3.11.5 The HRA Stage 2 Report [REP4-018] includes a revised assessment of air quality impacts on designated ecological sites (Appendix 7). This explains that the original assessment (Appendix 6 of the HRA Stage 1 Report [APP-060]) underestimated the concentrations and deposition rates as a result of the model setup. It confirms that the updated numbers, while larger than presented in the 2017 report, are still extremely</p>	<p>It was noted that NE's response at the ISH on 28 June 2018 suggested they were not concerned about air quality impacts from Tilbury2 on the Thames Estuary and Marshes SPA and Ramsar Site.</p> <p>Additional detail will be provided in the updated HRA Stage 2 report to assist in understanding the background to the revised assessment and also why the decision was taken to screen in air quality impacts on the SPA, Ramsar Site and functionally linked habitats on a precautionary basis, and how Appendix 11 footnote (b) presents a detailed interrogation of the available data to reach a conclusion of no adverse effects on integrity.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<i>small and so do not materially change the conclusions of the HRA. Is NE content with the revised air quality assessment?</i>		
3.11.6 Paragraph 8.3.2 [REP4-018] sets out an intention to regularly monitor disturbance during the construction phase through a Bird Monitoring and Action Plan (BMAP). It is noted that this is not required for mitigation nor is relied upon to reach a conclusion of no adverse effect on integrity (AEOI). Does NE agree with this conclusion?	Richard Turney clarified on behalf of the Applicant at the ISH on June 28 2018, that the BMAP submitted at Deadline 5 is not relied upon for mitigation or compensation, nor to reach the no AEOI conclusion in the Stage 2 HRA report. The BMAP can be considered as akin to the type of routine post-construction monitoring for verification purposes that is commonplace with regard to on and off-shore wind farm schemes. It does not engage with the decision making process but is there to provide added comfort to NE and other stakeholders that the ES and HRA conclusions as regards the lack of potential for significant disturbance effects will be validated.	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5) ○ BMAP (Deadline 5)
3.11.7 In Appendix 5 of the HRA Stage 2 Report [REP4-018] in relation to the Ramsar site, it appears there is an error in the use of footnotes (i) and (j): <ul style="list-style-type: none"> • The screening matrix excludes a likely significant effect for 'Damage or loss (non-bird species)' for all features of the site, referring 	<p>This is a matter of clarification: the Applicant confirms that this is a typographical error in the use of footnotes.</p> <ul style="list-style-type: none"> ○ Should footnote (j) apply to 'Damage or loss (non-bird species)' in the screening matrix in Appendix 5 of the HRA Stage 2 Report, and that as a consequence these effects should be screened in? Yes, footnote (j) should apply (the text should read: ✓ j, and not: x i). The Applicant confirms that these matters are screened in. ○ Would the Applicant review the screening matrix in Appendix 5 of the HRA Stage 2 Report and confirm to which elements footnotes (i) and (j) should apply? This reference will be corrected and revised matrices presented in the 	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p><i>to footnote (i) which concludes 'not applicable'. However, the table of potential effects preceding the screening matrices suggests this effect is only applicable to Criterion 2;</i></p> <ul style="list-style-type: none"> <i>• Should footnote (j) apply to 'Damage or loss (non-bird species)' in the screening matrix in Appendix 5 of the HRA Stage 2 Report, and that as a consequence these effects should be screened in?</i> <i>• In Appendix 11 of the HRA Stage 2 Report the potential for 'Damage or loss (non-bird species)' has been screened in to the integrity matrix for all features of the Ramsar site. Would the Applicant review the screening matrix in Appendix 5 of the HRA Stage 2 Report and confirm to which elements footnotes (i) and (j) should apply?</i> 	<p>Update HRA Stage 2 Report to clarify.</p>	
<p>3.11.8 Can the Applicant clarify whether the direct loss of functionally-linked</p>	<p>This is a matter of clarification: Richard Turney confirmed on behalf of the Applicant that consideration of functionally-linked habitat has been captured in the assessment.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report

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<p><i>habitat is screened in for both the SPA and the Ramsar site in Appendix 5 of the HRA Stage 2 Report [REP4-018]? If so, would there be an adverse effect on integrity?</i></p>	<p>This matter is screened in for both the SPA and Ramsar Site on a precautionary basis, and a conclusion of no adverse effect on integrity has been reached. This will be clarified in the Update HRA Stage 2 Report.</p>	<p>(Deadline 5)</p>
<p><i>3.11.9 Footnote (j) of the screening matrices of Appendix 5 of the HRA Stage 2 Report [REP4-018] refers to compensation of Thames Estuary grazing marsh habitats and associated ditch systems. Can the Applicant explain how this is relevant to the direct loss of any functionally-linked land which has previously been stated to comprise intertidal mudflats and saltmarsh?</i></p>	<p>Additional detail will be provided: the HRA Stage 2 report (para 5.2.3) and Appendix 5 footnote (j) will be updated in the Update HRA Stage 2 Report to provide clarity with respect to grazing marsh habitat, to the extent that any functional linkage exists.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)
<p><i>3.11.10 The potential effects table in Appendix 5 of the HRA Stage 2 Report [REP4-018] states that disturbance from shipping to qualifying features within the SPA/Ramsar site will be considered under the headings of 'Disturbance</i></p>	<p>Additional detail will be provided: justification will be provided at footnote (a) in the Update HRA Stage 2 Report, noting that additional shipping movements during construction will be minimal (and in any event lower than those considered for the operational phase under footnote (b)).</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p><i>(within SPA)' and 'Disturbance (within Ramsar site)'. Footnote (a) does not provide any justification for screening out a likely significant effect of disturbance from shipping during construction. Please can the Applicant provide justification for screening out this matter?</i></p>		
<p>3.11.11<i>The potential effects table in Appendix 5 of the HRA Stage 2 Report [REP4-018] states that disturbance from human movement and activity within the SPA/Ramsar site will be considered under the headings of 'Disturbance (within SPA)' and 'Disturbance (within Ramsar site)'. Footnote (b) does not provide any justification for screening out a likely significant effect of disturbance during operation. Please can the Applicant provide justification for screening out this matter?</i></p>	<p>This is a matter of clarification: the inclusion of 'Disturbance (human movement and activity)' under the headings of 'Disturbance (within SPA)' and 'Disturbance (within Ramsar site)' is a typographical error and it should be removed. This matter should not be screened in, and it therefore follows that no justification is required at footnote (b). The Update HRA Stage 2 Report will be revised to clarify this.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p>3.11.12 Footnote (f) of the screening matrices in Appendix 5 of the HRA Stage 2 Report [REP4-018] screens out a likely significant effect to birds outside the SPA/Ramsar site from operational disturbance. However, birds outside the SPA/Ramsar site (ie using functionally-linked land), could potentially be closer to the application site and therefore closer to sources of light, noise, human movement and activity. As such, can the Applicant justify why disturbance from these potential impacts has been screened out?</p>	<p>Additional detail will be provided: Appendix 5 footnote (f) will be updated to detail the justification for screening these potential impacts out. In essence, the envelope of potentially significant disturbance effects during the construction phase is substantially smaller than in the operational phase and it captures far less habitat with a potential functional linkage to the SPA and Ramsar Site. The use of this smaller envelope by bird species integral to those designations is <i>de minimis</i> and therefore there is no credible risk of a significant effect.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)
<p>3.11.13 Footnote (g) of the screening matrices in Appendix 5 of the HRA Stage 2 Report [REP4-018] implies a very low risk to water and/or sediment quality. However, the potential for damage to functionally-linked land has been screened in. It is</p>	<p>This is a matter of clarification: it was not possible on the basis of the conclusions of the technical study to conclude no likely significant effect beyond reasonable scientific doubt, and thus this matter is screened in to the Stage 2 HRA for precautionary reasons.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<i>unclear why this is the case. Can the Applicant please clarify?</i>		
<p>3.11.14 The potential effects table in Appendix 5 of the HRA Stage 2 Report [REP4-018] details the potential effects on Ramsar Criterion 2 plant/invertebrate species to be considered as 'Damage or loss (non-bird Ramsar species)'. As noted above, it is assumed that footnote (j) is applicable to this feature. Footnote (j) does not refer to invasive non-native species, water and sediment quality or sediment circulation and deposition pattern. However, these matters are included in the potential effects table preceding the integrity matrices in Appendix 11 of the HRA Stage 2 Report. Please can the Applicant confirm the basis upon which these matters have been screened in?</p>	<p>This is a matter of clarification: the Applicant can confirm that these matters have been screened in for precautionary reasons and the text of footnote (j) will be updated to reflect this in the Update HRA Stage 2 Report.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)
<p>i. Can the Applicant clarify</p>	<p>This is a matter of clarification: the Applicant confirms that habitat loss for Criterion 2</p>	<ul style="list-style-type: none"> ○ Update Stage 2

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<p><i>whether habitat loss for Criterion 2 species should be screened in?</i> <i>ii. If so, can the Applicant provide a justified conclusion for the Stage 2 assessment?</i></p>	<p>species is screened in to Stage 2 assessment for precautionary reasons, and that a conclusion of no adverse effect on integrity is reached. In the Update HRA Stage 2 Report, text will be added to Appendix 5 footnote (j) to clarify and to Appendix 11 footnote (b) to justify this conclusion.</p>	<p>HRA Report (Deadline 5)</p>
<p>3.11.16 Footnote (k) in Appendix 5 of the HRA Stage 2 Report [REP4-018] identifies a potential likely significant effect for additive risks from invasive non-native species. This does not appear to have been addressed in the integrity matrices in Appendix 11. Can the Applicant confirm whether there would be an AEOI to the SPA/Ramsar site?</p>	<p>This is a matter of clarification: the Applicant confirms that invasive non-native species (INNS) matters were assessed, and that a conclusion of no adverse effect on integrity to the SPA/Ramsar Site is reached. The Update HRA Stage 2 Report will include new text at Appendix 11 footnote (c) to clarify.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)
<p>3.11.17 In relation to habitat damage from air quality impacts, footnote (g) in Appendix 5 of the HRA Stage 2 Report [REP4-018] summarises the air quality assessment and appears to conclude no likely significant effects for habitats within the</p>	<p>Additional detail will be provided: the Applicant confirms that this matter is screened in on a precautionary basis, and Appendix 11 footnote (b) presents a detailed interrogation of the available data to reach a conclusion of no adverse effects on integrity. Points of additional detail will be provided in the Update HRA Stage 2 Report to further support this conclusion.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p><i>SPA/Ramsar site. However, this impact is subsequently screened in to the integrity matrices in Appendix 11 of the HRA Stage 2 Report. No additional information is then provided to support a conclusion of no adverse effect on integrity. Can the Applicant explain why it has therefore been screened in?</i></p>		
<p>3.11.18 The table identifying the potential adverse effects considered within the integrity matrices in Appendix 11 of the HRA Stage 2 Report [REP4-018] identifies noise, lighting, human movement and activity as potential disturbance to bird species using functionally-linked land. Footnote (a) does not explicitly address all of these disturbance effects; rather, conclusions are drawn in relation to 'disturbance' in the round and at a high level with limited technical</p>	<p>Additional detail will be provided: noise impacts are considered to have the potential for the most spatially expansive effects of all these potential sources and therefore the envelope is set by reference to worst case noise impacts (i.e. during piling). Appendix 11 footnote (a) will be updated by the inclusion of new text to clarify the justification given.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p><i>justification.</i> Can the Applicant justify these conclusions for each type of disturbance effect?</p>		
<p>3.11.19 The HRA Stage 2 Report [REP4-018] screening matrices (Appendix 5, footnote (k)) and integrity matrices (Appendix 11, footnote (c)) both include consideration of in-combination effects. However, these are not covered within the tables which precede the matrices. How have in-combination effects have been considered in the potential effects tables in Appendices 5 and 11 of the HRA Stage 2 Report?</p>	<p>This is a matter of clarification: the Applicant confirms that in-combination effects are considered in the assessment as is evident from the screening and integrity matrices. In the Update HRA Stage 2 Report, the Potential Effects tables will be revised to include the list of 'In Combination Effects' and thus make this explicit.</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)
<p>3.11.20 Paragraph 6.2.3 of the HRA Stage 2 Report [REP4-018] suggests that the following potential impacts inter alia from the Tilbury Energy Centre (TEC) may give rise to in-combination effects:</p> <ul style="list-style-type: none"> • potential temporary loss of functionally linked habitat 	<p>In the absence of detailed design information for either LTC or TEC, the extent of temporary losses of functionally linked habitat (paragraph 6.2.9) cannot be properly defined for either project. Likewise, the extent of potential impacts from TEC on functionally linked coastal habitat, including displacement/removal of benthos, release of chemicals and thermal plume (paragraphs 6.2.10) is yet to be fully quantified for TEC. For both the LTC and TEC schemes the extent of any such potential impacts may be reduced via avoidance, minimisation, mitigation and compensation where appropriate. However, until the details of those designs are available, a full assessment of these matters cannot reasonably fall to be undertaken</p>	<ul style="list-style-type: none"> ○ Update Stage 2 HRA Report (Deadline 5)

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<p><i>(paragraph 6.2.9);</i> • impacts on functionally-linked habitat including removal of benthos, release of chemicals and thermal plume (paragraphs 6.2.10). Can the Applicant state whether there would be an adverse effect on integrity (AEOI) resulting from these potential in-combination effects?</p>	<p>by the Applicant for Tilbury2, and must logically fall to the promoters of TEC and LTC.</p> <p>This has lead the Applicant to conclude at para 8.2.1-8.2.2 of the Stage 2 HRA report that there is <u>sufficient certainty on the basis of the available evidence and the reasons given in the report</u> that there will not be adverse effect on integrity (AEOI) resulting from these potential in-combination effects:</p>	