

Thanet District Council

Principal Areas of Disagreement Summary Statement

Table 1 – Outstanding Principal Areas of Disagreement

Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Draft DCO – Part 2 – Limits of Deviation	<p>Article 5(1)(a) indicates that pylons in Kent would be 54m above finished ground level with a vertical limit of deviation of 6m. This takes the height to 60m. The Design and Layout Plans [APP-037] Design Approach Document – Kent [APP-365] and Design Principles – Kent [APP-367] propose standard height pylons in Kent of c. 46m.</p> <p>A vertical limit of deviation of 6m is a significant variation in height from the assessed 46m allowing pylons up to 52m. The ES has currently only assessed the pylons at a height of 46m as set out in the design documents and not a worst case scenario of 52m. This could result in an effect becoming significant and/or more adverse.</p>	<p>Amend the pylon heights in Kent 54m to 46m</p> <p>Confirm the ES has correctly assessed the correct parameters in a worst case-scenario and revise the assessment if not.</p>	High
Draft DCO – Requirement 3	Requirement 3 provides too much flexibility in seeking the details of the layout, scale and external appearance of the above ground elements. The detailed design should accord with the design parameters, Site Location Plan, works plan and design principles rather than just be in general accordance. The requirement should also be clearer in stating that approval from the relevant planning authority is required.	Amend Requirement 3 accordingly.	High
Draft DCO – Requirement 6	There are no standalone management plans that address operational and decommissioning impacts and effects. Some operational mitigation is provided within the construction management plans but this makes it unclear as to how operational and decommissioning	Separate standalone operational and decommissioning management plans should be provided and secured separately in the dDCO.	High

Date: 28/08/2025

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	mitigation is secured and monitored.		
Draft DCO – Requirement 7	<p>7(1) The proposed construction hours are too broad and allows for construction to occur on Saturdays, Sundays and bank holidays between 0700 and 1700.</p> <p>7(4) there is an extensive list of construction activities listed that can occur outside the core construction hours</p> <p>7(5) allows start up and close down activities up to 1 hour either side of the core working hours. These activities can still be noisy and generate a high level of activity within the construction compounds.</p>	<p>Requirement 7 should be amended as follows: 7(1) Prohibit construction on Sunday and Bank Holidays</p> <p>7(4) Justification should be provided to ensure where works are required to be undertaken outside the core construction hours works as the list of exempt works is extensive.</p> <p>7(5) the construction hours should accommodate start up and close down activity which form part of the overall construction works.</p>	High
Draft DCO – Schedule 4	<p>Discharge of Conditions –</p> <p>1.(1) TDC is unable to commit to discharging the Requirements within 35 days particularly given the amount of detail to be included and reviewed as part of a Requirement.</p> <p>2.(2) requires the relevant authority to provide notification with 7 days, this should be ten business days.</p> <p>2.(3) requires the relevant authority to issue a consultation and a notify the undertaker of any further requests as a result of a consultation within 5 days. This should state within five business days.</p>	<p>Schedule 4 Part 1(1) should be amended to state 'within eight weeks'. TDC would be amenable to a entering a PPA to reduce the time period for issuing a decision where possible.</p> <p>2.(2) amend 7 days to ten business days</p> <p>2.(3) amend 5 days to five business days</p>	High
Draft DCO – Order Limits	<p>Order Limits - It is considered that the works plans/parameter plans lack detail of where works will take place and it is therefore difficult to assess the overall impact of the proposed works. In addition, the extent of the works within the order limits is unclear with a lack of clarity as to the type of works that would be carried out within the order limits. Some works plans comprise an extensive list of works varying in type, effect and impact. For example, there are various access points and parts of the order limits</p>	<p>Provide greater clarity in the works plans of what works are expected and where.</p>	Medium

	outside the limits of deviation and it is unclear the extent of works being undertaken here or why it is within the order limits.		
Draft DCO – Construction Compounds	Construction Compounds - The Council considers that the extent and number of construction compounds seems excessive, particularly given the large area of some of the proposed compounds. This raises the question whether more land is included within the order limits than is necessary to deliver the DCO.	Provide justification for the number and size of the construction compounds. Confirm that the extent if the order limits is the minimum area required to construct and operate the proposed development.	Medium
Landscape – Policy SP26	The development would be in direct conflict with Policy SP26 of the Thanet Local Plan (Landscape Character Areas), meaning that the development should only be permitted if it can be demonstrated that the development is essential for the economic or social well-being of the area.	The conflicts with Policy SP26 are unlikely to be overcome as it cannot be demonstrated that they are essential for the economic or social well-being of the area.	Low
Landscape – Viewpoints	TDC notes that a greater number of viewpoints have been determined as experiencing significant adverse effects compared to the Preliminary Environmental Information Report (now includes Viewpoints 3, 4, 5, 6 and 11). Viewpoint 4 is the only one assessed as major adverse whilst the remaining viewpoints (highlighted above) have been assessed as moderate adverse. The Council considers that the sensitivity of some of the viewpoints (specifically those looking across the Minster Marshes) have been undervalued and the adverse visual effects identified would be greater than the assessed level.	The sensitivity of the viewpoints and the overall significance of the effects should be reviewed and reconsidered particularly considered there is an acceptance that landscape and visual impacts cannot be mitigated as set out the NPS’.	Medium
Landscape – Viewpoint 13	Viewpoint 13 does not appear to capture the construction compound to the north which has been added to the proposed development at a later date.	Clarification as to whether the additional construction compound falls within viewpoint 13 and update assessment to include it if not.	High
Landscape – Stour Marshes Landscape Character Area (E1)	The Stour Marshes Landscape Character Area (E1) has been determined as experiencing significant adverse effects during construction and year 1 of operation, however the Council considers that the impact would be significant adverse for the full duration of the project given the location, scale of development (in	The sensitivity of the landscape character and the overall significance of the effects should be reviewed and reconsidered particularly considered there is an acceptance that landscape and visual impacts cannot be mitigated as set out the NPS’.	High

	particular the Converter Station and Substation) and the limitations of the mitigation proposed (as accepted by National Grid).		
Landscape – Landscape Character Areas	In relation to Landscape Character Areas, the Council notes that the Landscape Character Areas: B1 – Wantsum North Slopes, E1 – Stour Marshes, F1 – Pegwell Bay and G1 – Ramsgate and Broadstairs Cliffs have all been assigned a 'high' sensitivity, however Landscape Character Areas F1 and G1 are assessed as 'very high' within Table 1.11 which differs from the assessment outlined within the text of the documents.	The assessment should be reviewed to ensure consistency and correct assessment	Medium
Landscape – Pylons	The scheme will involve the erection of 4no. Pylons within the Thanet District. Whilst the documents confirm that steel lattice pylons with a height of 46.5 metres (standard height) will be used for the connection between the proposed combined Converter Station/Substation and the Richborough to Canterbury 400kV overhead line the Draft DCO states that the pylons in Kent will vary in height with a 6 metre deviation from a starting height of 54m above ground level (Article 5) and as such could potentially have a height of 60 metres. Therefore, it is unclear if the worst case scenario for the pylons (i.e. 60m high) has been assessed within the Landscape and Visual Chapter of the Environmental Statement.	Clarify in the ES, the maximum height parameter for the Pylons in Kent. Ensure the ES has assessed the full worst-case scenario of four pylons at 60m above ground level.	Medium
Landscape – Temporary and permanent Pylons	The pylons will be a new feature within the Thanet District as part of the Project. The installation of up to six temporary pylons or guyed masts would be required to facilitate the connection to the new Substation. The potential overlap of temporary and new permanent towers during the construction phase would result in more towers being present at a given time. It is the Council's view that this will serve to compound the visual harm, albeit temporarily.	Clarify if these has been adequately assessed in the ES where temporary and permanent pylons would be erected and visible concurrently.	High
Landscape – Construction Compounds	There have been a number of temporary construction compounds identified within the Thanet District as the Project has developed. In addition to these the	Ensure the ES adequately assessed the visual impact of the additional construction compounds. Provide justification for the number and extent of the construction compounds and	High

	Examination Documents include a number of construction areas. Having regard to the example design outlined within 2.13 Design and Layout Plans and the infrastructure these areas are likely to accommodate, this element of the proposal would result in an even greater visual impact. In cases where the construction areas are sited a considerable distance from the main buildings (Converter and Substation) such as the construction area proposed towards the Lord of the Manor roundabout, these are likely to have a more significant visual impact still as they will not be viewed in the context of the ongoing construction of the main site.	whether these are expected to be in use at the same time.	
Landscape – Lighting	Lighting during construction and operation has not been fully assessed in terms of the landscape and visual impact and the relevant mitigation secured given the sensitivity of the landscape and visual amenity. Assumptions have been made that lighting will be required as and when required during low levels of light particularly during winter. During the operation lighting will be on 8m columns or mounted on the building at an unspecified height. Whilst manually controlled, the operational working hours are not stated and therefore the lighting could be required overnight and for extended periods. Furthermore, the assessment of lighting excludes any maintenance lighting and the frequency and length of maintenance events is not specified although it is acknowledged that this may be difficult to predict accurately. The Lux levels are also only provided as an average maintained level with no detail of maximum lux levels. Given the high sensitivity of the landscape character lighting and light spill is a major concern.	Maximum parameters for the lighting should be agreed. Provide justification for 8m tall lighting columns and confirm a maximum height for lighting to be installed on the building.	Medium
Landscape – overall impact	It is the view of the Council that the cumulative effect of all elements of the project such as the proposed Converter Station, Substation, associated structures, compounds, roads and parking areas would result in	This is a matter for the ExA to consider in their assessment.	Low

	significant harm to the intrinsic character of the immediate and surrounding landscape to the detriment of visual amenity for a variety of users over the entire course of the Project. This impact cannot be mitigated by additional planting which can only have a limited effect on a 28m tall building.		
Landscape – Design clarity	The Council is concerned that the visual impact of the development is unclear due to the flexibility built into the Design Principles document and the limits of deviation in the DCO. Given the selection of Siemens Energy as the preferred bidder for the converter stations, more information to narrow the option for the design of the various structures should be provided for assessment. The Design Principles document is also vague in securing the extent of information to be provided to discharge the requirement, outlining how various document/studies “could” be provided within the “potential associated activities”, with some indicated that they will not occur (3.3.2), which does not provide sufficient clarity on whether the information will be provided to justify the unknown design or activities will be undertaken.	Update the Design Principles document to confirm plans/statements/activities to be undertaken and submitted given the preferred bidder (or anticipated operator requirements), taking into account the requirements of the structures to accord with safety and operational issues	High
Ecology	The Council has significant concern in relation to the impact the Project will have on the habitat of protected and notable species which, it appears, will result in significant harm to ecology at the local level. These concerns include: construction timing, tunnelling and potential habitat destruction, habitat loss, noise pollution, light pollution, bird strikes and infrastructure hazards, carbon footprint and flood risks, inadequate mitigation measures, water runoff and pollution, seal population disturbance.	The Council will defer to Kent County Council and other statutory bodies with regard to ecology matters. However, TDC notes the relevant representation of Kent Wildlife Trust and is awaiting National Grid’s response to the following suggestions: <ol style="list-style-type: none"> 1. Reassess landfall location to avoid Minster Marshes entirely. 2. Enforce seasonal work bans (March–August and September–March for birds, November–February for seals). 3. Legally prohibit fallback trenching in protected areas. 4. Reduce infrastructure footprint and underground cables near sensitive habitats. 5. Mandate bird diverters and real-time monitoring. 6. Apply low-carbon construction methods and offset 	Medium

		<p>emissions locally.</p> <ol style="list-style-type: none"> 7. Secure legally binding habitat restoration targets. 8. Conduct robust flood modelling and install on-site SUDS. 9. Implement water pollution controls with maintenance schedules. 10. Establish marine mammal protection protocols. 	
Agriculture and Soils – Loss of BMV Land	The cumulative impact of buildings (Converter Station and Substation), areas for parking and access roads, would result in a large scale loss of BMV land. The Applicant accepts there is the permanent loss of BMV land and temporary impacts to soil function and disruption to soil ecosystem services during construction is a significant residual effect with no further mitigation available.	No remedy available, this is a matter for the ExA to consider in their assessment.	Low
Agriculture and Soils – separation of land	There is concern that the land required for the proposed highway access during the construction period (and in turn a permanent access for the operational period of the project) has the potential to impact on agricultural holdings as a result of land separation meaning it would not be viable or practical to return the land to agricultural use.	Provide certainty that the land to be returned to agricultural use once operational will remain viable and practical for agricultural use.	Medium
Agriculture and Soils – Decommissioning – soils	The permanent reinstatement of BMV land after decommissioning will result in a likely significant beneficial effect assuming it is reinstated at an improved quality. It is noted that elements of the proposed development will be decommissioned, for example the proposed temporary roads and compounds, however there are no plans to decommission the Project as it is expected the 40 year life span can be extended through maintenance and refurbishment. As such there will be a permanent loss of BMV land within the District. It is not clear as to whether soils can be adequately maintained and enhanced in condition prior to re-instatement for such extended periods of time.	Can clarification be provided on potential effects on soils and BMV land in the event that the site is not decommissioned.	Medium

Agriculture and Soils - Decommissioning - ALC	The ES identifies that following decommissioning the land would be returned to its pre-decommissioning ALC grade which is assumed to mean the ALC grade prior to the development. In addition, Chapter 4 states that the accesses road is to be left in situ. This then found to be a moderate to major beneficial effect that is significant. However, this does not represent a beneficial effect as with or without the development the ALC grading remains the same but the land is unable to be used for agriculture. Therefore, the effect is negligible.	The assessment of decommissioning effects should be reconsidered	Medium
Coastal Impacts	The Council is opposed to the use of the mudflats via the Hoverport with the potential impact on protected species and qualifying features of the designated sites.	Further engagement with Natural England and KCC Ecology is required to assess the extent of the impact on the Coastal habitat.	High
Land Ownership	The Council notes the rights sought by National Grid for the compulsory acquisition of rights over Council owned land. This is subject to separate discussion with the Council's Assets Team and National Grid. We note that the Book of Reference does not outline the compulsory acquisition of any land of the District Council outright.	Further engagement with Thanet District Council is required and the Book of Reference must be updated	Medium
Traffic and Transport - Impact	The Council considers that given the number and type of vehicle movements and hours of use, traffic associated with construction is likely to have a significant impact on the local highway network.	The Council defer to the Local Highway authority on this issue as to whether the Outline Construction Traffic Management and Travel Plan – Kent is sufficient to manage the increased vehicle movements.	Medium
Traffic and Transport - Access	Significant concern is raised with any construction access via Minster and Marsh Farm Road and Ebbsfleet Lane North, even as a secondary means of access, as these roads are not suitable for construction access. The is opportunity to route construction vehicles through the order limits from the A256.	All HGV vehicles and other construction vehicles should be routed within the order limits via the main access (K-BM02) from the A256.	Medium
Socio-economics, Recreation and Tourism – Construction Traffic	Thanet is a seaside/coastal area which relies heavily on tourism and recreation with the summer months providing much of the trade for these businesses in addition to weekend and Bank Holiday trade. The applicant proposes construction hours every day of the week with a limit of 30 HGVs on Sundays and Bank	The ES must consider the impacts on the road network beyond the standard peak hours due to the Thanet economy being heavily reliant on tourism in which significant traffic will occur on Sundays and Bank Holidays. Requirement 7 should be amended as follows:	High

	Holidays. Whilst the Traffic and Transport Chapter of the Environmental Statement states that it is not anticipated that the Proposed Project would have any traffic and transport impacts on Sundays/Bank Holidays (with the restrictions identified in the Outline CTMTP - Kent). There has been no assessment of the impact of construction during Sundays and Bank Holidays.	<p>7(1) Prohibit construction on Sunday and Bank Holidays</p> <p>7(4) Justification should be provided to ensure where works are required to be undertaken outside the core construction hours works as the list of exempt works is extensive.</p> <p>7(5) the construction hours should accommodate start up and close down activity which form part of the overall construction works.</p>	
Socio-economics, Recreation and Tourism – Construction Impacts	The Council has significant concerns with regards to the negative impact construction and associated traffic will have on both residents and visitors which will in turn discourage people from visiting the District. Thanet also hosts a number of events throughout the year with many taking place over the summer months.	<p>The ES should include assessment of the impacts of the proposed development on events, tourism and visitor attractions within the District that will be negatively affected by the proposed development during construction and beyond.</p> <p>Requirement 7 should be amended as follows:</p> <p>7(1) Prohibit construction on Sunday and Bank Holidays</p> <p>7(4) Justification should be provided to ensure where works are required to be undertaken outside the core construction hours works as the list of exempt works is extensive.</p> <p>7(5) the construction hours should accommodate start up and close down activity which form part of the overall construction works.</p>	High
Socio-economics, Recreation and Tourism – PRow, coastal paths and recreation	The Council has concerns that the construction period of the Project which would result in disruption, noise and visual impacts to the PRow network and coastal paths is likely to impact on tourism and the enjoyment of this area for recreation. There is also a concern that due to the length of the construction period opportunities for exercise and use of these routes for leisure would be affected leading to avoidance which has the potential to negatively impact use of these routes in the longer term. There is no assessment of the cumulative effect of the disruption to the PRow network with multiple routes being affected.	<p>A holistic assessment of the PRow network is required to understand the impact to the PRow network itself rather than just the assessment of the effect on individual routes which, when taken in isolation, are unlikely to result in a significant effect.</p> <p>The Council defers to the Local Highway Authority in relation to the provisions within the Outline Public Rights of Way Management Plan – Kent and whether these are sufficient in mitigating any identified impact</p>	High

Socio-economics, Recreation and Tourism - PRoW, coastal paths and recreation	The ES does not consider the impact of the disruption to multiple PRoWs and other routes which serves to discourage the use of the area for recreation and tourism in the long term and affects the sense of place. In addition, consideration should be given to the introduction of significant energy infrastructure to the local area which will generate negative perception of the local area being a suitable for recreation and tourism.	The ES should include an assessment of the sense of place and the impact on the attractiveness for the area to be used for recreation and tourism and the potential for long term negative perceptions of the area.	High
Socio-economics, Recreation and Tourism - Construction impacts	The Council considers that the proposed working hours to include Sundays and Bank Holidays has the potential to impact on the enjoyment of the PRoW, recreation routes and spaces in the vicinity of the application site. This is due to Sundays and Bank Holidays being the most likely times when local residents and visitors to the District would enjoy recreation in this area. Therefore, this would have a significant effect on receptors and as such construction work on Sundays and Bank Holidays is not considered acceptable by the Council.	The ES must demonstrate a holistic assessment of the impacts across the whole week including on Sundays and Bank Holidays. Requirement 7 should be amended as follows: 7(1) Prohibit construction on Sunday and Bank Holidays 7(4) Justification should be provided to ensure where works are required to be undertaken outside the core construction hours works as the list of exempt works is extensive. 7(5) the construction hours should accommodate start up and close down activity which form part of the overall construction works.	High
Climate Change	Whilst it is understood that the Proposed Project is part of UK policy to decarbonise the electricity grid and transition to net zero by 2050, concerns are raised about the levels of embodied carbon which would associated with the construction of the Project. The Council has committed to work towards carbon neutrality by 2030 within our published Net Zero Strategy, with the aim of net-zero on Thanet wide emissions by 2050. The Proposed Project would have the potential to affect the Council's ability to meet this target and the implications of the construction project on district-wide targets should be fully appraised.	Provide further information about the anticipated embodied carbon from the project (utilising NG monitoring from recent converter stations), with further detail about the use of materials with a low embodied carbon, including low-carbon concrete and steel as per the Register of Environmental Actions and Commitments. Update the Outline Onshore Construction Environmental Management Plan about how the actions in the REAC will occur and will be monitored throughout the project. Provide analysis of the anticipated impact on local climate change targets from the proposed development with the proposed development.	High
Cumulative Impacts - Construction	The Council considers that the assessment in relation to cumulative effects has not given sufficient weight to the impact of the construction period of Manston	The Applicant must reconsider the assessment of cumulative effects.	High

	Airport DCO, in close proximity to the north, coinciding with the construction period for the Project alongside a number of other developments within the District.		
Cumulative Impacts - Operation	Concerns are raised regarding the cumulative impact of energy projects in this location and the potential need for further expansion within and potentially beyond the Draft Order Limits to satisfy future energy infrastructure demands. The proposed development may lead to a precedent that this area is acceptable for energy infrastructure and other similar development.	No remedy available, this is a matter for the ExA to consider in their assessment.	Low
Other Matters - Statement of Common Ground	The Applicant has submitted a Statement of Common Ground based on pre-application engagement with the Council. However, the Council has not viewed the SoCG or had the opportunity comment or respond to the contents of the SoCG prior to its submission. Therefore, the status and contents of the SoCG is unverified and does not represent the Councils current position regard the Proposed Development.	The Applicant needs to provide a word version of the SoCG for the Council to review.	High
Other Matters - Decommissioning	The definition of decommissioning is unclear. The assumption is that decommissioning would have no greater impact than construction, however, Chapter 4 of the Environmental Statement confirms that the permanent access road would be left in-situ and above ground features would be removed to a sufficient depth to allow other practices/construction to occur unhindered. This would result in permanent effects/impacts that have not been assessed as part of the construction phase and therefore the effects of decommissioning need to be assessed particularly where elements of the proposed development are to be left on or in the ground. Consequently, an Outline Decommissioning Environmental Management Plan should be submitted to secure the relevant mitigation. If the Project is not decommissioned, the impacts of the maintenance and refurbishment of the proposed	Define decommissioning. Reassess the potential effects of decommissioning where these differ from the construction effects, including a scenario of no decommissioning. Submit an Outline Decommissioning Environmental Management Plan.	Medium

	development is not clear as to the extent of the works required to enable the lifespan of the proposed development to be extended.		
Other Matters – Operational Mitigation	The operational mitigation is proposed to be secured through the Construction Environmental Management Plans. The Council is of the view that any operational mitigation should be secured through an Operational Environmental Management Plan to provide clarity on the mitigation for the temporary and permanent effects as well as for ease of monitoring.	Submit standalone Operational Environmental Management Plans.	High
Other Matters – Community Benefit	The application does not appear to identify any provision of community funds to be made available by National Grid through the NSIP process (including requirements in the DCO securing the process outlined in “Community funds for transmission infrastructure” (Department for Energy Security & Net Zero, April 2025).	The application does not appear to identify any provision of community funds to be made available by National Grid through the NSIP process (including requirements in the DCO securing the process outlined in “Community funds for transmission infrastructure” (Department for Energy Security & Net Zero, April 2025).	High

Table 2 – Resolved Principal Areas of Disagreement

Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution