

## Thanet District Council

### Principal Areas of Disagreement Summary Statement – Deadline 5 Update

**Table 1 – Outstanding Principal Areas of Disagreement**

Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
<p><b>Draft DCO – Requirement 3</b></p>	<p>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.</p> <p>TDC acknowledges the amended wording of Requirement 3 but requests that reference to 'general accordance' is replaced with 'accordance' as the Key Design Principles already contain embedded flexibility.</p> <p>TDC welcomes the revised wording to Requirement 3 to include the substation and require details to be submitted for approval of the detailed design of the converter and substation.</p> <p>However, the wording of Requirement remains incomplete and limits the ability for the TDC to control the full design of the converter and substation and to ensure the development is built fully within the defined design parameters and design principles.</p> <p>The current wording only restricts some details of the permanent buildings to be approved by TDC which excludes many elements of the converter and substation. Whilst it is acknowledged that some elements of the converter and substation have limited design flexibility due to functionality</p>	<p>Requirement 3 detailed design must be reworded to enable the LPA control over the whole design of the operational elements of the Proposed Development beyond just limited elements of permanent buildings.</p> <p>The Applicant should consider acceptance of the proposed wording set out in response to Issue Specific Hearing 2 (ISH2) action points [REP4-162].</p>	<p>High</p>

	<p>and technical aspects, however, there remains some flexibility and a need to control the detailed designs of the whole converter and substation.</p> <p>Furthermore, the Design Principles document commits to exploring more design elements beyond just permanent buildings and those listed in Requirement 3 and does not capture all works set out in the works plan 9B and 11 such as fencing and hardstanding which is not a permanent building.</p> <p>For example, design principle N.2 makes provision for potential for planting within the converter station compound and N.3 makes provision for Potential for blue roofs as part of a SuDS strategy but Requirement 3 does not allow these details to be reviewed or approved by the LPA</p> <p>In addition, the form and style of the buildings is excluded from Requirement 3.</p> <p>Based on the Design Approach Document – Kent [REP1A-031] there are four distinct approaches to how the converter and substation could be delivered in accordance with the design principles which goes beyond. The revised wording would only allow TDC to control the external colour, surface finishes, layout, scale and operational lighting of just permanent buildings with no control over the final design approach taken by the Applicant.</p> <p>TDC provided alternative wording for Requirement 3 in the response to Issue Specific Hearing 2 (ISH2) action points [REP4-162].</p>		
<b>Draft DCO – Requirement 6</b>	There are no standalone management plans that address operational impacts and effects. Currently much of the operational mitigation is provided within the construction management plans but this makes it unclear as to how operational mitigation is secured and monitored.	Separate standalone operational and decommissioning management plans should be provided and secured separately in the dDCO.	Low
<b>Draft DCO –</b>	The commitment to no construction works occurring on Bank	Requirement 7 should be worded to prohibit all	High

Requirement 7	<p>Holidays and preceding Saturday and Sundays for the defined Bank Holiday Mondays is welcomed. However, the commitment appears to be superficial in having no real effect with no working on Bank Holidays (and preceding Saturday and Sunday) for operations associated with works No. 9B and 11 (converter and substation).</p> <p>Requirement 7 then includes a long list of works and caveats where these restrictions do not apply.</p> <p>TDC maintains that there should be no construction works at all on Sundays and Bank Holidays for all work no.s and not just the converter and substation unless otherwise approved by the relevant planning authority.</p> <p>It is acknowledged that there may be exemptions but the current list in Requirement 7(4) is too broad.</p> <p>The addition of no HGV deliveries on Sundays is welcomed.</p>	construction work on Sundays and Bank Holidays.	
<b>Draft DCO</b> – 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 within 7 days, this should be ten business days.</p> <p>2.(3) requires the relevant authority to issue a consultation and to 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’ or ‘56 days’. TDC would be amenable to entering into a PPA to reduce the time period for issuing a decision, where possible. Currently TDC would find it difficult to achieve a determination within 35 days and therefore it risks key details of the DCO being granted deemed consent with little or no control from the LPA.</p> <p>2.(2) amend 7 days to ten business days.</p> <p>2.(3) amend 5 days to five business days.</p>	Medium
<b>Landscape</b> – Policy SP26	The development would be in direct conflict with Policy SP26 of the Thanet Local Plan (Landscape Character Areas),	The conflicts with Policy SP26 are unlikely to be overcome as it cannot be demonstrated that they are essential for	Low

	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 economic or social well-being of the area.	
<b>Landscape – Viewpoints</b>	<p>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.</p> <p>The magnitude of effect on viewpoint 4 is identified as very large whereas the magnitude of effect on viewpoints 3, 5, 6 and 11 is identified as medium. However, given the context of these views which primarily provide expansion views across the Stour Marshes looking down on to the site which give the impression of tranquillity and remoteness, the introduction of built form within these viewpoints will substantially change this interpretation and appreciation of the viewpoints.</p> <p>Whilst it is noted these viewpoints are at an increased distance than viewpoint 4 the wide, expansive and open views across the valley make these views more susceptible to change.</p> <p>It is acknowledged that [REP4-086] the Applicant has found that additional landscape planting and mitigation is not possible because the wider marshland area is characterised by being less vegetated and more open. This would indicate that the introduction of the converter station and substation would have a significant impact on the marshland and its openness and therefore views across the marshland which are characterised by openness, limited vegetation and no built form.</p>	<p>The assessment of the effects should be reviewed and reconsidered particularly as there is an acceptance that landscape and visual impacts cannot be mitigated as set out by the NPS’.</p> <p>Based on discussions to date, there is a clear disagreement between TDC and the Applicant on the impact on these viewpoints notwithstanding the impacts are significant in both cases.</p>	Medium

	<p>The methodology limits the ability for context to be considered where only views of the proposed development in the foreground can have a magnitude of large or very large.</p> <p>Notwithstanding this, the EIA matrix shown in Plate 5.2 of 6.2.1.5 Part 1 Introduction Chapter 5 EIA Approach and Methodology [APP-046] confirms that receptors of high sensitivity that experience a medium magnitude of effect can result in major adverse effects on this receptor.</p> <p>Therefore, TDC confirms that viewpoints 3, 5, 6 and 11 should be assessed as experiencing a major adverse effect at year 15.</p>		
<p><b>Landscape –</b> Stour Marshes Landscape Character Area (E1)</p>	<p>The Stour Marshes Landscape Character Area (E1) has been determined as experiencing moderate (significant) adverse effects during construction and year 1 of operation, however the Council considers that the impact would be a major (significant) adverse effect for the full duration of the project given the location, scale of development (in particular the Converter Station and Substation) and the limitations of the landscape mitigation proposed (as accepted by National Grid).</p> <p>E1 is a low-lying, vast flat open landscape on the Thanet Sands. It historically represents a former sea channel, the Wantsum Channel.</p> <p>As a marsh, there are wide views and vistas across the landscape both looking into and out of the character area. The open character allows for long uninterrupted views across the marshes with big skies which continue southwards into the corresponding marshes within Canterbury and Dover Districts. It is largely undeveloped with settlements located along the former channel sides that would have originally been port villages. Tree cover is generally restricted to field boundaries and a number of small copse.</p>	<p>The sensitivity of the landscape character and the overall significance of the effects should be reviewed and reconsidered, particularly considering there is an acceptance that landscape and visual impacts cannot be mitigated as set out by the NPS’.</p>	<p>High</p>

	<p>The proposed development will introduce significantly tall infrastructure that would be seen throughout much of the local area well beyond the site. The existing energy and infrastructure development to the south of the site is generally lower in scale and mass which has a lesser impact on wider landscape character and visual amenity compared to the converter, substation and pylons.</p> <p>There is clearly at least a large alteration to the landscape that is a distinct departure from the defined characteristic of the landscape (E1 – Stour Marshes) resulting in a permanent long-term change. Therefore, it must be considered a major adverse effect that is significant.</p>		
<b>Landscape – Lighting</b>	<p>Requirement 3 only secures the details of operational lighting for the permanent buildings and not the whole operational development such as the access road, and non-buildings.</p> <p>A full operation lighting scheme/plan must be submitted to TDC for approval either as a standalone plan or within an appropriate existing plan.</p>	<p>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.</p>	Medium
<b>Landscape – overall impact</b>	<p>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 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.</p>	<p>This is a matter for the ExA to consider in their assessment.</p>	Low
<b>Landscape – Design clarity</b>	<p>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</p>	<p>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</p>	High

	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.	requirements of the structures to accord with safety and operational issues.	
<b>Ecology</b>	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.	Medium
<b>Agriculture and Soils – Loss of BMV Land</b>	The cumulative impact of buildings (Converter Station and Substation), areas for parking and access roads, would result in 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
<b>Agriculture and Soils - Decommissioning - ALC</b>	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 access road is to be left in situ. This is 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
<b>Coastal Impacts</b>	The Council is opposed to the use of the mudflats and the	Further engagement with Natural England and KCC	Medium

- Hoverport	<p>Hoverport with the potential impact on protected species and qualifying features of the designated sites.</p> <p>TDC would like to clarify that the potential instability of the hoverport has the potential to have an adverse effect on ecology (reptiles). This structural instability could lead to further degradation and there is a risk of contamination leaching into the environment through the hoverport.</p>	Ecology is required to assess the extent of the impact on the Coastal habitat.	
<b>Land Ownership</b>	<p>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.</p> <p>We note that the Book of Reference does not outline the compulsory acquisition of any land of the District Council outright.</p>	Further engagement with Thanet District Council is required and the Book of Reference must be updated.	Medium
<b>Traffic and Transport - Impact</b>	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 defers 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
<b>Traffic and Transport - Access</b>	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. There is an 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
<b>Socio-economics , Recreation and Tourism – Construction Impacts – attractiveness for tourism and recreation</b>	<p>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> <p>Further to this, there is a wider perception issue that could occur from a prolonged construction period where the construction activities could result in a negative perception of Thanet as being a destination for tourists.</p>	<p>Whilst the Applicant is undertaking further work, it is unlikely that a remedy is available. This is a matter for the ExA to consider in their assessment.</p> <p>The ES should include an assessment of the sense of place. the impact on the attractiveness of the area to be used for recreation and tourism and the potential for long term negative perceptions of the area.</p>	Low

	This includes disruption, noise and visual impacts to the PRow network and coast, impacting potential tourism and the enjoyment of this area for recreation. There is also a concern that due to the length of the construction period it will serve to discourage the use of the area for recreation and tourism in the long term and affect the sense of place.		
<b>Socio-economics , Recreation and Tourism – Construction Impacts - accommodation</b>	The tourism capacity analysis from the Applicant lacks the detail to sufficiently inform the potential impact of the proposed development as it did not include the type or cost of rooms available for potential construction workers.	Further detailed analysis and surveying is required.	High
<b>Socio-economics , Recreation and Tourism – Operational impacts</b>	The introduction of significant energy infrastructure to the local area will generate a negative perception of the local area as being suitable for recreation and tourism. It will significantly change the perception of the area from one that is tranquil and remote to an area that is industrial and thus less attractive for visitors and users of the PRow.	No remedy available, this is a matter for the ExA to consider in their assessment.	Low
<b>Climate Change</b>	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 be 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 (REAC). 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.	High
<b>Cumulative Impacts – Construction (inter project effects)</b>	There are significant concerns regarding the list of cumulative sites which omits a number of sites that TDC consider should be included particularly in regard to the traffic and transport impacts on the A229. It is understood the Applicant is reviewing this information in light of our comments in the Statement of Common Ground.	The Applicant must reconsider the assessment of cumulative effects.	High

<b>Cumulative Impacts – Construction</b> (intra project effects)	Concern is raised that the Applicant is unable to understand and identify a level of impact assessment to an effect and therefore it is unclear as to how they have determined whether or not an effect is significant and whether this is a negligible, slight, minor or major adverse effect. Consequently, an effect may not be considered significant by the Applicant when it is. Further to discussion at ISH2, TDC would like to seek clarification as to whether a robust and appropriate cumulative assessment has been undertaken.	The Applicant must reconsider the assessment of cumulative effects and provide further detail on the assessment.	Medium
<b>Cumulative Impacts - Operation</b>	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
<b>Other Matters - Decommissioning</b>	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 development are not clear as to the extent of the works required to enable the lifespan of the proposed development to be extended.	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
<b>Other Matters – Community Benefit</b>	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	Applicant to engage with TDC and the local community to identify appropriate projects and secure community funds.	High

	transmission infrastructure" (Department for Energy Security & Net Zero, April 2025).		
<b>Other Matters</b> -Skills and Employment Plan	TDC would welcome a skills and employment plan but request the inclusion of a local education strategy and engagement with local education providers. It would be a good opportunity to capture these potential benefits and the site would provide considerable educational opportunities beyond the employment elements. TDC would welcome the Applicant considering the inclusion of a local education strategy.	Applicant to provide an outline Skills and Employment Plan and/or secure a commitment to submit a Skills and Employment Plan.	High