

Dover District Council Principal Areas of Disagreement to the Sea Link Project

This statement has been prepared by Dover District Council ("the Council"). The Sea Link Project application was submitted to the Planning Inspectorate by National Grid Electricity Transmission (NGET) on 27 March 2025 and accepted for examination on 23 April 2025. The Council is one of the local authorities identified by Section 43(2) of the Planning Act 2008 and in response to the Examining Authority's Letter (89(3) dated Tuesday 8 July 2025) to the Applicant and Host Authorities, Marine Management Organisation and Environment Agency, the Council has prepared this Principal Areas of Disagreement Summary Statement (PADSS). This statement identifies the initial principal areas of disagreement and is provided only as a summary position at this pre-examination stage.

In considering the likelihood of concern being addressed during the Examination, the Council has assessed this based on the following terms:

Likely - Where agreement is considered possible, or a relatively simple change is required.

Uncertain - Where an issue is being/will be discussed and the Council intends to provide an update on the position in due course.

Unlikely - Where agreement on an issue is unlikely, or it is difficult to see what a solution could be.

Outstanding Principal Areas of Disagreement				
Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
BNG1	Biodiversity Net Gain (BNG)	BNG assessment indicates 0.485ha of coastal and floodplain grazing marsh (CFGF) (9.6 units) will be permanently lost as a result of the bases of the overhead line pylons which does not appear to be fully compensated for in the BNG habitat creation proposals and it is not clear how this aligns to the mitigation proposals in the environmental statement (ES) for impacts to the local wildlife site and CFGF priority habitat.	Provide further information on how the loss of these units will be compensated.	Likely
BNG2	BNG	BNG feasibility report is not complete, with no plans included in the appendices, no details of the habitat condition assessments	NGET to provide further information on BNG	Likely

		<p>(baseline or proposed) and no biodiversity metric submitted.</p> <p>BNG feasibility report states the biodiversity metric trading rules have not been accounted for due to the potential for constraints to delivery of the BNG requirement.</p> <p>Whilst BNG is not mandatory for NSIPs, NGET has committed to delivering 10% BNG. The TCPA framework for BNG has been applied in calculations and it seems appropriate to adhere to these provisions; submission of the biodiversity metric would allow scrutiny of any deviation from the trading rules, with any deviations subject to commentary and justification by NGET, ensuring clarity and full disclosure for habitats created/enhanced to ensure the project does not result in a loss of biodiversity units and will achieve the intended 10% net gain.</p>		
BNG3	BNG	Extensive use of tables in the submission to present BNG data is very difficult to interrogate, the biodiversity metric and clear mapping of habitats should be sought.	NGET could provide information in the form of the biodiversity metric and maps of habitats.	Likely
BNG4	BNG	In the absence of appendices in the submission, it is not clear which habitat areas have been included in the baseline or post-development BNG assessment.	NGET to provide map of habitat areas included in baseline and post-development BNG assessment.	Likely

BNG5	BNG	The submission concludes the proposal will result in a net loss of all three biodiversity metric modules (area, hedgerow and watercourse units) for the Kent site. When summed with the Suffolk BNG assessment, the project will result in a net loss of area and watercourse units, with a small net increase in hedgerow units. Units are required for all three modules to reach the target 10% net gain across the whole project. Proposal indicates off-site units would be secured in accordance with NGET's stated approach. The approach does not include an undertaking to ensure delivery of these off-site units close to the project location(s).	NGET to provide clarification on how the off-site units will be delivered close to the project location.	Likely
BNG6	BNG	There is no embedded provision to ensure the local planning authority is funded to undertake any necessary monitoring of the delivery of the approved scheme	NGET to provide clarification on how this would be addressed.	Likely
ECO1	Ecology	It is not adequately demonstrated in the submission how the enhancement proposal contributes to the local wildlife site (LWS) designation. The River Stour forms the northern boundary of the Ash Level and South Richborough Pasture LWS but the designation relates primarily to the botanically species-rich ditches and their marginal vegetation. The outline landscape	Provide further information on how the enhancements proposed would contribute to LWS designation.	Likely

		and ecology management plan (OLEMP) describes the proposed scrapes as enhancements to the River Stour corridor. On the south side of the River Stour, this could also enhance the LWS though as this area appears to already comprise CFGM damp ground and scrapes, alternative locations for enhancement within the LWS would be more beneficial to LWS biodiversity.		
ECO2	Ecology	ES states the invasive non-native water fern (<i>Azolla filiculoides</i>) has been recorded in the ditches on the site but it is not clear whether this relates to ditches in the Ash Level and South Richborough Pasture Local Wildlife Site as these do not appear to have been subject to the aquatic macrophyte survey	Clarification needed	Likely
ECO3	Ecology	No long-term management of the scrapes is proposed in the OLEMP though annual checks of the planting is proposed for the first five years. No assurance that the scrape features will be retained is provided in the submission. Given the conclusion that these are necessary to mitigate for impacts to the local wildlife site, provision for monitoring of these habitat features will be necessary and should be secured along with any necessary remedial management measures.	Submission of measures to secure retention and long-term management of scrapes beyond the first five years and details of remedial management measures which may be required, including who would be responsible for implementing these and monitoring the scrapes.	Uncertain

ECO4	Ecology	With reference to the compensation land proposed for the loss of functionally linked land, the ES should take into account the viability and likelihood of compliance with the rules over the 80 years for which this will be secured.	Submission of further information, including monitoring and remedial measures to be taken if this is not successful	Likely
ECO5	Ecology	Regarding the proposed compensation land, no details of the reported “wintering bird surveys undertaken since December 2024” are supplied in the submission so cannot be checked or verified.	Submission of the wintering bird surveys for the proposed compensation land.	Likely
ECO6	Ecology	Regarding the proposed compensation land, it is not clear if consideration of the potential for proposed developments near to the site limiting its suitability for golden plover has been made. The Council wish to highlight outline planning permission DOV/14/00058 for various development including the erection of 500 dwellings at Discovery Park to the east of this site, which has been implemented and several reserved matters applications for residential development have been granted with some currently pending consideration (including DOV/25/00460, DOV/25/00459, DOV/23/01351). The Council considers this results in the potential for increased noise, lighting and increased use of the A258, as well as increased recreational use of	Clarification from NGET that these proposals have been considered in assessing the likely suitability of the proposed compensation land.	Likely

		<p>nearby public rights of way and the River Stour corridor; and the Goshall Valley solar array (application DOV/23/01363) proposed on an area of the Ash Level and South Richborough Pasture Local Wildlife Site (southwest of Richborough Roman Fort) currently pending consideration. These potential development constraints to the success of the compensation land should be fully considered.</p>		
ECO7		<p>The conclusion in the Report to Inform Habitats Regulations Assessment, that there will be no adverse effect on the site integrity of the Thanet Coast and Sandwich Bay SPA is based on the compensation land being secured and the OLEMP implemented, without which, there remains a risk of an adverse effect on the site integrity of the SPA. Whilst the OLEMP includes a 'step in' option for NGET to ensure the management of the compensation land is delivered, annual monitoring of golden plover use of the land is only proposed for the first 5 years, with subsequent monitoring consisting only of a check of management every 5 years in perpetuity (80 years), with no further wintering bird surveys after the first 5 years. This does not seem adequate to ensure the compensation land is functioning effectively</p>	<p>Clarification needed from NGET on how any remedial action for the compensation land would be identified and enforced</p>	<p>Likely</p>

		and it is not clear from the OLEMP how the need for any remedial action for the compensation land would be identified or enforced.		
ECO8	Ecology	It is not clear if the local planning authorities would be responsible for discharging conditions (including the LEMP securing habitat enhancement measures) and whether this responsibility extends to monitoring compliance with the approved LEMP (particularly with compensation land being secured for 80 years). Clarity is needed on how the necessary monitoring resource within DDC would be funded and if the LEMP should be secured in a legal agreement so that a monitoring fee can be collected by DDC to support and ensure the effective delivery of the compensation land. Additionally, clarification is sought on what mechanism would be put in place for registering the land as a local land charge for this purpose.	Clarification needed from NGET on how they envisage this being monitored for the 80 year period, if monitoring fees would be made available to the Council for this and how this would be secured to ensure the effective delivery of the compensation land.	Likely
NO1	Noise	Note at 3.2.5 in respect of piling NGET state "The Proposed Project is required urgently to provide connections to developments required to meet net zero targets. Limiting hours for percussive piling could provide a constraint on the construction period, elongating construction and increasing the risk that timescales will not be met."	Submission of an amended document confirming the daily start time of piling works would be 1 hour later than currently sought (08:00 instead of 07:00).	Uncertain

		Request that the daily start time for piling is 1 hour later than NGET seek (to start at 08:00 instead of 07:00), in the interests of residential amenity.		
NO2	Noise	Seek further detail on the extent of the use of Marsh Farm Road, Richborough Road and Whitehouse Drove, in terms of the duration of the use of these roads, likely number of vehicle movements per day, arrangements to avoid conflict with local residents, farm vehicles and tourists using the route to access Richborough Roman Fort (English Heritage site), given there are limited passing places, traffic would need to cross a level crossing, and part of this route is subject to national speed limits and is the Saxon Shore Way, Stour Valley Walk and public footpath (and crosses several public footpaths).	Submission of further information on the intended duration of the use of these roads for construction works, number of vehicle movements per day, size of vehicles, management of the route, and that these routes will be included in the construction management plan.	Likely