



# Planning Inspectorate

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The applicant

Your Ref:

By email only

Our Ref: EN020026

Date: 5 September 2025

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Dear Sir / Madam,

## **Application by National Grid Electricity Transmission for an Order Granting Development Consent for the Sea Link Project**

### **The Planning Act 2008 (as amended) section 89(3)**

The Examining Authority (ExA) notified that it had made procedural decisions on 8 July 2025 [PD-005], 5 August 2025 [PD-006] and 12 August 2025 [PD-007]. The applicant responded to these notifications on 24 July 2025 [AS-061], 4 August 2025 [AS-068], 11 August [AS-070] and 1 September 2025 [AS-084]. Following receipt of these, the ExA has decided to make further procedural decisions to accept additional submissions and request further information. The aim is to enable the ExA to better utilise the pre-examination stage of this process to ensure that we have as much of the information we need as early as possible.

### **Neolithic hengiform monument**

Suffolk County Council (SCC) [AS-074] explains that a Neolithic hengiform monument was identified in the parish of Friston during phase 2b of the archaeological trial trench evaluation work. Your 1 September 2025 submission [AS-084] states that the Suffolk Archaeological Assessment Update will be submitted later this month. In the interim, the ExA requests that a plan is provided to show the location of the henge with respect to the proposed scheme as well as the timetable for determining mitigation options. Please also confirm whether any change request is likely to be submitted. Only the ExA can decide whether a proposed change to an application can be accepted and examined. Under the principles of fairness and reasonableness, all interested parties must have an opportunity to submit representations about a changed application. The ExA therefore requests that if a change request is required it is submitted at the earliest opportunity.

## **Kent Wildlife Trust [AS-077]**

A letter from Kent Wildlife Trust (KWT), and other signatories, dated 27 August 2025 raises several concerns in relation to the adequacy of the application. The ExA requests that the applicant provides a response to the concerns in the KWT letter.

## **Land and related matters**

### Land plans and work plans

In [PD-006] the ExA asked the applicant to provide further information on its proposals for plots of land which contain white areas on the works plans (i.e. showing no work). The Compulsory Acquisition (CA) Guidance sets out a number of general considerations which need to be addressed including that the applicant must have a clear idea of how it intends to use any land subject to CA powers. How the applicant intends to use each plot of land should be clearly demonstrated on the works plans. The ExA has therefore made a procedural decision that the applicant should remove white areas if they are not required for works or ensure their intended use is made clear in the plans, and the DCO and schedules. All plans should be updated accordingly.

### Diligent enquiry into land interests

Your 1 September 2025 submission [AS-084] stated that the locations used for the site notices in Suffolk and Kent were shown on attached plans. No plans were attached to or included within the applicant's submission. Please provide the plans referred to.

Your 1 September 2025 submission [AS-084] stated that the two caravans, identified by the ExA during the unaccompanied site inspection in Kent ([EV1-002] and [EV1-003]), which appeared to be in residential use, had not been identified through the normal land referencing activities. We consider that, in the absence of any evidence to the contrary, the occupiers of the caravans should be treated as affected persons in accordance with section 59 of the Planning Act 2008. If you disagree you should provide a full and reasoned justification.

### Land rights tracker (LRT)

Your 1 September submission [AS-084] states that a fully populated LRT will be provided 'at an early stage in the examination'. The large volume of information on affected parties and landowners is distributed over several application documents. Collating all this information in one place, within a searchable and filterable document, will ensure that all parties can quickly and easily understand all land related matters and allow the ExA to undertake an efficient and effective examination. The ExA therefore requests that the full LRT is provided by **8 October 2025**.

## **Surveys**

In [PD-006] the ExA identified that some of the relevant representations (RR) raised concerns regarding survey information. The ExA was concerned that due to seasonal restrictions or time constraints associated with potential additional surveys it was important to consider the need for such surveys during the pre-examination stage. Your 1 September 2025 submission [AS-084] stated that additional ecological surveys were not required but did not clarify if any other types of survey would be required or include any explanation as to why they considered that this was the case. Please provide the necessary clarification.

## **Manston Airport**

The email from Riveroak Strategic Partners [\[AS-105\]](#) raises the concern of overlapping plots from the proposed development with the made Development Consent Order (DCO) for Manston Airport. The ExA requests that the applicant responds to the concern raised in [\[AS-105\]](#) and identifies clearly how the made and proposed DCOs are expected to operate or be amended including any required land rights.

## **B1121 Access**

The ExA requests that the applicant provides further clarification for the chosen location of the western access from the B1121 (S-BM09) which requires a bridge over the River Fromus.

## **Noise and vibration**

### Noise Sensitive Receptor Identification

To assist understanding of the geographic distribution of noise effects, the ExA requests provision of an updated table 9.24 in [\[APP-056\]](#) and table 9.25 in [\[APP-069\]](#) to include the receptor name (ie a relevant public right of way name or business) or basic property address information in addition to the receptor id. Also provide figures for Suffolk and Kent that include labels for the receptors included in the tables. Alternatively signpost to where this information may be found in the application.

### Noise important areas

Paragraph 9.7.8 of Environmental Statement (ES) part 3, chapter 9 [\[APP-069\]](#) states that there are two noise important areas (NIA) (NI\_12135 and NI\_4487) in the construction noise study area. Although paragraph 9.7.9 states that there are additional NIA in the 'wider area' on main transport routes, figure 6.4.3.9.1 shows an additional two NIA (NI\_4484 and NI\_12465) within the study area itself. Signpost to where impacts on these NIA have been assessed and update the chapter where relevant.

### Great Oaks Small School

Clarify whether consultation with Great Oaks Small School has been, or would be, undertaken to develop mitigation measures for noise impacts on school pupils during the construction phase.

### Noise metrics

Table 9.23 of the Suffolk construction noise assessment [\[APP-056\]](#) reports predicted day and night time noise levels as  $L_{Aeq,10hour}$  values. The proposed construction working hours are 07:00-19:00 (12 hours or 14 hours including start up and shut down periods). The ExA notes that night time works are typically reported using an  $L_{Aeq,8hour}$ . Provide clarification as to the metrics used, or signpost to where this is explained in the application.

### Construction noise - temporal restrictions

Paragraph 9.9.15 of the Suffolk construction noise assessment [\[APP-056\]](#) states that *"works during weekend periods would consider temporal restrictions such that significant adverse effects from noise and vibration would not be expected purely due to weekend working"*. Provide examples of temporal restrictions that could be applied during weekends.

### Vibration assessment parameters

Paragraph 1.3.3 of appendix 2.9b Suffolk construction noise and vibration data [\[APP-136\]](#) states that peak particle velocity (PPV) can be predicted using the guidance and empirical

formulae in table E1 of 'BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Part 2: Vibration'. Table E2 of BS5228-2 provides scaling factor values to input to the calculations. Clarify what scaling factors were applied in the calculation of the threshold vibration distances in table 1.2 and why or signpost to where in the application documents this is detailed.

#### Construction traffic noise assessment

Table 1.1 of appendix 2.9c Suffolk construction traffic noise assessment [[APP-137](#)] includes a 'baseline data' column and a 'baseline data plus construction' column. The 'baseline data plus traffic' figures are less than the baseline data alone in all cases. Confirm whether the data presented is correct. Update the assessment to reflect the correct data and assessment findings where necessary.

#### Ecological receptors

Paragraph 4.3.5 of the outline Construction Noise and Vibration Management Plan (oCNVMP) for Kent [[APP-351](#)] refers to potential significant adverse effects on Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest (SSSI) and Abbey Farm Wetlands without mitigation. Clarify whether this list is intended to include the other designated sites within the Pegwell Bay area?

#### Friston substation operational noise assessment

Provide datasheets or specifications confirming the assumed likely sound power levels and recommended duration, number and frequency of routine generator testing events or signpost to where this information is included in the application. Similarly provide datasheets or specifications for proposed or likely switchgear.

Clarify the time interval T applied to the specific sound level and sound rating level in table 1.1 of appendix 2.9e Friston substation and OHL [overhead line] operational noise information (informative) [[APP-139](#)].

#### **In Principle Monitoring Plan (IPMP)**

The ExA understands that the applicant does not consider an IPMP to be essential to the examination of this application. The ExA requests that the applicant set out in detail why, in its opinion, such a document is not required for this project.

#### **Traffic baseline data**

Provide clarification (or signpost to where this information may be found in the application) as to how seasonal variations in baseline traffic levels have been taken into account within the ES assessment, particularly the summer seasons where traffic levels could be greater due to tourism/visitor traffic.

#### **Landfall Horizontal Direct Drilling (HDD)**

Natural England's (NE) RR [[APP-3920](#)] recommends that further information about the trenchless techniques proposed for intertidal areas is submitted, in order to provide increased certainty in the assessment of effects to support the decision-making process. The Environment Agency (EA) principal areas of disagreement summary statement (PADSS) [[AS-081](#)] also seeks a study and suspended sediment modelling in landfall areas, and East Suffolk Council PADSS [[AS-076](#)] seeks further assessment of HDD hydrogeological impacts. The ExA also notes that the assessment of HDD in the Groundwater Quantitative Risk Assessments [[APP-117](#)] and [[APP-170](#)] (as referenced in your 1 September 2025 submission [[AS-084](#)]) is based on the results of a single borehole

at the Suffolk landfall and two boreholes at the Kent landfall. The applicant's findings of low risk of aquifer contamination and 'frac-out' are based on outline mitigation measures which, in turn, rely on further investigation.

Therefore, notwithstanding the comments in your letter of 1 September [AS-084] the ExA remains concerned that the potential effects of the trenchless crossings at the Suffolk and Kent landfall locations require further assessment. The proposal relies on the use of this technique and, should it be necessary to resort to an alternative method, this would have implications for a range of examination topics. As such, to ensure an efficient and effective examination of this matter, the ExA requests that additional information on the feasibility and suitability of trenchless crossings is provided for both Suffolk and Kent to explain why the applicant considers that they are feasible and that the effects can be quantified and controlled.

### **Flood Risk**

The SCC [AS-083] and East Suffolk District Council [AS-076] PADSS both emphasize the complexity and sensitivity of flood risk in the vicinity of the Friston sub-station and the availability of information not taken into account in the Flood Risk Assessment [APP-292]. In the light of these comments, the ExA considers that further justification is required to support the applicant's contention that the measures required to mitigate flood risk at the Friston sub-station can be achieved within the order limits. That justification should explain how the mitigation can be achieved based on the level of detail provided in the outline drainage strategy set out in Appendix C of the Flood Risk Assessment [APP-292]. The information is required at this stage since, in the event that the mitigation could not be achieved within the order limits, this would have wider implications for the examination.

### **Water Supply**

Your letter of 1 September 2025 [AS-084] states that the water required for construction activities would be delivered by tankers. However, that does not address the source of the water to be delivered. The EA PADSS [AS-081] also considers that the outline onshore Construction Environmental Management Plan (oCEMP) [APP-340] should include an assessment of the volume of water required and an options appraisal for sourcing. Provide clarification of the volume and source of water to be used for construction activities.

### **Operational management measures**

The outline Code of Construction Practice (oCoCP) [APP-341] contains measures relating to operation and maintenance. For clarity, the ExA requests that the applicant provides a separate operational management plan that contains all operation and maintenance related provisions.

### **Shipping and Navigation**

The ExA welcomes the submission of the draft outline Navigation and Installation Plan (NIP) and the applicant's undertaking to provide updated [APP-082] and [APP-203] following engagement with Sizewell C Statutory Harbour Authority. The ExA requests that the applicant confirm whether other consultees such as Sizewell C Statutory Harbour Authority, the Maritime and Coastguard Agency, London Gateway Port Limited, Trinity House, Port of Tilbury London, Port of Ramsgate, should be included in consultation on the outline NIP and if not, why not.



## Marine Mammals

The ExA notes that the marine mammals chapter has been updated to refer to the latest Joint Nature Conservation Committee guidelines. The ExA requests that the outline Marine Mammal Mitigation Plan [\[APP-356\]](#) is also updated throughout as necessary.

## Benthic Ecology

NE's RR appendix E (Benthic Ecology) ([RR-3920](#)) sets out a number of points where it considers that further assessment work is needed. The ExA has identified the following points of particular importance that it considers requires a response to ensure they can be addressed at an early stage in the examination:

- Point E1 states that the ES and other associated documents should be updated to consider all potential pathways of effect on intertidal and subtidal benthic habitats.
- Point E6 states that the applicant has not considered the potential impacts to outcropping clay and soft chalk, and peat and clay exposures.
- Point E26 considers that increases in suspended sediment concentration and deposition have not been assessed in relation to Thanet Coast Special Area of Conservation (SAC) and that (E43) the loss of supporting habitat for the Thames Estuary Special Protection Area (SPA) has not been assessed.
- Point E34 states that NE is concerned that the applicant has failed to consider the potential for benthic 'ecological halo effects' which can be expected following the placement of structures on the seabed.

In considering this submission by NE the ExA requires the applicant to set out if and where this information and/or assessments are included within the application. However, if not included, the ExA requires either that the applicant provide the further assessments that NE has stated as necessary within appendix E, provide a programme of when they will be undertaken or explain on each point why the applicant does not consider to be necessary.

## Additional submissions

The ExA has exercised its discretion and made a procedural decision to accept the following additional submissions:

- Friston Parish Council and SASES [\[AS-073\]](#) received on 14 August 2025
- SCC [\[AS-074\]](#) received on 18 August 2025
- National Trust [\[AS-075\]](#) received on 19 August 2025
- East Suffolk Council PADSS [\[AS-076\]](#) received on 26 August 2025
- Kent Wildlife Trust [\[AS-077\]](#) received on 27 August 2025
- Dover District Council PADSS [\[AS-078\]](#) received on 28 August 2025
- Thanet District Council PADSS [\[AS-079\]](#) received on 28 August 2025
- Marine Management Organisation PADSS [\[AS-080\]](#) received on 28 August 2025
- Environment Agency PADSS [\[AS-081\]](#) received on 29 August 2025
- RSPB [\[AS-082\]](#) received on 1 September 2025
- SCC PADSS [\[AS-083\]](#) received on 1 September 2025
- Email from Riveroak Strategic Partners [\[AS-105\]](#) received on 2 September 2025

## Errata and related issues

In addition to the matters raised above, the ExA has identified errata as detailed below.

- Paragraph 1.5.4 of appendix 2.9d Suffolk operational noise assessment [\[APP-138\]](#) refers to commitment NV08 in the Register of Environmental Actions and

Commitments (REAC) [APP-342] delivering further operational noise assessment. The Friston substation and OHL operational noise assessment (informative) [APP-139] also refers to NV08 in paragraph 1.2.2. The correct reference is NV07. Similarly appendix 2.9d of the Kent operational noise assessment [APP-191] refers to NV10 instead of NV09. Updated documents should be provided.

- Table 1.1 of appendix 2.9e Friston substation and OHL operational noise (informative) [APP-139] states that the acoustic correction for daytime is 2dB but the sound rating level is 24dB. Confirm whether the correct value is 4dB and provide a corrected version of the document to reflect the change, where relevant.
- Paragraph 2.5.5 of the oCNVMP for Suffolk [APP-350] and for Kent [APP-351] list similar working hours "*other than those necessary to undertake the operations listed in para 2.5.1*". Paragraph 2.5.1 lists working hours whereas paragraph 2.5.3 lists the exceptions to core working hours for certain operations. Update the oCNVMP accordingly.
- Paragraph 4.6.8 [APP-350] states that "*The total ambient noise level, LAeq,T from all sources when measured between 1.2m and 2m above the ground at the monitoring locations will either not exceed the appropriate level as agreed through the Section 61 process with East Suffolk Council.*" The statement does not include an or statement. Confirm what the correct wording of the statement should be. A similar statement is made in paragraph 4.6.8 of [APP-351] which should also be addressed.
- Paragraph 4.5.5 [APP-350] suggests that details about the complaints procedure are in section 5 of the oCEMP [APP-340]. Section 4 of the oCEMP contains the complaints procedure. Please include the correct cross reference in an updated version. A similar statement is made in paragraph 4.5.5 of [APP-351] which should also be addressed.
- Figure 6.4.2.5.2 Bedrock Geology [APP-232] appears to show that the Red Crag Formation boundary with the Church Sand Member is completely straight across the whole of Suffolk and aligned with the grid, this may be an error.
- Paragraph 14.2.3 of the oCEMP [APP-340] cross references to REAC commitment SE03 as embedded mitigation for trenching works associated with the Suffolk onshore scheme affecting Great Oaks Small School. The school is located in Kent. Update the oCEMP to reflect the correct geographic location.
- Provision GG19 is articulated slightly differently in the Kent outline Air Quality Management Plan (oAQMP) [APP-347] from the oCoCP [APP-341] and Suffolk oAQMP [APP-346]. It includes an extra clause "Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable." Should this additional clause be added to the Suffolk oAQMP [APP-346] and the oCoCP [APP-341] or removed from the Kent oAQMP [APP-347]?
- ES marine chapter 1, table 1.17 [APP-074] and ES marine chapter 5 table 5.16 [APP-078] state that the HDD exit pit footprint at Suffolk is 200m<sup>2</sup> and in Kent is 0.02km<sup>2</sup>. ES chapter 4, table 4.11 states 200m<sup>2</sup> for both Suffolk and Kent [APP-045]. Confirm which is correct.
- ES marine chapter 1, paragraph 1.9.28 [APP-074] states "*The offshore Coralline Crag outcrop is interconnected to many of the Physical Environment that maintain the geomorphology of the Suffolk coastline.*" Confirm the correct wording of this sentence.
- ES marine chapter 1, paragraph 1.9.46 [APP-074] states "*At the Kent landfall, the entry/exit points will be located within an area of intertidal mudflat the intertidal range*". Confirm the correct wording of this sentence.

- ES marine chapter 1, table 1.8 [APP-074] defines very low, low, medium and high sensitivity criteria, however table 1.18 of ES marine chapter 1 uses the descriptors 'small' and 'negligible' to describe sensitivity. Please update the table with the relevant criteria.
- ES marine chapter 1, paragraph 1.7.129 [APP-074] states "*Overall, concentration levels from within the survey area were and were not observed at levels that are of concern.*" Confirm whether this is the intended wording.

The ExA requires that all the requests above are completed by **Tuesday 16 September 2025** unless otherwise specified.

If you have any queries on these matters, please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely,

*Sarah Holmes*

**Lead Panel Member for the Examining Authority**