Sea Link Nationally Significant Infrastructure Project (NSIP) Application

Planning Inspectorate Reference: EN020026

CPRE Kent (ID: [redacted]) – Deadline 1 Written Statement

1. Introduction

CPRE Kent is an independent charity that forms part of the national CPRE, the countryside charity. Across Kent, we represent 1,173 individual members and 121 parish councils, local amenity groups and civic societies. Our primary objective is to protect and enhance the beauty, tranquillity and diversity of the Kent countryside, ensuring it remains a thriving environment valued by everyone.

Below is CPRE Kent's Deadline 1 Written Representation. It sets out our currently held views on the application documents as submitted and reviewed to date. These comments are therefore necessarily provisional and may be refined or expanded as further evidence becomes available through the Examination process. They are made without prejudice to any future representations that CPRE Kent may submit at later stages of the Examination.

We have already set out our position and principal concerns within our Relevant Representation, which is before the Examining Authority. This Written Representation therefore updates, but does not repeat, those submissions. We also recognise that the applicant's change application has yet to be formally accepted, meaning comments cannot be made on that element currently. Accordingly, we reserve our position in this respect should the scope of the application or its supporting documentation materially alter.

As the Kent Branch of the national CPRE countryside charity, our charitable remit and concerns are necessarily focused on the land-based impacts within Kent. Accordingly, our evidence and commentary relate specifically to the Kent elements of the Sea Link proposal. This should not, however, be taken to imply any lesser concern regarding the serious environmental effects arising elsewhere within the project, notably those affecting the Suffolk and marine environments, which have been robustly set out by the communities and organisations representing those areas. Rather, our role within the examination is to complement, not duplicate, that work. Our case on the Kent land-based impacts should therefore be read alongside and in support of the wider evidence presented by others, together forming a collective case against the unacceptable environmental and social harm caused by this scheme.

2. CPRE Kent's Overarching Position

CPRE Kent fully recognises and supports the national need to decarbonise the UK's energy system and to deliver the infrastructure needed to achieve it. However, the pursuit of net zero cannot justify environmental harm or the abandonment of proper planning principles. The transition must be achieved in a way that protects the countryside, not sacrifices it.

In support of this position, CPRE Kent draws the Examining Authority's attention to CPRE's recently-published national manifesto *Greening the Grid,* which is annexed to our submission. The manifesto sets out eight principles for delivering a clean, fair and countryside-friendly energy system. Its central calls include opening a genuine national conversation on grid design, empowering local communities at an early stage in the NSIP process, expanding offshore and brownfield grid capacity, protecting sensitive landscapes and embedding environmental net gain. These principles directly reflect the approach CPRE Kent has been calling for all along with respect to the Sea Link project.

The manifesto makes clear that achieving net zero must go hand in hand with regenerating the countryside, not sacrificing it. It calls on Government and the energy sector to "green the Great Grid Upgrade" through strategic coordination, early citizen engagement and the routine undergrounding of cables. These same principles underpin CPRE Kent's objection to the current Sea Link proposal and inform our call for a slower, better-planned and more integrated transition.

In this respect, while we acknowledge the Applicant's need case and its arguments concerning the requirement to strengthen grid resilience at this very specific location, we remain concerned that the perceived urgency of delivery has overridden the need for properly planned and environmentally responsible development. We also share the concerns expressed by others that the project's true rationale, the profits to be made from its potential role in facilitating future export of surplus power to the Continent, is being deliberately downplayed.

It must therefore be noted that, while yes paragraph 3.3.63 of NPS EN-1 outlines the urgent national priority for projects such as Sea Link, this presumption is not absolute. Section 104(3) of the Planning Act 2008 still requires the Secretary of State to determine applications in accordance with all relevant National Policy Statements **unless** material considerations indicate otherwise. As confirmed during the first Issue-Specific Hearing, Sea Link's *'need case'* was presented as primarily serving future export flows from the Sizewell generation group and import balancing for interconnectors in Kent. However, no transparent evidence was provided to demonstrate why such resilience could not be achieved through a more coordinated or spatially planned approach.

As the Examining Authority will now be well aware, Pegwell Bay and Minster Marshes form one of the most environmentally sensitive landscapes in Kent. This was reinforced by Kent Wildlife Trust at the Open Floor Hearing, where the area was described as *"one of the most sensitive and ecologically valuable coastal systems in the county".* To drive high-voltage cables through SSSI, SPA, SAC and Ramsar designations, and to industrialise open farmland at Minster, is wholly inconsistent with both the mitigation hierarchy and the principles of sustainable development set out in the National Policy Statements EN-1, EN-3 and EN-5. In simple terms, it is plainly just wrong.

Therefore, it remains CPRE Kent's strong view that the application is fundamentally flawed. It proceeds without a genuine assessment of reasonable alternatives, without adequate baseline data and without proper regard for cumulative effects. A slower, more strategic approach that's better aligned with the Offshore Transmission Network Review, NESO's emerging spatial principles and the forthcoming Strategic Spatial Energy Plan could achieve the same network outcomes without the irreversible harm now proposed.

Our updated written representation therefore focuses on these core failings, demonstrating that the adverse environmental and social impacts of the Sea Link proposal would clearly outweigh its claimed benefits.

3. Failure to Justify Site Selection and Consider Reasonable Alternatives

At the core of CPRE Kent's objection is our firm view that the Applicant has adopted a *decide and defend* approach from the offset. It selected Pegwell Bay as landfall and Minster Marshes as the converter station site before any meaningful consultation had taken place, and ever since has pressed ahead despite the ever-growing body of evidence that this is clearly the wrong location. Throughout the process, our repeated calls for a transparent assessment of alternatives have been met not with genuine engagement but with retrospective reports seeking to justify decisions already made. This continued failure to provide a robust and evidence-based justification for site selection remains central to our objection.

As set out in our Relevant Representation, and having reviewed both the submitted documents and the Applicant's comments at the first Issue Specific Hearing, we remain firmly of the view that the case for the single Kent location lacks transparency. While alternative landfall options were nominally considered, this amounted to little more than a tick-box exercise. The Applicant's justification remains broad and generic, relying on network assumptions and cost assertions rather than any clear or evidence-based assessment of environmental constraints, technical feasibility or statutory duties. We therefore urge the Examining Authority to robustly scrutinise the decision-making process that has led to this single, highly sensitive location being pursued over less harmful and more logical alternatives.

Specifically, the applicant's Strategic Options Back-Check Report (APP-320) and Planning Statement (AS-030) provide little more than narrative justification. There is no clear explanation of why alternative landfalls – such as Broadstairs (K1a) or other north Kent coastal options (K2–K5) – were rejected, nor any evidence that brownfield locations or integration with existing strategic energy hubs were ever genuinely explored. The omission of a comparative cost-benefit or environmental appraisal contravenes both Regulation 14(2)(d) of the Infrastructure Planning (EIA) Regulations 2017 and the principles of NPS EN-1 and EN-5, which explicitly require that significant impacts are avoided where reasonably possible.

Since the application was originally proposed, projects such as the Nautilus Interconnector have been redirected to the Isle of Grain and the scope of LionLink has altered significantly. In our view, these changes fundamentally affect the assumptions on which Sea Link's need case was originally based and further expose the absence of any coherent national strategy or spatial coordination.

As was raised by speakers at both the Suffolk and Kent Open Floor Hearings, credible alternatives now exist that could achieve the same transmission benefits with far less environmental harm. Offshore converter platforms and integrated offshore grid systems, already operating in Belgium, the Netherlands and Germany, could connect renewable generation directly to existing industrial or brownfield energy hubs such as Grain, Bradwell or the Thames Gateway. We also understand that other potential onshore alternatives are still emerging, including routes that would make use of existing brownfield, rail and transport corridors to reach alternative established grid infrastructure nearby, thereby reducing the need for new land-take and large-scale engineering works. Such approaches would align far more closely with the spatial planning principles set out in NESO's Clean Power 2030 and the aims of the Offshore Transmission Network Review.

The approach championed in CPRE's *Greening the Grid* manifesto strongly reinforces these points. It calls for an ambitious offshore grid, for sensitive design and for early, meaningful community engagement, just like we and many others have been calling for with respect to the Sea Link project. In our view, the Sea Link project as it stands moves in the opposite direction, reflecting an outdated, piecemeal and environmentally harmful approach to infrastructure delivery that CPRE nationally is now urging the Government to replace with a more modern, coordinated and countryside-friendly approach.

However, and as was confirmed by the applicant at the first Issue Specific Hearing, the options of an offshore grid or of alternative landfalls have never been genuinely considered. This is because the corridor selection preceded any strategic options analysis. In CPRE Kent's view, this approach has effectively ruled out any meaningful environmental comparison and absolutely substantiates our concern that a *'decide and defend'* approach has been adopted.

Against this context, CPRE Kent remains unconvinced by the Applicant's claim, made at the first Issue Specific Hearing, that there is no alternative because network resilience must be delivered at this precise location. The Applicant accepted that the project was conceived and submitted ahead of the National Energy System Operator's Strategic Spatial Energy Plan (SSEP), due for publication in 2026, and before the outcomes of the (Offshore Transmission Network Review) OTNR could be embedded. In our view this further evidences the piecemeal and premature nature of the proposal. The Applicant's reliance on the Clean Power 2030 report (2024) is not a substitute for a genuine statutory spatial framework. Sea Link should therefore be paused until its role can be assessed within the wider, coordinated energy-network context envisaged by NESO.

Instead, we remain of the view that the supposed need for speed to deliver this project has overridden the requirement for intelligent, integrated and environmentally responsible planning. A more strategic approach, taking the time to evaluate viable offshore and brownfield options, would better satisfy the duties set out in the Electricity Act, reduce cumulative environmental harm and help to restore public confidence in the transition to net zero.

CPRE Kent also continues to have significant concerns with respect to the cumulative impact of Energy Infrastructure projects at the sensitive location in Kent. As was vividly described during the Suffolk Open Floor Hearing 1 sessions, the concentration of large-scale energy infrastructure there has already produced severe cumulative effects for communities surrounded by substations, converter stations and pylons, living amid constant construction and noise. As Kent Wildlife Trust observed at the Kent Open Floor Hearing 2, Pegwell Bay is still suffering from the lasting ecological damage caused by the Nemo Link project, where trenchless installation methods were promised but later abandoned. We also understand that a further interconnector is already being proposed under National Grid's *Beyond 2030* programme, again targeting Pegwell Bay as the preferred landfall.

In this respect, the fact that Nemo Link was allowed to proceed with such destructive consequences does not confer a licence for further loss. Rather, it explains why the local community is now deeply distrustful and determined not to see the same mistakes repeated. In CPRE Kent's view, the situation in Suffolk serves as a clear warning of the consequences of unchecked cumulative impact, and Kent must not be allowed to follow the same path.

Overall, CPRE Kent maintains that the Applicant continues to fail to meet the legal, technical and policy standards required to justify the selection of Pegwell Bay and Minster Marshes, and that the application

cannot be regarded as compliant with NPS EN1, EN5, the EIA Regulations 2017 or the Electricity Act 1989 for the above reasons and as expanded upon within our relevant representation.

4. Failure of the Mitigation Hierarchy and Habitats Regulations Assessment

Closely linked to the above is CPRE Kent's fundamental concern that the Applicant has failed to demonstrate any proper application of the mitigation hierarchy and that, as a result, the Habitats Regulations Assessment process has not been lawfully or meaningfully applied. We are aware that many others, most notably Kent Wildlife Trust, have raised the same point and we do not repeat their detailed submissions, save to confirm our full agreement. Specifically, CPRE Kent remains strongly of the view that the Applicant has breached the principles set out in the National Policy Statement EN1 (specifically paragraph 4.1.5), the National Planning Policy Framework (paragraph 180) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, as well as the overarching duty under Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

The mitigation hierarchy requires, first and foremost, the avoidance of harm, then mitigation, and only as a last resort compensation. In this case, the applicant appears to have bypassed the primary step of avoidance altogether. The choice of a landfall and converter-station site within and adjoining internationally designated sites means that serious ecological impacts were built into the proposal from the outset. The applicant has therefore sought to retrofit mitigation to a fundamentally unsuitable location, contrary to national policy and well-established environmental law.

At a practical level, the Environmental Statement and its accompanying Habitats Regulations screening have not demonstrated that adverse effects on the integrity of the Thanet Coast and Sandwich Bay SPA, SAC and Ramsar sites can be excluded beyond reasonable scientific doubt. Surveys remain incomplete, with significant gaps in baseline data and material ecological information still withheld or redacted. As highlighted by the RSPB at the Kent Open Floor Hearing Session, the applicant has relied on only a single year of vantage-point data and four months of core bird surveys to inform its assessment, and only two years of survey data for golden plovers, which is plainly insufficient to understand their long-term functional use of the area.

Key species and habitats, including golden plover, lapwing and other qualifying or supporting species of the SPA, have therefore not been adequately assessed. The applicant's ecological baseline is incomplete and fails to reflect the status, distribution and seasonal use of both the functionally-linked land and adjoining designated sites. Priority habitats, including the open mosaic habitat at the former Hoverport, the coastal grazing marsh and wet grassland at Minster, and the associated network of ditches, hedgerows and intertidal areas, have been materially underrepresented in the assessment of value and sensitivity.

The applicant's reliance on precautionary working methods, district licensing schemes and deferred ecological management plans in place of comprehensive surveys and evidenced assessments fails to establish a scientifically robust baseline. Without adequate evidence, the competent authority cannot lawfully determine that there will be no adverse effect on the integrity of the site, as required under the Habitats Directive (92/43/EEC) and the Conservation of Habitats and Species Regulations 2017. The absence of a sound evidential basis, combined with untested and unproven compensation measures, renders the Habitats Regulations Assessment both procedurally flawed and substantively deficient.

The inadequacy of the Habitats Regulations Assessment is compounded by the applicant's reliance on ill-conceived compensatory mitigation measures. As we and many other commentators are pointing out, the proposed supposedly Functionally Linked mitigation Land west of the A256 is quite clearly unsuitable, being constrained by constant noise, lighting and human disturbance and offering no realistic prospect of replicating the ecological function of the land to be lost. As Kent Wildlife Trust made clear at the Kent Open Floor Hearing Session, no baseline surveys have been undertaken for this site despite its proximity to the A256 being identified within the applicant's own noise chapter as a dominant and persistent source of disturbance. Likewise, the RSPB, also at the Kent Open Floor Hearing session 2, similarly highlighted that the applicant has relied on only a single year of vantage point data and four months of core bird surveys, with just two years of data for golden plover. This is plainly insufficient to understand their functional use of the landscape or to design effective compensation.

Therefore, as matters currently stand, the applicant has provided no evidence that the proposed mitigation site would deliver equivalent foraging or roosting value for qualifying Special Protection Area (SPA) species such as golden plover, lapwing and curlew. Its location adjacent to a busy trunk road, surrounded by industrial development and exposed to artificial lighting and human disturbance is fundamentally inconsistent with the quiet, open, grazed marshland habitat that supports these species at Minster. This approach conflicts with Defra's 2022 guidance on ecological compensation, which requires that compensation measures are measurable, secured and underpinned by robust evidence prior to authorisation. In the absence of such assurance, the proposed compensation cannot be regarded as adequate, and the Habitats Regulations Assessment remains both procedurally and substantively unsound.

In light of these deficiencies, and the concerns raised by statutory consultees and conservation bodies, CPRE Kent considers that the applicant has not met the necessary tests under NPS EN1, NPS EN5 or Regulation 63 of the Conservation of Habitats and Species Regulations 2017. We therefore expect this matter to be subject to robust scrutiny by the Examining Authority, and CPRE Kent anticipates providing further detailed representations as the Examination progresses.

5. Ecological and protected species impact

CPRE Kent does not repeat the detailed ecological evidence submitted within its Relevant Representation, which is taken as read and forms part of our case. This section therefore provides a concise update and summary of our principal ecological concerns as they currently stand. It also notes that further representations are likely to be required once the Applicant submits the revised and updated Environmental Statement (ES) to accompany the forthcoming change application. We understand that this will include new or amended ecological assessment material. Until such time as that is available, our comments below are necessarily qualified.

It remains CPRE Kent's position that the ecological baseline and survey coverage for key receptors in Kent are incomplete and, in several areas, insufficiently transparent. Priority habitats likely to be affected, including the open mosaic habitat on previously developed land at the former Hoverport and the coastal grazing marsh and wet grassland at Minster, have not been subject to sufficiently detailed or seasonally appropriate botanical, ornithological or invertebrate surveys. The same applies to protected and notable species such as golden plover, lapwing, bats, badger, great crested newt, hazel dormouse and European eel. The survey effort and timing reported to date do not provide the evidential certainty required to assess the full scale and significance of ecological impacts or to underpin credible mitigation design.

Of particular concern is the continuing reliance on precautionary working methods, district licensing schemes and deferred management plans in place of comprehensive field data. As noted by Kent Wildlife Trust and others, the absence of full baseline information prevents any meaningful application of the mitigation hierarchy and leaves the competent authority unable to apply the precautionary principle required under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. This approach undermines confidence in the applicant's assertion that the proposed mitigation and compensation will be effective. The withholding and redaction of ecological material, including data on badger and other protected species, further erodes transparency and calls into question the robustness of the overall ecological assessment.

As set out within our preceding section on the mitigation hierarchy, the fundamental flaw in site selection means that significant ecological harm was always inevitable. The siting of the landfall at Pegwell Bay and the converter station at Minster Marshes places the project directly adjacent to and functionally linked with internationally protected habitats, where avoidance, not mitigation, should have been the starting point. Credible lower-impact alternatives, including offshore converter platforms and brownfield energy hubs such as the Isle of Grain, have yet to be transparently assessed, and until this occurs the Applicant cannot demonstrate that the least-harm practicable option has been chosen.

The potential impacts on birds, particularly waders associated with the Thanet Coast and Sandwich Bay SPA, remain of serious concern. Functional connectivity between these species and the development area has not been fully examined, and construction disturbance, lighting and infrastructure are likely to compound existing pressures. Our specific comments on collision risk and the proposed overhead lines are set out separately in the following section.

Equally, the proposals for culverting and outfalls raise serious concerns for ditch-network ecology, notably in relation to European eel migration and water vole activity. We consider that the ecological function of these watercourses has not been adequately recognised and that engineering solutions are being relied upon in place of avoidance. Method statements must be revised to account for eel migratory periods and to include proven passage measures if these features are to be retained.

The ecological assessment remains incomplete and fails to provide the level of evidence required to understand or safeguard the protected species present within the Kent section of the scheme. Survey coverage and baseline data for key species such as golden plover, lapwing, bats, badger, great crested newt, hazel dormouse and European eel remain inadequate and, in several cases, absent altogether. Without reliable data on distribution, population size and seasonal behaviour, it is impossible to determine the scale of potential impacts or design proportionate mitigation. In our view, reliance on precautionary working methods, generic licensing schemes and deferred management plans does not provide the certainty needed to protect these species or maintain compliance with the relevant legislation.

CPRE Kent therefore considers that the ecological assessment fails to meet the standards required under NPS EN1 and EN5, the NPPF and the Wildlife and Countryside Act 1981. We will review and comment further once the updated Environmental Statement and supporting ecological material are provided.

6. Use of Overhead Lines

While we do not repeat the detailed arguments set out within our Relevant Representation, CPRE Kent remains strongly opposed to the proposed overhead lines and associated pylons at Minster Marshes. The Applicant has provided no transparent or evidence-based justification for selecting overhead construction in preference to undergrounding, nor any comparative assessment that weighs the respective environmental, technical or landscape implications of the two options.

It is for the Applicant to demonstrate that overhead construction represents the least-harm practicable solution, yet on the evidence currently before the Examination this test has not been met. The Applicant's reliance on vague references to *"technical issues"* concerning flooding or hydrology is unsupported by any published analysis or engineering justification. In the absence of such evidence, the presumption must remain that undergrounding is both feasible and the more environmentally appropriate option.

This is because:

- The introduction of large-scale industrial infrastructure into the open, tranquil marshland landscape would cause severe visual intrusion and long-term harm to landscape character. Undergrounding would avoid these effects, allowing reinstatement of land with minimal lasting change once construction is complete.

- The pylons would traverse an area of exceptional ecological sensitivity forming part of the functional network of the Thanet Coast and Sandwich Bay SPA and a recognised migratory bird flyway. As highlighted by the RSPB at the Kent Open Floor Hearing Session 2, the area supports more than 230 bird species and forms part of the East Atlantic Flyway, making collision and electrocution risk a matter of particular concern. Overhead lines in such a location are likely to result in significant bird mortality among waders, waterfowl and bats, whereas undergrounding would remove this hazard entirely. To have pylons of differentiating heights within close proximity further exacerbates the hazard.

- The proposed double-circuit line over the River Stour would create a hazardous aerial barrier along a key movement corridor for birds. The tragic precedent at Monkton in 2003, when 179 mute swans were killed by power-line strikes, demonstrates the potential scale of such impacts. The RSPB also noted the continuing absence of flight diverters or equivalent preventative measures in the area despite long-standing evidence of risk.

- The line would cross species-rich meadow and wetland scrapes established under agri-environment schemes that provide essential refuge for displaced waterfowl from the Pegwell Bay and Sandwich Bay designations. Overhead construction would compromise these habitats through shading, access tracks and foundation works, whereas undergrounding would allow surface vegetation and hydrology to recover naturally.

- The development would fragment habitats functionally linked to the SPA and undermine the objectives of local and Natura 2000 conservation management plans. By contrast, we

understand that buried cables, particularly if installed via horizontal directional drilling, would minimise long-term disturbance and support ecological recovery.

- The cumulative impact, in combination with existing and proposed infrastructure within the Stour Valley corridor, appears inconsistent with National Grid's statutory obligations under Section 38 and Schedule 9 of the Electricity Act 1989, which require it to have regard to environmental and ecological considerations and to take reasonable steps to mitigate harmful effects.

Given these factors, CPRE Kent considers the use of overhead lines at this location to be wholly unjustified and unacceptable. The Applicant has not produced any clear or independently verifiable evidence to demonstrate that undergrounding is technically or environmentally unfeasible.

7. Landscape and Visual Impact

Again, while we do not repeat the detailed analysis contained within our Relevant Representation, CPRE Kent maintains that the proposed converter station, substation and associated infrastructure at Minster Marshes will give rise to major adverse landscape and visual impacts that cannot be effectively mitigated. The structures proposed, up to 28 metres in height and elevated on raised ground to mitigate flood risk, would introduce large-scale, industrial development into an open, low-lying and characteristically tranquil marshland landscape. The proposal would fundamentally erode the openness and remoteness of the Wantsum and Lower Stour Marshes Character Area, intrude on long, uninterrupted views from the Wantsum North Slopes and Richborough Bluff, and dominate the setting of the Richborough Roman Fort Scheduled Monument. We remain of the clear view that the magnitude of change arising from the converter-station complex is wholly inconsistent with the established landscape character and cannot be screened or assimilated through planting.

The impacts would be compounded by the proposed overhead lines and pylons, which would extend the visual envelope of the scheme and increase the concentration of intrusive *'wirescape'* across the marshes. These structures would be highly visible from key public viewpoints, including Pegwell Bay, Thorne Hill and the Saxon Shore Way National Trail, and would significantly diminish users' visual amenity and recreational experience. As previously evidenced, claims that proximity to the Richborough Energy Park reduces sensitivity are unsubstantiated and misleading; the Minster site lies physically and perceptually separate from that cluster.

In light of the scale and permanence of the change proposed, CPRE Kent considers that the landscape and visual impacts of the scheme will require particularly careful scrutiny throughout the Examination. On the evidence currently before the Examining Authority, the extent of harm is clear and there is no credible means by which it could be mitigated or assimilated within this sensitive landscape. It therefore follows that very substantial weight must already be afforded against the proposal on landscape grounds alone, recognising that these impacts represent a fundamental and irreversible loss of character, tranquillity and visual quality within one of Kent's most distinctive marshland settings.

8. Loss of Best and Most Versatile Agricultural Land (BMV)

While we do not repeat the detailed evidence set out within our Relevant Representation, CPRE Kent continues to object to the permanent loss of high-quality agricultural land arising from the proposed converter station, substation and associated infrastructure at Minster Marshes. The Environmental Statement confirms that a substantial proportion of the site comprises Grade 1 and 2 land, defined as Best and Most Versatile (BMV) under the Agricultural Land Classification system. This is the highest category of productive farmland and represents an irreplaceable natural resource, the protection of which is a clear policy requirement of National Policy Statement EN-1 (paragraph 5.10.8) and the National Planning Policy Framework (paragraph 175).

The Applicant has provided no convincing justification for selecting a location that necessitates the permanent loss of such valuable soils, nor any transparent assessment of alternative sites that might avoid or reduce this impact. The claimed *'temporary'* nature of construction areas and soil storage compounds is misleading given the scale of ground-raising and hard surfacing required for the converter-station platform and access infrastructure. As we previously set out, the development would irreversibly remove productive agricultural land from use, fragment surrounding farm units and compromise future agricultural viability.

Given the acknowledged extent and permanence of BMV land loss, CPRE Kent considers that this issue will require particularly careful consideration by the Examining Authority during the Examination. The evidence confirms that the development would result in the irreversible removal of some of Kent's most productive soils without compelling justification or any meaningful attempt at avoidance. In these circumstances, very substantial planning weight must be given against the proposal on agricultural land quality grounds, consistent with national policy and the principle that the best and most versatile land should be safeguarded as a finite and irreplaceable resource.

9. Failure to undertake a sequential approach to flooding

CPRE Kent remains seriously concerned that the Applicant continues to propose major permanent infrastructure within an area of higher flood risk without adequately demonstrating that sequential or exception tests have been met in accordance with NPS EN-1 and the National Planning Policy Framework. The converter-station and substation platforms are to be raised by approximately two metres to mitigate predicted flood levels, yet this engineering response merely underlines the unsuitability of the chosen site rather than resolving it. The proposals would inevitably displace floodwater across the wider Minster Marshes floodplain, altering surface-water patterns and increasing residual risk to adjoining landholdings and habitats. No robust evidence has been provided to show that the works would remain safe and operable over the project's lifetime given the accelerating effects of sea-level rise and climate change. In our view, locating nationally significant energy infrastructure within an active floodplain represents poor strategic planning and is wholly inconsistent with the requirement to avoid, rather than engineer around, areas of highest flood vulnerability.

Even where mitigation might reduce on-site flood risk, EN-1 Section 5.8. requires applicants to demonstrate that the development would remain safe and operational under flood conditions for its full lifetime, taking account of climate change, and that any residual risks can be safely managed. This includes ensuring that safe access and egress can be maintained during flood events, and that any impacts on emergency services would be acceptable. In this instance, elements of the proposed

development, including access routes and ancillary infrastructure, remain exposed to identified flood hazards, with no satisfactory evidence that safe access can be secured throughout the project's lifetime.

From our review of the documents, we can see no substantive evidence that any meaningful engagement has taken place with the Local Planning Authority or Environment Agency to establish appropriate search areas, nor is there any comparison with lower-risk sites located within Flood Zone 1 or outside high-risk flood areas. Instead, the application appears to treat flood risk as a technical matter to be managed through design mitigation alone, bypassing the policy requirement to locate development, so far as reasonably possible, away from areas subject to flood hazard.

We note that several other speakers have raised the issue of flooding and flood assessment at the Issue Specific Hearing 1 Hearing and the Open Floor Hearing. We therefore consider this to be an emerging issue that will be subject to robust scrutiny by the Examining Authority, and CPRE Kent anticipates providing further detailed representations as the Examination progresses.

10. Dark Skies

CPRE Kent remains concerned that the proposed converter-station and substation complex, together with associated security and operational lighting, will result in a substantial and permanent loss of dark-sky quality across Minster Marshes. This is an area characterised by low ambient light levels and wide, open horizons, forming one of the few remaining pockets of relative tranquillity in east Kent. The submitted lighting strategy lacks sufficient detail to demonstrate that illumination will be the minimum necessary for safety and security, as required by NPS EN-1 paragraph 5.10.21 and 5.10.22. Without strict control of luminance, orientation and hours of operation, the development would introduce glare and skyglow visible across the Stour Valley and from the Richborough Roman Fort, undermining the area's rural character and disrupting nocturnal wildlife.

11. Amenity Impact

Finally, and above all, CPRE Kent wishes to emphasise that the true impact of this project on the day-to-day lives and well-being of local communities must not be underestimated. The Minster Marshes and surrounding parishes are lived landscapes and places of work, recreation and quiet enjoyment – and not empty spaces awaiting development.

As was powerfully conveyed at the Kent Open Floor Hearings, local residents described the deep anxiety and sense of helplessness caused by the prospect of years of disruption, heavy traffic, constant noise and night-time lighting. Many spoke of the area's rare tranquillity, of the peace it offers to those seeking nature and open space, and of the fear that this will be permanently lost. There was widespread concern about the effect on health, well-being and access, with particular emphasis on the disturbance to schools, farms and vulnerable residents, as well as the cumulative pressure on already overstretched rural roads.

Speakers also described the lingering damage from previous infrastructure projects, particularly the continuing ecological and visual scars left by the Nemo Link development. The community's overriding message was clear: they have already seen what large-scale industrial works can do to this landscape and will not stand by while the same mistakes are repeated. This loss of trust and growing fatigue reflect a broader pattern of communities feeling marginalised by rapid, poorly coordinated infrastructure delivery. The experience in Suffolk reinforces these fears. There, residents spoke of persistent stress,

sleep disturbance and a loss of connection with the countryside as their once-quiet environments became construction corridors. The same pattern is emerging in Kent, where the cumulative impact of Sea Link would reach far beyond the Order Limits, affecting the character, amenity and well-being of whole parishes.

CPRE Kent therefore urges the Examining Authority to treat these community and amenity impacts as central to the planning balance and not just as a box that needs to be ticked in its final report. The transition to net zero cannot, and must not, come at the expense of the people and landscapes that make this part of east Kent unique.

Enc: Annex 1 – CPRE Greening the Grid Manifesto

Greening the Grid

energy around the country

Clean energy is essential for tackling the climate emergency. If we want to stop climate change from getting worse, we'll need to stop using fossil fuels.

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This also means we'll have lots more electricity moving around that we'll need to connect from where it's generated to where it's used. Building and upgrading this new transmission infrastructure is already happening – it's what National Grid is calling the 'Great Grid Upgrade'.

We'll need more cables and pylons carrying energy, more substations to transform high voltage power to useable lower voltages, and more batteries to store renewable energy for when the wind doesn't blow and the sun doesn't shine.

Just as quickly, we need to regenerate the countryside to make sure nature and landscapes can better withstand the changing climate, such as more frequent and extreme weather events. This is essential. Climate change is a huge threat to food production, nature and the countryside itself. We want to ensure that future generations can enjoy a beautiful, productive and nature-rich environment.

Critically, we can't afford for our clean energy needs to be met at the expense of a thriving countryside. People across the country care deeply about tackling the climate emergency but also regenerating, protecting and keeping the countryside beautiful at the same time. All voices should be heard as we make this big energy transition.

At CPRE, we want to see the clean energy system built, not blocked. These eight principles explain how we think it can be done well. The 'Great Grid Upgrade' *can* be greened to have the least environmental impact and the greatest benefit for people, nature and the countryside. The manifesto asks the government and energy system leaders to listen to and take up our solutions.

Together, we can quickly build a clean, fair, and countryside-friendly energy system – one that powers our future while protecting and

regenerating the landscapes we love.

1. Open up a national conversation on greening the grid

Everyone should know what the 'Great Grid Upgrade' is about and why it's happening, communicated through local citizen engagement events.

- **Enable citizen engagement events:** The government should lead a big public conversation to get feedback on the grid upgrade options before it makes the final call on where new infrastructure should go.

2. Empower local communities to shape their clean energy future

Local people should be meaningfully involved in the planning of Nationally Significant Infrastructure Projects (NSIPs) right from the start, advising on the best choices and how to reduce any negative impacts, as well as enhance the surrounding countryside.

- **Reform NSIP planning:** The government should reform NSIP planning so that affected communities are engaged early and meaningfully in the real options in a project. For example, helping guide routes of cables and pylons to the best 'corridors' through the landscape before decisions are set in stone. Taking the time to do this early on means community consent for projects can be reached more quickly.
- **Introduce local design panels:** Local people should have a say all the way through a process – we'd like to see ongoing design panels for iterative advice on best solutions.
- **Introduce a developer consultation test:** Energy developers should be judged by the quality and outcomes of the engagement with local people rather than how many people and how many times they consulted.

3. Rejuvenate green industrial growth

We need to see energy efficiency increase dramatically. One way to help is for government to guide heavy energy users, such as data centres, green steel, green cement and hydrogen production, to be sited closer to where energy is generated. This would also support regional economic regeneration, especially on former brownfield land. Another way is to improve the way we manage demand for energy is through more flexible solutions such as batteries, long duration energy storage and smart systems that balance supply and demand.

- **Set industrial Strategy targets:** The government should embed legally binding energy demand reduction targets into the Industrial Strategy Ten Year Plan, in line with UK carbon budgets.

4. Aim for the best

If we want a legacy to be proud of, quality is as important as speed. The grid should be designed in a countryside-friendly way that brings rural communities on board. New technology and innovation should drive efficiency and locally appropriate design. For example, smarter cable materials and superconductors increase efficiency by allowing existing electricity lines to carry more power and smaller 'T'-pylons and/or other more sensitive pylon designs can reduce visual impact for local communities.

- **Engage people on the big principles:** To help public buy-in, we'd like the National Energy System Operator (NESO) to have a wider two-way conversation with communities on the big principles shaping the design of the grid, before publishing the Electricity Transmission Design Principles.
- **Drive local innovation:** Developers should show and communicate more ambition for a range of locally appropriate best practice design to help reduce impacts on landscapes and nature.

5. Build more of the grid offshore

We need to plan for the majority of our grid and wind farms to be offshore, reducing the need for onshore infrastructure significantly and avoiding the worst visual impacts. This means electricity cables under the sea whilst minimising impacts on coasts and marine biodiversity.

- **Set ambitious offshore grid targets:** The government should set a target for more of our energy grid to be offshore by 2035.

6. Protect sensitive landscapes

Nature and rural landscapes should not be collateral damage in our mission to build a clean power system. It is non-negotiable that environmental and landscape character impacts should be fully assessed, weighed against any other benefits and then any harms significantly reduced where possible.

- **Avoid infrastructure in protected areas:** National Grid should ensure that electricity transmission lines avoid designated landscapes and any new cables in national parks and national landscapes should be put underground.
- **Underground more cables:** National Grid should widen the circumstances in which underground cables can be used when planning energy infrastructure in any sensitive or valued countryside (not only in legally protected areas) and promote this with new design guidance.
- **Remove existing lines from the landscape:** The Department for Energy Security and Net Zero, Ofgem, Britain's energy regulator, and National Grid should widen the circumstances in which underground cables can be used when planning energy infrastructure in any sensitive or valued countryside (not only in legally protected areas) and promote this with new policies and guidance on undergrounding cables.

7. Use this opportunity to regenerate the countryside

When planning the grid upgrade, leaving the environment in a better state than it was before should be the new normal. We should be improving and regenerating the countryside around our energy infrastructure.

- **Embed environmental net gain:** The government should ensure that all major infrastructure projects contribute positively to nature recovery and climate goals beyond merely reducing harm, and this should include landscape scale recovery and gain.
- **Strengthen environmental protections:** The government should set a non-negotiable expectation for all new energy infrastructure that environmental impacts must be fully assessed, weighed against other benefits of the proposed development and any harms reduced appropriately.

8. Prioritise 'local smart grids' to unlock more

community energy

Local and community renewables, like smaller scale solar, heat pump and battery solutions, need flexible, two-way grid connections that are 'smart'. This means they enable efficient use and storage of the energy generated locally and the selling back of any excess to the wider grid to create community income. More local smart grids would also minimise the need for long distance transmission infrastructure and can lead the way as a fast and popular route to local energy resilience.

- **Prioritise community energy in planning:** Reform the National Planning Policy Framework (NPPF), so that community-led energy schemes get the same level of encouragement as community-led housing schemes.
- **Increase investment:** Ofgem should direct regional electricity networks to invest more into local smart grids that will plug in many more local and community energy schemes.
- **Speed up connection for local schemes:** Add a fast-track route for community energy schemes in the queue of energy developments awaiting permission to connect to the grid.
- **Unlock the power of our roofs:** The government should increase Clean Power 2030 targets for rooftop solar, with more focus on enabling connections for warehousing and other large-scale rooftops.